

ton (Mr. Nickle) cannot give me a direct answer to the question that I asked, it is probably not within the competence of any member of this House to do so. So the matter stands exactly as I have stated it, and certainly we are not dealing fairly by the people of Canada unless from our places and at this time we require from the Government some method of limitation or direction that will make it possible for us to say to the people of Canada: This is a declaration of principle which will be given effect to under these circumstances and to this extent.

Mr. MEIGHEN: I do not know but that a tribunal which flagrantly and dishonestly violated its duty could not exempt any person. I do not assume, however, that our tribunals are going to be dishonest, negligent or unfaithful; I presume they will be honest, diligent and faithful. Assuming that, then I know that in the application of the Act the men can be secured in Canada, and without injury, I believe, to the country. No judge of the land interpreting the law is not able and competent within the sphere of his own jurisdiction to remit the sentence of any criminal and release him; he is, however, liable to appeal, and so is this tribunal. All these appeals come before a final court, and it is for that final court to interpret this statute, just as it is for the final court in the land to interpret other statutes. That is a very brief statement of the principle of all enactments that are left in their working out to judicial or semi-judicial tribunals. I know of no other way of effecting the end desired, but I should be very glad of suggestions from the hon. member for Edmonton (Mr. Oliver) as to how he would work out selective drafts if he had charge of the matter himself.

Mr. OLIVER: What I would say is this. I am not in favour of the principle of selective draft as it seems to be understood by the framers of this Bill. I certainly think that the principle embodied in the Militia Act, and which has recently been adopted by the United States, is a very much more desirable principle, because it is based on fairness, while the principle here is based absolutely on unfairness, and we are leaving the administration of the Act entirely to the good-will and honesty of the tribunals. Now that is not our business. Our business is to see that legislation passing through our hands is safeguarded so that it will be as little dependent as possible on the good-will or

honesty of those charged with its administration. That is our share of the responsibility, and I should be glad to assist in discharging my share of the responsibility. If my hon. friend cannot bring down to this House a system of selective draft that will guarantee fair play between man and man, and between section and section of this country, then he should not bring down this measure at all. But as he proposes this selective system it is up to him and his colleagues to bring before the House some measure that will guarantee that fairness which it is our responsibility as members of this House to see embodied in the provisions of this or any other compulsory service Bill.

Mr. MEIGHEN: The Solicitor General (Mr. Meighen), in the innocence of his heart, believes he has a system here which will bring about, so far as any human system can, just what my hon. friend desires, namely, a fair system of selection. I may be right or I may be wrong, but I have asked in vain for a better system from my hon. friend. He has referred very vaguely to the United States system. Will he explain to the House wherein the United States system differs for the better from this?

Mr. OLIVER: I cannot. I am not familiar with the United States system, but I know this: In the United States system there is an enumeration of the people. There is also a distribution of responsibility according to population, and after selection has been made there is a balloting as between those who have been selected. That is a guarantee of fair play as between state and state, as between man and man, and as between occupation and occupation. But there is no provision of that character in this Bill. I do not ask my hon. friend, when he brings in a Bill, to bring in such a Bill as was introduced in the United States, but I ask when he is bringing in a Bill based upon the selective system, that such a measure be introduced as will guarantee a fair selection; that is all I ask.

Mr. MEIGHEN: My hon. friend states that the United States system differs from ours in two particulars. First, there is an allotment of a certain number of men from each state. If my hon. friend is anxious that that system be introduced into Canada would he be good enough to say so, and state how he would make the allotment? In the second place, he thought that the balloting added to the fairness. Will he