

# Will the Commons Lick the Senate?

## Fine Opportunity for a Thrilling Movie Scene. Canada the Only Dominion Without Provision for Speedily Overcoming Deadlock Between Senate and Commons. Change in Present System must have the Approval of British Parliament.

Senator A. B. McColg, who will always be "Arochie" to everyone who knows him, proposes to abolish the present system of reporting and publishing the speeches made in the Canadian Senate and Commons, and to broadcast them by radio. He doesn't pretend to say what this country has done to deserve such punishment, and advances no other reason than that of economy in support of his suggestion.

It may be that the Honorable "Arochie" is trying to arrange an armistice, for war has been declared in Canada; the Senate is once more under attack.

Martial law has not yet been proclaimed. That would not be necessary if the combatants could be confined within a restricted area, say the gorgeous Senate Chamber on Parliament Hill, Ottawa. Wars, however, are no respecters of territorial boundaries. If this one should spill itself into foreign countries the consequences to Canada might be disastrous. It is going to make a 3,000 mile jump to the Parliament Houses of Britain anyway. But that would still be confining the struggle to family territory so to speak.

The attackers do not propose to raise the Senate wing of the Parliament buildings, and make of it a funeral pyre for the Senators. Their aim is to carry the outer defences:

to bring the Senate under the provisions of a measure somewhat similar to the Parliament Act in Britain. This would nullify any Senate amendments to or rejection of measures passed by the Commons in three successive sessions, providing that two years elapse between the date of the second reading in the first session and the date when passed in the third session. Thus if the "Upperites," as one wag has termed the Senators, remained obdurate, they could delay proposed legislation for about three years, which is no great period in the life of a nation. In the British Commons also money bills may be passed over the head of the Upper House in a single session, and under the Parliament Act the Speaker of the Commons is the sole judge of what constitutes a money bill.

### A Long, Long Trail

The road to the attainment of absolute control by the elective section of the Canadian Parliament is not so straight nor so smooth as some commentators appear to believe, nor so difficult as others contend. It lies via the Throne and Westminster. Theoretically the Senate must join in the presentation of a petition or address to the King, praying for the desired changes in the British North America Act, Canada's charter. It is also argued in some quarters that the governments of the provinces must be consulted and give their consent to such a step. This view is combated by a number of more or less competent authorities.

However, presuming that a petition for the changes reached Britain with or without the consent of the

Senate his Majesty would, of course, refer it to his government which in turn would bring it before Parliament. No doubt the prayer would be granted once it reached the British House.

The British North America Act has been amended several times to meet changing conditions in this country, the creation of new provinces among other things. But before that stage is reached in respect to the Senate there will be many a verbal barrage and shock attack in Canada. The embattled Senators may await the final assault with that unruffled demeanor that is their characteristic, or they may risk much in counter-offensives. One can hardly imagine them altogether acquiescent, with the debonair and courteous Senator Dandurand, government leader of the Upper House, playing a role like that of Sydney Carton in "The Only Way." But what a movie that would make. Dandurand, the spotlight full on his upturned face, mounting the steps of the gullotine, unflatteringly, gracefully, gallantly, and saying in low but clear tones, "It is a far, far better thing I do, than I have ever done; it is a far, far better thing that I go to than I have ever known; while Sir James Loughheed, the Senate opposition leader, a prey to deep emotions, with a voice that is broken but penetrating, gives him a farewell note of praise and encouragement in that immortal phrase, "Atta boy."

