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VERBATIM REPORT

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SPEAKER: THE HONOURABLE JAMES M. RUSSELL

The House met at 3:00 p.m.

Mr. Speaker in the Chair.

MR. SPEAKER: Order please!

I would like to welcome to the galleries today thirty-one students from the upgrading class of the Trades School on Bell Island with their teachers, Mr. John C. Pinsent, Mr. Lester Rose and Mr. Kevin Hollohan. On behalf of all honourable members of the House I welcome you here today.

PETITIONS:

MR. SPEAKER: The honourable the Member for St. John's North:

MR. J.A. CARTER: Mr. Speaker, I beg leave to present another petition on behalf of some two hundred residents of Mount Scio Road, Nagle's Hill and the surrounding area. They ask this House for the second time to prevail upon the appropriate authorities to prevent the immediate closing of Our Lady of Lourdes School, Nagle's Hill.

It has been established beyond all doubt that the enrollment of this school is growing, that there is insufficient space at nearby school to accommodate these pupils comfortably and that the standard of education there is above reproach. Furthermore, the fact that the Pippy Park Area in which the building is located is frozen is quite irrelevant since that school area extends far beyond those boundaries. Still the Department of Education maintains that its hands are tied and that the decision rests solely with the board.

I maintain that this is the sort of decision that affects us all. Shall a school of admitted excellence be closed against the will of all reasonable people connected with it? What is to become of us if decisions cannot be reversed upon further reflection? I find it difficult to comprehend that our government which is prepared to embark on such daring initiatives as are now under consideration in Labrador, can shrink from and be stymied by what is a mere nettle by comparison.

I beg and implore the government to use all of its good offices to preserve this institution that has served so many for so long and which promises such a bright future. I therefore ask that

this petition be laid upon the table of this House and referred to the department to which it relates.

ORDERS OF THE DAY:

MR. SPEAKER: The honourable the Member for Bell Island:

MR. NEARY: Mr. Speaker, I would like to direct a question to the Minister of Mines and Energy. Would the minister inform the House if there is any word yet from Ottawa regarding the federal feasibility study of the potential of the Bell Island Mines for storing crude oil?

MR. SPEAKER: The honourable the Minister of Mines and Energy:

HON. L.D. BARRY (Minister of Mines and Energy): Mr. Speaker, the reply will not be coming from the Federal Department of Energy, Mines and Resources. Both the province and the federal government are awaiting the report of the consultants who did the feasibility study. We have not yet received that report.

MR. NEARY: A supplementary question, Mr. Speaker: Will the honourable minister assure this House that the mines will not be sealed off until they get the recommendations of the consultants who are doing the feasibility study?

MR. BARRY: Mr. Speaker, there has been much confusion raised with respect to the sealing of the Bell Island Mines, a great lot of it by the honourable member opposite. It has never been the intention of this government to irrevocably seal the Bell Island Mines. If any sealing is done it will be done to protect the public, for the protection of the public. As the honourable member well knows, it is highly dangerous to permit access to the public or to people who do not know the hazards of the mines. It is for this reason that we have done the sealing that we have done to date.

I can assure the honourable member that the Bell Island Mines will not be permanently sealed until we know that there is no possibility of doing things in the mines that would be of benefit to the people of Bell Island and the people of the Province of Newfoundland.

MR. NEARY: Mr. Speaker, a supplementary question: The honourable the

Member for Bell Island is well aware that public tenders were called to seal off the mines. What happens now to these public tenders? Will they be cancelled altogether? Just left in abeyance? Or what will happen? Public tenders were called.

MR. BARRY: Mr. Speaker, public tenders were called. They were called to seal the mine temporarily as has been stated several times by the Department of Mines and Energy. Several openings to the mine have already been closed that were hazards to children and to the general public. The openings that remain will be sealed and will be closed once this feasibility study has been completed, if the study shows that it is not possible to immediately start some sort of industrial development in the mine.

Any sealing that is done will be a temporary seal. It will be possible to gain access to the mine at a later date and this has always been the intention of my department.

MR. NEARY: Mr. Speaker, a supplementary question: Will the minister inform the House if his government have given any consideration to making number (4) mine, turning it into a tourist attraction as they did over in the Cape Breton Coal Mines in Nova Scotia?

MR. FARRY: Mr. Speaker, as the honourable member knows, I sent a letter to the Bell Island Town Council doing what the honourable member should have done in recommending that the town council apply for a LIP grant or other funding that is available from the federal government to possibly make a tourist site out of any suitable place on Bell Island, including one of the mines if that were possible. Our government have no objection in principle. Our philosophy is not contrary to the establishment of tourist sites. It just boils down to where the dollars and cents are going to come from. We have suggested to the town council and I am sure that the very competent and capable councillors who are now looking after the municipal affairs of Bell Island, are well able to make application to see these developments are carried out, if they think it is in the best interest of the municipality.

MR. NEARY: Mr. Speaker, another matter: I wonder if the Minister of Mines and Energy would inform the House if the government have yet taken the decision on some thirty odd thousand dollars being held in trust that should be distributed to the people of Bell Island as a result of the sale of DOSCO assets and houses on Bell Island?

MR. BARRY: Mr. Speaker, if the honourable member should want to place that one on the Order Paper, it is an answer I had here about a month ago and the honourable members opposite informed me that they no longer wished to hear the answer to that question. We have the answer. It is the same question that the honourable member asked last year. It took a lot of research to prepare a detailed response to it but when I brought the question in this year, I was informed by the honourable members opposite that they were in effect playing games. They were raising questions for the sake of raising questions and did not want to hear the answers.

MR. NEARY: No, Mr. Speaker, that is not correct. Does the honourable minister remembering telling the House that the money was being held in trust until the homes on so-called "Snob Hill" were repaired and then it would be decided what would be done with the balance of the money? Has this decision yet been taken? This is all I want to know, Mr. Speaker.

MR. BARRY: Mr. Speaker, not having had occasion to be familiar with "Snob Hill," as the honourable has, I really do not know what he is referring to here. I can say that there are funds that have been retained by the St. John's Housing Corporation at the direction of the then Chairman, Mr. O. L. Vardy. The instructions were that these funds were to remain with the St. John's Housing Corporation, not to be transferred to the Newfoundland and Labrador Housing Corporation, as other funds were, until further directions were given. Further directions have not yet been given. We are now aware of this situation, however, and the honourable member can be assured that these funds will be transferred to the Newfoundland and Labrador Housing Corporation. The final determination of them will depend upon how long it takes and the cost of fixing up the homes that are presently being administered by the Newfoundland and Labrador Housing Corporation and rented to the residents of Bell Island.

MR. NEARY: Mr. Speaker, a supplementary question: It has taken two years for us to get this answer now but how long more will it take before we get a decision on this thirty odd thousand dollars? Will it be next week, next month, next year, when will be it? When will the decision be made?

MR. BARRY: It has taken two years, Mr. Speaker, because of the fact that this is something like probably many other unknown things that were buried by the members of the previous administration, by Mr. Vardy and other members of the previous administration. As these things are unearthed by our government, as we find out all these shocking events, the shocking loose ends that are left hanging, then we deal with them. As I told the honourable member, it was only several months ago that we did discover that this state of affairs existed. My understanding and the information given by the people of the Newfoundland and Labrador Housing Corporation is that there should be no disposition of these funds made until we know just what the cost of renovations of existing homes are going to be. Once we know what the final cost is, then a decision will be made, not before, with respect to these funds.

MR. NEARY: Mr. Speaker, a supplementary question: Is the minister aware that there is absolutely no connection whatsoever between the money that is being held in trust and the repair of the houses on "Snob Hill," that are occupied by doctors, R. C. M. P. and welfare officers? There is absolutely no connection. It would be improper and illegal to use these funds to repair these houses. Is the minister aware of that?

MR. SPEAKER: Order please!

I feel that the matter is developing into a debate between the Hon. Member for Bell Island and the Hon. Minister of Mines and Energy. If the honourable

Minister of Mines and Energy wish to answer that supplementary question, I shall permit it but I think we should move on with other questions after that.

MR. BARRY: Briefly, what the honourable member says is not my understanding. I will get out the relevant order-in-council again and I will make them available to the honourable member opposite as I offered to do several weeks ago and my offer was spurned and rejected.

AN HONOURABLE MEMBER: Not by me.

MR. BARRY: Well then, by your honourable colleagues. However, I will check into this and inform the honourable member, Mr. Speaker.

MR. NEARY: I would like the honourable minister, Mr. Speaker, it is a very important matter, I would like to get all the facts I could. Now, Sir, I would like to direct a question to the Minister of Transportation and Communications in the absence of the Hon. the Premier. The Hon. the Premier promised to give me this information the other day. He took my question as a notice of question which means that he was going to get the answer. Will the minister inform the House if there is any move on the part of the Province or if there has been any correspondence between the Province and Ottawa to turn the Bell Island ferry operation back under provincial jurisdiction?

MR. SPEAKER: The honourable Minister of Transportation and Communications.

MR. T. P. HICKEY: Yes, Mr. Speaker, I can acknowledge that there has been a letter and I can acknowledge that I have talked to a couple of people with regards to the Bell Island ferry. I can inform the honourable member that the statement he made over the weekend was totally incorrect and I said in this House some two weeks ago, approximately two weeks ago, that one of the reasons I could not give information then was with the fear that it would be misinterpreted and, of course, I did not have to wait too long before it was. He stated that the reason there has not been a long-term contract with regards to the service to Bell Island was because of the fact that the Federal Government were negotiating with the Province, Federal Government are talking to the Province. The Province has not made any decision with regards to the correspondence received from the Federal Government. Federal Government, for their own reasons, I imagine, would like to pass this ferry over to the Province.

Federal Government took unilateral action two weeks ago and notified the company that the fares for the people of Bell Island would increase and go back to the standard rate. As a result of a trip to Ottawa last week, we were able to convince the Canadian Water Committee that this was certainly uncalled for, that if they wanted to talk ferry it was certainly a very poor environment and a very poor atmosphere to discuss anything, having taken unilateral action.

As a result of that they agreed, Mr. Benson and Mr. Campbell agreed to leave the rates as they are. The reason there has not been a long term contract with the Bell Island ferry is because the tenders received were found to be unacceptable. An additional boat, an additional ferry in one instance was found to be unacceptable and for this reason there has not been any awarding of contract. My information is that until further study is done and further searching is done with regards to a second ferry, that a long term contract cannot be awarded. However, the service will be maintained on a month to month basis until such time as the whole matter can be resolved.

I think it is fair that I should say now, Mr. Speaker, for the benefit of the Bell Island people, that it looks very much like the "Kipawo" might well have to be used again, at least for a short time, while the "John Guy" is undergoing refit. At least this is the information I have. The matter, Sir, is under federal jurisdiction, the Province has very little control except to make representation. We have made that representation in the strongest terms and I am happy to report that we have accomplished something at least with regards to the ferry rates.

MR. NEARY: A question; Is the minister prepared to table the correspondence to which he just referred, from Ottawa? Will the minister table it so that we can all see, including the people of Bell Island, what is in that correspondence? It is not a private matter between the Province and Ottawa. It is a public matter and the people have the right to know what is in that correspondence.

MR. SPEAKER: Order, please!

MR. NEARY: Mr. Speaker, I would like to ask -

MR. HICKEY: Mr. Speaker, may I answer the question?

MR. NEARY: I am leading up, I am going to ask another question.

MR. HICKEY: (Inaudible) one question.

MR. NEARY: Mr. Speaker, will the minister, will the minister inform

the House what steps his government has taken to implement a promise made in two provincial elections, once on Bell Island, in October, once in St. John's, in March, by the Premier, that the ferry service between Bell Island and Portugal Cove would be made a part of the provincial highways systems if the Premier formed the government? What is being done about that?

MR. HICKEY: Mr. Speaker, I will answer the last question first because that is very simple to answer. The honourable gentleman places a certain interpretation on the statement made by the honourable the Premier. His interpretation and mine are entirely different. I recall the Premier saying that the ferry to Bell Island should be part of the provincial road network, I totally agree. Does the honourable gentleman disagree with that? That is all I have ever heard the Premier say. The Premier feels as strongly about that today as he did when he made those remarks. I know of no promise nor commitment nor any such thing. I assure the honourable gentleman that the promises made by the present Premier will certainly not go unnoticed as a lot of them have in the past.

With regard to tabling the documents or the letter that I referred to, the answer is absolutely no, I am not prepared to table any documents in this House. Is the honourable gentleman insinuating that I am not giving the full story? Is he questioning my information? He is in the habit of distrusting people. He is in the habit of reading things into statements and so on. Mr. Speaker, when we are in a position and when this matter is concluded either to a successful conclusion one way or the other, I will be more than happy to table all relative correspondence with regards to the matter. Until such time as that I am not about to have the opposition and particularly the member for Bell Island beat this issue around and make a political football out of it. It is too important, Mr. Speaker, and the honourable gentleman should feel more strongly about that than I, the member for Bell Island, because it concerns his constituents.

MR. NEARY: Mr. Speaker, I do not want to bore the House, Sir, but I just want to get this straight. Am I interpreting the minister correctly when he says that negotiations or discussions, as he put it, have been opened up between the Government of Newfoundland and the Government of Canada as to whose jurisdiction the Bell Island ferry service will come under? This is basically the whole question. Am I right in interpreting the minister's answer as saying that they are not going to make an issue out of this but that the Government of Canada is going to grant a subsidy and they are asking the province to participate in improving the Bell Island ferry service? Now will the minister tell us if this is so? Will the minister tell us if the provincial government is making any effort to find a replacement for the "Kipowa"? Why should we be stuck with the "Kipowa" again this year? What is the province doing about it?

MR. HICKEY: Mr. Speaker, because we are not in the ferry building business and we cannot wave our magic wand like the former administration could of course from time to time and pull one out of the air, does the honourable gentleman know where there is a suitable ferry? If he should, I got a sale for one right now.

MR. NEARY: Would you buy it if I find it?

MR. HICKEY: Is it suitable?

MR. NEARY: Sure it is suitable.

MR. HICKEY: Well you know we would have to look at it but if the honourable gentleman should know there is one, I am sure the federal people will be more than happy to look at it in conjunction with the people who wish to tender.

Now, Mr. Speaker, if the honourable gentleman wish, I can go into a little detail and tell him about the Bell Island ferry. He wants to know if there are negotiations going on. There are no negotiations going on. Negotiations, Mr. Speaker, do not start until this administration makes a decision that; (a) they are going to take over the ferry (b) they are interested or what have you. There are purely discussions going on.

We are not like some people I know or some administrations that I have been aware of, we are not prepared when somebody says, "We would like to talk to you," we do not close the door on them. We do not say, "No, we are not going to talk to you." We certainly do not do that and the fact that I am on behalf of the government discussing with some federal people the Bell Island ferry must not be misconstrued that the province has made a decision that in fact it should come under provincial jurisdiction. The fact of the matter is, Mr. Speaker, if the honourable gentleman wish to do something for his constituents he should make the strongest representation to the federal government to maintain the commitment which was made by the Tory Government when they took over the Bell Island ferry, it was the Tory Government under the honourable Mr. Diefendbaker that got the federal government involved in that ferry and rightly so, on behalf of the people of Bell Island. Now we have a Liberal government which is prepared to kick it back to us. Well, Mr. Speaker, we are not going to rush into anything like that. We care a little too much for the people of Bell Island for that matter and we are not about to rush into any arrangement with the federal government to take over a ferry which, as far as we are concerned, to all intents and purposes and by precedent

it has already been set and they settled for responsibility. There may be a difference of opinion but the fact remains that the Federal Government has operated, continues to operate it until such time as this province acknowledges that we are responsible. As far as I am concerned there is no taking over of that ferry.

MR. NEARY: Now, Mr. Speaker, I do not wish to pursue this matter any further but it is awfully disappointing to have the news come out that we will have to use the "Kipawo" again this year.

Sir, I wonder on another matter, Sir, if the minister would inform the House if it is the intention of his department to extend the time for the purchase of license plates because it is my understanding that it is impossible for all the people who have not already gotten their license plates to get them between now and the end of the present month. Is it the minister's intention to grant an extension of time?

MR. HICKEY: No, Mr. Speaker, it is not. I have made a number of releases. I have appealed to the general public, to those who are required to license their vehicles, on a number of occasions, that the time was running out and my staff were not as busy as they could be, that they should get to Motor Registration and get their licenses. I have no plans at this time and the government, as far as I know, have no plans of extending the time. We have already gone part of the way by approving the working of my staff in the night on Thursday, Friday, all day Saturday and Saturday night, up until nine or nine thirty. I am not quite sure.

We have also extended by a few days the mail service for all applications received by Motor Registration. Up until closing time today, they will have their licenses issued by the deadline. Beyond that we cannot guarantee anything. My staff are prepared to work just as hard as they can. Even today, Mr. Speaker, my staff are not as busy as they could be. They are not handling the numbers that they could handle. Therefore, at this time I have no intentions or no plans to extend the time.

MR. NEARY: Mr. Speaker, I would like to direct a question to my old sparring partner over there, the Minister of Finance. Would the minister inform the House if Treasury Board has yet taken a decision to either pay or not to pay hospital workers and other public service employees for time missed during the recent storm, snow storm when Dorothy Wyatt declared a state of emergency in the City of St. John's?

MR. CROSBIE: MR. Speaker, I do not know whether or not Treasury Board has the last word on that because there are also involved the hospital associations and the hospitals which operate under their own boards. There is hopefully a meeting of Treasury Board tomorrow. If that question is still to be desired, it could be decided then. Other than that I cannot say any more at the moment.

MR. NEARY: Well, Mr. Speaker, could I direct a question to the Minister of Provincial Affairs, Sir? I presume that the matter of retail clerks and people outside the government service would come under the minister's jurisdiction. Has the minister had any complaints from employees who are working for private enterprise, complaints that they have not been paid for this day that was missed when Mayor Wyatt declared the state of emergency in St. John's? Have there been any complaints and if so, what has the minister done about them?

MR. W.G. DAWE (MINISTER OF PROVINCIAL AFFAIRS AND ENVIRONMENT): No complaints to me.

MR. NEARY: Well, where would the complaints go? Would they go to the minister's department or the Department of Labour? Perhaps the Minister of Manpower could tell us if his department has had any complaints? No? No complaints?

MR. THOMS: Mr. Speaker, I would like to direct a question to the Minister of Forestry and Agriculture. Could the minister inform us if his department has taken any steps to offset the recent and the latest increase in milk prices in the province? If so, what are these steps?

HON. E. MAYNARD (MINISTER OF AGRICULTURE AND FORESTS): I would assume,

Mr. Speaker, that the honourable member is asking about a subsidy.

Is that a correct assumption?

No, we have not taken any steps to offset the recent increase in milk prices by a subsidy. The federal government applied a small subsidy last fall on milk, which did not work. They were asked to supply another subsidy, which was not done, instead an increase in milk prices was allowed by the federal government who control it. If his point were for the

Provincial Government to consider a subsidy on the cost of milk or the cost of milk to the consumers - of course, we do not control the import costs and the production of milk. The only way to keep the cost of milk or any other food product down, Mr. Speaker, is to have price controls all along the way, not only from the standpoint of feed and fertilizer but even the steel that goes to the farm tractors that have to work on the farm.

Provincial Governments, this one or any other one across Canada, have no way of controlling this, because it is a national problem. It can only be controlled by the Federal Government and certainly it has been evident in the past that they are not about to make those controls. So, therefore it seems that consumers are going to have to suffer because the Federal Government will not move on this particular issue.

MR. THOMS: Mr. Speaker, I wonder if I could ask another question to the minister. Could the minister inform this House if under the community pastures that we have around the Province and under the new regulations that his department has issued, will the price per head of cattle for keeping cattle on these pastures, this coming summer, be cheaper than they were at last summer? Are the prices per head down?

MR. MAYNARD: No, Mr. Speaker, they are up very strongly because it costs quite a bit more to keep cattle on the pastures in summer than it did last year.

MR. NEARY: How much?

MR. MAYNARD: I do not have the figures here - I could supply the figures. What is the total cost going to be? I do not have the figures here with me, Mr. Speaker. If the honourable member should want to put that on the Order Paper, I could supply it at the appropriate date.

MR. NEARY: Mr. Speaker, a supplementary question: Obviously, the minister is not aware of goings on in his own department.

MR. MAYNARD: I do not have the figures with me.

MR. NEARY: Will this increase, will this increase in any way affect the cost of beef or the cost of milk in this Province? Can the minister tell us that?

MR. MAYNARD: What the exact increase in costs on the pastures, I know there is an increase in costs and there is a different formula for keeping animals on the pastures, Mr. Speaker. It is an increase in cost to offset some of the tremendous losses that are realized on regional pastures. It should not resolve in any increase in the end product. We have analyzed it very thoroughly and we know the profit margin or the gain in weight that is realized by keeping animals on these pastures. It is substantial and there is no reason why the end products should cost any more.

The exact figures I do not have here with me and I am sorry I do not remember them right off hand but I do know that there is a change of formula. I have a basic idea what the change is. It is so much per head per day rather than the seasonal thing. I do not see any reason why there should be any impediment to the growing of livestock on our pastures.

MR. THOWMS: A supplementary question, Mr. Speaker: Could the minister inform us as to what percentage of costs, say, it is going to take the department to run these pastures this year over last year? Is it ten per cent, fifteen per cent or twenty per cent more than last year?

MR. MAYNARD: Again, I do not have the exact figure but I understand the escalation in cost is around twenty per cent which is pretty well an escalation which has been realized in all phases of every industry. I think the revenue derived from the pasture programme last year was \$11,000.00 compared to some \$600,000.00 it cost to maintain them, which shows and this year I believe the revenue may be up around probably \$100,000.00 and the cost will probably be around \$700,000.00, so we are certainly not taking the farmers to the cleaners by any means.

MR. NEARY: Mr. Speaker, perhaps I can help the minister. Would the rate now be ten cents a day instead of five dollars a year as heretofore, ten cents a day?

MR. MAYNARD: It depends on whether it is sheep or cattle.

MR. NEARY: Sheep or cattle. I am talking about cattle, beef cattle or milk cows. Would it be ten cents a day, and that would be triple compared what it is now?

MR. MAYNARD: The rate is changed to ten cents per day per head of cattle. Yes.

MR. NEARY: Would the minister then inform the House what the increase will mean as compared to last year. Will it be double? Will it be triple? What will be the increase? Now that he knows what the formula is, will he tell us what the increase is?

MR. MAYNARD: Put it on the Order Paper.

MR. NEARY: What do you mean on the Order Paper?

MR. MAYNARD: Mr. Speaker, this is getting a bit

ridiculous. I do not know how many days any one head of cattle was kept on a regional pasture. It obviously was ten cents per head per day, to keep him on it for five days was fifty cents and if he was on it for fifty days it was five dollars. That is a very relative matter and it is one that cannot be answered.

MR. NEARY: Mr. Speaker, is the minister aware that the average head of cattle is kept on a community pasture for five months which would mean now that the owner will be paying \$15 as opposed to \$5 as heretofore. Would this not be an increase of 300 per cent?

Mr. Speaker, I want to get back to the matter I was discussing with the Minister of Transportation there a few moments ago, Is the minister aware that in October when I had the clipping here from the newspaper, Sir, is he aware of that? The Premier stated at a public meeting on Bell Island that all ferries operating within the province will offer free transportation if the Conservative Party forms the government after October 28? "Party Leader Frank Moores announced here Tuesday night." Is the minister aware of that? If so does he want to revise the answer he gave me to the question a few moments ago.

MR. HICKEY: Mr. Speaker, I am aware of those things as the honourable gentleman is, I said his interpretation and mine are somewhat different. Is that a verbatim report? Has he got a tape?

AN HON. MEMBER: Yes.

MR. HICKEY: Do not be talking nonsense. Whatever the Premier said, Mr. Speaker, the Premier will in all probability live up to in the course of time. He is like the honourable gentleman and a good many more, he cannot work miracles overnight.

ORDERS OF THE DAY:

HON. E. ROBERTS, Leader of the Opposition: In all probability I might be allowed to ask another question of the Minister of Health,

Could he tell us what steps he is taking please to ensure that the ambulance service in Clarendville continues to operate? I understand, Sir, I know he does, that representations have been made to him that the private operator is about to cease operations thus leaving the area without any ambulance service at all.

HON. A. T. ROWE, Minister of Health: The answer to this is that there are two private ambulance services at Clarendville and one in Sunnyside. One of the private operators in Clarendville has indicated that because of financial difficulties he is unable to continue to operate after the end of March but this is not leaving the community without ambulance service. The other private operator is continuing and the operation in Sunnyside will continue and as an adjunct I would say that there is no present policy in government to assist or subsidize private ambulance operators but service will not be discontinued, because one of the private operators will continue.

MR. ROBERTS: Mr. Speaker, would the minister tell us whether in his opinion the service that will still be provided, the commercial one in Clarendville and the Lions, I believe it is Sunnyside, will provide the people of the area served by the services with adequate service?

DR. ROWE: Mr. Speaker, I have had no representation from the community or the council to indicate to me that that will not be so.

MR. NEARY: Mr. Speaker, I would like to direct a question to the minister responsible for recreation and rehabilitation. Would the minister care to give the House a brief report on the fire at Hoyles Home there before lunch.

MR. DOYLE: I will be glad to, Mr. Speaker. The fire occurred at approximately eight minutes to one. It was caused by a pot of tar; the roof was in the process of being repaired. The only damage done was that some windows were broken on the first and

second floor. For a period of time some of the residents from the first and second west wing had to be removed to the centre portion of the building. There were no personal damages whatsoever and as I said, the only damage done was a few windows.

On motion of the honourable Minister of Justice, A Bill, "An Act Further To Amend The Maritime Hospital Service Association Re-Incorporation Act, 1949," read a first time, ordered read a second time on tomorrow.

MR. SPEAKER: Motion (5), I think the debate on that motion was adjourned by the honourable Minister of Mines and Energy last night.

MR. BARRY: Yes, Mr. Speaker. Mr. Speaker, the substance of the motion before us today, motion (5) is a motion to suspend the honourable member for Bell Island from this honourable House, not because he dared question the conduct of a member on this side of the House but

for one reason and one reason only because the manner in which the honourable member did this was contrary to the rules of the House.

MR. NEARY: Why was I not ruled out of order?

MR. BARRY: I will get into that.

It tended to cause the rules of this House to fall into disrespect. There was an abuse of the privileges of this honourable House and if permitted to continue, Mr. Speaker, it would make a total shambles of the procedures of the House of Assembly.

Now the honourable member asks why was he not ruled out of order? Well, Mr. Speaker, with your permission and I might add, if Your Honour will give me a few minutes to elaborate, that what I am about to say might be taken hastily as criticism of Your Honour but I think I can explain that it is not so. I submit that the honourable member should have been ruled out of order immediately, without equivocation. The fact that it was not done, Mr. Speaker, I submit, says a lot for your attempt to be fair, for your attempt to bend over backwards, to give the honourable members opposite every leeway in debate and to avoid having the Chair submitted to the abuse which some of the honourable members opposite have already attempted in past sittings.

Mr. Speaker, I submit that it is time that you reassessed your position. I think, Mr. Speaker, you may be giving too much leeway to the honourable members. This just does not only apply to honourable members opposite.

MR. NEARY: Everybody on the other side too.

MR. BARRY: Yes, to everybody, that it is time to tighten up.

MR. NEARY: Hear! Hear! Do not throw everybody out.

MR. BARRY: It is time to tighten up discipline in this honourable House, Mr. Speaker.

