

Combines Investigation Act

not discounting their importance in any way. When I listened this morning to the interpretation which the hon. member for Greenwood (Mr. Macdonnell) put upon our actions, that this was a dastardly conspiracy against the very constitution of our country, I thought that in giving such a judgment as that, he might perhaps have been charitable enough to wait until I had had an opportunity, with sufficient time at my disposal, to give an extended explanation of the position in which we found ourselves. I think that he would agree, in respect of the actions that have been taken honestly, conscientiously and with great concern as to their nature and effect in connection with this matter that, whatever they may be, they do not constitute a dastardly conspiracy to attack the constitution of the country.

Mr. Macdonnell (Greenwood): I am sure the minister wants to be fair. I would ask him not to use the word "dastardly". I did not use the word "dastardly".

Mr. Garson: My hon. friend does not withdraw the word "conspiracy".

Mr. Macdonnell (Greenwood): No.

Mr. Garson: I suggest that most conspiracies are dastardly.

Mr. Macdonnell (Greenwood): You can speak as an expert.

Mr. Garson: Any delay in publication here was not, as has been suggested, any secretive or cynical disregarding of the law or of parliament by two or three ministers. Whatever delay there has been has ensued after it was no longer possible to comply with the provisions of the act. It was a most conscientious balancing by the whole cabinet in several cabinet meetings of these considerations that I have been endeavouring to lay before the members of the house. The truth of the matter is that if Mr. McGregor meant to change his report in the material particulars in which he did change it, he should not have delivered it to my office officially, in my absence, until he had got it into the form in which it was to be when published. What we were concerned with was to get in the report a complete statement of the facts, to clarify the law by the amendment now before the house and to be able, in connection with this particular report, and when publishing it and tabling it, to state what the position of the government was upon it.

This was no routine Combines Investigation Act report at all. The issue here was whether the government, on the first occasion on which this matter has arisen since the cessation of the war, was going to pillory and indict businessmen in the milling industry, under the

[Mr. Garson.]

Combines Investigation Act, for doing what some members of the government believed, and what both chairmen of the wartime prices and trade board believed, that the government had directed them to do under that board. More than that it was a question whether we were going to pillory and indict these men blindly without checking the completeness of Mr. McGregor's statement of the facts which he himself, as it now appears, has partially corrected. Here was an industry in which the government had intervened during the period of wartime control. The government had fixed the ceiling price of its finished products while letting the price of its raw material, wheat, rise.

To offset this, the government proposed a subsidy, based in part upon a rigid control of the milling industries profits. The government insisted that in that connection the industry would have to leave not only its domestic profits in the pool but that it also would have to pool all of its export profits. The government called upon this industry to supply ships' stores and other government departments with its products. For these purposes government through the wartime prices and trade board had exercised continuous supervision and direction of its activities. The objectives to which its actions were directed could not possibly have been achieved without the most ungrudging cooperation and without complete confidence of the industry in the good faith of this government. Therefore it seems to us that as long as the industry had complied with the directions of the wartime prices and trade board it would be an irresponsible and unfair action by the government, without the most careful consideration, to publish a report representing what the industry had done while operating under that board as a systematic series of breaches of another statute, namely, the Combines Investigation Act. This impression would be heightened by the fact that during this time Mr. McGregor remained the Combines Investigation Act commissioner and also acted at the same time as the enforcement officer of the wartime prices and trade board. Those of us who know Mr. McGregor know perfectly well that he would be the last man ever to take advantage of any such dual capacity. But you could not blame people in the business from thinking that some advantage might have been taken of that fact; just as those who impute to us motives in the discharge of this unpleasant responsibility have mentioned a variety of incredible motives. They say—it was said this afternoon by the hon. member for Greenwood