Vol. LXXXVI.—No. 52

CANADA

House of Commons Debates

OFFICIAL REPORT—DAILY EDITION

Tuesday, April 22, 1947

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
KING'S PRINTER AND CONTROLLER OF STATIONERY
1947

Price per copy, 5 cents; per session, $3. Address King's Printer, Ottawa, Canada.

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HOUSE OF COMMONS

Speaker: The Honourable GASPARD FAUTEUX

TUESDAY, April 22, 1947.

The house met at three o'clock.

CANADIAN NATIONAL RAILWAYS

REFERENCE OF ANNUAL REPORTS AND CERTAIN ESTIMATES TO RAILWAYS AND SHIPPING COMMITTEE

Hon. LIONEL CHEVRIER (Minister of Transport): Mr. Speaker, I desire to lay on the table the following reports in English and in French: annual report of the Canadian National Railway system for the year ended December 31, 1946; annual report of the Canadian National (West Indies) Steamships Limited for the year ended December 31, 1946; annual report of the Canadian National Securities Trust for the year ended December 31, 1946. Coipes of these reports are being distributed to hon. members this afternoon. The auditor's report to parliament has been delayed in printing but I am informed that the English edition will be ready for tabling Thursday next and the French edition a day or two later.

By leave of the house I move:

That the annual reports for 1946 of the Canadian National Railway system, the Canadian National (West Indies) Steamships Limited and the Canadian National Securities Trust tabled this day be referred to the sessional committee on railways and shipping owned, operated and controlled by the government, together with the following items of the estimates for 1947-48:

Vote 434. Maritime Freight Rates Act, Canadian National Railways;

Vote 435. Maritime Freight Rates Act, railways other than Canadian National;

Vote 479. Prince Edward Island car ferry and terminals deficit, 1947.

And that the resolution passed by the house on March 4, 1947, referring certain estimates to the committee of supply, be rescinded in so far as the said resolution relates to votes Nos. 434, 435 and 479.

Motion agreed to.

REPORTS AND PAPERS

Copy of order in council P.C. 1445 dated April 15, 1947, passed under the provisions of the Unemployment and Agricultural Assistance Act, 1940, renewing loan of $1,790,000 to the province of Alberta for one year from April 15, 1947, and accepting as security therefor treasury bill of the said province bearing interest at the rate of 3 per cent per annum;

Copy of order in council P.C. 1446, dated April 15, 1947, passed under the provisions of the Unemployment and Agricultural Assistance Act, 1940, renewing loan for $1,938,881.59 to the province of British Columbia for one year from April 30, 1947, and accepting as security therefor treasury bill of the said province bearing interest at the rate of 3 per cent per annum.—Mr. Mayhew.

BUTTER

INQUIRY AS TO DISCONTINUANCE OF RATIONING

On the orders of the day:

Mr. R. E. DROPE (Northumberland, Ont): May I ask the Minister of Finance a question. When will the rationing of butter be discontinued in Canada?

Hon. DOUGLAS ABBOTT (Minister of Finance): That is a matter of government policy that will be announced in due course.

IMMIGRATION

PRESS REPORT AS TO MEMBER RECRUITING PERSONNEL OVERSEAS FOR TEXTILE PLANT

On the orders of the day:

Mr. ANGUS MacINNIS (Vancouver East): I wish to direct a question to the Minister of Mines and Resources (Mr. Glen). Has his attention been drawn to a news item, appearing on page 6 of this morning's *Citizen,* entitled "New immigration policy may come soon"? The item goes on to say that the member of parliament for Beauce (Mr. Dionne) is at the present time overseas in Europe, with the permission of the government, to recruit personnel for his textile plant. Is that a new immigration policy or is there another part that we have not yet heard about?

Hon. J. A. GLEN (Minister of Mines and Resources): I have not seen the newspaper

item to which the hon. gentleman refers, but I would repeat what I said the other day to the hon. member for Peel (Mr. Graydon). So far as any new policy on immigration is concerned, it will be announced in due course.

Mr. COLDWELL: Is the statement regarding the member for Beauce correct?

Hon. HUMPHREY MITCHELL (Minister of Labour): There is no secret about it. Like any other employer of labour, he has been given permission, in view of the shortage of labour in that area, to recruit, if possible, 100 workers for a textile mill or a woollen mill in Beauce.

Mr. COLDWELL: Under what regulations are these entries to be permitted?

Mr. MITCHELL: Under the normal regulations. It is a day to day affair. It is quite true that during the war there was no immigration, but the Department of Labour has to give approval where it is a question of immigration. In that case they are consulted.

Mr. COLDWELL: If approval is to be given, do you approve conditions of work, wages and so on?

Mr. MITCHELL: In the matter of wages and conditions, there will be the prevailing rates in the district, as far as I am concerned. Under no circumstances—I am speaking of ordinary circumstances—would I give my consent to the immigration of people from any country in the world to undercut local conditions.

Mr. NICHOLSON: Under what order is this permitted?

Mr. SPEAKER: Order. The hon. member knows that the question is not debatable.

VETERANS AFFAIRS

REPORT ON D.V.A. HOSPITAL AT SYDNEY

On the orders of the day:

Mr. CLARENCE GILLIS (Cape Breton South): Has the Minister of Veterans Affairs received Doctor W. P. Warner's report as to the future of the D.V.A. hospital at Sydney, Nova Scotia. If so, is the minister prepared now to make the statement which he promised to make on receipt of the report?

Right Hon. IAN MACKENZIE (Minister of Veterans Affairs): I shall be glad to send a copy of the report to my hon. friend. The purport and conclusion of the report is that the hospital in question will be closed on the first of September, 1947, with out-patient clinical treatment for such as need it in the region concerned, care for the rest being given in Camp Hill hospital, Halifax. The basis of the hospital's policy is to give the best treatment to all veterans concerned.

UNITED NATIONS

UNRRA—INQUIRY AS TO CHANGE IN ORGANIZED ASSISTANCE

On the orders of the day:

Mr. F. S. ZAPLITNY (Dauphin): On March 12 I asked a question seeking information as to what steps are being taken by the Canadian government to replace our contributions under the arrangements of UNRRA by some other form of organized assistance. At that time the minister indicated that a report had been received from the committee set up to investigate the possibilities and that the report was under active consideration. Is the minister in a position now to tell the house what decision has been reached?

Right Hon. L. S. ST. LAURENT (Secretary of State for External Affairs): That is a matter about which it is still hoped there will be action on the basis of international cooperation, even if it is not handled by an international administrative body. Our representatives in Washington have been and still are in touch with the representatives of other governments, who were contributors to UNRRA, with reference to this, but there has not yet been developed anything sufficiently definite to warrant a statement.

EMERGENCY POWERS

CONTINUATION OF CERTAIN ORDERS AND REGULATIONS

The house resumed from Monday, April 21, consideration in committee of Bill No. 104, to provide for the continuation of certain orders and regulations of the governor in council for a limited period during the national emergency arising out of the war—Mr. Ilsley—Mr. Macdonald (Brantford City) in the chair.

The CHAIRMAN: When the committee rose last night it was considering P.C. 34/4433, Government Employees Compensation Act.

Mr. ILSLEY: I do not see any advantage whatever in delaying this order. I think it had better be passed. It can be done the other way, but it simply makes more trouble for everyone. It means an amendment to this act and the passing of an order in council. Why do that? Why not put it through this way?

Mr. FLEMING: I suggest to the minister that it has to be done the other way eventually, because the effect of this act is temporary.

I do not know how long it is the government's intention to continue in existence the three corporations referred to in the order. It would seem to me that the government in any event, if it is going to continue to apply to these three corporations the provisions of the new compensation for government employees act, must pass a regulation to that effect under the terms of section 2(c) of that act. Therefore the only purpose that can possibly be served by the order in council now before us, 34/4433, is to continue these corporations under the terms of the government employees compensation act until such time as an order in council can be passed under that permanent legislation. This present order in council, apart from any further action on the part of parliament, will continue until May 15. Surely that is ample time to bring the Government Employees Compensation Act, the new act, into effect and to make the necessary order under it.

Mr. ILSLEY: I do not see any advantage at all.

P.C. 34/4433 and P.C. 3122 agreed to.

On P.C. 328.

Mr. DIEFENBAKER: There are a few questions I should like to ask in regard to this particular item, which has to do with the setting up of a corporation for the purpose of continuing the control over sugar. As the committee is aware, on March 31 the United States passed an order continuing sugar control and rationing until October 31, 1947, at which time, as was indicated when this extension was made, sugar control will come to an end in the United States. Today each country in the international pool receives an allocation of sugar under an international agreement. When President Truman signed the bill extending sugar control he said this:

While our supplies—

He was referring to the supplies in the United States of America.

—in 1947 will be larger than those available last year, they will still be substantially below pre-war per capita supply and still further below estimated demands . . . A premature ending of controls over sugar would bring about a scramble of competing countries for the inadequate supplies now in prospect.

Canada gets 82 per cent of her yearly sugar supplies from foreign sources. In a return which was brought down last month it was revealed that 47 per cent of Canada's sugar supplies came from the British West Indies and Fiji, 35 per cent from non-empire countries, and only 18 per cent from her own domestic beet sugar production. How is it that in spite of the opportunities which are ours, with our refining facilities, no real encouragement is given to sugar beet production? The six beet sugar plants have a maximum capacity of 150,000 tons of refined sugar, which is 26 per cent of Canada's 1946 allocation, and is 44 per cent higher than the goal set by the government this year. Some might say, "Well, what advantage would there be?—because Canada receives only a proportionate share of the world's sugar supply under international agreement." I suggest that if further encouragement were given by the federal government to sugar beet production in this country it would mean two things. For one thing, increased production—and I am informed that it could run about 50 per cent higher than the present figure—would mean a larger international pool, thereby assuring Canadian consumers of a larger share of sugar. It would also make available a wider distribution in the countries of Europe which require sugar.

I know there has been a change this year. One dollar per hundredweight increase in price has been allowed, and the government grants a 25 cent subsidy, but that is no additional encouragement. All that the government has done has been to pass on to the consumer the extra amount of one cent per pound; there has been no additional encouragement this year to the producer in this country to produce to the limit of the capacity available. For some reason it seems impossible to get consideration of the problem from those in charge of this corporation. Their attitude is that sugar is not a crop indigenous to Canada, if I might use that expression. But, sir, in Manitoba and in Alberta it is being widely extended; and in my own province of Saskatchewan there is an area in the Qu'Appelle valley peculiarly fitted by nature and the contour of the land to produce sugar beets and practically nothing else. I should like the minister to make a statement as to the government's attitude with regard to the encouragement and expansion of sugar beet production, so that this crop, which has become a kind of insurance crop wherever it is produced, may be extended in acreage and amount, to the end that there will be improvement in the opportunities for production and a larger quota available to consumers.

Mr. ILSLEY: I should like to say a few words in answer to my hon. friend. Pre-war beet sugar production was about 150 million pounds annually. The maximum production of beet sugar in Canada was in the year 1942, production for that year being 210 million pounds. Production in 1946 was 207 million pounds. The capacity of the factories in Canada is 300 million pounds.

It is not correct to say that no encouragement has been given to the production of beet sugar in Canada. In 1946 a subsidy of 60¾ cents per hundred pounds was paid. In 1947 that figure was increased to $1.25, of which 25 cents is now in the form of a subsidy and $1 in the form of increased price. As the hon. member has said, we in this country produce 18 per cent of our requirements at home. It is possible that by paying enough money in subsidies or by raising our tariffs high enough we could increase the production in Canada under peace-time conditions to considerably more than 18 per cent of our total consumption. A matter of policy comes in there, as to how intense a degree of protectionism, because that is what it is, we should apply to the production of beet sugar. That production can be increased, as I say, by the payment of enough money either by the taxpayers or the consumers; by the taxpayers in the way of subsidies or by the consumers in the way of prices. But a balance of some kind must be struck there, and a reasonable course taken. I do not know what my hon. friend would suggest. He must hold the same position, I should think, that a moderate course must be taken between the two extremes, because I do not think he would take the highly protectionist position that we should put our prices so high, our tariffs so high, our subsidies so high, that we would produce in Canada all the sugar we required, and exclude sugar from empire sources, particularly at a time when we are greatly in need of imports from empire sources in order to create dollars with which to make markets for ourselves abroad.

The policy of the government has been a reasonable one. We have not discriminated in any way against the beet sugar industry in Canada. The production figures I have given are reasonable. The hon. member for Stanstead said one of the great factories in southwestern Ontario is idle but the prime factor in that situation was lack of labour, and I understand prospects are that both factories will be operating there, with an improvement in production. The contracts signed in the last ten days have been greater than ever before in the history of the beet sugar growing area.

The suggestion has been made that if we had forced to a greater extent the growing of sugar beets in Canada, we would have increased the amount of sugar available for our consumers. Well, we get about six per cent of the world production of sugar, or the production that is available for Great Britain, the United States and Canada. To the extent that we increased production in Canada that would go into the pool under the international allocation arrangements and out of the pool we would get six per cent of the increase, which would not be very much. It is just a question how much of the money of the taxpayers or how much of the money of the consumers we would be justified in paying in order to force that result. I think the course we have taken has been reasonable.

Mr. MILLER: During the Easter vacation I was at a meeting of sugar beet growers in the city of Portage la Prairie. Representatives were there endeavouring to get the sugar beet growers to sign contracts for another year. The minister will correct me if I am wrong, but I think it is a fact that the sugar beet producers of this country are held down in the price they get, because the price for their product is not allowed to equal the price for sugar made from imported sugar cane. You do not need to raise the tariff in order to get a greater production of sugar in Canada, certainly not in Manitoba. The sugar beet growers have been down here at least four times since last December trying to get some satisfaction from the administrator. Finally I understand they had a conference with the Minister of Finance at which the last adjustment just mentioned by the Minister of Justice was arrived at. At every meeting of growers that I attend at which there are representatives of the association there is criticism of the present sugar administrator. I should like to know what will be his position in the future. Are we going to have the same sugar administrator? He does not have the confidence of the growers, who do not think he is giving them a fair deal as compared to cane sugar. The government must know that from the comments of the delegations of growers every time they come down here. The growers are being urged to produce more, and the factories are trying to get contracts. At the factory of the Manitoba Sugar Beet Company on the Red river they want to get production up to 150,000 tons, as compared to their present maximum of 90,000. If the price paid the sugar beet growers was brought up to equality with what is paid for cane sugar it seems to me you would have no difficulty getting more sugar beets produced, and consequently more sugar. Before I sit down I would like to know from the minister just what is to be the position of the present sugar administrator under the new set-up.

Mr. ILSLEY: The $1.25 puts them on a complete parity with the price of cane sugar.

Mr. MILLER: Not quite, does it?

Mr. ILSLEY: On the landed cost of cane.

Mr. MILLER: Does it not require about $1.55 to do that?

Mr. ILSLEY: I am told the $1.25 makes the return equal. I do not know the ground of criticism of Mr. Noble.

Mr. MILLER: There is plenty of it.

Mr. ILSLEY: I know that there is criticism.

Mr. MILLER: The criticism is mainly that he is more a cane man than a sugar beet man; I don't mind saying that.

Mr. ILSLEY: Well, to be valid, criticism has to be based upon facts, not upon what a man may have done previously in his lifetime, or something of that kind. Mr. Noble was a high official of the Royal Bank, which had some branches in Cuba and I believe at one time had some interest in cane sugar plantations. That was the fact upon which the whole criticism of Mr. Noble was based; but that is not sufficient. If criticism of a man is going to be made, for it to be valid you must put your finger on some facts. I am convinced that Mr. Noble has been scrupulously fair in his treatment of the beet sugar growers.

Mr. FERGUSON: May I remind the minister that after the first war it was proved quite conclusively that some of the bank gentlemen who were mixed up with sugar did not know very much about it; they were out about $16,000,000, so it is no recommendation to say that a man worked in a bank.

Mr. HACKETT: I am not going to weary the minister with my views on subsidies; he knows them very well, but I should like to ask if he does not consider that the method of applying the sugar subsidy has resulted in a curtailment of production in southwestern Ontario, as distinguished from other areas in which the growing of sugar beets was carried on during the war. The total production is about on a level with what it was before the war, but in the great sugar beet area of southwestern Ontario production has decreased, whereas in Manitoba, Alberta and to some extent in Saskatchewan production has increased. Is it not a fact that the method of applying the subsidy has brought about this result? I am leaving aside the question of labour, because if I have correctly understood the situation the matter of labour has not been the determining factor in the abandoning by the farmers of southwestern Ontario of the cultivation of sugar beets.

Mr. ILSLEY: The fact that competing products were subsidized at all probably did mean that a larger acreage was devoted to competing products than to sugar. But all the acreage was used; and there were years when it was thought better to produce beans, tomatoes, and the like, than to produce sugar. That was not fully carried out, of course, but it was thought desirable to increase the production of some of these products, which used land that otherwise might have been used for sugar. That was a matter of nutrition, a matter of getting production of the proper foods. If sugar had been subsidized and the others had not been, probably there would have been a larger acreage of sugar, despite the labour situation. But the matter of labour was a serious one in that district of Canada, because it is contiguous to the large industrial areas in which high wages were being paid, and where it was difficult to get labour.

Mr. HACKETT: I am not going to question the judgment of the government or of the department in subsidizing other products, which may have made it attractive to farmers in southwestern Ontario to grow those products in place of sugar beets. But is it not a fact that, in the result, the farmer growing sugar beets in Manitoba, or any of the prairie provinces, received a better price per ton for his beets than did the farmer in southwestern Ontario?

Mr. ILSLEY: He did, on account of the fact that he enjoys freight protection.

Mr. HACKETT: I am aware of that. Again, I am not criticizing the government, but I am endeavouring to point out that the subsidy did not work out equally everywhere. The farmer in western Canada—and by that I mean Manitoba, Saskatchewan and Alberta—was getting from 75 cents to something over a dollar more per ton for his beets than was the farmer in southwestern Ontario. That was a considerable incentive.

Mr. ILSLEY: The same rate of subsidy was paid everywhere. The price was higher in the west. They are entitled to a higher price because of the freight.

Mr. HACKETT: The point I wish to make is that southwestern Ontario, being the area par excellence in which the sugar beet can be produced, where the industry was firmly established, and where the people were acquainted with all the methods of good production, should have been treated differently. It seems to me that the growth of sugar beets could have been stimulated there to better advantage than by opening up new areas in which the whole population had to be taught the industry from the beginning. I shall not say poor judgment was used, but I shall say the government could have got a larger quantity of sugar with less effort from southwestern Ontario than from the new area, in

which as it were it started the growth and development of a new sugar beet industry.

Mr. ILSLEY: I do not think the comparison between Ontario and Alberta holds. I believe Alberta is placed just as favourably, and perhaps more favourably, in the production of sugar beets.

Mr. DIEFENBAKER: In connection with the minister's statement to the effect that encouragement to the industry—

Mr. BLACKMORE: I wonder if the hon. member would speak louder. I am interested in what he is saying, but down here we can hear nothing but a whisper.

Mr. DIEFENBAKER: The interruption supports the suggestion made by the hon. member for Fort William, that loud speakers be installed in the chamber, should have been carried into effect. I am waiting for the improved suggestion in that regard which he said would be forthcoming shortly.

Mr. McIVOR: I should like to take up that question next Monday.

Mr. DIEFENBAKER: The minister stated that if any further encouragement were given to sugar beet production it would not mean any additional ration to the consumers, because under the international agreement Canada is entitled to only six per cent of the available supply. Theoretically that is true. But in the United States, when President Truman made the announcement to which I referred a few minutes ago, he said that a portion of the increase in the production of beet sugar would be passed on to the consumer, and that the consumer would be entitled to a sugar ration in the coming year larger than he would be entitled to under the proportionate share of the United States by virtue of the international agreement.

Today in the United States the ration share is 35 pounds per capita. That is the quota for householders in that country. Under the new plan enunciated by the President, and through encouragement given to sugar beet production, an extra ration to the extent of 15 pounds per individual will be passed on to the consumer. In other words, while under the international agreement the present quota is 35 pounds, if the sugar beet production of the United States is increased to the extent of 15 pounds per capita, that increase will be passed on to the consumer. While it is true the subsidy of 25 cents and the additional price of a dollar a hundredweight does afford some advantage to the producer, I suggest that the sugar beet production about which the minister spoke in such glowing terms would not have taken place in Ontario, had it not been for the subsidy of $112,500 granted by the Ontario government, which is to be made available this year to sugar beet producers. If, under the international agreement, the United States is in a position to add to the ration that the consumer will receive through increased beet sugar production, is there any reason why Canada should be in any different position?

My second point is that if encouragement is given to sugar beet production in Canada, and Canada continues to be restricted to six per cent of the international output, we would be conserving United States dollars which, if the exchange situation is as it is described in the press, is so necessary today. The amount invested in the course of the year in importing sugar into this country is some $23,000,000, U.S. funds, and that is very necessary to our international financial set-up. If we produced that sugar in Canada we would be saving that money as well as giving encouragement to the producers and providing a kind of insurance for agricultural production. Canada is producing more sugar beets today than heretofore; is there any reason why we could not extend the rationing, as has been done in the United States?

Mr. ILSLEY: We have increased our ration of sugar along with the United States.

Mr. DIEFENBAKER: I have suggested that by reason of the increased production of sugar beets that ration amounts could be increased.

Mr. ILSLEY: I do not know how long this international allocation will continue and I assume my hon. friend is talking more about a long term policy than one for the next twelve months or so. I am told it is expected that the beet sugar production in Canada will reach an all-time high in 1947. It could be driven up further and the imports from empire countries—they are mainly from empire countries, certainly in time of peace—can be pressed down if we want to spend enough money to do it. But, as I said before, that is protectionism of the very highest type.

Mr. DIEFENBAKER: Under this government we have had the highest protection in the history of the country.

Mr. ILSLEY: I am not talking politics; I am talking about my hon. friend's proposal. It is not altogether desirable to crush out imports from the sterling area, and it is not altogether desirable to make different areas completely self-sufficient in everything. If you do that, you cut off international trade. I think the beet sugar growers should be treated fairly, and in my submission they have been treated fairly. They have not secured every subsidy that they applied for, and the same applies to every other group in Canada that has applied for a subsidy. So far as I know, their demands have not been fully met. When I was in the Department of Finance we received delegations and we turned down requests for subsidies of much greater magnitude than those that were granted. Very often the subsidy granted was not as much as what was asked for, and the same applied to practically every other agricultural product. The requests made exceeded what was eventually done. I think those are the only points raised by my hon. friend.