Getting back to the question asked by the honourable member opposite as to why he was not immediately ruled out of order? If you check Hansard, Mr. Speaker, you will find that the House degenerated into total disorder because of the antics of the honourable member opposite. There were many attempts, Mr. Speaker, by honourable members

here, by the House Leader for the government, I myself stood up and other members, Mr. Speaker, to attempt to have the honourable member ruled out of order and to have him be forced to withdraw the allegations that he was then making. In Your Honour's discretion, you decided that it would be better (I am not questioning Your Honour's decision) to stop all further debate and discussion on points of order or anything else arising out of the honourable member's comments, to take time to consider the matters raised. There was really only one matter raised by the honourable member, Mr. Speaker, and that is: Whether the Hon. Minister of Finance was in breach of a privilege of this House in comments that he had made? That was the only matter that the Hon. Member for Bell Island purported to be raising. In fact he ranged far afield, Mr. Speaker, and made many irrelevant allegations, attempted a character assassination and did many other shameful things on that particular occasion.

MR. NEARY: Mr. Speaker, to a point of order: My understanding on a ruling that Your Honour gave on Friday was that no member in this House can suggest that another member had ulterior motives for what he did. The Minister of Mines, Sir, just insinuated, as a matter of fact made a statement, Sir, that my purpose in bringing in this was character assassination. Sir, I suggest that that is out of order and I ask that the minister retract that statement, Sir.

MR. BARRY: Mr. Speaker, to that point of order: I would be happy to retract should Your Honour deem that it is unparliamentary or contrary to the rules of the House. I submit that the Speaker will decide that. I submit, Mr. Speaker, that what I am saying is not imputing any motives to the honourable member. I doubt that he ever had a motive in his life. What I am submitting is that the comments made by him speak for themselves. The comments did constitute a character assassination, and that they were shameful, and I will let Your Honour rule on that point.

MR. NEARY: Mr. Speaker, to a point of order: That is not what the honourable minister said, Sir. The honourable minister stated it as if it were a fact. I think Your Honour should ask him to withdraw it and apologize.

To the point of order, I will say, if there is any misunderstanding, I will say that in my opinion the facts stated by the honourable member constituted character assassination. If Your Honour should wish to rule on that point -

MR. SPEAKER: I would have to ask the honourable Minister of Mines and Energy to withdraw the remarks. I think they were not at all parliamentary.

MR. BARRY: Mr. Speaker -

AN HONOURABLE MEMBER: Withdraw it, withdraw it.

MR. BARRY: I have already said if it be deemed unparliamentary - they are withdrawn, Mr. Speaker.

MR. NEARY: Mr. Speaker, a point of order.

MR. BARRY: Sit down, sit down.

MR. NEARY: A point of order, Mr. Speaker.

MR. SPEAKER: Order, please!

MR. NEARY: A point of order, Sir. That is not good enough, Mr. Speaker. The minister has been instructed by Your Honour to withdraw the statement. If the minister has the courage, he will withdraw it.

MR. SPEAKER: Order, please!

MR. BARRY: Mr. Speaker, the statement is withdrawn, as I have said, I think it is twice or three times now.

Mr. Speaker, the fact that Your Honour on that particular occasion, for the sake of peace and tranquility or for whatever reason, decided not to rule the honourable member out of order at the time does in no way prevent the honourable Minister of Finance from raising this. It is unfortunate that he did have to raise it himself and this is why the speedy and immediate intervention of the Speaker is so necessary. Again I say that Your Honour was giving leeway and that shows the fairness of Your Honour.

I submit that giving too much leeway is dangerous as is evidenced by what has occurred on this occasion where the honourable Minister of Finance had to come back and to protect his good name and his reputation

he had to stand up in this honourable House and make a motion to have the honourable member for Bell Island suspended. That should not be necessary, Mr. Speaker.

We saw an example of what happened in British Columbia a couple of weeks ago. The Leader of the Opposition there called the Premier a liar. Now, there was no question as to whether or not what the Leader of the Opposition was saying was correct. That is irrelevant. It has nothing to do with the breach of a privilege of the House. If a member calls another member a liar, what he is saying may be true but he still has to withdraw that remark, in fact he should never have said it because it is contrary to the rules of this House to make such a remark.

Now, in British Columbia what happened was that the Speaker - the Premier did not get up and make a motion to have the member ejected - the Speaker rose in his seat and said, "The honourable member is using unparliamentary language and he should withdraw." The honourable member did not withdraw and the Speaker named him and this immediately meant his ejection from the House.

Now, Mr. Speaker, the same thing should have happened on the occasion that the honourable member from Bell Island was going on with his dribble. It did not happen. That is correct. It did not happen because the honourable members opposite made a shambles of proceedings on that particular occasion. Members on this side of the House got up and attempted to have points of order debated. Honourable members opposite just made a complete and utter shambles of parliamentary procedure. Your Honour decided that the debate was getting too heated and said that the matter would be considered on the following day.

On the following day Your Honour made a ruling, as was Your Honour's prerogative, and the only ruling that was necessary, namely as to whether the member for Bell Island had made a prima facie case for breach of privilege of the House. Your Honour decided there had been no prima facie case established.

Now, Your Honour that had nothing to do with the question of whether the honourable member from Bell Island was out of order in making the serious allegations that he had made against the Minister

of Finance. So, when the Minister of Finance returned to protect his good name and reputation he had to get up and he had to take the initiative himself to make a motion suspending the honourable member for Bell Island.

MR. NEARY: What about an investigation? Why suspension?

MR. BARRY: Now, Mr. Speaker, there was no need for an investigation. The facts speak for themselves. The honourable member for Bell Island made an allegation that was unparliamentary, that had attacked the conduct of a member.

MR. NEARY: I was the accuser. He was the accused.

MR. BARRY: Mr. Speaker, I am getting into the points raised by the honourable member for Bell Island. I will show that what we are debating here is not the conduct of the Minister of Finance. That could be the subject of a motion made properly by the honourable member from Bell Island or anybody else on the other side, but what we are debating here -

MR. SPEAKER: Order please!

MR. PECKFORD: The Hon. Minister of Mines and Energy has the floor, Mr. Speaker, and from time to time in the last five or ten minutes, the Hon. Member for Bell Island has been continually interjecting while he is sitting in his seat. Mr. Speaker, I would like for you to rule that the Hon. Member for Bell Island be quiet while the Minister of Mines and Energy is speaking, because he has the right to be heard in silence.

MR. SPEAKER: Order please!

I am sure all honourable members are aware that when a member is speaking, he does have the right to be heard in silence. I would request that the Hon. Member for Bell Island let the Hon. Minister of Mines and Energy continue with his speech.

MR. BARRY: Thank you, Mr. Speaker. It does not bother me a bit. Nothing of substance ever came from the other side.

Mr. Speaker, the question we have before us now is whether it is proper to have the Hon. Member for Bell Island disciplined for his failure to observe the rules and procedures that should be observed in this honourable House.

Now, Mr. Speaker, why are the rules important? Are these just legal technicalities that we get up here and quibble about? Are they unimportant so that we can ignore them when it suits our fancy to do so? Mr. Speaker, I submit that the rules of this House are here to prevent things happening which outside this House would lead to individuals landing up either in hospital or in the courts because, Mr. Speaker, the abuse which is raised here, which is contrary to the rules, if it were permitted, if it happened outside the House would see either members or individuals coming to blows or it would see them going to their respective lawyers and ending up, if they could restrain themselves long enough, in the courts.

MR. NEARY: There is nothing over there worth defending either inside or outside the House.

AN HON. MEMBER: Keep quiet.

MR. BARRY: Mr. Speaker, that is the typical, uncivilized attitude of the Hon. Snow-White Member opposite.

MR. SPEAKER: (Mr. Stagg): Order please!

I would like to draw to the attention of the Hon. Member for Bell Island that a point of order was sustained earlier that his remarks and interjections are certainly out of order.

While the honourable member may think it is humorous to interject or he may want to clarify them, these interjections are not going to be tolerated indefinitely. I would ask the honourable member to keep that in mind.

MR. NEARY: (Inaudible).

MR. BARRY: Thank you, Mr. Speaker.

Mr. Speaker, one member is not permitted to take a libel action against another member for statements made in the House, so resort to the courts is out with respect to conduct within the confines of this honourable Chamber. Are we then to see events occurring whereby an honourable member can get up and abuse another honourable member without the intervention of the Speaker? No, Mr. Speaker, this is where the rules of this House come in. These rules were developed over centuries. They were developed because it is obvious, it is common sense that in heated debate, if you do not have some means of preventing abuse, preventing insult, of preventing character assassination, then you are going to see honourable members not being able to restrain themselves. You are going to see, Mr. Speaker, outrageous, shocking and shameful behaviour occurring in this House just as you would see it happening down on one of the streets downtown, if you had two honourable members engaging in verbal assaults on one another. There is only so much that reasonable, civilized people, as reasonable and as civilized as they may be, can stand. That is why, Mr. Speaker, there are rules which prevent an honourable member from getting up here and insulting and assaulting and attacking the character and reputation of any other member.

Mr. Speaker, the Leader of the Opposition alleged that the Member for Bell Island was acting in good faith. Now let us just consider that.

If the honourable member opposite were acting in good faith, if he had a genuine question, if he genuinely felt that he had been misled or the members of this House had been misled by what was said by the Minister of Finance, then, Mr. Speaker, I submit that what we would have seen happen, what would be the common sense thing to do would be for him to get up and ask a question. If that question were not answered satisfactorily, to give notice that he would be proceeding further whether by way of a motion for disciplining the Minister of Finance, whether by way of a motion to have an enquiry set up to go into it, by whatever procedure. That, Mr. Speaker, would have been evidence of the honourable member's good faith.

What happened? Did we see that? No, Mr. Speaker, we saw the honourable member opposite get up and in the guise of alleging that the Minister of Finance had misled this House and therefore was in breach of a privilege of this House, in the guise of this we see the honourable member for Bell Island going on and alleging matters such as conflict of interest, alleging that there was an abuse of the privilege of office by the honourable minister for his own personal interest. Mr. Speaker, now I ask you, consider what does that have to do with the point of privilege raised by the honourable member from Bell Island? His point of privilege was that the House had been misled.

What did all these other scandalous statements have to do with that point? They were totally irrelevant.

MR. NEARY: Mr. Speaker, a point of order. Your Honour some time ago ruled that the word 'scandalous' was unparliamentary and was not to be used in this honourable House. Would Your Honour now ask the minister to withdraw that word 'scandalous', Sir?

MR. BARRY: Mr. Speaker, to that point of order. I withdraw the word 'scandalous'. I submit 'shocking' - these shocking statements, terrible and disgusting statements made by the honourable member opposite.

Mr. Speaker, it boils down to the fact that there is a right

way and a wrong way to bring up matters such as the honourable member attempted to bring up. We had the member for Hermitage alleging that for somebody to vote on this motion would be to in effect mean that members would not be free to get up and question the conduct of ministers or the question of conduct of other members.

Mr. Speaker, that is pure, unadulterated rubbish.

AN HONOURABLE MEMBER: What is that? I did not hear you.

MR. BARRY: Pure rubbish, I am saying, to assume that voting for this motion is to create any restriction whatsoever upon a member getting up here and questioning the conduct of any other member. All it does, Mr. Speaker, is infringe upon the freedom of any member to get up and abuse and insult another member and well it should. I say, Mr. Speaker, there is no freedom now for one member to get up and abuse another member, to attack another member's character or reputation.

MR. NEARY: The Minister of Finance is an artist at that.

MR. BARRY: Mr. Speaker, the proper thing for the honourable member opposite to have done would be to have first, as I said, raise a question and next to have given notice of a motion, the notice as explained in "May" -

MR. NEARY: Like Joey got when they raided his house.

MR. BARRY: Where the -

MR. SPEAKER (MR. STAGG): Order, please!

I draw the honourable member's attention to the - this is the third intervention. One was brought about by the member for Green Bay when he rose on a point of order which was sustained. This is the second intervention by the Chair since the honourable the Minister of Mines and Energy has had the floor.

The honourable member should be here. This is a matter under which his earlier statements are under scrutiny. I sympathize with him in that he may wish to clarify certain remarks. However, he has certainly taken an attitude that is far beyond that which is accorded the ordinary member. I suggest to him that his tether is getting rather short.

MR. BARRY: Mr. Speaker, I suggest that you do as everybody else in Newfoundland is doing and that is just ignore the honourable member opposite.

Mr. Speaker, as I say, the proper procedure would have been,

just as a matter of courtesy if nothing else, to have given notice to the Minister of Finance as to the substance of the matter that the honourable member wished raised. That was not done. Instead we saw the shocking exhibition of a member of this House being attacked in his absence, in his absence, when he was not prepared or in a position to defend himself.

Mr. Speaker, it is as the honourable member from Placentia East pointed out; How do you undo the damage to a person's reputation following such bile and slander as we saw come out on that afternoon in question, the afternoon that is being debated here today.

AN HONOURABLE MEMBER: Inaudible.

MR. SPEAKER: The honourable Minister of Mines and Energy.

MR. BARRY: I got carried away, Mr. Speaker.

MR. SPEAKER: Maybe the honourable minister -

AN HONOURABLE MEMBER: Inaudible.

MR. SPEAKER: I need no prompting from the member from Bell Island or anybody else. I ask the Minister of Mines and Energy that he might rephrase his remarks as the two words 'bile' and 'slander', as I suggest, are unparliamentary and maybe he might wish to rephrase them.

MR. BARRY: Mr. Speaker, I will rephrase to substitute for "bile and slander" the word "libel" which I think is permitted, since this is the very substance of the motion that is being debated.

So, on the afternoon that we saw this libel perpetrated, we had a situation where the member opposite was not in a position to defend himself.

MR. NEARY: On a point of order, Mr. Speaker. The honourable minister, Sir, has charged me with libel. I submit, Your Honour, that this matter should be put to the test before the minister makes a charge and Mr. Speaker, I ask -

MR. SPEAKER (Mr. Stagg): The honourable member is not permitted to make a speech.

MR. NEARY: No, Mr. Speaker, I am on a point of order, Sir. I am asking

that the minister retract that because that has not been proven, Sir. That statement of libel is not true and has not been proven, Sir, and unless the minister is prepared to put it to the test, he should withdraw it.

MR. BARRY: To that point of order, Mr. Speaker. I am submitting it is a libel and it is going to be for this honourable House to determine whether it is or not, which is absolutely correct, and I fail to see what the point of order is that is being raised by the honourable member.

MR. NEARY: Mr. Speaker, to that point of order. Mr. Speaker, I did not libel the Minister of Finance in any way, shape or form, Sir. The Minister of Mines and Energy has a -

MR. SPEAKER (Mr. Stagg): Order, please! Order, please! The honourable member - The subject matter of this motion must be considered at some time or other. The honourable the Minister of Mines and Energy's submission that the matter is a libel is, I would think, in order at this time. He is attempting to make a point in argument; it is certainly not abusive nor insulting language. It is a valid, legal term and I suggest that he is in order.

MR. NEARY: On a point of order, Sir. It is my understanding, Mr. Speaker, that there is no such thing as libel in a legislature.

MR. SPEAKER: (Mr. Stagg): Order, please! The honourable member is disputing the Speaker's ruling whether he knows it or not and I suggest now that we can get on with the honourable Minister of Mines and Energy who has the floor.

MR. BARRY: Mr. Speaker, I have been referring to the shocking conduct of the honourable member for Bell Island. It really was not shocking because it is what we have come to expect from that honourable member, but what has been shocking to me is the way that other members of the Opposition have attempted to obscure the issue raised by this motion by discussing and debating in depth the irrelevant allegations made by the member for Bell Island, allegations which had nothing to do with the question of whether or not the Minister of Finance had misled the House, which was the sole subject of the so-called point of privilege raised by the member for Bell Island.

Now, Mr. Speaker, the point is that whether or not the facts that the member for Bell Island were raising were true and I submit it is evident and obvious that they were not -

AN HONOURABLE MEMBER: Inaudible.

MR. BARRY: What I am saying is that whether or not they were true the honourable member should still be suspended because of the irresponsible and improper way in which they were raised. Unless the honourable member is suspended, Your Honour, I submit we may as well forget about getting any kind of serious debate in this House of Assembly. I think we have seen over the last month the depths to which this House can sink and I have to confess that I am as much to blame at times as other members.

AN HONOURABLE MEMBER: Inaudible.

MR. BARRY: I have gotten carried away but I have never, Mr. Speaker, sunk to the depths of the member opposite. Mr. Speaker, I submit it is no excuse for the Leader of the Opposition or any other member opposite

to say that the member for Bell Island was acting in good faith because the facts just do not bear that out, "That dog cannot hunt" Mr. Speaker, as they say down south, "that fish does not fry." The honourable member opposite, if he were acting in good faith, he would have first raised a question and then placed a notice of motion.

Another excuse and I say and I underline and I reiterate. 'excuse' being raised by the members opposite, because they recognize, Mr. Speaker, that they have to find some excuse if they can, if they possibly can for the conduct of the member from Bell Island, because they know that the people of Newfoundland are sick and tired and fed up with the conduct of that member. Another excuse they are using is the same, Mr. Speaker, it is obviously well rehearsed because every member opposite has gotten up and tried to make the same point, that it was merely the style of the honourable member from Bell Island that caused him to act as he did.

Mr. Speaker, this went far beyond any matter of style. This went far beyond any style of debate of any member of this House. The members opposite know that quite well.

Mr. Speaker, the honourable members opposite, at least some of them, are fairly clever as far as the rules of the House are concerned. But, unfortunately, there tends to be a certain artificiality, a certain lack of sincerity, a certain hypocrisy about the way they conduct themselves in this honourable House at times. We have seen examples of devices used. You get up, Mr. Speaker, and you say now if such and such a thing were not unparliamentary, well I would use it, Mr. Speaker.

As the honourable member for Hermitage, that still vacant seat, got up the other day and used the device, "Now, if it were not unparliamentary to call this a kangaroo court, I would call it a kangaroo court but since it is unparliamentary I will not use it." A very clever device, at times even humorous. Mr. Speaker, it shows the lack of sincerity of the members opposite when they flout the rules of this House in that manner. Mr. Speaker, I might say that there is no way that Your Honour

can enforce the rules if the members are not prepared to in good faith try to enforce them.

Mr. Speaker, the members opposite are like rotten mackerel in the moonlight, they both shine and stink. Their cleverness, Mr. Speaker -
MR. NEARY: Mr. Speaker, a point of order, Sir. Is this parliamentary language, Sir?

MR. SPEAKER (MR. STAGG): Order, please!

I must draw the attention of the people in the gallery that they come here as observers and not as participants in any humour that may take place within this chamber. I ask them to restrain themselves at all costs.

To the point raised by the honourable the Minister of Mines and Energy: This is one of these matters where under the veil of humor occasionally unparliamentary remarks do get into the record and certainly abusive and insulting language is a general catchall phrase which causes the prompt intervention from the Chair.

I must intervene and ask the honourable member to rephrase these remarks. I am sure that he will. I ask all other honourable members who may wish to capitalize on precedents of this type that they should first consider their remarks whether they are unparliamentary or not instead of trying them on and asking for a ruling from the Chair. I call upon the honourable member to rephrase his remarks.

MR. BARRY: Mr. Speaker, yes I withdraw the word 'shine'.

Mr. Speaker, what I was referring to , of course was - I withdraw unparliamentary reference that I might have made - I was referring to the cleverness with which some of the honourable members opposite are able to flout the rules of this honourable House. They remind me at times, Mr. Speaker, of a flock of weasels. I suppose weasels flock, do they?

The way their weasel words come out where they insult and still attempt to keep the good graces of Your Honour in the Chair, show that there is a total lack of sincerity, Mr. Speaker. They will use any

device that they can to obstruct the proceedings of this House, to keep this House from getting down to the serious business at hand which the people of Newfoundland elected us to consider and which I submit is high time we got around to considering.

Mr. Speaker, I can understand why the honourable members opposite get up and oppose the penalty which is the subject matter of the motion before this honourable House at this time. Well, I submit, Mr. Speaker, that there is no excuse. It is unforgivable, it is unpardonable for them to condone and to aid and abet the honourable member opposite in the allegations which the member for Bell Island has made against the character and reputation of another member of this House.

Mr. Speaker, I am not going to go into the substance of the allegations raised by the member for Bell Island because they have nothing to do with the motion before this House.

AN HONOURABLE MEMBER: Oh yes, they do.

MR. BARRY: Mr. Speaker, they can be the subject of another motion properly put to be debated in this honourable House but what we are asking now is whether another honourable member is allowed to get up and -

AN HONOURABLE MEMBER: Mr. Speaker, would the minister permit a question?

MR. BARRY: No, I will not permit anything until I finish - whether another member is permitted to get up and abuse the character and reputation of other members of this House. Mr. Speaker, the rules say that he is not. This is not the first time that the honourable member opposite has done this. We have all been here.

MR. NEARY: Mr. Speaker, a point of order, Sir. Mr. Speaker, I gather from what the minister has said that I had been accused of on previous occasions breaking the rules of this House. There is nothing in the record, Sir, to indicate that I ever broke a rule of this honourable House and I ask the minister to withdraw and apologize.

MR. BARRY: Mr. Speaker, I will withdraw and apologize. To that point of

order, if I may, Your Honour, for a second - I will withdraw and apologize if the honourable member be willing to assure me that going back through Hansard we shall not find instances of where the honourable member has been ruled out of order.

MR. NEARY: Yes, Mr. Speaker, I am quite prepared. I will, yes.

MR. BARRY: We will not find instances?

MR. NEARY: No, you will not. You will not.

MR. SPEAKER (MR. STAGG): Order, please!

Not wishing to participate in the debate, but I recall on three occasions this afternoon in which I have personally interrupted the honourable member for Bell Island saying that he was out of order. He has a conveniently short memory to say that he has never been out of order.

However, the honourable the Minister of Mines and Energy may proceed with his debate if his remarks are such that - if they are provocative of course, they may generate certain exchanges across the House.

AN HONOURABLE MEMBER: They have never been provocative.

MR. BARRY: Thank you, Mr. Speaker. I will try and not provoke the honourable members. The truth obviously hurts.

Mr. Speaker, one thing that, without going into the substance and the allegations made by the member for Bell Island, one thing that I am interested in is where he got access to the documents that he presented before this House because, Mr. Speaker, these are documents of a somewhat confidential nature, I would assume. I would submit that either the honourable member opposite is being used by Mr. Doyle in his attacks on the Minister of Finance, as we have evidenced many times in the past. We have seen evidence of it many times in the past.

The honourable member from Bell Island was either being used by Mr. John C. Doyle in his corporate connivings or else the honourable member opposite is trafficking in stolen confidential documents. Now, these are the only two explanations that I can give. Maybe the

honourable member opposite is prepared to give another explanation.

MR. NEARY: Mr. Speaker, a point of order, Sir. That was a pretty serious charge that was made by the honourable minister, Sir, inferring

that I had received stolen documents or that I was acting as an agent of John C. Doyle. Sir, both of these statements are incorrect, untrue and I ask that if the minister has any decency in him to withdraw them and to apologize.

MR. BARRY: Mr. Speaker, really, I hope that I can be in a position to withdraw them and I will sincerely apologize to the honourable member as soon as he can give me some indication of how else he could get the documents.

MR. NEARY: I will tell you where I got the documents.

MR. BARRY: If the honourable member should wish to tell me, I can assure Your Honour that I shall apologize and withdraw them immediately.

MR. SPEAKER (Mr. Stagg): Order please!

The Hon. Minister of Mines and Energy may be making a point but at least one of his statements has suggested that the Hon. Member for Bell Island is trafficking in stolen documents and the import of these words is quite clear, at least to the Chair, and they are certainly unparliamentary and again the honourable minister has gotten them into the record, not unlike honourable members on both sides who make unparliamentary remarks and get them into the record and then withdraw them. Maybe this House will have to consider in its debate upon rules whether or not unparliamentary remarks are going to be tolerated at all or whether honourable members once having uttered them will have to take the consequences of having said them rather than having the convenient device of withdrawal.

I would suggest to the Hon. Minister of Mines and Energy that the remark was unparliamentary and that the Member for Bell Island not having spoken in this debate may indeed disclose where and how he did get the documents. The honourable member may ask the question where he got them and so on but certainly not to impute dishonesty on the part of the honourable member.

MR. BARRY: Mr. Speaker, I think I would agree with your logic. I withdraw the statements that I made and I am sorry that they appear on the record of the House. I will say, Mr. Speaker, that I raised them

in all sincerity because I do want to put the honourable member opposite on notice that I believe (I think this is the only way we can do it) that this House should know where the honourable member got access to these documents.

MR. NEARY: Set up the enquiry and I will gladly help.

MR. BARRY: It has nothing to do with an enquiry, Mr. Speaker. I raise the only inferences that I as a somewhat rational man, rational at times anyhow, can come up with. If the honourable member should wish to give me any other inferences, I shall be only too happy to - well, I have already apologized.

Mr. Speaker, to a certain extent I can understand the inability of the Leader of the Opposition to control the members opposite. The Leader of the Opposition is at the top of a rather greasy pole I submit, Mr. Speaker. There are many ambitious young men in the wings, from reports I have heard. We have had the previous leader of that party expressing many desires and casting many envious looks at the position now held, the unstable position now held by the Leader of the Opposition and, therefore, I can understand why that unstable leader may not be able to control the honourable members to the extent that he otherwise might be able to.

MR. NEARY: (Inaudible).

MR. BARRY: I understand we have the Member for Hermitage in that still vacant seat - I understand that he has expressed some inclinations in that direction.

MR. SPEAKER (Mr. Stagg): Order please!

The honourable member is drawn to two rules, the rule of relevancy as far as this debate is concerned and I would suggest he is wandering rather far afield. His expression concerning the Member for Hermitage that "still vacant seat" is one that comes within those unparliamentary phrases which are pointed out in various references, although that exact phrase is not pointed out. I would suggest that the honourable member should either rephrase,

preferably rephrase it or if not retract the statement concerning the Hon. Member for Hermitage and the status of his seat.

MR. BARRY: I will refer instead to the vacant utterings of the ambitious Member for Hermitage, if I may.

Mr. Speaker, this is a serious motion that we have before us today. It grieves me that I have to find myself in support of it because I have to say that ninety per cent of the time I get enjoyment from the antics of the Member for Bell Island. He livens up debate. He has a certain technique for going to the juggler and going to the gut issue in debate, Mr. Speaker. I think all members of the House will agree that more so than any other member (this again is my opinion) the Member for Bell Island has been responsible for the unruly, to say the least, procedure which we have seen occurring in this honourable House since we came back to start this session. Mr. Speaker, I have to say that I unfortunately find myself in support of this motion.

Mr. Speaker, if I could just before I close, with the liberty of Your Honour, just referring back to the remarks I made a moment ago, I see where I had another note jotted down with respect to the unstable position of the Leader of the Opposition. It reminded me of the situation Woodrow Wilson found himself in, where he had a senator friend of his die while he was still the governor of one of the northeast states, (I forget the exact state) but before they had time to bury the senator another acquaintance of the governor called up and asked Mr. Wilson

if he could take the senator's place and Woodrow Wilson said, well, if it were all right with the undertaker it would be all right with him. and Mr. Speaker, I say the same to the Leader of the Opposition, if it be okay with the undertaker it would be all right for us for the honourable member for Hermitage or the previous leader to take his place.

But, Mr. Speaker, I submit that there is no question that the member for Bell Island was abusing the privileges of this House when he went into the diatribe and tirade that he went into on the afternoon in question and I submit that all members of this honourable House should support the motion that has been presented by the Minister of Finance. Thank you.

MR. SPEAKER (MR. STAGG): The honourable the member for Bonavista North.

MR. THOMS: Mr. Speaker, first may I correct a statement made by the honourable Minister of Mines and Energy when he spoke about the -

MR. SPEAKER (MR. STAGG): Has the honourable member already spoken on this debate?

AN HON. MEMBER: No.

MR. THOMS: When he spoke about the instable position that the Leader of the Opposition is in.

AN. HON. MEMBER: Unstable.

MR. THOMS: Unstable or whatever it was. Mr. Speaker, he was not exactly very relevant to the motion and I must rebut him and state that if the Leader of the Tory Party in this province were as solid a leader as he should be, as the Leader of the Opposition is, we would not have any problems in the Province of Newfoundland today, we would not find problems all over this province in every community that should have been taken care of long ago and have not been taken care of and are not being even recognized by the present government.

