

The sitting was resumed.

Hon. Mr. DANDURAND: I believe that nothing will come to this House from the Commons before this evening; so I would suggest that His Honour the Speaker call it 6 o'clock.

Right Hon. Mr. MEIGHEN: Honourable senators, before the House adjourns, will the honourable leader opposite state what he expects from the Commons at 8 o'clock?

Hon. Mr. DANDURAND: A Budget is being presented to the other House by the Hon. Mr. Ilsley on behalf of the Hon. Minister of Finance. I doubt whether it will be ready for us by 8 o'clock, but as we are in attendance we may as well resume then.

Right Hon. Mr. MEIGHEN: That is quite satisfactory. Before we rise, I want to tell the Senate how gratified I am that the Bill to amend the Combines Investigation Act has been dropped. I think it would have been a great mistake to proceed with it. I was surprised that the measure was proposed at this special session. That it was contentious was of course common knowledge. Why the Minister should persist with it I do not know. I would suggest that he keep it dropped.

Hon. Mr. DANDURAND: May I explain to my right honourable friend that I have not read the debate in the other House, but I understand from newspaper reports that a question arose as to the advisability of amending fundamental provisions of the Combines Investigation Act, not to serve the exigencies of war, but for all time. The opinion was expressed that if circumstances justified any modifications of the statute they could be effected under the War Measures Act.

Right Hon. Mr. MEIGHEN: I would urge the Government, but in no spirit of controversy at all, not to stretch the War Measures Act beyond its obvious intent. The intent never was to enable the Government, by repealing statutes, to defy the will of Parliament. Nothing should be more carefully guarded against than the ambition of officials to magnify and continually to aggrandize the importance of their offices.

An Hon. SENATOR: Hear, hear.

Right Hon. Mr. MEIGHEN: Such ambition is present all the time. The Bill to amend the Combines Investigation Act would have authorized an official to exercise what are very plainly judicial functions, and that that should become necessary because of war conditions is absurd. Judges are not likely to be as busy as they were before the declaration of war.

Hon. Mr. DANDURAND.

Hon. Mr. DANDURAND: I would suggest that my right honourable friend refrain from discussing the merits of a bill which is not before us.

Right Hon. Mr. MEIGHEN: I see such a tendency in the introduction of this Bill and in the Orders in Council passed since August 25. I do not intend to get into a controversy over any of them, for they are not important enough to warrant it, but I think the Government would be well advised not to make the War Measures Act an instrument for defying Parliament. This Act is intended to enable the Government to do quickly without recourse to Parliament what it has not time to get the authority of Parliament to do. It never was intended under the War Measures Act, nor is it any necessary function of that Act, to enable the Government to say, "Parliament was all wrong here, or there, and we will change that." In the friendliest possible way I urge that caution upon the Government. Difficulties, I know—I had almost said schism—would result from any other course.

Hon. Mr. DANDURAND: As I have just stated, I have not read the debate in the other House, but, according to my information, the trend of the discussion was that if need arose of strengthening the Combines Investigation Act in order, for instance, to guard against profiteering, the necessary steps could be taken under the War Measures Act rather than by way of amending a statute which continues in force.

At 6 o'clock the Senate took recess.

The Senate resumed at eight o'clock.

Hon. Mr. DANDURAND: Honourable senators, I am expecting important legislation from the House of Commons around nine o'clock. I would suggest, therefore, that the Senate adjourn during pleasure on the understanding that we will answer the bell when the House is reconvened by His Honour the Speaker.

The Senate adjourned during pleasure.

The sitting was resumed.

#### CUSTOMS TARIFF AMENDMENT BILL FIRST READING

A message was received from the House of Commons with Bill 6, an Act to amend the Customs Tariff.

The Bill was read the first time.