Mr. HACKETT: Before the war the plant capacity in southwestern Ontario was being operated to about one hundred per cent of its capacity, but according to the information I have it is being operated today only to the extent of sixty or sixty-five per cent. Would it not be to the advantage of Canada so to formulate our policy concerning the production of sugar beets as to bring these plants into full production?

Mr. ILSLEY: The information I have is that the company expects to operate both plants this autumn. They did not operate them both the last year.

Mr. HACKETT: Since 1941. What is the latest information the minister has as to Canada's allotment from the pool? The last figure I have is 504,000 short tons, which included 90,000 tons of domestically grown sugar.

Mr. ILSLEY: The allocation for 1946 was 504,000 short tons, what they call short tons raw value. For 1947 it was 611,000 short tons.

Mr. HACKETT: How much is charged to Canada because of the domestic crop? What is estimated for this year? It was 90,000 short tons out of 504,000 tons last year.

Mr. ILSLEY: I cannot give the exact figure, but it is the impression of my advisers that it is 104,000 tons for 1947.

Mr. HACKETT: That is up 14,000 tons?

Mr. ILSLEY: Yes.

Mr. BLACKMORE: Would it be completely out of order to ask the minister to let this matter stand until eight o'clock? I have an exceedingly important committee meeting and I should like to get into this discussion.

Mr. ILSLEY: I do not know how important the committee meeting is, but this is pretty important too, and I think we had better go on.

Mr. BLACKMORE: It happens to be an exceedingly important committee meeting on the Indian Act. The Indians from Alberta will not be here tomorrow. They are giving evidence before that committee between four o'clock and six. It is my duty to be with them in the committee. Also I should like to be in on this debate on sugar. I do not agree with what the minister is saying about the lack of discrimination against the beet sugar industry. I should like to have an opportunity to discuss that matter after eight o'clock tonight.

Mr. ILSLEY: I think we shall have to go on with this.

Mr. BLACKMORE: The minister is misinformed when he tells the committee that there has been and is no discrimination against the beet sugar industry. The whole record of the sugar administrator from the time he was appointed until he left office is one of unsightly discrimination against the beet sugar industry, to such an extent that it stands as a disgrace to this country and constitutes a danger to the whole beet sugar industry of Canada notwithstanding the plausibility of the arguments that are being offered by the minister. I have to leave now; I shall have to say what I want to say when the estimates come up, unless this matter can be deferred until eight o'clock or is continued until eight o'clock. If it is continued until eight o'clock I shall be pleased.

Mr. ILSLEY: I see no evidence whatever of any discrimination on the part of Mr. Noble against the beet sugar industry. I regard Mr. Noble as one of the best public servants of Canada.

Mr. BLACKMORE: By the time I get through with him I think the minister will see that there has been plenty of discrimination.

Mr. DIEFENBAKER: Before the orders of the day were called today some reference was made to the hon. member for Beauce bringing certain Polish weavers to Canada. I understand also that some workers are being brought from Europe to assist beet sugar growers. How many are being brought in, where are they being brought from, and generally what is the picture that is developing in the country in connection with the matter of immigration? The hon. member for Vancouver East asked a question about this matter earlier in the day. Is the minister in a

position to say how many are being brought in to assist in the sugar beet industry, and how many have been brought in for other industries?

The CHAIRMAN: Order. I think the last question is a little too wide. The first question with regard to sugar beets would probably be in order.

Mr. DIEFENBAKER: Sir, I do not think we can unscramble the immigration omelet without getting the general picture. If we get it piece by piece I have no objection, but I want to get the general picture.

Mr. HACKETT: Were not prisoners of war used for that purpose up to this year? We had four thousand in Ontario last year.

Mr. ILSLEY: Some Japanese were used in certain parts of Canada on the beet sugar farms.

Mr. HACKETT: In the west.

Mr. ILSLEY: Yes, and some prisoners of war as well. I do not know the number of workers that are being brought in for the purpose of working on beet sugar farms. I presume I can get that information from the Minister of Immigration or the Minister of Labour. I am informed that arrangements are being made for the immigration of some workers from Poland and from western Europe.

Mr. PEARKES: Are those who are being brought in having their passages assisted?

Mr. COLDWELL: I think we should tell the minister that some of us intend to inquire into this matter when the Minister of Labour is before us. We have that in mind.

Mr. ILSLEY: Yes. I am not in a position to answer the question myself.

Mr. PEARKES: So long as we can raise the question when the Minister of Labour is before us, I shall leave it.

Mr. FERGUSON: The British are gallant people; they fought for this country and I believe a number of them would come to Canada to work in the sugar beet industry. Is any effort being made to get persons in the British isles to come here to work in this industry? A great effort is being made to bring heroic Poles. I should like to see some effort made to bring in British people.

Mr. BLACK (Cumberland): I have a question with regard to the importation of molasses from the West Indies. This is a commodity which for many years has been used extensively in the maritime provinces, in the fishing industry, on the farms and in the lumber camps. I am quite sure that to a considerable extent the minister was brought up on it. In those days he did not have, neither did the rest of us, the vitamins which are so necessary and which every drugstore sells today. These vitamins are contained in the natural molasses, and the people who used molasses in those days did not require vitamins in capsule form. Medical men have brought to my attention the handicap we suffered in the maritime provinces during the war years because of the restricted importation of West Indies molasses. Will the minister make some statement as to the increase in the importation of molasses into Canada, especially in the eastern provinces?

Mr. ILSLEY: The allocation of molasses to Canada for 1947 is ten per cent higher than in 1946. It is being allocated for use in eastern Canada, in the maritime provinces and Quebec.

Mr. BLACK (Cumberland): What was the percentage of that importation last year, and what is the expected importation this year in relation to the ordinary importation in the years prior to the war?

Mr. ILSLEY: It is getting back close to normal.

Mr. BLACK (Cumberland): There is still a restricted importation in relation to the requirements of the people who desire to use it.

Mr. ILSLEY: Yes; it is not yet back to normal.

Mr. BLACK (Cumberland): Has the minister any report to make to the committee, and especially to the people of Nova Scotia, as to the reestablishment of the sugar manufacturing company in Halifax which was shut down during the war years? Our entire manufacture of cane sugar is now taking place in other provinces rather than in Nova Scotia, where we have one of the oldest and best sugar refineries in Canada.

Mr. ILSLEY: The government did not close the plant; the plant was closed by the company. I am unable to state what the present status is.

P.C. 328 agreed to.

P.C. 6289 agreed to.

On P.C. 4112.

Mr. McLURE: Will the minister explain why it is necessary to have this order in council reenacted?

Mr. BRIDGES: In order to give the proper background of this order in council it will be necessary for me to take some little time, but I shall give it if the hon. member wishes it. I know he is interested in this item.

The Pelagic Sealing Convention of 1911 entered into between Great Britain, United States, Japan and Russia respecting measures for the preservation and protection of the fur seals in the north Pacific ocean was ratified in Canada by the Pelagic Sealing (Convention) Act 1938. Chapter 17 of the act provided that the act shall continue in force until a day which may be fixed by proclamation of the governor in council following upon the termination of the convention.

On the 24th of October, 1940 in pursuance of article 16 of the convention, a notice of abrogation was given by Japan, and in accordance with the provisions of the convention, it expired on the 23rd of October, 1941.

A provisional fur seal agreement was entered into between Canada and the United States by exchange of notes dated December 8, 1942 and December 19, 1942 covering a portion of the waters of the north Pacific ocean.

It was stipulated by article 10 of the provisional agreement that it would remain in effect for the duration of the present emergency and twelve months thereafter.

The provisional agreement between Canada and United States was confirmed in Canada by order in council P.C. 4112 of May 30, 1944 passed under the War Measures Act. This order in council likewise fixed the tenth day of June, 1944 as the day for the expiry of the Pelagic Sealing (Convention) Act 1938, as provided for in section 17 of the said act.

On December 31, 1946 the President of the United States proclaimed that in so far as the United States was concerned the hostilities of world war II had terminated as of noon, December 31, 1946. As a result of this proclamation those portions of United States statutes respecting fur seals which specifically implement the 1942 provisional fur seal agreement between the United States and Canada, will cease to be effective at twelve o'clock noon December 31, 1947. The government of the United States is now considering an arrangement to replace the provisional fur seal agreement of 1942 and will communicate with the government of Canada at the earliest possible date with respect to such arrangement. In the meantime—and this is what my hon. friend wants to know—in order to keep in force the provisional fur seal agreement of 1942, the one we are working under, until December 31, 1947, it is necessary to continue in effect the present order in council P.C. 4112 of May 30, 1944.

Mr. McLURE: That is satisfactory. Then I understand, and this committee will understand, that there are just the two countries now in this treaty, Canada and the United States.

Mr. BRIDGES: That is right.

Mr. McLURE: Japan is out of it.

Mr. BRIDGES: Yes.

Mr. PEARKES: Has not Russia some interest in this treaty?

Mr. BRIDGES: Not under the agreement entered into by exchange of notes December 8 and 19, 1942.

P.C. 4112 agreed to.

On P.C. 2751.

Mr. BRIDGES: I have already announced that there are no longer canned fish allocations so far as the industry in Canada is concerned. I made this announcement in the house on March 13 last. I would therefore propose that this order be deleted from the schedule.

Mr. GIBSON (Hamilton West): I so move.

Amendment agreed to.

On P.C. 251.

Mr. BRIDGES: This order brings up a subject which will probably provoke some debate, since it deals with the prohibition of the issuance of fishing licences to people of Japanese racial origin. It is my intention to ask that it stand at the present time and the committee will take it up when it considers those items in the schedule under the heading Department of Labour, which also deal with the evacuation and relocation of persons of Japanese race in Canada, and the one dealing with financial assistance to voluntary repatriates to Japan. I therefore ask that the order stand until then, the object being that we may have one debate instead of two on the Japanese situation.

P.C. 251 stands.

On P.C. 4600.

Mr. DIEFENBAKER: This order in council has to do with prosecutions taken under part 15 of the criminal code and the right of appeal is provided in respect of infractions of wartime regulations. I appeal to the minister to communicate with the officials administering the wartime prices and trade board and to point out to them the necessity of proceeding with proper regard to the rights of the individual. During the war arbitrary actions on the part of those charged with the investigation and prosecution of offences against

these regulations were more or less tolerated. Now in the days of peace, even though this legislation be carried on for the time being, the rights of the individual must be assured.

I hold no brief on behalf of those who are deliberately breaking the law, but I suggest that the retail merchant or the honest business man who makes a momentary slip which constitutes a contravention of regulations, some of which he does not know of unless he is omniscient, should not be harassed. I shall not discuss in detail the cases I have in mind, but I suggest that in making investigations these officials should be instructed to use care. Particulars in support of my contention that frequently that is not done. I do not intend to place before the committee at this time, but I suggest that the minister ask the officials who are conducting investigations to use discretion, to warn people where a warning is possible, and to prosecute only where there is apparently a continuing intention to circumvent the law.

Some investigators arrogate to themselves the arbitrary power that characterizes many of those who exercise authority, however small or great. Some have developed a complex of harassing honest business men. I hope that will end and that the Minister of Justice will see that it does. Most of our people want to uphold the law, but on too many occasions the investigators proceed on the assumption that all the people want to break the law. That is a type of mind that can be easily developed and it is the type of mind that has no place in a democracy. It leads to bureaucratic omnipotence and domination. Against that type of mind I make this protest, and I say this to the minister in no critical sense at all at the moment. If it is desired to enter into a critical argument I am prepared to do so, but I am putting this forward in a constructive way. I ask the minister to inform these officials that the Canadian people are law-abiding. The record of prosecutions shows that. Tell these men to use that discretion which an honest people have a right to demand of their officials.

Mr. ILSLEY: The chief enforcement officer tells me that the investigators are instructed to be courteous and careful, and for the most part they are. There are 599 investigators and you do not get 100 per cent perfection from any group of men. Whether prosecutions are undertaken or not, the question is decided in Ottawa in every case, and decided carefully.

Mr. ISNOR: There is a good deal of merit in the suggestion thrown out by the hon. member for Lake Centre. I approach the question not from the standpoint of a legal mind but as a retailer, and I find that there are many of the smaller retailers who are subject to an unnecessary amount of detailed work because of the manner in which investigations are carried on. Fortunately my own stores are warned and given instructions, and they follow the bulletins very closely. Instead of being criticized, we have been complimented for the manner in which we have tried to cooperate. But I think it is unfair to say that the great majority of investigators proceed on the basis that all merchants or citizens are endeavouring to break the law. It is only fair to say that practically all the investigators—although, as stated by the minister, there are exceptions who do not use discretion—come into your store, look at your records, check them carefully, and are guided by the percentage of profit which you must use in the mark-up. It is helpful to the reliable and honest merchant to have this check-up from time to time. I am particularly concerned because of the effect this criticism has on the consumer. It creates in the mind of the average consumer the impression that the government, through its investigators, is protecting its own interests. Instead of criticizing them as a whole, I would say that the board is to be complimented on the ninety-five or ninety-nine per cent of good investigators whom they send out to do this work. I could enlarge on that as a result of personal knowledge and the experience gained through the investigators coming into my office and my stores and checking on the clerks and managers. On the whole they have done an exceptionally good job; and I think that word should be passed along to them.

Mr. HACKETT: I wish to ask the minister a question about a matter which he may tell me does not come in his department. But in view of his close relationship with finance, and his recent incumbency of the high office of Minister of Finance, he may be able to tell the committee what is being done to dissolve and diminish the staffs which were recruited for the purpose of administering wartime prices and trade board regulations and detecting breaches thereof. I speak with some interest, because many large office buildings in Montreal are occupied to a very large extent by staffs of the various government agencies which have to do with the administration of the wartime prices and trade board, the following up of the administration and the prosecution of those who have been in breach of the regulations. As the number of articles which are under control diminishes, is anything being done to lessen the number of employees, investigators and sundry other staff?

Mr. ILSLEY: At the peak of activity of the wartime prices and trade board the staff was 5,700; it is now 3,900. There were 133 offices at the peak of activity; now the number of offices is 49. The staff is reduced with the elimination of duties.

Mr. HACKETT: The elimination of what?

Mr. ILSLEY: With the elimination of functions, I should say. For instance, the abolition of meat rationing would result normally in the reduction of staff of, I think, about 200 or 300. When I was in finance I was told that if we were to abolish meat rationing we could reduce the staff by 200 or 300. For example, if price control over textiles were abolished there could be a substantial reduction, inasmuch as this control is so difficult and requires so many people to administer it.

Mr. HACKETT: Can the minister say if at this stage there is an official or group of officials whose allotted task it is to see to the dissolution of these staffs as rapidly as may be?

Mr. ILSLEY: The comptroller, Mr. Wilson, keeps his eye on that.

Mr. McIVOR: What happens to those officials who lose their position? Are they absorbed into the civil service?

Mr. ILSLEY: No, I do not think so.

Mr. HACKETT: They are not in the civil service. They must look for jobs elsewhere like anybody else.

Mr. ILSLEY: They go somewhere else for a job. The government does not undertake to place them in the civil service. They are almost wholly temporary employees. As a matter of fact, in the last few years the difficulty has been to keep them. Many people wanted to get out, and they have gone away in order to get permanent jobs.

Mr. PROBE: The preamble to P.C. 4600 suggests that there is some doubt in the mind of the minister as to the validity of many of the prosecutions. Perhaps the word "validity" is not just the right one, but there is some doubt that the prosecutions have always been on considerations which would be proper in law. From the fact that the possibility of appeal is being enlarged, I judge that in the past there may have been prosecutions which were open to criticism partly on the ground that they were erroneous and partly on the ground that the fine or penalty imposed on the offender has been out of proportion to the offence. By what machinery could a person have secured redress if he thought he was being over-penalized? Can the minister give any information as to the number of remissions or what amount in dollars have been the remissions in connection with prosecutions in which the penalties have been considered too heavy?

Mr. ILSLEY: The applications for clemency or remission have been very few.

Mr. PROBE: To whom are they directed?

Mr. ILSLEY: To the Department of Justice. I vaguely remember one application from one of the western provinces where the penalty did seem excessive, and where the fine was reduced. A very large fine was imposed on a man who lived in a remote district and who perhaps did not know about the regulations. I was Minister of Finance at the time. I recommended, as I recall it, that there be a remission or partial remission. I have no record here of the number but those cases are very rare.

Mr. PROBE: That is fine, if it is not extensive. I sent a letter to the Minister of Justice much on this line, but I have yet to receive any positive response in the matter, and I wondered what was the machinery.

Mr. ILSLEY: Was that recently?

Mr. PROBE: Within the last month or six weeks, I think. I would have looked it up had I known this was going to be reached.

P.C. 4600 agreed to.

On P.C. 6223.

Mr. DIEFENBAKER: Are there any appeals at present before the courts, or any applications, with regard to the constitutionality of any portion of the wartime regulations?

Mr. ILSLEY: In two cases in the province of Quebec the constitutional point has been raised and the matter is pending. The chief enforcement officer does not know of cases in any other province at the moment.

Mr. DIEFENBAKER: What is the nature of the cases in respect to which objection is being taken that the regulations under which the prosecutions were instituted are ultra vires of parliament?

Mr. ILSLEY: In both cases it is alleged that the 1945 act is beyond the powers of parliament.

Mr. DIEFENBAKER: What were the offences?

Mr. ILSLEY: One is a prosecution in respect of rentals, what has been described as

a rentals bracket, and it is pleaded that the act is unconstitutional. The other is a prosecution in respect of a hog, but I do not know just what the facts are. I suppose it is in connection with some slaughtering permit.

Mr. DIEFENBAKER: In what courts are they? Speaking of the case of prosecution regarding a hog it was a case regarding chickens that finally upset the N.R.A. in the United States.

Mr. ILSLEY: I did not intend to speak disrespectfully of the hog. The matters are still in the lower courts.

P.C. 6223 agreed to.

On P.C. 1003.

Mr. SMITH (Calgary West): I am sorry the Minister of Labour is not here because I intend to take perhaps ten minutes to deal with this matter.

The CHAIRMAN: I suggest that the hon. member might wait until the minister comes. I understand he is on his way.

Mr. HACKETT: Let us take the next item while we are waiting.

Mr. ILSLEY: He will be here in just a moment.

Mr. SMITH (Calgary West): Perhaps the Minister of Justice will be better able to answer my first query, in any event. It is this. What is there in the industrial or labour-management situation in Canada today whereby any legislation with respect to that matter can possibly be justified by reason of an emergency? As far as I know the situation in Canada, with one exception is quieter in that field than it has been for a good many years. Personally I know of no reason in the world which would bring legislation extending certain orders in council under the heading of any emergency whatever. Perhaps I may pause for an answer there to help my ignorance, so to speak, and then I may be able to cut out a good deal of what I intended to say. I should like to know what the emergency is.

Mr. ILSLEY: I do not think the basis of this legislation is a separate emergency in respect of every particular measure. There being a state of emergency in existence as a result of war, an economic emergency; there having been this extraordinary legislation, P.C. 1003, during the wartime period, I think a reasonable period of readjustment to peace-time conditions must be allowed, during which the legislation should continue. This legislation is peculiarly short lived; it is just here

until a bill can be introduced. The whole matter of adjustment of the economy from conditions of war to conditions of peace is the problem with respect to prices and wages and labour relations and all the other important aspects of the economic situation. As I said before, I do not think an emergency can be dissected. I do not think you can carve out segments and say there is an emergency in respect of this and not an emergency in respect of that, at least while you are in the economic field. There is not a military emergency; I hope there is not, and I think there is not.

Mr. SMITH (Calgary West): I do not intend to reopen the legal argument we had the other day, but surely from what the minister has now said his view is this. The dominion government can declare an emergency and then go into any field it wishes, just because it has said there is an emergency. That is what I gather from what the right hon. minister just said.

Mr. ILSLEY: No, it is not a question of declaring an emergency. It is a question of there being an emergency; and when there is, it does not mean the government can go into any field it likes, but labour relations, the relations between employers and employees, are such an important feature of the economy of the country. If there are emergency conditions affecting the economy of the country, if it is not readjusted to peace conditions then legislation on the matter of labour conditions can be enacted during that period.

Mr. SMITH (Calgary West): Then it is just another step or two from there until the new bill is brought in. I think the minister will agree that when that bill is brought down it cannot take away from the provinces jurisdiction in matters of labour and industry. If that will be true in a couple of weeks from now, and I am sure the minister will agree it is true, there cannot be a state of emergency just to bridge this little gap. Would not the minister agree in that? Let me put it in this way. We are going to have a new so-called labour code brought in. Aside from the government or parliament assuming extraordinary power, to become an act that bill can do nothing more than legislate with respect to those persons now within the jurisdiction of the dominion government, and by "now" I mean in peace time; your transportation people, communications people, and so on. So that if we are going to have this bill brought into the house—and I noticed the Minister of Labour nodding his head in agreement a minute ago—then why clutter up this bill with the sort of thing we now have before us? Why do that, when we admit that in two

weeks, we will say, we are going to bring down a labour code which shall be limited in its outlook and effect to those persons who come within the jurisdiction of the government of Canada.

Why waste our time now in prolonging P.C. 1003—because that is what this legislation amounts to. I hope I make myself clear. I am simply trying to say this: Why do we not drop this thing altogether, and get on with something which may be of considerably more importance? There may be an answer to what I am saying, but I must say I have made some inquiry and I can find no answer.

Let me put it in this way, that if we did not pass this now jurisdiction would be back with the provinces immediately. It is going to be there in a couple of weeks, anyway, if we bring down our new legislation. I think the Minister of Labour will agree with me on that. And if the jurisdiction is to be with the provinces, then why not put it there now, and not waste our time in carrying on with this discussion.

I spoke on second reading, and one of the things I had in mind was that there were some things which should be done and some which ought not to be done. To my mind this is the biggest "ought not" of the lot. I can see no virtue whatsoever in doing it. If there is no virute in doing it, then I shall pause to be interrupted by someone who will tell me what it is. If there is virtue, then we can proceed with the discussion.

