

Mr. VIEN: Mr. Chairman, my learned friend must know that the committees of parliament can be advised only by parliamentary counsel—the Minister of Justice or parliamentary counsel appointed to advise the committees. How can it be said for a minute that this committee would permit as an expert witness on law a solicitor for a competitive company which is appearing before the committee of parliament on behalf of a competitive company? His opinion as a solicitor is prejudiced. I know that Mr. Forsyth's company—

The WITNESS: I object to that statement.

Mr. VIEN: —has no bill before parliament; but Mr. Forsyth's company has been active in the committees of the Senate and in this committee by producing memorandums, producing books, and otherwise; and his opinion is prejudiced and he therefore cannot be called as an expert witness to enlighten the committee.

The CHAIRMAN: No, as expert counsel.

Mr. VIEN: Moreover, Mr. Chairman, on that point of order, it is not for any lawyer to be called to enlighten the committee. Parliamentary counsel is provided. In the Senate committee they asked Mr. O'Connor. Here we would ask either the Department of Justice or parliamentary counsel of the House of Commons, if we need advice on the law. I submit it is absolutely improper and out of order to ask a solicitor for a competitive company to express an opinion as to what are the rights and powers of their competitors.

Mr. LANDERYOU: I understand the Department of Justice is not prepared to make or give any decision on this question.

Mr. FINLAYSON: I have never referred that question to the Department of Justice. I merely expressed my opinion that they might not want to express an opinion.

Mr. LANDERYOU: Why can we not get an expression of opinion and clear up this question? Because if it is illegal for these companies to charge that exorbitant rate of interest, we should know it before we make any disposition of the bill.

Mr. FINLAYSON: I do not think the Department of Justice would want to set itself above the courts.

Mr. LANDERYOU: Until there has been a decision from the courts, I do not think we should proceed with this bill. Until this is decided, I do not think we should go on, because there is a lot of confusion.

Mr. MARTIN: On the question of the ruling—

Mr. WARD: Might I speak as a layman, Mr. Chairman. We are not all lawyers in this committee.

Mr. VIEN: Thank God.

Mr. WARD: I would like to say this, that a number of us are here with open minds on this question—

Mr. MARTIN: We are all here with open minds.

Mr. WARD: We have not made up our minds definitely as to what course we should pursue. Mr. Martin and Mr. Vien and the others who are definitely supporting the legislation should not be too touchy.

Mr. MARTIN: Just a minute. I object to that.

The CHAIRMAN: Now, now, Mr. Martin.

Mr. MARTIN: No, no. I really have an open mind in this matter as much as anyone else, and I do not think any member—I know Mr. Ward did not mean to suggest it, but I do not think any member should be put in that position.

The CHAIRMAN: Mr. Martin, every hon. member of this committee has an open mind. That is an official declaration of the Chair.

The WITNESS: I do not think it is fair to say that I am prejudiced.

[Mr. Lionel A. Forsyth.]