a prosecution recently. Why can we not have the Minister of Justice, who is a member of the bar, conduct the prosecution of those cases in the court? Is there some specific reason why we must retain counsel outside of the government service to prosecute? Why can we not use the services of our very capable and excellent attorneys who are already in the department, not excluding the minister himself?

Mr. Fulton: Mr. Chairman, I want to assure the hon. member and the committee that I appreciate his last generous reference. There is, however, some question as to the propriety of the Attorney General of Canada appearing on behalf of the crown before the courts, many of whose judges will have been appointed on his recommendation. Apart from that, however, it is the policy of the department, with which I must say I am in agreement, that rather than seek to maintain a large staff of officers who may be available to go into court at any time, it is the more efficient and more economical approach to rely upon counsel in private practice, whom we retain from time to time as the need arises. I am sure the committee will appreciate that if we were to employ and maintain in the department sufficient counsel so that we could at all times, as a department be in charge of the conduct of all of our litigation, we would have to maintain a staff of such numbers to take care of the peak load of litigation and at other times there would be a number of the departmental officers who would not be engaged at all because the volume of litigation does vary from time to time. Therefore, it has been the experience that we are better served and at less expense by employing outside counsel for cases such as these combines cases particularly, big and complicated involving lengthy examination of documents and exhibits.

With regard to the point made by the hon. member for Skeena that the actual hearings of the commission appear to occupy only a few days, I wonder whether I am not correct in assuming that the instances he has referred to are those occasions upon which the commission met to hear final argument? Certainly, that is my impression from hearing what he said. What happens before the time of a report by the director and the final report of the commission is that the commission holds a number of hearings at which it hears evidence, which may be held at various places and at various times. Then, there is a date set for the final hearing, at which all the parties may be represented to advance their final argument on the basis of the evidence that has so far been adduced. It is my impression, on the basis of what the hon. member said, that he was referring to those final hearings for the purpose of listening to the argument of counsel.

Mr. Howard: If I may clear up one point, that may well be, but I do not read that from the reproduction of the letter in the sugar case. The letter is dated January 7, 1957, and is addressed to the Hon. Stuart S. Garson, Q.C., and is signed by C. Rhodes Smith, chairman of the commission. It says:

> I have the honour to submit to you herewith the report of the restrictive trade practices commission dealing with the sugar industry in western Canada—

And so on. Then he says:

> Evidence and argument in regard to the statement of evidence were heard by the commission at Winnipeg, Manitoba, between August 20 and 27, 1956.

It may well be that they had meetings or hearings before this, but it does say "evidence and argument". I looked quickly through the other three reports I have and I found that they were in the same terminology.

Mr. Fulton: I am told that in this particular case there were no other hearings; but in the ordinary case there are long periods occupied by the taking of evidence from time to time at various places. In the sugar case it did go direct to final argument.

Mr. Howard: In the three other cases to which I referred the wording is precisely the same. Evidence and argument were heard on certain dates.

Mr. Fulton: I am told that sugar was an exception. In those other cases there were occasions when evidence was taken at times other than the final hearing.

Mr. Crestohl: I should like to refer to item 157. Since we now have before us a bill which seeks to amend the Combines Investigation Act, does the estimate of expenditures which is indicated here for the year 1959-60 contemplate or include the expenditures which may be involved when the bill passes, if it does?

Mr. Fulton: Mr. Chairman, if there are any additional expenses necessary they, of course, will have to be taken care of by way of final supplementaries because they are not reflected in those estimates or in the main supplementaries. I think I have already indicated in the committee that the only respect in which we anticipate the bill will involve increased expenditure, at least so far as our own staff is concerned, is with respect to the clause dealing with misleading advertisements in which case we do expect to have to employ a small number of additional officers to police that provision.