Mr. MITCHELL: Perhaps I can answer the hon. member. What he says is correct. With the exception of railway matters, which come under the jurisdiction of the Industrial Disputes Investigation Act, in normal circumstances under our constitution wages and labour legislation are within the jurisdiction of the provinces. My hon. friend will recall that it was back in 1941 or 1942 it was felt, after consultation with the provinces, that in connection with our price policy we should establish a system of wage control.

I was the first chairman of the national war labour board, and it was my duty to get the provincial ministers of labour, or those ministers having jurisdiction over labour in the provinces, to meet here in Ottawa, on which occasion they agreed to withdraw from that control and to place it under the jurisdiction of the dominion. Those boards dealt specifically with wages.

In the light of the growing tempo of the war, it was felt there should be a labour code governing the whole dominion, and the provinces again agreed.

Mr. SMITH (Calgary West): Not all of them.

Mr. MITCHELL: In the main. It is true that in minor details the machinery was somewhat different in the respective provinces. But the basic principles were the same throughout the dominion.

Mr. SMITH (Calgary West): For the period of the war.

Mr. MITCHELL: Yes.

Mr. SMITH (Calgary West): That is right; I am sorry I interrupted.

Mr. MITCHELL: The war is now over. Whether their judgment was right or not, there was a fairly general demand for the abolition of wage controls and a return to the old form of collective bargaining between the employer and the employee. The result was that in December the wage control order in council was repealed, and normal negotiations between employers and employees were carried on.

There is a period of time between the assumption of responsibility by all the provinces and the passage of our act which makes necessary the continuation of this order in council. It is to bridge the gap between the assumption of power by the provinces and the present time. I am assured by the provinces that they will take over their jurisdiction not later than May 15. That agreement has been arrived at between this government and those of the provinces, some of which have already assumed their jurisdiction.

But, so that there will not be a break in the continuity of dealing with industrial disputes on a dominion level, this order in council is necessary until the passage of the new legislation.

Mr. SMITH (Calgary West): Does this order not run until May 15, anyway?

Mr. MITCHELL: My judgment is that, unless we move much faster than we are now doing, the measure will not have received royal assent by May 15.

Mr. SMITH (Calgary West): That does not matter.

Mr. MITCHELL: If I may say so to my hon. friend, it is most vital that there be a continuity of policy. I am not quarreling with the attitude of my hon. friends with respect to the procedure of government by order in council, but if May 15 should roll around and nothing were done the Industrial Disputes Investigation Act would automatically govern in the federal field. The question of certification, and the ramifications connected there-

with, flowing from P.C. 1003, would be suspended. The only reason for the order in council appearing in this bill is so that we might move smoothly into our respective jurisdictions, and so that labour and employer organizations may know which way they are going between this moment and the time royal assent is given to the new bill.

Mr. HACKETT: That is not an answer to the question.

Mr. MITCHELL: It is clear enough to me.

Mr. SMITH (Calgary West): Allow me to ask my own question. What the minister has just said is that on May 15 the provinces have agreed to take over. But this order extends to May 15, does it not?

Mr. MITCHELL: Yes.

Mr. SMITH (Calgary West): Then what are we bothering about. If the new act was brought in on May 15 it is not going to have jurisdiction over anything concerning which the provinces have jurisdiction, is it?

Mr. MITCHELL: That is right. But go a step farther. How about our own jurisdiction?

Mr. SMITH (Calgary West): Our own jurisdiction will be taken care of by our own act. It is something within our power. Does anyone suggest that there is any emergency at the present time with respect to those persons over whom this parliament has jurisdiction?

Mr. MITCHELL: My point is that I do not think our act will receive royal assent by May 15.

Mr. HACKETT: That does not matter.

Mr. MITCHELL: I am not a lawyer, but I believe I can think fairly straight on labour matters. My mind is crystal clear on this. We must bridge the gap between the expiration of this order and the passage of the new act. It may be that some may be clever enough to show me how to get around this; possibly I am thinking in too simple terms. But to me it is obvious and clear.

Mr. SMITH (Calgary West): Knowing the great capacity of the minister to absorb information, I am going to undertake to do just what he asks me to do. Insofar as our dealing with anything which concerns the provinces, we have that jurisdiction now, and will continue to have it until May 15. The new act which we shall then have passed—and we will assume it has been assented to on that date—will not have within its covers one thing which has anything to do with matters within the jurisdiction of the provinces.

Mr. MITCHELL: That is true.

Mr. SMITH (Calgary West): That gap has to be bridged.

Mr. KNOWLES: The new bill will have some provisions not in the Industrial Disputes Investigation Act.

Mr. MITCHELL: It is going to be somewhat different. Supposing May 15 should roll around?

An hon. MEMBER: It will.

Mr. MITCHELL: I hope it will for most of us, but do not be too sure.

Mr. MacINNIS: It will roll around anyway.

Mr. MITCHELL: I thought you were speaking as a human being and I do not mean that in any narrow sense. Supposing that date should roll around and you have no legislation? There would be no certification and the employees would have no rights. The employers would say, "There is no legislation; you are back to the I.D.I. act and we do not have to deal with you".

Mr. SMITH (Calgary West): The minister just said that the provinces would take over.

Mr. MITCHELL: I am talking now about federal jurisdiction. When May 15 arrives, unless there is some provision under this act we shall go back to the old I.D.I. act which does not provide for certification, which does not say, "You must bargain collectively". All those things are under P.C. 1003 and they were not under the I.D.I. act.

Mr. COLDWELL: And they did not come under the provinces.

Mr. SMITH (Calgary West): That would cover only the railway people.

Mr. MITCHELL: It covers a good many people. I am speaking now from memory, but it covers transportation, communications, shipping on the great lakes, the telephone industry, radio and travel by air. In my judgment those are, from a national point of view, probably the most vital industries that we have in this country. To me it is absolutely clear that you must bridge this gap until the other legislation is given royal assent. May I say that in dealing with labour legislation it is better to take your time about it. I should not like to think that this new bill would be given first, second and third readings in a day under pressure because there was no legislation in existence. I hope that all parties in the house will give this matter the study which, in my judgment, is necessary. I intend to move an amendment at the proper time to eliminate the orders in council dealing with the provinces so that they will be on their own on May 15.

Mr. SMITH (Calgary West): You would be content then to have P.C. 1003 and its small satellites continue only with respect to those persons who are under dominion jurisdiction in time of peace?

Mr. MITCHELL: Absolutely.

Mr. SMITH (Calgary West): I shall have no objection to that. I understood the minister to say that the provinces had agreed to take back their baby on May 15. I was hoping that, that being so, we would not pass legislation which would interfere since they have signified their intention to carry on on their own after that date. If the minister will move that amendment it certainly will shorten many of the things I had intended to say.

Mr. KNOWLES: It has already been amended by P.C. 302.

Mr. SMITH (Calgary West): I mentioned the little satellites around P.C. 1003, and that is one of them that I had in mind.

I want to detain the committee for only a minute or two, if I am in order, to say something about the situation which exists at the present time in Nova Scotia and New Brunswick, and by that I mean the coal strike which has been going on for a few weeks, or for a considerable time in any event.

I have always held the belief that no labour disturbance can last any great length of time without some measure of public support. I have read all the literature which I am sure all hon. members have received from the united mine workers in Nova Scotia and the operating company. They seem to come to one simple statement on each side. It is a fact that tonnage has dropped to approximately a ton and a half per man, a drop of practically a full ton since 1939. The men say that they cannot do better because of working conditions and because of the failure to modernize certain machinery. On the other hand, the management say that the machinery is just as good as or better than it was in 1939, that conditions are comparable and that it is the men's fault.

The minister went through the various motions he was entitled to go through under our legislation and finally ended up by appointing Mr. Justice Carroll as a commissioner. But it does seem to me that there is one thing which has not been decided and which must have great effect on what the Department of Labour or any Minister of Labour may do. I refer to the determination of the simple question as to who is right. Are the men right in saying that it is the fault of management, or is the management right in saying that it is the fault of the men because they will not work?

I do not want to be told to read the report of the royal commission on coal because not only have I read it, but I reread a portion of it when our father confessor over here on labour matters, the minister, told us to read it again. If the newspapers are to be believed, both the minister and his deputy have said that this is a matter in which the government is not interested, that it is purely a matter between management and men. If they were correctly quoted, both the minister and Mr. MacNamara made that statement. With that I respectfully but firmly disagree.

Year after year this parliament has voted some $8,000,000 as a subsidy to this operation and therefore it cannot be just a simple question between the management and the men. What the minister is reported to have said would normally be correct in different places and under different conditions, but I urge that, while we are paying $8,000,000, we cannot just wash our hands of it and say that this is a question which can be settled by the other two parties. This is a three-party show because we are in it to the extent of $8,000,000, although this subsidy was eliminated just in the last week or two.

The CHAIRMAN: I have been looking over P.C. 1003 and I am doubtful whether a discussion of the Nova Scotia coal strike is in order. The hon. member for Calgary West was in doubt himself because, if I remember correctly, he opened his remarks with the words, "If I am in order." It does not appear to me that a discussion of this type is in order.

Mr. SMITH (Calgary West): May I with respect tell you, Mr. Chairman, why I think it is in order? Before coming forward with any suggestion of my own, you will remember that I pointed out that our present legislation required that we do certain things in industrial disputes. I complimented the minister on these things having been done, even to the appointment of a commissioner. That certainly was in order because it was P.C. 1003 itself in action. Since P.C. 1003 has proven a complete failure in settling the difficulty down there, surely I can go a step farther and make a suggestion of my own because P.C. 1003 has failed. I have nothing more to add, sir, but I believe that I am in order. I shall be only two or three minutes in any event,

but I am not suggesting that you should rule on that basis because I know how much trouble we get into when we do not follow the rules.

The CHAIRMAN: Will the hon. member conclude his remarks on this subject in a short time? He has pointed out the difficulty that we get into when we go beyond the rules. Frequently we get into trouble and bring on wide discussion.

Mr. COLDWELL: I should like to see the hon. member finish in two or three minutes. The only thing I am afraid of is that it may initiate a debate on the Nova Scotia strike. I do not think this is the place for it. I should be glad to have the hon. member make a suggestion, but I do not want to see a debate and diversion from the orders in council with which we are now dealing.

Mr. SMITH (Calgary West): I shall conclude in five minutes beyond any question. My suggestion is that we get a committee of four people from elsewhere, two members of the union representing the workers and two representing management from other places. They could go down in these pits. I know they are some distance apart. I know that Springhill is quite a distance from Cape Breton and so on. As I say, these men could go down in these pits and cover every working inside of one week. I see the minister smiling, but I am talking about fellows who know their way around coal mines, not men like some of the rest of us. They could come back with a straight answer on who is right or wrong in the story. Then we would know what to do and we would get somewhere in the settlement of the strike. If we could find that answer the strike could be settled in a week.

I am sure there is no hon. member in this committee who is not disturbed, whose sympathy is not simply lacerated on reading of children losing four and five pounds in weight because of the strike. I read that in the papers when I was down there, and I cannot vouch for it, but that is what they say. I know the funds of the miners are limited, but that is not a complete answer. Mr. Justice Carroll said that the men are not getting enough wages there. But until we find out whether they are working for these wages there is nothing that the committee can do. If it is the company's fault let us find it out; if it is the men's fault let us find it out and the strike will be settled in a week. I think the hon. member for Cape Breton South will agree with me on that.

[Mr. Smith (Calgary West).]

Mr. COLDWELL: Mr. Chairman, the suggestion made by the hon. member for Calgary West is worthy of consideration, but I am not going to deal with it. One of the most striking indictments of conditions in that area of Canada was the statement made by the Minister of Labour a short time ago when he indicated the number of persons who had applied for work elsewhere than in Cape Breton and who were turned down on account of their physical unfitness. The number was simply phenomenal. It is a severe indictment of the conditions that have been prevalent in that area for a number of years. I do not think we should discuss the Nova Scotia mining problem at the moment; I think we should deal with it later at a more appropriate time.

I want to go back to the order in council. The Minister of Labour has indicated that he is going to bring down some new legislation. I wish to point out to him that we have evolved considerably from the conditions which existed in 1867, and the whole basis of legislative powers should be re-examined so that we may have a dominion code which will be applicable to labour from one end of this dominion to the other in more fields than the narrow one outlined by the minister. I have been looking up important matters lately to see just how this order in council is in conformity with what existed in bygone days. If we look at our revised statutes of Canada we find that legislation dealing with trade unions is on our statute books, passed I believe, in 1872 and introduced in the house by Sir John A. Macdonald. Anyone who knows the story of confederation knows that Sir John A. Macdonald held strong views as to the necessity of matters of this description being more completely under the authority of the national government than under the provincial bodies. Going back into our history, we find that up until 1886, I think, various pieces of legislation were introduced both in the House of Commons and in the senate dealing with labour conditions in a much broader and wider way than apparently we are inclined to recognize as the right of this house in 1947.

A few minutes ago the Minister of Labour pleaded for the continuation of this order in council until his legislation is introduced. I submit that not only should we continue this order in council until his legislation comes down, but when that legislation is before us an endeavour should be made to clarify our powers in conformity with new conditions which face this country in 1947.

The other day I was looking over some material in connection with this order in council and this legislation. I am not going to weary the committee with anything like a constitutional argument because I am not a lawyer and I am not equipped to do so. Rather I wish to discuss the historic background. But as I said a few moments ago, bills were introduced in the house again and again by private members and, in some instances, by the government of the country. For example, in 1882 a bill was introduced in the senate by Sir Alexander Campbell who was a father of confederation, who was a partner of Sir John A. Macdonald and who was also Minister of Justice at that time. Sir Alexander Campbell insisted that the bill dealing with labour conditions across the country was in strict conformity with the powers of the dominion and with the intention of the fathers of confederation. The other day I took the trouble to look up a speech which he made in the senate on April 19, 1882, on the labour employment regulation bill, and I think it might be well to put parts of it on the record, in view of this order in council and in view of the legislation which is to be introduced later. He said:

The hon. member for Amherst, if I understand his argument right, thought this was a matter that came wholly under the purview of the local legislatures, because it was a question of civil rights—of contracts between master and servant, hours of meals, and that sort of thing—and therefore belonged to the local legislatures, and that this bill did not come within the powers of parliament to pass it; but I venture to ask my hon. friend if that is not a very confined view of the bill? It is true that it does deal with the subject of contracts between master and servant, but is it not much more true, and true in a larger and better sense, that it relates to the welfare and well-being of the whole community?

And I mention that in 1947 this is more true of labour legislation. The hon. member for Calgary West has just indicated that a dispute in one province, largely in Nova Scotia, does affect the whole of our economy throughout the entire community which we call Canada.

Sir Alexander Campbell went on:

I listened with great pleasure to the arguments submitted to the house by the hon. senator from Prince Edward Island as to the effect upon the community of laxity with reference to the rules which this bill proposes to lay down. That hon. gentleman established, I think, to the satisfaction of the house that the result of the laxity of regulations or want of regulations, in this respect, in England, had a deteriorating effect upon the whole population who lived in the manufacturing districts. If that was the effect in England and if we are to presume that a similar one would follow the want of regulations and laxity of rules in this country, I ask if such an effect produced upon the whole population is not a very strong and even conclusive reason, why this parliament should deal with a question affecting the welfare and growth of the whole community, and the physical power and strength of those who form the nation? Surely if this subject relates to a question so generally important as that and which affects the whole country, it is a much larger one than if it related merely to contracts between master and servant. It is because this bill relates to subjects so important as that, subjects which go far beyond contracts between master and servant, which in their indirect effects concern the whole community and on which, to a certain extent, and so far as the population in manufacturing establishments go, the future of the country very much turns—whether we shall have a strong, healthy and moral population, likely to be creditable to the country or whether we shall have a dwarfed and immoral population and so perpetuate in Canada all the evils which this inquiry has brought out in England and which we are trying to legislate for now—I say if these subjects do not affect the peace, order and welfare of a whole community it would be hard to say what does. Therefore, as they have that effect, the house, I hope and believe, will take a much larger view of the matter than has been presented, and which would confine this to a simple matter of interfering between master and servant. It is a much larger question; it is to provide for the future welfare, morality and good government of the whole community . . .

I think and hope that the arguments which I have presented to the house will show that this bill is not merely for the purpose of interfering with contracts, but has a scope which is national in its character, and which may, and probably will be attended with the most useful results to those who are to come after us. Therefore it does come within the purview of the powers of this parliament, which it will be remembered has the right to deal with all questions affecting the peace, order and good government of Canada, not specially assigned to the local legislatures.

Speaking of the two jurisdictions, that of the dominion and of the province, he says:

If the two conflict, and if it should be that it is both—and I think almost everybody in the house will say that it is both, that it is in a very narrow sense a question affecting civil rights and contracts, but that it is also in a much larger sense a national subject affecting the weal and good government of the people—if the two conflict, under the ordinary constitutional practice the lesser must give way, and we must legislate on the subject. To my mind, and to the best of my judgment, the house is quite seized with this measure, and it is within the powers of parliament to take what steps they deem in the interest of the country upon this question.

I think the time has come when we shall have to face up to the problem posed by order in council, to the situation when this order in council is removed from the statute books, and the question as to the necessary labour code which should follow. The important point I make is this. If we go back to

the speeches we shall find that unfortunately the early speeches of the fathers of confederation in this house were not recorded in *Hansard*, and therefore all than one can do is to get summaries of them or to read, as best one can, some of the reports in newspapers of the day.

Mr. GARDINER: What year was that?

Mr. COLDWELL: That was before 1882. I was about to say that when we come to the eighties we get actual verbatim reports such as we are used to now. I have not outlined the various labour bills that were introduced from time to time, either in this house or in the senate, during the time the fathers of confederation were members of parliament. But when the discussion to which I have referred took place a government bill was introduced in the senate by the then minister of justice, and therefore with the approval of the cabinet, and at that time there were, I believe, five fathers of confederation in the government. They were Sir John A. Macdonald, Tilley, Tupper, Langevin and Campbell himself. I know of some of the judgments that were given later on; I know the views of Lord Watson, and so on; but the point I make is that the fathers of confederation visualized this country as a nation and not as a collection of more or less sovereign states. If you read the speeches and the writings of Sir John A. Macdonald you find that again and again he took the view that we were not doing something like that which some time before had been done in the United States but were doing something opposite to what they had done.

When I was teaching I used to read quite frequently the "Makers of Canada". This afternoon I recollected a statement to be found therein, I sent to the library and got a copy of volume X of the "Makers of Canada". I quote from page 59:

> According to Macdonald, it was the aim of the fathers of the constitution to form a strong central government. "In framing the constitution, care had been taken to avoid the mistake and weakness of the United States system, the primary error of which was the reservation to the different states of all the powers not delegated to the general government. We must reverse the process by establishing a strong central government, to which shall belong all powers not specially conferred on the provinces."

That was Sir John's idea at the beginning. I know Cartier disagreed with that point of view and a compromise was reached. No one wishes to upset the basis of confederation. No one wishes to set up so strong a central government that the provinces will have no jurisdiction in matters that are of provincial and local interest. But my point is that if the fathers of confederation, in matters of labour, as I believe they did, saw the need for nation-wide legislation to meet nation-wide conditions in the field of labour, today, with our rapid means of communication, with the mobility of labour, and with all the new industries and methods which are nation-wide in scope, not only do we require an order in council like P.C. 1003 to be continued but we need dominion jurisdiction in a field where we must have dominion-wide conditions.

I am not arguing that we should take from the provinces something which is properly theirs. I am saying that in the interests of all Canada this parliament should have the power to legislate on matters that concern the whole country. During the war we had some of that power. It has been inherent in this order 1003. I wish to see P.C. 1003 continued until we have the legislation which the minister says he is bringing down, and I take this opportunity this afternoon, because I hope that when that legislation does come down the things that properly belong to the province and the community shall remain to them, but that we shall hold fast to the original concept of a nation which, as I believe, the fathers of confederation had.

I have done considerable reading on the confederation pact, and so on, and I know there was a compromise, but I think the time has come when in this important field of labour it is essential that we should have a nation-wide concept of conditions and a nation-wide code which will establish for all Canada a proper basis of labour relations and conditions.

Mr. HERRIDGE: I rise to support the remarks of the hon. member for Rosetown-Biggar. What he said this afternoon will have the support of organized labour in my constituency. As a member of parliament I am speaking for Canada, but I am speaking as one having some understanding of the outlook of organized labour in British Columbia and of many employers in British Columbia. At the present time we have industry organized largely in a national and international way, and we are dealing with organized labour which is largely organized in a national and international way. Gone are the horse and buggy days when we had the village industry just supplying local needs, the village shop and the limitations of transportation and communication. Today we are developing more and more into a large organization, as I said before, based on a national or international grouping, just as are the transportation companies, the packing companies, the mining interests, the lumbering interests and many other interests. Because of that the people whom I represent, and many others in western Canada, are anxious to see a national labour code established. I fully realize the constitutional difficulties which surround this question, particularly at this time, because there is no common agreement between the dominion and provincial governments in connection with this and other legislation. But I do think this government should determine now the direction in which we are to go in the future in this respect. I think they should be bold because the need is urgent. I suggest that this government should bring in a national labour code, taking full cognizance of the development of industry and of society in general. If they cannot have that code accepted by all the provinces of Canada, by agreement, then I say it would be worth while to go ahead, introduce that code and have it accepted in those provinces that will accept it. I am of opinion that it would not be very long before all the provinces would accept that national labour code.

Mr. SMITH (Calgary West): May I ask the hon. member a question?

Mr. HERRIDGE: Yes.

Mr. SMITH (Calgary West): Is he aware that the industrial relations committee last year brought in a unanimous recommendation for a labour code? Therefore I do not think there is any argument anywhere in this house in connection with this matter. I think the argument raised by the hon. member for Rosetown-Biggar is wholly on the question of jurisdiction. I have not heard any dispute about the matter.

Mr. HERRIDGE: The industrial relations committee brought in a unanimous report, but the government has not seen fit, to date, to act upon that report.

Mr. SMITH (Calgary West): I want to protect the government. They have sent the new code all over the country. They will not give me one, but everybody else has one.