MR. PECKFORD: The honourable member for Bonavista North is being irrelevant to the motion presently under discussion, Mr. Speaker.

MR. SPEAKER (MR. STAGG): That is so. The honourable member is

out of order as far as relevancy is concerned. I am allowing him a certain degree of latitude in replying to the remarks of the honourable the Minister of Mines and Energy, Although the Minister of Mines and Energy was interrupted by the Chair, saying that he was out of order, I ask the honourable member if he might make his point quickly and go on to the main point of the motion. This of course is not to be construed as a precedence whereby the Chair is going to tolerate irrelevant remarks indefinitely.

MR. THOMS: Thank you, Mr. Speaker, for your ruling. I am glad that you have given me the same latitude as you gave the Minister of Mines and Energy. To illustrate my point a little further, Mr. Speaker, I would refer the honourable minister's attention to a conference at a college, a good Liberal college, which we had in Corner Brook less than two weeks ago, and in that college he received the unanimous support of every member of that college.

MR. MORGAN: On a point of order, Mr. Speaker, The speakers in this debate, I sincerely hope that they will stay relevant. We are not debating the Liberal college in Corner Brook and we are not debating the leadership of this party or the other party. We are debating a motion to have a member expelled from this Assembly. I would ask Mr. Speaker if the speaker could be asked to be relevant.

MR. SPEAKER (MR. STAGG): Before the honourable member gets into a long winded speech or a speech of any kind, I suggest that this matter has already been brought to my attention and I have asked the honourable member to be through with his remarks as soon as possible. I would suggest that the honourable member has now made his point and ask him to go on to remarks that are relevant.

MR. THOMS: Mr. Speaker, I was interfered with by the member for Bonavista South on the second time I tried to make this point and I declare, Mr. Speaker, that I should be able to make my point without any interference whatsoever.

MR. MORGAN: On a point of order, Mr. Speaker, on a point of order, may I

MR. SPEAKER (MR. STAGG): The honourable members will all resume their places. Maybe the honourable members need a little time to assess their respective positions, get themselves under control. I suggest that the honourable the member for Bonavista North can now proceed with his speech. He does have considerable time in which to make his points but he has not yet begun to make any points that are relevant. I suggest that he now make his points that are relevant.

MR. THOMS: Thank you, Mr. Speaker, but I must make my point because I -

MR. SPEAKER (MR. STAGG): The honourable member is asked to proceed with points that are relevant. He has made certain remarks that have been irrelevant. He is now asked to confine himself to the motion.

MR. THOMS: Thank you, Mr. Speaker. Mr. Speaker, the action taken by my honourable colleague for Bell Island in presenting this to this honourable House was discussed by the Liberal Party at a campaign college in Corner Brook over the weekend in which that campaign college gave the Leader of the Liberal Party their unanimous support, right to a man, Mr. Speaker, right to a man.

Now, Mr. Speaker, Dr. Noel Murphy was one of the persons who supported the present Leader of the Liberal Party.

AN HON. MEMBER: Inaudible.

MR. SPEAKER (MR. STAGG): Order please! Honourable members are forcing the Chair to intervene on many occasions this afternoon and while it is interesting from the Chair's point of view to relieve the normal boredom maybe of having to sit and listen to honourable members make speeches that may or may not be interesting, however I suggest that it is not the place of the Chair to continually have to interrupt any honourable members, while their motives may be good and certainly there appears to be a certain amount of humour going across the floor, that the honourable member for Bonavista North be allowed to proceed with his speech and other honourable members remain silent.

MR. THOMS: Thank you, Mr. Speaker. We only wish the honourable members across the way would stay silent for at least five minutes or so.

Now, Mr. Speaker, in the matter of my honourable colleague from Bell Island bringing this matter to the attention of the honourable House, he was bound in duty to do it when it was brought to his attention or when he discovered this possible conflict of interest that was in existence.

He could not wait. Honourable members across the way were stating that it was a cowardly act of his to do while the Minister of Finance was out of this honourable House. Mr. Speaker, if the honourable member for Bell Island had waited until the Minister of Finance was back in his seat, he would have had to wait something like four or five days. If he had brought this episode to the attention of the honourable House at that time, he certainly would have been out of order because according to the standing orders of this House, he is supposed to bring such information before this honourable House at the earliest possible date and that is what the honourable member for Bell Island did, just that, according to the rules. Mr. Speaker, the honourable member was not out of order in doing so. He was well within the orders of this honourable House and I commend him for it. I believe that every person in Newfoundland should commend him for doing such a fine job and for doing so many hours of research on this. I am sure it must have taken him days to obtain the necessary information, to study it, to discuss it and to properly present it to the honourable House. That is his duty and in doing so he certainly was not lacking in his duty.

Now, Mr. Speaker, the Minister of Transportation and Communications the other day spoke of his episode when he was asked to leave this House for two days and three. Mr. Speaker, I submit that the minister, at that time he was a member of the opposition, at that time he had broken one of the rules of this honourable House. But, Mr. Speaker, my honourable friend from Bell Island has not yet broken a rule of this House.

AN HONOURABLE MEMBER: The Speaker has not ruled him out of order.

MR. THOMS: The Speaker has not ruled him out of order. The Speaker just did not accept that he did have a conflict of interest situation, that is all. He did not break any rules of this honourable House and therefore, what is he being thrown out of this honourable House for, for fourteen days? Everyone in this Province today is asking that same question. Why are they trying to boot him out?

Mr. Speaker, there are probably a number of reasons but one of

the reasons is that my honourable friend from Bell Island is one of the most capable members of this House of Assembly and continually does a good job in this honourable House and outside this honourable House. I submit that he represents his constituents better than I would say eighty per cent of the members of this honourable House and he is doing a good job for his district. Not only that, Mr. Speaker, but he is continually probing into the affairs of the present Government which he was elected to do, which is his bounded duty to do and which he must do and I am sure which he will continue to do whether he is in this chamber or whether he is outside of this chamber. As a matter of fact he might be a little more effective outside; one never knows.

Now, Mr. Speaker, this is one of the reasons why the honourable Minister of Finance has elected at this time to bring this motion before this honourable House. Mr. Speaker, I suspect that the motion itself to suspend a member may in itself be out of order, although I do not question the ruling of this Chair. Mr. Speaker, if the Minister of Finance is allowed to bring this motion before this honourable House and suspend any one member of this Assembly for fourteen days, what is to stop the honourable Minister of Finance from bringing a motion in today or tomorrow to suspend all members of the Opposition? What is to stop him? Nothing! Not a thing! I am sure he will get his honourable colleagues across the way to vote for it when he brings it before this House. I am sure they will follow along and clap whenever it is necessary and support such a motion.

Therefore, Mr. Speaker, I submit that if this honourable House vote for this motion it is setting a very dangerous precedent, a very dangerous one indeed.

Now, Mr. Speaker, the honourable member for Bell Island brought before this honourable House some very interesting facts, some very enticing facts. He has tabled documents in this honourable House that cannot be questioned. Indeed, the charges laid by the member for Bell Island, if these documents are correct, are undoubtedly true.

Mr. Speaker, if the member for Bell Island be suspended for fourteen

days, then I believe all members who support the member should also be suspended, but maybe Mr. Speaker, they cannot be suspended because they have not tabled any documents.

Mr. Speaker, allow me now to table the following documents. They are the same documents tabled in this honourable House by the member for Bell Island and in tabling them I ask for the same treatment given to my honourable friend from Bell Island. They are the same

statements, Mr. Speaker, the same documents tabled by the honourable Member for Bell Island. The declaration of conflict of interest as published by the various members of this House of Assembly, the letters from, the order-in-council, a letter to Bison Petroleum from the honourable Minister of Finance, John C. Crosbie, from the Minister of Finance to Bison Brewing, to Mr. John C. Doyle from the Comptroller and Deputy Minister. Another letter to Mr. John C. Doyle from the Minister of Finance, John C. Crosbie, a letter to Mr. Dawe from the Comptroller and Deputy Minister of Finance and another order-in-council authorizing the right of the \$407,000.

Therefore, Mr. Speaker, I would like to table these documents and I suspect that they would warrant the same attention as the documents tabled by my friend the Member for Bell Island.

Now, Mr. Speaker, as I stated before, the only reason the Minister of Finance brought this motion before this House -

MR. SPEAKER: I beg to interrupt the honourable member. These documents have already been tabled once and I am sort of taking it under advisement now whether or not it is in order to table them a second time.

MR. THOMS: Thank you, Mr. Speaker. Even though these documents have been previously tabled, the idea is the same as the Member for Bell Island's.

Now, Mr. Speaker, it is no secret that members on the government side have aimed their sights at only one member of the opposition and that is the Member for Bell Island. The Minister of Finance, Mr. Speaker, and his colleagues have a passionate hatred for the Member for Bell Island. They have a one-track, passionate hatred. They are out to get him Mr. Speaker. They will stop at nothing. They will not be satisfied until they get the Member for Bell Island.

MR. CROSBIE: Mr. Speaker, to a point of order.

SOME HON. MEMBERS: (Inaudible)

MR. SPEAKER: Order please!

MR. CROSBIE: It is unparliamentary to allege that any member of

the House has hatred for another member. It should be withdrawn. Speaking for myself, I may have a lot of things for the Member for Bell Island but hatred is not one of them nor for any other member of this House.

MR. NEARY: Oh no?

MR. CROSBIE: No, contempt. I have contempt for him but hatred -

MR. SPEAKER: Order please! I think the honourable Member for Bonavista North should withdraw those remarks. They are impugning motive to another member and they are not parliamentary.

MR. THOMS: Yes, Mr. Speaker, I will withdraw them. Mr. Speaker, I would submit that the members on the opposite side of this House and especially the Minister of Finance, have a passionate contempt for the Member for Bell Island. They are out to get him and they will stop at nothing. They will stop at nothing. This, Mr. Speaker, is why I think that this motion should not be supported by any member of this honourable House.

AN HON. MEMBER: Hear! Hear!

MR. THOMS: Mr. Speaker, during the last session, 1974, this honourable House discussed and passed and made law a bill, bill (27), and the bill reads thus: "An Act Respecting Conflict Of Interest In Matters Of Public Concern." Now, Mr. Speaker, we discussed this for a number of days. The explanatory note reads something like this: "This bill would regulate the conduct of certain persons engaged in matters of public concern in respect of their other interests which may conflict with their public duties."

SOME HON. MEMBERS: Hear! Hear!

MR. THOMS: Mr. Speaker, if this bill is to mean anything, then it must be enforced. If it is to mean anything it must be enforced. Mr. Speaker, only the government of the day can enforce it. Also, only members of the government and senior civil servants can be found in a conflict of interest position. It is impossible for a member of the opposition to be in conflict of interest. It is impossible. If it be not, I would like you to bring some examples.

AN HON. MEMBER: (Inaudible)

MR. THOMS: It is impossible, Mr. Speaker. If this bill, if this legislation, a statute of our land, is not enforced, then this honourable House wasted its time last year bringing this bill before the people of Newfoundland. We wasted our time, we wasted the money of Newfoundland and it is now becoming another "Newfie" joke.

Mr. Speaker, unless this bill is enforced let us take it off the statutes and put it down in Robin Hood Bay where it belongs, because at the present time, Mr. Speaker, this bill is not worth one cent. If this bill does not control the members of government, then exactly what does it control?

I think the motion brought forth by the Minister of Finance to suspend my honourable colleague from Bell Island is a very bad motion indeed and he is indeed presenting a very bad precedent. I cannot for the life of me, Mr. Speaker, see how I can support such a motion. As I stated before, I congratulate the honourable Member for Bell Island for his hard work, for his study, for the time he took in preparing the documentation that he presented to this House. It shows that he did his homework, it shows that he is keeping himself busy and keeping government members on their toes.

MR. NEARY: I try to keep them honest.

MR. THOMS: And at the same time tries to keep them honest.

MR. NEARY: It is quite a job.

MR. CROSBIE: Mr. Speaker, on a point of order. That expression is most insulting. It

suggests that the members of the opposition have to attempt to keep members of the government honest is an implication and an allegation that there are members of the government who are dishonest. It is purely unparliamentary.

MR. SPEAKER: I think the point is well-chosen by the Minister of Finance. I think the honourable member for Bonavista North should withdraw that comment. He was alleging that certain members of this honourable House might be dishonest. I think that is certainly unparliamentary. I ask him to withdraw that statement.

MR. THOMS: Yes, Mr. Speaker, I withdraw that motion but I trust this honourable House realizes that it is our job to make sure that they are honest.

Now, Mr. Speaker, it is very difficult for one to concentrate on making any major speech in this honourable House when one has so many people interjecting and disturbing one.

Mr. Speaker, I believe that if this motion is to be voted upon as undoubtedly it will be and undoubtedly will have thirty-one votes against it, (That is a pretty fair prediction) it would be a very sure bet that this motion will be carried by members of the government side and that the honourable Minister of Finance will have his way in expelling one of the most prominent members of this assembly for fourteen days.

Now, Mr. Speaker, I do not believe that this motion should be voted upon in its present form because it is certainly an anti-Neary motion. Therefore, Mr. Speaker, I would like to move the following amendment and this amendment is seconded by the honourable member for Fogo: "that all the words after the word "that" be deleted and the following substituted therefor: "This honourable House commends the member for Bell Island for bringing to the attention of the House the matters referred to in his statements to the House on Monday, March 4, 1974, as recorded in Hansard, pages 1786 to 1821.

AN HONOURABLE MEMBER: Take your time. Wait. Take your time.

MR. CROSBIE: Mr. Speaker.

MR. THOMS: Are you rising on a point of order now?

MR. CROSBIE: Yes, on a point of order, naturally.

MR. THOMS: Remember I am not sitting down.

MR. SPEAKER: Order, please!

MR. CROSBIE: Well, if you do not sit down -

MR. SPEAKER: Order, please!

MR. CROSBIE: Mr. Speaker, on a point of order. The amendment proposed, Mr. Speaker, is certainly completely out of order because it negatives the resolution that is before the House. The resolution before the House is to the effect that the certain statements made by the honourable member for Bell Island - it is to the effect that the honourable member for Bell Island be suspended because of statements made by him in the House. The statements are given in the motion. There is a libel on the member for St. John's West affecting his character and reputation and that because of this he be suspended from the House, because of those statements.

Now, Mr. Speaker, an amendment is suggested that all the words after that be deleted and that the resolution may read that the member for Bell Island be commended for bringing these matters to the attention of the House.

Now, Mr. Speaker, it is quite clear that such an amendment as that is completely out of order. It is completely contrary to the motion and therefore should not be accepted here in the House.

MR. W. ROWE: Mr. Speaker, if you are listening to argument or - Your Honour, I would like to refer to a citation from Beauchesne, on page 170, paragraph 202, subsection (13) "An amendment to alter the main question, by substituting a proposition with the opposite conclusion, is not an expanded negative and may be moved."

What the honourable Minister of Finance is referring to is (14) which is directly below that, "An amendment which would produce the same result as if the original motion were simply negatived is out of order."

Well, I would submit, Sir, that this amendment before Your Honour

now is not negating the main motion. The negating of the main motion would be for example if the amendment said that the member for Bell Island not be suspended from this honourable House for fourteen sitting days or something along those lines. What this amendment proposes to do cannot be achieved, Sir, by voting against this motion. If you vote against this motion, there is no implication there that the member for Bell Island be commended for bringing his statements and the matters that are referred to before the House.

The amendment therefore, Sir, proposed does something beyond merely negating the main motion. It is introducing something else, Sir. Although, as subsection (13) of paragraph 202 says, although it may be substituting a proposition with the opposite conclusion, this is not an expanded negative and may in fact be moved. So, there is no substance, Sir, to what the honourable Minister of Finance has said in his point of order. I would submit, Sir, that the motion proposed by way of amendment be accepted by Your Honour and that there be debate on that particular amendment.

MR. CROSBIE: In reply to the honourable member for White Bay South, Your Honour. Page 170, subsection (12) states, "An amendment proposing a direct negative, though it may be covered up by verbiage, is out of order."

Now, if the amendment suggested be not a direct negative to the motion that is before the House, then what could be more negative? The motion asks that the member for Bell Island be suspended for these libels which he has not withdrawn, libels on a member. The amendment proposed is a direct negative of that, that he be commended for these statements and for bringing them before the House.

Now, Mr. Speaker, that is clearly out, in accordance with number (12) there. It is not an amendment that alters the main question by substituting a proposition with the opposite conclusion. It is not an opposite conclusion. If this amendment be carried the original motion of course is completely

nullified.

Section (14), Your Honour, "An Amendment which would produce the same result as if the original motion were simply negated is out of order." This is what this would do. It is clearly out of order.

MR. ROBERTS: Mr. Speaker, if I may say a word in reply to the Minister of Finance's reply to the gentleman from White Bay South replying to the Minister of Finance.

I submit that the words that the minister has used are just distorting and are complete but not deliberate misrepresentation of the situation. The amendment moved by my friend and colleague from Bonavista North

is not a direct negative. The motion before the House, before the Chair, is that the member for Bell Island be suspended. The direct negative of that, Your Honour, if words mean anything, unless this be like the Alice in Wonderland situation that words mean exactly what I say they are to say, the direct negative of that situation, of that motion, Sir, if words mean anything, the member for Bell Island not be suspended. That is not this motion at all, Sir.

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: On this motion, I agree that would be clearly out of order, as my colleague had said, if the amendment using a lot of words or phraseology or what had you, had the effect of saying that the member for Bell Island not be suspended. That is not what my colleague's amendment says, Mr. Speaker. My colleague's amendment clearly puts another proposition, a proposition with the opposite conclusion. The conclusion of the amendment, Your Honour, is that the gentleman from Bell Island be commended for bringing in certain matters to the House, and I submit, Sir, that -

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: Now Mr. Speaker, the gentleman, the Minister of Finance, insists upon interrupting me but the fact remains, Sir, that it does not mean the direct negative. It is a clear case falling within that citation 13 on page 170, an amendment to alter the main question. It does that, Your Honour, by substituting a proposition with the opposite conclusion. It is not an expanded negative and may be moved and there is a reference there to the Canadian Commons Journals, Volume 60, page 437.

Now, Your Honour, if those words do not mean that that motion is in order, then what could Arthur Beauchesne possibly have meant when he put in the citation? This amendment is clearly in order, Sir.

MR. SPEAKER: It is the opinion of the Chair that the motion made by the Minister of Finance is one in essence to censor the honourable member for Bell Island and the amendment made by the honourable member for Bonavista North is one to commend the Member for Bell Island; and the Chair feels that this is a direct opposite of what is meant and refers to Section 12 of page 170, which has already been quoted and therefore

the Chair rules that the amendment is out of order.

MR. ROBERTS: Your Honour, there is no need even to through a question of a vote first. It may be a waste of time but on this motion, I think, Your Honour's ruling is so, well, we wish to appeal it.

MR. SPEAKER: Call in the members.

DIVISION:

MR. SPEAKER: The motion is that the Speaker's ruling be sustained. Those in favour please rise.

The honourable the Minister of Industrial Development; the honourable the Minister of Forestry and Agriculture; the honourable the Minister of Tourism; the honourable the Minister of Education; the honourable the Minister of Justice; the honourable the Minister of Finance; the honourable the Minister of Municipal Affairs and Housing; Mr. Stagg, Mr. Dunphy, Mr. Alyward, Mr. Wells, Mr. Brett, Mr. Peckford, the honourable the Minister of Fisheries, Mr. Carter, Mr. Wilson, Mr. Young, Mr. Evans, Mr. Morgan, Mr. Howard.

MR. ROBERTS: Your Honour, on a point of order, I cannot interrupt the devision but I submit the entire matter was improper. The clerk, Your Honour, counted the Minister of Fisheries who was not in his seat and counted the gentleman from Grand Falls. I think the gentleman from Grand Falls was not in his seat. I do not know what the situtation is. Each of them was present and is entitled to vote.

MR. SPEAKER: Order, please! I think the honourable Leader of the Opposition should wait until the complete division has been finished.

Those against please rise.

The honourable the Leader of the Opposition, Mr. Gillette, Mr. Woodward, Mr. W.N. Rowe, Captain Winsor, Mr. Neary, Mr. Thoms, Mr. F. D. Rowe, Mr. Simmons.

MR. ROBERTS: Your Honour, may I now on a point of order. also note that the gentleman from Labrador South apparently did not vote and I believe, I do not have the exact citation here, but under our standing orders a member in his seat is required to cast an "aye" or a "nay".

MR. SPEAKER: I believe the honourable member for Labrador South did not vote and he is required to.

MR. M. MARTIN: I just sat in my place to vote for the motion. I was not counted by the clerk.

MR. SPEAKER: I declare the motion carried.

MR. ROBERTS: Your Honour, could we have a ruling on the point of order. The Minister of Fisheries was not in his seat, Sir, nor was the gentleman from Grand Falls. I do not argue with the right of either of them to cast a ballot but, Sir, anybody in this House can clearly see that the gentleman from the New Labrador Party did not vote at all. That is even worse. The Minister of Fisheries was counted by the clerk, Sir, and yet the Minister of Fisheries was not in his seat at the time and if the rules of this House are to mean anything, Sir, if this is not to become a kangaroo court at the whims, then surely that situation should be set straight.

MR. CROSBIE: I would like to point out that in the rules there is nothing that states that a member must be in his seat. It says, "On a division every member present in his place in the House," and the question is put, "shall be required to vote."

MR. ROBERTS: No, Sir, the Minister of Finance is negligently not reading Standing Order 82 (a) which comes just above the one he read which says, "No member shall be entitled to vote in any division unless he was in his place when the question was put." I am fed up with the Minister of Finance's habit of only reading half a story, Sir. That rule, 82 (c), is found three lines above the one he just read.

MR. CROSBIE: It so happens, Mr. Speaker, that I just read 83 because 83 is all I saw, whether the honourable gentleman opposite is fed up with it or not.

MR. ROBERTS: You can lead a horse to water, Sir, you can even lead half a horse to water, in the case of the honourable minister, you cannot make him drink.

MR. CROSBIE: Sit down and do not be so foolish.

MR. SPEAKER: It was noted that the honourable Minister of Fisheries and

the honourable member for Grand Falls were not in their proper places when the vote was made but because, as it may, I think that we can do without those votes. The motion still would have been sustained.

MR. ROBERTS: Your Honour, I know that, but is Your Honour no longer regarding - Standing Orders I submit, Sir, are clear. "82(c) No member shall be entitled to vote in any division unless he was in his place when the question was put." So the Minister of Fisheries was allowed to vote. He was not in his place. Now I call upon Your Honour to enforce the Standing Orders. If that be not so, we are at the place where these rules mean nothing, Beauchesne means nothing. This is not a matter of an interpretation of a ruling

on a point. The Standing Order is crystal clear, Sir. I call upon Your Honour (Your Honour has been elected unanimously as our Speaker) to enforce these rules. Your Honour has undertaken to do so and I now call upon Your Honour to do so.

MR. COLLINS: Mr. Speaker, I would like to speak to that point of order. I am sure that all honourable members will note that I was trying to get back to my seat and so was the Member for Grand Falls. We did not want to interfere with the counting procedure of the clerk of the House and that is the only reason we had not moved before.

MR. SPEAKER: Order please!

The Standing Order is quite clear, Standing Order 82 (c): "No member shall be entitled to vote ..." It was noted that the two honourable members were not in their proper places and were not entitled to cast a vote in this particular debate.

AN HON. MEMBER: (Inaudible).

MR. SPEAKER: Order please!

AN HON. MEMBER: (Inaudible).

MR. SPEAKER: Order please!

MR. WINSOR: Mr. Speaker, I suppose now is the time for all members to come to the aid of our colleague and I, in my humble way, intend to do that. I do not intend to delay the House as long as some members but, however, I do feel that it is my duty to rise and speak against the motion put by the Hon. Minister of Finance.

Mr. Speaker, perhaps more than anyone else sitting in this honourable House, I have a concern with the question which is before us. It is my privilege to have served in this honourable House longer than any man sitting in this Chamber today and, therefore, I have as great an interest as any member in having the rights of the members of the House of Assembly asserted and preserved.

Mr. Speaker, if the House were to carry the motion which is now before it, we would be condoning an action to stifle debate in this honourable House, to mute any criticism which might be made of the honourable ministers opposite. In other words, Mr. Speaker, we would be

denying our democratic principle of freedom of speech in the most hallowed of institutions which is supposed to be the very embodiment of this right of freedom of speech, the Parliament, the Legislature and the House of Assembly.

Mr. Speaker, my colleague, the Hon. Member for Bell Island has acted nobly in bringing to the attention of the House information and documents which have come to his possession and which demonstrate that the Minister of Finance was in an apparent conflict of interest situation. Now I need not go into the evidence he has submitted. He has presented it ably and my colleague the Hon. Leader of the Opposition and in fact all members on this side of the House have amplified upon them, clarifying some points and supported the case so that its merit and justification are clear for all to see.

The Hon. Minister of Finance by his action in seeking to have the Hon. Member for Bell Island suspended from the services of the House for a period of fourteen days is asking the House not to sit in judgment of the Hon. Member for Bell Island nor in judgment of himself but simply to convict my colleague without there being an opportunity for a fair trial, as it were, to be held.

Mr. Speaker, a prolonged debate in this House means absolutely nothing. It has been pointed out by members on the government side the fact that this debate has taken a long time to debate, that it is getting the attention that it deserves and more or less the members of the opposition are really getting all the opportunity that it desires to debate the motion now before us.

Mr. Speaker, it is not the government side of the House which has prolonged this debate, I would submit that it is the members on this side of the House because, Sir, I feel that if the Minister of Finance had had his way, this motion would have been put and our colleague would have been kicked out of the House one hour after the motion had been put.

I feel my colleague the member for Bell Island has been or will be dealt with very unjustly. It is a long established

practice in the British parliamentary procedure for such grave matters, as we are asked today to deal with, not to be dealt with by the House and by its members without recourse to all the facts but rather it is the custom, the tradition, the practice, the fair, the just and honourable procedure for this matter of apparent

conflict of interest situation to be dealt with by a committee of the House or by an enquiry which has the powers to call witnesses to hear testimony, to question persons and to secure and adduce all the evidence that may be brought on this matter.

Mr. Speaker, it is my opinion that the government members have no intention of seeing justice done in this case. Instead they wish to try to convict and sentence my honourable colleague without justice being done. In this case they will not be convicting a member, Mr. Speaker, they will be convicting the parliamentary system and this honourable House of Assembly. Such an abuse of rights and privileges of this honourable House and of its members should not be tolerated, not by one of its members nor by any of the electorate who voted to put us here.

Mr. Speaker, for eighteen years now I have worked to uphold the dignity and tradition of this House and to establish the rights and privileges due its members, not only have I tried to contribute to this but so has each member of the House in his turn and members who proceeded us for years and decades before. Are we now to see these rights eclipse almost overnight? Mr. Speaker, are we to see the House used, and this may be unparliamentary, House used as a kangaroo court by the members of the government? Why should they want to commit such a vengeful act, to have my colleague, the member for Bell Island, suspended for an unheard, an unprecedented length of time, fourteen days, or for any number of days without first establishing the fact that the information presented to the House by my colleague was not sufficient or not enough to constitute a breach of the House? What kind or how much information does one need?

My colleague presented information, documented, which, in his opinion and in the opinion of all members on this side, placed the honourable Minister of Finance in a position of conflict of interest. Mr. Speaker, it has not been proven to my satisfaction that this is not the case. The member for Bell Island, Mr. Speaker, would not be worthy

of the Chair on which he sits, having acquired the information, backed up by documentary confirmation, if he then failed to bring it to the floor of the House.

Mr. Speaker, that is why we were elected, to bring matters such as this out in the open and to focus public attention. This is the place to do just that. Mr. Speaker, I have heard the assertions put by the honourable Minister of Finance and those put by the honourable member for Bell Island and by the Leader of the Opposition and others. I have weighed each of the arguments, Mr. Speaker, and I stand to vote against the motion put by the honourable Minister of Finance. But, Mr. Speaker, I will be voting for the rights of the members of this House, for the privileges and traditions of the honourable House, I will be voting for freedom of speech and for democracy.

