

ing returns under oath, and so forth, the Minister should get the approval—I do not like the word “fiat,” which means “let justice be done,” and they are simply making an investigation—he should get the approval of the chairman, say, of the Trade and Industry Commission, so long as he is a barrister of ten years’ standing, or of the president of the Exchequer Court.

Hon. Mr. LYNCH-STAUNTON: That is the one.

Right Hon. Mr. MEIGHEN: There is no need to go out of Ottawa for that, because the Minister gets the approval, and he is here. All he has to do is to lay the report of the commissioner before the judge, and the Act should read that the judge should be convinced that there was reasonable cause to believe that a combine existed and that an investigation should be ordered. Then they go on from there.

Hon. Mr. DANDURAND: What is the expression?

Right Hon. Mr. MEIGHEN: Reasonable grounds.

Hon. Mr. DANDURAND: A prima facie case?

Right Hon. Mr. MEIGHEN: If I were the Minister I think I would object to that. You are not making a case. He should not be called upon to make a prima facie case, but he should give evidence to show that there are reasonable grounds to fear such a combination.

The LAW CLERK: Reasonable grounds to proceed.

Hon. Mr. CORÉ: Reasonable and proper grounds.

Right Hon. Mr. MEIGHEN: I was putting it as lightly as I could—“reasonable grounds to believe that such a combine exists.”

The commissioner goes on, and at another stage I think the judge should come in. The commissioner may be in Vancouver; but before he exercises processes such as penalizing, he certainly should have the authority of a judge. He should submit the matter to a judge and let him penalize. There is not a member sitting around this table who thinks that any body of legislators should commit to Mr. McGregor, say, who has had no training whatever in law, the powers of a Supreme Court judge. He may be ordering something which is not right at all, and if he does some poor devil goes to jail. It all depends on the propriety of the thing. Before exercising these extraordinary powers—if they are necessary at all, and they may be—he should get a judge’s authority. If he is in Quebec he can get it there; if in Nova Scotia he can get it there. That is the extent to which I think we should go, and I do not feel that we are justified in going further.

Hon. Mr. ROGERS: I should like to say that following our session last night I gathered the distinct impression that it was the feeling of the Committee that some change should be made in our original proposals which would prevent the machinery of this Act being used as an instrument of persecution.

Right Hon. Mr. MEIGHEN: Yes, an instrument of harassment.

Hon. Mr. LYNCH-STAUNTON: Conscious or unconscious.

Hon. Mr. ROGERS: It is with that in mind that we have proposed the changes.

Right Hon. Mr. MEIGHEN: You are still keeping the power in the Government. I would not agree to that at all. You will not go to a judge.

Hon. Mr. ROGERS: If I may continue—

Right Hon. Mr. MEIGHEN: Certainly.

Hon. Mr. ROGERS: We had to consider which of the several means suggested here last night might be adopted with the least impairment of effective investigation and the investigatory provisions of the legislation; and it was because we believed that the approval coming from the Minister of Justice would at least provide a further safeguard against the investigation being pursued in a