

35 representatives; 14 of these come from Alberta and of these Alberta constituencies only three, and but a small portion of these three, run north of Edmonton, while 11 are south of Edmonton. I must ask the Prime Minister to again look at the map if the convenience of the people is being consulted. But, in conclusion, let me say that I desire to congratulate the government for being original for once, because surely if the convenience of the people had been consulted in the choice of a site for the capital it would have been placed at the centre of population and trade. The government's manner of selecting a central point is an original one. The method adopted in this case would not have led the people of Ontario to select Toronto instead of Whitefish or some other point on Lake Superior, the people of Quebec to select Quebec, the people of Manitoba to select Winnipeg, or the people of British Columbia to select Victoria on Vancouver Island.

There is but one other question on which I wish to touch, that is the financial terms. I am glad in that to be able to agree with the hon. member for Edmonton (Mr. Oliver). It seems to me that in discussing these terms it is not fair to make comparisons with the terms of eastern provinces. The conditions are altogether different. In the west school houses and roads have to be provided, matters which are done in Ontario and Quebec by local taxation which it is practically impossible to do in that country by reason of the great distances. The financial terms in comparison with those granted to the other provinces are none too generous, and the development of that country is proceeding at such a rate that it is impossible for us to sit here and calculate what its future needs will be.

Mr. CLEMENTS moved the adjournment of the debate.

Motion agreed to.

On motion of Mr. Fielding, House adjourned at 12.15 a.m. Wednesday.

HOUSE OF COMMONS.

WEDNESDAY, March 29, 1905.

* The SPEAKER took the Chair at Three o'clock.

CANADA TEMPERANCE ACT AMENDMENT.

Mr. H. GERVAIS (Montreal, St. James) moved for leave to introduce Bill (No. 128) to amend the Canada Temperance Act.

Sir WILFRID LAURIER. Explain.

Mr. GERVAIS. Mr. Speaker, the object of this Bill is very simple. As every one Mr. M. S. MCCARTHY.

knows, in the Criminal Code of Canada, 1892, it is provided that there shall be an appeal from any judgment or any verdict given by any court of criminal jurisdiction, whether this court has an inferior or a superior jurisdiction in criminal matters. If hon. gentlemen will look up articles 742, 743 and 782, they will see that there is an appeal from any verdict or judgment given by a court having superior jurisdiction in criminal matters. There is an appeal in cases of jury trial, summary trial and speedy trial, whether the case is proceeded with under articles 742, 743 or 782, or under articles 659, 765, 782, 783 or 842 of the Criminal Code. Then, in cases of summary conviction, under article 879, there is an appeal under certain conditions and in accordance with certain formalities. All the litigants who have had anything to do with the application of the Canada Temperance Act have been complaining about the denial of an appeal. This feature of the law is enacted in section 119 of chapter 106 of the Revised Statutes of Canada as amended by the Act 51 Victoria, chapter 34. We think, and everybody thinks, that it is most unfair and unjust that the right of appeal which is given under the criminal law in any case should have been denied under section 119 of the Canada Temperance Act. Even in a case of summary conviction, in which the accused is condemned to pay a fine of \$5 or go to jail for one day, he has the right of appeal, while, on the contrary, under section 119 he has no such right of appeal in most cases, though he may have been fined heavily or condemned to a long imprisonment. We desire this amendment so that the law giving the right of appeal in ordinary cases shall be made applicable to the Canada Temperance Act. Moreover, by this amendment, we wish that no litigant having to appear either before a criminal court or a civil court, be denied that useful remedy, the British writ of 'certiorari.'

Motion agreed to, and Bill read the first time.

QUESTIONS.

LACHINE CANAL—LEASE AT COTE ST. PAUL

Mr. MONK asked :

1. Is there in existence a lease to John Frothingham, or to the estate of the late John Frothingham, from the government, of water-powers at Côte St. Paul on the Lachine canal?
2. What is the amount of the annual rent payable under said lease?
3. What is the period of duration of said lease?

Hon. H. R. EMMERSON (Minister of Railways and Canals) :

- 1, 2, 3. There is no such lease.