

formation that he had certain conversations, private conversations, with Mr. Sparks, and he relates these conversations at a time when the other party to them cannot by any possible means be heard.

One would have thought that this government had quite redeemed itself from the maladministration of which it was found guilty in this report by having passed an amending statute last session. I venture to say that two-thirds of the time taken up by the Prime Minister was devoted to an historical account of the great services rendered the country by this government, leading up to the introduction into and the passage through this House of a statute amending the smuggling provisions of the Customs Act. For this he takes great credit to himself and to his government. Well, I am going to review some of the facts connected therewith, but first of all I want to refer to the attempt he made to convey to the House the impression that the government had had a hard time getting that statute through against the opposition of the Tories. The legislation had a perilous passage through this House by reason of the opposition of this party, and it was almost beaten in the Senate where the Tories were against it. So says the Prime Minister. This is in keeping with the tactics of the Prime Minister in respect of all subjects with which he deals wherever he happens to go from one end of this country to the other. He knew when he uttered that statement that when the bill was before the House I as leader of the Conservative party spoke in support of it in every particular, and that I not only supported it but approved without any qualification whatsoever of the immense appropriation of \$350,000 which was asked for the purpose of enforcing the customs provisions of the country. The Prime Minister knows, as well, or he ought to know, that when the bill was before the Banking and Commerce committee of the Senate, an amendment to remove the clause which took away the power of remission was moved in that committee by one of his strongest supporters, Senator Belcourt, and seconded by one of the strongest, if not the strongest, representing him there, Senator Beique. The bill was in danger because of that amendment and the evidence—for I speak by the evidence—shows that in view of that danger Mr. Sparks came to the Minister of Marine (Mr. Cardin) and urged upon him that he go back and try his best to get the bill through. That minister offered to make an amendment which in the judgment of Mr. Sparks would have denuded the bill of any effectiveness, and for that reason

he refused to accept it. Accordingly he went back to the Senate and by his own efforts, with the co-operation of his association, he got the bill through. I refer hon. gentlemen to the evidence which is to be found in this respect (in pages 229 and 231) of the testimony. But after all, is the passing of this legislation, even with the approval of this side of the House, an approval with which I know the Prime Minister is not satisfied merely because there were certain inquiries as to its character in the course of its consideration in parliament—nothing but blind approval, three cheers and a tiger seems to suit the Prime Minister—is the passing of that legislation, I ask, an achievement worthy of an hour and a half of boasting? When all is said and done, is legislation any more than paper and parchment until it is enforced? And has the Prime Minister looked at the evidence to see what it discloses as to the work of his government in effecting that enforcement? I have that evidence. At pages 229 and 230 I find the following:

Q. How many prosecutions have been had under the amended act—A. The Minister of Customs the other day said six. I am inclined to think he was wrong; I think up to the first of the year only three. I say that because one of the cases the minister mentioned was not under section 219. I think only three.

Q. So far as you have been able to discover, only three?—A. Yes.

Q. You welcomed that amendment last year, Mr. Sparks, and your associates also, according to the rather eulogistic letters that have been written?—A. We certainly did.

These are the letters which the Prime Minister read.

Q. Have you experienced since that was passed, or have you observed the results, the beneficial results from that legislation which you expected?

A. The immediate results were very good. Smuggling stopped, and the deputy minister showed me figures showing an increase in customs receipts at border points, but that improvement did not last.

Q. How long did it last?

A. I wouldn't like to fix the time.

Q. Just approximately will do.

A. I would say it was effective for a month.

Q. That would be up to say the first of August or the middle of August, or around there?

A. I wouldn't like to specify.

Q. Do you infer that there has been a lapse since then back to former conditions?

A. I do not infer it; I state it because I know it.

Mr. DONAGHY: Will the right hon. gentleman permit a question? Has he read the testimony of chief inspector Wilson, where he swore there were 69 prosecutions under the amended act?

Mr. MEIGHEN: There may have been since this investigation was on.

