

*Succession Duty Act*

Mr. CHURCH: Section 60 enables the government to enter into an agreement with the provinces respecting valuation and other matters affecting administration. Ontario is one of the provinces which has contributed such a large share of income tax to the federal treasury. Has the minister had any conference or agreement with the Ontario government regarding these duplicate death duties and rival methods of collection? Has he had any conversations with them or their ministers or officials? Has the minister consulted the Department of Justice as to the power of this parliament to enter into an agreement regarding death duties, which come within the definition of property and civil rights in the provinces, real and personal estate, which, in turn, are under the control of the provinces? Has the government considered whether the crown in the name of the dominion can collect the same death duties from the same property as the crown in the right of the province? The crown is indivisible. What has been the reply of Ontario? We were told this morning that they are taking the 15 per cent tax to the law courts. Has the government conferred with the government of Ontario about an agreement in connection with the administration of this measure? With whom did they confer, and when; and what is the agreement? Will all the papers be tabled, for the information of the committee?

I contend that when we are dealing with a bill like this we should follow the practice adopted in Washington, and have it considered by a committee of ways and means. There are some able men on the government benches, and it is a pity that men of their ability, men with their learning, experience and understanding—and I know them all pretty well—do not have an opportunity to look into this matter in such a committee. It is too bad we have not a municipal system, like the one they have in Washington, where the committee of ways and means would be given the work of considering a measure of this kind, and not just passing what our officials bring down.

I do not believe it is in the interests of patriotism to remain silent while all this is going on. I am supporting the government generally in its war effort. No hon. member would want to have the responsibilities of those two hon. gentlemen on the front benches. I know they have a tiresome, wearisome and thankless job. But in the name of a few of the old guard of the Conservative party I protest against the policy which has been employed here. It is a policy which is leading toward general confiscation of the wealth of

[Mr. R. B. Hanson.]

the provinces, and of private property—two separate death duties, with overgovernment and overtaxation.

What has been the reply of the Ontario government? Whom did the federal authorities meet? Did they meet ministers or deputy ministers? Has an agreement been proposed, and what has been the reply?

Mr. GIBSON: No meeting has been held with Ontario with regard to entering into an agreement under this section, because this measure has not yet been passed, and there is no authorization to enter into such an agreement with any province until it is passed.

Section agreed to.

On schedule 1.

Mr. ILSLEY: There are two clerical errors in this schedule as printed. On page 25 of the bill the figures "55,900" in the first column should be "55,000." Then, on page 27 at the bottom of the third column the figure should be "10." At present there is a blank. I would ask that those clerical changes be made.

Schedule 1 as amended agreed to.

Schedule 2 agreed to.

Mr. MacNICOL: Mr. Chairman, I was out of the chamber when section 15 was discussed, and I should like to discuss it at this time.

The CHAIRMAN: Mr. MacNicol moves that we revert to section 15. Is it the pleasure of the committee that we revert to section 15?

Motion agreed to, and the committee reverted to section 15.

On section 15—Filing statement.

Mr. MacNICOL: I should like to ask the minister about a case which came to my attention some years ago. The family I have in mind lived up-country, in a small community. It consisted of three persons, whom we shall call A, B and C. The parents were dead. A died without a will about fifteen years ago. Ten years later, or about five years ago, B died. Two years ago a legal friend of the remaining member of the family C, asked C if the affairs of the two deceased members of the family had been settled. The reply was that they had not. "Well," he said, "I think you ought to have it settled up." He did so, being the only remaining heir. The court appointed him administrator, and everything came his way.

If such a condition arose after the passage of this measure, under section 15 would C be subject to a fine or penalty?

Mr. HANSON (York-Sunbury): He is a successor, and he certainly would be.