

secession in the church, and the question would still remain as to who would constitute the body. I do not think there is much in the objection.

Hon. Mr. LOUGHEED—When the Bill came up for second reading, I took the liberty of objecting to it. I am quite in accord with what the hon. gentleman from Halifax has said. If lands are to be held by trustees, the trustees should become incorporated, the same as any company becomes incorporated, or the same as any church or other body of that kind becomes incorporated. That at present is the law, and there is no reason why any exception should be made, and more particularly in view of the fact that under the Land Titles Act a certificate of title is issued by the government and the title guaranteed by the Crown. The trust does not appear upon the certificate of title, and no attention is paid to the trust; consequently those trustees that may be appointed, and possibly appointed by an irresponsible meeting of the congregation, or may not be representative of the congregation, could dispose of these lands without practically accounting to anybody for them. The question might arise on the part of the members of the congregation who had claimed to be such, that they have no status in the congregation; and consequently have no *locus standi* in court is asking the trustees to account for the proceeds of the land. So many questions can arise as to the power of people acting in that capacity, that I think the legislation on its face is vicious.

Hon. Mr. SCOTT—It was predicated on the assumption that it would apply only to remote and distant places, where it was not possible to apply for incorporation. Years ago, a great deal of church property throughout Canada was held by trustees, or by the clergymen in trust for the church. There were very few religious bodies up till fifty or sixty years ago, and that was the ordinary way and it seems admirably adapted for bodies of Christians in remote regions where they have not the means or the opportunity of procuring incorporation. It is probably of very little value. The special case that was brought to the notice of the minister was in the unincorporated portion of the northern section of the coun-

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try in the Yukon. It was to meet a case there, where they had a church and no corporate organization, and the subject was referred to the Department of Justice, and they pronounced upon the Bill and prepared it for the minister. However, I will bring to the notice of the department the objections which have been urged by my hon. friend. I cannot foreshadow that any mischief or injury can arise, because it will not be adopted by any of the larger bodies that are now in a financial position to secure incorporation which, of course, is the proper and legitimate way for such organizations to hold property.

I move that the committee rise, report progress and ask leave to sit again.

Hon. Mr. McMILLAN from the committee reported that they had made some progress with the Bill, and asked leave to sit again.

CANADA SHIPPING ACT AMENDMENT BILL.

The House resolved itself into Committee of the Whole on Bill (NN) An Act to amend the Canada Shipping Act.

(in the Committee.)

Hon. Sir RICHARD CARTWRIGHT—I may mention that the object of this Bill is to enable the government to register the vessels which they own. It appears that under the existing law there is a doubt whether that can be legally done, and the department want to clear that up. Something of the same kind has been done in the British parliament, I believe.

On clause 3,

3. The said Act is amended by inserting the following section immediately after section 75:—

75a. The minister may refuse to admit to the examinations mentioned in the two preceding sections any person domiciled in Canada who is a subject or citizen of a country in which British subjects do not enjoy similar privileges in respect of such examinations.

Hon. Mr. FERGUSON—We should know wherein the amending clauses differ from the Act as it stands.

Hon. Sir RICHARD CARTWRIGHT—The object of this clause is to enable the Minister of Marine and Fisheries to refuse the examination of persons domiciled here, if the country of which they are citizens or subjects do not grant similar privileges to British subjects.