

ing to set up may be clothed simply with the power, the authority, of the registrar or the investigator under the Combines Investigation Act. That is the whole story.

Mr. MACKENZIE KING: That is just what I object to.

Mr. RYCKMAN: We shall leave that objection with the right hon. gentleman, but I tell him now, and I think others will understand, that not a single right given to any citizen of Canada has been taken away by the proposed legislation, but on the contrary, better avenues are opened up, to invoke that act if it be desired so to do.

Mr. MACKENZIE KING: May I ask my hon. friend this question? I do not wish to misunderstand him and I am anxious to avoid any misapprehension as to the provisions and purposes of the bill. Does this proposed legislation not enable the government, if it so desires, to refer to this board what other parties may wish to have referred to the registrar or a commissioner under the Combines Investigation Act?

Mr. RYCKMAN: This legislation gives to the governor in council the power to refer to this board if it so desires.

Mr. MACKENZIE KING: I think that is wrong.

Mr. RYCKMAN: But it does not say that any syllable of the Combines Investigation Act is altered or that anyone who seeks to invoke that act cannot do so, and my right hon. friend cannot find any such provision in the terms of this bill. What has been the difficulty in connection with an appeal under the Combines Investigation Act? The late government saw fit to appoint referees or investigators who did not at all times command the judgment of the communities; they were not gentlemen distinguished in their callings. I do not wish to reflect upon any of them, but at the present time one of those investigators who was appointed by the right hon. gentleman, has been guilty of the grossest defamation, did he not hide himself behind the fact that he says he was occupying a public position and therefore what he said was privileged. As regards the tariff board as we are attempting to constitute it, composed of three men who will be worthy of the high salaries which they will receive, I tell the house with confidence that such a board will be much more likely to give decisions that will satisfy the people than those whom the previous government appointed as investigators in such cases. That is all I have to say in regard to that.

[Mr. Ryckman.]

In the next place my right hon. friend told a very sad tale of how the country would suffer if the proposed tariff board took the place of the board of customs. It was intimated that in a case where a decision under the Customs Act was required, it would be a sad thing if a board constituted as this would be, as we hope by men of distinguished ability and integrity, were to hear the case and the public would suffer. What about the board of customs? If there be anything that is un-British in our constitution, it is the board of customs, and I think my hon. friend knows that, because this law was put upon the statute books by his friends when in power and it has remained there for about twenty-five years. If I have a claim as an importer under the Customs Act and I desire to have the very right and justice of my case decided, I first come to the commissioner of customs, who is in my opinion a very fine gentleman. I suppose that some of you would say, if I am not prepared to say it, that in some cases his judgment has not been right. Suppose I think his judgment has not been right in my own case; then what? There is a right of appeal to the board of customs. That provision has been there for twenty-five years. Who compose that board? I am appealing against the ruling of the commissioner of customs. Feeling injured by the decision given against me by the commissioner of customs, I appeal to the customs board, and I find presiding at that board the commissioner of customs. At his right hand I find the commissioner of income tax, also in the office of the Department of National Revenue, and at his left hand I find the commissioner of excise. In all fairness, is there a chance under the circumstances that there will in every case, be an impartial decision by a board composed as that is, with three men in the same office sitting in appeal from a judgment given by one of them who is the chairman of the board? The thing is patently and obviously wrong. There is no doubt about that, and any reasonable man would rejoice in the substitution of a responsible board to which an appeal could be taken and by which a judgment may be rendered according to the facts.

But my right hon. friend said, the decision of this tariff board in substitution for the board of customs would be final. No such thing. It is provided in the statute which I shall take the trouble to quote, chapter 42, section 38, subsection 4:

The board of customs may review the decision of any appraiser or collector as to the principal markets of the country or as to the fair market value of goods for duty purposes; and the decision of the board of customs in regard to such