

9-10 EDWARD VII., A. 1910

Mr. STAPLES.—There is no provision to meet an emergency?—A. Except in cases of extraordinary emergency caused by fire, flood or danger to property.

Q. No other provision as to war?—A. No.

*By the Chairman:*

Q. Your idea is that the eight hour provision applies to contracts let in foreign countries as well as to contracts let in the Dominion?—A. I think so.

#### CONTRACTS LET OUTSIDE OF CANADA.

*By an Hon. Member:*

Q. We would not have jurisdiction outside of Canada?—A. No legislative jurisdiction, but the government as maker of a contract could insert stipulations regulating contracts in a foreign country.

*By the Chairman:*

It might affect the government power to contract outside. Clause one reads:—

‘Every contract to which the Government of Canada is a party, which may involve the employment of labourers, workmen, or mechanics, shall contain a stipulation that no labourer, workman or mechanic in the employ of the contractor or sub-contractor, or other person doing or contracting to do the whole or part of the work contemplated by the contract, shall be permitted to work more than eight hours in any one calendar day, except in cases of extraordinary emergency, caused by fire, flood, or danger to life and property.’

If his interpretation of the contract is correct, the government would be excluded from making a contract outside of Canada.

Prof. SKELTON.—In several states in the United States it has been provided that the law shall apply only to contracts performed in that state.

Mr. MACDONELL.—Our Bill should be confined to Canada. All these other Bills are confined to their respective countries.

#### WORKMEN, LAW WOULD AFFECT.

Prof. SKELTON.—Then take the third point, as to what workmen in the employment of these various contractors would be affected. It may be noted that, as the Bill stands, it appears to apply to all workmen in the employ of the contractor or sub-contractor affected, not merely to the men engaged on the government work, but to those employed on any private work in hand at the same time. Further, a possible, if somewhat strained interpretation, would mean that for both of these classes of workmen eight hours would be the legal limit of their daily activity, whether on government or private work, or even whether spent in the one contractor's service or not: that is, it would not be possible for a contractor to work the men eight hours on a government job, and then put them on a private job for two hours.

*By an Hon. Member:*

Q. That is, if they started in the morning on government work, and the contractor placed them on some private work in the afternoon, the eight-hour provision would apply.—A. Yes, that would apply if they worked any part of the day on government work.

*By Mr. Verville:*

Q. Then it would not be an eight-hour day on public work. The Bill states eight hours on public works.—A. That is the title of the Bill, but I think the wording of the body of the Bill is a little wider than the title, and it is simply the wording of the body of the Bill that I am considering. As I pointed out at the last sitting of the committee, a committee of the United States Senate discussing a

PROF. SKELTON.