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News from Ottawa

How and Why the Senate Amended Some Important Government Bills

(By The Guide Special Correspondent)

Ottawa, April 5.—Parliament was in session for but two days subsequent to the date on which the last letter to The Guide was written, but they were days of momentous importance. The happenings of the sittings of Monday and Saturday last will have a decided influence on the political developments of the future. It is without doubt unprecedented that a government fresh from the people should, in proroguing its first session, at the last moment find it necessary to strike from the speech from the Throne the references made to a couple of the most important bills of the session and to leave out of the list of measures to which Royal assent was given a couple of others. But that is what happened on Monday last when, just on the eve of prorogation, the bill to create a tariff commission and the Highways Act were left without mention in the speech placed in the hands of the Governor-General, and the bill giving a subsidy to the Ontario government's system of railways and Mr. Foster's Inspection and Sale act failed to receive the Royal assent.

The two first mentioned bills were allowed to die because the ministerial majority in the Commons would not agree to amendments made by the Senate; the third was slaughtered by the Senate on a vote, and the fourth was allowed to stand over at the request of Hon. J. A. Lougheed, government leader in the Upper House, because there remained no time for its consideration.

Little is likely to be heard of any of the bills which have fallen by the wayside, except the tariff and highway bills. These were government measures based upon speeches made by Premier Borden when leader of the Opposition. They were killed, as stated, because of amendments made by the Senate, which the popular chamber refused to accept. Assuming that the government is responsible to the people for its legislation it must be able to demonstrate that the Senate amendments afford good and sufficient reasons for abandoning bills which were based upon two important planks of Conservative policy.

The Action of the Senate

In regard to the Grain Bill the government gave way. It yielded to the demands of the Western grain growers—only when it became apparent that if it did not give in the bill would be slaughtered by the Senate. The Senators found themselves in the position of being the champions of the rights of the plain people. At the request, and with the encouragement, of the representatives of the Western grain growers they forced the government to give way. Then the highways and tariff bills came along and the question arises whether or not the majority in the upper house once more acted in behalf of the interests of the

mass of the Canadian people. In so far as the tariff bill is concerned, the answer to the question must be distinctly in the affirmative; in so far as the highways bill is concerned they at least stand on firm constitutional grounds. Let us examine them in turn.

The Senate's amendment to the tariff bill which the government, rather than accept decided to kill its measure, was as follows:

"Provided always that in all cases where any application for an increase of duty is made to the government the commission shall, in addition to reporting on the above matters, make a special report, which in the case of any industry established, shall state:

"(a) The number of factories now existing and the number of hands now employed, giving in each case the number of men, women and children respectively;

"(b) A list of the shareholders;

"(c) The dividends paid during each of the preceding ten years.

"(d) The wages of hands and the number of hours per diem.

"(e) The total amount of goods of the kind on which such increase of duty is demanded consumed in Canada, whether home-made or imported."

Desirable Information

The Senate gave as its reasons for this amendment:

1—Because the information desirable to be obtained is highly pertinent and germane to the objects for which alone the formation of a tariff commission is justifiable.

2—Because such information can easily be obtained at the time that the other information required by the preceding sections is being secured.

3—Because it is highly important in the public interest that the several particulars referred to in said amendment should be reported in the case of persons who are endeavoring to secure the imposition of additional taxes on the whole community.

4—Because, in the opinion of the Senate, the said special inquiry is relevant to the purpose of the bill.

5—Because the said inquiry and information is desirable and will not unduly hinder or delay the inquiry provided for by the bill.

The majority of the fair-minded people will be ready to admit that the Senate amendment was a good one and that the reasons advanced by the upper house for its inclusion in the bill were convincing. But the minister of finance declined to be persuaded. He decided to throw his tariff rag baby into the gutter rather than allow the Senate to mend a rent in its skirt. Both on Saturday and Monday when the Senate's proposals were being considered Mr. White gave his reasons at length for declining to accept the proposals of the Upper House. On Monday, after pointing out that the government had

agreed to accept three minor amendments which did not affect the scope of the bill, the minister of finance proceeded at considerable length to criticize the phrasing and construction of the amendment. He used rather strong language. He said it was irrelevant, useless and unintelligible; it would be a blemish on the statute books; it would make it necessary for the government to have a special inquiry whenever any person writes to the department asking for an increase in the duty; it would, Mr. White was certain, make the bill quite unworkable. Then he laid some emphasis on the fact that the Prime Minister had pledged himself to name a tariff commission and said that the Senate would have to take the full responsibility for the slaughter of the bill.

