

Supply—Defence Production

is unfortunately frequently the lot of those who do attempt to serve their fellow citizens in public life.

Having set that example himself as the leader of the government, I cannot understand any member of parliament considering accepting a cabinet position without matching the example set by the Prime Minister. As the hon. member for Kamloops pointed out, the corporation with which the minister is now associated in such an intimate position is one corporation that benefits very directly from the policies of the government. The Algoma Steel is one of the very important beneficiaries of the decisions made by the minister in his capacity as Minister of Defence Production or in some of the other capacities in connection with other responsibilities. I feel that in order to maintain the good name of parliament, which is receiving so much criticism at this particular time, the minister should make his choice. He should either give up his post as minister of the crown or give up his connection as executor looking after one of the largest personal estates which has been accumulated in Canadian history.

Before I sit down I also want to express the hope that the minister, who apparently receives very little criticism as a result of his decisions as Minister of Defence Production, would use similar ideals and similar policies in dealing with some of the other departments, more particularly the department which affects the people I represent, the department which looks after the marketing of farm products. I think in due course we will have a discussion of that. I wish he would carry over to his other departments the idea that those who perform essential services should be paid on a cost plus basis.

Mr. Dickey: I do not want to take any lengthy part in this discussion, Mr. Chairman, but I do want to say a word or two. First of all, I want to deal with the implication, which I think was very unwarranted and improper, contained in the final portion of the remarks made by the hon. member for Kamloops. He very clearly implied that he considered what had occurred indicated that the Minister of Defence Production is not personally concerned about the principles with which the hon. member for Kamloops was dealing and which he was trying to explain and expose. That is, on the facts, a completely unwarranted imputation and I am sure that if the hon. member for Kamloops had realized what the facts are that have been explained to him, and to the house, he would certainly agree. What is the position? The position is that the Minister of Defence Production has explained he was

[Mr. Nicholson.]

asked to accept this executorship for a particular purpose by his late friend. He then secured the opinion of counsel, an opinion which he asked for and which was to guide him as to whether or not there would be any impropriety in his accepting this trust. He explained to the committee that the opinion of counsel he had engaged was that there would be no conflict of interest which would require him to refuse to accept the responsibilities that he had been requested to accept.

Mr. Diefenbaker: Has the parliamentary assistant the letter and also the opinion that was given?

Mr. Dickey: No, I have not the opinion. The opinion was to the Minister of Defence Production. The point I am making, and which I am sure the hon. member will appreciate, is that this was an honourable and proper approach to the question of principle with which the hon. member for Kamloops was trying to deal.

Any Canadian citizen who is in doubt about his rights under the law has the proper recourse of going to a reputable firm of solicitors, requesting their advice, getting their advice and acting upon it. Now, that advice may, in the opinion of some other people, be wrong, but it is quite improper and quite unreasonable for the hon. member to impute, as he did, that what has occurred indicates any lack of concern on the part of the Minister of Defence Production for the principles which are involved. I submit it is clear that he acted as any honourable and sensible Canadian would act under similar circumstances, and that his position is protected in so far as that is concerned by the actions which he took.

Now, let us look at the matter of principle. First of all, I think I should put on the record something which will perhaps be presumed but should, I think, be definitely stated, and that is that the acceptance of an executorship is a fiduciary capacity; that accepting it does not create any personal interest of any kind in a person who acts as such executor or trustee; that he, as an executor or trustee, has no personal interest in the assets of the estate which he accepts, or anything of that kind; that this is purely a fiduciary capacity which carries no personal interest of any kind in any shares or in any other asset which may be in the estate.

Mr. Fulton: Will the parliamentary assistant not agree with me that once having accepted, the trustee is under the personal obligation