

Mr. STEWART: This is a very interesting statement from the Minister of National Revenue, because the procedure that was adopted of fixing the value for duty purposes was condemned as unsound, autocratic and taking the control away from parliament and placing it in the hands of the governor in council. Now the minister goes further. Notwithstanding that under the procedure that was adopted the hon. gentleman admits that the minister reported to council and an order in council was then passed fixing the rate of duty, or limiting it to a certain amount—

Mr. ILSLEY: No, not rate, valuation.

Mr. STEWART: The minister used the word rate, but we are all wrong in using it; it is the valuation. The minister now says that he himself has the power, that he does not even need to consult the governor in council. Surely that is autocracy. Surely that is going the limit; surely that is taking the fixing of the value for duty out of the hands of parliament and even out of the hands of the governor in council and placing it in the hands of the minister. If that procedure has been adopted I submit it is the essence of autocracy. It is all wrong; it is contrary to the principle of the act and contrary to the practice that has been followed.

Mr. DUNNING: No.

Mr. STEWART: Yes. I think I know what took place.

Mr. DUNNING: But the same order in council exists at this moment with respect to this item.

Mr. STEWART: That is just what I am coming to. I say that order in council cannot have any effect—

Mr. ILSLEY: Why not?

Mr. STEWART: —that there should be a new order in council, and I am going to ask the minister to bring down the existing orders in council that have been made with respect to these items.

Mr. DUNNING: There is no new order in council.

Mr. STEWART: Let us have the old ones, and we will see just how they were made.

Mr. EULER: If they have not been repealed why are they not in force?

Mr. STEWART: Because I submit the provision here made makes those orders in council inapplicable.

Mr. EULER: When my hon. friend states that this is a new departure by this government or this party he is entirely wrong. When the former Liberal government was in power

[Mr. Ilsley.]

section 43 was already on the statute book with regard to fruits and vegetables, and that is what we are discussing right now.

Mr. STEWART: But in the discussions I am very sure the hon. gentleman did not point out that use had been made of it. He was criticizing and condemning the former government for the use of this provision before the amendment of the statute to permit it, and if any pledge was given it was that it would be abolished. Now it is being perpetuated.

Mr. EULER: My hon. friend is wrong if he refers to me as having condemned the application of section 43 to fruit and vegetables. I will admit that I condemned applying that in the extreme way in which it was applied to other commodities. But section 43, so far as fruits and vegetables are concerned, as the leader of the opposition knows, was on the statute book, and having been placed there by a former Liberal Minister of Finance, the Hon. Mr. Fielding.

Mr. STIRLING: Item 37(a) as it was then?

Mr. EULER: Yes, applying only to fruits and vegetables.

Mr. BENNETT: Natural products.

Mr. EULER: But used largely for fruits and vegetables, as everybody knows. And I did condemn the extremes at which valuations were fixed on other commodities, because I did not regard it as necessary. On fruits and vegetables there was a real reason for doing it.

Mr. BENNETT: Does the hon. member recall a delegation in the railway committee room? Does he recall his Prime Minister standing up and repudiating him and the Minister of National Revenue who attempted to exercise his discretion to impose duties upon importers of this country? Is his memory so lost that he cannot recall the circumstances under which a great delegation came here, and when he said he was in favour of duties upon natural products, or valuations on natural products? Does he recall in this house the circumstances before the dissolution of 1930? Does he remember how all over this country it was said it was never intended that one man by the exercise of his discretion should impose new duties upon the importers of this country? Does he remember that?

Mr. EULER: It was never done.

Mr. BENNETT: Because the government would not permit it to be done on the ground that it was taking away the liberty of the subject and the rights of parliament.