House of Commons yesterday afternoon by Minister of Justice Ernest A. Lapointe.

CALLS IT RIDICULOUS

CLAIMING it is ridiculous that Canada alone of all the dominions should have to go to Westminster to secure a constitutional amendment, the minister of justice warned that a too rigid constitution is a threat to democratic institutions of this country.

Mr. Lapointe reminded the House that Canadians have nobody to blame but themselves for the present situation, and offered the opinion that the British Parliament would be only too glad to be rid of the problem of having to consider Canada's constitutional problems.

The minister was dealing with the government's efforts to obtain a minor amendment to the British North America Act so as to permit a national unemployment insurance system. He was careful, however, not to reveal whether the government intends to go ahead with its plan in face of opposition from certain provinces.

QUEBEC ATTITUDE

Dealing with the attitude of the Quebec Government, he expressed the belief that the majority of the people of that province want unemployment insurance even though their government is bucking the scheme. Claiming inconsistency on the part of the Duplessis administration, he recalled that when the Bennett unemployment insurance measure was before the Privy Council no opposition to the plan was forthcoming from Quebec.

"When a constitutional reform is required and desired by the great majority of the citizens of a country, I am afraid that prohibitions which may have been enacted years before cannot be a permanent obstacle," observed the minister, having reference to the fact that when the B. N. A. Act was drafted no provision was made for change, thus necessitating passage of a statute at Westminster whenever an amendment is required.

"They will be ignored, or people will find a way of getting around these obstacles," Mr. Lapointe warned. "I were all my fellow citizens in all parts of Canada that to insist on making the constitution inflexible, rigid and to prevent orderly change or improvement is to run the risk of having it violated in a disorderly way when the political forces opposed to it are strong enough to do so."

MUST FIND A WAY

"We must find a way of ending the rigidity that prevents the Dominion of Canada enacting legislation which we may believe is necessary for national progress. I hope this Parliament will not end before some progress is made on that direction."

Mr. Lapointe was speaking in the continued debate on the speech from the Throne and was followed by Hon. C. H. Cahan, secretary of state in the Bennett Government, who contended it would not be wise to press the unemployment insurance legislation this session.

"I ask whether it is advisable to press it now when the government has placed in the hands of a Royal Commission responsibility for considering representations from various sections of the country with respect to what amendments to the B. N. A. Act should be considered," observed Mr. Cahan.

CONGRATULATES FRANCOEUR

Mr. Lapointe congratulated J. E. Francoeur, Liberal, on winning the Lotbinière by-election by such a large majority. He was glad the result of the by-election, involving defeat of an Conservative candidate, has been reassuring to people in other provinces. He believed most of the Conservatives of the country voted for the Conservative candidate because they were against the government although they did not agree with his views any more than the Liberals did. He thought in all by-elections there should be straight fights between the two parties so that "Conservatives will not get into the habit of voting for anyone."

The minister reaffirmed his faith in democracy despite attacks upon it recently made in Quebec. To the people who have assailed Parliament and democracy he wished to say that if democracy were abolished they have no assurance their own pet system would prevail. Another system very distasteful to them might take its place.

When democracy was abolished in Germany the first developments was the abolition of all provincial legislatures and the centralization of all power in one government. He wondered what Quebec people who are assailing democracy had thought of that.

HON. C. H. CAHAN

Mr. Cahan said he had noticed a great change in the tone and temper of the public utterances of government leaders as they spoke in recent Quebec by-elections. He recalled that only a few years ago, for being a little less patriotic, he had been hooted and stoned and driven out of public halls.

Mr. Cahan said there could be no doubt a joint address from the House and Senate to the British Parliament would result in an amendment to the B.N.A. Act. He had no doubt about it.

This opinion raised doubts in Quebec whether the unemployment insurance amendment should be proceeded with at the present time, Mr. Cahan said. The doubts are in the minds of the English Protestants and not French Catholics. The English Protestants have fears that if the British House grants amendments easily, their rights in Quebec might be abolished or lessened.