I submit it is the duty of every member of this House to vote to uphold these and to vote against the motion put. Now, Mr. Speaker, I move the following amendment, seconded by my colleague from Bell Island, let the following words be added to the main question, "that the member for Humber East, the Premier, be suspended from this honourable House for fourteen sitting days because of statements made by him in the House on Friday, March 8, 1974.

AN HON. MEMBER: Humber West.

MR. WINSOR: Humber West I am sorry. "As recorded in Hansard on page 2170 and 2176, which statements constituted unparliamentary language and comprised a libel on a member of this House, the member for Bell Island. The said unparliamentary language and libel consisting of the following words; 'It is a matter of listening to the absolute bile that comes from the gall of a totally useless and absolutely incompetent individual,' which words refer to the member for Bell Island. 'He has no concern, no decency, no soul, no humanity,' which words refer to the member for Bell Island."

AN HON. MEMBER: Inaudible.

MR. NEARY: Wait a minute, wait until the page comes. Sit down and wait until the page comes. You do not own the House you know, sit down. Arrogance and ignorance!

MR. CROSBIE: We have a new Sergeant-At-Arms, apparently, Mr. Speaker.

MR. NEARY: You might have one before the day is over.

MR. CROSBIE: Is that right?

Now, Mr. Speaker, page 167 of Beauchesne -of course, Mr. Speaker, this is not an amendment to this question and the suggestion that some other member should be suspended for fourteen days for some other infraction of the rules

is not one that can be dealt with by an amendment to the present motion, it is a motion that obviously must stand on its own. If the honourable members opposite really and truly wanted to move that motion and we are not just engaged in a publicity device, they would not be moving it now.

On page (167), Mr. Speaker, it states: "Not more than one question should be before the House at the same time." There is a question before the House now and the question is the unparliamentary conduct and expressions used by the Member for Bell Island and the serious charges made and the libel made on a member several weeks ago. That is the question before the House. That cannot be amended by suggesting another amendment that some other member at some time is also being in breach of the rules of the House.

Once again, Mr. Speaker, it is an amendment that is out of order and that is clearly out of order and that has no place - page (171), Mr. Speaker, for example; "An amendment setting forth a proposition dealing with a matter which is foreign to the proposition involved in the main motion is not relevant and cannot be moved." This is quite foreign to the proposition involved in the main motion and I therefore ask Your Honour to rule the amendment out of order.

MR. W.N. ROWE: Mr. Speaker, I would submit, as we have submitted on three or four other occasions now, in every amendment brought before the House, that this amendment is in order, Sir. It deals exactly with the same type of thing that the main motion refers to, namely; unparliamentary language, libel and slander on a member of the House and a penalty imposed therefor. Not only does it deal with the same general sort of thing, Sir, but the words uttered by the Premier were words uttered during this very debate, based on the same substance, the same subject matter. I would submit, Sir, on behalf of my colleagues, that it is an amendment which is particularly relevant to the main motion and that there is no reason whatsoever

why the two related matters cannot be dealt with by the same motion. Sir, I therefore submit that the amendment ought to be accepted by Your Honour and that we have the debate thereon. It deals with the same subject matter, it deals with matters which have come up in this honourable House, the use of unparliamentary language, the use of libel and slander on a member of this House and if these two things are not related then nothing, no amendment can ever be related to a main motion in this House.

MR. SPEAKER (Stagg): The honourable Member for Labrador South:

MR. M.MARTIN: Mr. Speaker, it appears to me that the issue in question here is one of breach of personal privilege, in this case against the honourable Member for Bell Island, as I recall that incident, that day those words were spoken in the presence of the honourable Member for Bell Island. The Standing Orders are quite clear that when a breach of privilege occurs that the member whose privilege is breached must bring it to the attention of the House at the earliest possible moment. I submit, Sir, that that was not done.

MR. SPEAKER (Stagg): Of the numerous points on which this is based are a couple of points brought up by the Minister of Finance with which the Chair agrees, especially the one brought by the Member for Labrador South, that the time for intervention was immediate, either by the Chair or by the member allegedly maligned. Consequently, I rule the amendment out of order. I also suggest that the amendment might be typed because the honourable member's writing is not unlike my own, almost illegible.

MR. W.N. ROWE: Is there any provision that it must be typed?

MR. SPEAKER (Stagg): No I do not think so, but it is the usual courtesy afforded the Chair that it be typed.

I rule that the amendment is out of order.

The honourable the Member for Bell Island:

MR. NEAFY: Mr. Speaker, I would suspect that the Minister of Finance would expect me to say a few words on this punitive motion of his before the minister succeeds in getting his colleagues to have

me removed from this House for fourteen sitting days, for breaking no rules of this honourable House. Mr. Speaker, let me point out that one or two members, two or three or four members of this honourable House have been thrown out since I have been sitting in this House for the past thirteen years. Each one of them, Sir, including the Minister of Finance and the Minister of Transportation and Communications and the Minister of Municipal Affairs and Housing and the Minister without Portfolio, each one of them, Sir, broke a rule of this honourable House and deserved to be punished. They deserved to be put out of the House.

I have broken no rules of the honourable House. Not a rule of this House have I broken except in the devious mind of the Minister of Finance. Mr. Speaker, if I had broken rules of this honourable House, if I had said things that were considered to be unparliamentary, would Your Honour not have ruled me out of order? Would Your Honour not have asked me to withdraw the unparliamentary statements? Is this not the procedure of the House, Sir? It has been the procedure since I have been here for the past thirteen years. No, Your Honour, I was permitted to present my case on the assumption, Sir, that I was acting within the rules of the House, because there was

no point of order. Your Honour did not rule me out of order. There was not a single point of order from a member on the other side to the effect that I had said anything unparliamentary. Believe me, Sir, it is too late. As the Member for Labrador South just indicated, Mr. Speaker, it is too late a week later to come back in this honourable House and say that on so and so date the Member for Bell Island or any other member said things that were unparliamentary.

Your Honour had ruled on the case and Your Honour had stated that in his opinion there was no prima facie case. In Your Honour's opinion it was a matter of dispute between two members. That is the ruling, Sir, that was given in this honourable House. Your Honour did not say that I, in presenting my case, had breached a privilege of this honourable House, that I had used unparliamentary language. All Your Honour said was that the Member for Bell Island did not, in his considered opinion, have a prima facie case."

What happened then? It was only a matter of a dispute over the facts between two honourable members. Then, Mr. Speaker, Lo and Behold! The Minister of Finance then moved a motion to the effect that I had breached the privilege of the House. I had done no such thing. Your Honour accepted the motion as being in order, and that I be expelled from this House for fourteen sitting days. How can it be a dispute between two honourable members of the House one minute and not a dispute between two honourable members of the House the next minute?

Mr. Speaker, before I get into the main part of my address to this honourable House, I am going to give the Minister of Finance, I am going to give the Minister of Finance an opportunity to withdraw this motion. In my opinion, Sir, it is the most dastardly act that has ever been attempted in this honourable House. It is the first sign, Sir, of totalitarian government. It is not becoming of the Minister of Finance, Sir. The Minister of Finance and myself have had some pretty hard debate in this honourable House. Sometimes

he has scored his point, Sir, sometimes I have scored points, but I have never held it against him, Mr. Speaker. It is not becoming of the Minister of Finance to bring such a motion into this honourable House.

I am going to give the Minister of Finance an opportunity because it is creating, setting such a dangerous precedent, that I am going to give the Minister of Finance an opportunity to withdraw the motion. Before I do, Sir, I shall say this; if the Minister of Finance is worried about the language that I used in presenting my case, if the Minister of Finance, and Your Honour has not said it was unparliamentary, thinks it is unparliamentary and he is worried about the language, well then, Sir, I am quite prepared, I will be a man about this, to clean up the language but I will only do it on one condition, Mr. Speaker, that the Minister of Finance would agree to have a judicial enquiry into this whole matter.

Now, Sir, I am prepared to lay my head on the limb.

MR. CROSBIE: A new theory.

MR. NEARY: That is not a new theory, that is British fair play, Sir, and common sense, it is not a new theory. So, Sir, if that is all that is worrying the Minister of Finance, the language, I will tell him right now that I am quite prepared to clean it up if he will agree to withdraw this motion, Sir, and put the matter to the test.

I will wait a second or two, Sir, to give the Minister an opportunity to react to my proposal. I cannot be any more fair than that, Sir. Obviously, Mr. Speaker, the Minister of Finance is not going to go for that proposal. I could not be any fairer than that, Sir. I could not be fairer.

Now, Mr. Speaker, I shall have to plow on with my few remarks. Maybe during the course of my remarks I may be able to persuade the Minister of Finance to change his mind or I may be able to persuade some of the more honest, more fair-minded members on the opposite side to vote against this motion.

I have offered to compromise, Sir, and I am sure the Member for St. John's South, whom I consider to be a very decent, honest, God-fearing, honourable gentleman will recognize the fact that this is a fair compromise.

Unless the Minister of Finance, Sir, wants me to get down on my knees. I do not think I could be any fairer, Sir. Mr. Speaker, this motion could very easily carry because, of course, the government have the majority.

Mr. Speaker, let us get down to brass tacks. Let us not beat around the bush, Sir. There are thirty-two members sitting on that side of the House; there are only nine over here, ten including the Member for Labrador South. Is anybody in any doubt, Mr. Speaker, that this motion is not going to carry? It is a straight vote, Sir, along partisan lines. It is thirty-two verses nine, Sir. I have no doubt at all that this motion will easily carry.

Mr. Speaker, in this particular case I am the accuser and the Minister of Finance is the accused. It is not good enough, Mr. Speaker, for the Minister of Finance to stand in this House and say, "I am not guilty." That is not good enough, Sir. The Minister of Finance has to be prepared to put it to the test.

Mr. Speaker, we are the senior court of this land, if you want to put it that way, and, Sir, what an example we are going to set for the Magistrate's Court and for justice in this province if we allow this motion to carry. The minister comes in, he is judge and jury and executioner. It is a wonder he did not move a motion that I be taken out and lynched, which would mean the same thing, Sir.

Mr. Speaker, every day down in our courts, every day in the courts of this province, Sir, somebody is an accuser and somebody is an accused. But does the judge or a magistrate, Sir, pronounce the sentence before a trial take places? No, Mr. Speaker, he does not. In this particular case, the sentence has been pronounced before the trial has taken place.

The Minister of Finance I would submit, Mr. Speaker, either has something to hide or he is afraid to put it to the test. Why not put it to the test, Mr. Speaker? Why not? I said that I would withdraw anything the minister considered to be unparliamentary. If I hurt his feelings,

Sir, I would be quite happy to do that but the minister in return must agree to have this matter looked at by an independent commission, Sir.

Mr. Speaker, during the course of my remarks, I will avoid personalities and name-calling, which has only so far, Sir, beclouded the issue. I have heard speaker after speaker on the opposite side of the House, Mr. Speaker, take his place and say that this is not a matter of whether the Minister of Finance misled the House or was in conflict of interest; this is a matter of the decorum of the House, they say, and if we do not discipline the Member for Bell Island, the decorum of the House is finished. Well, Sir, my answer to that is (that is not what is on trial here) that if that is what the Minister of Mines and Energy thinks the issue is, then every single member of this honourable House, Sir, should be put out for fourteen days. Why should it be I who bear the brunt of all the character assassinations that we have heard from the Member for Bonavista South and the Minister of Finance?

MR. BARRY: (Inaudible).

MR. NEARY: That was not ruled out of order.

AN HON. MEMBER: It should have been.

MR. NEARY: Mr. Speaker, what about all the innuendos and all the insinuations that have come from the other side? Do I have to pay the penalty for all the times in the last two years, Sir, that the rules of this House were broken by members on the opposite side? Is this what they are doing? Saint Stephen was the first martyr, Sir. I do not mind being a martyr.

Mr. Speaker, I want to thank the Leader of the Opposition and all the members here on the opposition benches for rallying to my support in presenting this case, Sir. Each one, Mr. Speaker, each one of the speakers, right from the Leader of the Opposition down, laid exactly the same charges that I laid against the Minister of Finance; each

one stood in his place like a man and had the courage to say, Mr. Speaker, that I agree one hundred per cent, not ninety-nine per cent or ninety-five per cent, with the Member for Bell Island and I lay the same charges. The Leader of the Opposition did it and I am proud of him, Sir. One day he will be premier of this province. Ah! laugh all you like! It will not be too long! I was proud of him, Sir. The Member for White Bay South laid it on the line, challenged the Minister of Finance to take the same action against him and so did my colleague the Member for Labrador North. Mr. Speaker, the Member for Twillingate, who the honourable members thought was a timid soul over there, laid his seat on the line and said that he supported the Member for Bell Island, he is right. That is what the Member for Twillingate said. I dare the Minister of Finance to throw me out.

As for my colleague, the member for Bonavista North and the member for White Bay North and the member for Hermitage, is the Minister of Finance going to come in and recommend that they be thrown out for fourteen days or is it just going to be I? And if I, Mr. Speaker, I ask the minister why? All my colleagues have laid exactly the same charge. They have, Sir. The Minister of Finance, through the doorway over there, Sir, he is too cowardly to come in and sit down and listen to what I have to say, puffing his cigarette over there in the doorway. Come in and face it like a man! They all, Sir, they all laid the same charges. The Minister of Finance will get up and in his usual way will try to worm his way out. Well, Sir, I will ask my colleagues now in front of the minister and I would like for them to nod their approval so he can see it.

Did the Leader of the Opposition lay the same charges? Did the member for Hermitage? They all laid the same charges. Now what are you going to do about it? Are you just going to fling me out and if so why? Let us see where your courage is? Put your courage where your talk is.

MR. SPEAKER (MR. STAGG): The honourable member may I would assume be excused a little fervour in his argument however the pronoun "you" and the adjective "your" are not customary when referring to an honourable member. I ask the honourable member to keep that in mind.

MR. NEARY: That is a point worth remembering, Mr. Speaker, I will have all kinds of time to cogitate about that when I am sitting in the galleries, observing what is going on in this honourable House, hearing the discussions about pesticide control, silver coins, tinsel, cocktail parties, when we should be discussing the cost of living and the record unemployment and the housing shortage. When I get outside of this House, Sir, I will have a little time to do a little more research because I have a few more gems of wisdom for the Minister of Finance.

AN HON. MEMBER: Turn over a new leaf.

MR. NEARY: I will turn over a new leaf all right. Mr. Speaker, one of my colleagues put his finger right on it today when he said, "It is the duty," and it is, Sir, "It is the duty of the opposition to see to it that government is kept honest." That is one of our jobs, Sir. Not that any of them are dishonest, Mr. Speaker, they may not be.

MR. WM. ROWE: For all we know.

MR. NEARY: That is right, Sir, for all we know they may not be but there is always that danger, Mr. Speaker, it has happened before, governments before and governments hereafter will be dishonest and corrupt, this one may not be. I have known politicians, Sir, I could not name them, not in this House, in other legislatures, in other Houses, House of Commons, even the Mother of Parliament, politicians have been known to be corrupt, Sir, and it is our duty in this House to see to it that government is honest and that it spends its money wisely and in the best interest of the people of this province.

Mr. Speaker, if the government be sincere in its intention to have conflict of interest legislation which is more than a sham and deceit, more than lip service, Sir, more than just empty words, Mr. Speaker, then this House

to every last member, Sir, whether they sit on the government benches or whether they sit on the opposition benches, must be willing to examine and pass judgement on. Mr. Speaker, that is what this House is for to pass judgement on anything, any matter that has the appearance of conflict of interest or the possibility of conflict of interest on the part of any member of this House, Sir, whether or not that member represents the most remote rural district or a populous constituency right here in the capital city itself.

No matter, Mr. Speaker, no matter whether that member be shaped in the mold of the working classes or born of economically elite with the provincial silver spoon in his mouth, Sir, from the days of his infancy, Mr. Speaker, for us who are saddled with the real responsibilities of living up to the high expectations of those who elected us to plan and execute those measures which will fulfill the aspirations, Sir, of Newfoundlanders, there can be no narrow bounds, Mr. Speaker, set to the conflict of interest legislation, no exclusions of individuals, Mr. Speaker, no exclusions of individuals or actions of individuals or no exclusions from the principles.

In other words, Mr. Speaker, no sins of omission or commission, Sir. It will overlook no sins whatsoever, Sir, no venial or mortal sins of conflict of interest in carrying out the high responsibilities of office that have been imposed on us by the citizens of our province. No hairsplitting, Mr. Speaker, no venial sins and no mortal sins.

Mr. Speaker, in justice to the honourable members seated to your left, who may be tempted, Sir, in the furor and heat of debate, to use their votes to punish the minority facing them across the floor, I would ask, Mr. Speaker, for a very close attention during the next few minutes as I propose to take a sincere or to make a sincere attempt, Sir, to clarify the issues in the action in which I, in good conscience, Sir, was forced to lay before this honourable House on that famous Monday afternoon, distasteful, Mr. Speaker, as that action was to me, I am sure it was to my colleagues on this side of the House and to the thirty-two

honourable members across the floor and to the honourable representative who sits for the New Labrador Party on our side of the House, Sir.

Now, what were the charges, Mr. Speaker, which I made on Monday afternoon, which immediately brought on my head a torrent of personal abuse and which resulted in the motion to which I am now speaking? Charges, Mr. Speaker, may be too strong a word. What I did was to state that the honourable Minister of Finance had left himself open, if not to conflict of interest, Sir, at least to the appearance of conflict of interest in that he had, Mr. Speaker, in arranging the sale of the Bison Brewery, assets and liabilities, to the Labatt Organization, written off or caused to be written off the amount of \$407,000 owed to the treasury of this province by Atlantic Brewing who were the original owners, Mr. Speaker, if members

will remember, of the Stephenville plant, and the debt of \$407,000 Mr. Speaker, was assumed by Bison Brewing as a liability when they bought Atlantic. Yes, Mr. Speaker, the Minister of Finance when he tabled an opinion of a senior counsel in the Justice Department, told us, and this piece of information I did not have, Sir, at the time I laid the charges, the Senior Counsel, Mr. Nesbitt, said that there was no reason why Labatts should assume the debt of Bison Brewery of the \$407,000. Yet, Mr. Speaker, only two months before that the Minister of Finance had threatened Bison Brewery, gave them thirty days to pay up or they would be taken to court. Why did not the minister then say to Bison, "You did not have to assume the debt from Atlantic Brewery," why did the minister not say that? Was he bluffing?

It seems to be a very irregular and peculiar procedure, Sir. In that sale, Mr. Speaker, I submit that Bison rightly and correctly followed the right procedure that when they bought the assets of Atlantic Brewery that they also inherited the \$407,000 liability and that Bison, Sir, acting in good faith, offered to issue revenue bonds chargeable against anticipated revenues. To say, Mr. Speaker, that there are no revenues is ridiculous. The Bison operation, Sir, may not have been profitable but it certainly did develop revenues, Sir, it sold beer. It did not give it away. I am no mathematician, Sir, or economist but selling beer certainly produces revenue.

So, Mr. Speaker, my charges of conflict of interest or the appearance of possible conflict of interest stems from the two or three hats worn by the member for St. John's West, the Minister of Finance, in this whole transaction. Or, Mr. Speaker, when the minister was a member of the legal firm representing the purchasers of Bison Brewing, also a director secretary-treasurer of Gaden's, a subsidiary of Labatts, and acting as Minister of Finance, Sir, would not the minister expose himself to conflict of interest? Labatts, Mr. Speaker, was certainly interested in getting this \$407,000 written off. Why should they not? It would

be added to the purchase of the brewery. I will come to that in a few minutes, Mr. Speaker, because this is the crux of the whole matter. This is where the conflict of interest occurred.

The Minister of Finance, whose approval, Sir, was necessary to write off the \$407,000 assumed by Bison from Atlantic Brewery, was not only acting as Minister of Finance, Sir, but he was also, by his own admission, secretary-treasurer of Gaden's which is a Labatts subsidiary, Sir.

Now, Mr. Speaker, the Minister of Finance stated on television, "All Gaden's," he said, "All they do is make soft drinks," Well, Mr. Speaker, that may be all they make is soft drinks but they are a subsidiary of Labatts and they distribute the beer for Labatts, Sir, and their salesmen go out and sell the beer for Labatts. The minister is nodding his head.

They do, Mr. Speaker.

Now, Mr. Speaker, what was the evidence that I tabled in this honourable House in support of the charges that the honourable member for St. John's West may have been guilty of at least an apparent conflict of interest which should have caused himself, Mr. Speaker, to disqualify himself from playing any role whatsoever in the \$407,000.00 writeoff, the \$407,000.00 Bison Atlantic liability before the Labatt purchase.

Well, Mr. Speaker, here is what I presented, here is the case I presented in this honourable House and these are facts, Mr. Speaker, these are facts. Fact number (1): Gaden's Limited, Sir, is a subsidiary and operating unit of Labatts Breweries of Canada Limited. John R. Labatt, annual report, 1973, Mr. Speaker, fact number (1). Fact number (2): The Minister of Finance of the Newfoundland Government, of the Government of Newfoundland and Labrador, is a member of the Board of Directors, (I thought the minister was coming across) is a member of the Board of Directors and secretary-treasurer of Gaden's Limited. Let me repeat that, Sir. Fact number (2): The Minister of Finance of the Government of Newfoundland and Labrador is a member of the Board of Directors and secretary-treasure of Gaden's Limited. I just said that Gaden was a Labatts subsidiary, Sir. Fact number (3): The Minister of Finance is a member, self-described as inactive, Sir, of the firm of barristers, solicitors and notaries, operating under the name of Alward, Crosbie and Collins, fact number (3).

Fact number (4), Mr. Speaker: The Minister of Finance still, January 18, 1972, when the Government changed, Sir, has been Minister of Finance for the Province of Newfoundland and Labrador. Fact number (5), Sir: The same Minister of Finance of facts number (2), (3), and (4) above are the one and the same person. Fact number (6), Mr. Speaker: Atlantic Brewery Limited, Stephenville, failed, ceased to operate during the year 1970, owing the Government of Newfoundland \$407,000.00.

Mr. Speaker, fact number (7) and I hope the Minister of Finance is listening to what I am saying here, fact number (7): In purchasing

the assets of Atlantic Brewery Limited, Bison Brewing Company Limited, a wholly-owned subsidiary of Bison Petroleum and Minerals Limited, agreed to assume the Atlantic Brewery debt of \$407,000.00. Mr. Speaker, according to an Order-in-Council, 1970, they agreed to repay the said amount by the - and I tabled this Order-in-Council, Mr. Speaker, a couple of weeks ago - agreed to pay to the Government interest-free revenue bonds redeemable in equal annual payments over a period of ten years, minute of Executive Council, Sir, of Newfoundland, approved by His Honour, the Lieutenant-Governor, on December 14, 1970, and signed by Mr. J. G. Channing, clerk of the Executive Council.

Fact number (8), Mr. Speaker, on March 8, 1972, the Minister of Finance wrote Bison Brewing Company Limited in part as follows: "On 14 December, 1970, a Minute of Executive Council indicated that your company, consequent upon the sale of Atlantic Brewery Limited, would undertake to pay to the Newfoundland Liquor Commission the sum of approximately \$407,000 by the issue to the government of interest-free revenue bonds redeemable in equal annual installments over a period of ten years."

Mr. Speaker, we all remember the letter written by Mr. L. B. Martin, III; that Bison confirmed on March 13, 1972. Bison confirmed that Bison Brewing Company had undertaken to pay the Newfoundland Liquor Commission the amount of \$407,000. On July 5, 1973, Mr. Speaker, (all this information has been tabled) the Minister of Finance wrote Mr. John C. Doyle. Let me just put the minister's mind at ease right now, Sir, that the information I tabled in this honourable House - the minister may think it is funny but I never saw a millionaire yet, Sir, a cry baby, a spoon-fed rich boy who did not, if he were criticized, if you dare walk on his toes or criticize him, try to use whatever brute force he could, Sir. This is typical, I am not surprised. The Minister of Finance, Sir, has implied in this honourable House and the Minister of Mines and Energy, this afternoon, that the information I tabled came from one John C. Doyle. Well let me assure this honourable House, Mr. Speaker, that like so many members on the opposite side, I only know Mr. Doyle from his association, Sir, with the business world in Newfoundland. With my labour background, Mr. Speaker, I do not visit the same cocktail parties nor am I a member of the same club as Mr. Doyle. I know some people who are, Sir, people who have connections on that side and this side of the honourable House, buddy, buddy. Mr. Speaker, who are they trying to cod?

Mr. Speaker, I can assure the Hon. Minister of Finance and the Minister of Mines and Energy that this information was not given to

me by one Mr. John C. Doyle. Where did it come from? I would gladly tell a commission of enquiry. I would gladly tell a judicial enquiry where the information came from. Put it to the test, I will tell where I got the information.

MR. BARRY: (Inaudible).

MR. NEARY: It did not come from one Andrew C. Crosbie either via John C. Doyle, their kissing cousins. The Minister of Finance has the gall to call me John C. Doyle's agent. My God! Mr. Speaker, it would almost make you puke on the floor of the House when you hear that kind of a statement coming out of an honourable gentleman, Sir, who knows, who is fed information daily, hourly on certain matters, Sir, by a closer member of his family than I. I am not a member of the family compact. Nobody owns me, Sir, and nobody ever will as long as I have the health and strength, Sir, to fight against the kind of viciousness on the part of rich little boys who try to use the House of Assembly for a playtoy. I take it more seriously than that, Mr. Speaker, it is no playtoy. I was sent to this honourable House to do a job.

The Hon. Member for St. John's South, if he only could be on Bell Island the other evening, Sir, when 700 of my constituents turned out to hear me present a brief on their behalf

to try and keep Bell Island intact as a community, he would not have stood up in this House and said that all it is going to effect is the minister's constituents.

Mr. Speaker, there has not been anything done in the last two years in this honourable House that is good for my constituents, not a single thing and I can do just as good a job sitting out in the gallery for my constituents as I can do in this honourable House. As a matter of fact, Mr. Speaker, I can do more. I know, and I think the honourable member made that statement with tongue in cheek trying to build a case in support of the Minister of Finance, who is only carrying on a personal vendetta, Sir, otherwise why would he not ask to have all my colleagues suspended? Why me? Why me, Mr. Speaker?

On July 5, 1973, the minister, after long correspondence, wrote Bison Brewery Limited asking that the \$407,000 be repaid and Mr. Speaker, believe it or not, and the minister says there was no agreement, the minister referred to an agreement, Sir, and it was tabled, referred to an agreement that was entered into, and this is a direct quotation, Sir, from the minister's letter, "Agreement entered into that action will be taken against Bison Brewery Limited to enforce the agreement." What agreement, Mr. Speaker? An agreement that does not exist, the minister tells us. Was the minister bluffing, Sir?

Mr. Speaker, I am not a lawyer, I am not a lawyer, Sir, but I do have enough common sense to know that if the minister had collected that money, Sir, when he threatened John C. Doyle and Bison Brewery, threatened legal action, if the minister had collected that money, Mr. Speaker, would it be a breach of trust? Would it not be a breach of trust, Mr. Speaker? Would it, on the part of the minister? If the minister collected it and he told us here in this House that it was uncollectable, what would he do with it when the brewery was sold to Labatts? Would he give it back? Would

the minister give the money back to Bison? In August he threatened to collect the money, law suits, and then the minister comes in and tells us that the money is uncollectable. Yet he tried to collect it. What would he do with it, Sir? Would he give it to charity? Would he send it over to the poor widows and pensioners on Bell Island? What would he do with it if he had collected it? Because he came in a couple of months later, Sir, and had it written off?

