

be plainly understood. The minister said a great deal about the deductions that are to be drawn from this agreement and he laid a great deal of stress on what the conditions were before the agreement was written, and on what the practice and the law were. I need not tell my hon. friend that, in connection with the construction of statutes and agreements, we are never allowed to go back to data of that kind until we exhaust the proper understanding of the writing itself. If an Act of Parliament is dubious we are permitted to obtain such assistance as we may from the statements made in Parliament when the Act was being considered. For instance, if a section of the Criminal Code is doubtful, we are permitted to see the statements of the Minister of Justice in Parliament in explanation of it. But if an instrument is in clear-cut English, no matter what the intention of Parliament was, the interpretation has to be according to the meaning of the language used. If this clause 2 can be taken by itself and if its meaning is clear, any customs officer and any court must interpret its language according to the ordinary rules of interpretation. The Minister of Trade and Commerce took great pains to tell us that there were no technical officers present at this conference; that it was a case of business men sitting around a table to discuss business matters and to come to a conclusion, and therefore it is plain that this language has to be taken in its ordinary meaning. We have the authority of the ministers that this was a guileless, honest, unsophisticated gathering of men sitting around a table, trying to arrange a business agreement, and after this prayerful and ingenuous gathering had reached a conclusion they put it down in plain English. But the minister seems to think that it was not after all safe to let these gentlemen from the West Indies have everything their own way and he thinks he can come to this Parliament and obtain by the intervention of a statute something that was not stipulated for in the agreement. The minister could very well have stopped this Bill just at the end of the last word of clause 2 by saying that the Bill approved of the agreement as appended to the Bill. That was all that was done to confirm the treaty between this country and Japan, and that is all that is really necessary in this case. I submit that the language of this agreement is the law and the contract, and that we cannot in the slightest change it by any enactment of this Parliament, unless it be that the changes are sent back to the other parties to the contract and concurred in by them. We must act in good faith there. I suppose the minister has found

Mr. McKENZIE.

that inadvertently he granted concessions which he should not grant, and it is natural he should desire to rectify his mistakes by this Bill so as to put the matter in a better light before the Canadian people. But if this Act varies in the slightest from the agreement into which he has solemnly entered, he cannot now rectify his mistake. It is of much more importance to us to carry out our undertakings in good faith than it is to gain some slight advantage by changing the agreement. I am pleased the minister has agreed to some amendments which we have suggested, and I have no doubt that on further consideration and consultation he will come to the conclusion that this agreement solemnly entered into with the West Indian delegates cannot be changed by legislation but must be ratified by us in every particular. Any conditions that we impose on the other parties to this agreement, contrary to the agreement itself, would be, I believe, ultra vires of this Parliament.

Mr. NESBITT: To what extent, if any, will this agreement affect beet sugar manufacturers and beet growers in Canada?

Mr. FOSTER: Under a section in the tariff, a certain concession is made to the refiners of beet root sugar in Canada, and the Act passed several years ago gave to them the liberty of importing foreign sugars under preferential rates to the amount of a certain proportion compared with what they refined out of the beet sugar. That proportion was large at first and diminished afterwards. At the present time I think it is an equal portion to what they refine; at first I think it was a double portion, but that is not material. That legislation runs out in 1914, and a stipulation of this agreement is that that legislation shall not be continued after 1914. The beet root sugar refiners are then left without whatever advantage they may have in the right now to import, under preferential duties, a certain proportion of foreign sugar; and an adjustment will have to be made in the tariff if it is found necessary to meet that condition. The same thing occurs with reference to the refiners of cane sugars; under the present Act, they also have the right to import a certain amount of foreign sugars at preferential rates, proportioned to the total amount they refine in a year. That also will drop when this legislation is passed; and a certain adjustment may have to be made with reference to it. I think that covers the point.

Mr. SINCLAIR: Schedule B contains such articles as fresh fruits, sugar, coffee, coal, kerosene oil and other articles, which I understand at present are dutiable. This agreement is to last for ten years, once it