

on that ship who is a Canadian has, by convention between all the maritime countries, of which we are one, an international status when he goes into a foreign port. That was dealt with in the last parliament.

My difficulty is that this does not mean anything. It is a prohibition in terms, in words, incapable of being made effective by any action of ours. I was suggesting that foreign people might think we were endeavouring to exercise too wide a jurisdiction, and it might be desirable to add such words as "as far as the parliament of Canada has jurisdiction." Then we would not give offence to foreign countries, nor could it be successfully contended that we had endeavoured to exercise a jurisdiction which we did not possess, that is, a jurisdiction over the ship tied up to a dock in a foreign port.

Mr. SLAGHT: Mr. Chairman, it seems to me that there is in connection with our legislation a presumption which goes to remove the fears the right hon. gentleman has expressed, that the section as drawn has a distinct meaning, in that we can enforce it as against British subjects, or Canadian subjects at all events, and that we do not purport to exercise jurisdiction which we do not possess over anyone in a foreign port. We merely prohibit the doing of certain things. If our Canadian citizens infringe upon our laws, then, as the section now stands, when they return I would think they can be punished.

Mr. BENNETT: Since the Statute of Westminster we have a wider power, and that presumption no longer obtains.

Mr. WOODSWORTH: There is another point. I am somewhat at a loss to know why we should be asked to pass this bill. As I understood the Minister of Transport, we have no boats plying between here and Spain, and the Minister of National Revenue says he cannot recall any instance in which advantage was taken of the amendment to the Customs Act. I cannot then see any necessity, as far as Spain is concerned, of putting this supplementary legislation on the statute books. The Minister of Transport seemed to me to convey the impression that this empowering legislation was sought merely because of the situation in Spain. If we are to contemplate this being used on the Pacific, then it seems to me we should have some sort of statement from the government as to the reason for this legislation. The governor in council has been given authority under the Customs Act to prohibit anything being shipped to Spain.

Mr. ILSLEY: To any country.

Mr. WOODSWORTH: No; Spain has been designated.

Mr. ILSLEY: By order in council.

Mr. WOODSWORTH: That is what I thought I said.

Mr. ILSLEY: Not by the legislation.

Mr. WOODSWORTH: No; by order in council Spain has been designated. Why should we not have China or Japan designated as another country?

Mr. ILSLEY: It is a matter of policy.

Mr. WOODSWORTH: Quite so; but I think at this stage, when we are asked to give supplementary powers, we should know what is the policy of the government with respect to this matter. Apparently it is only the ships on the Pacific that will be affected by this legislation; two Canadian Pacific ships are the only ships that will be affected.

Mr. ILSLEY: At the moment, but this may last a long time.

Mr. WOODSWORTH: I know it is general legislation which empowers the governor in council to take action, but we should not be asked to load the statute books with useless legislation. Does the government propose to designate Japan as one of the countries to which arms may not be sent? I think we should know that. Only if the government propose to do that has this legislation any value at this time.

Mr. ILSLEY: May I ask a question? Does the hon. gentleman advocate the naming of both Japan and China as countries to which exportations should be prohibited?

Mr. WOODSWORTH: I do not know that there is any particular reason why I should be called upon to declare what government policy should be.

Mr. ILSLEY: I thought the hon. member would not answer that.

Mr. WOODSWORTH: The minister thought I would not answer that? I will answer it. The minister does not answer. I thought the minister would not answer; and the government does not appear to be answering. As far as I am concerned Japan is an aggressor nation, and I think morally we are bound to refuse to ship materials of war to an aggressor nation. China is in an altogether different position. Apparently the minister and the government do not want to answer that question. I do not think we should be called upon to put this legislation on the statute books unless we know whether it is going to be used.