Mr. HERRIDGE: I do not intend to take much of the time of the committee, Mr. Chairman, but I just wish to express my view with regard to this matter. I think there would be a decided advantage in having a national labour code. That is not only my opinion, but that of many others in western Canada, both employers and employees. I think a national labour code would remove many of the causes of industrial strife throughout this country such as variations in wages, inequalities in working conditions, and so on. I believe a national labour code would result in a standardization of costs, which would be of great assistance in determining a national standard of living and stabilizing it. Many employers in British Columbia have suggested to me that a national labour code would be of great advantage to those who, in some cases, must compete with industry operating in eastern Canada at lower labour costs. I think it is time that this government gave labour throughout Canada, on a national scale, recognition in line with the increasing responsibility it is asked to accept. That is all I wish to say at this time.

The DEPUTY CHAIRMAN: Shall the item carry?

Mr. MITCHELL: Before the item carries, I wish to move the following amendment, seconded by the Minister of Justice:

> That Bill No. 104 be amended by striking out from the schedule thereto the following orders in council specified therein: P.C. 2301 of March 30, 1944; P.C. 2911 of April 27, 1944; P.C. 3062 of April 27, 1944, as amended; P.C. 3455 of May 9, 1944 as amended; P.C. 3491 of May 15, 1944 as amended and P.C. 5001 of June 30, 1944 as amended.

Mr. SMITH (Calgary West): Will the minister just tell me what the effect of that amendment is?

Mr. MITCHELL: You do not want me to go into each branch?

Mr. SMITH (Calgary West): No.

Mr. MITCHELL: If I may, I should like to explain in a general way. I do not want to read a memorandum a foot long. In British Columbia there was no regional war labour board. The minister was the board. That has been the general practice there. In Alberta there was some different arrangement, and that applied to Saskatchewan, Manitoba, Ontario, Quebec and so on right down the line. These orders were passed to meet the peculiar conditions which existed in each of the provinces. Of course, on May 15 those boards will disappear as far as dominion jurisdiction is concerned. That is all that motion does.

Mr. KNOWLES: As a matter of information, may I ask the minister if he can tell us if each of the provinces will take over its functions, so far as labour matters are concerned, on May 15? Is their legislation ready?

Mr. MITCHELL: It has been agreed between the provinces and the dominion. As my hon. friend will remember, last fall the provincial ministers of labour and myself had a meeting and there was general agreement that the provinces should assume their jurisdiction and that the dominion should assume

its jurisdiction. All the provinces have agreed that, at the latest by May 15, they will assume their jurisdictions.

Mr. KNOWLES: I wish to ask another question as a matter of information. Does the minister know if the acts which will come into effect in the various provinces measure up to what P.C. 1003 did provide?

Mr. MITCHELL: I will say this: the provinces are sovereign in their own jurisdictions.

Mr. KNOWLES: I know that. I am asking for information.

Mr. MITCHELL: I am hopeful that they will. In British Columbia they have recently passed a bill which is substantially the same as P.C. 1003.

An hon. MEMBER: Far ahead.

Mr. MITCHELL: My hon. friend says "far ahead". That is a matter of opinion. The same condition exists for labour in Saskatchewan. They have their own legislation which I am sure my hon. friends from Saskatchewan will say is substantially better than P.C. 1003.

Mr. COLDWELL: Yes, we do.

Mr. MITCHELL: The same as my hon. friend from British Columbia said.

Mr. KNOWLES: You will say that yourself, won't you?

Mr. MITCHELL: That is a matter of opinion. I want to say this—

Mr. COLDWELL: Be careful.

Mr. MITCHELL: I will not be around, but we are heading for a peculiar form of government when everybody leans on the state. I will not be around, but I have seen them operate in other countries, and you cannot escape.

Mr. KNOWLES: You are not leaving us, are you?

Mr. MITCHELL: No. But my hon. friend, like myself, will shift off this earth some day.

Mr. COLDWELL: Not yet, I hope.

Mr. MITCHELL: You are taking the long view of this thing.

Mr. COLDWELL: I hope it is long.

Mr. MITCHELL: I do not think there is any substitution for free men on both sides sitting down and negotiating an agreement without being pushed around by anybody.

Mr. COLDWELL: As long as they are free.

Mr. MITCHELL: As long as they are free. But that is beside the point.

[Mr. Mitchell.]

The DEPUTY CHAIRMAN: Order.

Mr. MITCHELL: I should have said that Ontario passed legislation implementing P.C. 1003. Quebec has legislation of its own. My understanding is that New Brunswick has done the same thing. Of course Nova Scotia has had labour legislation for a great many years, as the hon. member for Cape Breton South knows, which is, I would say, substantially the same as our own. It does not, of course, go into such great detail.

Mr. KNOWLES: The minister inadvertently passed over my own province. Will he complete the record?

Mr. MITCHELL: I am sorry to have done that.

Mr. MacINNIS: I was interested in the point made by the Minister of Labour about people leaning on the state. Unfortunately in this world it sometimes happens that it does not particularly matter what we think. As I see it, everything is a process of evolution, and we proceed in conformity with the developments that take place. What is happening today, not only in Canada but in many other countries—and in the countries that developed industrially earlier and faster than other countries it happened before this—is that on the one hand we have large aggregations of industries, enormously powerful. Because those industries employ large numbers of people, in some cases running into the tens of thousands, those workers brought together in that way organize, first, for their own protection and then, later, for their own advancement. These are conditions over which we have no control. In the struggle between large industries on the one hand and large labour organizations on the other, the community would be torn to pieces unless the state stepped in to protect the community. That is the position we are in today, and it is no use wishing ourselves out of it because that cannot be done. We must bring to that situation the authority of the state as the protector of the people.

Mr. MITCHELL: Protector of the weak against the strong.

Mr. MacINNIS: Protector of the weak against the strong, and protector of the community against organized powerful groups. We are caught in that jam. It is a definite result of the progress of industrialization, and you cannot turn back the wheels of progress, even if it were desirable to do so. So we shall have to accept the disadvantages of industrialization along with its benefits, and do the best we can in the circumstances.

I also listened with attention to what was said by the hon. member for Rosetown-Biggar as to the desirability of a national labour code. I think the great majority of the people of this country believe we should have a national labour code. As was pointed out by the hon. member for Calgary West, one of the recommendations of the committee on industrial relations last year approved such a code. But I think I have a very good understanding of what the minister is up against in attempting to design legislation for that purpose. We are not likely to have a national labour code or, for the matter of that, many other things that may be desirable in this country as long as certain provinces insist on being sovereign states, and, in my opinion, hold up our progress. What an individual thinks in the matter is not of great importance, because some people would rather be big toads in a little puddle than polliwogs in a big pond. So that is pretty much the position we are in today, and until we learn to discipline ourselves for the common good I suppose there is nothing much we can do about the matter. But while it may be a thankless task, I suggest that the minister continue to do everything he can get a national labour code for this dominion.

Mr. PEARKES: A remark by the minister about being pushed around by the government prompts me to make an observation.

Mr. MITCHELL: I did not say "pushed around by this government." I said "pushed around by governments."

Mr. PEARKES: I was not referring to the present government, but that remark prompts me to make a few observations and perhaps offer a suggestion. I presume it is necessary to continue these orders in council, partly because of the dislocation in industry caused by the transition from war to peace. All over the country men who have been employed in war industries are being employed in peace-time industries. I want to confine my remarks, however, to those men who have been employed in government industries, such as the dockyard employees at Esquimalt. They have suffered through this sudden change from war to peace, in that a large number of reductions have been made. The result must be obvious, but I am not primarily concerned about that. My concern is over the difficulty the employees at His Majesty's dockyard have experienced in obtaining conditions similar to those which have been authorized for men working in civilian shipyards in the same city and the same area. The difficulty arises because the men working at the dockyard have not had what I think is termed union recognition; that is, the union representatives have not had an opportunity of conferring with the officer commanding or the superintendent of the dockyard, and the superintendent does not attend the ordinary meetings of the shipyard council. I believe that has had a serious effect upon men working in such institutions as His Majesty's dockyard. Is it not possible now to have the union of men working in those dockyards recognized by the dockyard officials? I believe that in Great Britain the government dockyards recognize the unions working there. At the royal arsenal at Woolwich recognition is given the union. Only a couple of years ago it was stated in the press that recognition had been given by the royal household to the union of its employees. If any labour scheme or code is to be introduced in future I would urge that recognition be given all unions in government employment, including dockyards, crown companies and so on; and I would ask the minister to give that suggestion consideration.

Mr. MITCHELL: I was going to suggest that my hon. friend was out of order, but I do not like to do that. I believe in every man being given an opportunity to say his piece. But if we are going into a general discussion of labour relations we shall be here until the resurrection.

An hon. MEMBER: That is a long time.

Mr. MITCHELL: It will be a long time for some of you; some of you will not be around.

Mr. KNOWLES: That is what you said about yourself a little while ago.

Mr. MITCHELL: That may be true, too. But I can imagine that the hon. member for Cape Breton South and the hon. member for Vancouver East will have their say. I suggest that they ought not to go into a general discussion of a bill which will, I hope, be before the house in the not too distant future.

Mr. PEARKES: I suggest that the minister started this.

Mr. GILLIS: I have no intention of discussing labour relations. I understand that the minister has a bill coming down in the next few weeks, and I shall reserve all the time at my disposal to tear that bill to pieces. You can be reasonably sure it will not suit me.

I rise at this time particularly to say a few words respecting the suggestion of the hon. member for Calgary West. He appears to think, and perhaps honestly so, that he has the solution of the Nova Scotia strike. His suggestion is that we get two miners from

some other part of Canada, and two coal operators—you know, two impartial fellows—from some other part of Canada—"impartial coal operators"—and send them to Nova Scotia. He says that in a week's time they would have a report and settle the strike.

Let me say that that would serve no useful purpose. To begin with, the productive capacity of that industry cannot be examined while it is not in operation; and it has not been operating now for two months. The set-up cannot be examined until it is back in operation, so that it can be seen in a working condition, and one would have an opportunity to see what the bottlenecks are.

The hon. member for Calgary West suggested that no one in the house had any idea who was right or who was wrong. Well, I made up my mind about that twenty-five years ago.

Mr. MITCHELL: And you have not changed it, either.

Mr. GILLIS: Not a bit. I am more convinced today than ever. I arrived at those conclusions on an impartial basis, too. The miners' case is 100 per cent right; and I have put the facts of that dispute on record time and again. I do not think anyone from the west or from central Canada can render any better judgment on that question in a week's time than can someone who served the people in this dispute for twenty-six years.

The Minister of Reconstruction and Supply is a generous man. I suggest that he should provide the $5 million subsidy immediately so as to get these mines back in operation. Then the government can appoint as many people as it likes during the term of the next contract to go to Nova Scotia and make an examination of the whole set-up, from the point of view of increasing production, and determining who is right and who is wrong in these recurring disputes.

I am prepared to go with them. I will show them the way around, because I konw my way around those collieries. If they do not come away from there convinced that that is about the toughest and most unreasonable company on the North American continent, and that those men are the greatest slaves that have existed since the time Lincoln abolished slavery in the United States. I shall be willing to come back to this chamber, sit here and say nothing; and that would be hard on me.

That is all I have to say. I leave only this thought with the minister, that when he drafts that labour code he should make sure that he has some administrative machinery. He might consider the possibility of establishing industrial councils. In that way he could bring men in from industry and management, and have a government referee. Get them in before the strikes occur. See if they cannot iron out the kinks before those kinks become too badly twisted. Heading off trouble is much easier than ironing it out after it is started.

Mr. JOHNSTON: Since I was a member of the committee on industrial relations which sat last year, I should like to say a word or two at this time. I well remember the work done by that committee, and its unanimous recommendation that there should be a national labour code. We all agreed at that time that this should be done.

In view of the minister's statement that new labour legislation is to be brought down, I should think it only proper that the major portion of this discussion might take place on that bill. I would add, however, in respect of the dispute in Nova Scotia, that while I was never down there, the matter was thoroughly discussed in the indutsrial relations committee last year. Despite what has been said by the hon. member for Cape Breton South, I think there is some merit in the suggestion of the hon. member for Calgary West. It seems to me that we should be able to find a few competent and honest people who could go to Nova Scotia and find out whether or not the statements made in respect of efficiency or inefficiency in the operation of the mines are correct. That has been one of the major difficulties in the Nova Scotia dispute. There could be no harm done if that were done. I am not adverse, either to the suggestion of the hon. member for Cape Breton South that the government continue the subsidy until such time as a final settlement is made, because there is much distress in that area at the present time.

I shall not continue the discussion further at this time, but shall defer what I have to say until the minister brings down his legislation. The minister is eliminating the other orders in council, so that only one is left under these wartime labour relations regulations. In view of this fact, I believe this order in council might be permitted to pass, so that we might get on with further business.

Mr. KNOWLES: I should like to speak briefly respecting the amendment, which would delete a number of orders in council, including the one with refernce to Manitoba.

A minute ago the minister gave a picture of the situation subsequent to the passage of the amendment in the various provinces, but inadvertently he did not mention Manitoba.

Mr. MITCHELL: It was not deliberate.

Mr. KNOWLES: I am sure it was not. As I understand it, the government in Manitoba has made arrangements to carry on the provisions of P.C. 1003, following the suspension of these orders in council by this government. But in response to a request made by labour organizations of Manitoba to the provincial government, that that government bring down now an even wider labour code, the Manitoba government has said that it is going to wait to see what is in the labour code to be offered by the federal government.

Do I understand, from what the minister has said today, that the labour code to be brought in here will deal only with employees who come under federal jurisdiction? If that is so, then the labour organizations in Manitoba had better keep working on the provincial government for the labour legislation they are seeking.

Mr. MITCHELL: I am not one who believes that everybody should be cast in the same mould. It is all very well to talk about centralization and uniformity, but I have never known a family of nine children who were all the same. In the first place, sometimes there are girls and boys. They have different dispositions. What I have endeavoured to do in my discussions with the provinces is to lay down basic principles for a labour code. By the very nature of things there will be slight variations in the provinces, just the same as with workmens compensation and almost any other legislation which covers a broad field and which comes under provincial legislation.

I think the adoption of P.C. 1003 by all the provinces was the greatest advance in the recognition of the right of men and women to organize that there has been in this dominion since confederation. I do not know of any better legislation anywhere of that kind. I am speaking in a broad way because there may be differences and variations, but we certainly are not faced with the difficulties that confront some countries I could name not very far from here. I hope that every province will follow the lead given by this government and I am proud that it has been done by a Department of Labour under my jurisdiction.

Mr. KNOWLES: I was not suggesting that everyone should be cast in the same mould, but I was trying to get clear where labour organizations in Manitoba should look for the kind of labour legislation they want in that province. It seems to be clear that the federal labour code will not suffice, but that they must look to the provincial government for the wider code they are seeking.

Amendment (Mr. Mitchell) agreed to.

Mr. ADAMSON: I have read the British Columbia bill and I think it is an excellent piece of labour legislation. Do I understand that P.C. 1003 will lapse on May 15 and be superseded by provincial legislation?

Mr. MITCHELL: I think I explained that to the hon. member for Calgary West. On May 15, several provinces will take over jurisdiction; in fact some have already done so. P.C. 1003 will continue in effect until the new bill dealing with labour matters is passed by both houses and given royal assent.

Mr. ADAMSON: Where a province has not passed enabling legislation, will P.C. 1003 still remain in effect?

Mr. MITCHELL: As I said before, each province is sovereign in its own jurisdiction in this matter and is at perfect liberty to pass any kind of legislation it desires.

Mr. MacINNIS: Some have done so already.

Mr. MITCHELL: What I have endeavoured to do is to lay down broad general principles in P.C. 1003 which I hoped the provinces would follow.

P.C. 1003 agreed to.

On P.C. 946.

Mr. GIBSON (Hamilton West): The Minister of Fisheries suggested that P.C. 251 be dealt with at the same time as we were dealing with P.C. 946. Possibly we could deal also with P.C. 1665 and P.C. 469 when we are dealing with the Japanese question.

Mr. GREEN: There is also P.C. 7355 under the Department of Labour.

At six o'clock the Speaker resumed the chair and the house took recess.

After Recess

The house resumed at eight o'clock.

CRIMINAL CODE AMENDMENT

PROVISIONS RESPECTING PISTOLS, MOTOR CARS, AND PAYMENT OF FINES

Mr. T. L. CHURCH (Broadview) moved the second reading of Bill No. 13, to amend the criminal code (Pistols, motor cars and payment of fines).

He said: The bill raises one of the gravest questions we have in this country. I do not apologize for taking up the time of the house

at this time, because in the city from which I come over one hundred people were killed and several thousand injured on the roadways alone last year. It is one of Canada's greatest scandals. Every highway in the country is covered red by the abuse of motor cars by about only five per cent of those who drive. About ninety-five per cent of the people who drive cars are known to be careful.

This matter affects the life and health of the people. As I have said before, I should like to see the criminal code amended and consolidated every ten years like the Bank Act. A legal committee of the house should be appointed to consider the various bills, because when you look at the protection which the public has it is all in the criminal code. There have been numerous changes in the law since the criminal code became part of the revised statutes of Canada in 1906, chapter 146. It is now contained in the revised statutes of Canada, 1927, chapter 36, which supersedes the original code and is the basis of the statute which came into effect on February 1, 1928. There are also changes in the sections in view of decisions of the privy council. There are also some changes in sections 240A and 240B in accordance with 1926 Appeal Cases regarding appeals to the privy council in criminal cases.

In addition, I believe the time has come when this house should have, like the provincial legislatures, a legal committee to consider legal bills, because it is difficult for lawyers, magistrates and judges to know what the law is at the present time. In my opinion the government should take under consideration the question of a judges' committee or a departmental committee to examine, revise and consolidate the provisions of the code pursuant to judgments of the different courts having criminal jurisdiction, and also the suggestions which are made from time to time to the Minister of Justice (Mr. Ilsley) by bar associations and by police constables' associations and others. The government should provide further that the committee should report its findings to the House of Commons and to the Minister of Justice and, finally, a select committee should be appointed to revise and consolidate the criminal code every ten years. That is my suggestion.

With regard to Bill No. 13, which is a bill to amend the criminal code to deal with pistols, motor cars and payment of fines, I wish to refer to a debate on the second reading of my bill to amend the criminal code (motor cars), which took place before the war. It is all set out in *Hansard* of February 17, 1938. The debate took all day and all evening. The bill had to do with a proposed amendment respecting the operation of motor cars. I introduced the bill. All leaders of the house spoke on the motion. I said, as reported at page 535 of *Hansard*:

I wish to call the attention of the house to the great slaughter occurring on our highways. Almost every road is covered red with the slaughter of men, women and children. This slaughtering is done in a manner that is disgraceful and presents the most important problem with which we have to deal this year. I may say that it is one of Canada's chief problems, and parliament does nothing about it.

We are satisfied to devote a whole lot of time to flag waving, but the government of the day does not seem prepared to sit down and consider what must be done for these helpless men, women and children whose homes have been ruined and whose lives have been wrecked. All this goes on, and yet this high court of parliament sits here and does nothing to deal with these practical problems, which would be a work for the benefit of the people.

I believe a few facts should be drawn to the attention of the house. The subject of the bill has been discussed in the house for three or four sessions. One of the commandments of God is: Thou shalt do no murder. Many men of real worth, through carelessness and selfishness, are recklessly violating not only the laws of God but those of men. No invention has contributed more to the comfort of our people than has the motor car, but, like every other invention we must consider its use as one thing and its abuse as another.

During the past century scientific discoveries in medicine, chemistry and physics have resulted in untold good to humanity, but, as in the abuse of inventions, in war they were a curse to mankind.

As I say, nothing has contributed more to the enjoyment and education of the people than the motor car, but when you look at the abuse of it, that is another matter.

Looking into the question one finds invariably a tremendous annual loss from deaths, accidents, injuries and so on. One finds untold sorrow and suffering with intense pain and grief, almost exceeding anything the human imagination could conceive. The suffering brought about by these machines is equalled only by that inflicted by plagues, pestilence, famine, battle, murder and sudden death.

It would be misleading and unfair to attempt to attribute all the blame for these horrors on the highways to all people who drive and use motor cars. The fact is that ninety-five per cent of drivers are trying to obey the law. It is the remaining five per cent about whom I am complaining. They cause the trouble. One has only to see the records to understand the facts. As I study the records of cases I am driven to the conclusion that beyond any doubt the small minority are the major cause of the trouble. They appear to have exploited, for their own pleasure and profit, the generous tolerance of others. They use their cars in an irresponsible, careless and un-Christian way. The fault is grievous, and they can have no ground for complaint if they are put under restraint through application of the criminal code. Ignorance and thoughtlessness are not palliatives. Obedience is the only reparation they can make, and it is long overdue.

I quoted the other evening, in dealing with another bill, the observations of the late able and beloved Chief Justice R. M. Meredith, who was on the supereme court bench for about forty years on circuit in Ontario. He said, when addressing a York county grand jury:

And as now nearly everyone is a car owner, and car driver, young and old, of all sorts and conditions, it is difficult to get justice in even a civil action. Car-driver jurors have nearly all the speed fever; and self-preservation instincts are so strong that they will not be persuaded to decide against drivers who have been no more unlawful than they themselves often, if not commonly, are.

What then is the remedy? I think it should be: make the laws plain and reasonably severe and enforce them; and cancel licences freely. And at the other end of the matter, give no licence to anyone who is not proved to be mentally and physically, and from experience and knowledge of the highway laws, thoroughly capable.

I continued as follows:

First, we must consider the indifference shown by the five per cent of drivers to the rights and privileges of the people using the highways. Then there is the indifference to the convenience of others; there is excessive speed, and congestion. Ever since man has learned to direct a machine more powerful than himself he has asserted his superiority over his neighbour. "Make way or take the consequences" is the cry of the reckless driver. Yet, this indifference is limited to only a small number.

That is the problem. I will not give the figures. They were set out in two reports which were made to the House of Commons last year, tabled for me, showing the number of fatal accidents in Canada at level crossings, on the highways, and they ran into the thousands; from drownings, from those who left infants in houses alone and the houses were burnt, from wilful and gross negligence, leaving children three or four years of age alone in the house and then the house burns down. I should like to bring to the attention of the hon. member for Regina City (Mr. Probe) the throwing of pop bottles on to the ice at hockey games and all that kind of thing. These things should be under the control of the criminal code, along with many other matters. In this bill I refer to those who go around carrying wooden pistols and frightening girls in candy stores and taking their money. I refer to other cases. One can hardly pick up a newspaper without finding a report of young bandits going around the streets raiding houses and stores, gathering payrolls and all that kind of thing. It is, in my opinion, altogether too easy to get a pistol in Canada. They are not properly registered. If they are registered many of them are stolen and sold to second-hand stores. There should be a restriction on the carrying of loaded pistols. The very fact that the pistols are loaded would argue that these young people intend to commit some offence, and the carrying of such loaded weapons is very likely to lead to a potential murder. The man who carries a loaded weapon is a potential murderer.

