

But if we are going to have a conversion there is only one way it can be done, and that is by maintaining our credit.

Some hon. MEMBERS: Hear, hear.

Mr. BENNETT: If we lost our national character, which is our credit, then we shall never be able to make the conversion. The one object that this government has had in mind more than any other in dealing with our financial problems has been so to conduct our affairs that reasonable and honest men may say that we have treated our creditors as honest men do; that we have so utilized our legislative powers that it could be said that we had encouraged men to be honest and pay their debts according to their promises.

But bankruptcy intervenes, and bankruptcy is not anything new in law, we know what it is founded on, we know what it goes back to; and we did conceive the thought, after a case had been submitted to the supreme court of Canada, that we could deal with these cases in the manner in which they have been dealt with. If there is one thing more than any other that has brought relief to the Canadian farmer it has been the Farmers' Creditors Arrangement Act.

Some hon. MEMBERS: Hear, hear.

Mr. BENNETT: Now with respect to other bills I do not propose to say more than this; that within the ambit of our powers we have offered to this parliament legislation that is within our constitutional right. The attack made upon the Minister of Justice (Mr. Guthrie) because he ventured to point out, as I think it was his duty to do for a reason I shall presently give, that doubt had been expressed by counsel to whom the case had been referred as to the validity of the legislation, was unfair because that was what you would expect any attorney general of Canada to do in view of past experience of this parliament. I think any man would say that was the least an attorney general of Canada could do. Why? Because the report of a commission was before the house, and I pointed out the other day that we had made up our minds within our legal rights to implement its recommendations. The minister was obviously bound in good faith to communicate to this house the fact that doubts had been expressed to him as to the validity of the bill, not for the purpose of making it abortive legislation, not for the purpose of saying it was anaemic, but for the purpose of keeping faith as an honest man with those

who looked to him as Minister of Justice for guidance. Those who remember what was said about the Board of Commerce Act in 1919—look it up in the debates—will recall that doubts were expressed with respect to it, but the government proceeded with it in order that the question might be settled. So with respect to this legislation, the government submitted the legislation to the house. And when we come to the Companies Act, about which different opinions have been held for the last half century and will continue to be held, as to the best means of effecting the desired ends, the minister submitted that to the house and said: It is your bill as much as mine, let me have your suggestions, I only say that there is a provision in it which I believe if I were practising law I could have set aside. That was not any lack of good faith, it was because he wanted this house to realize that in dealing with legislation which was doubtful the house should have the benefit of the views of counsel who had been consulted for the purpose of determining whether parliament was within its rights in enacting it. It is all very well to say that people are sick of hearing about the British North America Act. We have had several illustrations of what it means when people and parliaments and legislatures do not observe its provisions. We have had the insurance references and other references which I could mention. We had the board of commerce case, the combines case, and matters of that sort.

My duty, as I conceive it, is to offer legislation to this house for enactment which the Minister of Justice, with the aid of counsel whom he has consulted, believes to be constitutional and valid. If there be a doubt then we are willing that the house should take the responsibility of enacting it if they think it desirable, but it is our duty to tell the house of that doubt. Would it be right for the Minister of Justice to conceal these facts and say to the house: Here is a valid legislative enactment that you may pass; or is it right and proper that he should say that up to a certain point there seems to be no doubt, the courts have decided that we have the power, but when it gets beyond that there is doubt and uncertainty; I merely say that these opinions have been expressed to me as I have expressed them to you.

Now, sir, if the people of the country have been led into the belief that this parliament can pass any kind of legislation it likes regardless of the constitution, the age of law-