

Combines Investigation Act

Mr. Coldwell: I agree with the commissioner's recommendation. I am pointing out that I did not recommend it.

Mr. Garson: I see; but my hon. friend agreed with the recommendation. Mr. Speaker, I undertook with the hon. member for Toronto Greenwood to deal with the flour report itself in a way that he would regard as serious. I want to do so with all the candor that I can muster. I want to begin by saying that in some twenty odd years of public life I cannot remember ever having encountered a problem in which the combination of circumstances was more unfortunate, unfortunate at the beginning and as it developed. My position was this. After having taken part in two winter by-election campaigns, one in my present federal constituency and the other one in my own provincial seat in support of my successor, I arrived in Ottawa on January 3, 1949, to take up my duties. Three weeks later parliament was to open. In that interval, in addition to familiarizing myself with the operations of the department, including the penitentiaries administration, the Royal Canadian Mounted Police, the Combines Investigation Act and the other branches of the department, and reading the reports of these branches in order to bring myself up to date, there were in the way of legislation to be attended to the Continuation of the Transitional Measures Act, which had a time limit on it because it had to be introduced before existing measures expired, the bill to amend the Supreme Court Act by abolishing appeals to the privy council, amendments to the Exchequer Court Act, revision and consolidation of the Bankruptcy Act, various amendments to the Criminal Code, and the statute law amendments arising out of the terms of union of Newfoundland and Canada, and also amendments to the Judges Act.

Instead of this report being brought to me in person after I turned up in Ottawa it was delivered to my office in Ottawa while I was still in Winnipeg on December 29. Then on December 31, while I was still in Winnipeg—and may I say quite unavoidably in Winnipeg; there is no way that I could have avoided it—and I was not holidaying, or anything of that kind—on December 31, while I was still absent in Winnipeg, the commissioner sent a memorandum to my office in Ottawa. And the time within which publication had to take place had started to run. I was like the sprinter who had the starting gun fired before he had got out of the dressing room. The race was well on before I got to Ottawa at all.

On December 31, still in my absence, I got this memorandum from Mr. McGregor:

Your reading of the entire report is now out of the question, but I hope you may have an opportunity to run through the concluding chapter which starts at page 263. A summary, such as we usually release to the press when the report is made public, will be prepared shortly.

Section 27(5) of the act requires that the report be made public within fifteen days after its receipt by the minister.

This is all put in to me, with time running on.

It will not be possible to have it printed within the fifteen days, but we hope to have copies from the printing bureau before the end of January. May I have your authority to have 5,000 copies printed in English and 1,000 copies in French. I would like to have a word with you regarding our practice in printing other similar reports.

Thus, by the time I got to Ottawa, five out of the fifteen days had already elapsed before I was able to see the report physically, let alone to have any time, in the press of other duties, to read it. It came to me in the form of a bulky manuscript consisting of about rather less than three hundred pages of loose sheets of carbon copy, in a loose-leaf binder. There were no copies available; that was the only copy that was ever delivered to me of the manuscript. If I wanted to discuss it with anybody I could not do so until I had read the whole report and had mastered it, so that I could present an intelligent summary—although later on, long after the time for publication had elapsed, I was furnished with the first draft of a press report, which was a summary.

Mr. Diefenbaker: When was that?

Mr. Garson: The draft, do you mean?

Mr. Diefenbaker: Yes.

Mr. Garson: January 24, 1949.

Mr. Knowles: Was that the draft which was released to the press on November 7?

Mr. Garson: No, and I am coming to that. It was not. That is the point. My hon. friend, with his usual discernment, has put his finger right on the point. But his colleagues, and I believe he himself, have been arguing that if I were like the other Stuart, Charles Stuart, I should have my head cut off for not getting this report published by January 13, 1949.

And I am going to lay before hon. members information to indicate that it could not possibly have been done in that time. And when January 13 came along, if I wanted to keep my head—because there was nothing I could do after January 13, 1949, to comply with the law regarding publication—

Mr. Knowles: Hear, hear.