Mr. Speaker, this in my opinion was sheer bluff and if the minister had collected it, Sir, I ask the question, would it not be a breach of trust? Perhaps the lawyers can tell me, Sir. Then the minister says, "I therefore now advise you," this is a quotation from the minister's letter, "I therefore now advise you that unless this matter is settled to our satisfaction within one month or by August 9, 1973, the government will proceed to take action against the company. This is our final notice," the minister says, "...so that if nothing further is heard from you, we will be proceeding after the above mentioned date." Proceeding on what? Proceeding to take action against the company for a debt that is uncollectable? How naive, Mr. Speaker, how naive does the minister think we are?

Here is fact number (9), Sir, a letter dated August 20, 1973, which I tabled, over the signature of D. Peper, Deputy Minister of Finance, and addressed to D.W.K. Dawe, Counsel for Bison Brewing reads in part; "A reply to the minister's letter of July 5, 1973, to Mr. John C. Doyle pertaining to certain matters to be settled between Bison Brewing Company Limited and the government would be appreciated," listen to this Mr. Speaker, "would be appreciated before August 27, 1973." Why August 27, Sir? What is so significant about that? I will tell the House in a few minutes.

MR. SPEAKER (MR. STAGG): It now being six o'clock I do leave the Chair until eight o'clock this evening.



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VERBATIM REPORT

MONDAY, MARCH 25, 1974

SPEAKER: THE HONOURABLE JAMES M. RUSSELL

The House resumed at 8:00 P.M.

MR. SPEAKER: The honourable member for Bell Island adjourned the debate at six.

MR. NEARY: Mr. Speaker, I believe I have approximately fifty-five minutes left in my speech.

MR. SPEAKER: Fifty minutes.

MR. NEARY: Fifty minutes. Sir, I do not know if I can conclude my speech in fifty minutes. I will try, Sir, to say what I have to say in the fifty minutes that I have remaining. If not, Sir, I hope that the House will grant me leave to carry on for a few extra minutes.

Now, Sir, just to review what I said this afternoon. Starting off, Mr. Speaker, I put a proposal to the Minister of Finance and I asked the minister if it is the wording of my presentation, my case that I presented the Monday before last, if that is what he was concerned about because a number of members who have participated in this debate, Mr. Speaker, seem to think that what is at stake here is the decorum of the House or the personal attacks that are made on members whereas in actual fact, Mr. Speaker, this is not what is before the House. That is a red herring, Sir. So, in all fairness to the Minister of Finance I asked the minister if he would agree to a compromise.

My compromise was this, Mr. Speaker, that I would undertake to clean up what the minister thinks is unparliamentary language - and I want to point out, Mr. Speaker, that during the course of my presentation the case that I put before this House of the minister misleading the House and conflict of interest, in the presentation of my case Your Honour did not on a single occasion rule me out of order for using unparliamentary language. Neither did any of the ministers or honourable members on the government benches, Sir, raise a point of order that I was using unparliamentary language.

If I did, Mr. Speaker, if Your Honour did draw it to my attention, I would have done what is done in this honourable House on hundreds and hundreds of occasions, Sir, when it is brought to a members attention that

he is using unparliamentary language. I would have done what any honourable member would do and that is to withdraw the unparliamentary language. Your Honour did not do that, Sir, and I would submit, Mr. Speaker, that what has been said in this debate so far not only reflects on an unprecedented move in this honourable House but also reflects on Your Honour, the Speaker.

As a matter of fact, Your Honour in ruling on my presentation informed the House that in the opinion of Your Honour I did not have a prima facie case, the matter was just merely a difference of opinion between two members. I accepted that, Your Honour and I still do accept that in good faith. Then the Minister of Finance, Sir, came in with his unprecedented motion that I be expelled from the House for fourteen days for presenting what I considered to be a strong case.

Now, the minister has objected to the wording of my presentation, some of the phrases that I used in my presentation. Well, Sir, I say to the minister here again tonight that I am prepared and will undertake to clean up the wording of my presentation if the minister will agree to a judicial enquiry into this whole matter.

That is fair, Mr. Speaker, it is fair and it is sincere. If I hurt the minister's feelings by using words that he considered - and Your Honour has not considered to be unparliamentary - that the minister considered to be unparliamentary, Sir, then I am prepared to do what I just suggested.

Mr. Speaker, I would and I tell the minister here and now that I will withdraw all what he considers, what the minister considers to be unparliamentary language if the minister will agree to a judicial enquiry. I will give the minister that opportunity here again tonight.

See, Mr. Speaker, my request is again met with complete silence. So, I have no choice, Sir, but to plow on with my remarks.

Before we adjourned this evening, Sir, I was dealing with fact number (9).

Fact number nine, Sir, was a letter dated August 20, 1973, over the signature of D. Peper, Deputy Minister of Finance, and addressed to D. W. K. Dawe, Counsel for Bison Brewing, which read in part, Mr. Speaker, and I have already tabled the letter, "A reply to the minister's letter of July 5, 1973, to Mr. John C. Doyle, pertaining to certain matters to be settled between Bison Brewing Limited and the Government, would be appreciated before August 27, 1973."

Mr. Speaker, following this letter to Bison Brewery, no further communication from the Government concerning the \$407,000.00 was received by Bison. They were given until August 27.

Fact number (10), Mr. Speaker and this is something new that I am introducing into the debate for the information of honourable members: August 30, Mr. Speaker, now remember that Bison were given until the 27 of August to reply, on August 30, Sir, Canada Permanent Trust Company requested an option to acquire the assets of Bison Brewing on behalf of an undisclosed client. Later it was discovered, Mr. Speaker, that the undisclosed client, the unidentified client was Labatts.

Fact number (11), Mr. Speaker: In December, 1973, Labatts representatives discussed the purchase of Bison Brewing Limited, Stephenville, and indicated to Bison that the Newfoundland Government would agree to cancel the \$407,000.00 debt due the Government in respect of said brewery. December 28, 1973, Bison Brewing Company Limited, Sir, in a letter to Labatts of Canada Limited confirmed discussions relative to the sale of the brewery in which it was stated, Mr. Speaker, "The purchaser, Labatts, will obtain from the Government of Newfoundland a release from the \$407,000.00 claim."

Fact number (12), Mr. Speaker: The Finance Minister speaking in the House of Assembly on February 8, 1974, declared that the Department of Justice had reported to Government that the \$407,000.00 debt was uncollectible. This statement, Mr. Speaker, was made at least six weeks after Labatts indicated to Bison that the Newfoundland Government would agree to cancel the \$407,000.00 debt. Let me repeat that again, Mr. Speaker, because this is very important. The Finance Minister, speaking

in this House, Sir, on February 8, declared that the Department of Justice had reported to Government that the \$407,000.00 debt was uncollectible and I am quoting, Mr. Speaker, from the verbatim report of this honourable House. This statement was made at least six weeks after Labatts indicated to Bison that the Newfoundland Government would agree to cancel the \$407,000.00 debt.

Now, Mr. Speaker, only a few months before that, the Minister of Finance had threatened Bison with a lawsuit. The Minister of Finance, Sir, had told Bison in a letter which I tabled in this honourable House that they had thirty days to pay up or else they would be sued for the \$407,000.00. Mr. Speaker, I can only come to the conclusion that the minister must have been bluffing. If he were not bluffing, Sir, if he were not bluffing, Mr. Speaker, as I said this afternoon and I do not know, Sir, what the lawyers would think of this but was the minister in breach of trust? What would the minister have done with the money, Mr. Speaker, had he forced Bison to pay it? Would he have given it back to them when Labatts came along? Would he? What would he have done with it? Would he have donated it to charity?

Mr. Speaker, the Minister of Finance tells us that Mr. Nesbitt, a senior counsel down at the Department of Justice, gave an opinion that the \$407,000.00 was uncollectible

and yet with this information in his hand, Sir, the minister threatened Bison Brewery with a lawsuit to collect the \$407,000. What kind of thinking is this, Mr. Speaker? I cannot understand it. Perhaps the minister can explain it when he is -

MR. CROSBIE: I explained it before.

MR. NEARY: No, the minister did not explain it before, Sir. I would certainly like to hear the explanation because it certainly does not make sense to me, Sir.

Fact number (13), Mr. Speaker, an Order-in-Council dated January 18, 1974, and signed by the clerk of the executive council, James G. Channing, states in part, Sir, and I am only quoting the part of the document that has been tabled in the House with reference to the proposed purchase by Labatts. It is about half way through the Order-in-Council. "Labatts Breweries of Canada Limited or any associated company of the assets of Bison located at Stephenville - the government will not be taking any action against Bison for the payment of the \$407,000 owed to the former Newfoundland Liquor Commission by Atlantic Brewing Company Limited in respect of which Bison Petroleum and Minerals Limited undertook pursuant to Order-in-Council 977-70 to repay the said amount by the issue to the government of interest free revenue bonds redeemable in equal annual payments over a ten year period."

Now, Sir, the only conclusion that this can lead me to is that when Bison - and I have already stated it in one of my facts, Sir, fact number (11) - that when negotiations started between Labatts and Bison for Labatts to take over that brewery, Bison quoted a price including the \$407,000. That is a fact, Sir. I believe that to be a fact. Bison, as I understand it, quoted a price of almost \$2 million which included, Mr. Speaker, the \$407,000 that belongs to the taxpayers of this province. The price, the selling price, was later reduced by that amount, Sir, by the amount of \$407,000.

Fact number (14), Sir, the whole world knows that speaking on

a point of privilege in this honourable House on February 25, I tabled all this documentation. No, no, Mr. Speaker, I withdraw that. I did not table all the documentation. I tabled documentation pertaining to facts number seven, eight, nine and thirteen. In so doing, Mr. Speaker, I charged the Minister of Finance with conflict of interest, in that, Mr. Speaker, the Minister of Finance had negotiated with Labatts while he was a director and officer, secretary treasurer as a matter of fact, Sir, of a Labatt's subsidiary, namely Gaden's Limited.

Thereupon, Mr. Speaker - it is history now that Your Honour issued a ruling precluding any motion that I might intend to present concerning House action on the documents that were tabled. Mr. Speaker, there has been no enquiry. No select committee of the House has been set up, no action initiated by the House of Assembly to investigate the charge and take any relevant action.

Instead, Mr. Speaker, the Minister of Finance stood in his place in this honourable House and denied conflict of interest in the matter and then moved that I be suspended from the House of Assembly for fourteen working days. What for, Sir? I had broken no rules of the House. There is nothing on the record of this honourable House to show that I had broken any rules. Mr. Speaker, unlike the member for St. John's East Extern and the member for St. John's East and the Minister of Finance himself and the Minister of Municipal Affairs who were flung out of this House, Sir, on two or three previous occasions - they indeed

broke a rule of the House and they deserved to be put out. That is the difference, Sir, between what I did and what they did. They can stand there all they like with their halos over their heads, Sir. I am innocent. I broke no rules. They broke the rules. If I broke the rules, Your Honour would have brought it to my attention. So what do I get, Mr. Speaker, for bringing this matter before the House? I am duty bound. The Minister of Finance comes back bellyaching about; "Oh, I was 4,000 miles away." Well, Sir, anybody who knows the rules of this honourable House knows full well that when a member comes up on evidence that appears to be in conflict of interest, that appears to have had a minister misled the House, he has no choice, the member has no choice, Sir, but to bring that information before the House at the earliest opportunity. The earliest opportunity that I could have brought it before the House was that Monday that I presented my case in this honourable House, Sir.

Mr. Speaker, what an honourable crowd to talk about giving notice. Did the Minister of Justice give the former Premier notice before he sent the R.C.M.P. over to his house on Christmas Eve to raid his house and confiscate his documents while he was down in Florida?

AN HON. MEMBER: (Inaudible).

MR. NEARY: Ah! It was Christmas Eve. The Minister of Justice knows that.

Mr. Speaker, did the Minister of Finance himself, the year before last when he came in here with his budget speech and inferred that something improper had been done in the distribution of welfare funds for building material on Bell Island, did the minister give me notice? Did the Minister of Transportation and Communications who attacked my character violently in this honourable House, Sir, who made a vicious, personal attack on me, give me notice, Sir? He certainly did not. The Minister of Finance then talks about - maybe I should not bring this into it at all, Sir, I will not even refer to what the minister

said. I also have a wife and family, Sir, who had to bear the brunt of this; two years of judicial enquiries.

Mr. Speaker, no member of this honourable House has had to undergo that kind of a grueling experience, Sir, or their families. Fortunately, Sir, I could take it. My family has borne the brunt of it, Sir, I can assure you. So let us not hear any more of that nonsense. We will survive, Sir.

Mr. Speaker, here is the \$407,000 question: Should the Minister of Finance, at the time he was secretary-treasurer of a company, associated with the purchaser, still wearing his hat as Minister of Finance, have authorized the write-off of the \$407,000 owing to the province? Is not, Mr. Speaker, such a write-off of financial benefit to Labatts, the parent organization of Gaden's of which the Minister of Finance is a director and executive officer, Sir, is not such a write-off of at least secondary benefit to a law firm, which his name is on the door of downtown, Sir; Aylward, Crosbie and Collins, who processed all the legal transactions in this case? The minister is associated with that firm even though he says that he is not actively wearing that particular hat at this moment. Did not the Finance Minister, Mr. Speaker, (this is the most important question of all) expose himself to conflict of interest charges by not disqualifying himself from making or participating in, Sir, the making of a decision on that \$407,000 question, when he in one person, Mr. Speaker

combines two separate and conflicting interests? The minister had a fiduciary duty to act in the best interests of Labatts, Sir, while at the same time he was sworn as a cabinet minister with the portfolio of Finance to act in the fiduciary capacity in the best interests of the Province of Newfoundland and Labrador.

Mr. Speaker, if this penalty be imposed, I ask honourable members of this House, will any member of this House, Sir, ever in future feel that he can exercise his right and duty to present evidence? If a powerful member on the Government, Mr. Speaker, stands ready to use the weight of the majority of numbers to silence criticism and to suppress evidence of possible conflict of interest or maybe in some other cases, Sir, of outright wrongdoing, Mr. Speaker, would not the adoption of this punitive resolution for making enquiries of the honourable minister have a chilling effect, Sir, in future on all House of Assembly members seeking to ask about details of Government transactions? Is not this, Mr. Speaker, the silencing of the people's elective representatives, the first step to totalitarian government, Sir?

Mr. Speaker, I have no doubt that the minister will get his own way. Thirty-two against nine, the motion will be carried and I will have to go outside of this honourable House, Sir, for fourteen days. I do not mind getting expelled for fourteen days for this kind of thing, Sir, believe me. I know, Sir, that I have acted in good faith and I have done my duty as a member of this honourable House; that I should be thrown out for fourteen days if I did not do my duty; that I have told the truth and the punishment for telling the truth, Sir, apparently, in this honourable House is that you are sentenced to expulsion for fourteen days. Well, Sir, that will give me fourteen days outside of this honourable House to do a little more research on a few matters that I happen to be looking into at the present time.

Mr. Speaker, when I come back in this honourable House after my fourteen days, I will be stronger and better than ever and I will be armed, Sir, to the teeth, with some ammunition that may get me expelled

for another fourteen days because I do not intend to stop at this, Mr. Speaker. No member of the House should be frightened by this sort of thing. Some of my colleagues mentioned when they spoke in this debate that no member would be able to present a case. Well, I say to them, "if you have something to say in this honourable House, if you have a strong case, do not let this frighten you. Stand up to that honourable crowd over there and tell the truth. That is what we were sent here for."

Mr. Speaker, in this particular instance I am the accuser, the Minister of Finance is the accused. The Minister of Finance says, "Not guilty." I invite him again to put it to the test. If he be not guilty then it would be in the minister's own best interests to put it to the test. If the minister feel, Sir, that he has been wrongly accused, improperly accused, then I would say to him, Sir, that by having me flung out of the House is not going to resolve anything. The only way that this

matter can be resolved in the minds of the people of this province is to have an impartial enquiry and the minister knows that, Sir, when I was viciously attacked in this honourable House by the member for St. John's East Extern, I had not hesitated, Sir, to walk in and demand a judicial enquiry. I was the one who asked for that, Sir, and I got it. The matter is presently being investigated and as far as I know the report has not yet been submitted.

I claimed my innocence throughout the whole thing the same as the Minister of Finance is doing now, Sir. But why is the Minister of Finance afraid to put it to the test? Why, Sir? What will be accomplished, Mr. Speaker, by my sitting in the public galleries for fourteen days, what will it prove? Will it clear this matter up? No, Sir, there will always be that element of doubt, that element of suspicion in people's minds, Sir, that the Minister of Finance refused to put it to the test and instead, Mr. Speaker, the minister's whole case and all the members on the government benches who have spoken in this debate, the whole case is based on the wording, the unparliamentary language, in the minister's mind, that was used by me when I presented my case and I have offered and I can do no more, Mr. Speaker, I have offered to dress up that language to suit the honourable the Minister of Finance and I will, Sir - I am a man of my word. If he will put the whole matter to the test of an impartial enquiry, a judicial enquiry by a Judge of the Supreme Court.

Mr. Speaker, I have attempted to present as briefly, as concisely, as completely, as honestly and as dispassionately as possible the facts in this most unfortunate incident. I do hope, Mr. Speaker, that the members of this honourable House will endeavour to be as dispassionate and honest in their assessment of these facts and in weighing the course of action which they should take if they are to carry out the responsibilities to those who elected them.

Mr. Speaker, it is not enough that we should be called honourable members, we have to be honourable, Sir, we have to appear to be honourable

to the people of Newfoundland and Labrador, Sir, to the people who elected us and sent us to this House of Assembly and we have to appear to be honourable to the people in other provinces and territories, Sir, in this vast country of Canada, in this month of March, 1974, when we will be celebrating our entry into the Canadian Confederation.

Twenty-five years, Sir, twenty-five years we have been a province of Canada, twenty-four years I think it is, we have had a House of Assembly, After we were denied the vote for a long time, Sir, we finally got back the right to vote and the House of Assembly I think is twenty-four years old. We are twenty-five years in Confederation, After Confederation we had an interim government. What a way, Mr. Speaker, what a way to celebrate twenty-five years of Confederation! Never in twenty-five years, Sir, and I doubt that it has ever happened in the free world that a penalty of fourteen days was imposed on a member for telling the truth. It never happened in Newfoundland before, Sir. When the member for St. John's East broke the rules of this House he got one day. The Minister of Finance broke the rules and got a day. The

Minister of Transportation and Communications broke the rules twice and got three days once and five days. Sir, I am not quibbling about the fourteen days. I am not quibbling about it. It is the principle of the thing that matters, Sir.

Believe me, Mr. Speaker, believe me the only thing that I regret, the only thing that - I love this House - the only thing that I regret, Sir, is that I will miss fourteen days from participating in the debates, the important debates that will take place in this honourable House over the next few weeks.

Interim supply - the minister knows, and he will be so glad, Sir, to get me out, Sir, for fourteen days, that I am one member in this House that will cross-examine the minister when he brings interim supply in, when the BRINCO bill comes before the House, the forced takeover of BRINCO. I may not be here to participate in that debate, Sir. Maybe when some of the estimates are being debated I will not be here. I will be back in time for the budget speech. That is the only thing I regret, Sir, I will miss the House because I love this House.

I know why I was sent here, Sir. As I said this afternoon, one of the duties of the opposition, whether the government members like it or not, Sir, one of the duties of the opposition is to try and keep the government honest and to keep the ministers honest. That is not saying that they are dishonest, Mr. Speaker, but it has happened in Newfoundland history and it has happened in Canadian history that we have had corrupt governments and we have had ministers and governments that were dishonest, did not spend the peoples' money wisely. It has happened. It will happen again, Sir.

So, one of the duties of members in opposition is to keep the government on their toes and keep them honest. I think, Sir, that I have managed to keep up my end of the plank, and they do not like it. It is a personal vendetta, Sir. Every one of my colleagues on this side of the House, bar none, have endorsed and laid the same charges that I laid, every one of them, Sir. I was so proud, Mr. Speaker, so

proud to hear the Leader of the Opposition and then the member for White Bay South, then the member for Labrador North and then the member for Twillingate, my colleagues here on my right, the member for Fogo and the member for Bonavista North and the member for White Bay North and the new member for Hermitage stand up and face this honourable crowd on the opposite side, face them fearlessly and say, "Look, I support the member for Bell Island and are you going to put me out?"

I have not heard the Minister of Finance get up yet and say that all the members should be put out who made these charges. They have all been made by every one of my colleagues, bar none. I know what the Minister of Finance is going to say when he gets up, "Oh, he will say, "it was a plot, they all want to get thrown out". That is not so, Mr. Speaker. They did not all want to get thrown out but they certainly wanted to see that justice was done and that the truth was told and that we had British fair play in this honourable House and in this province.

So, Mr. Speaker, it is not enough that we should be called honourable members, we have to be honourable and we have to be honest with ourselves and we have to appear to be honourable.

Mr. Speaker, if this House should support the motion presently before it, if members on the benches opposite use the weight of numbers to bulldoze over the issues, Sir, that were raised on Monday before last, if the honourable members opposite, Sir, allow themselves to be mobilized into a solid phalanx of stubborn ostriches hiding their heads in the quicksands of party loyalty, if they refuse, Sir, to face up to the moral and ethical judgments which are demanded of them, they will make Newfoundland, Mr. Speaker, the laughing stock across Canada for any pretensions that they may have to ideals of justice, honesty in public life in this province. Worst of all, Mr. Speaker, they will be setting a very dangerous precedent for future governments to use the sheer weight of numbers to stifle all criticism of government and to cover up all real or possible abuses of power and conflict of interest. It is a complete abnegation, Sir, an aborting of the role of government and opposition in our traditionally form of democracy and a substitution, Mr. Speaker, in its place of dictatorial rule by plutocratic oligarchy, able to buy its way into power out of funds extorted from its supporters and the people of this province at large.

Now, Mr. Speaker, I realize, Sir, that this is strictly a partisan issue and I know how the members on that side of the House are going to vote, Sir. I will say to the Minister of Finance here and now that he will never get a chance to have me expelled from this House for fourteen days because, Mr. Speaker, I am leaving the House now, Sir, but I will be back after fourteen days, stronger and better than ever and I will say that the Minister of Finance better watch it.

MR. CROSBIE: Mr. Speaker, I would certainly like to get this matter in its proper context despite the voluntary absence from the House for the rest of the evening of the Member for Bell Island. Before the Member for Bell Island gets out of earshot, Mr. Speaker, I would like to remind the House that this is not a matter of the use of unparliamentary language and this is not a matter of a member

being supersensitive or sensitive as has been suggested by some members across the House. This honourable gentleman who speaks now on his feet here in this Chamber can say without fear of contradiction that he has had more abuse heaped on him by more masters in the use of abuse than any other member of this House and any one who thinks back over the events of the year since 1969 can verify that. Day after day I was abused, not only in this House but outside. Day after day every thing that could be thought of possible to say about me was said and the same kind of thing was said as some members opposite have said in this debate, which shows they do not have much originality, that I hated a certain party, which was supposed to be Mr. Smallwood then. He used to say that I hated him. This is the kind of thing you would hear throughout the province, "hate", the same kind of silly charges made from time to time this afternoon in this debate. All of these things were said about me morning, noon and night, radio, television and in this House for at least three years by a master in the technique of vituperation and the rest of it. I took it then and I can take it now and I can take it no matter how long it goes on because I will never suffer from exhaustion; I will never suffer; I can take whatever they have to hand out. I am not supersensitive.

Mr. Speaker, what I will not stand for and I

ask the members of this House to see that I do not have to stand for it. is the kind of thing that was uttered in this House on February 8, 1974, because that was not vituperation, that was not just vilification, that was something that has never been done to me since 1966 when I was in this House and in 1969, 1970, 1971 and 1972 when we opposed the Smallwood Administration in this House. Never was anything ever said about me or any other member of the House as was said in this House on February 8, 1974, never. There was lots of abuse, yes, all kinds of abuse, but I am not hear complainig today, Mr. Speaker, because of abuse, because I can hand out abuse and I have and other members can. That is not what I am here about and I want to refer again, Mr. Speaker, to the Hansard of Friday, February 8, when I was 4,500 miles away, in British Columbia, not here to object to it, not here to put the lie to it, defenceless when this attack was made on me and here is what was said and here is what this motion is about in the Hansard of February - sorry, not February 8, Monday, March 4.

Here is what this motion is about and here is what it is all about because never, to my knowledge, in any parliament has the like of it ever been said without some action being taken. First I refer to page 1799, 1799 Mr. Speaker, by the honourable member for Bell Island, Mr. Neary: "Mr. Speaker, what we have before us is ample evidence that the Minister of Finance not only deliberately misled this House but committed, Sir, a very grave conflict of interest in that the minister acted as both the chief officer of the government in negotiating a cancellation of debt to the Province while at the same time, Mr. Speaker, he was associated in at least two ways with the purchasing corporation which had most to gain by such cancellation of debt."

Further down, page 1,800: "Mr. Speaker, this is barefaced deceit, barefaced deceit." Then over a few pages, at page 1807. Mr. Speaker this is the member for Bell Island: "I charge the Minister of Finance, Sir, with deliberately deceiving this honourable House, misleading the people of Newfoundland, Sir, and in view of the seriousness of this matter, I recommend, Mr. Speaker, that appropriate action be taken by this honourable

House, that drastic action be taken against the Minister of Finance for abusing a privilege of this honourable House, Sir, for abusing the privilege of his office for his own personal interests"(which means for his own personal gain)"and that immediate steps be taken to consider his impeachment." That is what was said in this House, Mr. Speaker.

AN HONOURABLE MEMBER: Serious charges.

MR. CROSBIE: Serious charges, yes. There could be none so serious, there could be none more serious. This is not a question of vituperation or the use of strong language or that I or any member of this House is sensitive. I would like to see any other member of the House put up with that, with those charges. Based on what? And how were they brought before the House?

Mr. Speaker, as I explained in opening this debate, the proper way of doing these things; if a member in the opposition or government side has something which looks to him as though there is some wrong being done or there is some suspicious circumstances, he ask questions about it and he says that he has information which indicates to him that what the minister told the House on the previous occasion might not have been correct. Will the minister mind answering these questions? Or he tables the questions and if he does not get satisfactory answers, he can put down a motion; let an enquiry be conducted or whatever, but he gives the person who he is suspicious about notice and a chance to explain and a chance to get information. But what happened in this House on Monday, March 4, when the Minister of Finance was out of the country, 4,500 miles away, without any notice to him, without asking him a word about this? These false charges were put before this House and stated in this House and only part of the correspondence tabled in this House.

Since then, Mr. Speaker, I tabled all the correspondence and documents that have any connection with Labatts and Bison. They have been tabled. I have explained the whole matter. Any member listening to it with an unbiased mind or who looks at the file will see what is stated is perfectly correct. Yet, still, the members of the Opposition of this

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House and the member for Bell Island are not men enough to get up and retract those charges, the member for Bell Island particularly - the rest of the Opposition are supporting him. I am talking about the Liberal

opposition, to have him retract those charges. No, they do not want the gentleman to withdraw those charges because they think it might be to their political advantage to have him expelled for fourteen days or some time or other. That is the only motive I can see.

Now, Mr. Speaker, if the member for Bell Island is within earshot I will say this, if he does not want this motion passed and he thinks it is such a terrible thing, then he can withdraw his statements unreservedly. As I said when this debate opened, if the member for Bell Island would unreservedly withdraw the statements he made on March 4, in this House, unreservedly, then I would withdraw the motion. That is one thing he could have done.

He spurned the chance to do that because he thinks he has got some personal and political mileage to get out of this or some other reason, whatever his motive, I can only ascribe that motive.

Now I will put another position to him, Mr. Speaker, he has been putting positions to me tonight, the honourable member I mean. I say this that if the honourable member for Bell Island will put his seat on the line, and I asked him to do that when this debate opened up on March 8, if he will confirm to this House that he will resign his seat when the judicial enquiry defines his charges against me as baseless, I would ask my colleague to arrange a judicial enquiry. When this debate opened I put that to him. I put that to him and he would not accept that. If he will come to this House and say, "Gentlemen, I stand behind these three charges, if they are proven to be incorrect I will resign my seat"; then I would ask my colleagues to appoint a judicial enquiry.

