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COMMONS. SPECIAL COMMITTEE ON
REPRESENTATION IN THE HOUSE
OF COMMONS.

MINUTES OF PROCEEDINGS AND
EVIDENCE.

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PARLIAMENTARY SESSION 1924

1924

SPECIAL COMMITTEE

TO WHOM WAS REFERRED BILL No. 2

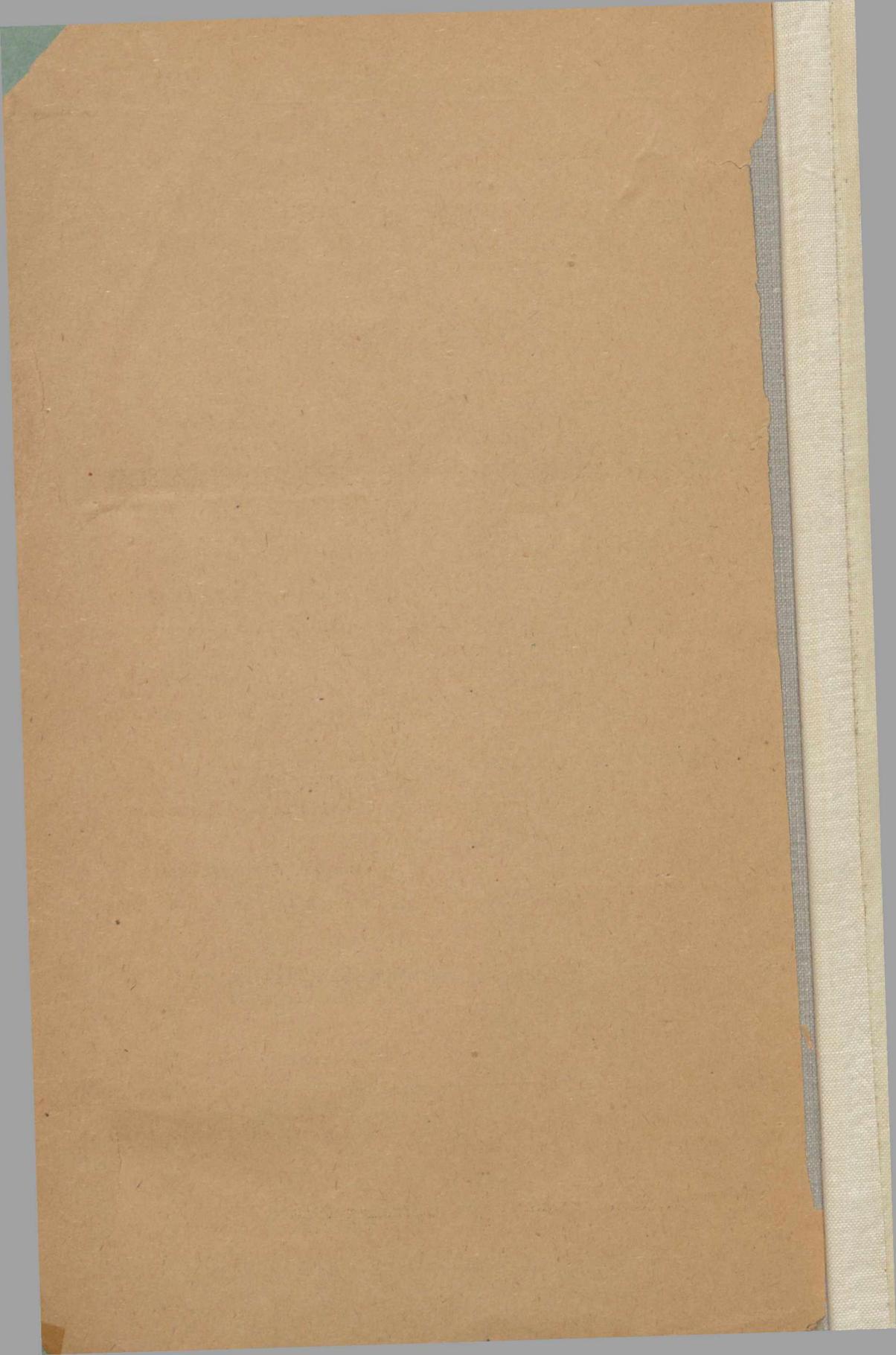
Act to Readjust the Representation
in the House of Commons

MINUTES OF PROCEEDINGS



No. 1—Thursday, May 1, and Friday May 9, 1924

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1924



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ORDER OF REFERENCE

HOUSE OF COMMONS,

TUESDAY, 25th March, 1924.

Resolved,—That Bill No. 2, An Act to readjust the representation in the House of Commons, be referred to a Special Committee, the names of the members of which to be given in a motion at a later date, with instructions to the Committee to prepare schedules to contain and describe the several electoral divisions entitled to return members to this House and to report the same.

An *Attest.*

W. B. NORTHRUP,
Clerk of the House.

MONDAY, April 7, 1924.

Ordered,—That the following members do compose the said Committee:—Messrs. Béland, Boivin, Hanson, Humphrey, Johnston, Low, Kennedy (Glengarry and Stormont), King (Huron), Macdonald (Pictou), McMurray, McRie, Morrissy, Motherwell, Rankin, Speakman, Stewart (Argenteuil), Cartwright (Leeds), Stork, and Sutherland, and that Rule 11 be suspended in relation thereto.

Attest.

W. B. NORTHRUP,
Clerk House of Commons.

TUESDAY, April 15, 1924.

Ordered,—That the said Committee be given leave to report from time to time.

Attest.

W. B. NORTHRUP,
Clerk House of Commons.

MONDAY, May 12, 1924.

Ordered,—That the said Committee be given leave to have its proceedings printed from day to day for the use of the members of the Committee and of the House, when deemed advisable; also that the said Committee be given leave to sit while the House is in session.

Attest.

W. B. NORTHRUP,
Clerk House of Commons.

SPECIAL COMMITTEE

MEMBERS OF THE COMMITTEE ON REDISTRIBUTION

Hon. E. M. Macdonald, *Chairman*.

Béland, Hon. H. S.

Boivin, G. H.

Hanson, R. B.

Humphrey, L. W.

Johnston, J. F.

Kennedy, J. W.

King, J. W.

Low, Hon. T. A.

McMurray, Hon. E. J.

McQuarrie, W. G.

Morrissy, Hon. John

Motherwell, Hon. W. R.

Rankin, J. P.

Speakman, A.

Stewart, Hon. Charles

Stewart, H. A.

Stork, A.

Sutherland, D.

V. Cloutier, *Secretary*.

PARLIAMENTARY SESSION 1924

SPECIAL COMMITTEE

TO WHOM WAS REFERRED BILL No. 2

An Act to Readjust the Representation
in the House of Commons

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 2—Thursday, May 22nd, 1924.

EVIDENCE

The Honourable E. H. Armstrong, LL.D., Premier of Nova Scotia.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1924

SPECIAL COMMITTEE ON REDISTRIBUTION

MINUTES OF PROCEEDINGS

COMMITTEE ROOM No. 436,

THURSDAY, May 22nd, 1924.

The Committee met at 4.30 p.m., the Chairman, Hon. E. M. Macdonald, presiding.

Other members present:—Messrs. Béland, Hanson, Humphrey, Johnston, Kennedy (Glengarry and Stormont), King (Huron), Low, McQuarrie, McMurray, Morrissy, Motherwell, Rankin, Speakman, Stewart (Leeds), Stork and Sutherland.

The Chairman informed the Committee that the Honourable E. H. Armstrong, Premier of Nova Scotia was present, and submitted that he be heard upon the question of representation in the House of Commons. The Committee assenting, Mr. Armstrong proceeded with his address.

Mr. Armstrong retired.

The Committee then considered the reports of the Sub-Committees respecting the schedule to the Bill. Progress was further reported.

The Committee adjourned to meet at the call of the Chair.

V. CLOUTIER,
Clerk of the Committee.

MINUTES OF EVIDENCE

HOUSE OF COMMONS,

COMMITTEE ROOM No. 436,

THURSDAY, May 22nd, 1924.

The Special Committee on Redistribution met at 4.30 p.m., the Chairman, Hon. E. M. Macdonald presiding.

The CHAIRMAN: I may say, gentlemen, that the Hon. Mr. Armstrong, Premier of Nova Scotia, is here, and I thought that at this meeting, which was somewhat interfered with by the proceedings of the House, we would take the opportunity of asking him to present to the Committee certain views which were held by the Maritime Provinces with regard to the representation, or the reduction of the representation in the House. If it is the pleasure of the Committee I would like Mr. Armstrong to address us.

