

# PRINCE EDWARD ISLAND'S REPRESENTATION

—BY SENATOR MURPHY, OF PRINCE COUNTY, P. E. I.—

Following is the Hansard report of the speech delivered by Hon. Senator Murphy on the resolution adopted by the House of Commons providing, among other things, that a province shall always be entitled to a number of members in the House of Commons not less than the number of Senators representing that province.

Hon. Mr. MURPHY—I listened with some attention to the remarks of the hon. leader of the Opposition and I may say, I am in harmony with those remarks, in so far as not agreeing with the resolution in toto. But my reasons for disagreeing with it are somewhat different from those of the hon. gentleman who has just addressed the House. In my remarks on the address at the beginning of the session, I thought I made plain the position as I saw it then, and as I see it now, and as every man who comes from my province sees it. The position in Prince Edward Island, which was the first clause to be attacked, and which is the last clause in the resolution, is designed to do at least a measure of justice to that province. When I saw in the Morning Citizen the result of the work in the Commons last evening, I may frankly tell you that I was disappointed, but I knew the legislation in its final form was the result of the committee on both sides of the House, which had been endeavoring to make the best of a bad case, ever since the beginning of the matter. The representation of the provinces had to be readjusted, the matter was consequently referred to a committee comprising the ablest men on both sides of the House. We in Prince Edward Island feel that by an error in the writing of the Confederation contract, just clause withheld from us ever since the readjustment clause came into effect in 1891, and our representation, which we then regarded as an irreducible minimum, was taken down from the six members that we had for over eight or nine years after the first conference, and was actually reduced, according to all the dates that we can get of the conference at which we agreed to have the union. Strong representation had been made time after time for the last few years to the Governor of Canada, both Liberal and Conservative, to put us in a position where we would not at least lose our provincial autonomy. When a province as every province of this Confederation has done, or did when it joined the pact, surrenders its position of self-government, it surrenders a great deal, and the smaller the population of a province that surrenders that autonomy into the hands of the majority provinces the more it concedes. This is something that was not overlooked at the time of Confederation with all deferences to my hon. friend who leads the Opposition. I might for the information of himself and the House read to him how this was regarded in the province which cradled this great Confederation, which we all so much

wanted to see. In 1864 as you will remember the first conference was held in Charlottetown. In the following October a meeting was held at Quebec, and at that time the resolutions of the provinces were apparent, so far as Confederation was concerned, here was what the leading men of that conference thought. In the words of the Hon. George Brown in 1864, at the first conference—and it will not be unknown to our friends opposite that he sacrificed or is supposed to have sacrificed something to bring about the consummation of what the larger minds then desired—this is how he regarded the condition of affairs as affected by these resolutions, showing conclusively that in the optimism of men at that time there was no thought of readjustment downwards, the whole thought, when the word readjustment was used, was that it would naturally be a readjustment upwards in the natural development of the country. Here is an excerpt from what Mr. Brown said in moving the resolution with regard to this matter at that time: "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 their representatives."

That was the intention of the framers of the Confederation pact. Hon. A. T. Galt, a man on the other side of politics, at the same time used in a speech at Sherbrooke on November 23, 1864, the following words: "The House would never have less than 194 members."

Now it is practically manifested to Hon. gentlemen opposite and to me, that the hon. gentleman in this House—because this is not at all a party question, but one upon which everybody in my province is agreed, and nearly every premier to whom this question was submitted at the interprovincial conference agreed—that Prince Edward Island was an exception to the rule of the general provinces. Although the provinces of Nova Scotia and New Brunswick, the provinces of Quebec and Ontario, were the ones forming the original unit, Prince Edward Island was an exception in so far as Prince Edward Island was dealing with those four provinces as an integral part, and felt, after staying six years out of the union, and refusing to accept the terms on the representation question, it felt and believed that it was getting the same concessions and the same terms as the province of British Columbia received at that time, when it got, for representation a fixed minimum in the House of Commons of six members, though as a matter of fact it had only ten thousand of a white population, and a total population of forty thousand. As an elucidation of what is in the minds of the representatives at that time on this question I beg once more to read from the debates of the House of Assembly of Prince Edward Island, in the year succeeding the first conference held at Charlottetown, and subsequently to the time it was held in Quebec, although I put these on 'Hansard' at the beginning of this session. These are extracts from the speeches of the leading men of the both sides of politics at that time.

Hon. Mr. CLORAN—What year was that?

