

want to make sure that we are making provision for a permanent revenue for that province, and one that cannot be used for an improper purpose—I would not say for an improper purpose—but used in a way differently from that in which this parliament contemplates it should be used, so as to open the door for the legislature coming back here at a future time and asking for an increased subsidy. I fear very much that having designated this as interest, the argument will be set up that where there is interest there is principal, and that under the Act of 1885, which is in force today, the province would have the same right to demand the capital sum in this case as it was interpreted they had in the case of the province of Ontario.

Mr. FIELDING. I think the intention in the mind of my hon. friend from Halton (Mr. Henderson) and the intention in my own mind are precisely the same, but whether we are able to get a form of words which will correctly carry out that intention is, of course, a matter for his legal advisers and my legal advisers.

Mr. HENDERSON. I have none.

Mr. FIELDING. Well, then, I am more fortunate than my hon. friend. I have some. It is certainly intended, by the common consent of the House, that this sum shall be an annual payment to the province. A change has been made in the wording which makes it materially different, as we think, and as we are advised, from the Act respecting the province of Ontario. The difference of a few words in the statute will be such as to make the first statute entirely inapplicable to the second, and we are advised that the difference in the wording is entirely sufficient to account for one interpretation being given in the case of Ontario and another in this instance. After the discussion which took place in the House, the intention of both sides, I may say, has been that this shall be an annual payment to the province. The words employed seem to me to be sufficient for the purpose. On the day that I made this amendment at the table my hon. friend the Minister of Justice was not present, and, as I stated then, I had not the benefit of his advice. Since that time he has looked into the matter, and he concurs in the view I then expressed, that the words used are ample to carry out the intention in the mind of my hon. friend from Halton and the intention in my own mind. If there is any good reason to believe that that intention has not been carried out, I will willingly have any other words suggested that will serve the object better, but I think my hon. friend will agree that the words now used do carry out the intention which is in the mind of the committee generally.

Mr. HENDERSON. I have not read for some years the debate that occurred in 1884, but I remember reading it years ago. My

Mr. HENDERSON.

recollection is that a question very similar to this came up, when Sir Richard Cartwright asked the question of Sir Leonard Tilley whether it was the intention of the Act of 1884 to pay over simply the 5 per cent yearly on the \$2,848,000, or to pay over any part of the principal, and the answer of Sir Leonard Tilley was distinctly that the intention of parliament and the intention of the government at that time was to pay only the annual sum. Sir Leonard Tilley seemed to be just as firm in his opinion as my hon. friend the Minister of Finance is in his opinion now, but, notwithstanding that fact, lawyers and others, including the hon. Minister of Finance himself, afterwards interpreted the meaning of parliament at that time as different, and the hon. gentleman assented in fact to the payment over of a portion of the principal sum, or all of it, if it was called for. My objection of the wording of this clause is to the use of the word 'interest.' If the hon. minister could pay over the sum of \$405,375 as an additional allowance, and make no reference whatever to interest, it would be better. As long as you leave the reference to interest you will have some person coming up ten or fifteen years afterwards and stating, as the late government in the province of Ontario did, that where there is interest there must be principal, and they would simply capitalize this sum of \$405,375 and say: As you owe us that much interest you owe us the capital sum. I said before that if the hon. minister assured me that he had the matter absolutely clear I would withdraw my objection, and he seems to think that he has it absolutely clear. Whilst I withdraw my objection, I confess that I cannot agree with him in the wording of the clause. However, the hon. minister is responsible for the government and not myself, and I discharge my duty when I point out the difficulty that has arisen in a similar case.

Mr. FIELDING. I think we have really benefited by my hon. friend's earlier suggestion. I think he will find that the words as now used express his own idea.

Mr. BLAIN. I rather agree with my hon. friend from Halton (Mr. Henderson) that the word 'interest' should be removed from these resolutions. I accept, of course, the statement of the hon. Minister of Finance (Mr. Fielding), endorsed by the hon. Minister of Justice (Mr. Fitzpatrick), that the change in the wording of the clause will remove any doubt in the minds of the people as to whether there is an amount of money deposited with the Dominion government to the credit of these two new provinces. My hon. friend from Halton has read a letter addressed by the hon. Minister of Finance to the Hon. George W. Ross. I remember very well when Mr. Ross, then premier of Ontario, contended before the electors of Ontario that the provincial government had deposited with the Dominion \$2,848,000, that