the provisions of that act. If that is the case, why has the government not now the power to act in the case of Nova Scotia? The minister says that paragraph (f) is almost word for word in the terms of the British North America Act, and I think we all recognize in it the wording of the act. It would seem, therefore, if this act is of any value at all, that the government already has the power to act, and that the only thing necessary to enable federal action in the Nova Scotia situation would be a declaration on the part of this parliament that the mines of Nova Scotia are for the general advantage of Canada. Even that is not necessary: the emergency clause may be invoked. When there is danger of riot; when we are told it is only a matter of time until the militia will have to be called out; when the newspapers say we are only waiting until something breaks, until something serious happens—surely we are faced with what would be an emergency under the terms of this act. Since we are told that this measure goes no further than the British North America Act, it seems to me there is no reason why the government cannot act in the present emergency.

Mr. MEIGHEN: With regard to the construction of the bill, would not subsection 2 of the new section 2A be far better a separate section of the bill?

Mr. LOGAN: Make it "2B."

Mr. MEIGHEN: Yes, that would be much better drafting.

The CHAIRMAN (Mr. Marcil, Bonaventure): Is it the pleasure of the committee that this change be made?

Mr. LAPOINTE: Yes, I think so.

Mr. MURDOCK: During the last two sessions of parliament this House passed, with little discussion, an amendment to three sections of The Industrial Disputes Investigation Act, and I would like to move an amendment which will rewrite subparagraph (b) of paragraph 2 of section 15 of the act, except that it is provided that if employees have taken all possible steps to secure a conference but have been unable to enter into negotiations, the conditions necessary to the granting of a board would be considered as complied with. Under the section as it is now there must be a conference between the parties, which it is sometimes impossible to secure. The amendment which I would move is as follows:

5 p.m.

That subparagraph (b) of paragraph two of section fifteen of The Industrial Disputes Investigation Act, 1907, as enacted by section two of chapter twenty-nine of the statutes of 1910, is repealed, and the following is substituted therefor:—

(b) A statutory declaration setting forth that, failing an adjustment of the dispute or a reference thereof by the minister to a board, to the best of the knowledge and belief of the declarant a lockout or strike will be declared, and (except where the application is made by an employer in consequence of an intended change in wages or hours proposed by the said employer) that the necessary authority to declare such lockout or strike has been obtained; or, where a dispute directly affects employees in more than one province and such employees are members of a trade union having a general committee authorized to carry on negotiations in disputes between employers and employees and so recognized by the employer, a statutory declaration by the chairman or president and by the secretary of such committee setting forth that, failing an adjustment of the dispute or a reference thereof by the minister to a board, to the best of the knowledge and belief of the declarants a strike will be declared, that the dispute has been the subject of negotiations between the committee of the employees and the employer, or that it has been impossible to secure conference or to enter into negotiations, that all efforts to obtain a satisfactory settlement have failed, and that there is no reasonable hope of securing a settlement by further effort or negotiations.

[Mr. Woodsworth.]

The CHAIRMAN (Mr. Marcil, Bonaventure): Before that amendment is proceeded with, the hon. member for North Toronto presents an amendment to section 1. Mr. Church moves:

That the following words be added to clause (f) on page 2:—

Provided that no provincial or municipal public utility work or undertaking wholly situate within the province may be declared to be a work for the general advantage of Canada without the consent and sanction of such provincial or municipal authority.

Mr. CHURCH: I think this amendment will provide for any emergency that may arise in the future in connection with industrial disputes affecting any of these three fields of activity, Dominion, provincial and municipal. If you read over the book setting forth the proceedings of this case from the courts below to the Privy Council you will see that an amendment like this is necessary to clause (f) of the bill. The provinces and municipalities have millions of dollars invested in various public utilities, and for this parliament arbitrarily to declare them to be works for the general advantage of Canada would be a hardship and also it never was within the intent of the British North America Act or the decisions of the Privy Council based thereon. If the bill is passed as drafted it will lead the government into all kinds of trouble. It will practically reduce the legislatures of the province to county councils and seriously interfere with the sovereign power they enjoy under section 92 of the British North America Act.