Hon. Mr. ARMSTRONG: Mr. Chairman and gentlemen of the Committee: It is very kind indeed, Mr. Chairman, of the Committee to accord me this privilege and opportunity of meeting with you on a question of very considerable importance to the province of Nova Scotia, and the Chairman is quite right in saying that I simply happened to be here and able to attend this meeting of the Committee, because I did not come for the express purpose of representing either the province or the Government. What I have to say would bear, probably, not on any new phase of the discussion, but it might review some of the things which have been already discussed, and put the situation as far as it affects Nova Scotia in as concrete a form as I possibly can before the members of the Committee. I may say that this is not a new matter so far as the action of the Nova Scotia Legislature is concerned. In 1910 I took occasion to bring this matter again before the Legislature of Nova Scotia, as you will find in the reports of the House Assembly for that year, on page 225, when a resolution was unanimously adopted by the Legislature at that time attempting to deal with and express what I think were their views with reference to redistribution which took place in 1911. That was moved by myself, and seconded by the then Member for the County of Richmond, Dr. Bissette. It was supported by the then Leader of the Opposition in the local Legislature, and as far as I know the purport of that legislation was submitted to the Federal Government at that time. I may also say that the present Judge, Mr. Justice McLean, was then in the House and quite concurred in the views expressed at that time as representing Nova Scotia. Then we had sixteen members, which had been reduced from eighteen. At that time we took the ground, following a discussion which had taken place in the House prior to our discussion in Halifax that it would be only fair that until six of the provinces of Canada should have as their representation at least the number which was accorded to them when they entered the Union, or at the time of Confederation, we should on no account or for any reason be ever accorded less than the number of representatives with which we entered Confederation, whether at the time of the original compact of 1867, or as the subsequent provinces entered Confederation. We also pointed out at that time a desire to get the co-operation of the various provinces of Canada because if there were any of you gentlemen present in the House of Commons at that time you will recall that the late Sir Wilfrid Laurier, when discussing the resolution, con-

[Hon. E. H. Armstrong.]

ceded—and I think we will all have to concede—that unless all the provinces concurred in any possible amendment to the Act which will enable this to be brought about, we could do nothing; it must be with the full concurrence of the various provinces.

By Mr. Hanson:

Q. In what year was that resolution brought up?

Hon. Mr. ARMSTRONG: I think it was in 1910.

Mr. HANSON: That was the year you brought up your resolution?

Hon. Mr. ARMSTRONG: Yes, I think it was the same year. Our session was a little later than yours. It may have been 1909 in the Federal House. If I recall the circumstances, I think the present Member, Mr. Kyte, either moved a resolution or discussed it on the floor of the House. In 1913 we adopted a similar resolution unanimously in the Legislature of Nova Scotia, taking notice of the fact that we were in danger of a further reduction in representation from sixteen to fourteen. That was moved, I think, by the Member for Pictou County, Mr. Graham, seconded and approved by the Government and the sense of the resolution was transmitted to Parliament here for such action and such influence as it might have. In the second place I wish to reaffirm and stress the argument which our Attorney General, Mr. O'Hearn, presented to this Committee a year ago. His argument, as I followed it, had largely to do with what is known as Section 51, sub-section 4 of the British North America Act, known as the "saving clause." His argument was somewhat involved, and probably involved some mathematical calculations, and in looking that over rather hurriedly I find what I think are some obvious errors in it, and I think I should be permitted to confer with the Attorney General, because I think there are some errors and I would like to have the privilege of submitting a memo, correcting them, if possible. There is one thing he did say, and which I think impressed the Committee, which is found on page 6 of his report. I simply want to re-affirm what he said and to emphasize and stress it, so far as this Committee is concerned. That is the "The bigger Canada gets, the larger population Canada gets, the more Ontario can lag behind," because I think his argument was in connection with the saving clause—the twentieth, in that it works out unfairly to the smaller provinces, particularly to Nova Scotia, and New Brunswick, and if applied rigidly and strictly it will do apparently an injustice in so far as some of these calculations are concerned. Some of the data which he gave is inaccurate, and I am satisfied there are some figures given there which should be corrected.

The CHAIRMAN: I believe he never had the opportunity of revising it.

Hon. Mr. ARMSTRONG: Probably not. So much for that. Now I am aware, gentlemen, that there is an allegation that this is an infringement upon the policy or principle of representation by population, and what I desire to impress upon the Committee, as far as the various provinces are concerned, particularly our own province, is that if by any process, even to the extent of amending the British North America Act, the representation of Nova Scotia may be continued with what it was at Confederation, at nineteen, or even what it is at the present time, sixteen, it does not necessarily violate the principle of representation by population. We can have representation by population notwithstanding the fact that this representation may be increased or decreased. That may to a certain extent, be an arbitrary representation, but you will never overcome, or seriously invade the principle of representation by population. In that connection I want to say that the principle of

representation by population was a pet phrase of the "Fathers of Confederation"; they did not popularly consider what future events might have in store for the smaller provinces, and in my humble judgment the Fathers of Confederation got far too much credit, and there is a good deal to be said in criticism of the theories which they adopted in 1867, that the conditions as they then existed would exist for ever. They do not now apply. The province of Nova Scotia, and, in fact, the Maritime provinces,—the four provinces of the original Union, gave up their self-government, gave up a great deal of their individuality in entering Confederation, but they never recognized that the future might make their representations in the House of Commons and Ottawa decrease instead of increase, in spite of the increase in population. There have been numerous exceptions to the idea of representation by population. We have many differences as far as this country is concerned. There are large constituencies and small constituencies, with large and small populations, but still the representation by population applies just the same. Take the constituency of Shelburne and Queens in the province of Nova Scotia, represented by the Minister of Finance, the Hon. Mr. Fielding. It is a small constituency as far as population is concerned, but it has large and very important industrial activities, and no person should say that should be enlarged on the basis of an enlarged population. In England you have constituencies, some of which have hundreds of thousands of voting population, while others have a voting population of but a few thousands, so the theory of representation by population on the ground of a general average has never been carried out in practice in any country of which I am aware, but you do not, by adopting that policy, invade the theory of representation by population. Now that is borne out to a certain extent by what has already occurred in the country. In 1867 Manitoba was accorded four Members in the House of Commons. The population of Manitoba at that time did not justify it on the principle of representation by population on a unit basis. The number of Members which they were accorded when then entered the Union was far greater than any possible unit of representation under the Quebec rule. In 1871 British Columbia was admitted to Confederation with a representation of six Members accorded them by the terms of the Union. The terms upon which they entered Confederation, based upon the principle of representation by population, or the unit basis, as we have it now, did not entitle them to six representatives, but they had six, and it was provided in the terms of the Union that they never should have less than six; it can increase, but it can never decrease. In 1873 when Prince Edward Island entered Confederation they were accorded six Members. That was representation by population, and was based upon the Quebec rule, which is the unit of representation, the population of Quebec, divided by sixty-five.

Mr. HANSON: That is an interesting piece of history to me. That is correct?

Hon. Mr. ARMSTRONG: Yes.

Mr. HANSON: The same with the other large provinces?

Hon. Mr. ARMSTRONG: No, they came in afterwards. Of course, Nova Scotia and New Brunswick came in in 1867.

Mr. HANSON: They were strictly on the unit basis?

Hon. Mr. ARMSTRONG: Yes, on the unit basis, on the terms of the original compact of Confederation. The only point I make about that is in regard to their wisdom in working out a method by which some of these provinces came into Confederation. They worked it out on the theory of one-sixty-fifth of

the population of Quebec, but on the theory of preserving or maintaining provincial rights with a desire to give them the fullest representation in the House of Commons, they conceded that number of members, two for each of the three counties in Prince Edward Island. These have been reduced as the decennial census came around, until they were saved by an amendment to the British North America Act.

Mr. SUTHERLAND: How would the unit for Prince Edward Island compare with the rest of the Confederation?

Hon. Mr. ARMSTRONG: Very much less.

Mr. SUTHERLAND: Can you give us the figures?

Hon. Mr. ARMSTRONG: I have not the figures for 1863, but it is very much less, because it finally dwindled down to three, and they were only saved by an amendment to the British North America Act, and I assume it applies to all the provinces, that the irreducible minimum was limited by the number of Senators they would have.

Mr. SUTHERLAND: That is by the legislation of 1914?

Hon. Mr. ARMSTRONG: Yes. That was established by an arbitrary Act.

The CHAIRMAN: In violation of the principles concurred in by Parliament?

