

*Combines Investigation Act*

plaining about the provinces. He wants to leave things to the provinces. I will tell him that some three or four provinces are bankrupt and cannot give a cent to help legislation. How can they contribute, as he suggests? What is there to prevent him bringing the combines into the law courts? Why does not the minister wield the big stick, summon these people to the Carleton assize court, and try out the legislation? What has the minister done about child labour and sweat shops? Not a thing. What has been done about the Purvis commission? A man was sent there, and he was told to mind his own business. This roundabout way of doing things is just like something to which I referred the other night. I would advise the commissioner to lay a bill of indictment against Mr. Purvis and his industry. They are the biggest trust or combine on the North American continent, and nothing is done about it. No wonder we have communism in Canada.

Mr. STEVENS: I wish to say one or two words on this section. Unfortunately I have to attend a committee which meets while the house is sitting, and I shall be here only a minute or two more. I am not going into a detailed analysis, but in my opinion this is a retrograde move. May I say with the greatest politeness and kindness to the Prime Minister that I have a full appreciation of the merits of the act as it was originally designed by him. I believe he deserves all the credit he wishes to take in that connection. But a long period of time has elapsed since. Business conditions and business methods to-day are entirely different from what they were twenty-five, twenty or even ten years ago. There has been a metamorphosis in the methods of doing business not only in Canada but throughout the world. Originally the act was designed for certain purposes; we are now returning to its original form, and though some of the amendments may be improvements, it does not measure up to present day requirements. I believe that parliament took a forward step when in 1935 it placed the administration of the act under a board of trade and industry. I think it was a mistake to assign those duties to the tariff board, but that is something which could easily be corrected.

If a board of trade and industry were erected in Canada I believe it would be a most progressive, effective and useful means of dealing with modern business problems. For my own information I have made a study of the court of commerce of France. Many hon. members will be familiar with that court, and will recall that about three hundred years have passed since it was set up. Now, after a long time, it has developed into a definitely

[Mr. Church.]

established method of dealing with commercial disputes. The records indicated to me that in France commercial disputes of all kinds would be taken to the court of commerce and there, with less formality than would be required in the regular law courts, decisions would be promptly arrived at.

I had hoped that when we established a board of trade and industry it would have gradually developed a practice and would have established certain decisions and courses of action which would serve as a guide along decent and proper lines for the large businesses in Canada. The present bill takes the powers away from the board and returns them to a commissioner. I am not in any sense reflecting upon any commissioner or any person; rather I am referring to the system. We could have had a commissioner, a secretary or some other officer to handle the bill and to deal with administration. I must say however that the establishment of the trade and industry board was one of the wisest things parliament ever did. It was a progressive, up-to-date and modern move, and an effort to meet the requirements of modern commerce.

Another point is this: The Prime Minister, the Minister of Justice and I hope the Minister of Labour—with his knowledge of economics, although he has not been long in practice as a minister—must know the difficulty which in all these years the federal government has had in securing effective action against combines which have been fairly well established as such, because nothing could be declared to be a combine until the ultimate end of the legal proceedings had been arrived at. In many cases there was a conviction in the hearts of the people, and, I would say, in the minds of ministers and government officials, that a combine of an injurious character did exist, but the difficulty always was to get a conviction under the criminal code, through the courts. First, there was a private investigation, then possibly a public commission investigation, and then there would be an approach to the attorney general of a province to obtain his leave or to turn the matter over to him for prosecution. That is a long, tedious procedure. If we could bring a case quickly before a court of commerce we would get action.

There is another phase of the matter to which I should like to direct attention. So long as we have this controversy between federal and provincial jurisdiction, to which the hon. member for Broadview (Mr. Church) referred, we shall have interminable delays in cases which naturally would fall under this law. If a matter were brought before a court