

of the government to take the course it did here, because the Act says :

If the judge reports that such trust, combination, association or agreement exists, and if it appears to the Governor in Council that such disadvantage to the consumers is facilitated by the duties of customs imposed on a like article, when imported, then the Governor in Council shall place such article on the free list, or so reduce the duty on it as to give to the public the benefit of reasonable competition in such article.

That is apart altogether from the question as to whether proceedings should have been instituted under the criminal law. The hon. member for North Toronto (Mr. Foster) has read from the new law, in which the word 'shall' is done away with, and the word 'may' introduced.

Mr. LENNOX. They both mean the same thing.

Mr. E. M. MACDONALD. I know as a lawyer, my hon. friend knows as a lawyer, that sometimes the word 'shall' may be taken to mean 'may,' but I say that where a duty is placed on the government by statute, and it is said that such and such a thing 'shall' follow, my hon. friend will not find that the word 'shall' has any other meaning in the eye of the law, or in the interpretation put on it by a court of justice, than 'shall.' My hon. friend says that 'shall' means 'may.' I say that we would find my hon. friend arraigning a government if the government did not take the course laid down. My hon. friend says that they should have taken criminal proceedings instead of taking the course laid down under the statute, which I say was imperative, that being an executive act following consequently upon the finding of the fact, and my hon. friend knows that they would have been open to criticism if they had not set the law in motion. My hon. friend is too good a lawyer not to know that the newspaperman, who had the two remedies open to him, could have initiated a criminal proceeding. But instead of proceeding that way, they proceeded under the Tariff Act, and the matter reached that stage when the government were bound to act and did act. I think that if the government had not acted as they did, the hon. gentleman would have been the first to complain.

Mr. HENDERSON. Could the Minister of Customs inform the committee what the effect of this action was? Did it result in the newspaper men getting cheaper paper?

Mr. JOHNSTON. Yes.

200. Pulp of wood, or of straw, 15 per cent, 22½ per cent, 25 per cent.

Mr. BERGERON. I think there ought to be an export duty upon pulp wood. Some time ago I asked if it was the intention of the government to impose such duty, and I was

Mr. MACDONALD.

answered that they would take it into their consideration. I think it is in the interest of the country that there should be an export duty upon pulp, or pulp wood. The Americans are obliged to come here to get that wood, and they get as much of it as they can. I understand they import over a million cords of such wood. They pay for it here six or seven dollars a cord, they take it over to the other side and manufacture it into paper, much of which they send back to Canada and sell it for four or five times as much as they paid for the raw material. We are sending away many carloads of that wood. In the summer, barges full of it go up the Chambly river. I am told that if an export duty was imposed some of our people could not sell their wood. I do not think that would follow. Instead of our people selling their pulp wood to the Americans, we would have large factories established in Canada where the wood would be converted into pulp and then into paper. We have some already, and I think we would have more. It seems to me bad policy to allow this wood to be carried away. The operation of cutting it lasts only five or six months in the year, whereas if the wood was kept at home and manufactured into pulp and paper here, it would give employment to men all the year round. We all know that a cord of pulp wood is worth six or seven dollars; the pulp itself is worth twelve or fourteen dollars a ton, and when it is made into paper it is worth \$25 or \$30 a ton. Now all that money goes over to the States, whereas it should remain here. Again I call upon the Minister of Finance to say why the government does not impose an export duty upon pulp wood. I think his attention has been called to it before this.

Mr. FIELDING. As I had occasion to say a moment ago in answering the hon. member for Argenteuil (Mr. Perley), I will say now, this is a deep question, rather too deep for us to discuss at this late hour of the night. I will not undertake to argue with my hon. friend, or to express any opinion on the merits of the question, further than to say that up to the present time the government have not seen their way clear to impose such a duty. As to what may be done hereafter, I offer no opinion. There are two sides to the question. My hon. friend presents a view which has a great deal of force, on one side of the question. The other side of the question is, that if my hon. friend were a small land holder along anywhere within a reasonable distance of the American border, and were clearing up his land and trying to eke out a difficult living, he would feel that any policy which interfered with his right to sell his own wood where he pleased, was open to grave objection. I am putting this case, not because I adopt it, but merely to show that there are two sides to the question. In some cases this pulp wood is cut on lands owned by the provincial governments, and