

Combines Investigation Act

Mr. Garson: My hon. friend says "hear, hear"; I hope he is referring to the accuracy of my statement rather than the sentiment I expressed.

Mr. Knowles: I referred to your head.

Mr. Coldwell: We would have given you reprieve to April 1.

Mr. Garson: When I came here there was a great accumulation of matters awaiting my attention on my desk. I had been sworn in in November 1948, and it was my duty to attend to these matters. I could not expect anybody else to look after them. I had been away for some considerable time in these by-election campaigns. So I addressed myself to dealing with these matters on the basis of their relative urgency—and many of them were exceedingly urgent—and disposed of them as quickly as possible.

I am not going to suggest that, working at very high pressure in a number of fields for long hours every day, I can at this time remember with any accuracy at all what I did on any day or even any week in January 1949. But I think that it is highly probable that the time for publication under the statute had already expired before I ever got to the point of reading the report at all. And I say that because Mr. McGregor, upon whom I have to rely for these matters, and who is a very competent and methodical man, kept a record of the various steps which show that the first date upon which he and I discussed the matter of publication was January 22, 1949, some nine days after the time limit for publication. And my head was already worthless by that time. The offence of not publishing by January 13, 1949, had been committed.

Mr. Knowles: You thought you might as well have it cut off for a sheep as a lamb.

Mr. Garson: No, I do not agree with my hon. friend's unprincipled suggestion. I am going to outline the reasons which were to me—they may not seem to my hon. friends to be conscientious reasons—but they still seem that way to me, even in retrospect. And it was not because I thought I might as well be hanged for a sheep as a lamb.

I would like to say—and I think most hon. members would agree—that I had had nothing whatever to do with this flour report before. I was not in Ottawa when the inquiry was started. I did not know that there was such a thing as a flour report until I came here, and probably until after the time for publishing it had expired. Under those circumstances I do not think it was fair to expect that I would rush away and sign an authorization to publish, without wanting to know

[Mr. Knowles.]

what it was that the government was publishing over my signature. And if it had been possible—

Mr. Knowles: May I ask a question?

Some hon. Members: No.

Mr. Garson: Yes, all right.

Mr. Knowles: The commissioner's memorandum which the minister read asked for the minister's authority, not to publish it, but just to print it.

Mr. Garson: No, no; it must be published.

Mr. Coldwell: The publishing is automatic.

Mr. Knowles: The law requires the minister to publish it. The only point in the commissioner's memorandum was to get authority to have it printed.

Mr. Garson: No; *Hansard* will speak for itself. He was referring to section 27 (5) which is the section in question requiring publication.

Mr. Coldwell: But it does not require ministerial authority to publish, does it? Under the statute it must be published within fifteen days.

Mr. Garson: I hope my hon. friend is right, because if it does not require ministerial authority there is no responsibility upon me.

Mr. Coldwell: Except that it was held over until this month.

Mr. Garson: No; well, if my hon. friend will just let me develop my own argument as I go along—

Mr. Coldwell: All right.

Mr. Garson: In respect of a report, of which everyone must have known I had no previous knowledge, if it had been possible for it to have been delivered for me to read, after I had got over the press of this accumulation of duties when I got back to Ottawa, so that I would know what I was doing, I would then be quite willing to accept all the criticism levelled against me.

But here was a matter with which I had nothing to do before; I knew nothing at all about it. I came down here to a heavy accumulation of work, much of it extremely urgent; and in the mass of this material, buried somewhere, was a report and this memorandum of December 31. And when I got to the report which, as I say I am morally certain was after the time for publication had already expired, I felt: Well we could not then comply with the act and I had the feeling that I would like to read the report in order to get some sort of idea as to what it was that I was publishing. Moreover having regard to the fact that I had not