Hon. Mr. ARMSTRONG: I thought perhaps I could draw the attention of the Committee to the effect which the various readjustments have had upon the Maritime Provinces. I do not claim that the Maritime Provinces should have special consideration, although I would be glad if they were accorded special consideration, and there are some conditions in connection with the political history of the Maritime Provinces that would not make special consideration unthinkable, and I will have occasion to refer to that in a moment. In 1875 the Maritime Provinces had forty-three Members in the House; in 1885 they had forty-three; with a population of 870,696; in 1895 they had thirty-nine Members in the House, with a population of 880,787; in 1908 they had thirty-five Members, with a population of a little less than 900,000; in 1911 they would have been reduced to thirty, except for the fact that the Prince Edward Island representation was maintained, and they had a population of over a million. The point I want to make is that despite the fact that representation has been decreasing as each decennial census has come around, the population has been increasing, and if there is anything in the theory that the Fathers of Confederation made a mistake, which has affected this representation, notwithstanding the fact that our population has grown by degrees, to me there is some justification for a careful consideration as to whether ample justice is being done to the Maritime Provinces in so fixing an arbitrary rule in 1867, and then putting in a saving clause, which is impossible for the conditions which now obtain for the Maritime Provinces, as outlined by Mr. O'Hearn, the Attorney General.

The CHAIRMAN: Then some objection might be made by other provinces.

Hon. Mr. ARMSTRONG: Yes, and I think the Fathers of Confederation made a great mistake when they said that the original representation of all the provinces should not be affected by further reduction. I want to make that clear. There are some reasons—they may be good reasons or they may not—which I think could be urged why the Maritime Provinces should have special consideration, and I make the general statement that we have always put it on the grounds, in Nova Scotia, that inasmuch as Manitoba was practically assured

of representation, British Columbia was practically assured of representation of not less than six Members, and the representation of Prince Edward Island was fixed by legislation, as is Quebec—which cannot be less than sixty-five—

Hon. Mr. BELAND: And it cannot be more.

Hon. Mr. ARMSTRONG: It cannot be more, unless an amendment is made to the British North America Act. I do not think this should apply to the other provinces. I think they should all have their representation based on some distinct basis where it should not continually decrease, in spite of the fact that the population is increasing, in comparison with the other provinces. If the present readjustment becomes effective, the province of Nova Scotia has less than one-third of its former representation. We had twenty-one at one time, and that was our maximum. If this readjustment goes through on the present basis, we will get fourteen; that is a loss of seven, besides the fact that while we have not made great strides in our population, it is larger to-day than it was previously.

Hon. Mr. BÉLAND: What was the original number of Members?

Hon. Mr. ARMSTRONG: Nineteen. It then increased to twenty-one, but will go back to fourteen if this principle is worked out, which is one-third of the former representation of the province of Nova Scotia. I only want to say as a Nova Scotian, and a Canadian at the same time, that that is our embarrassing situation concerning the province of Nova Scotia, and it is very difficult to reconcile the progress made in this country, and to have our institutions carried on with any measure of optimism when we feel that we are getting—I will not say injustice, but not full justice and equitable treatment insofar as one-third of our former representation in the House of Commons in Ottawa has been lost to us, as it is in the House of Commons at Ottawa where our most vital legislation and greatest interests are involved.

Mr. SUTHERLAND: You say you had nineteen when you went in?

Hon. Mr. ARMSTRONG: Yes.

Mr. SUTHERLAND: The figures I have show fifteen.

The CHAIRMAN: No, nineteen, then twenty-one in 1871, twenty-one in 1881—

Hon. Mr. BÉLAND: This was taken from statistics sent out by the Prime Minister last year.

Hon. Mr. ARMSTRONG: There must be some obvious error there somewhere. If I were to deal with this matter purely from a provincial standpoint, Mr. Chairman, I might say that Nova Scotia has contributed, as have all the Maritime provinces, to the national welfare of this country. It is an old saying that a chain is no stronger than its weakest link, and this is one of the irritating problems of the Maritime provinces, and if there is one thing more than any other that is commented upon, it is the fact that the representation we once had in the House of Commons at Ottawa will, under the present system of distribution, dwindle until our minimum may be reached—a minimum of ten Members to correspond with the number of Senators. I may say further that if there are any here who read Pope's Confederation Papers they will see that we now allege what many of the opponents and the critics at that time alleged we were coming to. It was held out to the province of Nova Scotia, and the Maritime provinces, at the time of Confederation, that this condition of affairs would not continue and would not take place. I am only giving you, Mr. Chairman, the reference, and if interested you may read it. If you will refer to Pope on page 29, you will see what attitude men like Sir A. Galt, and Mr. Brown took at that time. They merely held out that the local legislature would have the right to

fix the electoral districts, and further, they would have the right to apportion and distribute the number of Members in the House. Those were our hopes, and the announcement was made prior to 1867 in order to induce, if possible, the province to enter Confederation, forego their self-government, and a large share of their individuality. Now, there is another thing which I had in mind when my friend interposed his question a moment ago. It is that in the three provinces—and I am directing this stage of my argument more particularly to the three lower provinces, Nova Scotia, New Brunswick and Prince Edward Island—it is apparently impossible for them to extend their territorial jurisdiction. Nova Scotia, to all intents and purposes, might be regarded as an island, the same as Prince Edward Island. New Brunswick is the same. It is physically and absolutely impossible for them to extend their territory. Since 1867 the territory of Quebec has been enlarged, the territory of Ontario has been enlarged, the territory of Manitoba has been enlarged, the western provinces of Alberta and Saskatchewan have been set up in house-keeping, and, to some extent, although perhaps in a modified way, this was at the expense of the lower provinces who have contributed a certain proportion of the cost of creating these two provinces. I want to urge in this respect that we cannot possibly enlarge our territory. What has been the effect of that on the lower provinces? One of the greatest inducements for immigration has been public land available in the west, and it has been practically impossible to hold our Nova Scotians and New Brunswickians from going west. They have joined the western movement. The great trek has been towards the new land available in these two provinces we created and set up. They have drawn from the resources of the Maritime provinces. This was a bid for immigration which Nova Scotia, New Brunswick and Prince Edward Island can never make. The same applies to Greater Ontario. There again, the young men and young women from the Maritime provinces have been called; the same with the newer provinces, and the same I suppose may be true of Northern Quebec, but we never can overcome the serious handicap that our territory can never be enlarged, while the enlargement of these other territories has drawn from our population, and encouraged immigration to an extent that the Maritime provinces can never hope to enjoy. Nova Scotia has the largest population per square mile of any province excepting Prince Edward Island, and while that obtains it is only natural to suppose that our surplus population, or the immigrants will go to those provinces which offer larger opportunities and which are less crowded, where they can secure land in the open spaces—in the hinterland—which has been added to these various provinces, and I think it is only fair to say that Nova Scotia has had some proprietary interest in that. That is to say, the Maritime provinces are perhaps somewhat in a different position from the other provinces. I think that also has some bearing upon the decision of the Supreme Court when this matter was submitted to it in 1903 and 1904 upon the interpretation of the word "Canada." Of course, it was urged at that time that Canada simply meant the four original provinces. The Privy Council and the Supreme Court of Canada both decided that Canada meant, in working out any representation, the whole of Canada, but it must not be forgotten that since 1903 and 1904 when the decision was rendered, that Canada has been enlarged. At least, the provinces have been; what was the province of Quebec and the province of Ontario and the province of Manitoba in 1903 and 1904 are different provinces to-day, just as they were at the date when the last redistribution took place, and that decision was given. In that connection, to show that Parliament in my opinion has jurisdiction, in 1912 when they dealt with the territorial area of the province of Quebec there was a special clause put in the Act whereby the population of this area was first deducted or subtracted from the total population of Quebec and the unit made on the population of

the new province. Now, if Parliament had the jurisdiction and the right, and I assume that it had, to do that, there are possibilities which occur to me, if this committee makes a recommendation that something of the same character might be done in readjusting the representation of the lower provinces. I frankly admit that will not disturb the basis of union so far as the province of Nova Scotia is concerned. I see no other method of solving the problem but that this new territory must be represented quite separate and apart from what the province of Quebec is entitled to under union. While we do not wish to disturb the basis of union, we do urge that our representation in the House of Commons should not be less than the original terms upon which we entered Confederation. The same condition confronted Prince Edward Island as may confront Nova Scotia or New Brunswick. Enlargement of territory was impossible, so membership under the basis of union would gradually diminish, and Parliament came to the rescue of that province in the way I have indicated, so their membership cannot be less than 4, and what can be done in the case of Prince Edward Island, in my estimation, can be done for the other provinces as well.

