

behalf of Canada. The people of Canada do not desire that we shall in the slightest degree break faith with the West Indian colonies. Under the agreement, if we simply ratified it, the goods enumerated in schedule B, which were the produce or manufacture of any of the colonies named, would have certain preferential rights when brought into this country, no matter how they were brought in, no matter from whence they came, whether they came direct or otherwise. My hon. friend solemnly agreed to that on the part of Canada at the conference which was held in Ottawa last year. Now, he seeks to withdraw from that and he seeks to have this Parliament say: No, the privileges which were granted to you under section 2 of the treaty cannot be conceded by Canada unless you ship direct into Canada. I certainly think my hon. friend has not given an explanation that will be found satisfactory. He has given an explanation that harmonizes his proceeding with the law of the country, but it is not in harmony with the well-understood interpretation that should be given to international agreements or treaties. He is seeking now to take advantage. My contention is that this committee should not seek to change, or modify, or restrict, or alter, even to the crossing of a t or the dotting of an i, the agreement into which Canada solemnly entered.

Mr. BORDEN: It seems to me that the matter under discussion by the committee can be summed up in a very few words. This is a Bill to approve of an agreement between Canada and certain of the West Indian Islands, and it is necessary under the terms of that measure to make certain arrangements in connection with the customs law of the country. At the present time goods imported from the West Indies are regarded as direct importations if they are landed in a foreign country, but not warehoused there and when shipped into Canada. The Bill now before Parliament must be construed in regard to the customs laws of this country as they exist at present, and the Orders in Council made under the provisions of the Customs Act and having the force of law. The position, therefore, at present is, that, under the laws of Canada, including Orders in Council having the force of law, goods coming from the West Indies to New York, for example, brought direct to Canada, without being put into warehouse, are regarded as direct importations. The object of this agreement is to vary the rate of duty to be imposed upon goods coming from the West Indies to Canada. The object is not to vary the law in any other respect. Goods coming into Canada at the present time under a certain rate of duty in the past have been regarded as

direct importations. Goods coming into Canada in future under the rates of duty and arrangements provided by this agreement shall equally be regarded as direct importations. These acts are all cognate to each other and must be construed together. I therefore respectfully suggest that the Bill means exactly the same thing as if, after the word 'direct' in the seven'eenth line of the Bill, you had included the words 'under the customs laws and regulations of Canada as at present existing.'

Mr. DEVLIN: Then what becomes of section 9 of the Bill?

Mr. BORDEN: It remains part of the Bill.

Mr. DEVLIN: Exactly, but it is inconsistent with what my right hon. friend is suggesting.

Mr. BORDEN: I think it is not inconsistent; at all events, I am not up to the present time aware of any reason why it should be regarded as inconsistent, excepting what my hon. friend has urged.

Mr. DEVLIN: If my right hon. friend will allow me, section 9 reads in this way:

The operation of all laws inconsistent with the giving to the provisions of this Act and of the said agreement their full effect shall from time to time be suspended to the extent of such inconsistency.

My right hon. friend has just said that if there is any provision inconsistent with the tariff law, the tariff law remains in force. That is a direct contradiction of section 9 of the Bill.

Mr. BORDEN: I was not aware that I had used any such expression as that which my hon. friend has mentioned. I simply said that if we imported goods from the West Indies as direct importations under the statute and under regulations that have the force of statutes, this legislation does not change the law or usage in that regard.

Mr. DEVLIN: But if it does?

Mr. BORDEN: But it does not. If it did we would consider it, but, as a matter of fact, it does not.

Mr. DEVLIN: Why put in section 9 at all?

Mr. BORDEN: There are changes which make such a provision desirable, but there is no change in this respect. I am dealing with section 3 at the present moment.

Mr. EMMERSON: If this Bill simply contained a clause ratifying and confirming an agreement, such as the Japanese treaty, and then set forth the agreement, does my right hon. friend contend that under sec-