

Combines Investigation Act

so much so that several months ago we initiated action along the lines that he is now suggesting.

Mr. Fleming: Is the minister going to deal with the point I raised? I asked for some assurance about an understanding as to the scope of the principle of the bill.

Mr. Garson: If I failed to deal with that, it was because I thought the point was so obvious that everyone would agree with it. Of course we are here considering the principle of this bill on second reading—as my hon. friend so succinctly put it, that the act be revised. It is a matter almost of coincidence that in the course of that revision the changes which I am speaking about come in. They come in because they are changes which arise out of the attention which is given to revision. I entirely agree with my hon. friend that because these have been included in the opinion of the draftsman as being the changes which are essential, they by no means exclude any changes which hon. members of the committee may see fit to suggest. I think that covers my hon. friend's point.

Motion agreed to, bill read the second time and referred to the standing committee on banking and commerce.

BANKING AND COMMERCE

MOTION FOR LEAVE TO STANDING COMMITTEE TO SIT WHILE HOUSE IS SITTING

Mr. Hughes Cleaver (Halton) moved:

That the standing committee on banking and commerce be empowered to sit while the house is sitting.

Motion agreed to.

COMBINES INVESTIGATION ACT

AMENDMENTS RESPECTING INSTITUTION AND CONDUCT OF PROSECUTIONS, ETC.

The house resumed, from Monday, November 14, consideration of the motion of Mr. Garson for the second reading of Bill No. 144, to amend the Combines Investigation Act, and the amendment thereto of Mr. Drew.

Mr. J. M. Macdonnell (Greenwood): Mr. Speaker, I should like to detain the house, I hope only for a few minutes, on one aspect of this situation. During the time that I have had the honour to sit in this house I have tried to use moderate language, and I hope that nothing I shall say today will indicate that I have changed since I was here last. But it does seem to me that in what has happened in connection with this act we have nothing less than a conspiracy against our constitution, and, as I shall try to show later,

[Mr. Garson.]

conspiracies are much more dangerous when they are carried on by men whom we all know and like and who in the ordinary discharge of their duties are quite free from any suggestion of this kind.

I wish to confine myself entirely to one aspect of what has happened in this situation, namely, what is described in the Bill of Rights as a suspension of the execution of the law.

There have been grave and wise criticisms made in this house already on this point, and I do not intend to repeat them. It seems to me, however, that the public has not registered these criticisms as they should have done. So far as I can see, the press has been very lenient; and while I am not in the position of the great Churchill who in one of his speeches said, "My words will carry far,"—and I do not flatter myself that mine will—nevertheless I wish to put in my word, for what it is worth, in the hope that what I regard as a conspiracy against our constitution may not be lightly passed over by the people of this country.

There is great danger that it should be, because the Minister of Justice (Mr. Garson) and the Minister of Trade and Commerce (Mr. Howe) have been very skilful, may I say, in leading us up blind alleys, and in discussing all other aspects of this situation. We have not, in my opinion, concentrated our minds upon that aspect which to me seems so grave and so serious.

It has already been pointed out by other speakers that what has been done, with one leap of the mind, carries us back to the Stuarts, particularly to the one Stuart who lost his head for suspending the law without parliament. It carries us back also to the declaration of the Bill of Rights, which, we should remind ourselves, is part of the law of this country.

I suppose it is true to say that what this government has done has no precedent since the Stuarts. I have not been able to verify that, but I believe there is little if any precedent in the centuries which have elapsed for what the government has done. It is wise for us to remember the words already used in this chamber by a former Liberal leader, that it does not matter to a free people whether their liberties are invaded by a king or by a cabinet.

I think it would be possible to imagine times so quiet, times so peaceful that subversive ideas could hardly impinge upon our lives at all, and there would seem to be no threatening dangers—times when we might say: Yes, there was a breach of the law, but probably it does not matter much. I can