Last year, as well as in previous sessions, I put on *Hansard* figures showing the number of those killed and injured on our highways as a result of motor car accidents, and I contended then, as I do now, that we should have complete records in this connection. The bureau of statistics has not a modern system so far as records of this kind are concerned, though it is making improvements from year to year. The fact remains, however, that there is no efficient method of getting at these results. I suggest that we should improve our system and at the same time carry out a campaign of education such as there is in the old country. The figures given by the board of transport commissioners show that in the period between 1940 and 1943 inclusive there were over 2,000 injured and 588 killed at level crossings. The information I have here goes on to discuss drowning and other forms of fatality.

In France, with a population of some 42,000,000 before the war, over 4,000 people were killed by motor cars in one year, though they were spending considerable sums of money in road building.

I may say that I have received many appreciative messages in support of this bill. I have a telegram dated February 18, 1947, from Mr. Alex Edmison, of the Prisoners Howard Association, stating that he had received copies of the bill and wishing me every success. He feels that the proposed legislation of time to pay fines as a Summary Offenders Act would be of great benefit in reducing the crime rate in Canada.

I have also a letter from the Reverend John Coburn, secretary of the Canadian Temperance Federation, from which I quote the following paragraph:

I think you will recognize that the police officers are up against an immense task. Magistrates and judges often seem to think that unless a man is drunk he has not committed a violation of the law. As you know of course, this is entirely erroneous. I am told that some states in the union have passed a law making a blood test compulsory on request of a police officer. According to Doctor Rodger's estimate, liquor is killing five people and injuring 84 every week on the highways of Ontario alone. I think if you and a number of the opposition members would let the Prime Minister know you are supporting the government in vigorous action, it will be helpful. Where so many human lives are at stake, this is too important a matter to be a mere party issue. On various occasions

you have manifested a spirit of independence in your parliamentary work. I have no doubt whatever, you will do so in this case.

He refers to a brief submitted to the Prime Minister and the government.

To come now to the bill itself, the first section provides that anyone who, without lawful excuse, points a firearm, pistol or airgun, whether loaded or unloaded, is guilty of an offence. That is an amendment to sections 124 and 126 of the criminal code. Section 2 provides that "pistol" shall include anything in the shape or form and size of a pistol. Section 3 deals with the liability of the driver of a car to stop after an accident.

Mr. SPEAKER: Order. I would ask the hon. member to discuss at this stage only the principle of the bill. He should not go into details.

Mr. CHURCH: Mr. Speaker, I am merely pointing out the marginal notes and indicating the principle involved.

Mr. ILSLEY: On a point of order, Mr. Speaker, I would point out that the bill is a collection of amendments to the criminal code and that these amendments are of considerable range, covering many subjects. The sections are of a heterogeneous nature, and if I were asked to state what the principle of the bill is I could not do so. I submit that the house should be somewhat liberal in its attitude toward the discussion of the bill. I do not know just how the hon. member who is proposing the bill can discuss the principle without referring to the individual provisions. I say this merely for Your Honour's information with respect to this particular bill, because in this instance I think it is rather hard to apply the ordinary rules.

Mr. CHURCH: We have spent fifty-two days of this session considering material things, but we do not seem to have an hour to devote to a discussion of the safety of the country. It seems that this parliament does not care a hoot.

An hon. MEMBER: The minister is on your side.

Mr. CHURCH: I want to thank the minister. I have seen the evils of hit and run driving, Mr. Speaker. As a former chairman of the police commission in my city, I think this is one of the most important matters that parliament can attend to, and I consider I have done my duty in bringing it to the attention of the house. It is of far greater importance than many of the material things that we have been talking about now for fifty-two days.

[Mr. Church.]

The next section of the bill deals with persons driving while under the influence of alcohol or narcotics. I do not think, Mr. Speaker, there is anything more scandalous than the hit and run driver and the drunken driver. I once saw a man drive down an important section of the city of Toronto and knock down two children. One of them was killed instantly and the other badly injured. The Right Hon. Viscount Bennett, on February 17, 1938, in the debate to which I referred, when he was in this house took a strong stand in support of the principle I am now advocating in this bill. He felt that something should be done to meet this grave situation, but nothing has been done since the war started. The casualty list is an appalling one, the number of men, women and children who have been injured in such accidents numbering nearly twice as many as those wounded and killed in the Canadian forces during the same seven years.

There is no doubt that there is some complaint about judges taking cases away from juries. In this connection I suggest that hon. members look up the debate that took place in this house on February 17, 1938. As regards persons driving under the influence of alcohol, the present law, I submit, is totally inadequate. When a person is arrested under such circumstances there is considerable doubt, having regard to the decision of the Ontario court of appeal, as to what is a voluntary statement or a free statement made to the police. I submit that this should be clearly set out. we should know what is a voluntary, what is a free statement on the part of the accused.

Regarding section 5, hit and run drivers, I suggest that when an accident occurs everyone in charge of a vehicle who is directly or indirectly a party to the accident should remain at the scene of the accident or return immediately and render all possible assistance. Many times such a person kills a child. The child has just as much right to live as he has; and if it is killed, and the driver runs away, I think it is a most cowardly form of murder. I think it is a terrible thing to see a small child knocked down on the highway, where the driver runs away and nothing is done about the matter. You cannot find him. Sometimes, because of the bad weather you cannot get the number. I believe this is a wise proviso.

With regard to section 7, causing death in a culpably negligent manner, additional penalties are provided. As we saw in this debate in 1938, it takes two people, in a second's lack of attention, to make an accident. If there is one, the person who kills a man should not drive a car for two years where it is found that the accident was largely due to his negligence.

There are only one or two other sections. The one on the trial of young offenders provides that the parents should be notified. I think it is only right that parents of children under age should know when they are charged with an offence and be given a chance to come to their aid, if possible, and that they should be given the protection of the law by the appointment of a lawyer.

The next section has to do with the trial of a female person. This has been up now for ten or twelve years. The suggested amendment in section 9 is:

> On the trial of any female person by a jury under any provision of this act, one-third of the jurors chosen to try the issue shall be female persons duly qualified on the same basis as male jurors.

A former editor, and a very great editor, the late Mr. Harry Anderson, when this bill was up in 1927 said that women were too temperamental. I do not think they are any more temperamental these days than are some of the men. Some of them would make better jurors than men, and I think we would have less trouble with juries making up their minds and coming to a verdict.

Section 10 deals with charge of manslaughter arising out of the operation of motor vehicles, criminal or culpable negligence being proved. It defines the powers of the judge and the powers of the jury. The function of the judge is to explain the law to the jury and the jury is bound to take what the judge says is the law. Questions of fact should be determined by the jury. After all is said and done, what is the way we approach this matter in this country? I have noticed in some of the papers—not all of them—in some cases trial by jury has at times been supplanted by trial by newspaper; that is, in some of the more sensational of our newspapers.

As regards section 11, jury to decide whether guilty or not guilty, on the trial with a jury of persons who cause death or serious injury, it is desirable that the functions of the jury should not be curtailed or abolished. There has been much criticism of many cases of gross negligence having been taken from the jury. The increased number of accidents requires that the law should be brought up to date.

The next section is: fine or penalty in discretion of court. The last clause deals with the law of England regarding fines, known as the Summary Offenders Act. After all is said and done, the gaols of this country are at times full of people who are not able to pay the fines. Why is the fine imposed? In England they are given time to pay the fine. I think it would be a blessing if we could adopt that practice in this country, because we are just back to the days of Dickens in his "Little Dorritt". There is imprisonment for fines for people who have not the money to pay them.

It is for these reasons I thought it wise to bring these matters before the house. I sympathize with and thank the Minister of Justice (Mr. Ilsley). He is one of the most able, hard-working and conscientious ministers we have had in this war and after it. But I think the time has come when we should have a legal committee which should have the proper time to consider these amendments which are most important for the safeguarding of the public. They are all only suggestions for the minister to consider and decide on, as improvements to help lessen loss of life from the motor car.

Mr. J. R. MacNICOL (Davenport): In order to help the hon. member for Broadview (Mr. Church) get his bill through the house, I shall of necessity have to be very brief, and so I shall be. I merely wish to refer to one reference in the bill, namely, motor cars. Like everyone else, I have been interested in the cartoons which have recently appeared in the *Globe and Mail* in Toronto and which were drawn by one of the most brilliant young cartoonists in Canada. I am told by my friend, the hon. member for Vancouver South (Mr. Green), that Jack Booth, the cartoonist, comes from his province. If he does, British Columbia lost a capable cartoonist and Ontario gained one. His cartoons every few days are headed "Why People Cannot Grow Old." A few days ago there was one in the paper giving a new angle to motor car accidents, and one I had not seen before. It showed a passenger in a car lighting a cigarette for the driver; of course, the driver was blinded not only by the flame but by the smoke, and an accident took place. That is one cause of accidents. Somebody should be responsible for that.

A few days ago I was standing in front of a building which I happen to own and two men came along to get into a car. Both of them were drunk. They staggered toward the car and, one after the other, tried to get into the car to drive it away. In the end they both got into the car, which meant that one of the drunks drove the car away. I presume the bill which the hon. member for Broadview has in mind would protect the public

against the like of that. Certainly anything which this or any other house can do to cut down on deaths from motor car accidents, should be done. What can be done, I do not know. That is a legal problem, and I shall not discuss any of the legal aspects of the bill at all. As a humble member, and as the hon. member for Broadview had put my name down as the seconder of the motion for second reading, I felt that it was my duty to rise and support him. There is no more hard-working member in the House of Commons than the hon. member for Broadview. I have always found him standing up for the people. In this case he is doing that.

In conclusion, I would just say that during the recent session the Ontario government did take a step in the right direction, if I may say so here, in passing a bill requiring that part of the fee which is paid by the driver for the privilege of driving his car is set aside for the benefit of people who are struck and maimed—in the case of death, of course, to their estates—by those who strike them and run away, hit and run drivers and those who, if caught, are unable to pay anything. I think that is a good step. Somebody should pay for the accidents of folks who are not themselves responsible for being struck and who are struck by people who are incapable of paying anything.

With that I shall conclude. I heartily approve my hon. friend's efforts to protect the public from disaster.

Mr. DANIEL McIVOR (Fort William): Mr. Speaker, when we consider the cause of motor accidents I think it is the duty of the government and of all governments in Canada to remove the cause. Yet there are some governments which are stimulating that cause of accidents. Everybody knows that it is very unpopular to say anything about that great cause of motor accidents and destruction in Canada. But if we are sincere in our way of living, we have a right to try to drive out anything which will cause destruction of human life. I think everyone can see what I am driving at. I fear that when the cocktail bars in Ontario are in full swing men and women, young or old, coming home in the small hours of the morning will not have proper control of their automobiles. Therefore I am glad to see in the bill section 4, dealing with those driving while under the influence of alcohol or narcotics. I believe governments should consider this point. If our governments license and receive revenue from anything that causes the destruction of human life, I think they should be big enough to reconsider their position.

Mr. E. B. McKay (Weyburn): I should like to speak briefly on this bill, but first I wish to congratulate the sponsor, the hon. member for Broadview (Mr. Church) on having introduced it. The bill contains many commendable features, all of which I do not propose to discuss at this time, but I would particularly mention the references to driving while under the influence of alcohol or narcotics, hit and run drivers, and the liability of a driver to stop after an accident. These matters, I believe, are worthy of careful consideration on the part of this house. Everyone recognizes that many accidents result from faulty judgment on the part of a driver or a pedestrian, while many others result from mechanical deficiencies. We also know, however, that a substantial percentage of accidents are caused by drunken driving. In one medium size Canadian city in which there were fifteen fatal traffic accidents in 1946, three were directly attributed to drunken driving. Perhaps that figure does not sound very large, but it represents twenty per cent of the total; and, no matter what the figure is, it is too high.

This bill is not intended as a cure-all, but as a step in the direction of providing heavier penalties for persons who operate motor vehicles, while under the influence of liquor, and irresponsible drivers, whether or not they be under the influence of liquor. If the provision of stiffer penalties for infractions of the law will curb the mounting death toll on our highways and the streets of our cities and towns, I think this bill should receive the unanimous approval of the house. I feel sure it will have that effect; therefore I am rising at this time to give it my support. The motor vehicle is a dangerous weapon when operated by an intoxicated person. It is a murderous weapon when only half controlled by an irresponsible person. Under such management, vehicles are a danger to the public. Infractions of the law by such persons should be met with stiff penalties. Many accidents occur every year on the highways of this country and on the streets of our towns and cities. According to the bureau of statistics, the death toll from motor accidents for the past few years has been as follows:

1939	1,584
1940	1,709
1941	1,892
1942	1,409
1943	1,457
1944	1,372
1945	1,530

That makes a total of 10,893 deaths during the period this nation was at war, or almost one-third the total number of fatal casualties suffered by our armed forces during that conflict. But that does not give the complete

story. In the same period more than one hundred thousand people were injured in traffic accidents. These injuries caused the crippling of thousands of people. This was during a period of gasoline rationing, and during a large part of which a speed limit of forty miles an hour was in effect; and the toll is still mounting. The latest figures obtainable, which are for 1945, show 1,530 fatal accidents on our highways, or eleven per cent more than in 1944; and from the information already received from the various provinces which report to the bureau of statistics, I fear the figure for 1946 will be substantially higher.

Precautions must be taken against traffic violations, and this parliament has authority to amend the criminal code, which probably is as far as we can go. Of necessity, provincial and municipal governments must complete the task. I believe the amendments offered in this bill will assist local authorities in curbing irresponsible drivers. Acceptance of this bill by the house is the least we can do to meet the growing menace on our highways and on the streets of our towns and cities.

In reference to the difficulty which not infrequently confronts the law enforcement authorities in ascertaining whether or not a person apprehended at the scene of an accident is intoxicated, I would suggest that some standard be set up for the guidance of the police. I believe the criminal code should provide that the presence in the blood of an individual of alcohol above a certain percentage should be sufficient reason for declaring the person apprehended to be intoxicated. Local doctors on whom the police have to rely are often loath to state whether or not a person is in a state of intoxication. With a standard set as a guide, a doctor would only have to state his findings and offer his evidence before the court. I believe such an amendment to the criminal code would be desirable, and it might be opportune to suggest that it be inserted in this bill. In any event I commend the suggestion to the Minister of Justice for his serious consideration.

Motor traffic is certain to increase on our highways during the next few years. Probably the number of accidents will also increase. The law enforcement bodies should be given every assistance possible to cope with violations of traffic laws, and I feel that the bill as it stands has considerable merit. It will not wholly solve the problem of the increase in the number of accidents, but it will prove of some assistance in curbing irresponsible driving on our congested traffic lanes. Careless drivers endanger not only their own lives but those of innocent people on the roads and streets, who are unfortunate enough all too frequently to be in the way of such drivers. I shall support the bill.

Right Hon. J. L. ILSLEY (Minister of Justice): Mr. Speaker, I think the discussion on the bill has served a useful purpose, and perhaps if the discussion had been a little more extensive it would have been still more desirable.

There is no doubt that the situation which has been described by the hon. member for Broadview (Mr. Church) and other hon. members is a serious one, and that it is important that the provisions of the criminal code be made as effective as possible. As I said briefly to Your Honour, it is impossible to deal with the bill as a unit because its sections deal with a variety of subjects. It would be awkward to go through the bill, section by section, and to deal with it in that way.

I should like to say, speaking generally about the bill, that there are some sections in it which I think should be incorporated as amendments in the criminal code. Then there are some sections which I believe should be discarded, for certain reasons which perhaps I shall not give fully to the house at the present time. There are other sections which this parliament should not enact until there has been some consultation with the provinces. I refer to provisions such as those relating to the constitution of juries, and another one which abrogates a very ancient principle. The suggestion is that a judge should not be permitted to withdraw a case from a jury, even if, in his opinion, there is no evidence to go to the jury.

Those are principles which should not be enacted by parliament, at least, in my opinion, without consultation with the provinces. The government has been giving consideration to the introduction of certain amendments to the criminal code, and a draft bill has been prepared containing a fairly large number of sections. It has not yet received the approval of council, but I anticipate that council will give its approval to a bill containing important amendments to the criminal code. I believe I would not be divulging any confidence if I were to tell the house that some provisions in the bill now before us are substantially the same as some of the provisions in the bill which the government is likely to introduce a little later in the session.

I gathered from the remarks of the hon. member for Broadview that, so far as he is concerned, this is not a new bill, and that he has introduced some of these proposals before in the house. I gathered, further, that he felt that previous governments, and possibly this one, had neglected the matter, and that they

had not paid very much attention to the suggestions he had made through the years. I hope, when he sees the amendments to the criminal code, he will feel that to some extent he has been repaid for the zeal with which he has sought to remedy those conditions requiring correction.

There are some provisions in this bill which make the penalties much heavier than they now are. When hon. members are giving consideration to the bill I suggest they ought to give some thought to the question as to whether it is desirable to make penalties too heavy. For instance, in this bill there are penalties requiring, in some instances, a minimum imprisonment of six months which, in my judgment, is too stiff. If we were to enact those provisions I believe that, instead of improving the situation, we would make it worse, because it would be much more difficult to get convictions than it is at the present time.

There are sections in the bill which introduce important changes of principle. For instance, there is the proposal that the offence of driving a motor car while intoxicated should be changed to driving a car while under the influence of alcohol. If that suggestion were to be adopted it would constitute an important amendment. At the present time I am not able to accept it, although I am willing to give consideration to the arguments advanced tonight in favour of the change. However the implications of a change of that kind are far-reaching. It has been urged upon us by delegations, and it is worthy of consideration; but the implications are far-reaching because, if the state of being under the influence of alcohol means that there be just the slightest amount of alcohol in one's system, which I presume to some extent would put a person under the influence of alcohol, then the driving of a car under that condition would become a crime. The house should be careful not to go too far in the creation of crimes.

However I am not prejudging that question. Delegations have made their presentations on the point to the government and the matter is receiving consideration. All I can say is that I am not prepared to accept that principle tonight. It will have to be given some further consideration.

In all the circumstances I suggest that the hon. member permit the bill to stand until the amendments to the criminal code that the government is prepared to sponsor are placed before the house. They will not cover the whole ground. Some of these sections we are not prepared to accept at all; some we are prepared to accept, and some will be accepted in a modified form. But I do not think it is desirable for us to give the bill second reading and go into committee of the whole to deal with the sections one by one, when the whole matter of amendments to the criminal code is receiving consideration and will be dealt with by the house a little later.

Therefore I move the adjournment of the debate.

Mr. DIEFENBAKER: Would the minister permit a question?

Mr. ILSLEY: Yes.

Mr. DIEFENBAKER: I had intended saying a word in the matter. However, now that I have not the opportunity, possibly a question would be in order.

Mr. ILSLEY: Yes.

Mr. DIEFENBAKER: During the last few months the question with regard to the admissibility of confessions and statement has been very much to the fore. As the minister knows, in two recent cases, the Sears case and the Dick case, murder convictions based upon statements or confessions were set aside by the court of appeal. The admissibility of statements has brought about a variety of decisions throughout the country.

I am wondering if, when the minister introduces his amendments to the criminal code, in the interests of securing uniformity some rules might be promulgated similar to those brought into effect some years ago in Great Britain in order to assure that miscarriages, either of guilty persons escaping or innocent persons being convicted, will be done away with. I think this is a matter of grave importance because, as the situation is today, there is a wide variety of judicial interpretations and practical applications which make it difficult for police officers to know just what are their rights in interrogating prisoners who are suspected of crimes.

Mr. ILSLEY: I will give consideration to the hon. gentleman's remarks. I was under the impression that most of the law was the same.

Motion agreed to and debate adjourned.

PENITENTIARY ACT

INSPECTION OF PENAL INSTITUTIONS BY GRAND JURY, ETC.

The house resumed from Tuesday, April 1, consideration of the motion of Mr. T. L. Church for the second reading of Bill No. 12, to amend the Penitentiary Act, 1939.

Mr. CHURCH: The Minister of Justice was going to make a statement. The bill is for others besides crown officers to inspect these places, without expense.

Right Hon. J. L. ILSLEY (Minister of Justice): The hon. gentleman moved the adjournment of the debate but, if he does not wish to continue what he was saying, and no one else wishes to say anything I am prepared to go on. This bill contains three sections and is identical with the bill introduced into this house by the hon. gentleman seventeen years ago. One section reads:

> The grand jury of any county in which a penitentiary is situated may visit, view and inspect the same, and make such inquiry as to it may seem proper into the state, condition and management thereof, the nature and efficiency of its accommodation, the employment, training and treatment of convicts, the conduct of its officers, prisoners and employees, and of all others having dealings of any kind or in any capacity with such penitentiary, and may examine and inspect the accounts, vouchers, records and books of the penitentiary; and the grand jury may thereupon make such findings and such presentments as it may deem to be required in the public interest.

By that provision penitentiaries which are federal institutions would be subject to inspection by grand juries which are provincial bodies. The argument of Mr. Lapointe when he was Minister of Justice was that federal institutions should be subject to inspection by federal officials rather than by provincial officials or provincial bodies and that it would be wrong in principle to have federal institutions inspected by grand juries. That position taken by Mr. Lapointe was probably a sound position, but it seems to me that the stronger reason for opposing the proposal that grand juries be empowered to visit and inspect federal institutions is the illogical nature of the proposal.

There are only two counties in Canada where grand juries would be eligible under this bill to inspect federal institutions. One is the county of Westmorland in New Brunswick where Dorchester penitentiary is situated, and the other is the county of Frontenac in Ontario where two penitentiaries, Kingston penitentiary and Collins Bay penitentiary, are situated. There seems to be very little reason for delegating to the grand juries of Westmorland county, New Brunswick, and Frontenac county, Ontario, the responsibility of inspecting these particular federal institutions. There are no grand juries in the province of Quebec or in the western provinces where the other federal institutions are situated, and there is no particular reason why the federal parliament should endow the grand juries of these two districts with this inspectorial function.