The CHAIRMAN: Just in that connection I see a quotation here in a memorandum that was drawn up at the Interprovincial Conference in 1913, a quotation from the speech of the Hon. George Brown whose platform was always "Rep. by Pop." in moving a resolution fixing the number of representatives each province should have. He said:

"The practical result will be that while Lower Canada certainly will not be less and the Lower Provinces may increase in population, they cannot decrease in the number of representatives. It keeps the House within a reasonable limit."

It was on that assurance that it was adopted.

Hon. Mr. ARMSTRONG: Yes. Not only did Brown, but Galt and others who were most active at that time in promoting union in which the lower provinces joined, with that inducement held out that the representation of the provinces should not be increased but maintained as originally entered. I think you will find that in Pope's Confederation Papers or documents, at page 29 and the following pages, because at an address which I gave in Halifax I referred somewhat copiously to these various representations which were made at that time.

Now, Mr. Chairman, I do not know that I have anything else that I can offer to the Committee, except to put these general statements before you and to suggest that so far as the Maritime Provinces are concerned, in view of these conditions which I have outlined, it is not going very far, in view of the action of Parliament in the past, in view of the terms of Confederation originally, and in view of the terms of Confederation by which Manitoba, Prince Edward Island, British Columbia, and the western provinces subsequently came into Canada, to say that inasmuch as we have amended from time to time the terms and subsidies, we have amended the Act as far as Prince Edward Island is concerned, we have a special clause in the Quebec Act of 1912 regarding this territory, it is not asking too much that we should not be—I will not use the word "discriminated" against, but that we should maintain the status we actually occupied in working out the problems of Confederation. I do not think Parliament would be doing an impossible thing if it followed the precedents already set and agreed that the B. N. A. Act should be amended, if necessary to that end. I do not know whether I have made it clear, but if Nova Scotia were coming here and making these suggestions on the basis that her population had been declining, perhaps I would have a less sure ground, but when I point

out that the population of Nova Scotia has been continually increasing, not as much as we hoped for and not as much as we anticipated, but I might point out that we cannot hope to have the same large increase of population while we have no opportunity of enlarging our territory, thereby enjoying the public domain which is so necessary to such an end. You must also bear in mind that we have had a large departure of people not only to the United States, but to the other provinces of Canada. I do not think I can add anything to what I have already said. I thank you for the opportunity of appearing before you.

By Mr. Hanson:

Q. Has your legislature or your Government made any concrete proposal to the Dominion Government at this juncture with respect to this matter?—A. Not at all, excepting that we have passed a unanimous resolution and had it transmitted.

Q. What was the nature of it?—A. I would not care to use the harsh word "protest," but it was calling attention to the situation and making representation that we ought not to undergo any further reduction.

Q. You have not then, outlined any concrete proposal as to what Parliament should do in regard to this matter?—A. You mean personally, or the Government?

Q. Officially.—A. No. Perhaps I may say that we came the nearest to that in 1910, when we adopted a resolution that all the provinces should be placed on an equal basis, so that the representation which they enjoyed at the time of Confederation should not be reduced, should be increased if anything, but should at least be maintained. That would give us a representation of 19 members, and we asked that if that could not be done, at least there should be no further reduction. I would greatly deplore having to go to Parliament saying that Nova Scotia must be made an exception of.

The CHAIRMAN: We can do what was done in 1914. The committee of that time recommended to the House that a petition be presented to the Imperial Parliament amending the Act fixing the minimum. It would just be following that course. Prince Edward Island now has a minimum of 4, the limit being made to correspond with the number of Senators. The proposition at the moment, I understand, would be that a limit would be fixed for the three Maritime Provinces, that they should not have a less representation than they now enjoy.

Hon. Mr. ARMSTRONG: If it is found impossible to go back to the original basis of union, then at least we should have not less than we now enjoy.

Mr. HANSON: In other words, you want to establish the principle put forward in the Act of 1915 which provided that notwithstanding anything then in the Act the province should always be entitled to the number of Members that it had Senators?

Hon. Mr. ARMSTRONG: Yes, or if that were found impossible, not less than its present representation.

Hon. Mr. BELAND: Let us suppose an impossible case, where all the provinces in Canada, with the exception of Quebec, decrease in population to the extent that their population would be only equal to that of Quebec. Quebec would remain with 65 members, while there would be about 160 members for an equal population in the rest of Canada. I know it is not probable, but you see how it would result.

The CHAIRMAN: It is not only improbable, but it is impossible, unless Armageddon comes along and wipes out everything.

After discussion the Committee adjourned.

PARLIAMENTARY SESSION 1924

SPECIAL COMMITTEE

TO WHOM WAS REFERRED BILL No. 2

An Act to Readjust the Representation
in the House of Commons

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 3—Wednesday, June 11, 1924.

Memorandum.—Hon. W. J. O'Hearn, K.C., Attorney-General for
Nova Scotia.

Evidence.—Hon. C. W. Robinson, Senator, *Re* Representation of
Maritime Provinces in House of Commons.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1924

SPECIAL COMMITTEE ON REDISTRIBUTION

MINUTES OF PROCEEDINGS

COMMITTEE ROOM 436,

WEDNESDAY, June 11, 1924.

The Committee met at 4.30 p.m., the Chairman, Hon. E. M. Macdonald, presiding.

Other members present:—Messrs. Béland, Hanson, Humphrey, Johnston, Kennedy (Glengarry and Stormont), Low, McQuarrie, Morrissy, Rankin, Speakman, Stewart, Hon. C., and Sutherland.

Hon. Mr. Low for the Sub-Committee on the Ontario schedule reported further progress.

The Chairman informed the Committee that he had received from the Attorney-General for Nova Scotia, Hon. W. J. O'Hearn, a memorandum bearing upon the meaning and effect of section 51 of the British North America Act to which Mr. O'Hearn had referred in the course of his evidence given before the Committee during the Parliamentary session of 1923. After consideration thereof, it was resolved on motion of Mr. Hanson, seconded by Mr. Humphrey, that said memorandum be printed in the record.

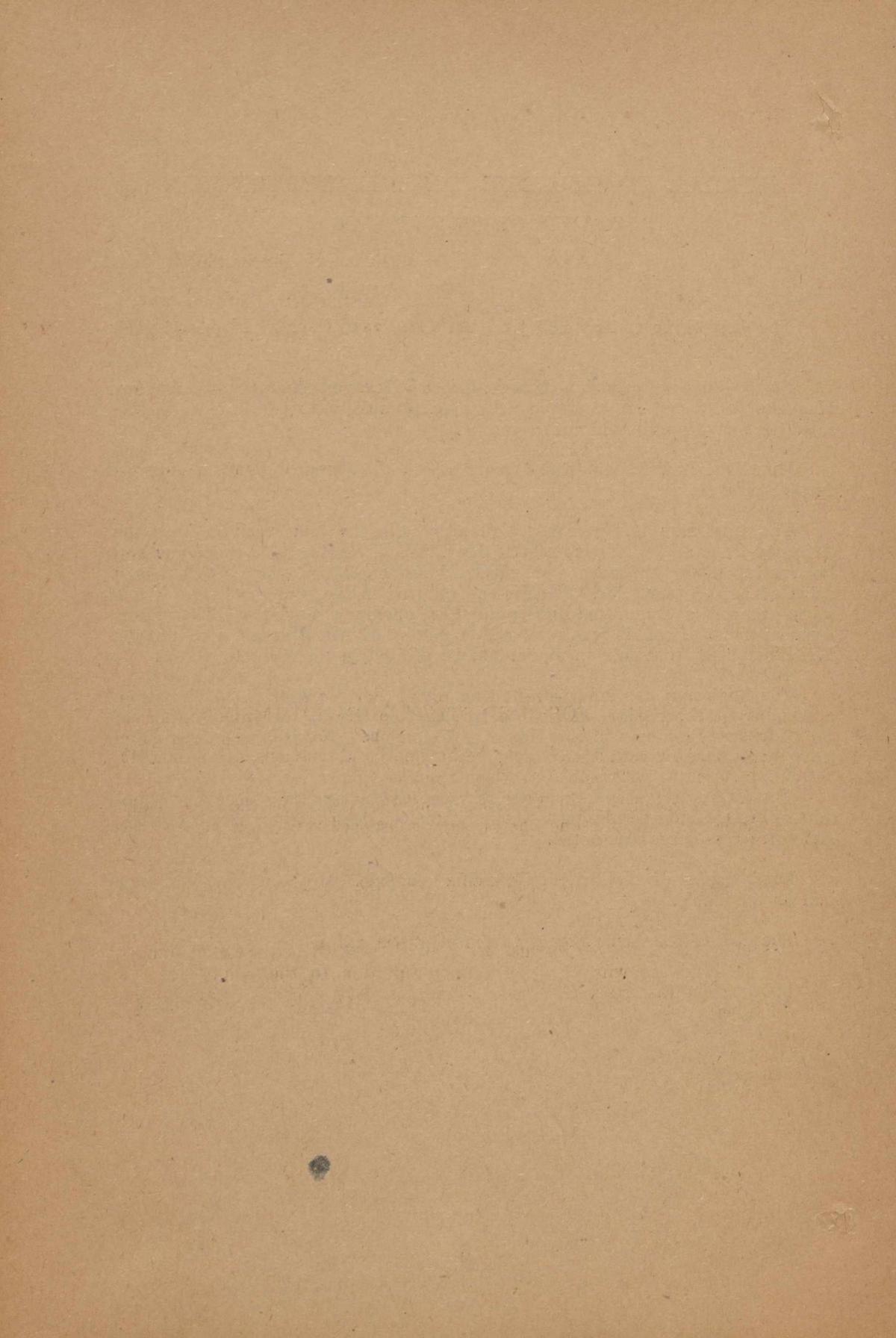
The Chairman also informed the Committee that the Hon. C. W. Robinson, a member of the Senate, desired to be heard in regard to representation of the Maritime Provinces in the House of Commons. Mr. Robinson was given leave and proceeded with his address.

