

Mr. MEIGHEN: It is evidently more real though less flamboyant than that of the minister.

Mr. FIELDING: Let us hope so.

Section agreed to.

On section 6—Repeal:

Sir HENRY DRAYTON: Will the minister give us the effect of this?

Mr. FIELDING: That is merely the repealing clause.

Mr. MEIGHEN: Yes, but what are we doing by repealing these acts?

Mr. FIELDING: The old treaty was in part continued by the *modus vivendi*. All the old acts are repealed now and this will be the only French Treaty Act.

Mr. MEIGHEN: There is no revenue act repealed?

Mr. FIELDING: No, I think not.

Section agreed to.

On section 8—Suspension of inconsistent laws:

Sir HENRY DRAYTON: That is rather an omnibus section, is it not?

Mr. FIELDING: I think it is necessary there. It certainly can do no harm. It makes everything absolutely clear.

Mr. MEIGHEN: This clause 8 may have been used before, but I never saw it. "The operation of all laws inconsistent with the giving to the provisions of the said convention and of this act their full effect shall from time to time be suspended to the extent of such inconsistency." Really that is a pretty dangerous clause and would, I think, likely make lots of work for lawyers. If the minister has not that clause there at all then the ordinary rules apply—rules that have been interpreted times without number and as to which the law is clear: the specific overrules the general; where there is conflict, and nothing else to weigh on one side or the other, the last legislation overrules the former, and so on. Now, the benefit and effect of all those rules of law obtain to-day and would apply to this bill. Why does the minister want anything further?

Mr. FIELDING: My impression is that it is not an unusual thing to make a general clause suspending the operation of all laws inconsistent with the proposed enactment. It may not be necessary. The most I can say for it is that it makes assurance doubly sure.

If my hon. friend thinks it is gravely objectionable I would come back to it on the third reading of the bill and in the meantime have it looked into.

Mr. MEIGHEN: I have seen a clause to the effect that anything inconsistent is repealed, but I do not know that that has any real force. This is a new section.

Mr. FIELDING: This particular clause was the work of the legal advisers of the department. In view of what my hon.

4 p.m. friend has said, before the third reading of the bill is moved I will have the clause inquired into.

Mr. MacLAREN: Do I understand correctly that the special tariff applies only to goods that are imported directly through Canadian ports?

Mr. FIELDING: Yes. The provisions of this act as respects French imports are restricted to goods coming directly to Canadian ports. That clause was in our old treaty and is continued in this.

Mr. MacLAREN: And through our own ports only?

Mr. FIELDING: Goods may come through Great Britain, for example, or from France direct. If goods come direct from France or be sent via London, they are entitled to the benefits of the treaty; if sent by way of the United States they would not be so entitled.

Mr. MacLAREN: These goods must be imported through Canadian ports to receive the benefit of the special tariff. That being the case, and this treaty applying to other favoured nations, Japan, Switzerland and so on, will this condition also be required of the other favoured nations?

Mr. FIELDING: Yes, they can only receive the same privileges by accepting the same responsibilities. I may say to my right hon. friend (Mr. Meighen) that I find in regard to the omnibus clause that in the act respecting the old treaty of 1908, chapter 28, the following clause appears:

The operation of all laws inconsistent with the giving to the provisions of the said convention and of this act their full effect shall from time to time be suspended to the extent of such inconsistency.

So our legal advisers have merely copied the old clause. I think it can do no harm, it simply makes assurance doubly sure.

Section agreed to.

On schedule D:

Mr. MEIGHEN: There is only one schedule in the bill.