

Supply—Defence Production

this country, an estate that is conservatively valued at over \$60 million, in respect of which the Canadian people will, through the medium of taxation, take a very large portion in succession duties. On the other hand the minister, however much he circumscribes his activities, cannot but unconsciously affect the amount of taxation which will be levied against that estate. It is all right; that in no way ascribes anything dishonourable to him. I follow the course in parliament of not casting aspersions of personal impropriety against those who oppose me or those on the opposite side. I think parliament must be above those considerations, and I try to follow that, sir.

Mr. Martin: And particularly in this instance.

Mr. Diefenbaker: In all instances.

Mr. Martin: Particularly in this one.

Mr. Diefenbaker: If I ever rise—and I hope the time never comes that I do—to ascribe to those who oppose me personal wrongdoing, or make that suggestion, it will be more than a suggestion.

I mention that because I felt rather keenly the remarks the minister made to the press regarding the hon. member for Eglinton following a reference to this question in the House of Commons. The minister ascribed to the hon. member for Eglinton what I do not believe should be ascribed to any hon. member inside or outside of the house. I do not intend to quote the words because I do not intend to have those words, unfair as they are to the hon. member for Eglinton, inscribed in the records of the House of Commons and embalmed there for future generations to look at.

However much the minister may wish to dissociate himself from that conflict of interest, it is there. It cannot be removed by the mere say-so of the parliamentary assistant. The minister said he received counsel's advice on this question. The mere fact that he sought counsel's advice indicates that he had in his own mind—

Mr. Dickey: Indicates ordinary prudence in a matter of this kind.

Mr. Diefenbaker: Ordinary prudence? He had in his own mind some grave doubt as to whether or not what he was about to assume in respect to an executorship would have the result of causing a conflict of interest which would be incompatible with either the discharge of his high responsibility as a minister of the crown or his responsibility under the will as an executor.

Mr. Dickey: It was a perfectly proper matter on which to get a legal opinion.

[Mr. Diefenbaker.]

Mr. Diefenbaker: I am not arguing about whether it was perfectly proper to ask counsel for the advice.

Mr. Dickey: Yes, you are.

Mr. Diefenbaker: As a matter of fact we lawyers would not have a profession unless people sought our opinions.

Mr. Harris: We could not afford to be here.

Mr. Diefenbaker: Well, now, as a matter of fact I could not agree more than I do with the Minister of Finance in that connection; but certainly the extent to which our opinions are sought after we come here does have a very diminishing effect on our incomes in the profession. However, in order to find out whether or not the advice given is apprehended within the criticism that has been offered here this afternoon I intend to ask these two questions. I ask first that the letter from the minister to his counsel, which will set out the questions that were placed before the counsel for opinion, be tabled in the house. Second, I ask that counsel's opinion be tabled. After all, it is so easy to say that counsel's opinion was secured on the question as to whether or not there would be a clash of interest.

As a matter of fact counsel, in order to give that opinion, would have to consider not only legal principles but would also have to consider the principles that have been followed in parliaments which follow British traditions in respect to this matter. That is the first suggestion I make. Let us have the letter asking for the opinion, and also let us have the opinion; for unless we have both of them, merely the ex parte statement on the part of the parliamentary assistant that we have counsel's opinion—

Mr. Dickey: No, the minister's statement; the minister was the one who originally said he had sought a legal opinion.

Mr. Diefenbaker: The opinion of counsel quoted as a buttress and support for the contention that there is no clash of interest should be produced so that each of us may judge as to whether or not the point that has been raised here this afternoon is effectual. Without it the mere say-so on the part of the parliamentary assistant that the opinion was secured by the minister is meaningless. We want to find out what questions were asked and what evidence was placed before counsel in order that we may learn whether or not counsel was giving support to the proposition advanced by either the minister or the parliamentary assistant.

Secondly, the contention is that there is very little interest; after all, it is merely the estate's interest in Algoma Steel. Would the