### Senators Not Worrying

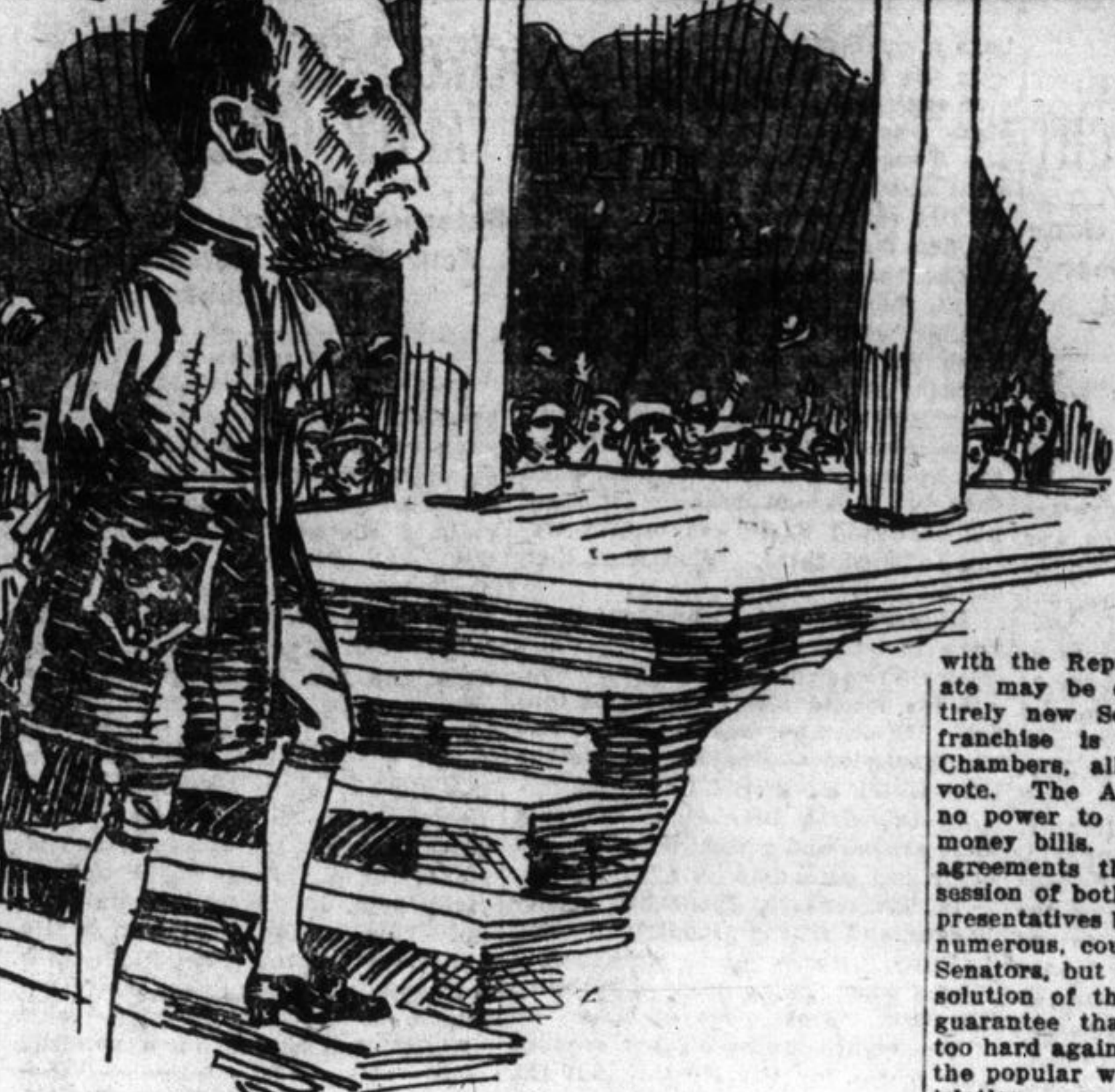
However, the probabilities are that the Senators will not be greatly agitated from beginning to end of the war. To them Senate reform campaigns are as the flowers that have bloomed in an unending succession of summers, but are now no more, while the Senate lives and flourishes.

It is not in the power of any government in this country to force the issue of the supremacy of the Commons over the Senate, as the House of Lords did over the House of Commons in 1911. The Asquith-Lloyd George leadership then threatened to create enough new peers to give them the support needed to carry the legislation necessary to clip the wings of the Lords. Representation in the Senate is fixed in the terms of the British North America Act, and allows for growth in population and representation. A government could make an addition of four to eight members of the Senate in certain contingencies, but not more than the larger figure. On the other hand, the British government with the King's consent could appoint as many peers as it chooses, and thus

be sure of its measures carrying in the Upper House.

Like the British people and unlike those of the United States, Canadians have not got a constitution wholly written. In the preamble to the British North America Act it is stated that the provinces of Canada, Nova Scotia and New Brunswick "have expressed their desire to be federally united into one Dominion, with a Constitution similar in principle to that of the United Kingdom." It has been explained that the many unwritten conventions of the British Constitution are also recognized in our own and that "what we have in the British North America Act is a written delimitation of the respective powers of the Dominion and the Provincial Governments, and an agreement of the terms of the Confederation Agreement. The British North America Act simply divides the sovereign powers of the State between the provincial and the central authorities."

That is one explanation for the fact that Britain, whose practices we follow in so many respects, is the model in constitutional practice, for a large part of the world. Precedents, customs, and usages of centuries, modified, amended and buttressed as need is shown, have made a constitution at once flexible and sound.



"It is a far, far better thing I do, than I have ever done; it is a far, far better thing that I go to than I have ever known."

### Why Britain Decides

Free as Canada is, it has been content with the system that the Fathers of Confederation built when they asked for and obtained from the British Sovereign and Parliament the British North America Act. Thomas D'Arcy McGee, a statesman of Confederation days, quite frequently spoke of it as "our fundamental charter," which he pointed out could only be amended by the authority that made it. By this Act the executive government of Canada is declared to be vested in the Sovereign of the United Kingdom, represented by the Governor-General and Lieutenant-Governors of the provinces. The Governor-General is, of course, advised by the Canadian Government of the day. Canada has never asked for the abolition of this system, and until it is changed such proposals as that relative to the Senate, must of necessity be decided in the British Parliament.

with the Representatives, the Senate may be dissolved and an entirely new Senate elected. The franchise is the same for both Chambers, all adults having the vote. The Australian Senate has no power to amend or originate money bills. In the event of disagreements there may be a joint session of both Houses and the Representatives being at least twice as numerous, could easily outvote the Senators, but the provision for dissolution of the Senate is the best guarantee that it will not battle too hard against what is apparently the popular will in matters of legislation.