It should be borne in mind that grand juries have no particular training in inspectional work, nor have they any particular knowledge of criminology or anything of that kind. These facts were pointed out by Mr. Lapointe in the argument he made against this provision in 1930 when he was reported on page 277 of *Hansard* of March 4, 1930 as follows:

> May I point out that such an inspection of a penitentiary as is proposed by this bill would occupy the activities of a grand jury working ten hours a day for several months. May I also mention the fact that the grand juries are composed of excellent men indeed, but they are men with no especial experience in criminology or the handling of criminals, or the management or care of such institutions.

Mr. SPEAKER: The hour for public and private bills having expired, the house will revert to its previous business.

EMERGENCY POWERS

CONTINUATION OF CERTAIN ORDERS AND REGULATIONS

The house resumed consideration in committee of Bill No. 104, to provide for the continuation of certain orders and regulations of the governor in council for a limited period during the national emergency arising out of the war—Mr. Ilsley—Mr. Macdonald (Brantford City) in the chair.

The CHAIRMAN: When the committee rose at six o'clock I had called P.C. 946. It was suggested that we should discuss at this time not only that order in council but order in council 251, which is found at the foot of page 4, and orders in council 1665 and 469 at the bottom of page 6. The hon. member for Vancouver South suggested that we should also consider order in council 7355 on page 5. If it meets with the approval of hon. members we shall consider these orders in council.

Mr. THATCHER: Before the committee rose at six o'clock, the minister deleted six orders in council from the schedule to this bill. I regret that he did not see fit to delete order in council P.C. 946. The purpose of this order, which was first passed in the emergency years of the war, was to deal with the problem of people of Japanese origin. The purpose is clearly stated in paragraph 3 on page 109 of the consolidation. I should like to quote part of that paragraph. It is as follows:

> . . . it is deemed advisable, by reason of the state of war now existing, for the order and welfare of Canada to make provision . . . for the control of persons of the Japanese race in Canada.

During the war years there was justification for that order in council because it was necessary for the government in our war with Japan, to protect Canadians against the possibility of any fifth column activity. Whether there is any justification for it tonight, however, is a different question.

The powers given to the minister by this order in council are widespread. In the first place, it allows the minister virtually to control the lives of all people in this country of Japanese origin. Under it the department may determine where these people have to live. It can determine where these people must work and what wages they are to be paid. At least until recently it determined whether or not they could travel.

Tonight the government is asking parliament to extend for another year these orders in council which control the lives of these people. When parliament is arriving at a decision on this matter there are two facts which should be kept in mind, and I refer them particularly to hon. members from British Columbia. The first of these is the fact that the 1941 census showed that there were approximately 23,000 persons of Japanese origin in this country. Of these 17,200 were Canadian citizens either by birth or by naturalization. Therefore, for the most part, these orders in council are dealing with Canadian citizens. Second, we should remember that when this order in council was passed it was passed as a temporary measure, as an emergency measure needed to expedite the prosecution of the war. I was not here at that time, but I understand from some hon. members who were, that when the order was passed it was intimated that when the emergency war was over, the rights of these people would be returned to them. Today the war is over; it has been over for almost two years; there is no longer any danger of invasion, any danger of insurrection in which these Canadians, even if they wanted to, could play any part, and yet their rights have not been returned to them. Instead, a great many of them are spread across the country living in camps. I am particularly mindful of one group living about four miles south of my own city of Moose Jaw. They are living in an old airport. I do not say that the conditions of these people are intolerable, but certainly, huddled together as they are, their conditions are not good.

As I have said, we are dealing with the rights of Canadians tonight. With the emergency over, I cannot see why the government is asking parliament to extend these powers for another year. It cannot be because these people were disloyal during the war, because

despite the way we treated them, despite the way they were uprooted from their homes, despite the way we took their privileges from them, there was not one Japanese Canadian during the war who committed any disloyal act.

When speaking to the house on August 4, 1944, the Prime Minister said, as reported at page 5915 of *Hansard*:

> It is a fact that no person of Japanese race born in Canada has been charged with any act of sabotage or disloyalty during the years of war.

Therefore we cannot be wanting to extend these powers tonight for the reason that these people were disloyal during the war. Nor yet can we say that these people were responsible in any way for the acts of aggression of the Japanese government. They are no more responsible for these acts than any other Canadian. The hon. member for Vancouver East put it aptly a few months ago when he said:

> They were not nearly as responsible as the government of this country which insisted on sending war materials to Japan while she was waging war on China.

The government cannot say that they want this power extended for the same reason that they originally passed it, namely, for reasons of defence, because the empire of Japan is prostrated; it has been conquered; it has been crushed. These Japanese Canadians cannot be any menace. Therefore, why are they denied their rights as Canadians? There is only one answer, and it has to do solely with racial prejudice and intolerance. These people have committed no crime, nor have they been charged with any. They are denied the privileges of Canadian citizenship; they are persecuted solely because their skin is yellow. Lord Acton, the English historian, once said:

> The most certain test by which we judge whether a country is really free, is the amount of security enjoyed by minorities.

Today, Mr. Chairman, there is a Canadian minority which is not free; there is a Canadian minority which has no security. The Japanese Canadians are being treated in this country today by methods which are to say the least, akin to some of the methods which were used in Germany not so long ago.

Mr. MITCHELL: My hon. friend does not believe that.

Mr. SMITH (Calgary West): Will the hon. member permit a question?

Mr. THATCHER: Yes.

Mr. SMITH (Calgary West): Does the hon. member think that, in the Dominion of Canada where we are working toward an eight-hour

day, people in competitive business should be exposed to a race of people who are quite prepared to work sixteen hours a day? Is not that the pith of the situation?

Mr. THATCHER: Can we not put laws through which would prevent that? Surely all Canadians should be entitled to the same privileges. We accepted these people as Canadians and we should let them enjoy the rights of Canadians.

Mr. SMITH (Calgary West): I will agree with the hon. member, but will he not answer my question? Does he think that a Canadian, a farmer in British Columbia, for example, should be exposed to the competition of people who work sixteen or eighteen hours a day as against what we are aiming at, an eight-hour day?

Mr. THATCHER: As I said to the hon. member, labour laws could be passed which would prevent that situation arising.

Mr. SINCLAIR (Vancouver North): Will the hon. member permit another question? Can he suggest a labour law which could be passed to regulate the hours of independent fishermen?

Mr. THATCHER: I do not think I shall answer that. This is a serious matter and is no time for levity. I should like to get on and then the hon. member can go ahead.

Today the government is asking parliament to pass a piece of legislation which gives the minister wide powers. Look at page 110 and you will see the powers of the minister. Under section 2 he can determine the localities in which persons of the Japanese race may reside, and tell them where to live. Under section 4 he may employ persons of the Japanese race for such purposes, at such wages and on such terms and conditions as he may deem advisable. I do not think anyone will say that section 4 is not stringent. He may require any person of the Japanese race, in any place in Canada, to proceed to any other place in Canada. I doubt if there is anyone in this house who can get up tonight and say that if we pass the order in council before us, this Canadian minority will have freedom. Time and again in the house and across the country I have heard members of the Liberal, the Conservative and the Social Credit parties as well as members of our own party decrying the dangers of regimentation and the dangers to personal freedom. Not long ago I heard the hon. member for Lake Centre, in an eloquent speech, make this statement:

> I assert that it is a member's responsibility to take a firm stand when he sees freedom being interfered with.

I think that is one of the best statements I have ever heard the hon. member make, and I hope that on this bill, with his usual effectiveness, he will take as firm a stand, in opposition to such an order in council, because this order in council provides for a degree of regimentation which I believe has been unheard of in Canada in peace time. And it is regimentation of Canadians.

Mr. MITCHELL: Do not lay it on too thick.

Mr. MacINNIS: He is reading the order in council.

Mr. MITCHELL: That is all right, but I would ask my hon. friend whether the Canadians in Japan and China were treated as well as we treated the Japanese in Canada.

Mr. COLDWELL: But these are Canadians.

Mr. THATCHER: It is Canadians that we are talking about, Canadian citizens. We have heard a great deal recently about a bill of rights, and I think the question before us tonight emphasizes how urgently we need that bill of rights. In the speech from the throne the government intimated that they were going to appoint a committee to study human rights and human freedoms. I hope that such a measure will soon be brought down and will be strong enough to prevent injustices of this kind from continuing. In August, 1944, the Prime Minister (Mr. Mackenzie King), speaking in this house, said, as reported at page 5916 of *Hansard*:

> . . . it is not to be expected that the government will do other than deal justly with those who are guilty of no crime, or even of any ill intention. For the government to act otherwise would be an acceptance of the standards of our enemies and the negation of the purposes for which we are fighting.

And again:

> We must not permit in Canada the hateful doctrine of racialism which is the basis of the nazi system everywhere.

If the Prime Minister were in his seat tonight, I wonder whether he would class this order in council as, in his own words, "dealing justly with those who are guilty of no crime." If he were in his seat, would he say that this order in council is not "the hateful doctrine of racialism" which he so eloquently deplored? I believe that if the Prime Minister were in his seat tonight, he would not approve the passing of this order in council. The charter of the united nations was recently ratified by this parliament and signed by the government. Parliament, in taking that action, pledged this country to

respect article 1 of the charter, which guarantees "fundamental freedoms for all without distinction as to race."

This order in council is based solely on racial discrimination. If parliament passes this order tonight, then Canada is guilty of breaking her word, her pledge to the united nations. Surely the word of the representatives of the people of Canada is more than a scrap of paper. Yet, I do not see how we can pass this order without making it a scrap of paper. Every member, before he votes for the passage of the order in council, should search his conscience. Canada has already needlessly made many of her citizens suffer. Let us not allow this discrimination to continue. I move, therefore, that order in council P.C. 946 as amended be deleted from the bill.

Mr. SINNOTT: I wish to ask the hon. member three questions. He can answer them one at a time. Does he know Japanese habits? Would he like to live alongside Japanese? Would he like to compete against Japanese labour?

Mr. SMITH (Calgary West): That is only two. What is the third one?

Mr. THATCHER: I do not think they are reasonable. I will not answer them.

Mr. SINNOTT: Answer my questions.

Mr. IRVINE: He would not like to live alongside you, maybe. What is the difference?

Mr. SMITH (Calgary West): I never knew a Jap yet who could not count to three, and you failed.

The CHAIRMAN: The hon. member for Moose Jaw moves that order in council P.C. 946 as amended be deleted. May I point out that we are considering the orders in council individually and we carry or do not carry each order in council. The Chairman asks for a vote on each order. If we are continuing to do that, it would appear to me that this is a negative motion.

Mr. MacINNIS: Just before the house rose at six o'clock the Minister of Labour moved an amendment to delete several orders from the schedule. If that was in order before six o'clock I suggest that it is in order now. I believe other orders have been deleted in the same way.

Mr. KNOWLES: By the Minister of Fisheries and the Minister of Justice.

Mr. POULIOT: I wonder how the order in council could be deleted from the bill, because no order in council is attached to the bill. The schedule is entirely different from the bill. It is another booklet. As a rule the schedule is attached to the bill but in this case it is not, for the very reason probably that the government will have authority to amend each one of the orders in council, something that could not be done if the orders in council were attached to the bill as a schedule. In my long experience in parliament this is the first time I have seen the schedule detached from the bill. What the hon. member for Moose Jaw has said is interesting but I do not see how the committee could deal with his amendment. He may submit it and have it dealt with in a more formal way, but in the meantime I would point out to him that this is an unusual case of queer procedure.

Mr. THATCHER: I am not a lawyer and I do not know whether it is a bill or a schedule. I will send both to the Chairman and he can use whichever is right.

The CHAIRMAN: The hon. member for Vancouver East stated that this afternoon there was followed a procedure whereby a motion was made striking certain orders from the schedule. I am not so sure that was in order, but in view of the fact that that procedure was followed this afternoon I will not at the moment rule the present motion out of order. Does the amendment carry?

Some hon. MEMBERS: Carried.

Mr. MACKENZIE: What is the amendment?

The CHAIRMAN: It is moved by the hon. member for Moose Jaw that order in council P.C. 946 as amended be deleted from the bill.

Mr. MITCHELL: I think I should say something before that amendment is put, and that is that the government cannot support it. Let that be clearly understood. May I say this in a broad and general way to the hon. member for Moose Jaw? Possibly his mind does not go back to the time when conditions in the Pacific were as they were, where there was the possibility that his province might be a battle ground in western Canada, and it was deemed necessary by the United States government and by the Canadian government that people of the Japanese race should be removed from the Pacific coast.

Mr. COLDWELL: He admitted that was quite reasonable at the time.

Mr. MITCHELL: I am frank to admit that it is quite easy to get up and talk in the way he talked this evening.

Mr. MacINNIS: He made an excellent speech.

Mr. MITCHELL: I am not saying that he did not make an excellent speech, but I think I have the right to express my opinion in the same way as he expressed his.

Mr. NICHOLSON: Meet his argument.

Mr. MITCHELL: Absolutely. Let me say this to the hon. member for Moose Jaw. I was a member of the government at that time when the British people were hanging on the ropes and we had to make decisions which, to say the least, took some courage under the conditions. I have no regrets over the policy we followed at that time. If I had to live through those days again, I would do the same thing and I would do it in the humane way that this policy has been carried through up to the present time. I again want to say to my hon. friend that I should like to think our boys in Hong Kong, the Canadians who were prisoners in Japan, were treated as well as we treated the Japanese in this country.

An hon. MEMBER: They were not.

Mr. MITCHELL: My hon. friend lives in Saskatchewan. He has had his say and I am going to have mine, and let the matter be weighed in the balance. What was the policy of the government when the removal of persons of the Japanese race was decided on by both our government and the United States government? Our policy was to remove them from what was called the protected area. They were located in camps in the interior of British Columbia. I believe that the present policy of relocation is in the best interests of the Japanese themselves. At the very moment there are 4,200 odd in Alberta; there are 490 odd in Saskatchewan. I am now speaking from memory. There are, I think, about 1,200 in Manitoba; 6,500 in Nova Scotia—

Mr. GREEN: No, no; in Ontario.

Mr. MITCHELL: In Ontario, I should say. There are well over 1,000 in Quebec and very few in the maritime provinces. This has been our experience. The Japanese themselves, so I am informed, are much happier over their condition today, based on that policy of relocation across the dominion. My hon. friend talked about sabotage. But it was necessary to intern about 700 Japanese in British Columbia because they would not comply with the orders of the government. It is true also that at one time over 10,000 had volunteered to go back to Japan. That was prior to the defeat of Japan. It is also a fact that roughly 4,000 have returned to Japan on a voluntary basis. I hope that by the end of this year the policy of relocation will be completed.

My hon. friend spoke of a section in this order in council having to do with the powers of the minister with regard to hiring. There is an obvious reason for that being in there, in the fact that we had to hire people to work in the relocation centres in British Columbia—people of Japanese race, such as nurses, doctors, dentists and others. As far as my knowledge serves me, the Japanese who were working in this province, in my hon. friend's province and in the other provinces, were working at the prevailing rates of wages. I sincerely believe that the policy followed by this government in the relocation of these persons of the Japanese race is in their own self-interest and that, if we take the long view, it will be to their great advantage. I believe it will be far better than having an intense concentration of them, shall we say, in the city of Vancouver where, for many years past, I am given to understand that there has been a great deal of feeling over that concentration for reasons best known to the people in that part of the country. In conclusion, I wish to say with all the emphasis of which I am capable that, in the carrying out of this policy, we have acted in a decent and fair manner.

There is one other point which my hon. friend faised, in connection with the movement of Japanese. As to the Japanese east of British Columbia, at the moment, there is absolutely no control over their movements. They can go wherever they wish to go. I thought I should mention that to my hon. friend before he said, or at least implied, that they could not do that.

Mr. COLDWELL: That is a new order?

Mr. MITCHELL: That is a new order. You will see it.

Mr. COLDWELL: When was that order issued? What was the date?

Mr. MITCHELL: April 14.

Mr. COLDWELL: Just recently.

Mr. MITCHELL: A week ago. But in the light of the development of policy, you make decisions in conformity with what you think, in your best judgment, you should do in a given set of circumstances. That was done on April 14.

Mr. KNOWLES: Congratulations.

Mr. SINNOTT: The hon. member for Moose Jaw has made a strong plea for Japanese Canadians. I have every reason to believe that he is sincere, and I have every reason to believe that there is a good deal of land in Saskatchewan where they could go. Possibly he could make arrangements for most of them

to go to his province. But we cannot forget too easily or too soon December 7, 1941, when the Japanese were over here making terms with our friendly neighbour to the south and at the same time a bunch of planes was on the way to destroy us. The Japanese race will never do Canada any good. Therefore we, as Canadians, should guard Canadians as long as we have the power to do so.

Mr. STEWART (Winnipeg North): When the hon. member for Springfield states that he has any reason to believe anything, he flatters himself. That is obvious from his last few remarks. I should like to bring to the attention of the committee the report of the Department of Labour for the year ended March 31, 1946, in which I find this statement:

> The Japanese, wherever they have resettled in the last four years, have added appreciably to the labour force in several essential basic industries. In general, they have conducted themselves well, have worked industriously, and have earned a good reputation among employers and citizens in their new communities.

I think that has been the general experience all over Canada. I know a few of them personally in Winnipeg. I would be very happy to live next to them, and I think I would find more intelligence in them than I would find in the hon. member for Springfield tonight.

Mr. SINNOTT: We are not all like you.

Mr. STEWART (Winnipeg North): In what the Minister of Labour said I think he put up rather a bad case for a worse order in council. He tried to transfer the war years to this year of 1947. He knows as well as we do that we are no longer at war; we are no longer under the threat of invasion. Therefore we have to consider these orders in the light of today, not in the light of conditions that existed several years ago. None of us will refuse to admit the danger which existed, but many of us refuse today to admit that the danger still continues.

In the matter of logic I think the minister is quite wrong. There is no one in this country who was not hurt and nauseated when we heard of the atrocities which were committed at Hong Kong, in Japan itself, and in China. But let me point out that atrocities were not committed only by the Japanese. Atrocities were committed by other enemy powers. Therefore, if there is to be logic at all in this order in council we should treat the descendants in Canada of those other enemy nations in exactly the same way that we are treating the Japanese Canadians. If we refuse to do so I say there is no logic in what we are doing, and we are attacking the Japanese purely and simply on racial grounds. This order in council is attempting by compulsion to tell Canadians where they are to live in Canada. It appears that at times the test of loyalty of these Canadians was their willingness to live where the government decided they should reside. Might I read again what has already been read in this house by the hon. member for Moose Jaw, because these words need to be repeated? I refer to the statement by the Prime Minister on August 4, 1944:

> Surely it is not expecteed that the government will do other than deal justly with those who are guilty of no crime, or even of any ill intention. For the government to act otherwise would be an acceptance of the standards of our enemies and the negation of the purposes for which we are fighting.

What do those words mean, if they mean anything? Surely they cannot be used in defence of legislation such as this. Are we dealing justly with people who have been guilty of no crime when we tell them where they must live, when we take from them their essential civil liberty? I say no; and I think the reason of the house will agree with me. Are we not, in effect, accepting the standards of those enemies whom we fought when we treat a minority in this country in such a way, purely because of racial phobia? In the same speech the Prime Minister went on to say:

> Japanese Canadians are persons who have been admitted here to settle and become citizens or who have been born into this free country of ours, and . . . we cannot do less than treat such persons fairly and justly.

When we take away their rights, as we have taken them away, those words mean nothing. They are the typical facades which we expect on modern Liberalism. Might I quote also something said by the hon. gentleman who is now Minister of National Health and Welfare and who was then Secretary of State, in a speech to the chamber of commerce of Granby:

> For subjects (for citizenship classes) I would take the whole of this great country—its history, its peoples, its geography, its resources. I would tell them how fish are caught in the St. Lawrence and how farming is conducted up the Peace river. Throughout I would have one basic theme—faith in Canada and love of Canada.

To those words I say "hear, hear" but only if they mean what they say. I should like the Minister of National Health and Welfare to rise in his place tonight and defend the policy of his government in view of those words, and in view of what he said during the debate last year on the citizenship bill. I must again recall to hon. members that we are not now dealing with a war emergency. Thank heaven we are past that; and as the hon. member for Moose Jaw said, these orders in council are in

direct contradiction of the spirit and, indeed, of the words of the united nations charter. These orders in council are based upon racial discrimination, which now has been defined by the international military tribunal as a crime against humanity.

I repeat that in peace time, in normal times, no government has the moral right to decide where any Canadian shall live; and when we permit the government these wide powers the foundations of freedom are being undermined. Hon. gentlemen of the party to my right have been strong proponents of freedom in the last few weeks. Here is a case where freedom is grievously infringed. Then let the hon. member for Muskoka-Ontario rise in his place and defend the freedom of the individual in this case. Let the hon. member for Lake Centre get up; let the leader of the official opposition get up and state the position of his party with regard to racial discrimination against minorities in this country. If we permit it against one minority we permit it against every minority. I should like an official declaration of policy from that party which professes to be so sincere in its devotion to liberty.

The CHAIRMAN: Shall the amendment carry?

Some hon. MEMBERS: Question.

Mr. MACKENZIE: May I not speak in a free parliament? I think the committee knows fairly well what my attitude has been over the years and what it will be in regard to this question. I should like hon. members to endeavour to understand the position of British Columbia. Fifty years ago one lone voice was endeavouring to place this position before this house. I want to tell my fellow Caledonian who has just concluded his remarks, my fellow Canadian—

Mr. STEWART (Winnipeg North): That is much better.

Mr. MACKENZIE: I think they are equally good. I want to tell him that, as far as I am concerned, there is not the slightest trace of a racial tinge in my attitude toward this matter. As an immigrant from the old land I have had the honour of living for thirty-three years in our far western Pacific province. Time after time this issue was raised in this house and no support was received from hon. members coming from other provinces. What caused and compelled that support? The urgency and emergency of a war which very nearly destroyed British Columbia and nearly destroyed Canada. If the Japanese had been more fortuntae after Pearl Harbor, what would have happened to our people in British Columbia? I do not want to be sentimental, but only last week I saw two lads, two young Canadian kids of about twenty-two years, who were under treatment with our department. They were very serious cases indeed, probably maimed for life. They were Winnipeg boys who had been to Hong Kong.

