

before this committee and before parliament—are we reducing the rate of interest by passing this bill or are we permitting this company to get away from the decision of the courts, that they have no right to charge this high rate of interest, that they can only charge 7 per cent per annum?

Mr. MARTIN: I rise to a point of order.

Mr. TUCKER: We have here—

Mr. MARTIN: I rise to a point of order,

Mr. TUCKER: —a company which—all right, state it.

Mr. MARTIN: Mr. Chairman, I rose and made my point of order. I think before Mr. Tucker has the right to go on that I should have a ruling from you on that point of order.

Mr. TUCKER: I am speaking to the point of order, Mr. Chairman.

Mr. VIEN: Not by a speech of that kind.

Mr. TUCKER: I am showing how it is relevant. We have here an expert witness, a lawyer. This committee wants to know what the effect of the law that parliament passes is, so that it will know whether it is increasing the rates of these companies or not. I asked Mr. Finlayson if there was an opinion obtained from the law officers of the Crown on the matter, and I was given to understand—I may have misunderstood him—that in some way we could not get such an opinion as to what the effect of the present power of the Central Finance Corporation is. I do submit this, that if we cannot get by expert professional evidence of barristers of standing in this province what is the effect of what parliament has already done, then I wonder, Mr. Chairman, how we are going to get it.

Mr. FINLAYSON: May I answer that question? I think the question put to me the other day was if the Department of Justice would not advise us as to which of these two conflicting decisions was right. That was the question, as I recall it. I think I said that I thought the Department of Justice would not express itself on that question, seeing that one of those decisions may be under appeal. There is just this other point. I doubt very much whether that Circuit Court decision in Montreal is in any way binding on a company in Ontario that does not do business in the province of Quebec at all. I think Mr. Walker should be heard on that point, because Mr. Tucker is basing his whole argument on the assumption that the Kellie decision is binding on the Central Finance Corporation.

Mr. TUCKER: Mr. Chairman, I am just wanting to get the opinion from this witness.

The CHAIRMAN: No, professional opinion.

Mr. TUCKER: Well, his professional opinion as an expert.

The CHAIRMAN: He is here not as counsel. If we wish to decide that matter in our opinion, then I think we should ask for counsel. But I doubt if it is a fair question to ask the witness who is appearing here and who, incidentally, has been sworn.

Mr. JACOB: That is the worst part of it.

Mr. TUCKER: Yes, a professional witness—for his professional opinion. I think every member of the committee and every member of the House of Commons must be interested as to whether we are increasing the powers of this company to charge higher rates or not. Surely the opinion of an eminent lawyer—

The CHAIRMAN: No, no—a sworn witness.

Mr. TUCKER: After all, Mr. Chairman—