Cross-firing

Sir Wilfrid Laurier, who replied, had not proceeded very far before he located the weakest point in Mr. White's argument. The minister of finance, he said, had devoted the greater part of his speech to the argument that the amendment was not intelligible. If that was all that was wrong why not have a conference between the two houses to improve the phraseology. Surely the bill would not be thrown out because the minister of finance did not like the grammatical construction of the Senate amendment. Sir Wilfrid then went on to argue that Mr. White's objections were but verbal quibbles and that the meaning of the amendment was quite clear. But none were so blind, he said, as those who did not desire to see and the minister was affected with that kind of blindness.

"But," said the Opposition leader in conclusion, "we understand the object my honorable friend has in objecting to this amendment. He will not have this information go to the public whenever an increase in the tariff is asked for; that is the reason. I do not think I do an injustice to my honorable friend when I say that he is opposed to having this information go to the public. Well, in my judgment, this information is not only important but extremely useful. My honorable friend has said that the Senate must take the responsibility for killing this bill. For my part I shall be glad to share the responsibility with the Senate. The government has introduced this bill they say to redeem a pledge which was given by them that such a commission should be appointed. Mr. Speaker, there is a way, and a way, of implementing promises made at election times. Here is a commission which, according to a statement made by an important member sitting by the side of the minister of finance, the member for St. Antoine (Mr. Ames) told us they would have nobody on that commission but men in sympathy with the views of the government. Under the circumstances it was questionable in my mind whether such a commission, composed of partisans, as we were told it was to be composed, would be at all conducive to the good which my honorable friend says he anticipated from it. I have something to say in conclusion to my honorable friend—I do not know whether the Senate will agree to the suggestion or not—but if as a conse-

quence of the motion before the House and which I suppose—and it is not a very violent supposition—will be passed by the majority sitting behind the minister of finance; if the result of this motion is that the bill is to be killed, I say to my honorable friend that it would not be an unmixed misfortune; on the contrary, in my judgment, it would be an unmixed blessing."

Sir Wilfrid's criticism aroused Mr. Foster's ire and he closed the debate with a short speech which was quite reminiscent of his opposition days. There was no attempt on Mr. Foster's part to repair the damage done to Mr. White's armor by the leader of the Opposition. He just told the members of the Upper House with the usual number of superlatives that they belonged to the unpopular branch of the chamber; that they had no right to interfere with the legislation of a commons just recently elected and that they were the heelers and hirelings of Sir Wilfrid Laurier. The responsibility, he declared, in ringing tones which caused loud Conservative cheers, was all Sir Wilfrid's and he was going to be made to suffer for it. "We are very glad to let him take the responsibility if he wishes; let him take it as he must, and let him suffer by it as he will."

As no one rose to reply, these were the last words spoken on the subject. Mr. White's motion to reject the Senate amendment was passed and the tariff question reverted in a trice to the position in which it was when the session opened.

The foregoing summary contains all the essential points bearing on the deadlock and its final result. And the question now is: who must bear the responsibility? The government would undoubtedly have immeasurably improved its position by having a conference with the Upper House. A really astute political leader would undoubtedly have taken this step even at the risk of postponing prorogation proceedings for a day. On Monday morning bets were offered at even money that the government would not sacrifice its first healthy offspring for the sake of this apparently improving amendment. Did the government decline to sacrifice its legislation, because, as charged by Sir Wilfrid Laurier, it is not willing to have information in regard to shareholders and dividends made public? It would almost seem so.

The Highway Bill

And now as to the Highways bill, the second constructive piece of legislation which received at least a temporary knockout. As briefly explained in a former letter this bill provided for the federal assistance in the construction of roads. That the object is a good one, all will admit. When the bill was introduced Hon. Frank Cochrane, minister of railways, assured the House that while the plans of the government were not all completed it was proposed to divide the federal monies voted between the provinces on the basis of population. This was a declaration of principle which the government, however, would not consent to put in the bill, which when it was introduced contained a clause giving the federal

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