I will not tell the story as they told it to me; but I do say this, that the whole basis of any arguments I have ever advanced in regard to this issue has been the basis of security for the Pacific coast. That was the basis on which every single step was taken by the administration which successfully, and with the general support of the house, led us to victory in this war. There was not a single suggestion of basing any one of those proposals on a question of racial discrimination.

So far as I am concerned, and knowing something of what has been discussed and what has occurred in the last eighteen months under articles 55 and 56 of the charter, let me say that I am 100 per cent in support of those articles 55 an 56; but I have a duty, as I conceive it. I have a duty, being entrusted with the responsibility of representation by a kindly and a generous people. I know something of what happened before the war in British Columbia. I used to go up those coasts, the same as the hon. member for Vancouver South. I used to go up the British Columbia coast, and I know what was done, under maligned and sinister conditions, under conditions of espionage, to endanger the security of our people. I know, too, what was done to undermine the security of our white ex-soldier fishermen on the coast of British Columbia.

As a result of that, I had some little part in helping to restore fishing licences to those who had fought for Canada, to those who had fought our battles for freedom far away. I want to tell this House of Commons that if it is going to take away from British Columbia —my province, which has been so generous to me—this right of observance of adequate conditions for its own internal security along its coastline, then it is striking a mortal blow at the very heart and soul of confederation of the Dominion of Canada.

I want to make that clear. I may not be in political bodies very long, but I love my province, and I love the people of that province, which has been so generous to me for some thirty years. For many years we failed to get a hearing within these halls in which we are gathered tonight to represent the people. War—danger to our coast and to our people—gave us that hearing. And may I say here in his presence that the splendid administration in the last seven years of a very difficult problem by my colleague the

Minister of Labour is something that should be commended by all the people of Canada, including the people of British Columbia.

I appeal to this house: Leave our security alone. I think I shall be as devoted to the essential principles of racial freedom and racial fairness according to the terms, purposes and purport of articles 55 and 56 of the charter as any living soul in the Dominion of Canada. But do not let the rest of Canada interfere with the wishes of British Columbia and destroy the policy with respect to the coastline of the province whence I come, a policy in which the people strongly believe with a fervour and a spirit that are unquenchable.

For that policy, Mr. Chairman, I will fight. By that policy I will stand. And I would hope that if the Liberal party in the House of Commons join, as I join, in regarding and supporting the essential principles of the charter with reference to racial freedom, they might also pay some attention to our Pacific problems in British Columbia, and help us to carry out what we consider, with very honourable exceptions—and I honour them—to be the mandate of our people, the mandate of our province, in maintaining the security of the Pacific sea for these children who are growing up today in the most glorious province in the world.

Mr. MacINNIS: The committee knows my position on this issue, and I suppose there is nothing very much I can say tonight which will clarify the situation or help hon. members to make up their minds. But I should like to tell hon. members that tonight, in the language of the street, they are on the spot. Either they are going to uphold freedom, or they are just going to talk about it.

It is strange to me that the hon. member for Lake Centre, who talks so much about freedom, happens to be absent from the house every time this issue comes up.

An hon. MEMBER: No, no.

Mr. MacINNIS: I was hoping he would be here tonight, because—

Mr. KNOWLES: He was here at nine o'clock.

Mr. MacINNIS: —I was banking on his strong support in this debate, because I thought it was right down his alley.

Mr. CASSELMAN: Talk about your own absentees, and play your own game.

Mr. MacINNIS: Let us look at this picture as it is and as it was when the Japanese were removed from the Pacific coast. As the hon. member for Vancouver Centre, the Minister of Veterans Affairs, has said, the Japanese issue—but it was not the Japanese issue, but rather the oriental issue—has been a live question in British Columbia for many years, ever since I remember.

But I want the committee to note this, that it is no longer an oriental issue in British Columbia. It is no longer an oriental issue with the hon. member for Vancouver Centre. It is no longer an oriental issue with any of them, although it was an oriental issue until 1941. This group, and myself particularly, has been vilified and maligned and battered from pillar to post for advocating the franchise for orientals. At this last session of the legislature of British Columbia Chinese-Canadians were given the vote; East Indians were given the vote, and all that now remain are the orientals of Japanese origin. If to give these people the franchise was right in 1947—and I admit it was—it was right in 1935, in 1940 and in 1945. But the whole basis my hon. friends' election campaign in the elections of those years was racial intolerance, of course, racial hatred, and used for specific purposes.

Mr. CRUICKSHANK: No.

Mr. MacINNIS: When war broke out, the orientals, or persons of Japanese origin, were removed from the Pacific coast, not because there was really any fear.

Mr. CRUICKSHANK: Did you object?

Mr. MacINNIS: It was not done because there was any fear that they would cause sabotage or anything of the kind.

Mr. CRUICKSHANK: You are afraid to answer.

Mr. MacINNIS: There may have been the fear that if an invasion occurred it might have been difficult to differentiate between the invaders and the Canadian Japanese and consequently they were removed.

Mr. SMITH (Calgary West): What is a uniform for?

Mr. MacINNIS: We know a uniform can be used at any time. It is something you can put on and take off.

Mr. SMITH (Calgary West): By the Japs.

Mr. MacINNIS: Yes, and by the Germans.

Mr. HARKNESS: Will you answer the question asked by the hon. member for Fraser Valley: did you object to their being removed?

The CHAIRMAN: If the hon. member desires to ask a question he must rise in his place and ask the permission of the hon. member who has the floor.

Mr. CRUICKSHANK: Will the hon. member permit a question?

Mr. MacINNIS: Yes.

Mr. CRUICKSHANK: Did you object to their being withdrawn from the coast?

Mr. MacINNIS: No. I took the stand—

Mr. CRUICKSHANK: Thank you.

Mr. MacINNIS: —that is was desirable and perhaps necessary because of public feeling.

Mr. CRUICKSHANK: Why did you want them withdrawn?

Mr. MacINNIS: As I have just mentioned, because there was public feeling that my hon. friend helped to create.

Mr. CRUICKSHANK: Are you afraid of public opinion?

Mr. MacINNIS: Definitely not, and furthermore I do not court public opinion.

Mr. CRUICKSHANK: Oh, oh.

Mr. MacINNIS: I do not court public opinion. If I wanted to get in line with public opinion as my hon. friend tries to create it I would be just as anti-Japanese as my hon. friends are. I took the hard way because it was the right way. I am not a bit ashamed of it. I will do so again should the occasion demand.

Mr. CRUICKSHANK: They have no funds now.

Mr. MacINNIS: Mr. Chairman, the last time the hon. member for Fraser Valley insinuated that I was getting funds from the Japanese on the Pacific coast I overlooked it because at that time I took it that he was in a condition where he did not know what he was doing.

Mr. CRUICKSHANK: Mr. Chairman, on a point of order, I have never insinuated that my hon. friend, stupid as he may be, was obtaining any funds from the Japanese or anyone else, and I say he is a liar if he says otherwise.

The CHAIRMAN: Order; the hon. member must not use that language; he should withdraw it.

An hon. MEMBER: Withdraw.

Mr. MacINNIS: If you do not insist, Mr. Chairman, I will not because I—

The CHAIRMAN: I think the hon. member for Fraser Valley should withdraw that remark.

Mr. CRUICKSHANK: Mr. Chairman, I regret exceedingly if I used language offensive in any way, shape or form to my hon. friend.

Mr. NICHOLSON: Withdraw.

Mr. CRUICKSHANK: Just a minute, I do not need any assistance from the man who collects campaign funds on Sunday in my riding. I regret if I insinuated anything against the hon. member for Vancouver East. I never insinuated in any way that he got personal campaign funds; I never insinuated that.

An hon. MEMBER: What did you insinuate?

Mr. CRUICKSHANK: Just a minute. I am sorry and I withdraw any implication whatsoever directly to my hon. friend, but I say this—what I meant to say—

Some hon. MEMBERS: Order.

The CHAIRMAN: There is one word which the hon. member used and which I would ask him to withdraw.

Mr. CRUICKSHANK: I withdraw the word "liar". I am sorry, I meant to use the word "inaccurate".

Mr. MacINNIS: Mr. Chairman, I was just trying to picture the situation that led to the removal of the Japanese from the Pacific coast. According to statements made to me by officials of the Royal Canadian Mounted Police, it was done as much for the protection of the Japanese as for the protection of the people of the Pacific coast.

Mr. MITCHELL: I should like to correct my hon. friend; it was purely a defensive measure.

Mr. MacINNIS: I agree with the minister that it was purely a defensive measure. The war being over, we contend that it is time that the restrictions on these people were removed, that they were allowed to take up their rights and privileges as Canadian citizens. That is all we are asking. The Minister of Veterans Affairs has referred to the defence of British Columbia. Surely this country must be in a deplorable state if it is endangered by a few thousand persons of Japanese origin, even if they were all disloyal, and there has been nothing to show that any one of them is disloyal. A few old men and old women and children are being kept east of the Rockies or east of the defence zone on the coast in order to protect British Columbia from invasion. Surely one has only to consider that contention to see how absolutely weak and senseless it is.

I say that there is a strong sentiment in British Columbia in favour of the removal of these restrictions. I have in hand a copy of a long letter which I am not going to read,

which was sent to the Prime Minister of Canada by the Vancouver branch of the Canadian civil liberties union.

Some hon. MEMBERS: Oh, oh.

Mr. MacINNIS: My hon. friends do not seem to consider this organization very important, but on looking at the letter head I find that the honorary chairman is Doctor G. G. Sedgewick, who is a professor at the university of British Columbia. The chairman is Professor Hunter Lewis, another professor at the university. There is also Doctor S. A. Jennings, vice-chairman, who is another professor at the university. And so on down a long list, most of whom I consider to be good Canadians. Referring to the question of Canadian citizens of Japanese origin, Professor Hunter Lewis had this to say in his letter to the Prime Minister:

They are that, in regard to Canadian citizens of Japanese origin, all federal restrictions imposed on them should be eliminated; the federal franchise should be extended to them; and Canadian citizenship should be restored to those who lost it through being "voluntarily deported".

Since our conclusions regarding these matters are neither partisan, nor lightly nor temporarily held, but are sincere convictions arrived at after serious and lengthy thought, we respectfully ask that you give not only them, but also the arguments supporting them, your full and sympathetic consideration.

I could read dozens of statements which appeared in the press of British Columbia and in other parts of Canada in support of our position. During the last month we have heard a great deal about restrictions and controls placed on the people of Canada. Outside of the persons mentioned in this order in council there are very few controls of any importance today. But here are controls over the lives and liberties of people who are as much Canadian as you and I. Today there is no reason, defence or any other, why these controls should be continued. As I think of the impositions which have been placed on these people, people who are innocent of the war, innocent of any part in it and innocent of any crime or misdemeanour during the war, I wonder what I might do under similar circumstances or what the Minister of Labour might do or any member of this committee might do under similar circumstances. They were treated by those who were over them—not all of them, of course—as if they were serfs and the people over them were lords. I have here a letter from a former commissioner of Japanese placement in Vancouver, addressed to a Japanese Canadian who asked permission to visit British Columbia to discuss various matters with those in the relocation camps. The letter is dated June 24, 1946. I have a copy and it reads as follows:

Canada
Department of Labour
Japanese Division
360 Homer street,
Vancouver, B.C.

24th June, 1946.

Mr. Kunio Hidaka,
Executive Secretary,
Citizenship Defense Committee,
506 Jarvis street,
Toronto, Ontario.

Dear Sir:—

We have received your letter of June 20 asking for reconsideration of your request to visit B.C.

We are of the opinion that the best interests are being served of those people of Japanese origin still residing in our B.C. settlements if arrangements are completed for their relocation at the earliest possible date. We believe that a visit to the settlements for the purpose which you have in mind, would only result in delayed relocation. We believe that such delay is not in the interests of people relocating.

Our regional offices in the eastern provinces have complete information on the descriptions of places and areas to which people may be planning to move, and can easily provide such information on request.

We therefore must adhere to our previous decision in declining to approve the issuance of the necessary permit for you to visit B.C. just at this time.

After all the "our's" and "we's" the letter is signed "T. B. Pickersgill, Commissioner of Japanese Placement." I think it was Mark Twain who at one time said there were three categories of people who could use the plural "we" when referring to themselves. One was a ruling sovereign; the second was the editor of a newspaper, and the third was a person who harboured a tapeworm.

Mr. CRUICKSHANK: And the fourth was the C.C.F.

Mr. MacINNIS: Since Mr. Pickersgill is not a ruling sovereign or an editor, I presume he comes in the third category. I refer to that because it shows the attitude which is taken toward these people.

In the United States persons of Japanese origin were also removed from the Pacific coast in much the same way and at the same time as they were removed in Canada. Restrictions have, however, been removed in the United States long ago. All the restrictions that we are discussing here tonight have long ago been removed in the United States. Is there any reason why we should be behind the United States in extending freedom to our citizens? I suggest to hon. members that they

consider carefully before they vote down this amendment because, if we do vote it down, we might as well stop talking about liberty.

Mr. MITCHELL: The hon. member for Vancouver East referred to Mr. T. B. Pickersgill as someone who has a worm inside him, or words to that effect. I have made this observation before. I know my hon. friend wants to be fair, because I have probably known him longer than anyone in the House of Commons. It is quite easy to say these things about a person when he is not here. I am sure that if my hon. friend knew Mr. Pickersgill he would agree with me that he is an efficient civil servant and a decent Canadian. It may be that that may have been an error; I do not know; but I do know that I picked him for the position because I thought he was a humanitarian and a good citizen. I put him on that basis. On reflection, I am sure my hon. friend will withdraw what he said about my good friend Pickersgill.

Mr. MacINNIS: In reply to the minister, I say I am judging the man's attitude from his letter. No man who felt the human factors in the position he was in in dealing with these people would write a letter of that kind.

Mr. GREEN: May I ask the hon. member for Vancouver East a question? Is he in favour of allowing the Japanese again to fish on the Pacific coast?

Mr. MacINNIS: I am in favour of allowing every citizen in Canada, Japanese, Chinese, German, Italian or whatever their former nationality may be, equal rights in Canada.

Mr. GREEN: The answer then is yes.

Mr. MacINNIS: Of course the answer is yes.

Mr. GREEN: There has been some heat displayed in this debate, particularly by the hon. member for Vancouver East and perhaps by some of this companions in the C.C.F. party. In speaking tonight, I should like to do so quietly and sincerely. I give them credit for speaking sincerely and I think they should give other hon. members of the committee the same credit. Suggestions have been made by the C.C.F. that those who oppose their views are guilty of racial phobia, racial prejudice, intolerance and things of that kind. Surely in the Canadian parliament we can get away from cheap abuse of that kind. It does not help anybody and it is not true. I say that simply to keep the record straight. I mean every word that I am going to say. Perhaps the C.C.F. members will not agree with me but that cannot be helped. I hope that other hon. members of the committee will.

The plan agreed on in opening this debate was that we would deal with five orders in council; in other words, deal with the whole Japanese problem at one time. That was a wise suggestion. These five orders can be divided into four different categories. They cover four different questions. One is the question of whether or not Japanese are to be allowed to fish on the Pacific coast. The second is the question of relocation of the Japanese; whether there should be any restriction on their movements. The third has to do with help to those going back to Japan, Japanese who asked to be sent back, while the fourth relates to the property of Japanese which is in the possession of the custodian of enemy property.

I start with the last subject first. I think orders in council having to do with the power of the custodian over Japanese property in his possession should be carried on. I do not think there can be much dispute about continuing these orders in council, and in that connection I would say this. In the evacuation there can be little doubt that damage was done to the property of Japanese. No matter how carefully the goods and chattels were handled, there was bound to be damage, and I believe that every member would agree that adequate, in fact generous, compensation should be paid to the Japanese who suffered that damage. Certain steps will be necessary to assess the damage, and I suggest that those steps be taken as quickly as possible and that compensation be paid.

The next subject is assistance to the Japanese who wish to go back to Japan. I have here the figures of the Department of Labour as of March 31, 1947. The minister will correct me if I am wrong, but these figures show that to that date 3,961 Japanese had been repatriated. The adults in that group asked to be sent back to Japan; they were not sent against their will but insisted upon being sent back. Anyone over sixteen years of age had to sign a request for repatriation and of course that very act showed where their loyalties were.

I do not think it can be successfully argued now that any of these people had a first loyalty to Canada. Their first loyalty was to Japan and they have been sent back. I understand that others still in Canada have asked for repatriation, that there are some now waiting to be repatriated, and it is expected there will be quite a few more when the hostels now in operation are closed.

Mr. MacINNIS: If these people had not been moved from the Pacific coast and put in camps with all their rights and privileges taken away, does the hon. member think they would have asked to go back to Japan?

Mr. GREEN: In my opinion they would have gone. We have always known that among Japanese on the Pacific coast there was an intense loyalty to Japan. At the time the registration was made by the Royal Canadian Mounted Police before Japan struck, it was found that there were 1,500 children of Japanese in Canada actually over in Japan at the time. They were going over there in many cases to take military training. They could never cease to be subjects of Japan, and to a degree they were to be admired for that stand which they took. They insisted on being Japanese, but doing so made it very difficult for them to become Canadians. That is a fact which hon. members must face. I have here a clipping from tonight's Ottawa *Citizen*, which I quote:

Canadian-Born Jap Sentenced to death.

Hong Kong, April 22—(Reuters) Kanao Inouye, 30-year-old Kamloops, B.C. born Japanese, today was sentenced to death by the Hong Kong supreme court which convicted him of high treason.

Inouye left Canada for Japan in 1935 for university education and military service but said shortly after the war he still was a British subject.

He was remembered well by Canadian prisoners of war captured at Hong Kong in December, 1941, and was accused of ill-treating them on many occasions.

When he appeared before a war crimes court he escaped several charges by pleading he was a British subject. Then he reversed his defence when he came up on the treason charges, saying he had always regarded himself as a Japanese.

But Chief Justice Sir Henry Blackall said Inouye was a natural-born British subject and had remained so at all times.

Another feature to be considered in connection with loyalties is that there were over 700 male Japanese interned at one time during the war. When you consider that the total population of Japanese, male and female, adult and children, was about 23,000 and that over 700 were interned, that is a very high percentage of the adult males, and yet it was necessary to intern that number.

My friends of the C.C.F. always make a great point of there having been no sabotage. Usually sabotage does not occur until the right time. These people were moved off the coast and over 700 were interned; the Japanese never actually landed, and I suggest to hon. members that these facts do not warrant anyone saying that there would not have been sabotage had the opportunity arisen.

Mr. REID: And they were probably under instructions.

[Mr. Green.]

Mr. KNIGHT: The hon. member has brought forward certain cases of disloyalty in the last war. There was another war. Has he any figures in regard to the attitude of Canadian citizens of Japanese origin during the war of 1914-1918?

Mr. GREEN: They were our allies then, and quite a few Japanese Canadians served with the Canadian forces and served with great distinction. That is very much to their credit.

With regard to assistance in sending back those who wish to go to Japan, I think the government is wise in carrying out that policy and I hope the assistance will be forthcoming in the future for those who want to go.

To come now to fishing, and I really think this is the main question when we are dealing with the Japanese. When the Japanese first came to British Columbia I do not quite remember, although I was born in that province, but it was about the time I arrived; well, over fifty years ago—about fifty years ago.

Mr. COLDWELL: More or less.

Mr. GREEN: The Japanese who came were largely fishermen, and it was not many years until it was quite evident that there was grave danger that they would take over the whole fishing industry. There was friction between the Indians and whites and the Japanese. The Japanese were very aggressive, and, as I say, it was not long until there was grave danger that they would control the industry. So that eventually a policy was adopted by the Canadian government of cutting down the number of fishing licences issued to Japanese. I have here the report of the fisheries branch of the department of marine and fisheries for 1925-1926. At that time the Right Hon. W. L. Mackenzie King was Prime Minister of Canada and our late friend, the Hon. Mr. Cardin, was minister of marine and fisheries. At page 53 of that report we find this statement under the heading "Reduction in Orientals":

The department's policy of eliminating the oriental from the fisheries of the province with a view to placing the entire industry in the hands of white British subjects and Canadian Indians appears to be working out well as is shown by statement No. 10, which covers a very large proportion of the total number of licences issued which orientals were permitted to hold. In the salmon gill-net operations the orientals during the year 1925 held only 24 per cent and in the salmon trolling 10·5 per cent of the total number issued in the province.

In the herring dry salting operations a further reduction of 25 per cent was made during the year, making a total of 50 per cent, and in the case of salmon dry salting a first reduction of 25 per cent went into effect and it is the intention to continue this percentage each year until these industries are entirely in the hands of whites or Canadian Indians.

That was the policy twenty years ago and more. I have never heard the members of the C.C.F. or any other members from British Columbia protest against that policy until today when we have the hon. member for Vancouver East saying that he wants the Japanese to go back into the fishing business on our coast.

Mr. MacINNIS: Mr. Chairman, the hon. member for Vancouver South is putting words into my mouth. What I said in answer to his own question was that I would not debar the Japanese from engaging in not only the fishing industry or any other industry. I did not say I wanted the Japanese to go back to the Pacific coast.

Mr. GREEN: Well, I leave it to hon. members to judge for themselves.

Mr. MacINNIS: I will also leave it to them. That may look nice in British Columbia, but they know me too well for that.

Mr. GREEN: Hon. members heard what the hon. member said.

An hon. MEMBER: So did you.

Mr. FULTON: The answer is yes.

The CHAIRMAN: Order.

Mr. GREEN: Then at page 74 we find statement No. 12 which is "Summary—British Columbia—comparative statement of the licences issued, season 1922-1925, as at December 31, 1925." These figures are interesting. They show that in the season of 1922, which was three years before this report, there were 3,115 licences issued to whites; 1,545 to Indians, and 2,933 to Japanese. That means, of course, that the Japanese had almost as many as the whites.

Mr. BENTLEY: The government must have wanted them to fish there, or they would not have given them licences.

Mr. GREEN: The figures show that in 1923 there were 3,717 licences issued to whites; 2,571 to Indians, and 2,627 to Japanese. In 1924, there were 3,678 licences issued to whites; 2,750 to Indians, and 2,525 to Japanese. Hon. members will notice that the Japanese licences had been reduced steadily. In 1925 there were 4,785 licences issued to whites; 3,146 to Indians, and 2,190 to Japanese.

