

ple when they got together. The word 'direct' means what a dictionary says it means, and the language of this Act would mean what it would be interpreted by a court to mean. If my hon. friend wants the word 'direct' to mean something different from what it means in this Bill he should provide an interpretation clause in the beginning in order to make it clear that the word 'direct' means something different from what it would mean under ordinary circumstances. Let us look at its meaning from the standpoint of the English language and we are to interpret this treaty not by what these gentlemen thought they were talking about but by what was put into actual language. We are to interpret this Bill not by what anyone, whether it is the Minister of Trade and Commerce, the Commissioner of Customs or the Law Clerk, may say is its meaning, but we are to interpret it in the way in which a court would interpret it, and the only way that a court would interpret such a law as this is by what it says. It says that duties shall be levied, collected and paid when such goods are imported direct from any British country.' What does that mean?

Mr. PARDEE: Could not an American importer import them?

Mr. MACDONALD: It means that the goods must leave that country to come to Canada and that they must come direct because the Act says that they must come direct. It does not mean that there is any intermediate country through which they may come but it says that they must come direct.

Mr. FOSTER: That is not the meaning that the customs put upon it.

Mr. MACDONALD: I do not care what the Commissioner of Customs or the Law Clerk says. I venture to say that there is not a court in this country, if it considered that Act, but would say that it meant that the duties were to be collected on goods that came direct. If we are going to have any different interpretation put upon this Bill, this House should hesitate in regard to the matter. Are we going to adopt a trade arrangement between Canada and the West Indies and then be told that this specific preferential arrangement is to be extended in the future to the trade that comes through the United States? What will my hon. friend from St. John have to say to his constituents, what will the hon. Minister of Marine and Fisheries have to say to his constituents, if they go back to St. John and say: We have concluded a treaty with the British West Indies by which we give them an extensive preference in order to encourage trade, but this preference does not mean that you are going to have the advantage of this trade on your

Atlantic seaboard as they are going to import through the United States, just as they have always done because, although this statute says that the goods must come direct into this country, another person, some gentleman in the customs, is of the opinion that it does not violate the law to say that the Act means what he thinks it does and not what the statute says. There never came before the House of Commons any trade arrangement submitted in such a condition as this proposition is. My hon. friend is in this unfortunate position—and I do not blame him for it personally—that he has come before Parliament with an Act drawn in such a ragged, incomplete way that he is inviting the House to adopt something that was never agreed upon by the parties to the agreement. Not only is he asking us to violate the ordinary meaning of the English language by the insertion of a phrase that can only have one meaning in order to comply with the request of the Commissioner of Customs, but the agreement is further violated by subsection (b). Subsection (b) says that the duties shall be levied and collected—

—at the several rates of duty, if any, set opposite to each tariff item respectively in the column 'British Preferential Tariff' in schedule 'A' to the Customs Tariff, 1907, and in any amendment thereof, whatever shall be the lower rate.

These words are not found in the treaty at all. I do not know where the Commissioner of Customs or the Law Clerk found them, but they are being put in the statute, while the treaty with the West India islands which has been solemnly drawn up and signed by the representatives of these different islands contains this provision and this provision only in regard to the limitation of duties.

On all goods enumerated in schedule B being the produce or manufacture of any of the above-mentioned colonies imported into the Dominion of Canada, the duties of customs shall not at any time be more than four-fifths of the duties imposed on similar goods when imported from any foreign country.

There is not a word in the whole treaty with regard to the British preference and the application of the British preference to this matter. Where my hon. friend, or the Law Clerk, or the Commissioner of Customs, found that, I would like to know. It is not in this document. The hon. Minister of Justice (Mr. Doherty) announced eloquently earlier in the evening that this whole thing was so clear that he who ran might read. The whole committee is now seized of the fact that the statute is in such a mess that no one can understand it. Whoever heard of a statute being proposed to Parliament, to ratify an agreement between two coun-