

If there has been wrongdoing, charges will be laid; if not, we shall at least know the answer; we shall know that the material did not go astray. If it did go astray, the man responsible will be brought before a court of justice. He will not be denied justice. Any charges made will be presented in open court, and no advantage will be taken of the fact that we have used means which are perhaps unusual to trace the destination of this element. My hon. friend can make the most of it; he can be as forensic as he likes. Nevertheless we have done what we believe to-day it was necessary to do. The action of the government has been challenged in the courts, as I assume my hon. friend knew when he made his speech.

Mr. DIFENBAKER: I was aware of it. But you were trying to take away the right.

Mr. HOWE: We shall know eventually the view of the courts on the order in council. Perhaps the court will agree with the hon. member that we are acting *ultra vires*; perhaps not; but in any event if I had to do it again I would do exactly the same thing. I sincerely hope that we shall be able to trace the destination of every ounce of ore that ever came from Eldorado. If we can do so, no harm will have been done; but if there has been wrongdoing, I believe that we would be open to serious censure for not taking any action that is indicated as a result of the findings.

Mr. DIFENBAKER: I have listened with interest to the explanation. There is no endeavour to excuse the dictatorial complex which is exhibited in the order in council. Apparently no excuse can be offered for the passage of a secret order in council or for the denial to parliament of information regarding the order in council until the press finally brought it to light. More than that, I was amazed to hear the minister say, "I have had the order in council in my drawer for three weeks, and as my colleague the parliamentary assistant advises me, I was waiting for someone to ask for its production but as they did not do it I did not produce it." Let me point out that prior to October 10, I had asked the question which was passed as an order for return on that day, as reported in *Hansard*, at page 898. The question was simply this:

Have any orders in council been passed since the 8th of May, 1945, wherein (a) recourse to the courts by a party aggrieved by decision of a board, commissioner or controller is specifically denied; (b) a commissioner or investi-

[Mr. Howe.]

gating officer has the power in any proceeding to deny the right of a person appearing before same to be represented by counsel?

If so, give particulars?

That question was asked.

Mr. HOWE: It was certainly a roundabout approach.

Mr. DIFENBAKER: Well when it comes to talking about roundabout approaches, the exhibition which the minister has just given will take high place in any competition.

Mr. ABBOTT: Oh, I would not say so.

Mr. DIFENBAKER: It was simply a refusal on his part to answer for a deliberate flouting of parliament, by the simple explanation that "I did it; I had a high purpose in mind, and I would do it again." I have no sympathy for any man who would in any way defraud his country. I join with him in his desire to be assured that if there were any unlawful disposal made of the products of Eldorado it should be traced. But I say at the same time that investigations, however desirable in the interests of justice, should be carried on in accordance with the principles which ages under British law have determined proper to assure that justice shall be attained. Otherwise, whenever the crown finds itself in a position where it desires to get evidence, all it will have to do will be to set up a court after the fashion of the Star Chamber, and then proceed, as apparently the minister tacitly admits he proceeded in this matter, regardless of what parliament or people think of it.

Item agreed to.

Cargo vessels operated by Park Steamship Co. Ltd., \$27,000,000.

Mr. MacINNIS: Since this is a going concern and there may be an opportunity to deal with it more appropriately under the Department of Reconstruction, perhaps anything I have to say might be left over until then.

Mr. HOWE: This is Munitions and Supply.

Mr. MacINNIS: I wonder then if the minister would give the committee some information as to how the Park Steamship company stands now. How many vessels were turned over to this company in the first instance; how many of those have been sold since; what is the policy in regard to the remaining vessels; and any other matter on which he thinks the committee should have information?

Mr. HOWE: The number of ships operated by Park Steamship company is 154, divided as follows: on the west coast, fifty-five, all of