

Where is the wrong? Lotteries are not sinful. No church, nor members of a church, would use or advocate them if they were. So we have to consider only the social side of the question. The problem has been rightly stated by the right honourable leader of the Senate. He said:

And it seems to me that a very serious responsibility is taken by a legislature which puts its imprimatur upon any practice, unless it is of the opinion that the practice is a good one or that a restricted sanction of it would be more effective than total prohibition in restraint of indulgence.

He added:

I know there is gambling in everything. The honourable senator behind me said that gambling is in human nature and we shall never get away from it. I believe that is true.

He concluded:

So far as I am concerned personally, nothing more need be said. We never can get the world perfect. Some argue that the sale of liquor should be entirely prohibited. They say that because liquor is not good for society we ought to make its manufacture and sale a crime and ban it wholly. Assuming their premises to be sound, it does not follow that their remedy is feasible. If the traffic cannot as a matter of practical executive authority be banned, it may be better to seek to control it within certain limits. Our purpose is not to encourage, but rather to restrain the traffic, and we find in practice that we can restrain it better by laws of control than by attempting total prohibition. I must say that in the last few years there has been ample justification for this view in the experience both of Canada and of the country to the south.

It has also been stated that we should not encourage our young men to believe that this is just as fine a way of making a living as any other. Is this not overstepping the mark? You may gamble on the stock market, play the races, drink, play the wheel at fairs, buy lottery tickets at bazaars, and this every day and as much as you wish, and there is no wrong, no danger of teaching our young men any bad habits; but let them buy a lottery ticket three or four times a year in a lottery controlled by the Government, and right there and then, these young men are morally and socially poisoned. This is a conclusion with which I cannot agree.

Surely honourable senators are aware that our laws against lotteries are openly violated every day. Millions of tickets are sold and purchased the year round, in Canada, and millions of good Canadian dollars are lost to our country. The sum has been estimated at four or five million dollars. This amount can be arrived at only when there is a fair chance to check figures, and if you take into account the large number of tickets sold and never accounted for, how many more millions

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will you find? It is an offence to purchase a ticket; so if any one is defrauded he dare not look for redress.

Is there a demand for lotteries, and is that demand growing in intensity from year to year? You have the answer right here in this honourable Senate. Two years ago this Bill would not pass the Senate, but last session it went through. It is true that it was defeated in the other House, but who can say what will be its fate this year?

There was a conference some weeks ago with the provincial governments, and for the first time at such a conference lotteries were on the agenda of matters to be discussed. It is true that there was no discussion on the question, but the statement was given the press that if it was brought before Parliament it would be an open question and members would be free of party allegiance in regard to it. What is the result? We have this Bill before us, and there is also one before the Legislature of the province of Quebec. Is it a satisfactory state of affairs to have a conflict between federal and provincial jurisdictions in regard to the criminal law?

I have here a copy of the Quebec Bill. Section 6 provides as follows:

6. Le pouvoir, attribué au lieutenant-gouverneur en conseil par l'article, 1, n'est exercé que si une loterie de la nature de celle visée par la présente loi n'est pas prohibée par un statut du parlement du Canada.

Ce pouvoir ne peut non plus être exercé, si le parlement du Canada autorise le gouvernement canadien à organiser une loterie générale dans tout le Canada pour des fins semblables à celles prévues par les dispositions précédentes.

Honourable senators can see what is coming.

Hon. Mr. LEMIEUX: Would the honourable gentleman kindly read in English the clause which he has just read in French?

Hon. Mr. MARCOTTE: I have not had a translation made, but I may be permitted to give my own.

The power conferred upon the Lieutenant Governor in Council by section 1 is exercised only if a lottery of the nature aimed at by the present law is not prohibited by a statute of the Parliament of Canada.

Nor can this power be exercised if the Parliament of Canada authorizes the Canadian Government to organize a general lottery in the whole of Canada for purposes similar to those provided for by the preceding sections.

The aim of the Bill is educational aid and public assistance.

Hon. Mr. McRAE: Would the honourable senator say whether that is a Government Bill?