Hon. Mr. MURPHY—1864. Prince Edward Island refused to enter the union unless six representatives were conceded. The following extracts from speeches of our own delegates at the Quebec conference show definitely the reasons for standing out. No, there were no politics at that time; there were no men trying to take advantage of one another, as far as entering the union was concerned, because the union was an outside thing, and they were standing for domestic rights and the best arrangement of domestic concerns. Mr. Haviland, one of the fathers of Confederation, as we see in the Railway Committee room of this House, said: "Prince Edward Island would rather be out of Confederation than consent to this motion; we would have no status, only five members."

We were entitled under the Confederation pact to five members. Only five out of 194 would give the Island no position.

Then, in the name of Heaven, I ask you gentlemen on both sides of the House, after forty years of Confederation, what would three members give us as compared with 234. Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. Murphy—Mr. Palmer said: Representation by population not applicable when a certain number of provinces are throwing up their self-government and individually. When a colony surrenders that right she would have something commensurate in the Confederation. Why give us so great certainties where we have only a feeble voice?

The great certainties of the right to make our own laws, to stand out of the Confederation and not suffer—if you want me to say so on the floor of this House—as we did suffer under Confederation, for we were more penalized than any other province under Confederation. In this connection I want to draw your attention to the fact that even under the present system of representing by population the representation of rural constituencies is based on a smaller unit than the representation of urban constituencies. While the general unit of representation for Canada is about 32,000, the unit for rural constituencies is not more than 15,000 or 20,000. I want to draw your attention to the fact that the population of Prince Edward Island is practically rural. Our biggest city—it would be called a town in any other province—has only 12,000 people. The next largest, the county town of the county from which I come is only 2,000 and the next one to that has a population of only 1,000. So practically for the purpose

of representation, our population is rural as compared with the population of Ontario and Quebec, and even Nova Scotia and New Brunswick in a lesser degree, and as compared to what we expect the West to be in years to come when large cities like Winnipeg, Vancouver, Calgary and Edmonton will grow up like mushrooms. Taking the 93,000 in Prince Edward Island as rural population, on unit of 15,000 we should have five members. Colonel Grey speaking of this question at the Quebec conference said: "I am instructed by my co-delegate to say that the provision of five members is unsatisfactory. They did not want to join the union for the reason that commensurate representation would not be given them, and their voice in the Confederation would be two for five. In a subsequent session of the Prince Edward Island legislature, in the winter of 1865, we find the following statement made by—

Hon. Mr. POWER—I really do not see what relevance this has to the address which we are trying to concur in."

Hon. Mr. MURPHY—I am very sorry if the hon. gentleman cannot see the relevance of it. In my opinion it is very pertinent. The hon. leader of the Opposition in this House attacked the last clause, the effect of which is to redress the wrong that has been done to Prince Edward Island. I was going to move myself a motion to the effect that that clause should be amended to increase the number of our representatives to the original representation fixed at Confederation. We were deprived of our proper representation by a clerical error in writing the terms, and this is the best compromise that could be made by both sides of politics to redress that grievance, and give the half measure of justice. I felt like moving to restore the original representation, but recognizing the desire of the Government to do justice to Prince Edward Island, I intended to let the motion pass without any attempt to amend it. I do not think any wise purpose could be served, even if I were ruled out of order, by taking exception to my trying to place before the fair-minded men of this Chamber the claims of the province that I represent. I want to show that the resolution in this address is only doing partial justice long delayed—that it is only a part of what we expected we would receive when we entered Confederation. Now here are the words of the Premier of Prince Edward Island, the Hon. J. C. Pope, who was afterwards Minister of Marine and Fisheries in the Government of Sir John Macdonald:—

If the relative circumstances of Canada and this Island rendered a Union Practicable, the evident injustice of the terms agreed to by the Quebec conference would prevent their being ratified by the legislature of this island. With my admitting the principle of representation according to population under all circumstances to be sound, it is, in the opinion of this House, particularly objectionable as applied to this island in connection with Canada, taking into consideration that the number of our inhabitants is and must continue comparatively small, owing to the fact that we have no Crown lands, mines, minerals, or other resources sufficient to induce immigrants to settle here, and that we never can expect to become to any extent a manufacturing people in consequence of our navigation being closed for nearly half the year, and all trade and communication with other countries stopped.

In the same debate Mr. Pope said: "Among these objections I may mention the principle of representation by population. A very simple calculation will show that the adoption of this as a standard would entitle the city of London to send to the British House of Commons no less than seventy representatives, and the City of Montreal in the Confederate Parliament would have a representation greater than that of this island. Its statistics warrant the belief that in a few years the population will be so increased by the influx of the tide of immigration that the island would small voice which she might raise at her entrance into the union."

