

And whereas it is deemed expedient for the security, defence, peace, order and welfare of Canada that provision should be made for the orderly reinstatement in their previous employment of such persons aforesaid.

These words were incorporated in the preamble to take care of the point raised by the hon. member for New Westminster.

Mr. REID: I am glad that has been done, because it may pave the way for further social legislation.

Mr. COLDWELL: I should like to address a few brief remarks to the Minister of Pensions and National Health. I hope he does not misunderstand the temper of those of us who are discussing this matter.

Mr. MACKENZIE (Vancouver Centre): No.

Mr. COLDWELL: He spoke with considerable heat just now. I want to assure him that so far as we are concerned we want to give every cooperation we can to the solution of these problems. We are not discussing them from a partisan point of view at all. I do not care who gets the credit for doing some of these things that need to be done; I just want to express my opinion as strongly as I can that certain things should be done.

I agree with the hon. member for New Westminster that the men who are in the line, on the sea or who fly, are subject not only to many dangers but to a mental strain that few of us realize. I shall not forget the night we spent at a bomber station. You will remember it quite well, Mr. Chairman. I can still see the strained look on the faces of those young men who were flying over Germany night after night. Many of those boys will come back unable to cope immediately with civilian life, and we want plans prepared to deal with every situation that may arise.

The minister said a few moments ago that we were doing more in Canada than was being done in any part of the British empire. I am not going to dispute that statement. I was just a little bit disappointed with what I found in Great Britain in that regard. I am just going to make that statement and go no further. I think I know the reason why, but I shall not discuss it. I do not want to see our country, no matter what may happen in other parts of the commonwealth, fail to prepare for this post-war condition. I warmly support the hon. member for Lake Centre (Mr. Diefenbaker), the leader of the opposition (Mr. Hanson), the hon. member for Essex East (Mr. Martin), and others who with us have urged—

Mr. HANSON (York-Sunbury): The hon. member for Davenport (Mr. MacNicol) suggested it first—

Mr. COLDWELL: —upon the government the establishment of a committee to study the situation and prepare for the post-war condition. This is not showing a want of confidence in what is being done now; it is simply that we want to feel that we are doing our part in making these preparations for the circumstances that will arise hereafter.

Mr. HANSON (York-Sunbury): I just want a moment to deal with the constitutional point which has been raised. I had it on the tip of my tongue to raise this yesterday, but I did not want to interject into this discussion a question which might be deemed to be outside the purview of the intent of the bill.

I should like to point out to the minister certain decisions of the Supreme Court of Canada, and especially of the privy council, on this question of the use of the powers under the British North America Act in connection with peace, order and good government. What is the pith and substance of the legislation? That, in the final analysis, is the criterion which the privy council has applied to legislation of this kind. In war time there is no question that this legislation is constitutional, but having regard to the decisions that have been made as to the conferring of legislative powers upon the federal parliament under that general clause of the constitution, which I think is right and properly used in given cases, the fact remains that the decisions of the privy council have narrowed and whittled them down until they could not be applied. We found that out in connection with the legislation for the so-called new deal. I may tell my hon. friend that some of those decisions were a great shock to me. I redrafted the preambles of two or three of those measures to strengthen if possible in the recitals the legislative jurisdiction under the peace, order and good government clauses of the constitution. I thought we had gone the whole limit and that we were on entirely safe ground, only to find out that notwithstanding the magnificent judgment of the chief justice of this country, the privy council had narrowed the viewpoint down to the old pith and substance principle. My hon. friend may find that that may happen here. I hope that will not be the case. If the ministry is going on with this bill I hope no one will attack it after the war on the grounds of constitutionality. I agree with the justice of this bill, but I am just pointing out a possible danger.

Mr. MACKENZIE (Vancouver Centre): May I be allowed to inform my hon. friend