The whole meaning of federal powers under the B.N.A. Act were changed if not obliterated by the Privy Council, Mr. Cahan stated. In view of that, he wondered if the government has considered whether its proposed constitutional amendment goes far enough.

Mr. Cahan said he is convinced the Dominion, in order to establish an unemployment insurance scheme, needs legislative authority as well to deal with hours of employment, minimum wages and to arbitrate and adjust labor disputes.

SUGGESTS DELAY

Mr. Cahan wondered if it would not be wise to delay the B.N.A. Act amendment a year or two. It would take time for the insurance scheme to be of any relief to workers.

"Is it advisable," Mr. Cahan asked, "to pass that amendment now when the government has placed in the hands of a commission the elucidation of evidence and the consideration of representations of various parts of this country as to what amendments to the B.N.A. Act should be considered?"

Mr. Cahan said he had never accepted the view the B.N.A. Act is a contract or agreement between provinces. It is more sacred than that. It is a clear understanding between representatives of Protestant and Catholic majorities and minorities throughout the provinces that certain civil rights should prevail.

Before any change is made in the Act definite assurance should be given to both groups that their rights would not be changed without their consent or the consent of their representatives, he said.

While he doubted the amendment proposed by the government would be sufficient for the purpose of enabling creation of a national system of unemployment insurance, he believed some method of bringing about amendments to the Act of Canada should be provided.

Before that was done, whether by Parliament or by some conference or convention, clear and explicit assurance of the safeguarding of the rights of racial and religious groups should be given. It was doubts and fears on the part of those groups which were the chief obstacles to amendments.

A. B. HYNDMAN

Dr. A. B. Hyndman, Conservative, Carleton, said the differences between provinces and the Dominion and the lack of national unity has developed since the Liberal Government took office.

"We have the premier of Ontario stating he is not a Mackenzie King Liberal," said Dr. Hyndman. "That goodness, Mackenzie King is not a Bennett Liberal!

He thought there should be an investigation of the prices farmers received for their products and the prices consumers pay. He submitted there are conditions operating against the farmers and consumers alike. In particular he demanded an inquiry into the packing industry which is "bleeding the farmers."

Eastern Canada is not complaining of the help going to Western Canada and he thought it was not a nice thing for Gordon Rose, Liberal, Moose Jaw, to suggest a free trade area for Western Canada, as he did Thursday.

"I am a protectionist, but I believe in controlled protection," said Dr. Hyndman.

The radio license fee should be wiped out completely, said Dr. Hyndman, who protested against too many American programs on the Canadian system.

ALBERT BROWN

Albert Brown, Conservative, Hamilton East, deplored the lack of action on the part of the government in social reforms and stressed the need of adequate protection for Canadian industry.

A national advertising campaign to stimulate Canadian internal trade would do much to restore prosperity, Mr. Brown believed the government should devote as much effort and money to expanding Canadian home trade as to pushing export trade.

yuan, about 16 miles west of Pengpu, also were driven back and the city occupied the Japanese said.

Despatches from Suchow said Chinese troops holding the north bank of the Hwai north of Pengpu, along the Tientsin-Pukow line, repulsed Japanese efforts to cross there.

Another Japanese column pushing down into Central China from Tsingtao reported driving Chinese troops from Chucheng in southeast Shantung Province.

This column's objective was to cut the Lunghai railroad, the east-west line running through Suchow and terminating in Haichow near the coast. The column intends to strike either at Haichow or swing westward toward Suchow if it succeeds in reaching the Lunghai.

The Japanese also were sending a column southward along the Tientsin-Pukow railway directly toward Suchow with the purpose of contacting the forces moving up from the south and pinching off a vast area lying between the Tientsin-Pukow railway and the coast.

ATTACKING TO NORTH

Troops in the Pengpu section were trying to advance northward along the Tientsin-Pukow Railroad to Suchow, where the railroad crosses the vital east-west Lunghai railway in the heart of central China's richest agricultural region.

