

Inquiries of the Ministry

industry, another against certain companies in the flat glass industry, and another against certain companies in the match industry.

As to the legal point concerning limitations, I am informed that that point will arise in each of these prosecutions. As to the prosecution against the bread industry, there are several points which arise in connection with the milling report which will have a possible bearing legally upon the issues in the bread industry. For these reasons we think that, in accordance with what has always been the practice, these opinions should not be tabled, nor should any indication be given of their contents.

Mr. Diefenbaker: On a question of privilege arising out of the answer given by the Minister of Justice, I will not seriously contend that—

Mr. Speaker: Order.

Mr. Diefenbaker: I am rising on a question of privilege.

Mr. Speaker: I have given considerable leeway on this question. Probably I should read the first paragraph of standing order 44:

Questions may be placed on the order paper seeking information from the ministers of the crown relating to public affairs, and from other members relating to any bill, motion, or other public matter connected with the business of the house, in which such members may be concerned; but in putting any such question or in replying to the same no argument or opinion is to be offered, nor any facts stated, except so far as may be necessary to explain the same. And in answering any such question the matter to which the same refers shall not be debated.

It seems to me we are getting into a debate. Probably I should allow the hon. member for Lake Centre to proceed with his question, but I hope that in future hon. members will endeavour to observe the rule.

Mr. Diefenbaker: Mr. Speaker, I shall not transgress the rule. I want to point out that I agree with my hon. friend so far as a portion of his reply is concerned. He says that the question of the limitation of actions will come up in other prosecutions, and that therefore the crown should not reveal the attitude of its law officers. I am going to agree with him on that. That does not apply, however, to the first part of the question which asks whether a submission was made to counsel following delivery to the Minister of Justice to ascertain whether prosecutions may be taken under the combines act or the Criminal Code. Your Honour will remember that the Minister of Justice, in the case of the bread prosecution, the glass prosecution and the match prosecution, said he would not proceed until he had a recommendation from counsel to whom the matter had been submitted.

[Mr. Garson.]

Some hon. Members: Order.

Mr. Diefenbaker: It is for that reason I ask why in this case that course was not followed.

Mr. Wright: I wish to ask a question of the Minister of Trade and Commerce—

Mr. Drew: Mr. Speaker, on a point of order,—

Some hon. Members: Sit down.

Mr. Speaker: The leader of the opposition is raising a point of order.

Mr. Drew: Mr. Speaker, I think there is an aspect of this that has not been placed before you.

An hon. Member: What is the point of order?

Mr. Drew: I am addressing my remarks to you, Mr. Speaker, in case there may be any doubt about it.

The point that arises in connection with the discussion which has taken place is this. The Minister of Justice supported his previous announcements of prosecutions by the statement that he was acting upon recommendation. If that is an appropriate explanation to the house for acting, then surely it is equally appropriate for the minister to inform the house whether he received an opinion to that effect in the case under which he is proceeding. I submit that only Your Honour can determine whether the question as asked is in keeping with the practice which has been established.

Mr. Speaker: Let me say, as I said a moment ago, that this discussion is out of order under our standing orders. I would also say, however, that if the minister of whom the question is asked thinks it should be answered, he may answer, but I cannot compel him to do so.

WHEAT

QUESTION AS TO MAKING CHURCHILL A DELIVERY POINT UNDER INTERNATIONAL AGREEMENT

On the orders of the day:

Mr. P. E. Wright (Melfort): Mr. Speaker, I wish to ask a question of the Minister of Trade and Commerce. Last session, while we were discussing amendments to the Canadian Wheat Board Act to make Churchill a basing port under that act, the minister stated that negotiations were under way with respect to making that port a delivery point under the world wheat agreement. Can the minister say whether any agreement has been reached in the matter?