

class of people employed in a factory in a particular locality or in a number of factories in different localities. It seems to me, *prima facie*, that there is a very serious question whether in undertaking to do this we are not undertaking to determine what, from the point of view of the protection of the health of a certain number of individuals belonging to a certain class of the community, shall be permitted in a factory in a particular locality. I do not want to go into the merits of the matter, but it would seem to me that the decision of this question, whether this is to be prohibited or not, depends upon a careful investigation of the manner in which particular manufacturing are carried on, so much so, that I would conclude from what I have listened to from the Minister of Labour—and listened to with a great deal of admiration—that it might be a perfectly true thing that while in one factory the using of white phosphorus under certain conditions would be extremely dangerous, in another factory by taking proper precautions it might be perfectly safe. If that is a correct view of it we are undertaking to determine whether or not a thing should be permitted when whether it would be proper to permit it depends to a large extent on the particular conditions of the different factories. I am not speaking of this for the purpose of discussing the merits at all, but I mention it because it seems to me to give considerable force to the proposition that the regulating of things of this kind is dealing with things of a purely local nature within the province. I do not flatter myself that any greater weight would be attached to my own opinion than to the opinion of my hon. friend from East Hastings, and of course I do not expect to outweigh in the scale the opinion of my right hon. friend the leader of the House (Sir Wilfrid Laurier) or that of my hon. friend the Minister of Justice (Sir Allen Aylesworth), but I did gather, and I do not say it at all by way of depreciating the opinion, but merely for the sake of correctness, that the opinion which the hon. Minister of Labour had received was that of the Deputy Minister of Justice. I do not want to depreciate that opinion in any way because that gentleman is one for whom I have the very highest respect and I would treat any opinion given by him with a great deal of deference. But while I am quite sure that this House would feel justified, as the leader of the House has pointed out this evening, in following the advice of the Minister of Justice, I think it is a perfectly proper thing, when there does exist what I think after what has been said by both sides may fairly be conceded to be a grave doubt as to our jurisdiction in this matter, that the Minister of Justice, should give consideration to what has been submitted. None of

us pretends to infallibility on these matters. It is a general saying that doctors differ, some people say that lawyers could not live at all if they did not differ, and I suppose it is expected that they shall differ. With the merits of the question I understand that we will have occasion to deal when the Bill comes up. Upon those merits I have only to say that in so far as the purpose which is sought to be attained by this legislation is concerned the minister would have the hearty sympathy of every member of this House. I am sure that we are all desirous of assisting the Department of Labour in doing everything not only that may be absolutely necessary, but that may be substantially useful for the protection of the health of all classes of this community and more particularly I think it is fair to say of those classes who are more exposed and have the least within their own hands, the power to control the conditions under which they live. Upon that I think there will be no possible difference in this House. But the matter when we come to deal with it upon its merits, resolves itself into the question: Is it necessary to go as far as to absolutely prohibit this manufacture in order to attain the results sought to be attained? If it is so, I, for my part, would not hesitate to adopt it. On the other hand, I think we ought to look into the matter carefully because it is possible that the facts would bear out the conclusion of the Royal Commission in England, cited by my hon. friend from East Hastings and also by the Minister of Labour, that by taking proper precautions, which might properly form the subject matter of factory Acts within the provinces, this material could be safely utilized, and if so I think we ought to hesitate before making an absolute prohibition.

Mr. A. B. CROSBY (Halifax). Mr. Chairman, I just want to say a word in regard to this Bill. We have a match factory at Halifax. I listened to the very able manner in which the hon. Minister of Labour (Mr. King) introduced his resolution, and his presentation of the matter would almost persuade anybody that the Bill was such a one as we should adopt at once. But, having heard the lawyers on this side, and the right hon. the First Minister (Sir Wilfrid Laurier), whom I always believed was a lawyer, on the other side, there seems to be some trouble as to the constitutionality of this Bill. Of that I have no desire to speak at all. But, I want to say a word with regard to the sickness said to have been brought about by the use of white phosphorus in the making of matches. In the city of Halifax we have a factory that, I think, has been engaged for some sixty or seventy years in the manufacture of matches and, as far as I can discover, there has never been any person who has been