

schedule C to this Act, or as near thereto as circumstances admit.

2. A society carrying on the business of credit and savings shall not operate outside of the electoral division where it has its head office.

Hon. Mr. DeBOUCHERVILLE—But it can operate there.

Hon. Mr. LANDRY—All over the Dominion.

Hon. Mr. KERR—Section 9 says :

9. A society carrying on the business of credit and savings shall elect at its annual general meeting a board which shall pass upon all loans or investments of the funds of the society.

2. Such board shall be composed of not less than three members, and their term of office shall be one year.

3. The members of such board shall not have the right to borrow either directly or indirectly from the society.

Then it refers to the general meeting of the society, and these rules are to govern and so on, treating it all the way through as distinguished from a savings bank, and providing amongst other things that the money may be loaned to a man who must reside within the electoral district over which it has jurisdiction, and may be loaned on real estate security. So that it has different power and different jurisdiction from that which is understood to be the business and jurisdiction of a savings bank. Under those circumstances, let us see just what the British North America Act is. First, parliament has jurisdiction under section 9. The second point where the exclusive jurisdiction is conferred on parliament. First, we have 'The public debt and property.' Secondly, 'The regulation of Trade and Commerce,' but we do not find anything in this Bill relating to trade and commerce. Then it deals with the incorporation of banks and the issue of paper money. Then the savings bank. Then we come to section 92, the exclusive powers of the province, section 11, which was referred to before, the incorporation of companies with provincial objects—I need not read it—third, property and civil rights in the province, and generally all matters of a merely local or private nature in the provinces. We have by this Bill a limitation which I have pointed out, the society carrying on the business of credit and savings shall not operate outside of the electoral division where it has its head office. It

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confines it to business locally within the electoral division, and therefore, necessarily within one province and in each case according to the jurisdiction of the province there is jurisdiction over these different companies. Now, what would be the effect of granting the power to incorporate companies under an Act like this? We have heard of the hundreds of cases in which incorporation have been granted in the provinces where such companies have been incorporated, and where they have been carrying on business. It would be nothing but the introduction of confusion, companies with different rights, companies with different powers. If we assume this greater power than the others would have, or if this be in addition to its other powers, then we would have a confusion as to powers, and a manner of conducting business and conflict of authority which would undoubtedly be raised would leave all these companies in a state of confusion. I submit it would be inexpedient and inadvisable to adopt this motion, and the report correctly expresses the view that should be adopted.

Hon. Mr. LANDRY—I want to call attention to the real position we occupy at the moment. That Bill has been referred to a select committee. At the second reading of the Bill the principle was adopted.

Hon. Mr. KERR—Not necessarily? Our rule does not say so.

Hon. Mr. LANDRY—Yes it does. If my hon. friend will read rule 26, page 64—

The principle of a Bill is usually debated at its second reading.

That is the usage.

Hon. Mr. KERR—No, it is the contrary.

Hon. Mr. LANDRY—If it is the contrary of what it says, I understand the argument of my hon. friend. If the preamble of a Bill is usually accepted or adopted at the second reading, what particular circumstances have arisen to deviate from that rule? The principle of a Bill is always accepted or refused on the second reading of the Bill.

Hon. Mr. McMULLEN—When the hon. Secretary of State moved the second reading of the Bill, he intimated his intention