

its inception, and the other legislation of 1935 much of which the government of the Prime Minister (Mr. Mackenzie King) placed before the courts with a view to determining its constitutionality and much of which was declared to be beyond the powers of parliament.

In that connection let me mention that the party led by the Right Hon. Mr. Bennett had the reforming zeal. It brought in the Weekly Day of Rest in Industrial Undertakings Act, the Minimum Wages Act, the Limitations of Hours of Work Act, the Dominion Trade and Industry Commission Act, the Employment and Social Insurance Act, The Natural Products Marketing Act, and various other measures to which reference need not be made at this time, but many of these acts when submitted to the courts were found to be unconstitutional.

While I have no hesitation in saying that I am going to support the principle of this bill and get behind the carrying into effect of any bill, brought in by any party in this house, which I believe is for the welfare of the people, I reserve to myself the right to place before this house and the people of Canada as a whole my views with respect to this legislation as it is presently constituted. It was said in 1935 by the Prime Minister himself that Mr. Bennett was introducing the legislation that was then brought in for the purpose of getting votes. No one was more persistent in his demand that those acts then brought in should be constitutional than was the Prime Minister of this day. No one spoke in more fulsome tones of the necessity of upholding the constitution of the land than did he. Over and over again, he called upon the government of that day to secure the opinion of the Supreme Court of Canada in respect of that legislation. I am not going to read the provision in question; it is set out in section 55 of the supreme court act, chapter 35, and gives to the government the right to submit questions of law or of fact touching the interpretation of the British North America Act as may be referred by the governor in council to the supreme court for hearing and consideration.

I am going to deal with that phase a little later on because I believe that the Prime Minister, having stated that the operation of the act is not to come in until the 1st of July, 1945, and having denied that there is any ulterior purpose in postponing the date when these payments are to be made, must have some of the fears of the constitutionality of this bill that he expressed in 1935 as to the constitutionality of the measures then introduced. This bill is little different in its operation and effect from and is analogous with

the old age pension act. The old age pension act provides for payments to persons of seventy years of age under certain circumstances. This act provides for payments to parents or others having the custody of certain children; the matter of age being of very little importance in the principle at issue. Over and over again the Prime Minister reiterated in this house in 1935, in 1931 and in 1926 that this parliament did not have the power to bring into effect a national old age pension act whereby the dominion would pay total pension without securing an amendment to the British North America Act. My submission is that if the Prime Minister was right then, like principles apply in the interpretation of the present measure.

But before I go on to deal with the constitutional issue, let me refer to one other matter. I want to see this legislation made effective and operative. I want to see brought into parliament legislation that will banish the sense of fear and insecurity among the poor of the country. I want to see legislation when it is introduced which will not only promise a hope on July 1, 1945 but which in 1944 will assure its fulfilment before the election and which will be known to be constitutional and within the powers of parliament.

I do not believe that, because members happen to sit on different sides of the house there is any one of us, regardless of his lifetime of service, who can claim a monopoly of love and affection for the common people. I can look back on my own youth and say that in my opinion most of us can claim to belong to that group honoured by the Prime Minister the other day as the humble poor. We want to see that the standards are elevated. Suggestions have been made by labour that this legislation will be taken advantage of by unfair employers to freeze the level of wages at a low figure by reason of the extra income that will come should this act be put into effect. I believe the parliamentary assistant to the Prime Minister said that was not the case in Australia and New Zealand. But the situation there is different from ours. In one case the state is unitary and in the other there is a joint control body over the question of minimum wages. In this country we have nine different minimum boards or controls, wages in one province being lower than in others. I have read a great deal on this subject, and the experience in some countries has been that wages tend to be set at a low level by reason of the fact that a family bonus is in existence. The evidence before the price spreads commission indicated that in this country there is not a fair level of wages from the Atlantic to the Pacific. Nor can there be until the Depart-