

ative and plain ministerial statement on the subject before we discuss the other clauses.

Mr. FOSTER. I think that my two friends who have just spoken have not taken all the circumstances into consideration when urging the Minister of Justice to give off-hand, and with so little consideration as he has been able to give the matter, his views on the amended and the original clause this afternoon. I have no doubt at all that the Minister of Justice had at one time a very clear and decided opinion on both these clauses, but things have happened since he drafted them. Since he drafted that clause, which seemed at first as clear as possible in his cogitations over it, and not open to doubt at all, circumstances have occurred which have caused him to reflect. He saw at one time exactly the difference between clause 16 No. 1 and clause 16 No. 2, but since then some things have happened. Since then other opinions have been expressed, and the hon. minister may perhaps have been a little shaken in his original ideas. Since he looked into that drafted clause and brought all his legal knowledge to bear up it, the Minister of Customs (Mr. Paterson) has ventured an opinion upon it; and the Minister of Customs, when he ventures an opinion upon a measure, does it in a most emphatic way. And I have no doubt that when, two seats behind the Minister of Justice, he thundered out his views as to just exactly what was meant by clause 16 No. 1 and clause 16 No. 2, he upset the mental machinery and equilibrium of the Minister of Justice to a certain extent, so that we must allow for the state of flux that followed, and which has not yet probably run its course down to the final consistency that it will ultimately take. After the Minister of Customs got through, the Minister of Finance (Mr. Fielding) had something to say—or was it before that? In his most emphatic and cock-sure way, he just simply told this House and country that what those sections meant was the little end of nothing at the last end of the school hours of the day—only that and nothing more. That evidently perturbed the Minister of Justice as well. He was getting over it slowly, but yesterday the Minister of Finance actually rose alongside of him and said: I believe it yet; I stand to my version. That has also confused the Minister of Justice; and then, to add to his calamities, the hon. member for Centre York (Mr. Campbell), after a most thorough study of all the points of law, rose and declared his view to an admiring audience of his riding and the country at large. Now, let us have a little mercy. All these opinions, so clear, so well expressed, so strongly expressed, resting on such ample, cool and continued consideration, based upon a thoroughness of legal reading which nobody can deny—all these things have perplexed the Minister of Justice. All these

things mixed up the Minister of Justice. Give him time to collect his thoughts. Let hon. gentlemen on this side of the House be merciful. If hon. gentlemen opposite will stop up for a day or two and let the Minister of Justice think legally, he will probably, in the course of forty-eight hours or so, be able to gather his original ideas and re-enforce them so as to give us a fair definition. Some one might suggest that we could get out of the difficulty by calling on the Prime Minister (Sir Wilfrid Laurier). I am afraid that would not help us. We will really have to give the Minister of Justice time to collect himself, to arrange peace among these warring elements of dissent that have been pestering his brain, and, in due time, no doubt, he will give us a proper solution of what is meant. And when he does, somebody will assuredly take back water.

Mr. FITZPATRICK. I was under the impression that we were dealing with a very serious Bill.

Mr. FOSTER. I had thought so too until last night.

Mr. FITZPATRICK. So serious and important that, I understood, the whole of Canada was bestowing consideration upon it. But listening to the hon. member for North Toronto (Mr. Foster) one would think that the whole thing was a joke, a thing to be dealt with in the most flippant manner. So far as I am concerned, I want to have this legislation disposed of for it seems to me to be serious legislation. And I know no way to dispose of it so well as by conforming to the rules of the House. The rules require that on the second reading, the principle of the Bill and the provisions contained in the Bill should be explained. That is the rule I intend to conform with, so far as I can. So far as this section 16 of the Bill is concerned, it will be necessary to speak of it when it is moved and of the amendment when it is moved. But, as section 16 has not been moved and I am not moving it, I can see no reason why the discussion should proceed upon this matter which is not before the House at all.

Mr. FOSTER. We will give you time.

Mr. SPROULE. When we were discussing the principle of the Bill and came to clause 16—or perhaps, I should say clause 2 which materially affects clause 16—the hon. gentleman (Mr. Fitzpatrick) did not give us any explanation—

Mr. FITZPATRICK. I differ with the hon. gentleman (Mr. Sproule), though he has been in the House for twenty years as to the interpretation of the rules of the House. I think he is wrong when he says I was obliged to speak of an amendment to the Bill which had not been moved and