

men, some who were lawyers and some who were not, with the greatest assurance that they were right and that every one else was wrong. Why, even the Minister of Trade and Commerce (Sir Richard Cartwright), though disclaiming to be learned in the law, thought that as a man of common sense he might venture his opinion, and he did. His opinion was that as these were not preferential in their nature, that as they were wide open, so to speak, and for the acceptance of all under conditions which were specified, they did not partake of the nature of discrimination, and consequently they were not in violation of those treaties, and would not so be held. The hon. gentleman differed from some of his colleagues as to this legislation. On the one hand, many of his colleagues declared then and have declared since that this was preferential legislation, a preference for Great Britain alone; but the Minister of Trade and Commerce declared that it was not preferential in essence, that it was not meant for Great Britain alone, but was open to the whole civilized world. He says :

But I say with respect to the offer we now make, that it is not a preferential offer at all in the true, legal sense of the word. That offer is open to all the whole world. The Americans may avail themselves of it, and so may the Germans and the Belgians. The whole world are welcome to avail themselves of it on the same terms and the same conditions on which England may take advantage of it.

And then in another part of his speech, he says :

If the Americans were willing to give us full and fair reciprocal advantages, I would recommend trading with them for the benefit of Canada and the Empire, too; and I think the hon. gentleman (Mr. Foster) may find out before he is many years older that very probably, although I admit it is a little round-about way, this is not a bad way to get it.

So that the Minister of Trade and Commerce had this idea, that it was not meant for England primarily or particularly, but that it was open to the whole world, and that under its operations he expected to compass the round of the nations, taking them in one by one, and amongst them, and not the least, the United States of America as well. But, Sir, the right hon. gentleman who leads this Government gave his legal opinion, too. Of course, the hon. gentleman has been a long time engaged in politics, and political strife is not very consistent with the daily duties and readings of a law office; but such knowledge as he had, and such legal lore as he could summon, were brought to bear upon this question, and when I asked him across the floor of the House if he would tell the House before we were called upon to vote whether :

He considers that if this resolution passes and becomes law he is bound to give the same treat-

ment to Belgium and Germany and other countries that have with Great Britain most-favoured-nation treaty clauses ?

He said :

If you want my answer now, I decidedly say that it does not apply to either Belgium or Germany.

But, Sir, the climax was reached when my hon. friend the Minister of Marine and Fisheries (Sir Louis Davies), as the legal luminary and Ajax of the party, set his gigantic legal intellect into evolution, and forcibly—speaking in the physical sense—made his points, one by one, to the discomfiture of all opponents, and of the Law Lords of Great Britain. He said :

I thereby submit that in the face of our customs autonomy, and in the absence of any such restrictions as exist in the Australian Constitutional Acts, and in virtue of the limitation on the treaty-making powers of the Crown, and the absence of Imperial and colonial legislation giving effect to these treaties, they do not apply to Canada. * * * * I say that this resolution neither discriminates nor differentiates, it attaches no terms which are not common to Great Britain and to all countries, and if Great Britain's fiscal system entitles her, as it does, to the immediate benefits which are daily flowing from the acceptance of our conditions, and if Germany and Belgium do not get the same advantages now, it is not because of our legislation or our offer, but because of their own refusal to comply with the conditions which we have put in our offer.

And when the hon. leader of the Opposition ventured to say that there had been some little legal argument made upon this side of the House, my hon. friend rose indignantly to reply :

He was supported in his position by the other Ministers, some of them, not altogether undistinguished as lawyers in the locality from which they come.

Of course, not comparing with my hon. friend, but then they were not altogether undistinguished. But he said :

Can the hon. leader of the Opposition produce the opinion of a prominent lawyer, or even of a fledgling lawyer, endorsing the absurd and ridiculous statement? He, the leader of the great Conservative party, is, I am proud to say, alone in the position which he takes.

Well, Sir, this legal Ajax of the Government took himself, and his arguments, and his title, and went to London. He argued the case forcibly and learnedly before the Law Officers of the Crown. He urged all that he had urged here, and I suppose a great deal more. And, Sir, what was the result? That after a little time the answer came, and a tolerably distinct answer it was. The Law Officers advised :

That the Crown is bound by the German and Belgian treaties in respect of trade between these countries and Canada, that the obligation in these treaties that the produce of Germany and Belgium shall not be subject to any higher or other duties than those which may be im-