The Committee then proceeded to consider the reports of the Sub-Committees on schedules pertaining to Quebec, Manitoba, Saskatchewan and Alberta, and further progress was noted.

Draft copies of the British Columbia schedule, subject to revision, were laid on the Table.

The Committee then adjourned to meet at the call of the Chair.

V. CLOUTIER,
Clerk of the Committee.



MINUTES OF EVIDENCE

COMMITTEE ROOM 436,

HOUSE OF COMMONS,

WEDNESDAY, June 11, 1924.

The Special Committee on Redistribution met at 4.30 p.m., the Chairman, Hon. E. M. Macdonald, presiding.

The CHAIRMAN: We have with us here to-day Senator Robinson from New Brunswick, who desires to say a word in regard to the situation in the Maritime Provinces in connection with redistribution. Before I call upon the Senator, I would like to submit a memorandum which has been handed to me by Attorney General O'Hearn of Nova Scotia, and which I would like printed on the record. Last year he appeared before the Committee, but he did not have an opportunity of revising the report of his remarks which were somewhat technical and based upon figures and related to the meaning and effect of subsection 4 of section 51. I think the Committee would be better seized with the whole matter if this memorandum were printed in the record.

Mr. HANSON: I move that it be incorporated in the minutes.

Mr. HUMPHREY: I second that.

Motion agreed to.

(Memorandum follows.)

MEMORANDUM FOR REDISTRIBUTION COMMITTEE

The relevant Section involved in the hereinafter discussion is Section (51) of the British North American Act, which reads as follows:—

“On completion of the census of the year one thousand eight hundred and seventy-one and of each subsequent decennial census, the representation of the four provinces should be readjusted by such authority, and in such a manner, and from such time as the Parliament of Canada from time to time provides, subject and according to the following rules:—

1. Quebec shall have the fixed number of 65 members.
2. There shall be assigned to each of the provinces such a number of members as will bear the same proportion to the number of its population (ascertained at such census) as the number 65 bears, to the number of the population of Quebec (so ascertained).
3. In the computation of the number of members for a province, a fractional part not exceeding one-half of the whole number requisite for entitling the province to a member shall be disregarded; but a fractional part exceeding one-half of that number shall be equivalent to the whole number.
4. On any such readjustment the number of members for a Province shall not be *reduced unless* the proportion, which the number of the population of the province bore to the number of the aggregate population of Canada at the then last preceding readjustment of the number of members for the province is ascertained at the then latest census to be *diminished by one-twentieth part or upwards.*”

In 1919 the population of the Dominion was 7,204, 838. In the same year the population of Nova Scotia was 492,338. This indicates that at that time Nova Scotia had 6.823 per cent of the population of Canada. To lose the benefit of the Saving Clause, subsection (4) of Section 51, in 1921, it would have to lose only one-twentieth of 6.823 or .34115 per cent. Now, subtracting .34115 from 6.823 indicates that in 1921, in order to preserve its representation, Nova Scotia would have to have 6.41851 per cent of the population of Canada, or 6.41851 per cent of 8,788,483; in other words 569,657 people. She did not. If there were no Saving Clause in 1921 it would only be obliged to have 15½ multiplied by 36.326 (The Quebec Unit) or 562,053. Thus in 1921, if there were no Saving Clause, Nova Scotia would retain her present representation with, approximately, 7,000 less people than that required by the Saving Clause in question.

Ontario in 1921 on the Quebec Unit basis of calculation and without the Saving Clause would be entitled to 80¼ members, and by virtue of subsection (3) to 81 members. She retains 82. Why? In 1911 the population of Ontario was 2,523,274; in other words, she had 35.06 per cent of the then population of Canada. To lose the benefit of the Saving Clause in 1921 she must lose one-twentieth of that population, or 1.753 per cent. Now, 1.753 per cent of the population of Canada in 1921 was 154,062; in other words Ontario in 1921, before she would lose her 1911 representation of 82, would have to lag behind in population to the tune of 154,062. It is worthy of notice that in 1921 Ontario only possessed 33.38 of the population of Canada, which is 1.68 per cent less than she had in 1911.

Now what about the future? Suppose in 1931 Ontario's population increases to 10,500,000 people. Her present percentage of 1921, population of Canada is 33.38 per cent. In 1931, in order to lose her present membership, she would have to lose one-twentieth of 33.38, or 1.669 and one-twentieth of an assumed population of 10,500,000 would be 175,245 people. In other words, the larger Canada's population gets, the more Ontario can lag behind.

Now then what about Nova Scotia?

In 1911, Nova Scotia, as before stated, had 6.823 of the population of Canada; to lose the benefit of the Saving Clause of 1921 and to be liable to have her representation reduced after the 1921 census, she had only to lose one-twentieth of 6.823 or .345115 per cent. Now what is .345115 per cent of the population of Canada? In 1921 it was 29,881. Therefore, if Nova Scotia lags behind only to the tune of, approximately, 30,000 people she loses the benefit of the Saving Clause. Therefore, Ontario before she could suffer in reduction in representation she would have to lose over 150,000 people, and Nova Scotia with its limits of expansion and poor prospects of great increase in population will continue to lose representation the larger Canada grows in population.

The Saving Clause, which was designed to protect the weaker Provinces has never functioned since Confederation as the table will indicate in the case of the Maritime Provinces.

	1867	1871	1881	1891	1901	1911	1921
P. E. I.		6(1873)	6	5	4	3	4
N. B.	15	16	16	14	13	11	11
N. S.	19	21	21	20	18	16	14

By virtue of B. N. A. Act, 1915. Chapter 45, S. 2.

Take New Brunswick for instance, it maintains its 1911 representation of 11.—Why? Under subsection (3) of 51, if one multiplies the Quebec Unit of 36,326 by $10\frac{1}{2}$ it gives 381,423—New Brunswick in 1921 had a population of 387,876. If the subsection (4) of the Savings Clause were applied, it would not maintain its representation, as it would require over 400,000 people under that section.

Senator C. W. ROBINSON: I have a telegram here from Premier Veniot of New Brunswick who expected to appear before the Committee himself. He wires me—

FREDERICTON, N.B.

“Hon. C. W. ROBINSON,
Senator, Ottawa, Ont.

“Cannot go to Ottawa. You represent Government before Committee. But as a Government we cannot take part in rearrangement of seats for province. Discuss our position from point of view of no future decrease of representation.

(Sgd.) P. J. VENIOT,
Premier.

That explains the attitude of the Premier. I have read over the minutes containing the report of Premier Armstrong's remarks and also last year's minutes of the proceedings when Attorney General O'Hearn and Mr. Rand appeared before the Committee, and about all that I can say is that New Brunswick wants to be considered as standing side by side with Nova Scotia in this matter. The Maritime Provinces feel very keenly their situation down there. I do not think that any of our people want to be considered as coming before the Committee asking for anything in the nature of a begging expedition. All that we want is that they shall have a fair and reasonable consideration of their situation along with that of the other provinces in the Dominion in the matter of representation.

You have already had statements submitted, they are a matter of record, and you know that our representation is decreasing. At the present time, in New Brunswick, it is eleven, one more than the number of senators. Prince Edward Island has four, the same as the number of senators; and Nova Scotia is liable to be reduced, according to the B.N.A. Act from sixteen to fourteen.

