

explanation I am in doubt as to whether the intention is that the Bill should continue in force after the declaration of peace, at the end of the war. If that is the intention, how can this Parliament legislate to govern the relation of employer and employee, which is purely a matter of contract, and, it strikes me, a matter wholly within the jurisdiction of the provinces?

Hon. Mr. KING: I should think it is intended to apply after the war.

Hon. Mr. BALLANTYNE: Surely.

Hon. Mr. KING: As men return from service, now or after the war is over, and seek employment with their former employers, it will be obligatory on those employers to find positions for them, unless there is some good reason why this cannot be done. And the employer in each such case will have to show good reason.

Hon. Mr. COTE: If that is so, will the honourable leader bring my remarks to the attention of our Law Clerk, in order that when the Bill comes before the Banking and Commerce Committee he may enlighten us on this point of law, which to my mind is rather important?

Hon. Mr. KING: It would be well to have the Bill sent to the committee.

Hon. C. P. BEAUBIEN: Honourable senators, it seems to me that in a great many cases this Bill would be absolutely impractical. I know of companies that had four thousand employees before the war and have more than twenty-five thousand now. What can you expect these employers to do? It seems to me quite evident that if you place on them the obligation imposed by this Bill they will be absolutely incapable of meeting it. The employees in such cases are really the charges, not of the employers, but of the Government. If this Bill goes to committee we should perhaps have the Minister or someone else present to answer this question. It is a very disturbing one for employers who are operating without any profit. Do not forget that in a great many cases employers are carrying on for the purpose of helping their country and are making virtually no profit at all.

Hon. Mr. MURDOCK: I am not on the Banking and Commerce Committee. I agree largely with what has been said by the honourable senator from Montarville (Hon. Mr. Beaubien), and I think the question he has raised makes it necessary that the Banking and Commerce Committee should consider paragraph (b) of section 2 and define the term "employer" more clearly and definitely.

Many employers who at present have large staffs were not in business before the war, and will not have any business after peace is declared.

Hon. Mr. BALLANTYNE: Hear, hear.

Hon. Mr. LEGER: Honourable senators, what bothers me at the present time is the question whether Parliament has jurisdiction to pass such legislation. It is certainly a matter of civil rights, and that is within the jurisdiction of the provinces.

The motion was agreed to, and the Bill was read the second time.

REFERRED TO COMMITTEE

On motion of Hon. Mr. King, the Bill was referred to the Committee on Banking and Commerce.

WAR RISK INSURANCE BILL

MOTION FOR SECOND READING

Hon. J. H. KING moved the second reading of Bill 56, an Act to make provision with respect to insurance of property against war risks and the payment of compensation for war damage.

Hon. Mr. McRAE: Honourable senators, I would ask the honourable leader whether it is his intention to move that this Bill be referred to the Banking and Commerce Committee.

Hon. Mr. KING: Yes. I will make only a brief explanation of this Bill. I found it very intricate and difficult to understand, although I gave it careful study and also read the debate in another place. I may say it was only after December 7, 1941, after Pearl Harbour, that it seemed necessary to the Minister to have legislation of this character in Canada. At that time he made a public announcement that a bill would be introduced to provide for war risk insurance and the payment of compensation to persons whose property suffered war damages. Since then careful study has been made of conditions in Canada. A prominent and capable man, I understand, visited the Atlantic and Pacific coasts and examined into the situation there; and the situation in the interior was also fully considered.

The Minister has utilized information in the possession of the insurance companies, and through departmental committees he has endeavoured to determine what form of insurance would best cover war risks. He has familiarized himself with the British scheme of insurance as applied in the last war and in this war, as well as with the scheme that