Mr. Speaker, if the judicial enquiry found me guilty of the least bit of wrong doing, I will resign my seat. That is my position and that is all he has to do, to come to this House and

confirm to this House and the public and the people of Newfoundland that instead of just making charges and then hiding behind the immunity of this House and hiding behind politics and hiding behind being suspended, that he will resign his seat if the judicial enquiry find his charges baseless, then I will certainly do my best to see that there is a judicial enquiry, and anything else is hogwash.

Now, Mr. Speaker, we have heard a lot of nonsense. It is the first time in my experience that the concept has been so switched around that now a member can come into the House and make charges against another member, the member making them does not have the burden to proving them, no. According to the opposition speakers in this debate, the onus is now swung to me to show that I am innocent. The rule in our courts is that the accused is innocent until proven guilty and any member of this House is innocent until proven guilty. But the whole thing has been twisted by this affair.

It is suggested by the member of Bell Island and his colleagues that when they make a charge against some member of the government, that the government immediately must appoint a judicial enquiry to see whether a member they accuse is innocent or not. If we are going to appoint judicial enquiries every time the member for Bell Island or someone else on the other side of the House makes a charge against us, there will be a judicial enquiry appointed every day in this province. We are not going to do it. It is stupid to do it. Why should we be harassed like that? Are we to be in this House and hear false charge after false charge made and then have it suggested to the public that if we do not appoint a judicial enquiry to investigate these false charges, that the person the false charge is made against must therefore be guilty? Because that is what we are being asked to endorse in this House.

I wasted my fragrance on the desert air, Mr. Speaker, at least according to the opposition opposite when I spoke on this debate and I went through the correspondence and gave them a copy of it, filed

a copy in this House, went through the letters, went through the whole bit and piece, all of which shows conclusively there is not one bit of substance to these charges, and they simply ignored it because for some reason they think it is more important politically to support their colleague than to see that justice is done or to give another member of this House the benefit of the doubt or anything else.

Now if that be what politics means to them it does not mean that to me and I am disappointed in them that they should take that attitude. I think it is wrong. Does politics come before everything? I do not think so and I am sorry that they think that it does.

Now just to briefly try to make a resume, Mr. Speaker, because I spoke here on March 8: We debated this all Friday afternoon and evening, March 8. The Leader of the Opposition spoke over two hours after I spoke, ignored everything I said, and it was a diatribe of abuse and everything else, and since then it has been debated. Unfortunately,

we had to adjourn the House. It was debated March 21, March 22 and now Monday, March 25, most of the debating being done by members opposite. I have not asked - in fact, Mr. Speaker, I have asked and requested my other colleagues on this side of the House not to speak. Three or four of them have spoken. I have requested the others not to speak, so that this miserable, disgusting affair can be brought to an end. It is so painful sitting here and listening to it that I do not want any more of them to speak on my behalf. It is one of the most painful things that I have ever had to do, to sit through this debate, because the whole point of what is involved is just being ignored, and I do not want anyone else to speak.

Anyone on this side is free to vote as he will. This is not a party vote on this side of the House. Now, Mr. Speaker, the member for St. John's South said the other night, and he is perfectly, one hundred per cent correct, that there was never any agreement between Bison and the Government of Newfoundland. There is nothing clearer than that. "Never any agreement." I repeat it here tonight.

Now, on February 8, when I was asked in the House a question by the member of Bell Island that I answered and that subsequently caused all the fuss on March 4, when I was out of the province, he had from February 8 to March 4 when I was in this province, in this House every day, he had all that time to bring his charges forward but did not until I was gone from the province. On February 8 I was asked a question, by the member for Bell Island directing a question, to give some details of the agreement negotiated with Labatts to take over Bison, especially to tell about the outstanding taxes.

The pertinent part of the reply, on page 406 of Hansard, "Unfortunately after we assumed office and investigated that whole matter, it turned out there was no agreement between the government and Bison Brewing Company Limited that had any binding effect whatsoever that Bison Brewing would repay this amount of \$410,000, approximately. Although we tried

to pursue the matter and have the revenue bonds forwarded to us, that was never resolved and our legal advice, when Labatt's said they were interested in acquiring the Bison assets and the question arose in connection with the \$410,000, was that we had no claim against Bison Brewing Company Limited at all in connection with the \$410,000. So the simple position is that the \$410,000 negligently left uncollected from Atlantic Brewing will always remain uncollected and the matter therefore is not any part of the arrangement between Labatt Brewery and Bison."

Every word of that one hundred per cent correct, true in every respect, shown by the documents tabled here. In fact I went too far because instead of saying there was never any agreement, I was careful and said that there was never any agreement between the government and Bison that had any binding effect whatsoever. Every document filed here shows that and the opinion from the Department of Justice shows that; never any binding agreement whatsoever between Bison and the government to pay back the \$407,000.

Then honourable gentlemen opposite - if I had just said there was no agreement, you know the members opposite might have had some little case to build on, (although there is agreement with a little "a" and agreement with a large "A." But, I said, "No agreement that had any binding effect whatsoever". Absolutely one hundred per cent correct, confirmed by the Department of Justice and then all the correspondents. Yet, not a member opposite even referred to that.

Surely, Mr. Speaker, they know that I am not guilty of misleading the House or deceiving the House, when they look at the Hansard of February 8, and look at the file of correspondents tabled here. Yet, not one of them but did maneuver around in an attempt to support the member for Bell Island and to leave the implication in the public's mind that I am guilty of something. Two of them lawyers, fellow practitioners, members of the profession, doing that to me, another member of the profession.

My dear man that is hard to take. That is hard to take, Mr. Speaker. There is not a member opposite that does not genuinely believe, know that I am not guilty of deceiving the House, that I am not guilty of misleading the House, that I am not guilty of barefaced deceit, that I have not abused the privilege of the House, that I have not abused the privilege of my office for my own personal interest or that I should be impeached, not one of them.

So, what have they got to fall back on? There might be a conflict of interest. That is all that they have got to fall back on. Let us look at that. Now, the facts show that Bison and the government never had any agreement never had any agreement of any binding

effect whatsoever and in fact there was never an agreement between Bison Brewing and the government. There was an Order-in-Council passed, Mr. Speaker, in December, 1970, which referred to a commitment which verbally, apparently someone told someone verbally that Bison was going to undertake to repay the \$407,000 by issuing ten year non-interest bearing revenue bonds.

Now, they did not agree to pay back the \$407,000. They agreed to issue interest-free ten year revenue bonds to the government so that if they had revenue over a ten year period, the bonds would be paid off presumably and the government would eventually get its money back. They did not just agree to assume that debt and pay it. That was in December, 1970.

The facts show, Mr. Speaker, that not one effort was made, between December 8, 1970 until we took office in January, 1972, to even get an interest-free revenue bond from Bison Petroleum or Bison Brewing, never an attempt made. That is two years, since December, 1970, until January, 1972, two years and one month. The Smallwood Administration never made one effort to collect a cent from Bison Brewing, never made an effort to get an interest-free revenue bond from them. The public was told that they were going to do this and issue interest free-bonds but they never did it at all. I went into all that last time.

Not another word is said until March, 1972, when I wrote the Bison Petroleum saying that there was a - we could find nothing, Mr. Speaker, nothing. There was nothing in the records whatsoever, no written documents between Bison and the government just this one Order-in-Council, when I started writing Bison Petroleum to try to get them to issue these interest-free revenue bonds.

I also mentioned to them that Mr. Smallwood had said that they were going to pay off all the creditors of Atlantic, on May 28, 1971, and asked them about that. They replied on March 13, 1972, confirming that they had undertaken to pay the amount of \$407,000 by issuing interest-free revenue bonds redeemable in equal annual installments over ten years but that they could not pay off any of the other creditors,

it was never agreed to and so on.

Then starts a long correspondence. In June, 1972, Mr. Doyle says that they instructed their local council here to prepare the documents, in June of 1972. Nothing happened. He has written again on October 10, 1972, pointing out that nothing has - we have not heard anything. The clerk of the executive council has written on October 18, finally asking them to search all documents to see if we can find any agreement, any evidence. He sends down a couple of scattered orders-in-council which had to do with the sales tax.

They got a sales tax exemption in December, 1971, after the government was defeated at the polls. He sent down a copy of that and a copy of the order-in-council of December 14, 1970, where it says that Bison Petroleum is undertaking to repay this amount by issuing bonds and a few other documents, a copy of a press release and so on and the sales tax exemption. That is all that the clerk of the Executive Council could find.

So, then I was busy on other things, Mr. Speaker. December, 1972, I write Doyle again, saying there is no progress. We will have to take alternative action. No answer still. June 4, 1973, written again, asking him what has happened, that we are going to have to take some kind of action. That is written by Mr. Peper. Then it goes to cabinet in July, 1973, and the cabinet says, "take action against them if you cannot collect the money or suspend their brewers license."

Now, Mr. Speaker, while they were still operating as a brewery we had a whip over Bison, that if they did not comply with this requirement for interest-free revenue bonds we could suspend their license as a brewer. So, on July 5, 1973, they were written about this commitment. The order-in-council evidenced and told that unless they complied with it to our satisfaction, within a month, we would take action and that we might suspend their - it is difficult to see how government can permit this brewery to continue operating. The brewery will not meet its commitments to the government as outlined above.

So, on August 3, Mr. Donald Dawe starts to act for them in preparing these revenue bonds. Then, Mr. Speaker, I referred to this correspondence on March, whatever the date was when the debate started, March 8. In his first letter of August 3, 1973, his clients, he tells us, advised him they had not a copy of the minute-in-council and they would like to have a copy. We send them a copy of the order-in-council.

On August 22, he writes back, "You will note that this order in-council refers to an undertaking to issue interest-free revenue bonds,

"We have asked our clients for a copy of this undertaking but they do not appear to have it and I am wondering if you would be good enough to let me have a copy thereof." They are asking us - do we have a copy of this undertaking? They do not have one. Then it is doubted in this House as to whether or not there was an agreement. They do not even have a copy of an undertaking. We write back to say that we do not have a copy. We cannot tolerate any further delay.

September 4, Mr. Dawe writes back: "The Bison Brewery does not have any documentation on the proposed bonds and no such records exist. We are still without a copy of the proposal made by Bison to the Government which was accepted by the order-in-council which you forwarded earlier." They are without a copy of it because no proposal was forwarded. It was all done verbally, one can only assume, between Mr. Smallwood and Mr. Doyle or some official.

September 6, we are still writing. We searched our files again and cannot find anything else to send Mr. Dawe. September 19, he writes, "As you are aware, I was at a disadvantage in drafting this debenture, as neither my client nor the Government has been able to supply me with a copy of the proposal which was accepted by the Government as appears by the order-in-council and I have had to fall back on statements and correspondence subsequent to that date." That is what he has to rely on now, the replies to my letters to Doyle and Leroy Martin III. There is no agreement, none. The correspondence proves it without a doubt.

October 2, 1973, we asked the Department of Justice to tell us what legal steps we can take. October 9, we write them again sending them our file, extracts from the file. Mr. Nesbitt writes back, on October 15, advising about the results of a search in the registry. We write him, on October 30, asking for progress. He writes, on November 2. He has gone through the debentures. They have now forwarded a copy of the debentures. If the company produced no revenue then there is no requirement for them to make a payment. There is nothing in the draft debenture to suggest that if they fail to continue business or to

produce revenue that all the debentures would fall due." You see, Mr. Speaker, by this time they are out of business. The end of all this, they closed down and got no revenue. They never did have anything but losses and we are still discussing within this academic business, will they issue to us non-interest bearing revenue bonds. That is the position in November. He discusses matters with Mr. Dawe and as the correspondence shows we cannot settle on the terms of the debentures because they do not agree. We say the debentures should be dated two years earlier. They say they should be dated at the present time. We know the brewery is inactive and the debentures are no good to us dated at this date and we disagree with them on the revenue. They say that revenue means income earned from brewing in Newfoundland and we know they have no income now earned from brewing in Newfoundland and say it should be any income the company has got, and they say no. The whole thing is a shamble and yet honourable gentlemen opposite can pretend that somehow I misled the House on February 8, when I said there was no agreement of any binding effect between Bison and the Government.

Now, how can they do that, Mr. Speaker, when I have filed all this correspondence? How can they in all good conscience do it? The rest of the correspondence is here.

Now, the Labatts business: We heard nothing from Labatts, Mr. Speaker, until the end of December. That is the first time we heard from Labatts, when they telephoned to say that they were contemplating purchasing the Bison assets over in Stephenville, and what is the position on this amount owing by Atlantic Brewing to the Government which Bison was suppose to owe to the Government? Would they be required to pay it? What was the position, was it a charge on the assets, that Bison had to pay it? What was the position and what was the position on sales tax and what was the position, would we assign a lease to them. All of which was referred to the cabinet.

At a meeting of the cabinet on December 28, the minute is January 9, 1974, the conclusion was that the Department of Justice would look at the liability of Bison to the Government, that I was authorized to tell

Labatts that we consented to the assignment of the lease out in Stephenville, that we reserve the right to take appropriate action against Bison for the \$407,000.00, interest-free revenue bonds, that they could not have an exemption from retail sales tax, Labatts could not when they purchased the assets and that no claim would be made against Bison for retail sales tax in connection with the purchase of assets by it from Atlantic because they had gotten an exemption dated back in December 1971. That is the first order-in-council.

So, Mr. Speaker, Labatts did not get a sales tax exemption. I was doing a very poor job for Labatts. I could not even get them a sales tax exemption. In fact, I recommended to cabinet that they get no sales tax exemption because we have a policy that there should be no exemption from retail sales tax. That was the first order-in-council. So, we said the Department of Justice would look at this \$407,000.00 and see did we have any chance at all to get it. Labatts were not asked to pay it. Labatts had no connection with this debt of Atlantic Brewing and we, Mr. Speaker, were interested in Labatts taking over those assets and putting a viable brewery out there and employing thirty or forty people out there.

I filed a letter from me to Mr. Peper, December 31, advising him of the results of the cabinet meeting and what legal advice to get. The legal opinion from Mr. Nesbitt was filed, dated January 8, which clearly shows we can not sue them for \$407,000.00, Bison does not owe us \$407,000.00 and that an action to try to get specific performance to get these debentures would be useless, that we would not get specific performance and if we got the debenture they were worthless because there was no revenue to pay the government out of. That is Mr. Nesbitt's letter, January 8.

January 8, an Order-in-Council which says that the Government will consent to assign the lease. The Government will not take action against Bison because we are advised we have no claim. We are not going to waste a couple of thousand dollars. By the way, Mr. Speaker, this is interesting. Do you realize, Mr. Speaker, that there has never been a judgment entered on behalf of the Government against Atlantic Brewing

Limited, that Atlantic Brewing Company Limited issued a defense when the court action was started, I think it was in the fall of 1969 they entered a defense. The whole matter is up and that the Government of Newfoundland and the Newfoundland Liquor Commission have never gotten a judgment against Atlantic Brewing. So, we do not even have a judgment for this famous \$407,000.00 that Atlantic owes the Government. Atlantic is now inactive. It has never been declared bankrupt. It is just inactive and has no assets and the court down there does not even have a judgment issued against Atlantic Brewing.

Anyway, the Department of Justice advises we will not take action against Bison. However, we are not going to grant Bison the exemption on the sales tax that they have been granted by the previous administration because now they were doing us out of our \$407,000.00, we at least would get the sales tax. I forget the exact amount of that sales tax. I think it was something like, I would have to check it, but something like forty odd thousand dollars, and that Labatts still would not have any exemption on the sales tax. So, Bison -

Now, Mr. Speaker, if Bison, Mr. Doyle is so anxious to pay off that \$407,000.00, one wonders why they did not send a cheque in for it and for two years ceased, delayed us in our attempts to get those bonds. They refused to pay the \$407,000.00 because they were under no legal obligation to pay the \$407,000.00 and therefore they did not pay it and there is no way we could make them pay it. The money

Mr. Speaker, if it were owed by anyone it was owed by Bison. Where is the conflict of interest? If this were case of Labatts might owe the government \$407,000 and I am a director of a Labatts subsidiary, which I have said I am, Gaden's, then Mr. Speaker, we would be in a different situation, Then I would have to say, "Gentlemen, I am in a conflict situation here and I cannot participate in the decision, the rest of the Cabinet will have to decide." That was not the case. I have no connection with Bison. I am not associated with Bison. I would not touch them with a barge pole. I would not be associated with Canadian Javelin or anything they had to do with, I would not go within ten miles of it, no conflict of interest.

If it were proposed to the government that Labatts get a sales tax exemption, that would be a conflict of interest situation and then I would be obliged to say I have a connection with a Labatts subsidiary, so I cannot involve myself in this matter or suggest a sales tax exemption or whatever. That would be a conflict of interest situation. There was no conflict of interest situation here Mr. Speaker, because nothing in all this recital has anything to do with Labatts getting a benefit. All that Labatts got was they were told they had to pay the sales tax.

Now the member for Bell Island mentioned earlier tonight that Javelin told Labatts they had to pay \$2 million including the \$407,000 and that when the claim against Bison was not proceeded with Labatts got it for less than the \$2 million, \$407,000 less. He may be right. I do not know because, Mr. Speaker, I do not know what Labatts paid for, I was not interested in knowing and I had no connection with the government. The only reason Labatts was contacted was (1) the lease (2) the sales tax position and (3) clarification on whether there was \$407,000 owing that the government was going to get from them or Bison and what was their position on it and clarification on it.

There was never any liens. Somebody suggested earlier in the debate that this \$407,000 was a lien on the assets. Absolute

tripe, the government had no lien on any of the assets of Atlantic Brewing when they went under so that the promise from Mr. Doyle or Bison was completely a promise of a gift. The government was unsecured. The assets were all completely owned by the people who had the trust deed and the mortgage on those assets. So the government had no right to get anything. Now, Mr. Speaker, that just reviews the fact situation of this again.

So there was no agreement between Bison and the government. None! None! There was certainly no agreement that had any binding effect. There was no legal action we could take. Every possible step was taken to collect what we could and when we could not get the \$407,000 we got sales tax which the previous administration had given them exemption for. We got that. Labatts had to pay their sales tax. There was no conflict of interest.

Another thing dragged up, to try to smear me and so on, is that Aylward, Crosbie and Collins had acted for Labatts. So what? Thoms, Rowe, Fowler and Barry acts for so and so, what has that got to do with the member for White Bay South or any other member of this House? So Aylward, Crosbie and Collins acted for Labttas, what does that have to do with it? They never even approached me and I got no share out of it. I have told this House, and my conflict of interest shows I have, I forget what it was called, a non something or other interest in the firm, inactive. As I told the House on March 8, I do not get a bean from the miserable crowd down there, not a bean, not a red cent.

The other day I found that I owed the Law Society two years' fees, because they were so miserable they did not even send them on a cheque for that. That is what I am getting out of the firm of Aylward; Crosbie and Collins, nothing but grief, because it was used and twisted in this House to slander and abuse me.

AN HON. MEMBER: Inaudible.

MR. CROSBIE: I take it back.

Now what else, Mr. Speaker? There was no conflict of interest.

There was no deceit or lying. There was no personal interest of mine to gain, which is what the member said on March 8. A privilege of my office is my own personal interest, I had no personal interest. I acted in the public interest and collected everything that was humanly possible in that situation.

Now, Mr. Speaker, I had mentioned to the House, there have been arguments raised by the opposition you know that if this motion were passed, no member on the opposition would dare bring an injustice or question what the government did again because he might be subjected to these severe penalties. That is just poppycock, Mr. Speaker. There are right ways and wrong ways to do anything. If this motion be passed, all it does is give us some protection, the member of this House, all of them, that if false and baseless charges are to be made against a member in this way that that will not be tolerated. If a member has any information that indicates wrong doing on the part of anyone in the government he asks questions and he brings it forward and asks for explanations. I have mentioned that before. There are a dozen ways to do it, the way they do it in every other Parliament and House of Assembly, not to suddenly make all the charges before any of the information is checked at all.

The person who gave the honourable member for Bell Island some of this correspondence that went to Bison and a copy of the original order-in-council and the orders-in-council, the person who gave him that, and I know who it is, I know who it is, did not care that he was only giving him part of the correspondence, because he wanted to give him the stuff that would be most convincing for the attacks that he knew the member for Bell Island would make in the House.

Now, Mr. Speaker, just before finishing and just to deal with some of the points that were raised opposite, the honourable the Leader of the Opposition said that this thing that the member for Bell island has done was in the finest traditions of this House, that that was in the finest traditions of this House, Mr. Speaker, that attack that I will refer to here tonight.

Well really do I need to say any more? How far can political partisanship go if that was in the finest traditions of this House? There should be a select committee appointed, and other members opposite suggested judicial enquiries so that every time, Mr. Speaker, a charge is made in this House, no matter how baseless, we are to have a judicial committee or a select enquiry. I would spent my whole time, Mr. Speaker, if every charge made against me here wereto be judicially enquired into before a select committee or a judicial enquiry. We do not agree with doing that.

Why should we? I am the innocent man; I am the accused. Under Anglo Saxon Law, I am innocent until proven guilty, and now I am asked to have a select committee look into it to see whether I am guilty or not, or a judicial enquiry. I mean it is infamous, the suggestion is infamous. These charges were McCarthyism, Mr. Speaker, at its very vilest. McCarthy patterned the whole technique, he has a patent on it. That is what he did in the United States. He terrorized the whole United States in the early 1950's, by making charges against people who were ruined before they could reply to them because it was on television and radio. There were fifty-one Communists in the state department; there were twenty-three Communists in some other place; there was this and that, this man was a Communist this man was a dangerous leftist, and the poor devils could not defend themselves, their denials could never catch up. How do you prove you are not something? How do you prove that you are not a Communist? How do you prove you are not a crook? This whole dangerous technique has been used before in the United States and if it is tolerated, it is the end of any effective viable democracy. It is condoned and supported indirectly by honourable gentleman opposite.

Then the Member for White Bay South spoke for an hour and one-half. I did not take any notes on what he said. I was so sick by it that I said it was not worth taking notes to reply to.

Then the Member for St. John's South spoke and he went into the issues. He had looked at the documents and he said that there was no agreement and he explained it all, but unfortunately he did not get much print but I thank him for what he did. He analysed the whole thing and showed what it was.

The Member for St. Barbe North supported the whole thing. I have a clipping here from the paper, which shows the kind of twisted thinking that was used. "Mr. Rowe explained that the evidence clearly shows that there was an agreement under which Bison was to repay the money it owed and by saying that there was no such an agreement, Mr. Crosbie deliberately misled the House." That is what the "Evening Telegram"

reports the Member for St. Barbe North as having said and he has not stood in this House to rebut it or say it is wrong. How can the Member for St. Barbe North, if he looked at that file, get up and say that the evidence clearly shows that there was an agreement in which Bison was to repay the money it owed and that by saying there was no such an agreement, I deliberately misled the House?

Mr. Speaker, I did not say there was no such an agreement. I read the Hansard. If I had said that, I would have been right. I said that there was no agreement with any binding effect. Yet the member is quoted as saying that I said that the evidence clearly shows there was an agreement where Bison agreed to repay this and by saying that there was no such an agreement, I deliberately misled the House. How could he do that? Mr. Speaker, how could he do it with that file there, the letters I referred to and a lawyer, the Member for St. John's South, having gone through it and explained how there was no agreement so even those who did not wish to hear could understand? If that were said in the House and printed in the "Evening Telegram", any one who reads it will think, "Boy! that Crosbie is some bloody liar." That is what they will think. That is what half them out there think now or a quarter of them or seventy-five per cent of them think because of this. How do I go about proving that I am not a liar? How do you go around to prove that you are not a Communist? How do you go around to prove that you are not a crook? This is infamous. I am not going to get excited, Mr. Speaker, tonight. I must admit that I was excited when I first spoke in this debate on March 8 but I am restraining myself tonight. I do not want to abuse anyone. I just want to try to point how how bad this is and that if it be allowed to go on and the House do nothing about it, how desperate the situation would be.

Mr. Speaker, there is some other stuff in here that the Member for St. Barbe North said: "My feelings were hurt and I was there for wielding the big stick." No really, Mr. Speaker, "my feelings were hurt!" My feelings are not hurt, my feelings are positively and utterly outraged.

My guts are churned with the thought that this could be done in the House and eight members opposite get up and defend it and support it and try to give the public the impression that I am a liar and a crook. That is what they tried to do. You can weasel-word it anyway you like but the impression the opposition have tried to give by supporting this in the way they did is that I am liar, I deceived the House, I have done things for my own personal gain and I am some kind of a crook. That is the impression they have attempted to give this province. I am mocked and I am said to be sensitive and supersensitive because I resent these charges. I am supposed to be "Little Sensitive John", who as soon as he hears a charge, he gets all upset and wants a member kicked out for fourteen days. That is the impression they are trying to give.

The Member for Hermitage spoke at great length, an hour and one-half. He said that the most despicable aspect of the whole charade is that the entire issue could be labelled, "strictly, absolutely and complete a get Neary movement." This is a codology that they are trying to spread throughout the province, "Get Neary!" Who wants to get Neary? Who would have him? I do not want to get him. I am not interested in getting Neary. I am interested in defending poor old Crosbie, not getting Neary. Nobody wants to get Neary. All I want the Member for Bell Island to do is to observe some rules in the House and to observe some human code of decency. I want him to give me notice the next time he wants to do this kind of thing and ask for an explanation first and do it while I am in the House and do it the parliamentary way, not the infamous way, not the way this was done, because he could have waited until I had returned, Mr. Speaker, if he did nothing else. That is only a joke saying that he had to come to the House as soon as he had the evidence. He had February 8 to March 4 that he could have stood in the House, if he wanted to, and said: "I have a matter that affects the Minister of Finance. I bring it to the House's attention now, Mr. Speaker, but I want to wait until he returns to the House before proceeding." That is what he could have done. Then when I would come

back on Thursday, I would have met him and answered those false charges right away so his slander and my denial would have gone out together. Instead of that, he waited until I was gone. I will not describe what I think about that. I think I did on March 8.

Now the Member for Hermitage said that if Mr. Crosbie's motion be carried, future Members of the House of Assembly will judge themselves accordingly and think twice before bringing similar types of evidence before the House. I hope so! That is the point! I hope that would be the effect before bringing a similar type. He indicated that this meant that the precedent set would in future affect the freedom of the House. It would not affect the freedom of the House, Mr. Speaker. It only affects using the House for wrong purposes. It does not affect the right of any member opposite to bring before the House, in the proper way, anything that they have and want to bring or ask questions about or put in on the Order Paper. It would hopefully be a useful precedent to stop this kind of act.

You know, the member for Bell Island said that if his charges were shown to be wrong, he would issue me a public apology. That is good. That is great. If these charges are shown to be wrong, he is going to give me a public apology. Well, that will do me a lot of good down in Herring Neck when the apology appears on page 27 of the "Telegram" and the charge is being made on television and radio and they do not get the "Telegram". That will be wonderful. That is what happens to these apologies. We all know that.

How am I going to prove to him, to show him that his charges are wrong? How can you show a blind man? You cannot make a blind man read. If a man is blind, deaf and dumb and has no feelings besides that, how can you show him anything? Now, if I can show the member for Bell Island that his charges are wrong, he will apologize. Now, I have a pretty difficult task there, Mr. Speaker, one that I do not envy me. I do not know if anybody else here could persuade him. I do not think that I can because he had the whole file and he listened to me in the House on March 8 and that did not persuade him.

I do not know if the member for Twillingate was properly reported because I was not here when he spoke but if he were properly reported, it is disappointing. The "Telegram" says, "The Liberal M.H.A. for Twillingate, Herb Gillette, also spoke against Mr. Crosbie's motion, stating that he supported the allegations made by Mr. Neary who had brought to the attention of the House the fact that Mr. Crosbie had misled the House." Now, how could the member for Twillingate say that and be reported in the press that I misled the House when every scrap of evidence before the House shows that I did not mislead it. That is an injustice that I did not expect from the member for Twillingate. I do not know if the paper quotes him correctly but he did not and has not denied it.