Mr. DONAGHY: Is the right hon. gentleman aware that those prosecutions extended

over a period from the time the act came into force?

Mr. MEIGHEN: I know that. Three of them were up to the first of the year—the rest since the investigation.

Mr. DONAGHY: Will the right hon. gentleman be good enough to read Mr. Wilson's evidence to substantiate his last statement?

Mr. MEIGHEN: The hon. gentleman spoke for four hours and a half, and one would have thought he might have read it. The hon. gentleman will not be able to contradict what I have said this afternoon, no matter what evidence he may quote.

Mr. DONAGHY: Read the evidence.

Mr. MEIGHEN: A childish request. I want to make some comment, though, upon this pretension that a tremendous achievement is to the credit of the government in the passing of this legislation. One would think from the Prime Minister's speech that the poor government stood helpless without any legislative arm; that there was a law, doubtless passed by the Tories long ago, and it was worthless, the government could not stop smuggling under it; but they co-operated with this association, and as a result of that great co-operation—for which he has a letter of thanks from a prominent Liberal of Toronto—we have got this magnificent legislation. What about the Commercial Protective Association—of whose praise he was so proud because at first they approached this matter with confidence in the government, believing they had a pledge that something would be done, and they wrote the letters which the Prime Minister has read—what did this association say after a few months' experience of this administration, what did they say in their recommendations read to the committee? I quote the following:

In submitting recommendations to the committee urging that the Customs Act be amended, we wish to place ourselves on record by stating that in our opinion the Customs Act, even prior to the amendments of 1925, was sufficiently drastic in its provisions respecting penalties to have enabled the Department of Customs and Excise to cope with the evil of smuggling, and other forms of fraud, if the department had availed itself of the provisions of the act and had prosecuted offenders to the full extent of the law.

If the Prime Minister will look at the evidence of Mr. Sparks—which he did not go into the box to contradict—he will find Mr. Sparks declared—I will not vouch for the exact percentage from memory, but he said something to this exact effect, save the percentage,—that 90 per cent of all the smug-

gling which was going on could be prevented by a proper application of the law of the land.

A great deal of time was also occupied by the Prime Minister in his attempt to justify the government in respect of Bisailon. The Prime Minister stated that he was moved by a desire to be fair to this official and to be able to defend himself in parliament. The correspondence is all that is on record, all that was before the committee, and all that is before this House now, and we are bound in justice to that committee and in justice to all concerned to decide on the faith of the evidence alone. It shows that the Prime Minister demanded specific charges should be laid on the responsibility of Mr. Sparks or his associates before he would so much as appoint a royal commission to investigate the conduct of a civil servant. When he was told that this was utterly unreasonable, that the responsibility was not at all on any outsider to make these charges, that their responsibility was discharged when they brought certain facts to the notice of the department sufficient to justify inquiry, and when he was asked definitely if he adhered to the proposal that only specific charges on the responsibility of Mr. Sparks would be considered, his reply to the letter, written almost a month after the letter was received, was merely that it would receive "due consideration". This is the record as shown in the evidence.

Who ever heard before of the doctrine that a civil servant cannot be removed except after specific charges are laid before a royal commission? Who ever heard of any procedure such as the Prime Minister insisted on in relation to Mr. Bisailon? I ask how many members of the government sitting in front of me this afternoon ever appointed a royal commission before dismissing a civil servant. Not one. I put the question especially to the Minister of Agriculture (Mr. Motherwell). Will he name the party who laid the charges, will he name the royal commission whom he appointed to investigate specific charges before dismissing Dr. Torrance? I ask, why such solicitude for Mr. Bisailon, and why such brutality for Dr. Torrance? The Prime Minister said, Oh, we had to have a defence in parliament, we could not dismiss Bisailon without a proper investigation. I ask again, why was the investigation delayed until the end of November, 1925, why was it they could not get any evidence till then? Is any hon. member able to answer? Mr. Walter Duncan had been in their employ for years, he had been loaned to the Customs department from the Finance department, or rather he