

Combines Investigation Act

been in the government during any period covered by the report, I thought that it was reasonable that I should take it in to some of my colleagues who had been and get their views on it. If hon. members who have been criticizing me have read the report, which I think in some cases is perhaps doubtful, they will have some idea of what a chore it was for a man extremely busy in other respects to read some three hundred pages of carbon copy.

Mr. Diefenbaker: There is no provision for reading it, just a provision for publishing.

Mr. Garson: I know and I could have blindly signed the authority for the publication and let it go at that.

Mr. Knowles: Would the minister say whether at any point when he was thinking about this matter in January he saw anything in the law that gave him any authority not to publish it?

Mr. Garson: No. Let us take some particular point of time, let us take January 22 when according to his memorandum the publication was first discussed by the commissioner and myself. I think both hon. members will agree that on that date it was no longer possible to comply with the act.

Mr. Knowles: Your head was gone.

Mr. Garson: My head was gone. I still think I was right, but perhaps I was wrong, when I felt that before I made a move at all I should discuss with my colleagues this report which was produced in wartime. I think the wisdom of that course made itself apparent for reasons which I shall disclose as we go along. That is what I did. Here is some of the vindication for the course that I followed. The hon. member for Winnipeg North Centre asked if this was the same report that was tabled and I said it was not.

After I got the report certain changes had been made. May I say as emphatically as I can that they were made without any instigation or suggestion of any kind by me. I did not suggest them; I did not initiate them; I had nothing to do with them. They were made by Mr. McGregor as commissioner.

Mr. Diefenbaker: When?

Mr. Garson: Those that were made on page 36 of the report were made between January 3 and January 7; on January 18 three paragraphs were deleted from the manuscript that had been sent to me; on January 18, 1949, five paragraphs were added and these appear at pages 115 and 116 of the printed report; on February 23, 1949, there was an insertion which appears on page 113 of two additional paragraphs in the brief of the Maple Leaf

Milling Company; on February 23, 1949, there was an addition of a paragraph (f) as marked in the copy and as appearing on pages 114 and 115 of the printed report.

Mr. Drew: I should like to ask a question which may clarify things. Were these changes made as the result of discussions with and suggestions by the commissioner?

Mr. Garson: These changes were made by the commissioner. In fairness to him I should say that when he made them he told me that it was the practice in these cases to have changes of this character made between the time the report was delivered and the time it was printed. I could understand that, with regard to some of the changes, such as those on page 36 which are more or less word changes.

But one of the changes, as it happened, was a matter of great importance because it inserted in the report a section dealing with this whole subsidy and price control arrangement which is the absolute basis of the controversy between Mr. Gordon and the commissioner under the Combines Investigation Act. That is the paragraph to which the hon. member for Rosetown-Biggan referred and which he quoted so triumphantly when he said that it was the answer to the minister's objection, meaning myself. That was added.

The report which is the topic of discussion in this house is not the report that was sent to my office on December 29. Changes had been made, some of them being exceedingly material.

Mr. Diefenbaker: What was the change on page 36 to which the minister has referred?

Mr. Garson: The words "it can only be concluded" were struck out and the words "there is justification for at least a strong presumption" were substituted. It was a watering down of the deduction.

In the first draft of the report Mr. McGregor had left out a reference to the subsidy and profit control arrangement. As the leader of the opposition correctly surmised, as a result of discussions which I had with him, based in part upon observations that were made to me by my colleagues in cabinet council as to what had taken place during the war period and of which I knew nothing, he inserted that paragraph in the conclusions dealing with the subsidy and profit control arrangement. They will be found where the hon. member indicated at page 114.

I suggest that the report was not complete; there were important omissions from it at the time that it was delivered to my office in my absence. If I had wanted to adopt an uncandid attitude, if I had wanted to mislead the