So, he has put himself on the public record, "Crosbie misled the House", ignoring all the evidence and everything that has been said in the House. There was some talk, Mr. Speaker, that the member for Bell Island has his own style. If this kind of thing is a matter

of style -

AN HONOURABLE MEMBER: Inaudible.

MR. CROSBIE: Yes, he certainly has his own style if this be a matter of style. This is not a matter of style. This is a matter of the basics, Mr. Speaker.

I am sorry and disappointed and surprised to hear the member for Hermitage say that the question will be one of suspicion if not resolved. He still has questions in his mind. Mr. Speaker, you know, if in view of what has been filed and said here, the member for Hermitage still has some suspicions in his mind, I do not think a judicial enquiry will cure that. He will pay no attention to a judicial enquiry. The answer then will be, "Well, they got to that fellow" - whoever did the judicial enquiry or if it be a select committee, "Their majority on the select committee looked after old Crosbie." You know, what utter tripe!

So, if there are still questions on the honourable gentleman's mind, then there is nothing I can do to disabuse him, if he genuinely has those questions. "The question will be one of suspicion if not resolved." You are darn right, Mr. Speaker. That is what it is calculated and supposed to do, create a suspicion. The honourable gentleman for Hermitage said he had not heard the charges answered. I spent an hour and a half or an hour and three quarters in this House answering it in detail, but the honourable gentleman did not hear them answered.

The issue was, he said, whether any member should have the freedom to produce documentation to the House. What tripe and claptrap? Every member has got the freedom to produce documentation to the House. It all depends whether he does it in the right way or the wrong way, Mr. Speaker. He is worried that it will constrain honourable members from doing what they should or from producing information. Well, this is - the whole thing is false, a false worry, a false issue.

You know, the member for Bonavista North made a valuable contribution. He said, "Conflict of interest law can only be enforced by the government." Now, Mr. Speaker, let me say, because I looked up

the conflict of interest law tonight, any member opposite can go down tomorrow and lay a charge against me under the Conflict of Interest Act, Section 12. The government does not have to prosecute under the Conflict of Interest Act. Section 12 says, "Every person who fails to comply with or otherwise contravenes any of the provisions of this act or knowingly makes a false statement or disclosure of statement or so on is liable on summary of conviction to a fine of not more than \$1,000 and in default to imprisonment for a period not exceeding three months."

Any person can lay any information, I believe, the honourable Leader of the House, eminent lawyer and authority, any person who thinks I have violated this act can go down and lay any information tomorrow. I will see him in the courts. He will lose his costs. So, it is not only the government can enforce this act, Mr. Speaker. Any citizen who believes I have been in a conflict of interest may lay a charge. So, the honourable gentleman from Bonavista North does not need to worry about that.

The honourable member for Fogo said that if the resolution were passed, his colleague would be convicted without a fair trial. Mr. Speaker, I referred to Beauchesne the last time of the debate. It is only this House that can decide its own rules and procedures and decide what laws govern its own members. If the gentleman cannot get a fair trial here, I do not know where else. I certainly have had no fair trial, as I pointed out here tonight.

Now, the honourable gentlemen for Bell Island thinks that he has broken no rules of the House. He will clean up his language, Mr. Speaker. He thinks it is a language problem. He thinks that I am worried about his language. I have heard language in this House that would turn an ordinary man's hair grey. Stronger language has been heard here in the last few months than was heard in this House before. We have witnessed assaults in this House. We have witnessed it all, expulsions, the whole works. I am not worried about the wording. He would clean up his language -

what do I care about his language, Mr. Speaker? I care about the substance of his charges and what he tried to do on March 4, not his language. His language is not the issue. He says it is too late for me to come back a week later to make this motion. I got back, Mr. Speaker, from Vancouver and Toronto, at half past one o'clock in the afternoon on Thursday, March 4.

I came to this House thinking that the whole matter had been held over and I would have a chance to reply, was told by Your Honour that he was going to give his ruling at three o'clock without any further debate. So that if I were to utter a word in this House on the matter, I had to do something quick to get a chance to even speak in the House and therefore I had to get this resolution together quickly, to make sure that I had a chance to speak when I had been smeared in this House and all across Newfoundland on the previous Monday.

Now people complain about the fourteen days. Now, Mr. Speaker, I can tell you I was in quite a heated state, as you would be too were you in Vancouver and heard that you had been stabbed in the back in Newfoundland in this way. It is a wonder I did not put 140 days in. I never had enough time to think, Mr. Speaker, because if I had had enough time to think I might have just asked the House to censure or I might have concocted something diabolical that would not have anything to do with days at all or thought of some other way to do this in bringing it before the House.

But, I had gotten here at half past one o'clock, at the airport and got into this House, Mr. Speaker, about ten to three o'clock in the afternoon and had to scabble together something to make sure that I could speak in the House on this matter. So, if fourteen days is too long, if members feel that that is too long, that is the explanation.

I do not know if it is too long or too short, I know that it is a very serious abuse of the House what the Member for Bell Island has done, and a very serious abuse of my rights as a member of the House.

The Gentleman from Bell Island said that it is the job of the opposition to oppose, to keep the government honest. We do not mind being kept honest, Mr. Speaker, but we already of the opinion that we are honest. If any evidence appears of dishonesty then questions should be asked and the circumstances - ask for explanations and if it is determined then that we are avoiding it or that there might be some dishonesty, take appropriate action. It is not the job of the opposition just to keep the government honest, it is the job of the opposition to get out what information they can, to keep the government on its toes, ask questions, attack the government, give the people an alternative for the next election. That is their job. Their job is not to keep the government honest or to try to make it appear that we are crooked, when we are not. That is not their job.

If there be any question or suspicion, then they bring it forward and ask for an explanation. If they are not satisfied, then they move a motion. The honourable gentleman wants to change the whole burden of proof so that the burden is on me to disprove his charges. Well, I have already mentioned what that is.

Mr. Speaker, I will see if there is anything else I need to mention before concluding this. The honourable Gentleman for Bell Island said that this would have a chilling effect in the future on the people's representatives. I say no, Mr. Speaker. I would hope it would have a chilling effect on those who want to violate the rules of the House and the canons of decent political behaviour in this way. That is what I hope it will have a chilling effect on.

So, Mr. Speaker, the information has been given the House. I think it has shown conclusively that when I replied to the question on February 8, the exact whole truth was expressed in this House, in that I could have gone further and said that there was not agreement

at all. The whole record shows how we tried to collect from Bison and could not because we had no legal claim and no way to enforce it. This had no connection at all with Labatts. If Labatts got any treatment from me, it was to tell them to pay their S.S.A. Tax which they had to pay. They did not get an exemption. There was no conflict of interest, there was no deceiving this House, there was nothing in this for my own personal interest and the attempt to try to tie me to Labatts through Gadens which, by the way, produces soft drinks and has nothing to do with beer, and to tie me with the firm of Aylward, Crosbie and Collins, who acted for Labatts in that transaction, and in which there was nothing wrong with them doing so, the whole thing is an insidious concoction of the worse kind, McCarthyite action devised by the Member for Bell Island and the party or parties, known to me, behind him who used him, who know that that he is only too willing to be used, only too willing to be used in a matter of this nature.

Mr. Speaker, as I see it these are the issues before the House. This can happen to anyone. There are other ways that this could be dealt with. I was not here to try to urge upon Your Honour the way that I would have suggested it should have been handled on March 4th., so I have had to bring forth this motion on my own which I regret having to do, but there was no other way for me to do it at the time.

Mr. Speaker, I am asking the members of this House to vote for this resolution. Before sitting down I would like to get the unanimous consent of the House to an amendment which would not be debated, or the agreement that we can have an amendment put by me which would not be the subject of debate.

Mr. Speaker, I explained how this motion came to be made and the lack of time I had. Having listened to the debate and what has happened in the debate, I am concerned because fourteen days might be overdoing it. I would like to move that the resolution be amended so that the word fourteen be changed to four sitting days, in the second line of the resolution. I have the consent of the

Premier to move this, who seconded the original motion. It will now read that the Member for Bell Island be suspended for four sitting days because of statements made.

MR. SPEAKER: Does the honourable member have unanimous consent to make said amendment?

AN HON. MEMBER: (Inaudible)

MR. SPEAKER: Is it agreed that he move the amendment? Agreed.

AN HON. MEMBER: Want to say anything else?

MR. CROSBIE: I have said, Mr. Speaker, everything I can say on this motion. I feel that the House must act on this resolution. There must be some penalty and I suggest that four days is more fitting than fourteen. I only hope the situation will not arise again.

MR. W.N. ROWE: Mr. Speaker, this introduces into the House a new twist. After a week or so of debate on the main motion, I would be less than frank to the House if I did not admit right at the outset that I had gotten wind of the possibility that such an amendment would be moved. Therefore, I discussed hastily with my colleagues this amendment and whether we should give consent to its being moved. As Your Honour realizes, unanimous consent is necessary from two points of view. First of all the honourable member was the last speaker and secondly, he made the main motion and therefore cannot move an amendment to it without the unanimous consent of the House. We hastily discussed that and said; "Sure, if he wants to move an amendment we have no objection to it."

I also, Sir, obtained the agreement of my colleagues on this side of the House, not to debate this matter any further, aside from this simple statement which I am involved in making now, a statement of two or three sentences, I hope. We hereby give our undertaking not to waste the time of the House any further by anybody from this side debating this amendment, if we have the same agreement from members of the other side. I, obviously, am not going to hold the members but I will assume that the government, a member of the government, the Minister of Finance, having made the

amendment, that he has the consent of his caucus to do so.

We have no intention, Sir, of debating this motion any further. Our position has been given on the main motion and the matter of principle does not change. All that has been changed is the number of days during which the Member for Bell Island will be expelled. Our position as given, Sir, is that the Member for Bell Island is not guilty of anything for which he should be expelled from this honourable House. Our position is that he is innocent of any wrongdoing that would require members of this House to fling him out for four days or for fourteen days. He should not be penalized at all, in our estimation. He made a statement in this House in good faith and we have supported him in it.

Now, Sir, I would be a fool if I did not recognize that from the point of view of my colleague and us, as far as the contribution by the Member for Bell Island is concerned, a four day suspension is better, from his point of view, than fourteen days. To that extent this amendment, while by no means welcome because it does not change the principle, is, I suppose, more welcome than

the original motion which was for fourteen days but, as I said, Sir, we do not think the member for Bell Island should be suspended at all from this House, be it four days, fourteen days or fourteen hundred days. We do not think he should be suspended. We do not think that the majority of the House should suspend him and therefore, Sir, while recognizing this new attitude of the Minister of Finance for what it is, this revised attitude on his part, we must, in all conscience, vote against this amendment. We have to vote against this amendment because it does not alter the principle of the main motion. We vote against it just as we would vote against the main motion whereby the member for Bell Island would have been suspended for fourteen days. We do not believe, Sir, in closing, he should be suspended. We do not believe he is guilty of anything for which he should be suspended. We believe that he made his statements in good faith and that no penalty of any kind should be imposed on him. He should not be penalized for making these statements.

Therefore, Sir, we vote against this amendment that he be expelled for four days and we will vote against the motion, the main question, as amended when it is put. We do not think he should be penalized in any way, Mr. Speaker.

MR. M. MARTIN: It is my view, Mr. Speaker, that I have no objection to the amendment.

MR. SPEAKER: All those in favour of the amendment "aye". Those against the amendment "Nay". The amendment carries. It will be noted on division. The motion now reads that the honourable member for Bell Island be suspended from this honourable House for four sitting days. Those in favour of the motion "Aye", those against the motion "Nay" The motion is carried.

MR. ROBERTS: Mr. Speaker, could we have a recorded division, please, on that motion.

MR. SPEAKER: Call in the members. All those in favour of the motion, please rise.

The honourable the Minister of Mines and Energy, the honourable the Minister of Health, the honourable the Minister of Forestry and Agriculture, the honourable the Minister of Provincial Affairs and

Environment, the honourable the Minister of Public Works and Services, the honourable the Minister of Tourism, the honourable the Minister of Education, the honourable the Minister of Justice, the honourable Mr. Marshall, the honourable the Minister of Finance, the honourable the Minister of Fisheries, the honourable the Minister of Municipal Affairs and Housing, Mr. Stagg, Mr. Dunphy, Mr. Alyward, Mr. Wells, Mr. Brett, Mr. Pickford, Mr. Carter, Mr. Wilson, Mr. Young, Mr. Evans, Mr. Morgan, Mr. Howard, Mr. Martin.

MR. SPEAKER: Those against the motion, please rise.

The honourable the Leader of the Opposition, Mr. Gillette, Mr. Woodward, Mr. W. N. Rowe, Captain Winsor, Mr. Thoms, Mr. F. B. Rowe, Mr. Simmons.

MR. SPEAKER: I declare the motion carried.

MR. CROSBIE: Mr. Speaker, I have a letter from the Lieutenant-Governor,

MR. SPEAKER: To the honourable the Minister of Finance: "I, the Lieutenant-Governor of the Province of Newfoundland, transmit supplementary estimates of sums required for the public service of the Province for the year ending the thirty-first of March, 1974, by way of supplementary supply. In accordance with the provisions of the British North America Act of 1867, as amended, I recommend these estimates to the House of Assembly." Signed, the Lieutenant-Governor.

On motion that the House resolve itself into Committee of Supply to consider certain resolution with respect to granting of Supplementary Supply to Her Majesty, Mr. Speaker left the Chair:

COMMITTEE OF SUPPLY:

RESOLUTION: That it is expedient to introduce a measure to provide for the granting to Her Majesty for defraying certain expenses of the Public Service for the financial year ending the 31st day of March, 1974, the sum of ten million, three hundred and eighty thousand seven hundred dollars (\$10,380,700):

Schedule: Head of Department, Expenditure \$20,000, Legislative:

MR. ROBERTS: 'The minister may want to make a statement. I do not think this will be a lengthy debate although it is ten millions of dollars that we are being asked to authorize. I wonder if we could agree on the procedure. I assume that under each head the minister responsible will make a brief statement as to what purpose the money is requested and

go on from there.

MR. CROSBIE: The usual procedure is that we do all of this in committee and that we will deal with each head. We will follow the usual practice. The only thing I want to say - I have to deal with Legislative. I think that the amount is very reasonable. It is 1.6 per cent of the gross expenditure for this year. The gross expenditure was \$649,619 and the supplementary supply bill is \$10,380,000 which is 1.6 per cent as the percentage of the gross expenditure. Last year it was 1.3 per cent, which was quite good, so that we can keep it within those bounds (I think these are actually two exceptional years.) It would be a very good endeavour.

Now, Mr. Chairman, I think that is all I need to say. Now on the legislative which is \$20,000, the additional funds required for a retroactive increase in the sessional indemnity for members of the House. The total requirement is \$55,000 but there are countervailing savings of \$35,000 elsewhere under legislative. So that is why this amount of \$20,000 is needed.

MR. ROBERTS: Mr. Chairman, the only question I have on this particular head is one I have asked for in years before but I do want to keep up to date on it. Could the minister tell us whether Mr. William Saunders is being paid a pension?

MR. CROSBIE: Mr. Chairman, Mr. Saunders is not being paid a pension nor anything else from the -

MR. ROBERTS: Well he is presumably still drawing his salary as a member of the Power Commission, I have not -

MR. CROSBIE: I guess he is getting that, yes.

MR. ROBERTS: A man who does wonders with \$6,000 a year. Mr. Chairman, does the minister know whether Mr. Saunders - has Mr. Saunders applied for a pension and being refused it or has he not applied? If so, has the minister any advice as to whether or not Mr. Saunders would qualify for a pension, if he did apply?

MR. CROSBIE: To tell the honourable gentleman the truth, to the best of my knowledge, I will have to check with the officials but I think they would have probably told me in this case. To the best of my knowledge he

has never applied for a pension. The gentleman did not apply for a pension and I do not believe he is entitled to a pension. As I understand it you have to serve I think it is at least ten years in three separate Houses of Assembly.

MR. ROBERTS: For or and?

MR. CROSBIE: And.

MR. ROBERTS: "And", is it? I always thought it was "or".

MR. CROSBIE: No, I think you have to have ten years in three - but I mean I will have to check that point to be sure but anyway he is not being paid a pension, and as far as I know he has never applied for one. My understanding is that, I never had it looked at officially, he would not be entitled to one.

MR. ROBERTS: I thank the minister, Mr. Chairman, and I wonder if he could do one further thing. As I understand the pension plan, and I do not know whether it is "and" or "or" although I would assume and, was told that it was "or" on that ten years or three sessions - could the minister find out whether Mr. Saunders had withdrawn his contributions? Because I understand that if one does not qualify for a pension or for that matter if one qualifies and does not wish to draw it for some reason that one is then entitled to withdraw one's contributions. I wonder if the minister could find out and let the House know at a later date, perhaps tomorrow or Wednesday but at some point, or let me know outside if he wish.

MR. CROSBIE: I think it would be better outside.

MR. ROBERTS: All right, if the minister could send me a note or have a word with me as to whether Mr. Saunders has withdrawn his pension contributions. How much they were, because that would be a matter of public record and if they were withdrawn, when they were withdrawn?

On motion Head II carried.

HEAD IV - DEPARTMENT OF FINANCE - \$700,500

MR. CROSBIE: Now, Mr. Chairman, this is made up of a number of amounts. First it is \$250,000, Group Insurance Premiums. Now when the estimates were brought before the House this year the government did not have group, life and health insurance plan for employees. As of January 1, there is

such a plan and this is the amount required. I think the government's share of the premiums is fifty per cent and the employee pays fifty per cent. So that was unanticipated.

Then there are salaries - general administration, \$125,000. There was no provision in the original estimates for the general salary increase, for some reason. It was \$125,000 for salaries; travelling in the general administration \$14,000, postage \$20,000. Increase in the postage expenses was due to an increase in the volume of mail. Then there were ex gratia payments, \$253,000. That is the increase in payments to pensioners. The increases that we gave present pensioners in last year's budget. Increases to the pensioners that were announced in the budget come under ex gratia payments because we have not yet amended the act. The amendment to the act will be coming before the House this year. Then the rest were small amounts.

MR. ROWE, W.N. Mr. Chairman, one or two questions on one matter, this group life insurance plan. Mr. Chairman, would the minister inform the House as to whether proposals were invited on it or whether tenders were called on it, you know just what processes were gone through, in order to enter into a particular deal with a particular insurance company I would imagine? Could he also indicate who the - if I understand the situation correctly there must be an agent of record. Could he let us know who the agent of record is on this group life insurance plan?

MR. CROSBIE: Mr. Chairman, on the group life insurance plan there was a committee of the Treasury Board and certain other government officials headed by Mr. Peter Kennedy which was in charge of group life health insurance plan that would be suitable for the civil service. That committee had advising them, I believe the Firm of Kates, Peat, Marwick or their actuary or whoever does their insurance work. Proposals were invited from, I cannot remember now exactly how many companies. I will get it for the estimates or some other time. But anyway, proposals were invited and everybody who were interested I guess, were asked to send in a proposal. Over eight or ten were received. These were analyzed first by this committee, then they were analyzed by

Kates, Peat, Marwick. Oh, yes, we also had another chap who is in charge of the federal insurance plan, I cannot remember his name now, he was brought down and his advice was gotten and they recommended, and this is so long ago now but I am sure it is Mutual Life, they recommended Mutual Life and one of the reasons they recommended them was that they would open an office here to do processing and servicing of claims which they have done. So that is the procedure that was used. NAPE were consulted along the way and they have been given full information on it. Now as an agent of record, I do not know, I mean I would have to ask about that, I do not know of any agent of record. It is Mutual Life who got the business.

MR. WM. ROWE: Well for the estimates, Mr. Chairman, when the main estimates are going through the House, or interim supply or something, could the minister undertake to find out who the agent of record is?

On motion Head IV carried.

HEAD V - Manpower and Industrial Relations - \$120,000.

MR. ROUSSEAU: Mr. Chairman, as you know, the Department of Manpower and Industrial Relations is responsible for the apprenticeship training in the province and the various designated trades. During the year we estimated for about 30,000 days at the College of Trades and Technology at a cost of \$365,000 and for some 3,500 days at other district vocational schools where we buy time, Seal Cove, Burin, Stephenville, and this cost an extra \$35,000. These were the estimates for last year and we were informed in November that the cost had gone, by the College of Trades and Technology, to a total of \$459,000 which was an increase of \$94,000.

This, as we understand it, was due mostly to the increased instructional salary due to the new agreement as well as to increases in the administrative salaries which followed on the new agreement and other administrative costs. So \$94,000 of that \$120,000 was for the apprenticeship training programme which had increased in cost above the figures we had in the estimates for last year.

The remaining amount was used for salaries. Now in salaries we gained some and we lost some and the net loss was \$26,000. There were some upgradings, some additions. For example we appointed during the year a provincial co-secretary of the Federal Provincial Manpower Needs Committee, who is on the provincial payroll. We did not have two deputy ministers all year so we gained on that because the Assistant Deputy Minister of Manpower was not appointed until some time in November, so there was a net gain there.

We had a number of upgradings in the Engineering and Technical Services Division. We had six upgradings there, reclassifications and six in Labour Standards, so there was a net loss there. We also saved on a clerk-stenographer and we added a few more so the net result was a \$26,000 cost which, with the \$94,000 extra for the training programme plus the \$26,000 for the extra salaries make up the \$120,000 requested now for supplementary supply.

On motion Head V. carried.

HEAD VII JUSTICE - \$335,000.

MR. HICKMAN: Mr. Chairman, that amount is made up of four items. Royal commissions - \$140,000; Electoral Boundaries Commission - \$20,000; Salaries H.M. Penitentiary and Jails - \$75,000; Salaries Newfoundland Constabulary - \$100,000. The latter two resulted, at the time the estimates were prepared, the collective agreements had not been concluded in the bargaining and that is the cause for these. The others were the commissions.

MR. WM. ROWE: A week or two ago, Mr. Chairman, the minister gave us some information on when certain royal commissions were expected by the government and when they would be tabled in the House. Well he probably does not remember, I am taking him by surprise on that particular matter. Does he remember if there is any change or deviation from the earlier information he gave to the House, and if he can recall when they are going to be tabled? Sir, I would appreciate that too.

MR. HICKMAN: As far as I know, Mr. Chairman, there has been no change in the date, in fact I think I read in the paper over the weekend that Professor Whelan of Municipal Affairs, Royal Commission,

indicated that he was aiming for May 31, I think that is the date. In any event what I saw in the press confirmed to me that he was still on schedule. The report of the Royal Commission on Labrador was delivered to the Premier, I understand a week ago Friday. It was on a Friday, it was the day before the - it was just before the Premier left that weekend and he went to London. As soon as government has an opportunity to look at it, it will then be tabled in the House.

These are the only two Royal Commissions except the one on Mineral Taxation which was recently appointed.

MR. ROBERTS: Mr. Justice Mifflin.

MR. HICKMAN: Well yes, all I can say about that commission is, you know and I do not think it is proper for me to keep going and make enquiries about the status of a judicial enquiry, is that I asked just before the House opened in January when it could be anticipated that the report would be received and it was indicated to me that Mr. Justice Mifflin was aiming for the end of April, but that depends on his docket in the Supreme Court. Hearing trials every day obviously he is not going to have the time to do it.

As far as I know, the dates that I gave to the House in late January still prevail, at least I hope they do.

MR. WM. ROWE: Mr. Speaker, does the minister have available there now a little more detailed information as to how the, I believe \$140,000 extra for Royal Commission, breaks down. I think there was only one new Royal Commission appointed since the estimates went through the House last year, the one on mineral taxation.

MR. HICKMAN: I will do my best to read my writing.

MR. WM. ROWE: You know, could he give us some idea?

MR. HICKMAN: Yes, sure.

The Royal Commission on Taxation for the City of St. John's, Mr. J.D. Fraser, the amount paid was \$23,558. I understand that that is the total cost, at least that is the only bill we have received. There is a small one from family law for \$255, which was some outstanding postage. The Harbour Arterial Road Mr. Thomas J. Dalton, the amount was \$3,000, which is the only bill which has been presented to us by him. I do not know, if prior to my department - if honourable members will recall, it was only last year I think that legislation of royal commissions was sloughed off on to my department. Under the reconstructing legislation it went through last year, I wound up with royal commissions.

MR. ROBERTS: That is a matter of government decision.

MR. HICKMAN: No, no, I am not talking about the appointment of royal commissions, I am talking about Mr. Dalton. I am assuming that the \$3,000 covers everything but it could be that there was some postage and miscellaneous.

The Blackhead Road Enquiry was \$6,162. There was \$5,284 for Leonard and Partners, that is Mr. Kostaszek, and office expenses and miscellaneous of \$878. The Royal Commission on Nursing was \$598, consisting of \$566 for travelling and \$32 for a typist. Her Majesty's Creative Printers was \$4,068 and typing \$1,304.

MR. ROBERTS: Are there any more bills to come?

MR. HICKMAN: There have been no bills from the commissioner as yet. I have asked my officials to contract all of the commissioners and to submit to us any outstanding accounts, hopefully before the end of the fiscal year. That is all we have paid so far. The Workmen's Compensation, that was the commission under Magistrate O'Neill, \$10,492, made up of \$10,046 payable to Mr. J. D. French, who was the solicitor's secretary for the commission.

MR. ROBERTS: Ten thousand dollars?

MR. HICKMAN: Yes. That was on an hourly rate.

MR. W.N. ROWE: What was the rate?

MR. HICKMAN: It was either thirty or forty dollars an hour, not more than forty.

MR. ROBERTS: That is not bad.

MR. HICKMAN: It is getting dangerously close to flowers.

MR. ROBERTS: Soon he will be doing nearly as much valuable work as the average flower apprentice.

MR. HICKMAN: Staff, \$446. The Bell Island Enquiry is kind of an expensive little hobby, \$25,079. So far we have paid Mr. John J. O'Neill \$4,063; Mr. J. Puddester, \$4,958; Riddell Stead, Chartered Accountants, who the commissioner retained, \$3,591; typing \$7,041; Mr. F.J. Ryan, Q.C., who is counsel for the Hon. Member for Bell Island, I understand, \$3,552 and then there was miscellaneous office expenditures of \$1,874.

MR. ROBERTS: Has there been any bill submitted for the counsel for the Hon. Minister of Transportation and Communications?

MR. HICKMAN: No there has not.

MR. ROBERTS: He may be worth charity and mercy.

AN HON. MEMBER: Legal aid.

MR. ROBERTS: There has to be some sort of aid for the minister.

MR. HICKMAN: The Ruth Thompson Enquiry, \$12,562; Mr. Raymond Halley, \$8,156; Magistrate Seabright was given an honorarium, there was a lot of work after hours, of \$1,000; travel, \$1,355; typing, \$1,395 and miscellaneous office, \$656. Illegal work stoppages, \$6,507; Creative Printers, \$2,022; Newspaper advertisements, \$750; travel, \$1,850, office, \$1,600. We have had no bill that I am aware of, certainly we have not paid any bill from the chairman as yet.

MR. ROBERTS: What about Mr. Harrington who was the secretary, am I right?

MR. HICKMAN: We have not paid this bill but I have a vague recollection that someone told me that it is in.

MR. ROBERTS: When the word gets out of the type of bill the minister is paying, I expect a flood tomorrow afternoon.

MR. HICKMAN: That is right.

The Labrador Royal Commission is the last one, \$15,259.

MR. ROBERTS: That would not cover their postage.

MR. HICKMAN: The honourable member could be right.

Staff, \$71,643; travel, \$49,374; office, miscellaneous, advertisements, rent, etc., \$34,242. The municipal one is \$114,329 of which amount \$5,000 was paid to date to the Chairman, Mr. Whelan or in his behalf. I am not quite certain of the arrangement.

MR. ROBERTS: Was Mr. Whelan not seconded?

MR. HICKMAN: That is right. I am not certain of the way the arrangement is with Memorial. I have a recollection that the government are obligated to pay Memorial and they will continue to pay the salary of any one from Memorial working for government in the public interest.