That is precisely what occurred, and I wish to express my respect for the presence of those gentlemen. At the outset we have six representatives in a House of 184 members; we would have only three in a House of 234 members, if this measure of redress were not granted. This matter of representation is a sore spot in Prince Edward Island. We are penalized on the one hand by the non-fulfillment of the terms of union in the matter of winter communication with the mainland, as the result of which we have lost population and been unable to develop, while on the other hand because we have lost that population an attempt is made to penalize us by decreasing our representation. The clause in the resolution is a wise one, and I cannot understand the opposition of the hon. member from British Columbia (Hon. Mr. Bostock). That province was granted an irreducible minimum of representation when it entered Confederation. With a smaller population than we have in Prince Edward Island, they were granted six representatives, yet the hon. gentleman raises an objection to Prince Edward Island retaining this present reduced representation. At the subsequent census the province from which my hon. friend comes had only a population of 60,000 and they retained their six. We retained our six, being still only entitled to five, showing that while the framers of the Confederation Act were in control they felt that it was only doing justice to us by allowing us six members. I ask

any man of common sense, why should we have been given six when we were only entitled to five at Confederation, if it was not understood in the terms of Confederation that we should have six. When there was re-arrangement after the census of 1881, when Sir John A. Macdonald was in control of the affairs of the country, he knew the arrangement and understanding at Confederation. Why should he still have left us with six members when we were only entitled to five? For the simple reason—no question about it—that he knew there was an error in the writing of the Confederation pact. I would ask my hon. friend not to take exception to subsection 5 of clause 51, for the reason that it is designed to help the weaker province of the union and is designed to do justice to us, and to redress the grievance under which we have suffered for years; if you have other reasons for voting against this resolution, do not attack that provision. For my part, I think with my hon. friend from Victoria division (Hon. Mr. Cloran) that perhaps the West has been modest in its demands for representation, but we must remember that senatorial representation is supposed to guard the interest of the weak. In the United States we find that 'Little Rhodie' as the states is familiarly called, had a representation of two in the Senate, while in the House of Congress its representation is only one. The representation in the senate in the first instance was designed to protect minorities and to segregate the people according to their interest. For instance the Maritime provinces were given a representation of twenty-four. You would imagine, to read that resolution that the Maritime provinces were simply Nova Scotia and New Brunswick. When we entered the union, Quebec was given twenty-four and Ontario twenty-four. Now it was designed to give the West, whose interests are altogether identical as compared with the interests of the Maritime provinces, twenty-four, which representation was fixed on a basic line, and we have the first sample of this in the Act of the union of the states to the south of us, which was designed to protect the minority in those

states.

Hon. Mr. DAVID—I am surprised to hear the hon. member from Prince Edward Island complaining of the present Bill, because I think that if there is a province that might with reason to complain of the present Bill, and of the changed conditions which is made by this Bill in the political condition, I think it is Quebec. There would be much to say on this question, but in the last hours of the session I will speak briefly. This Bill has two special features; first, the increase in the members of the Senate; secondly, the increase of the representatives in the House of Commons and in this House, of Prince Edward Island, and perhaps later on affecting other provinces. I cannot help remembering what took place at the time of the establishment of Confederation. In order to induce the province of Quebec to accept the principle of representation based upon population, which the old province of Quebec had fought for since the union of both provinces, it was felt and it was enacted in the Federal Act that as a compensation there would be equality of representation in the Senate between the three great provinces, which at the time for ed part of, and entered into Confederation. This was one of the principal conditions brought before the people at the time by the members of the Government and by the newspapers which supported the Administration. Naturally the province of Quebec did not like the clause which enacted that that province would not have more than sixty-five members, and there was first a great opposition to that clause. While we were bound to remain always at that fixed number of sixty-five, the other provinces, if their population increases have the right to increase their representation in proportion to their population. The provision was regarded as unjust at the time, to put Quebec in that position; but as an hon. gentleman has just said the other provinces and the province of Quebec looked to find protection in the constitution of the Senate, because Ontario had twenty-four, Quebec twenty-four, and the Maritime provinces twenty-four members. It

is said we would be represented by one-third of the members of the Senate, and that the third of the members of the Senate would find in the other House a support, if it were necessary to protect their interest.

Hon. Mr. MURPHY—I do not wish to be misunderstood in this matter. The hon. gentleman from Mille Isles says I object to the Bill. I stated that my objections were some what limited, and from a different reason to that given by the leader of the Opposition. I objected that the resolution did not go far enough; but it was a judicial compromise and for that reason I was disposed to accept it. If the leader of the Opposition had not objected to the clause I would not have said anything. The resolution having passed the other House unanimously, and being the result of months of work done by the committee to which the matter was referred, we cannot expect to improve it very much in the two or three hours we will have it before us in the Senate.

