

*Export Act—Mr. Bennett*

founded. An hon. member on this side of the house, who is a layman and who has had a good deal to do with legislation, said to me: "I am satisfied, under the terms of that bill as it reads, we are bound to search those ships." This is too serious a matter for the Prime Minister lightly to disregard. I put it to the right hon. gentleman only because now that the principle of the measure has been accepted, it is highly important, in fact it seems to me imperative, that there should be in the bill, as it emerges from the house, nothing that leaves in doubt the meaning which the right hon. gentleman has attributed to it. Anything we can do to achieve that end, I am satisfied it is our duty on both sides of the house to do. I am in great doubt, I say to the Minister of Justice and the Solicitor General, whether or not we might not find ourselves in the difficult position of receiving a despatch from our great neighbour, saying: It has come to our attention that ship so-and-so sailed from one of your ports and she put out to sea and discharged into another ship twelve or fifteen miles from the shore, a large number of cases of intoxicating liquors. To avoid that the hon. member for St. Lawrence-St. George, as I gather—and I know that is what he had in mind—addressed the house this afternoon. It is to avoid that I am taking up perhaps too much time this evening to bring the matter to the attention of the law officers of the crown. I conceive it to be very important that when this bill leaves the house there should not be even a shadow of doubt that we have imposed upon ourselves an obligation to do more than to refuse a clearance when the manifest of the ship shows that there is any contraband of peace, namely, intoxicating liquor in the cargo. If it were contraband of war the situation would be perfectly clear. This is not contraband of war; it is contraband of peace because under the laws of another country its importation into that country is prohibited. One of our members who has been reading the bill is certain as he reads it that this obligation is imposed upon us. The extract read from the Washington Post this afternoon by the hon. member for Fort William is certainly based upon the assumption that we have undertaken that responsibility, as I daresay the right hon. gentleman observed when he heard it read. When I first saw that I said to myself: This is a very important newspaper which puts that construction on the bill I once more repeat: As I understand this clause of the bill, the right hon. gentleman and his government propose to do one thing, and one only, namely, that the officials at the customs houses in Canada shall decline to grant clearance papers

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to ships laden in whole or in part with intoxicating liquors, the importation of which into the United States is forbidden by their constitution.

Mr. CAHAN: The Prime Minister went further and said "known to be".

Mr. BENNETT: I recall that circumstance, but I am putting, as I understand it, what is the object in the mind of the government. I want to see whether I have fairly put it. The only point I suggest is that apt language should be used to put it beyond doubt that that duty does not extend beyond refusal of clearance if the manifest, what we call colloquially the clearance papers, indicates a liquor cargo.

Mr. CAHAN: The entries outward.

Mr. BENNETT: Yes, those are the words used in the Customs Act. That gets back to the point made by the hon. member for St. Lawrence-St. George, namely, that you have two distinct acts and we are amending them by two distinct sections. One is an amendment to the Customs Act; the other is an amendment to the Export Act. The amendment to the Customs Act should follow as far as possible the language of the Customs Act, where each word has a distinct meaning. For instance, the word "entry" has a meaning under the Customs Act that it might not otherwise have; that is, the colloquial meaning does not attach. Similarly, "entry outwards" is the technical term used with relation to clearing from a port in Canada. As I understand it, all we are desiring to do is to see that the entry outwards does not indicate any cargo consigned to the United States that is contraband of peace. Perhaps the Minister of Justice would object to the use of that term, but intoxicating liquor, being prohibited entry by the laws of the United States, is really contraband of peace. I know that is a contradiction in terms; we say "contraband of war"; but under the conditions that now exist between the United States and ourselves, intoxicating liquor going into the United States is contraband of peace. If there is any doubt of that, may I once more urge upon the law officers of the crown the necessity of removing that doubt; because here is legislation that is fraught with possibilities of the gravest consequences if there is any misunderstanding as to its application. Surely it is as much the interests of those who sit to the left as of those who sit to the right of Mr. Speaker to see that the legislation shall express in terms what the determination of the government is and the principle which this house