

He cut the timber on those road allowances, but it was claimed by the municipality, and they went to law about it and got a judgment of a court against McLaren for the value of the timber. The Hon. Mr. Richards, sitting in this House and at the time Commissioner of Crown Lands, introduced a Bill at the request of McLaren for the purpose of relieving him of that judgment. That was *ex post facto* legislation indeed. Who would now say that McLaren, a man of great wealth, was not able to control Governments? They found him at one time controlling a Government in Ontario and at another a Government at Ottawa. (Loud applause.)

Mr. MEREDITH—Read the *ex post facto* legislation.

Mr. PARDEE proceeded to read from the statute as follows:—"Every government road allowance included in any Crown timber license heretofore granted or which may hereafter be granted under section 1 of chap. 23 of the Consolidated Statutes of Canada shall be deemed and taken to be and to have been ungranted lands of the Crown within the meaning of that section, and liable as such to be included in such license." Here it will be seen that this very section contains the exact words of a retroactive character which have been so strongly condemned by hon. gentlemen opposite in the Rivers and Streams Bill. (Applause.)

Mr. FRASER—"To have been." (Hear, hear.)

Mr. PARDEE proceeded to say that he deemed the action of the Dominion Government in disallowing the Streams Act a blow at representative, and in a sense at responsible, government. He understood up to this time that the members of this House were responsible to the country for the legislation they enacted. That was what he understood by responsible government. But he found that was not the case at all. Instead of being responsible to the people the venue was changed and they were simply responsible to the Dominion Government. (Loud applause.) Let them suppose that it was a Conservative Cabinet at Ottawa which sat in judgment on all the Acts of this present Legislature, and that the people took the Ontario Administration to task for what they had done. It would lie with them to say, "Our Acts cannot have been wrong because the friends of the Ontario Opposition at Ottawa have passed upon them and approved of them or they would have disallowed them." He said, therefore, that when they went to the people and were charged with bad legislation, they might consistently shield themselves behind the Dominion Government and say, "The bills you complain of were allowed by that Government."

#### RESPONSIBLE GOVERNMENT IMPERILLED.

In the argument that the principle of responsible government was preserved, because the Dominion Government were responsible to the people, the responsibility of the Local Government was ignored altogether. It wiped them out and did not leave them even the status of a County Council, because there was no power which could review County Council legislation, and allow or disallow it on its merits when it is within the provisions of the Act creating such Council.

Mr. MEREDITH—It can be set aside by the Courts.

Mr. PARDEE—Only if it contravenes the Act, and the Dominion Government can only disallow our Acts when they are found exceeding the power conferred upon us by the Constitution. (Hear, hear.) He would revert to the theory of hon. gentlemen opposite, that responsible government was preserved because the Dominion Government were responsible to the people. He would put the case of a measure relating to Ontario being passed by this House and disallowed at Ottawa. Suppose the people of Ontario condemned the action of the Ottawa authorities and returned to the House of Commons a majority of her representatives pledged to that condemnation. But assuming that a number of other Provinces having no interest in the disallowed legislation returned a number of members sufficient to wipe out the Ontario majority, then what would become of the responsibility of the Dominion Government to the people of this Province? (Loud applause.) Hon. gentlemen opposite put forward the argument advanced by the Hon. Edward Blake—

Mr. MEREDITH—Hear, hear.

Mr. PARDEE was glad of it, for he had read the extracts from the report of Mr. Blake, published in the Government organ, and he was able to subscribe to every word of it. (Applause.) What did Mr. Blake say? He said, "It was suggested that if a Canadian Minister had the power of controlling the enactment or operation of Provincial Acts the consequences would be a virtual repeal of the section of the B. N. A. Act giving the exclusive right of legislation on certain matters to Provincial Legislatures." This was exactly our contention, and coming as it did from so able an exponent of constitutional law he placed great stress upon it. Hon. gentlemen opposite spoke also of the necessity for the Dominion Government reviewing Local legislation in order to protect and conserve the rights of minorities from unjust legislation. Was not this contention as likely to prejudice the rights of minorities as to protect them?

#### ATTEMPT TO STIR UP SECTARIAN PREJUDICES.

What illustrations in this connection were given by the hon. member for Glengarry (Mr. MacMaster)? He had stated the supposititious case that this House should pass an Act depriving the Methodist body of the right to free worship, or the Roman Catholic body of a right to vote. Why did the hon. member use such illustrations and name two of the largest religious denominations in the State? Because, no doubt, he thought to be able to create thereby a feeling amongst the adherents of those bodies in favour of his arguments. Failing to convince by the soundness of his reasons, the hon. gentleman thought to introduce what might be termed sectarianism.

Mr. MEREDITH—No, no.

Mr. PARDEE—My hon. friend says "No, no." but these illustrations were not chosen without a purpose. The hon. member knew at the time that these two influential religious bodies were numerous in every Province in the Dominion, and that legislation affecting them would be legislation affecting the interests of the Dominion generally, and as such, coming within one of the provisions of Sir John's memorandum. No legislation of

such a character calculated to disturb the country at large could be passed by a Local Legislature.

