

other place for 2A than right after 2. It cannot be before 2 or immediately before 4, and I do not think anyone, any court of law or any parliament, would find fault with section 2A being mentioned as it is in the resolution. My right hon. friend said that it was bad drafting to put a number like this in a constitutional act.

Mr. BENNETT: Having regard to the provisions of section 2.

Mr. LAPOINTE (Quebec East): Yes. While my right hon. friend was saying that I had before me the British North America Act with amendments up to 1927, on the very page facing me was the British North America Act of May 19, 1915, by which I saw that the British North America Act, 1867, was amended by adding thereto the following section, immediately after section 51 of the said act: 51A.

Mr. CAHAN: If you had inserted that there would have been no objection, but you have not inserted that. That is all. You have not followed the precedent.

Mr. LAPOINTE (Quebec East): My hon. friend from St. Lawrence-St. George also strongly criticized the words "the patronage of hotels, restaurants and places of amusement." He did not know what that meant. Of course in hotels and restaurants there are not only the rooms and the meals. I am sure my dignified friend from St. Lawrence-St. George does not go to night clubs and restaurants where they dance as well as dine, but people going there have to pay what they call a cover charge, whether or not they eat. They pay a cover charge for being there and watching the performance. It is to cover the cover charge, and other matters of that kind, that the word "patronage" has been selected. I may tell my hon. friend that this word has given a good deal of worry and trouble to the draftsmen, and it was after discussion and cooperation with the provincial law officers that this word was finally selected. I really believe it is a good word and will cover what they want—including the cover charge.

I thank the house for having allowed me to exceed the time at my disposal. My hon. friend the member for Parkdale (Mr. Spence) whom I see in his seat, threatened us that he would prevent the adoption of this resolution in the senate, and would even go to England or see that someone goes to block it there. I may tell my hon. friend that if he attempts that I believe his attempt will end in inglorious failure, and he would do better to come to another view. The whole object is

to allow cooperation in financial matters between the Dominion of Canada and the provinces, cooperation which is badly needed at the present time on the part of some provinces. As I have said already, we had no interest in it except to see that the credit of the country and the credit of the provinces were securely protected. In bringing in this resolution we want to make sure that it will withstand any attempt to declare it void, and it is better to ensure that by the passing of this resolution to-day than to fight the matter before the courts later on.

Motion agreed to on division.

Hon. ERNEST LAPOINTE (Minister of Justice) moved:

That a message be sent to the senate informing their honours that this house has passed an address to His Most Excellent Majesty the King, praying that he may graciously be pleased to give his consent to submitting a measure to the parliament of the United Kingdom of Great Britain and Northern Ireland to amend the British North America Acts, 1867 to 1930, and the British North America Act, 1907, and requesting their honours to unite with this house in the said address hereto attached.

And that the clerk of the house do carry the said message to the senate.

Motion agreed to.

WAYS AND MEANS

CUSTOMS TARIFF AMENDMENT

The house in committee of ways and means, Mr. Sanderson in the chair.

1. Resolved, that the customs tariff, being chapter forty-four of the revised statutes of Canada, 1927, as amended by chapter thirty-nine of the acts of 1929, chapter thirteen of the acts of 1930 (first session), chapter three of the acts of 1930 (second session), chapter thirty of the acts of 1931, chapters six and thirty-seven of the acts of 1932-33, chapters thirty-two and forty-nine of the acts of 1934 and chapter twenty-eight of the acts of 1935, be further amended by striking thereout subsection one of section six thereof and substituting therefor the following:—

(1) In the case of articles exported to Canada of a class or kind made or produced in Canada, if the export or actual selling price to an importer in Canada is less than the fair market value of the same article when sold for home consumption in the usual and ordinary course in the country whence exported to Canada at the time of its exportation to Canada, or is less than the fair market value or value for duty thereof as determined under the provisions of section thirty-six of the Customs Act, or is less than the value for duty thereof as determined by the minister under the provisions of paragraphs (a) and (e) of section forty-one of the Customs Act, or is less than the fair market value thereof as fixed under the provisions of section forty-three of the Customs Act, there shall, in addition to the duties otherwise established, be