By the time the Japanese struck in December, 1941, there were about 1,200 fishing boats on the Pacific coast. I have not the exact number, but it was about 1,200.

Mr. REID: The number was 2,095.

Mr. GREEN: Boats?

Mr. REID: Licences issued.

Mr. GREEN: I mentioned boats. The licences numbered 2,095, apparently. The first thing that was done when the Japanese struck was to call in every one of those fishing boats. I heard the calls going out over the radio for the Japanese fishing boats in area "A" to report at such-and-such a port and those in area "B" to report at such-and-such a port. Every Japanese fishing boat was called in at once. It was a very wise move and it was a move that was not questioned by anybody in British Columbia. I have never yet heard anybody in British Columbia question the wisdom of that move.

Mr. REID: Not at that time.

Mr. FULTON: Or anywhere else in Canada, for that matter.

Mr. GREEN: And also, I have never heard anybody question the evacuation of the Japanese from the coast. I have here a wire which was sent out from Vancouver on February 24, 1942, to all the British Columbia members and, I take it, to the Prime Minister. It reads as follows:

Owing to widespread public alarm over enemy aliens on the Pacific coast and especially respecting those astride vital defence points and with a view to stabilizing public opinion and in the interest of public safety the undersigned met and now urge—

1. That military authorities be immediately authorized to remove enemy aliens from any and all points considered by military authorities essential in the interests of proper and adequate defence and public safety.

2. That the evacuation of all those of Japanese origin from the Pacific coast area be proceeded with immediately and plans to this effect announced.

And that is signed by whom, do you think? It is signed by:

M. C. Robinson, chairman; Austin C. Taylor; J. H. Roaf; J. A. Clark; B. O. Moxon; J. P. Fell; B. Showler—

The head of the American Federation of Labour in British Columbia, and a splendid man.

—Harold E. Winch, M.L.A.—

The leader of the C.C.F. in British Columbia.

C. J. McNeely; Mrs. F. J. Rolston, M.L.A.; E. Buckerfield; Grant MacNeil, M.L.A.—

C.C.F. member in the British Columbia legislature, who was formerly a member of this house and whom we all respected highly.

Mr. CRUICKSHANK: That is racial hatred!

Mr. GREEN: The signatures continue:

J. C. Hammett; James Hamilton; P. A. Woodward; Victor Spencer; W. G. Murrin; Henry Macken; A. E. Jukes; A. P. Allison; Oscar Erickson; C. S. Williams; J. Bruce Haggart.

Mr. NICHOLSON: What year was that?

Mr. GREEN: That was February 24, 1942.

Mr. MACKENZIE: That is a very good group.

Mr. GREEN: It does not fit in very well with charges that we have all been acting on the basis of racial hatred.

Mr. MACKENZIE: Did Mr. Winch sign that?

Mr. GREEN: Mr. Winch and Mr. MacNeil signed it; they were both C.C.F. representatives. Mr. Winch was leader of the C.C.F. opposition in British Columbia, and still is.

I have here also a clipping from an article by Elmore Philpott, one of our leading columnists. While he said he was supporting me in the last election—for which I am very thankful; it shows his good judgment—by and large he has been supporting the candidates of my hon. friends to the left.

Mr. COLDWELL: He was Liberal-minded in 1945.

Mr. GREEN: In February, 1942, he said:

Nobody needs to be a secret service agent to know that a Japanese fifth column will work wherever the Japanese government wants it to work. It is not a question of the loyalty or disloyalty of individual Japanese, native born or otherwise. In a total population of some 25,000 there is no conceivable way of keeping the Japanese government from planting or employing active fifth columnists to do whatever it wants done.

The entire Japanese population should be moved from this coast as soon as it is humanly possible. That means now—before an actual military action can take place.

But to get back to the boats: Many of the boats which were taken in were high-powered ones. I have spoken to men who inspected them, and they said it was amazing to find these boats which could go right across the Pacific. They were not ordinary fishing boats at all, but were boats with great power. I do not think there is anyone in British Columbia who will question the fact that Japanese naval men were trained in fishing boats on the Canadian coast. That was done on every other coast where they landed, and a person would be childish to think it was not also done on our own coast.

Mr. MacINNIS: Can the hon. member state for a fact that it was done on the coast?

Mr. GREEN: All I can say to my hon. friend is that I have been told that by people who are reliable, and I am convinced that it was done.

[Mr. Green.]

Mr. HOMUTH: Would the hon. member for Vancouver East say that it was not done?

Mr. MacINNIS: That would not be accepted in a court of law. My hon. friend is a lawyer, and he knows very well that what he is giving would not be taken in a court of law.

Mr. FULTON: The court might take judicial notice.

Mr. GREEN: I do not think either that there can be any question that had Japanese troops landed on the Pacific coast they would have obtained great help from at least some of the Japanese who were there at the time. There would have been a great many unpleasant happenings such as occurred in Nanking, Singapore and everywhere else they went. I must urge that the people of the Pacific coast are entitled to protection from such a situation ever arising again. I do not think Canadians in other parts of the country have the right to expect Canadians on the Pacific coast to face the possibility of such happenings ten years from now or even a hundred years from now. We were nearly caught once; let us not get into a position where we can be caught again. I have great faith in the common sense of the members of this house, and I believe the great majority will agree that my request is reasonable.

The Japanese are now out of the fishing on the coast, and that policy should be maintained. Of course this order in council is to be continued only for a year, with the possibility of the bill being extended for another year. I suggest that, as far as fishing is concerned, it should be made the permanent policy, and not a matter of only a short time; that the policy laid down twenty or twenty-five years ago should not be dropped at this time.

Finally, to come to the question of relocation, as I understand the government policy—and again I would ask the Minister of Labour to correct me if I am wrong—it is one of dispersal and resettlement. To get the Japanese dispersed is only part of the solution; they also have to be resettled, and I am afraid that part of the policy is far from complete. One reason I say that is that on March 31 of this year there were still 6,618 Japanese in British Columbia.

Mr. MITCHELL: That is east of the Rockies?

Mr. GREEN: No; that is in British Columbia west of the Rockies. That is about one in three, and is far greater than the proportion of Japanese we should have if they are

to be dispersed on the basis of population. I am afraid what has been happening is that many of what I might call the more stubborn and scheming Japanese have refused to come east. Japanese have never been forced to come east at any time; they have been persuaded by the government to do so. I think the tough ones have remained in the interior of British Columbia, with the idea that as soon as the protected zone is removed they will simply move back to the coast. The result, of course, would be that those who have not been playing the game with the government would get the benefit, while those who accepted the removal and came back east and tried to get resettled will be landed back here in the east, and the others back on the coast will be laughing at them. I think that is the position; the tough ones are just refusing to move from British Columbia; they are just staying there waiting until they can get back to the coast. That impression is verified by a statement made by a Japanese spokesman in Alberta on September 10, according to a clipping of the same date from the Vancouver *Province* headed "3,500 Japanese evacuees eager to return to coast." It is a dispatch from Raymond, Alberta:

"Nearly every last one of the 3,500 Japanese evacuees in southern Alberta would rush back to the coast immediately if authorities permitted us to return to British Columbia."

That was the opinion expressed by a spokesman here for the Japanese as he described "the almost desperate anxiety" of his fellow countrymen to be permitted to return to their former places of residence and employment.

"Most of us have been in southern Alberta for more than four and a half years now and have helped raise five crops of sugar beets," the former operator of a small store in Vancouver explained. "But we have not become accustomed to this part of Canada or to the kind of work we must do. We would like to go back to the coast, where the climate is better and where we might be able to return to our former occupations."

Another reason I say the policy is not yet complete is that very few are moving east of the Rockies now. On the minister's own figures I find that only 132 moved east of the Rockies between January 31 and March 31.

Mr. MITCHELL: You would not expect them to move at this time of year.

Mr. GREEN: I must admit that I do not want to move here myself in the winter.

Mr. MITCHELL: I would not want to move into Saskatchewan or Ontario, for that matter, in January, February or March.

Mr. GREEN: Then I have a statement by the Premier of Alberta on February 12 of this year, at Edmonton, in which he is quoted as follows:

Premier Manning said Tuesday the Alberta government has reminded the dominion government several times since the end of the war of the agreement that Japanese placed in this province after their evacuation from the Pacific coast would be removed.

So not only are the Japanese in Alberta anxious to move; the Alberta government is insisting that the dominion carry out its agreement with the province, which was that the Japanese relocated there would be removed at the end of the war.

An hon. MEMBER: Did they suggest where they might be moved?

Mr. GREEN: No, not yet. Then I have the opinion of the deputy minister of labour in regard to the present position of this dispersal policy. I am quoting from *The New Canadian*, published by the Japanese, dated February 8, 1947. It is a very interesting paper. The heading is: "May Seek Control of Evacuee Movement for Two Years". The dispatch reads:

Ottawa.—Special legislation which would give the Department of Labour power to control the movement of Japanese in Canada for at least two years more may be sought from parliament this session, it was indicated here February 4 by Arthur MacNamara, deputy minister of labour.

Mr. MacNamara said that such legislation might be sought in an effort to prevent a general movement of Japanese back to the province of British Columbia where the bulk of Japanese lived prior to Pearl Harbor.

"Our hope is that the Japanese who are spread throughout the east and west will settle down where they now are. However, it will take time to get them satisfactorily settled and merged into the economy of the other provinces," he pointed out.

"In this respect we feel that we should have control over their movements for at least two years more."

Personally I believe that the government can prevent congestion only by maintaining the whole of British Columbia as a protected zone; not only the coastal area, because that would be unfair to the interior of the province, but the whole of British Columbia. That would mean some Japanese would be there by permit, but there would be control over the movement. So I ask that the protected area be maintained. One year will certainly not ensure either dispersal or resettlement. I appeal to the committee to give consideration to these facts, and if they do so I am sure they will support the pleas of all the members from British Columbia with the exception of the hon. member for Vancouver East, and perhaps the other C.C.F. members who have not said "boo" about this matter yet.

Finally, there is one other feature of the Japanese question, and that is the matter of future immigration. It does not come directly under these orders in council, but I would remind members of the government that on August 4, 1944, the Prime Minister said:

. . . the government is of the view that, having regard to the strong feeling that has been aroused against the Japanese during the war and to the extreme difficulty of assimilating Japanese persons in Canada, immigration of Japanese into this country should not be allowed after the war It is realized, of course, that no declaration of this type can or should be attempted which would be binding indefinitely into the future. Nevertheless, as a guiding principle in the years after the war, it is felt that the migration of Japanese should not be permitted.

The question of the immigration of orientals is up this year. I do hope the government will keep in mind the statement of policy on Japanese immigration which was announced by the Prime Minister on August 4, three years ago.

Mr. HERRIDGE: As a member from the interior of British Columbia, and after what has been said this evening by the Minister of Veterans Affairs and the hon. member for Vancouver South, I should like to add a few words in order that the committee may have the right perspective in the situation.

I admit, in the first place, that in the coastal areas there is a considerable body of opinion which is opposed to the return of the Japanese. But I think, at the same time, a great deal of that opinion has been artifically stimulated by speeches such as we hear in the house.

Before going farther, I wish to say this in fairness to the government and to the Minister of Labour that, under the circumstances, and speaking generally, I believe the government did a fair and reasonable job in handling the Japanese situation. In view of the hysteria and the pressure from within their own ranks, I think they were reasonably fair and decent about the matter.

But I rise tonight to support the point of view which has been advanced by the hon. member for Vancouver East and the hon. member for Moose Jaw. I do so in the first instance, because I come from a riding in which there were large numbers of Japanese residing during the war, after the evacuation from the coast.

During my election campaign I made clear where I stood on the question of race, creed and colour. I ran my campaign on the basis of the principles set out in the Regina manifesto, and I do not intend to desert those principles, even if I lose every vote in my constituency at the next election.

As hon. members know, the Regina manifesto was opposed to any discrimination as to race, colour or creed. That is the fundamental basis of the attitude of the C.C.F. I believe the C.C.F. group in Canada is the only movement which has consistently adopted that attitude throughout these difficult years.

The question of the removal of the Japanese from the coast was brought up by the hon. member for Vancouver South. He read a telegram in that connection, in which were included members of several parties, including representatives of the legislature. Everyone knows that in British Columbia all parties supported the removal of the Japanese from the coast at that time. One must view the situation differently today from what he did at that time. Then we had an emergency situation, a situation in which there was some hysteria and a great deal of concern regarding the defence of our coast. We cannot justify our peace-time action on the basis of what we do under the urgent necessities of war.

Before going farther, may I say that not only because I believe in the principles of the Regina manifesto, but because I believe in the principles that Canada has supported in the united nations charter, I support the proposal made by the previous speakers.

I served in the first great war for three years, and I remember that on many occasions chaps like myself had discussions. That war was, in some respects, more bloody and more costly in loss of infantry than was the one through which we have just passed. The Canadian troops in the first great war suffered some ghastly experiences.

I remember one occasion when, along with some others, we captured a trench, and occupied it. To be specifiic, it was Regina trench, on the Somme. At that time we captured a German officer. Then we had to clear up the trench, and bandage the officer. That was the first time I began seriously to consider this question. We sat in that trench for the remainder of the night—that wounded German officer, along with wounded Canadians and others who were not wounded—discussing this whole situation. All of that small group of men that night decided that, whatever happened in the future, they would do what they coulld to prevent the recurrence of such a disaster to mankind.

After the first great war, along with many others I heartily supported the league of nations. We saw its ghastly failure, not through lack of interest of the little man or the common people, but through betrayal of those at the top. We have now gone through

another war, and at this time the united nations organization has been set up. Under it, certain principles have been established, and Canada has confirmed and endorsed those principles.

Now, right in this House of Commons tonight, we hear the Minister of Veterans Affairs rationalize or try to justify—and he is a minister of the cabinet—a desertion of those very principles, and at this early stage.

Canada is pledged to the principles of the united nations, including article 55, paragraph (c) of which reads:

Universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

Because we have pledged ourselves to that, I take the stand as I do tonight, with other hon. members who have spoken. After listening to the Minister of Veterans Affairs rationalizing his point of view toward the charter of the united nations, and his attitude toward the Japanese situation, I would presume that that is what he would call a compensated argument.

Mr. GREEN: May I ask a question? What about paragraph 7 of article 2 which reads:

Nothing contained in the present charter shall authorize the united nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the members to submit such matters to settlement under the present charter; but this principle shall not prejudice the application of enforcement measures under chapter VII

This last chapter, as the hon. member knows, applies only to war.

Mr. HERRIDGE: In answer to that, I would say that the whole spirit of the principles of the united nations would indicate that questions of race, colour and creed were international questions, and not national questions within the confines of a nation itself.

We have heard the argument advanced which would indicate that the great majority of people in the coastal part of British Columbia are opposed to the return of the Japanese. I shall try to be as brief as possible, but in that connection I would quote from the Vancouver *Daily Province* of February 21, 1946. I shall quote only a portion of the editorial, but would ask hon. members to bear in mind that daily papers are not in the habit of publishing unpopular editorials.

This deals with the Japanese situation. It is a newspaper which, I believe, supports hon. members to my extreme right, and it has this to say when dealing with the Japanese question:

There are certain rights which are vital and fundamental. They should not be subject to revocation or destruction or interference. They should be sacred. Citizenship is one of these rights. The people of the United States long ago, saw to it that their fundamental rights were safeguarded. They placed a Bill of Rights in their constitution, and no president, no state or federal administration, no congress or court can interfere with them.

We have no such Bill of Rights in Canada, and incidents have arisen repeatedly in the past few years to show that we should have one. There was the padlock law in Quebec. There was the attempt of the Alberta government to destroy the freedom of the press. There was the bid of the present federal government only a few months ago for unheard-of powers under the Emergency Powers Act. And now there is this judgment.

Seven hundred thousand Canadians fought recently to protect fundamental rights. Tens of thousands laid down their lives. Are we going, now, to allow these fundamental rights to go by default? Or are we going to do something to guarantee them?

That is why I take the position I have taken tonight. I believe it is time we did something about guaranteeing them, and this is a step in the right direction.

The hon. member for Vancouver South I believe was born in a small city in my constituency, the city of Kaslo. Unless I am misinformed, when the matter of bringing the Japanese into the interior was first mooted the hon. member for Vancouver South used every effort to prevent the Japanese from being sent to Kaslo. The hon. member will correct me if I am wrong in my statement. That was done because it was stated to be in opposition to the wishes of the residents of Kaslo.

Mr. GREEN: Some of the people wanted them, the merchants for example, because of the business that would be done; the legion did not want them, it was about fifty-fifty.

Mr. HERRIDGE: That is the point I was about to make. As in other small districts, there was a minority opposition, and that opposition was based upon what they had read in certain papers and what had been said by certain gentlemen. After they came to know these people better, after they had cooperated with them they began to understand them. I can understand that because of what happened in my own small unincorporated village of some 750 people. There was a minority opposition to their coming to that place but, after they had worked in various households, in the mills and on the farms—quite a number of farmers took them—and after some of them joined the Canadian Legion, that attitude changed and it has largely disappeared. I should like to read an editorial from the *Kootenaian* published in Kaslo, B.C. Weekly newspapers are not in the habit of publishing editorials which are against the general opinion of their subscribers, because

most weekly papers published in small districts exist on a very narrow margin. If it were not for advertising and things of that sort they could not exist. This is what was said in the *Kootenaian* of December 27, 1945, when the movement first commenced:

No wholesale deportation of our Canadian Japanese

We have lived with our Canadian Japanese in Kaslo for nearly four years, and we have seen them maintain their homes calmly under conditions that would have been the subject of much protest by any of the rest of us. We have watched neat, well groomed school children emerge daily from cramped, crowded family quarters, and we have noted the respect and companionship of our own school students for their Japanese classmates. We have worked in the same shop with a group of Japanese Canadian men, and have noted how naturally many of these have fitted into the business, industrial and athletic life of our city. We have seen professional and university trained men and women submit patiently to extraordinary restrictions in the war-time emergency just passed. We have noted the difference between the federal government's dispersal attitude toward our Japanese (as enunciated by Premier King in September of 1944), and the apparent total deportation policy of the coast men, entrusted by Ottawa with the handling of Japanese affairs in B.C. We have heard otherwise sane white residents of Victoria and Vancouver declare that every Jap should be driven out of Canada by force. And we have also read that excellent, fair and unanswerable letter which appeared in a recent issue of the Nelson *News*, where a Christian citizen, without bias in one direction or the other, points out our obvious duty as Canadians to fight any such Hitlerian action in connection with our Japanese, or any other racial minority.

Mr. GREEN: Is the hon. member aware of the fact that the editor was one of those who urged that the Japanese be brought in?

Mr. HERRIDGE: I am quite aware of that.

Mr. GREEN: And he came from the prairies.

Mr. HERRIDGE: I might say that this editor is a Liberal.

Mr. COLDWELL: With a small "l"?

Mr. HERRIDGE: With a small "l" as well. The editorial continues:

We review the issues which precipitated the war just over in Europe, and we wonder if these race haters actually think they can get away with such sectionalism in our young Canadian democracy. We look across the line to U.S., and note the comparative fairness of treatment of American Japanese, many of whom have been given full citizenship privileges, and all of whom were given an opportunity to enlist and to fight for the country of their adoption.

We note all these things, and many more, and we have decided that the anti-Japanese party in B.C. have never learned to view this as a national problem; their experience with Japanese competition, and their resultant dislike, has clouded their national vision.

The Canadian Japanese are ready to fight for their rights, and no less an authority than the Winnipeg *Free Press* sums up an editorial championing their fight against deportation, in the following paragraph:

"Neither the naturalization nor the immigration acts would appear to permit a general indictment to be made against Canadian citizens of Japanese birth, or even Japanese nationals resident in Canada. Each man, unless willing to go, must be tried and pronounced unfit to remain in this country."

Well informed Japanese Canadians have long since decided that their future as Canadian citizens depends on a dispersal throughout Canada. And the federal government should assign so many to each of the provinces with B.C. of course taking her quota. We firmly believe that their industry, thrift, cleanliness and adaptability will quickly win them friends wherever they go, and as a result our Japanese problem would solve itself.

I have had letters from people of all political faiths. I have received letters from dozens and dozens of members of the Progressive Conservative party in my riding, some of which expressed disappointment at the attitude taken by many of their own members. I have had letters from members of the Liberal party and from members of church groups, labour groups and from many other people. The point of view expressed by some hon. members is not a fair presentation of the situation. In the coastal region there are substantial numbers who are opposed to the return of the Japanese, but I would say that a great majority of the people in the interior would like to see the Japanese treated as Canadian citizens.

I wish to quote one or two authorities to hon. members opposite, particularly the Minister of Veterans Affairs who is so oratorical when it comes to the principles of Liberalism.

Mr. MACKENZIE: I have never deserted them, as my hon. friend did.

Mr. HERRIDGE: I never deserted the real principles of liberalism, with a small "l". The first authority I should like to quote from is, "Liberalism. Its principles and proposals." By Herbert Samuel, one of the great authorities of the Liberal party in Great Britain. I do not think anyone will question the authority of so prominent a Liberal. He has this to say on an issue like this:

That it is the duty of the state to secure ao all its members, and all others whom it can influence, the fullest possible opportunity to lead the best life.

And again:

The trunk of the tree of Liberalism is rooted in the soil of ethics.

The next authority is, "Liberalism" by L. T. Hobhouse, and I quote:

So far as elementary rights are concerned there can be no question as to the attitude of Liberalism.

It stands for the freedom of the subject.

In conclusion, I appeal to the government and to hon. members opposite to return to the principles of Liberalism. I appeal to them to be liberal in every sense of the word and give these people justice, give these people their rights. During the whole debate this evening the face of the Minister of Labour has been beet red and I am sure he has been uncomfortable.

Mr. MITCHELL: The speech my hon. friend is making would not turn any man's face red; it would turn it green.

Mr. HERRIDGE: My speech was not the occasion of the minister's face turning red; it has been red since nine o'clock. I ask the members of the government—and there are a lot of men on the opposite benches who think differently from some of the members from British Columbia—to consider this problem from the point of view of the Liberal principles which they profess.

Progress reported.

BUSINESS OF THE HOUSE

Mr. ST. LAURENT: I hope that tomorrow we shall make further progress in the committee.

It being three minutes after eleven o'clock, the house adjourned, without question put, pursuant to standing order.