The contention of Premier Armstrong, as I understand it, is that in view of the many changes which have taken place with regard to the British North America Act and the boundaries of the different provinces, and also in view of the different conditions under which some of the provinces came into Confederation, such as Manitoba and British Columbia, the exact interpretation of the British North America Act, as applied to the Maritime Provinces, has not always been followed as it applies to the other provinces; also that the increase in the territorial boundaries of the Province of Quebec, the Province of Ontario and the Province of Manitoba have had a serious effect in giving to these provinces advantages which it is not possible for the Maritime Provinces to obtain. We are circumscribed. Some time ago there appeared a proposition by a writer in a magazine that since Ungava was added to the Province of Quebec, it would only be fair to add the Gaspé Peninsula to New Brunswick. But I do not suppose that could have been worked out, because the people in that peninsula have been living in Quebec for a long time and really belong to that province.

The position we are in is that so far as our territory is concerned our population has not decreased in any one ten-year period. There has been a steady increase in the population of the Maritime Provinces as a whole. It is

true that Prince Edward Island has decreased from 108,000 to 80,000, but the other provinces have more than made that up, and the saving clause, that is clause 51, in the B.N.A. Act is of very little service to us. In fact, I may say that it is really of no service to us at all. If we were to depend upon the provision that our representation in New Brunswick would only be reduced when our portion was reduced by five per cent, compared with the rest of Canada, we would lose members at the present Redistribution. So that saving clause does not protect us, but what does protect us is that our population is divided up on the basis which is established by Quebec having 65 members, giving us 11 members on this redistribution, not on account of the protection of the saving clause, but on account of the fact that our population, as compared with Quebec, has not increased. So that the saving clause which was intended to be of some service is of no practical service whatever. It was, of course, the idea of the original founders of Confederation that it would be of some service and value to Canada as it then was, and considering the four provinces at that time, it would have been of material service and use and benefit, but with the increased boundaries of Canada, and taking in the great development of the western country, the whole situation has been changed. It brings about a situation which the Fathers of Confederation could not foresee at all, and that is one of the reasons why I think it is not unreasonable for the Maritime Provinces to ask that you give this matter of redistribution very careful consideration. I noticed, in looking up the records of 1914 when the Committee on Redistribution met, that there were strong representations made at that time on behalf of the Province of Prince Edward Island, and as a result of those representations a report was made, from which I might quote a few sentences. This was dated June 10th, 1914. Mr. Rogers was the Chairman, and this citation is found at page 673 of the Journal for 1914:

"Your Committee have had under consideration the claim of the province of Prince Edward Island to have its representation restored to six members as at the date of its entrance into Confederation. The case on behalf of the province was very ably presented by the Hon. J. A. Matheson, the Premier, and the Hon. John McLean, Member of the Council.

"We have been unable to find that the case presented would justify us in recommending an amendment to the British North America Act for that purpose. For this reason we have concluded that the representation of Prince Edward Island must be reduced to three members in accordance with the provisions of Section 51 of the British North America Act.

"We are of the opinion, however, that it is undesirable and indeed incongruous that any province in Canada should have a smaller representation in the House of Commons than in the Senate; and therefore recommend and report that an honourable address should be presented to His Majesty praying that the Act 1867 be amended by the enactment of the following Section:

'51 (a) Notwithstanding anything in this Act a province shall always be entitled to a number of members in the House of Commons not less than the number of Senators representing such province.'

So that in 1914 there was quite a material amendment to the British North America Act which was of very great benefit, particularly to the province of Prince Edward Island, and may possibly in the future be of some benefit to the other Maritime Provinces. However, the point I want to make is that that amendment at that time was more particularly made because of the situation in Prince Edward Island, and the interests of the other provinces were not con-

considered, but it did immediately bring about a remedy—a partial remedy, at least—so far as the province of Prince Edward Island was concerned. Instead of having three members, as they would have had, they now have four members. So that something has already been done for the province of Prince Edward Island. I would not be able to suggest a method, but I might draw this analogy, that if ten years ago they thought it advisable to take some steps which would remedy the situation in Prince Edward Island, it might be reasonable, in 1924, to take some further steps which would assist in remedying the situation in the other two Maritime Provinces, the province of New Brunswick and the province of Nova Scotia. We are not in danger of losing a member in this redistribution, but we may in the future. The province of Nova Scotia is in danger of losing two members. Not a great deal has been said about the question of representation by population. We will all admit that representation by population is and should be a guide more or less in the matter of how the representation should be distributed, but it is not an infallible guide, and we cannot always adhere to it. For instance, in the province of New Brunswick to-day, our largest constituency, the constituency of Westmoreland, where I happen to live, has a population of 53,367. Our smallest constituency, the County of Charlotte, has a population of 21,435, and I do not imagine it would be thought advisable to make changes in these representations. St. John and Albert has 77,700 with two members. There is more than population to be considered. In this case, the county of Charlotte has included in it two quite large islands which are separated, and more or less difficult to get around at election time; they have rather important interests in fishing and other industries, and these things have to be considered as well as the matter of population, and, as is the situation confronting us in New Brunswick, we have a considerable difference in the number of electors to choose a candidate. There the same thing applies for the Dominion as well as for the province. A great deal more has to be considered than the mere matter of population, and it does seem to me that we can reasonably say with respect to the Maritime Provinces, two of the four original provinces of Confederation, that having such great Maritime interests, in the matter of ports, etc., having interests which are so different from the rest of Canada, and being segregated geographically, as we practically are, it is only fair to take all these things into consideration and to make some amendment to the British North America Act which will remedy the condition of affairs down there. We cannot get any more territory, as has been said, as the other provinces are getting. If we could get something along that line, we might be able to more nearly meet the views of the Fathers of Confederation. You have already had quoted to you statements of some of the men of that time. It was never expected that the representation of the Maritime Provinces would be reduced. I think that goes without saying. It was never thought for a moment that we would have a smaller representation as time went on than we had at the time we entered Confederation. Had they supposed our representation would be reduced, I have no doubt some provision would have been made in the British North America Act for our protection, as in the case of British Columbia. In British Columbia there is just a change of one word. In our case the word "adjusted" is used; "It is provided our representation shall be adjusted," while in British Columbia they use the word "increased," instead of "adjusted," with no provision for an adjustment by decreasing. I do not want to take up any more of your time, beyond simply being placed on record on behalf of Premier Veniot, as supporting the contentions set forth by Premier Armstrong, and Attorney General O'Hearn of the province of Nova Scotia.

The witness retired.

Discussion followed.

The Committee adjourned.

SPECIAL COMMITTEE TO WHOM WAS REFERRED BILL NO. 2,
AN ACT TO READJUST THE REPRESENTATION IN THE
HOUSE OF COMMONS.

MINUTES OF PROCEEDINGS

THURSDAY, May 1st, 1924.

The Committee met at 11 o'clock, a.m., the Chairman, Mr. Macdonald, presiding.

Other members present:—Messrs. Béland, Hanson, Johnston, Kennedy, King, Low, McMurray, Morrissy, Motherwell, Rankin, Speakman, Stewart (Argenteuil), Stewart (Leeds), Stork, and Sutherland,—16.

The Committee further considered the question of representation of city constituencies in the provinces of Ontario and Quebec, particularly with a view to fix, if possible, a unit of representation for the cities of Toronto and Montreal. In the course of consideration given to this question, the Committee agreed that the unit of representation for city constituencies should be greater than that of rural constituencies.

Hon. Mr. Béland submitted that it would be impossible to fix a uniform unit for cities, citing the cities of London, Hamilton, Kingston and Ottawa.

The Chairman and Hon. Mr. Béland briefly review the course taken, in 1914, by the Sub-Committees for Ontario and Quebec.

After discussion in which Messrs. Hanson, Sutherland, Hon. Mr. Stewart, Mr. H. A. Stewart and Mr. Kennedy took part, the following motion was put by the Chairman:—

Moved by Mr. Stewart (Leeds), seconded by Mr. Hanson,—That the unit of representation for the City and Island of Montreal, and the City of Toronto and the County of York, exclusive of North York, should be, as far as possible, on the same basis and should not, on an average, exceed in said areas 48,500. The Motion was declared lost on division.

Mr. Hanson then moved, seconded by Mr. Sutherland,—

That the unit of representation for the City and Island of Montreal, and the City of Toronto and the County of York, exclusive of North York, should be, as far as possible, on the same basis.

In amendment thereto, Mr. Kennedy moved, seconded by Mr. Johnston,—

That, so far as possible, the unit of representation in the Cities of Toronto and Montreal should be approximately the same.

The question was put on the amendment, and was declared carried.

