

As the Librarians have had the misfortune to differ from you in other instances—always a very regrettable and disagreeable thing in itself—they will not venture to offer any advice or opinion as to whether the Order in Council fulfils the conditions of the law.

We have the honour to be, Sir,
Your obedient servants,

A. D. De Celles,
General Librarian.
Martin J. Griffin,
Parliamentary Librarian.

To the Honourable
The Speaker of the Senate,
Ottawa-

I will not venture to express an opinion as to this conflict of powers between the executive and the Houses of Parliament; but would it not be the correct thing to ask His Honour the Speaker to examine into it, as he is the custodian of the prerogatives of the Senate, and make his report to the Senate by next session, since it would be too late for His Honour to give us his opinion at this time.

Hon. Mr. SPROULE—I have had something to do with the difficulties attending the filling of these appointments. I found there was a conflict of opinion between the Librarians of Parliament and the Civil Service Commission as to where the authority for such appointments lay. At my request it was submitted to the Justice Department, and speaking from memory, the Justice Department sustained the contention of the Commission, that the authority lay with the commission, that where appointments were made during the recess between the sessions of Parliament they must be made by Order in Council. I do not think the Justice Department dealt with this feature of it, that it was proper when Parliament reassembled to submit that point and have it concurred in by the House, the same as we do when appointments are made during the session. That was the information conveyed to me, and upon which I endeavoured to act for the remainder of my term.

Hon. Mr. POWER—This is, perhaps, one of these cases where an irresistible force comes against an immovable obstacle and some external authority has to be introduced.

CANADA SHIPPING ACT AMENDMENT BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill No. 21, An Act to amend the Canada Shipping Act.

The Bill was read the first time.

Hon. Mr. DANDURAND.

Hon. Mr. LOUGHEED moved the second reading of the Bill. He said: This is a Bill that was introduced in the House of Commons by Mr. Sinclair, the member for Guysborough. It is a Bill to which he has been peculiarly wedded, and being possessed of merits, the Government considered it necessary, for the purpose of passing it during the present session, to assume the responsibility for its conduct through Parliament, and accordingly did so.

Hon. Mr. POWER—Hear, hear. Good thing.

Hon. Mr. LOUGHEED—The Shipping Act at present is regarded, particularly by the maritime trade of the Maritime Provinces, as being entirely too restrictive with reference to the certificates which are issued from time to time to coasting captains. The present law limits the coasting captain to five degrees north latitude. That is to say, he is not permitted to clear his vessel for any point further south than five degrees north. The distance that a ship is allowed to go is governed entirely by the certificate the captain holds. It is needless to say that there are two classes of certificates, one which might be termed the deep sea certificate, which permits a captain to clear for any port in the world, and the other a coasting certificate. It is thought very desirable, therefore, to enlarge the powers of a coasting captain to exercise a very much wider latitude than that already given him under the Canada Shipping Act. I understand that a change was made before Confederation, or possibly after Confederation—I cannot at the moment direct attention to the particular point of time at which it occurred—and that restriction was adopted. It is very desirable that this be enlarged in accordance with the Bill which is before us. It is therefore proposed, instead of restricting a coasting captain to clearing for a port not further south than five degrees north latitude, that he should have a right to clear for a port not further south than 40 degrees south latitude, and this, it is provided:

—also means a voyage between any port or place on the western coast of Canada, and any other port or place on such coast, or on the western coast of the Territory of Alaska, or of the United States of America or of the western coast of Mexico or Central America or South America not further south than forty degrees south latitude."

I think Maritime Province men will appreciate the desirability of giving this additional power to coasting captains.