The Hwai runs in an easterly direction through the Pengpu area, approximately 90 miles south of Suchow, and provides a defensible natural obstacle.

Chinese dispatches said troops defending the north bank of the Hwai were under command of General Yuh Shoh-Chung, serving under him were troops of the executed Shantung warlord, Han Fu-Chu. These troops were said to be gallantly endeavoring to redeem themselves for their poor record when Han Fu-Chu, who was executed for failing to defend territory assigned to him.

While Chinese machine-gunners and artillerymen blocked the river crossing above Pengpu, another Japanese column attacked Hwaiyuan, 10 miles west of Pengpu. Several Presbyterian missionaries and a church hospital are in this city.

WEATHER IS SEVERE

The weather was cold in the fighting zone and snowstorms in the Yangtze basin hampered military operations.

Chinese press reports said the Chinese suffered severe losses in an attack on the Japanese rear near Wutsing, along the Anhwei-Kiangsu provincial border. The Japanese lost 400 men in the engagement.

Japanese naval sources said planes bombed a wide area of south China, concentrating on military forces and highways.

These raids were said to have no connection with "sideshow" operations at Canton, where Japanese naval and air units were active in what was described as an effort to force the Chinese to keep troops in Kwangtung province, rather than send them to central China.

Japanese warships lying off the coast engaged the Chinese Boca Tigris forts in a heavy exchange of fire. The forts were not put out of action and the Japanese did not force their way up the river toward Canton.

CANTON EXPLORED

Observation planes, flying low, encountered Canton and drew the fire of anti-aircraft machine gun and silent battleries, which forced them to disperse and fly to the south. They thoroughly scouted the delta region.

The Chinese believed they had frustrated a Japanese plot to overthrow Nationalist Government in Kwangtung Province and set up a pro-Japanese administration. Hundreds of Japanese undercover agents were under arrest after raids on secret Japanese headquarters in the city.

Japanese scouting planes joined in the attack on the Boca Tigris forts. Naval sources said three Chinese barges were destroyed at a landing field in that area.

U. S. DROPPING PATROL

WASHINGTON, Feb. 5.—The United States took a long step away from China today by ordering its armed forces there reduced by more than one-half.

After 36 years' service, the army will cease its Chinese patrol early next month by virtue of the order announced by the state department.

The 15th Infantry, comprising 208 officers and men, was transferred from Japanese-controlled Tientsin, North China, to Ft. Lewis, Washington.

Marines alone will remain in China, and they in ranks thinned by the recent order for withdrawal of 1,500 officers and men.

Two companies of Marines from Peiping will take the place of the army men, leaving two marine companies in Peiping.

The withdrawal of the 15th infantry and the marines already ordered to come home will reduce the American forces in China to about 1,200. Last month there were about 4,000.

OFFICIAL COMMENT

The state department, commenting on the infantry withdrawal, said:

"The American Government has long been committed to the principle of effecting the withdrawal of such forces whenever and as the circumstances develops as to warrant the view that withdrawals can be effected with

Mrs. F. Stone Is Ill

PETROLIA, Feb. 5.—Mrs. Florence Stone, ex-municipal member, is confined to her home here in a serious condition. A cold has developed into pneumonia.

WATCH WHEN YOU CROSS!

This interesting and impressive fact is from the Atchison, Kansas, Globe.

"The Lord will watch over you to a certain extent. But when you walk across a street, you should do a bit of looking for yourself."

Bakery and Confectionery Workers Union which sponsored the strike, said that as soon as Mr. Dietrich signed the agreement four or five other bakeries would sign it, thus there would be no discrimination against Dietrich.

tenced yesterday to five years in penitentiary and Michael Gagliardi to three years. An assize court jury deliberated three hours before bringing in its verdict, which recommended leniency.

when she upset a kettle of boiling water.

She was taken to Hospital for Sick Children where her condition is regarded as serious.

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