The Chairman then submitted that the members of those Sub-Committees dealing with Toronto and Montreal should get together as soon as possible, and report decisions arrived at, at next meeting of the Committee. This suggested procedure was concurred in, and the Committee adjourned to meet again at the call of the Chair.

V. CLOUTIER,
Clerk of the Committee.

FRIDAY, May 9, 1924.

The Committee met at 11 o'clock, a.m., the Chairman, Mr. Macdonald, presiding.

Other members present:—Messrs. Béland, Humphrey, Johnston, Kennedy, King, Low, Morrissy, Motherwell, Rankin, Speakman, Stewart (Leeds), Stork and Sutherland,—14.

The Minutes of the last Meeting were read and approved.

The Committee proceeded to consider the work accomplished by the various Sub-Committees in the preparation of schedules to the Bill. Further progress relating thereto was reported.

The Committee also considered the advisability of having its proceedings printed and of holding sittings while the House is in session. After consideration of same, it was moved by Mr. Johnston and seconded by Mr. Humphrey, that the Committee obtain leave from the House to have its proceedings printed from day to day for the use of the members of the Committee and of the House, when deemed advisable, and that Rule 74 in relation thereto be suspended; also, that leave be obtained to sit while the House is in session,—Motion carried.

The Committee then adjourned to meet again at the call of the Chair.

V. CLOUTIER,
Clerk of the Committee.

PARLIAMENTARY SESSION 1924

SPECIAL COMMITTEE

TO WHOM WAS REFERRED BILL No. 2

An Act to Readjust the Representation
in the House of Commons

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 4—Thursday, June 19, 1924.

Mr. D. F. Kellner, M.P. of East Edmonton, *Re* Petition on Representation
in the House of Commons of the Northwest Territories.

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1924

SPECIAL COMMITTEE ON REDISTRIBUTION

MINUTES OF PROCEEDINGS

COMMITTEE ROOM 436,
THURSDAY, June 19, 1924.

The Committee met at 4.30 p.m., the Chairman, Hon. E. M. Macdonald, presiding.

Other Members present: Messrs. Béland, Hanson, Humphrey, Johnston, Kennedy (Glengary and Stormont), McMurray, McQuarrie, Morrissy, Rankin, Speakman, Stewart (Leeds), Stork, and Sutherland.

The Chairman informed the Committee that Mr. Kellner, M.P., for Edmonton East, who was present, had received a petition relating to representation of the Northwest Territories. Mr. Kellner was given leave to address the Committee. (Statement printed herein.)

The Assistant Chief Electoral Officer, Mr. Castonguay, was requested to explain certain proposed changes in the form of description relating to the schedule for the province of Quebec.

The Clerk of the Committee was instructed to print the schedules which have been submitted.

The Committee then adjourned to meet again on Friday, 20th June, at 4.30 p.m.

V. CLOUTHIER,
Clerk of the Committee.

MINUTES OF EVIDENCE

COMMITTEE ROOM 436,
HOUSE OF COMMONS,
THURSDAY, JUNE 19, 1924.

The Special Committee on Redistribution met at 4.30 p.m., Hon. Mr. Macdonald, the Chairman, presiding.

The CHAIRMAN: Last year Mr. Kellner presented a petition to the House from people residing in the Northwest Territories asking that steps be taken in the direction of giving representation to them. This petition was referred to the Committee. Mr. Kellner mentioned the matter in the House a few weeks ago, and I think we should give him an opportunity of presenting his suggestions.

Mr. KELLNER: Mr. Chairman, I received a petition from a number of the residents of the Northwest Territories representing that in their opinion they should have representation in this House. Among other things, they pointed out that a great number of the natural resources of the country were being rapidly alienated, and that not infrequently they were getting into the hands of foreigners. I use that word as referring to Americans chiefly. They submitted to me a map, which is a Government publication, showing the alienation of the tar sands of the Northwest Territories and the extreme northern part of Alberta. If we consider the Imperial Oil Company as a subsidiary company of the Standard Oil Company, I think you will see by an examination of that map that those plains which are now alienated and held in the United States alone amount to almost 98 per cent of the total area that has been alienated from the Crown. There are a number of companies listed here with a number of claims which they hold and a study of the map will show that in almost every instance they are American firms. We have no particular antagonism to the American people, but it is questionable whether it is desirable that they should come in on that large scale.

Then there is the matter of transportation. The transportation in that territory starts from Edmonton and follows the water routes right up to the Arctic circle. We have a line of railway, approximately 300 miles from Edmonton. That is owned by the provincial government and connects with the Athabasca river, continuing up north. It connects at Port McMurray on the Athabasca. The settlement is right along this water route (indicating).

Mr. HANSON: How far north?

Mr. KELLNER: From Edmonton to the Athabasca; its northern terminal, is approximately 1,500 miles.

Mr. HANSON: How far north of the northern boundary of Alberta?

Mr. KELLNER: That would be about 1,200 miles, probably slightly under, between 1,050 and 1,100 miles. There is a good deal of mineral land up there and enormous oil fields. I am quite satisfied of that, and you are all familiar with that. At the present time they have a refinery which is producing sufficient oil to look after the boats operating on the water route. I am not just familiar with the volume turned out, but it is practically enough, I am assured, to look after that route.

Now there are several points here where there are harbours and landings in which the Dominion Government has made expenditures. You have noticed

probably that almost every year there have been items in the estimates for these expenditures, and in a great many of these instances I have approached the Government in that connection, not that I have any particular interest in them, but evidently I am the member closest to that territory that they can get at and they have asked me to do it. There are some of these lakes where if the wind is fresh from the shore the water in the harbour is so shallow that it is necessary to anchor at a considerable distance from the harbour until the wind goes down. There are quite a number of breakwaters also, and quite a number of buoys showing the channel of the river. I think that considering the great variety of the natural resources and the unquestionable value of them, particularly of those tar sands and the oil fields, it is only reasonable that we should alienate them only with extreme care. When they first presented this petition I replied to them that possibly we could make arrangements to attach the Northwest Territory to the Yukon Territory inasmuch as the Yukon Territory has, I think, a population of 2,500 to 3,000 at the present time. They immediately pointed out an objection to that, and it is very apparent by looking at the map. The Rocky Mountains intervene and there is no possibility of getting across there even with a flying machine. So I would say that the only way that it could be worked would be to Northern Alberta and connecting it up to this railway here and the water route to the north. I submitted to one of the members who was working on the Alberta map yesterday, what I thought might be a possible division of Northern Alberta to associate with the Northwest Territory. I do not know whether he has presented it for your consideration or not.

The CHAIRMAN: There is no law under which we could attach the representation of an organized territory to any particular province.

Mr. HANSON: How many whites are up there.

Mr. KELLNER: I could not say.

The CHAIRMAN: According to the census of 1921, there was a population of 7,988, of whom 3,873 were Indians, 3,242 Eskimaux, while the white population was 873.

Mr. KELLNER: That covers the whole area between Hudson Bay and the Rocky Mountains.

The CHAIRMAN: That is the whole of the territories?

Mr. KELLNER: Yes.

The CHAIRMAN: Has there been any increase in the population since 1921?

Mr. KELLNER: I would not be prepared to answer that. I would think that the population in the winter time would be very much less than in the summer. In the summer months they go in for trading.

Mr. HANSON: What about this oil field? I thought it had petered out.

Mr. KELLNER: No.

Mr. HANSON: I understood that the Imperial Oil Company were not carrying on very much up there.

Mr. KELLNER: It would be impossible to make it a commercial proposition at the present time, on account of inability to get the oil out.

Mr. HANSON: I understood from a gentleman associated with the Imperial Oil Company that the field was not of such magnitude as to warrant them in going to the expenditure of getting the oil out.

Mr. KELLNER: I believe that that is possibly correct for the present moment, but most assuredly that oil is not going to lie there forever.

Mr. STORK: They have just done sufficient prospecting to show the presence of the oil, but with the end of the California oil fields in sight you will see the district developed.

Mr. KELLNER: There is a refinery there, and at the present time they are refining sufficient oil to operate these boats; quite an accomplishment in itself in taking oil into the district.

The CHAIRMAN: There is a refinery there?

Mr. KELLNER: Yes, there is a refinery there now.

The CHAIRMAN: I do not quite understand why there should be only 800 white people approximately in all that Northwest territory.

Mr. HANSON: And that is not a permanent population.

Mr. KELLNER: I would like to submit that possibly your reports are hardly fair. Any one with Indian blood in his veins is scheduled as an Indian. Now, there is a large percentage of half-breeds and quarter-breeds and that class of people in there.

The CHAIRMAN: A good many are classed as Indians who are really breeds?