Mr. MEREDITH—The rights of property fall under the same head.

Mr. PARDEE—Of course they do, and why should they not? Can my hon. friend suggest any reason? If he (Mr. Meredith) applied his constitutional mind to the matter he would admit that the illustrations given by the hon. member from Glengarry fell under one of the provisions for disallowance laid down by Sir John Macdonald in his memorandum in 1863. His hon. friend had said that they might be fairly charged with treason to the people of the Dominion because they had introduced this question into the Speech.

Mr. MEREDITH denied that he had charged the Government with treason in introducing the question into the Speech. He had referred to arguments which they had made use of on the floor of the House.

Mr. PARDEE asked which party, or the course of which party, was likely to prove most detrimental, he would not say treasonable, to the best interests of the country? Was it the party which would not surrender the rights of Ontario, or the party which admitted the power of the Ottawa Government to interfere with those rights and supported that Government in such interference? (Cheers.)

#### THE BOUNDARY AWARD.

Turning now to the boundary question, he said the people were naturally excited upon this subject and took a deep interest in it, affecting as it did, half our territory, consisting of 100,000 square miles rich in minerals, forests, and agricultural resources, but notwithstanding all this, he unhesitatingly said that he placed far greater importance upon the full power to legislate, and the maintenance of our Provincial and constitutional rights unimpaired, than he did upon this vast and expansive region. Still they could not overlook the importance of this question. What would be the result if the Province were deprived of this territory? It would be reduced from the proud position of the

#### PREMIER PROVINCE

of the Dominion to the position, so to speak, of a third-rate power in the Confederation. Quebec, Manitoba, and British Columbia would have a larger territory, and would take precedence of us in this respect, yet hon. members opposite were prepared to defend the Dominion Government in this gross outrage. (Cheers.) Hon. gentlemen opposite took the ground in opposition to the contention of the Government in this matter that Ontario was not deprived of any territory, and that the fault lay with the Mackenzie Government in not declaring the award to be binding before it was made. In other words, they blamed the Mackenzie Administration because they had not so bound Sir John Macdonald hand and foot as to make it impossible for him to refuse to ratify the award. (Hear, hear.) The dispute was referred to arbitration, to able men in whom the whole country had confidence, and who were of more than Canadian fame, and this Government and the Government at Ottawa agreed that their decision should be final and conclusive. He read from a report of the Committee of the Privy Council as follows:—"That the determination of such three referees be final between the parties."

Mr. MEREDITH—That is not the original minute.

Mr. PARDEE—Of course it was not the original, but it was the reference which gave the arbitrators power to act. His hon. friend was trying to elude the force of it. Why then did they agree that the award should be final and conclusive and on the very first opportunity turn round and abrogate that award so far as they could?

#### A THREE-CORNERED FIGHT.

Hon. gentlemen argued that the Dominion Government could not by any legislation change the boundary line without concurrent legislation on the part of the Local Government. But what was the Dominion Government doing? Were they not refusing to permit our officers to have control of the territory which had been awarded to us? Were they not keeping possession of it as far as they could? And not satisfied with that, they were complicating matters still worse by providing that the jurisdiction of Manitoba shall extend to the western boundary of the Province of Ontario. What was the effect of that action? It should be noticed that it was only the jurisdiction that was transferred. The control of the lands, the forests, and the mines was still retained by Sir John and his Government, who probably reasoned that between Manitoba and the powerful Government at Ottawa they would be able to keep Ontario out of her rights. The only right conferred upon the Province of Manitoba was that of spending her money for the administration of justice in that district. Where was the necessity of transferring the territory to Manitoba at all, if that Province was not to have the forest and mineral wealth which belonged to it? Everything pointed to the conclusion that the Dominion Government, influenced by animosity to Ontario, and pressed by the feeling of jealousy which prevailed in another Province, had determined to shirk the responsibility by changing the venue, making the quarrel one between Ontario and Manitoba, and making it ten times as difficult as it was before to get a settlement. (Cheers.)

#### A CHANGE OF BASE.

Hon. gentlemen opposite seemed to be changing their position on this subject from what it was two years ago. At the last session, and at the one previous, they joined in protesting against the Dominion Government keeping us out of our territory. They did not then stand up in defence of that Government, but they joined in a resolution passed by the House protesting against the action of the Dominion Government in this respect. That resolution, to which every Conservative member of the House except one gave his assent, was as follows:—"That this House deeply regrets that notwithstanding the joint and concurrent action of the respective Governments in the premises, and the unanimous award of the arbitrators, the Government of Canada has hitherto failed to recognize the validity of the said award, and that no legislation has been submitted to Parliament by the Government of Canada for the purpose of confirming the said award." They did not then defend the Government of Canada for not legislating on the question, nor