

lessness is upon us. Let there be no misunderstanding of that. Those who read history and understand its implications know that the first step towards fascism in Europe was what? The first step towards dictatorship in Europe was what? It was a prejudicial appeal to the little man; that was first. Then followed the inevitable utter disregard of constitutional limitations, the utter disregard of constitutional liberties and the utter disregard of constitutional freedom. Sir, there is a way by which this country may obtain jurisdiction for this parliament to deal with these matters. It well may be that the parliament of Canada should have greater powers than it possesses; there is a difference of opinion with respect to that matter, a very earnest difference of opinion. In these days of stress and strain some men have concluded that if we had one central parliament with county councils instead of provincial legislatures all would be well. It may be so. It may be that the readjustment of the financial position of the provinces and the municipalities may bring limitations upon the exercise of power by the provincial legislatures. That may well be, but it cannot be brought about by endeavouring to induce the people to believe that parliament may do what the courts say it may not do. I repeat that the third branch of government, the judiciary, becomes tremendously important. That is why I have said that in the ultimate analysis we always have to depend upon the conclusions and decisions of the courts. That is why in the end, if we are a law abiding people who believe in reform and not in revolution, we must proceed precept by precept, line upon line, to the end that in an orderly and legal manner we may accomplish the ends we have in mind. But it is never right, it never can be right, to induce those who do not understand to believe that a parliament has power and will not exercise it out of mere obstinacy or fear. That serves no purpose, except to induce people to believe that there is a body of legislators sitting in this house some of whom are less honest than one, and that therefore they will not do that which one would do.

Mr. POULIOT: Name them.

Mr. BENNETT: I spare the hon. gentleman's feelings; I might name him. I do submit, Mr. Speaker, that the only method by which we will ever be able in this parliament to possess the powers it is suggested we should exercise is by that change in our constitutional fabric that may be brought about by a constitutional conference. As I have pointed out, there was a constitutional conference in the years prior to 1867, a conference

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that was not limited to men of one party, at which they met together and discussed how they might be able to bring about the union of these provinces of British North America. If we desire to change this constitution we can do it in an orderly and proper manner, but until we have done it let us, as loyal and law abiding citizens, be bound by the courts of the country that have been set up for the purpose of deciding how far we may go and where our proud hand must be stayed.

That is the position which I submit to this house as the governing principle that has determined the actions taken by this government during the last few months in dealing with these problems. I do point out that even if we stay here for the rest of the summer we are content to enact legislation that lies within our competence. When suggestions come that are within the law, according to the advice of competent counsel, for instance, when the Companies Act is under consideration, I for one shall be glad to hear them. This very bill, the third reading of which we are now considering, was amended in one particular, for example, owing to a suggestion made by the hon. member for Weyburn (Mr. Young), who thought that wider publicity should be given. I at once said I believed that was a sound thing to do and an amendment was introduced providing that the public who may be interested might have an opportunity to be heard before any agreement as contemplated between producers should receive the sanction of the commission.

It has been said that the tariff board has not the power to undertake this task because it is busy. All I can say is that the chairman of that board has said that he feels that the board is able to undertake this task. We did not ask this house to give the tariff board authority to deal with these matters until we knew that they thought, at least, that it was within their power and their competence to do so so far as time was concerned. More than that, we cannot and will not ask this parliament to set up a body that has the power to enact laws, for that is a delegation of power that has not been made constitutional as matters now stand. This parliament must enact such legislation, and the regulations framed under it may indeed be made by any body, and the body has been set up under the act, the third reading of which is now under consideration. This act gives effect to every principle that should be given effect to within the legal competence of this parliament under the price spreads report, so called, with respect to the matters dealt with; when taken with the other statutes to