Mr. KELLNER: Yes. I doubt very much whether that return presents a true condition.

The CHAIRMAN: These were the census figures for 1921.

Mr. KELLNER: Yes.

The CHAIRMAN: I assume that a 'breed is treated as a white man for electoral purposes?

Mr. KELLNER: So long as he does not accept treaty money; only a full-blooded Indian can do that.

The CHAIRMAN: So the population, in your judgment—and I assume you know better than any one else in the House—of a population of nearly 4,000 Indians quite a large percentage of that would be breeds?

Mr. KELLNER: I would think so.

The CHAIRMAN: What is the number who signed the petition?

Mr. KELLNER: I am not sure of the number on the petition, but I have been up in that country and I think it is practically the unanimous desire of the district.

The CHAIRMAN: That they should be represented?

Mr. KELLNER: That they should be.

Mr. McQUARRIE: How do they suggest it could be done?

Mr. KELLNER: I made a suggestion yesterday attaching it to Northern Alberta.

Mr. McQUARRIE: We could not recommend that.

The CHAIRMAN: The only way in which it could be done would be by introducing special legislation for representation of the territories, just the same as in the Yukon. The Yukon is in a territorial position, not a provincial position, and if any representation was given to any unorganized territory, it would have to be by a special Act.

Mr. KELLNER: There are two things more.

The CHAIRMAN: Of course we could recommend some solution since the matter has been brought before us.

Mr. KELLNER: Up there there are two navigation companies. One has three boats, and I am not sure of the number of the other. Several of these have cost upwards of \$100,000. They run down the Peace river and they have a considerable tourist traffic up there. These companies inform me that they advertise in New York, but there is a limit to the volume of traffic they can handle, and they are not anxious to get more tourists there than they can handle with ease. They think it would be dangerous.

The CHAIRMAN: Are these companies connected with the oil companies?

Mr. KELLNER: They are purely transportation companies, I think of Edmonton; the Northern Trading and the Arctic Transportation.

The CHAIRMAN: You are speaking now particularly of the part north of Alberta?

Mr. KELLNER: Yes.

The CHAIRMAN: Do you suggest that if representation were to be given that it should be given to the whole Northwest Territories, or to that particular portion?

Mr. KELLNER: I think you might as well make it all-embracing. The settlement is right along.

The CHAIRMAN: How is it north of Saskatchewan?

Mr. KELLNER: I have not any information as to that.

Mr. JOHNSTON: I think there is little or none in there; just a few trappers.

Mr. STEWART (Leeds): It would cost something to hold an election up there. In one of the Ontario constituencies at the last provincial election it cost \$200 a vote.

Mr. HANSON: They would have to go in by aeroplane.

Mr. STEWART: It cost \$1,200 to get six votes.

Mr. STORK: There were two votes polled at a subdivision of the constituency of Skeena and they cost about \$700 apiece.

The CHAIRMAN: The situation seems to be that this unorganized territory which is unable to share in the representation of any particular province contains a population of Indians, half-breeds and whites of about 4,000, and you suggest that they should be given representation.

Mr. KELLNER: I would like to submit that if our Magna Charta is enforced, I do not see how you can help giving them representation. The spirit at least of the Magna Charta was that it was a cardinal principle that no people should be taxed without representation. I believe it was over that that the American War of Independence was fought.

The CHAIRMAN: Are we taxing those people very much?

Mr. KELLNER: There is a Bill before the House proposing to levy a tax on our furs in this very territory. It is an amendment to the Northwest Territories Act, and I submit that if that Bill goes through, you have no recourse if you recognize the Magna Charta.

Mr. SPEAKMAN: I may say that I pointed that out to the Minister at the time he brought in the Bill.

Mr. KELLNER: There are other taxes, too, associated with those oil fields up there providing that you allow that the country belongs to the residents up there.

The CHAIRMAN: I suppose that was the old Hudson Bay territory and was purchased by the four original provinces at Confederation along about 1870.

Mr. KELLNER: I think you are wrong there, Mr. Chairman. If you take a look at the map you will see the Hudson Bay was from the Red River to the Rocky Mountains. Possibly there would be some of this territory that would be included in it.

Mr. HANSON: That is very indefinite.

By the Chairman:

Q. Whose port would Port McMurray be?—A. The Hudson Bay property was burnt the other day. Fort McMurray is in Alberta.

Q. Is it within the province?—A. Fort McMurray, oh, yes. It is a long way within the province.

Q. You represent it, do you?—A. There is Fort McMurray there (indicating on the map).

Q. Do you represent Fort McMurray?—A. Yes, Fort McMurray is in the constituency.

By Mr. Hanson:

Q. What is your constituency?—A. East Edmonton.

By the Chairman:

Q. Can they get into your constituency through this territory?—A. Yes.

Q. The country north of Kumsquit is not so accessible in through that constituency?—A. There is a route down the Hay river, I understand there is a considerable growth of weeds in that. I am not sure whether it is navigable or not.

Q. Have you been over that yourself?—A. Up through this country to McMurray. I have not been up through all of this.

Q. When you are running your election do you go up there?—A. No. The terminal is McMurray.

By Hon. Mr. Beland:

Q. How far north?—A. Perhaps 300 miles.

By the Chairman:

Q. What would you say about the difficulty of holding an election. It would need to be a deferred election in that constituency, would it not?—A. We already held them up here at Fort Smith, in the northern part of Alberta. There is no deferred election in that case. It takes some little time to get your returns in, but I do not know, I am sure, whether that would be necessary or not.

By Mr. Hanson:

Q. Do you think it would be practicable to give those people representation if they are unorganized? You see the Yukon is practically an organized territory, it has a local council and all that sort of thing?—A. I can see difficulties. I am frank to say that I do not think it would be impossible.

By Hon. Mr. McMurray:

Q. Your population is pretty well scattered. The cost of getting out the vote would be tremendous, would it not? You take them away out there on the west side of the Hudson Bay, about 300 miles, how would you do that?

The CHAIRMAN: In Australia, where they have large tracts of inaccessible land, they have a curious system of voting. The people in the faraway districts can sign the ballot paper in the presence of witnesses, who send it in, accepted as a vote. That is the way they get around the difficulties of inaccessibility.

Mr. STEWART: It seems to me it is a pretty big problem if we undertake to decide that.

WITNESS: I would like to make myself plain to the Committee. It is not my ambition to argue this case. I simply am here to present the facts as I see them.

By Mr. Hanson:

Q. About how many would be the permanent white population? You stated a good many went in for the summer and went out. They are really residents of Alberta?—A. You may consider them such. Their interest is in there. To get the white population you have to distinguish between the whites and the others because a large population have Indian blood in them. I am under

the impression those census returns classify anyone as an Indian who has Indian blood, and as far as the franchise goes, we give the franchise to anyone, whether they have Indian blood or not, so long as they do not accept treaty money.

By the Chairman:

Q. You have a good many Crees in your constituency?

Mr. KELLNER: There are quite a number of them.

The CHAIRMAN: Have you any more questions to ask Mr. Kellner? This is a particularly interesting part of the world you brought before us, and we will have to consider what can be done, what we can recommend to the House will be done. The Government has done nothing since the Confederation Act, under which a piece of territory was included in the province for the purpose of representation and there is no act of the statute to-day under which any such representation can have. It would need special legislation, similar to what was introduced previous to the years between 1891 and 1901, after the rebellion in the Northwest, where representation was given to the territories. I remember the Territories were represented here in 1904 when I came here first; the provinces were not organized until 1905.

Mr. KELLNER: I will submit that representation is even more satisfactory than what they have to-day. There was a certain amount of local representation in that old council which they had, but to-day it is directed from Ottawa.

The CHAIRMAN: Is it sufficiently large to have any local or municipal organization?

Mr. KELLNER: Yes, I believe there is such at these more important points. Take Chippawa Island and Fort Smith is also on the border. There are a few other little points that I am not well posted on. I am inclined to think they have some local councils.

The CHAIRMAN: What is the chief occupation of the people in there outside of prospectors and tourists?

Mr. KELLNER: Fur is the natural product of the district. There is a large volume of fur comes out each year. There are quite a number of people who make a living in trading. They load up a boat in the spring and visit the various points.

The CHAIRMAN: Are there any Esquimaux, where you go through north and get them?

Mr. KELLNER: Yes. This district in here (indicating on the map) is quite well populated with Esquimaux and what they call the Copper Mountain is shown here. The Esquimaux there have a pretty full equipment of tools.

The CHAIRMAN: They live in the vicinity of the water.

Mr. KELLNER: Yes.

The Committee then proceeded with other business.

