

the House I asked Mr. Acland, the deputy Minister of Labour, to see the Justice Department and consult the Deputy Minister of Justice, to whom the Bill was referred, and get his opinion upon it. I have before me the statement which was given me at the time by Mr. Acland:

Mr. Newcombe took the ground that the Dominion had the fullest right to legislate on the matter, such legislation being intended for the obvious good of the entire community. The question of the protection of public health was not, he pointed out, specifically mentioned in the British North America Act, and it was no more than a matter of convenience that for local reasons it was left in the hands of the provinces. In his view the Dominion had a perfect right to enact legislation prohibiting the importation, manufacture and sale of matches made from white phosphorus.

I think one may also draw attention to the fact that this measure if passed would constitute part of the criminal law, and that it would come under the head of the class of measures which have to do with the peace, order and good government of Canada.

Mr. NORTHRUP. I do not think the House would be inclined to waste much time discussing the value of the opinion of a gentleman who writes that it is clear this House has jurisdiction over this matter in as much as it is for the obvious good of the community. Is it possible that in this House we have reached a stage when a minister of the Crown will calmly and coolly give as a reason for bringing legislation before it—which it is most doubtful to say the least whether or not this House has the power to pass—that such legislation is for the obvious good of the community. Inferentially the local legislature would have no power to pass any measures which are for the obvious good of the community, and inferentially also section 92 of the British North America Act is at once annulled by such a plea as this. I do not think the minister on calm reflection will be inclined to ask the House to place on the statute-book such an important law simply on the ground that it is for the obvious good of the community. Let me take the statement of facts given by the minister at some considerable length. I do not for a moment intend to contradict the truthfulness of any statement made by him, but I think I can add one or two equally true statements so that we may have, if not the whole truth, a little nearer to the whole truth, than the statement the House is possessed of at the present time. It is perfectly true there was a conference in Berne, it is perfectly true that Great Britain declined at first to accede to the wishes of the other powers, and to sign an agreement such as she has practically come to in this statute of 1908.

Mr. KING.

The stand taken by Great Britain was that it was not necessary for Great Britain to enter into such an agreement because there had been a very careful investigation into the working of the match factories in that country and a report had been handed in, and I venture to read a few words from that report:

In 1900 regulations were made and enforced. These regulations have had the effect of almost wholly suppressing the disease in England. In the five years that have elapsed since the alterations which they required having been made, there have been only five cases of necrosis and three of these were mild, the persons affected recovering and finding employment. Of the other two cases, both of which were fatal, one was that of a woman who was employed in a factory where no white phosphorus had been used for four years,—

It is hardly fair to charge her case up to white phosphorus:

—and the other was that of a woman who had been guilty of direct infraction of one of the most important of the regulations.

The report concludes:

There have been no cases in 1906.

And so, the state of affairs in England was not such as to require Great Britain to agree to this convention, and so she declined to sign at that time. But, she went more than half way and she offered to sign if all the other nations concerned would sign. Sweden declined, Spain declined, Portugal declined, Japan declined, Norway declined even to send representatives to the convention, and Austro-Hungary and Belgium took the same stand as Great Britain. We find, therefore, that but a small portion of the continent of Europe had agreed to this convention, and when eventually, Great Britain offered to subscribe if the others would subscribe, the others still held out and are holding out to this day. The countries subscribing were: France, Germany, Holland, Denmark, Switzerland, Wurtemberg, and Italy, and of these seven the first five already had this law on their statute-books, and so their signature bound them in no way to do more than they were doing. That left Luxemburg which had not a match factory within its boundary, and Italy. So, Great Britain's offer to the nations of Europe was not accepted by the nations of Europe and Great Britain did not sign. A year or two later on, and as the Minister of Labour says, a deputation came to the government of England, a deputation of match manufacturers asking them to pass this legislation, and I will not go beyond the words of the minister himself who said there were nine manufacturers representing all the match manufacturers of England; that one of them Bryant & May had a formula which they had arranged with