Hon. Mr. PROWSE—There was no member from our province on that committee.

Hon. Mr. MURPHY—No, but they did the best they could for the little sister of the Confederation. They tried to be not only just, but as far as possible generous to Prince Edward Island. The hon. gentleman from Mille Isles says that no complaint was made as to representation until the change affected an English province. I can tell him that there has never been a time since 1882, when the first reduction was made in our representation, that we have no complaint. Quebec has no cause of complaint. Quebec has been well looked after with the addition of an immense territory for which we paid our share as a province. That great increase of territory was made to the province which furnishes the unit under the present system. That increase of territory affects relatively the representation of other provinces.

Hon. Mr. MURPHY—The population that Quebec received as a result of that increase of territory counts in the relative representation of the other provinces. I want to place before the Senate once more, the intention of my province when it entered the union. In 1873, at the

time Prince Edward Island entered Confederation, the Secretary of the Colonies advised the then Government of the day that they should be not only just but generous to Prince Edward Island in order to round off the Confederation. Now here are some of the telegrams that passed between our representatives at the Conference and our Government at the time showing that it was in the minds of the parties to the contract that we should have a minimum representation of six, and they conveyed the idea that we were receiving that irreducible minimum.

Hon. Mr. MURPHY—I may say the matter was appealed to the Privy Council and their decision was against us, from the fact that they joined our case with the whole of the Maritime province case, and therefore weakened our case. The hon. gentleman may have heard the member who moved the address in the House of Commons this year, Col. Macleod, of York, saying that the case of Prince Edward Island was exceptional and that we should have our representation restored.

Hon. Mr. CLORAN—The remarks of the hon. gentleman from Tignish are absolutely apt to the situation. He has done his duty in calling the attention of the House, the country and the Government to the fact that the solemn pact entered into between the island and the Canadian federation has been violated by the same Government and Parliament of Canada. I say that is not right, and when I say the matter should be appealed to the Privy Council, they informed me it was, and it was lost because it was taken jointly with the other provinces. I have no doubt about that, but I feel from a legal point of view that if the province went to the Privy Council and put before the Privy Council the statements of the hon. gentleman had made, backed by official documents of this country, that there is no lord in England that would not say to the provinces, 'You have rights and they have been violated by your federal Government and we will restore them.' Under these circumstances I say that all that the hon. gentleman from Tignish has said has full weight with me in regard to the matter.

## ADVENTURES OF KATHLYN

(Continued from page one)

strange authority at times that confused and puzzled Bruce. "It is my messahib, and I am one of the flaggers of the long arm of the British Raj. And there are books in Calcutta in which my name is written high. No more!"

Through the moon frosted jungle the two elephants moved silently. A drove of wild pigs scampered across from the underbrush stealthily. All silence again. Several times Ahmed halted, straining his ears. It seemed incredible to Bruce that the enormous beasts could move so soundlessly. It was a part of their business; they were hunters of their kind.

At length they came out into the open at the rear of the prison walls. Here Ramahai got down and went in search of any sentries. He returned almost at once with the good news that there was none.

The marble walls shimmered like clusters of dull opals. What misery had been known behind their rumbling beauty!

Ahmed marked the tree and raised his hand as a sign.

"Bruce Sahib!" he called.

"Yes, Ahmed. I'll risk it first."

Bruce moved the elephant to the barred window. His heart beat wildly. He leaned down from his howdah and strove to peer within.

"Kathlyn Hare?" he whispered.

"Who is it?"

"Father, father!" Bruce heard her cry; "they have found us!"

Ahmed heard the call; and he sighed as one who had Allah to think. Together! God was great and Mahomet was his prophet.

"Listen," said Bruce. "We shall hook chains to the bars and pull them out, without noise if possible. The moment they give.....Have you something to stand on?"

"Yes, a taboret."

"That will serve. You stand on it and I'll pull you up and through. They're your fathers."

"Father is in chains. What in God's name shall we do?"

"Return for me later," cried Hare. "Don't bother about me. Get Kit away, and quickly. Umballah may return at any moment. To work, and God bless you!"

They flew to the task. Round the hooks Ahmed had wrapped cloths to ward against the chink of metal. The hooks were deftly engaged. Bruce gave the signal and the elephants started forward. The chains creaked taut. So far there was but little noise. The elephants leaned against the chains; the bars bent and sprang suddenly from their ancient sockets.

Kathlyn was free!

(Continued next Saturday.)

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