South Africa's Senate consists of 40 members, eight nominated by the Government and 32 elected, eight for each province. The Governor-General-in-Council, which means the government, has the power to summon, prorogue, and dissolve Parliament, and may act in this regard in respect to both the Senate or the House of Assembly (the popular Chamber corresponding to our Commons), singly or simultaneously. The Senate cannot originate money bills, and is greatly restricted in its power of amending them. There are arrangements for composing differences between the two Houses, but the power of dissolving either as vested in the Governor-General-in-Council is a strong last resort against a Senate that might be inclined to show its teeth too freely against governmental measures.

New Zealand recently made provision for electing its Legislative Council, or Upper Chamber, which previously consisted of 39 members who hold their seats for seven years only, but are eligible for re-appointment. An enlarged membership was provided for and sitting members were to hold office until their terms had expired.

### TO HIS FAIR IDEA

In pride of wit, when high desire of fame  
Gave life and courage to my laboring pen,  
And first the sound and virtue of my name  
Won grace and credit in the ears of men;  
With those the throned chieftains that preside  
I in the circuit for the laud share,  
Where, in the full praise, I freely must confide,  
In heat of blood, a modest eulogist move.  
With shouts and claps, at every little pause,  
When the proud round on every side hath rung,  
Seddy I sit unmoved with the applause,  
As though to me it nothing did belong;  
Not public glory vainly I prize;  
The praise I strive, is to entice you.  
—Michael Drayton

### PRODUCE MARKETS

#### GRAIN QUOTATIONS.

Toronto, Sept. 23.—Manitoba wheat—No. 1 northern, bay ports, \$1.53; No. 2 northern, \$1.49; No. 3, \$1.46, c.i.f., bay ports. Standard re-cleaned screenings, f.o.b., bay ports, per ton, \$22.50. Manitoba oats—No. 2 C.W., 64 1-2c; No. 3 C.W., 64c; extra No. 1 feed, 63 1-2c; No. 1 feed, 64c; No. 2 feed, 59 1-4c. Ontario wheat—No. 2 winter, per car lot, \$1.18 to \$1.20 f.o.b.; No. 3, \$1.14 to \$1.18; No. 2 commercial, \$1.11 to \$1.15; shipping points according to freights. Oats—Ontario, No. 3 white, 48c to 50c.

Millfeed—Bran, \$27 per ton; shorts, \$29 per ton; middlings, \$35 per ton; feed flour, \$2.05 bag. Barley—Malting, 78c to \$2c. Rye—No. 2, 90c to 93c. Manitoba flour—First patent, \$7.30; Toronto; second patent, \$7.30; Toronto.

Flour—Ontario, \$5.75, in jute bags, Montreal, \$5.75. Toronto; bulk, seaboard, \$5.50. Peas—No. 2, not quoted. Hay—No. 2 track, Toronto, \$14; No. 3, \$12.50. Straw—Car lots, \$9.50. American corn—No. 2 yellow, \$1.37, track, Toronto.

Montreal, Sept. 23.—Oats, Canadian Western, No. 2, 69c; do. No. 3, 68c; extra No. 1 feed, 66 1-2c; No. 2 local white, 66c. Flour, Manitoba Spring wheat patents, firsts, \$8; do., seconds, \$7.50; strong bakers', \$7.30; Winter patents, choice, \$6 to \$6.10. Rolled oats, bag of 90 lbs., \$3.55 to \$3.65. Bran, \$27.25. Shorts, \$29.25. Middlings, \$35.25.

Winnipeg, Sept. 23.—Wheat—No. 1 northern \$1.42 7-8; No. 2 northern \$1.39 7-8; No. 3 northern \$1.37 7-8; No. 4 \$1.29 3-8; No. 5, \$1.19 3-8; No. 6, \$1.11 3-8; feed, \$1.05 3-8; track \$1.40 3-8. Oats—No. 2 C.W., 59 3-8c; No. 3 C.W., 58 3-8c; extra No. 1 feed 58 3-8c; No. 1 feed 57 1-8c; No. 2 feed 54 7-8c; rejected 50 5-8c; track 59 1-8c. Barley—No. 3 C.W. 90 1-2c; No. 4 C.W. 88 1-4c; rejected 85 1-4c; feed 84 3-4c; track 89 3-4c. Rye—No. 1 C.W. \$1.02 3-8; track \$1.02 5-8c. Flax—No. 1 N.W. \$2.19; No. 2 C.W. \$2.11; No. 3, C.W. \$1.74; rejected \$1.74; track \$2.09.

Chicago, Sept. 23.—Corn—No. 2 mixed \$1.16 1-2 to \$1.16 3-4; No. 3 mixed \$1.15 to \$1.15 1-2; No. 6 mixed \$1.12 1-2 to \$1.12 3-4; No. 2 yellow \$1.15 to \$1.17; No. 3 yellow \$1.15 to \$1.16; No. 4 yellow \$1.15; No. 5 yellow \$1.13; No. 4 western \$1.16 1-2; No. 3 western \$1.15 1-2; No. 4 western \$1.14 1-2. Oats, No. 2 western 50 to 50-

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