MR. ROBERTS: Cape St. Mary's pays for all.

MR. HICKMAN: York University, \$45,000 for research; staff salaries, \$36,690; miscellaneous, \$14,287; travel, \$13,342. When I get out of politics, I am going to try to get on a commission.

MR. ROBERTS: A royal commission on royal commissions

MR. HICKMAN: Do the honourable members want to hear the electoral boundaries one as well?

MR. ROBERTS: Yes.

MR. HICKMAN: The electoral boundaries one: The secretary of the Electoral Boundaries Commission was Mr. R. J. Kent, former deputy registrar, who has been paid \$7,000.

Reverend Ralph Webber, one of the commissioners, \$3,800.00; Doctor William Summers, \$4,600.00; L. Rowe, secretary, \$705.00, J. Burrige, he did a lot of the surveying.

MR. ROBERTS: Mr. Burrige and Mr. Rowe did the work, the maps,
(Inaudible)...

MR. HICKMAN: I would say that Doctor Summers' hand was very heavily involved in map drawing. I think he is one of the experts in the province. \$1,450.00 and there is postage of \$200.00 and Robinson and Blackmore, \$145.00. The "Evening Telegram," I do not know if the "Evening Telegram" and "Daily News" are listening but the -

MR. ROBERTS: Perhaps CJON and VOXM will be listening.

MR. HICKMAN: The "Daily News" seems to be far more adept at charging than the "Evening Telegram." The advertisements in the "Evening Telegram" cost \$1,825.00 and the "Daily News" \$5,799.00.

AN HONOURABLE MEMBER: That is because of the weeklies.

MR. HICKMAN: Well, in a more serious vein, the "Daily News" has other papers and it was an expensive advertisement, as honourable members recall. It carried not only the descriptions of proposed district but several maps of the Province.

MR. ROBERTS: Most every home in the Province clipped it out and put in on the wall.

MR. HICKMAN: Well, whether they did or not, anyway, there is all the information I have.

MR. B. ROWE: No wonder the "Daily News" has gone Tory on us, Mr. Speaker, not only they submit this bill, probably blushing.... (Inaudible)....

Mr. Chairman, one or two more serious questions on the royal commission aspect of all this. I have not added up the figures as given to us by the Minister of Justice but I assume what the minister has just given is supplementary supply figures, the amount in supplementary supply in addition to any amounts paid earlier, but one question, Mr. Chairman, is this. I remember very clearly the Minister of Finance coming in here, I believe during the debate on the main estimates last year, and his being asked by members of the House what astronomical figures had been reached

by the Royal Commission on Labrador and his stating to the House that he had had Mr. Snowden in and had asked him to submit a firm budget to the Government, to treasury board. Now, much to our surprise we hear that astronomical figures are being presented once more. What is the figure, \$34,000.00 every year?

AN HONOURABLE MEMBER: That was et ceteras.

MR. ROWE: Of et ceteras, miscellaneous and other figures for this, that and the other thing. Can we hear an explanation from the ministers as to how the Government and the treasury board, the Minister of Finance, allowed this thing to get out of hand once more? Was not the royal commissioner forced to adhere to the firm budget which he presented to the Government last year? I have one or two other questions, Mr. Chairman, perhaps the minister might want to deal with that one now.

MR. HICKMAN: In the last estimates we voted \$300,000.00 for royal commissions and we have exceeded that vote by \$140,000.00.

AN HONOURABLE MEMBER: Not bad.

MR. HICKMAN: The commissioner for the Labrador Commission did submit a budget to treasury board and I do not think, I have no idea whether he and the members of the commission were happy with some of the cuts that transpired but when it was all over they still wound up with \$155,259.00. There was enough, as you can see. A great deal of travelling was involved in the Labrador Commission and apparently a fairly substantial staff of researchers.

AN HONOURABLE MEMBER: Gentlemen in from all over Canada.

MR. HICKMAN: Right. I know that there was one gentleman brought in from Alberta to advise on matters educational.

MR. WOODWARD: They sit in the hotel in Goose Bay to do their work.

MR. HICKMAN: That is one of things, that when you appoint a commission, if it is going to be effective, government should not have the right to tell them how to do their work.

MR. B. ROUE: Yes, but it raises a very interesting point, two points, Mr. Chairman. Perhaps the Minister of Finance might want to have a word on this but are we to assume from what the minister has said that a royal

commission can come into the government and be told that this is your budget, this is your firm budget, you have to cut the garment to suit the cloth, you have to restrict travelling. Presumably the budget was reasonable. I cannot see treasury board approving or cutting a budget down to a point where it would be totally unreasonable. If they had done that, I would be very surprised if the royal commissioner, the chairman of that commission, had not flung the royal commission back in the face of the Government.

So, we can only assume that parties thought it was reasonable at the time and now in he comes, if I understood the figures correctly, with nearly a fifty per cent increase. Is that correct, over the budget?

MR. HICKMAN: No, the total amount is \$155,259.00. That is not a fifty per cent increase.

MR. B. ROWE: What was the budget? Does the minister remember? What was approved?

MR. HICKMAN: On the subject of the question of the honourable Minister of Finance, but my understanding is that there was a far more substantial budget presented to treasury board. It was in excess of \$200,000.00 and the treasury board and the officials having not gone through the projected travelling claims and research of the royal commission, approved a budget of \$155,259.00. That is the amount that was paid, to date, now, I have no idea -

MR. B. ROWE: Yes, okay, it is probably unfair anyway to be doing this at the moment.

MR. HICKMAN: There may be more. I mean, do not hold me to this -

MR. ROWE: That is right, Mr. Chairman, because the minister is looking for supplementary supply. This may or may not be really exceeding the budget but during main estimates, I for one will be raising some questions on it. Probably by that time most of the bills will be in from the royal commission, and we would appreciate if the minister would have that information available in two or three weeks or whenever the main estimates come in.

Now, on the question of, perhaps my other colleagues have questions now on the Labrador Royal Commission but I would like to move along to another matter, Mr. Chairman. I do not want to delay the committee at this stage but on this whole question of legal fees, I know if a lawyer acts for the Government on a certain matter, say on arbitration or a court case, if somebody is retained from the outside, the government, I think as a matter of course, refers the matter to the Registrar of the Supreme Court for Taxation, do not the government? I remember once or twice that came up when I was acting minister and just naturally for the protection of the government they refer it to an independent third party, who is entitled under the law to tax these fees, to make sure that the lawyer is not putting in an exorbitant amount.

Now, on the question of lawyers acting for royal commissions being retained by royal commissions, does the same procedure obtain? We have two examples, I think, here

given by the minister tonight. One of a legal fee of \$10,000 at, say forty dollars an hour, 250 hours of work, just about seven solid weeks of work. Mr. Chairman, I do not -

AN HONOURABLE MEMBER: Wait now. Say it all over again.

MR. W. ROWE: Well, \$10,000 at forty dollars an hour. How many hours is that? Two hundred and fifty? If it be a forty hour week, you are talking about more than six weeks solid work. Now, I do not claim to be a long-lived practitioner like Mr. R.A. Parsons here who I see from the "Newfoundland Quarterly" who is entering his fiftieth year before the bar this year, but I have had experience enough to know that 250 hours worth of work in legal matters is a lot of work, Mr. Chairman. You know, it is an exceedingly large amount of work and any private client would be well within his rights to say, "Well, I would like to see this broken down and perhaps have the thing taxed by the registrar of the Supreme Court."

Does the government follow this as a matter of course? I know they do in matters where lawyers are retained by the government directly to act for them in arbitrations or before the courts. Now, it seems to me to be a logical step to extend that to cases where royal commissioners obtain the services of lawyers, because it comes out of the same pot. The government end up paying for the fees of the lawyers, \$10,000 in one case, \$8,000 in another, very high fees indeed. I am sure, Mr. Chairman, you yourself would like to have one or two fees like that sent out every month or so and I am sure Your Honour would not be in that Chair there, he would be back home practicing.

Would the minister tell us what procedure is followed in the case of fees being submitted to a royal commission and then to the government?

MR. HICKMAN: In most cases we follow the practice of having the registrar tax the costs. He has been, and other taxing masters, lately, have been adopting the position of on an hourly basis. The rate is whatever is - forty dollars an hour. So, what is the point in coming to me to have it taxed unless you are prepared to come in and argue as to the amount?

So, I am not certain whether all of these in the royal commission have been taxed. If it is litigation and you have not only the hours involved but the difficulty of the case, then there can be sometimes a genuine case for taxation. Wherever possible I will try to follow the taxation procedure.

These bills I think have come in fairly recently. I know, mentioning to one of my officials to try to get the registrar to tax them, the reply I got was that the registrar says that the taxation that has been going on is not a meaningful one because the hourly rate is pretty well established now and the most he can do is say to the gentleman concerned, you know - did you in effect put in the number of hours as shown? Then if he says yes, that is it. So, I do not know if these two bills were taxed or not.

MR. W. ROWE: Well, perhaps the minister could find out. I would say, Mr. Chairman, if I could make this suggestion, that it would be a very healthy thing if as a matter of policy the government did instruct royal commissioners -

MR. HICKMAN: I have tried wherever it is possible as a matter of policy to follow the taxation. But, what is the point in following the taxation?

MR. W. ROWE: Well, to this extent I think it is healthy. I mean the fact that the - if a lawyer, and I am not accusing any of my brethren at the bar of anything, you know, of anything, but I would say that if a lawyer or anybody else, a plumber, engineer, knows that he is at least going to be subjected to taxation, nothing too exorbitant is going to go into the statement of account which he sends to the royal commission.

I would suggest that it is a matter of, you know, protection to the government and protection of the public purse that the government should tell the royal commissioners, or lawyers or engineers for that matter, that they are going to have their fees that are submitted to them looked at by some other third party. Just so that they do not get into the position where they are going to be making a big grab in this kind of a case. If they know it is not going to be taxed or looked

at, well then they do not feel any constraint whatsoever in sending in their bills. Any doubt that they may have in their mind is naturally going to be resolved in favour of themselves.

So, I would submit and perhaps the minister might let us know when the main estimates are coming up, whether taxation was followed in these particular cases.

MR. HICKMAN: Yes. I am not saying it was not

MR. W. ROWE: No no, I know. The minister -

MR. HICKMAN: They have to be meaningful.

On motion Head VII carried.

Head IX. Rehabilitation and Recreation. \$1,540,000.

MR. DOYLE: Mr. Chairman, the \$1,540,000 is broken down as follows:

An amount of \$200,000 to meet salaries and equipment and supplies which includes provisions for the various institutions under the department such as the Hoyles Home, Harbour Lodge, childrens homes and the training schools. This is as a result of the general increase in salaries and the increase in the cost of provisions for these institutions.

An amount of \$1,100,000, under subhead 913, which is Labrador Services. This is accounted for as follows: It is necessary to increase this amount or the original amount because of increased fish purchases and increase in the cost of supplies and a very substantial increase in the volume of sales which resulted from increased income in the various communities from sources such as LIP and O.F.Y programmes.

Addition funds were also required to replace stocks at Nain which were lost in the famous fire on December 31, 1972.

An amount of \$200,000, under subhead 911, which is broken down into \$100,000 for the policy we introduced, on October 1, to subsidize electrical power to stadia and a further \$100,000 which was added to the miscellaneous fitness subhead for which an adequate provision was made in our original estimates.

Finally, an amount of \$40,000 which was an increase in the annual grant to the Canadian National Institute for the blind. This totals the \$1,540,000.

MR. ROWE, F.B. Mr. Chairman, I do not know if I am under the right head here or not but the minister I understand is responsible for the Twenty-Fifth Year Confederation Celebrations. All that comes under Tourism, is that correct? So I will save these questions for that particular heading then. Does any of this amount go at all towards any preparation of the brief that was submitted to the federal government for the Canada Summer Games to be held here in St. John's, Newfoundland? Does any of this amount of money at all go towards an increase in the recreational grants over the past year? As I understand this is supplementary supply and money to be spend over and above what was presented last year during the budget.

MR. DOYLE: To answer the first question, there has been no financial involvement at all by the province in the preparation of the city's bid for the games other than the fact that we lent Frank Butler, the Assistant Director, to City Hall for three weeks to help prepare the bid.

Secondly, the amount of \$100,000 I mentioned which was added to subhead 911-03-01, which is miscellaneous fitness and recreational projects, was an amount put in because the original amount for grants to recreation commissions and so on was found not to be high enough to cover for the year, so we had to add - it is not capital at all, there is no capital.

MR. ROWE, F. B.: Could the minister give some indication where these grants went?

MR. DOYLE: I cannot tonight but I will tomorrow.

MR. ROWE, F. B. What communities or what districts?

MR. DOYLE: Pardon?

MR. ROWE, F. B. What communities or what districts?

MR. DOYLE: Yes. I do not have it with me tonight but I can get it tomorrow and provide it to the honourable member.

MR. CHAIRMAN: The honourable Member for Labrador South.

MR. M. MARTIN: If I misunderstood the minister when - as I got it, there was a certain expenditure over and above estimates because of the increase price for purchase of fish. Does this mean that we paid more for the

fish, presumably at the Northern Depot, than we got in return?

The second question is the running of the depots themselves: Are the debts incurred in the running of these depots, the supplying of them and the sales through the depot stores, are these debts not self-liquidating? Are these depot stores a losing proposition?

The depots operated by the department in Northern Labrador, I am wondering whether or not the debts incurred in the operation of these stores are not self-liquidating. Are we losing money on them? What I read into the minister's answer here was that there were certain losses incurred at the depots.

The third question is: Over the last number of years, two or three years, at this time of the year there had to be emergency airlifts of certain commodities to the Labrador Coast paid for out of this department. I am wondering whether or not there is a contingency fund set up, since it looks like there may be a similar situation developing this spring?

MR. DOYLE: I am sorry to be a bit hesitant there, I did not quite hear the honourable member first off but the sound has been adjusted a bit and I heard him the second time around. Perhaps I was not clear enough in my explanation so I will just go through it again. I think in so doing, there are a couple of the questions the honourable member asked would be answered.

The total amount was \$1,100,000. It was brought about by trading supplies and produce for Labrador Services for the following reasons: It was necessary to increase the amount provided for this purpose because of increased fish purchases, an increase in the cost of supplies and a very substantial increase in the volume of sales which came about from increased income in the various communities from sources such as LIP and OFY. In other words, there was more money floating around and we had to bring in more.

MR. MARTIN: Let me stick on that one before we go any further. What does the honourable minister mean by increased fish purchases?

MR. DOYLE: Increased fish purchases means that we brought more fish. I do not quite get the honourable member's question.

MR. MARTIN: Well presumably if we brought fish, we also sold fish.

MR. DOYLE: Right.

MR. MARTIN: The way I read it is that we lost something there in the buying and selling of it.

MR. DOYLE: Oh, I see, yes. When we sell the fish it does not come into - if that is what he is getting at - it does not come into our department it goes into the pot, the consolidated revenue fund.

AN HON. MEMBER: Inaudible.

MR. MARTIN: If it does not come into the department, I would like to know where it goes.

AN HON. MEMBER: Inaudible.

MR. DOYLE: I do not think so.

MR. WOODWARD: Inaudible.

MR. DOYLE: The actual purchase price for the fish - yes, but the profits do not.

MR. WOODWARD: Inaudible.

MR. DOYLE: I do not quite see what the honourable Member for Labrador South was getting at.

MR. WOODWARD: Inaudible.

MR. DOYLE: No, thank you. Now if I could get the question clear perhaps I will be able to answer it.

MR. MARTIN: Well I think the whole thing concerned the structure of the department itself. If I could be clear on the structure then I think I would understand what is here. Am I to understand that out of the department's budget we buy fish at the depots and then the revenue generated by the sale of that fish goes into a different fund?

MR. DOYLE: No.

MR. MARTIN: Because if this be the case we have no way of telling whether or not that is a paying proposition. If it be not a paying proposition then there is something desperately wrong with the minister's administration.

MR. DOYLE: I get the intent of the question now, Mr. Chairman. No under the budget we show an appropriation-in-aid to offset the sales of fish and supplies and so on. The honourable member is correct; it does, one

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offsets the other, but there was an increase. We brought more fish this year at higher prices, consequently it reflects in these figures.

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MR. MARTIN: The other question, Mr. Chairman, the other question that I asked which I would like an answer to, at this particular time it is germane I think. We are faced with another emergency on the coast. I am wondering if there is a contingency fund for this kind of thing?

MR. DOODY: No, there is not really, Mr. Chairman. I would take it that the honourable member is referring to the oil situation in Cartwright in particular. As the honourable member knows, Cartwright does not come under the Division of Labrador Services insofar as responsibility for supplies is concerned.

There was an arrangement made last year when a similar instance occurred. The arrangement was made to pay to transport the oil. Previous to the transportation something had to be met and we met it. To the best of my knowledge, up to this afternoon anyway, there has been no approach made - other than the honourable members who visited last week - to the department. It is something that, as I said, we are not responsible for. It is my understanding that private companies in the area, or a private company, oil company I mean, is involved but I am not too clear on what the details are other than what I read in the press.

To answer the question directly, the honourable member's question directly, there is not any particular fund for it. It is a matter of - like last year when we had to meet it - mutual agreement. Funds were found. Does that answer the question satisfactorily?

On motion Head IX carried.

Head X, Health, \$5 million.

DR. ROWE: Out of health, Mr. Chairman, \$5 million: In this amount, under the Subhead, Grants to Hospitals Not Operated by Government, the amount of \$2.9 million. This is made up of salary increases to employees in hospitals not operated by the government. Provision was made in the 1973-1974 estimates for increases of five per cent but the collective agreements were negotiated for percentages ranging from eight to thirty

per cent.

Then there were sharp increases in the cost of supplies, especially food and fuel oil and then a major item was equipment for St. Clare's Mercy Hospital of \$500,000. In the original project the estimates contained a provision for equipment but this was not nearly sufficient to cover all the equipment needed at the new hospital.

The decision also to move the convalescent and chest diseases to St. Clare's increased the overall equipment cost. So, the \$2.9 million represents amounts under grants to hospitals not operated by government.

\$1,800,000, under the Heading, the Newfoundland Medical Care Commission, is made up as follows: Fifty-five new fee-for-service physicians commenced practice in the province while thirty-five of these physicians discontinued practice and it was altered in the net increase of twenty physicians and some 112,000 additional items of service at a cost of \$1,050,000. Fee-for-service physicians in the practice in 1973-1974 performed something like 60,000 more items of service than were previously anticipated, at a cost of \$550,000.

There was a larger volume of dental services in addition to a revision of dental fees. This accounted for \$50,000.

An increase in the number of sessional clinics held in hospitals, whereby doctors are paid on the clinical basis, cost us \$50,000 and the employment of additional physicians at St. John's General,

at the Central Newfoundland and the Western Memorial Hospitals. These doctors were paid salary in lieu of fee-for-service and the total cost of \$100,000, and this totals \$1,800,000. That is a total of \$4,700,000 and the balance of \$300,000 represents salary increases to Public Health nurses. It was only from the effective agreement which was negotiated in 1973-1974 and in the filling of vacant posts for Public Health nurses. This accounts for the whole \$5 million, Mr. Chairman.

MR. WM. ROWE: Mr. Chairman, there is nothing in this for capital construction? There is some equipment?

DR. ROWE: No, there is no capital.

MR. WM. ROWE: Mr. Chairman, on the Medicare Commission, some of the news given by the minister is welcome and some unwelcome. The increase in doctors of course and therefore the increase in services is a welcome thing even though it costs money. One thing that I find personally somewhat disconcerting is a statement from the minister saying that there were many thousands of more items of service say, or whatever the term of it is, than was anticipated or expected or budgeted for. Could the minister, from his knowledge of the department and his medical knowledge, give us some idea, briefly? We do not want to delay the committee on it. As to how this can happen, number one, because presumably there must be pretty good statistics now in the department over the last several years and, number two, what kind of quality controls now exist on the medical service given? I mean can a doctor work for eighteen hours a day and every day of the week and lash out the bills to the Medicare Commission and people coming into him with acute appendicitis being diagnosed as a hangnail and this sort of thing? I mean I am using it as an extreme example because obviously if any normal mortal work for more than ten or twelve hours a day in a very demanding profession, the quality of the service is going to go down, more than proportionately I would submit. Could the minister just relate to that point for a minute?

DR. ROWE: I am going to be happy to comment on this. The first question

with regard to the extra volume of services and other items provided, this can happen in one of two ways, either the patient has an increased number of visits to the doctor or the doctor may invite the patient to come back on a specific number of occasions.

We have information that one patient has had something like fifty-three visits in a period of a very few months to a doctor, not to one doctor but perhaps six, seven or eight doctors and these statistics now are becoming -

MR. WM. ROWE: Are there many examples of that, Mr. Chairman?

DR. ROWE: Yes, there are quite a number of examples of people what we call shopping around. They go to a doctor today and they are not entirely happy with what they have been told.

MR. WM. ROWE: They have been told they are okay.

DR. ROWE: So they go back tomorrow, they want to see somebody else because they are not quite happy, so under our Medicare scheme, there is no way that one can control this.

MR. SIMMONS: The figure a moment ago of fifty-three, fifty-three visits in what period of time?

DR. ROWE: Fifty-three visits in a period of two or three months. I have just forgotten the number. I can give him the exact figures which are in the office. The second part of the question I believe,

the second part of the question was not the volume alone but what sort of controls we are exercising? Well the controls that we are exercising is what we call an audit committee which is made up of people from M.C.P. and people from the Newfoundland Medical Association and they have established themselves to look up what we call patterns of practice.

If you take a doctor in general practice who is perhaps doing sixty units of work a day, to pull out a profile of a doctor in an equivalent practice who is doing eighty units of work a day or one hundred units of work a day or

perhaps only twenty units of work a day, there is a great deal of variation. The doctor is asked to explain how come he has twice as many units as a doctor in an equivalent sort of situation and this is the type of quality control that is being utilized at the moment. It is all based on the pattern of practice. With the general number of doctors, it is surprising how close the number of patient visits per day are. There are some doctors, something like six or twelve who are away outside. These doctors' patterns of practice are now being fully investigated. Does that answer the honourable member's question?

MR. ROBERTS: Mr. Chairman, while we are on the patterns of practice and the various disciplinary problems, could the minister indicate whether there have been any disciplinary actions taken? He has been minister now for a little over two years. Could he indicate whether there have been any disciplinary actions taken under the medicare headings? I am not talking of anything that might have been done by the medical board under the heading of professional discipline generally. Could he tell us whether there have been any actions taken under these profiles of practice or where the matter stands? I heard him say that there were as many as a dozen doctors whose profiles of practice, patterns of practice, are sufficiently far away from the norms and that they are being questioned by the peer review group and audit committee and I would like to know a little more about that.

DR. ROWE: The first thing is yes, there have been one or two actions taken. There is one case now which is somewhere between the lawyers and the courts and I am not able to give details but this is one specific case that has gotten to that stage. The matter of the six to twelve doctors, some in general practice, some in certain specialties with patterns of practice, are outside. The question is now raised as to whether we have the authority to compulsory exclusion

from medicare the people who are acting outside a specific pattern of practice. Legal advice is being obtained on this and it indicates that the evidence is that if certain doctors are obviously operating very much outside the scheme in relation to some similar fellow practitioners whose job, hours and location of practice are about the same, we are requesting that these doctors be compulsorily excluded from medicare which means that they would have to justify their account with their patients; they would have to collect their money from their patients and the patients would sort of be reimbursed by MCP. Now that is the action which is being contemplated at the present time.

MR. ROBERTS: Did the minister indicate that somebody is questioning the power of the government - (inaudible).

DR. ROWE: No. Under what circumstances can a doctor be compulsorily excluded? Has it got to be fraud? Has it got to be proven? The point at the moment is being discussed by the legal lights of the MCP and the various other departments. That is where it has reached at the present time.

MR. ROBERTS: Mr. Chairman, what I do not understand is the point. What is the point that is being discussed? The act was amended a couple of years ago and it provided certain sanctions. The language may not have been adequate, although the legal advice given at the time was that it was adequate. What is the point? Is the point that somebody has raised the fact that the government do not have the power, whether the government have it or the commission, it does not matter in that sense, or the creatures of the government, they are appointed by the government and hold office by virtue of their appointment by the government, Is somebody questioning the power to put people out or is somebody questioning the circumstances in which a doctor can be put outside and if it is the latter, as I suspect it is, I will perhaps just outline the line of questioning for the minister. In what circumstances then are the government, what is the policy

with respect to it? Because if the legislation or the regulations are not adequate, then it is a matter of amending the regulations or asking the House to amend the legislation. So, the question really is, if it is being questioned, what is the policy when people should be put out?

DR. ROWE: Well, I think the main question is that once the doctor is notified that his pattern of practice is very much outside what we consider to be the reasonable norm, then he is written and then he has the right of coming back with his explanation as to why he thinks his practice is off such a point. Then he apparently can get legal advice when his pattern of practice is being investigated, as to what right, he has.

It is a question, I think, not of whether we have the power but at which stage have each of these investigations reached with regard to the appeals being made by individual doctors that he is considered to be acting outside the norm. The delays between the doctor and M.C.P. Does that answer the question?

MR. ROBERTS: I am not sure. I understand that it may be the hour, and it may be, but there will be time to go into this. I would like to come back to another angle. I understand there is \$1.2 million in this \$5 million as requested, \$1.2 million for medicare. That is an increase over and above the increase that was budgeted and it is a substantial increase because the government's contribution on medicare last year - I confess I do not have the estimates, printed estimates before me, Mr. Chairman - the government's contribution last year should have been very little. I think it was still in that health scheme period where the amount that the government paid to the M.C.P. Commission is less or the same as the amount that the M.C.P. Commission or the Medicare Commission pay back to the government in the well known way.

I am not sure that I could ever understand all the reasons behind it. I know how it works. The government have people on salary, indeed

some of the doctors in Your Honour's constituency working at the St. Thomas Roddick Hospital in Stephenville would be on salaries, some I suspect are probably in private practice under the present policy and their salary checks come from the Department of Health or from the government, from the payroll division. Then the Medicare Commission reimburses the Department of Health and there is an exchange of checks and much mumbo jumbo but the net effect of it is, as I recall it, just about Even-Stephen.

So, does this mean that we are now lashing out \$1.2 million of our own funds, not Ottawa, provincial government funds? If that is so, there are one or two points that I would like to make on it.

DR. ROWE: If I could make a broad statement for a minute. If the total expenditure on medicare now is about \$17 million, I think our contributions were something like between \$2 million and \$3 million. This is the figure that I am pulling out of the air. I have not got the figures with me.

MR. ROBERTS: Is that the figure after the exchange of cheques?

DR. ROWE: Yes, I think so but I am not going to say that this is definite but I think, if my memory serves me right, something like \$2 million or \$3 million is coming from the provincial on the total cost of medicare.

MR. ROBERTS: I see. Well, this is something new, Mr. Chairman, because I think it is worth a moment or two of the committee's time. Most people do not realize that the medicare financing scheme, the agreement between Ottawa on one hand and the province's on the other is not a genuine shared-cost programme in the same sense as say the Canada Assistance Plan that the Minister of Social Services administers.

The medicare plan really provides that after a certain point, which we obviously have passed in Newfoundland, all of the money which is spent over and above that particular sum, all of that money comes out of the provincial treasury. In other words, we get a certain amount from Ottawa. It is one-half the average per capita cost on a national basis or in the participating provinces but all the provinces are now enrolled so it is a national cost. One-half at average per capita cost

times the number of people we have gives you so many million dollars a year. If the average per capita cost is say, let us take \$50.00 per capita now, half of that is \$25.00, we have 500,000 people, in very round numbers. It is about 520,000 in fact, I think. Therefore, we get \$12.5 millions from Ottawa, an example. After that \$12.5 millions is spent every cent that is spent comes directly from the provincial treasury, from provincial resources, there is no further sharing from Ottawa. It is an unusual form of cost-sharing programme, it is a form of equalization. It is a form of ensuring national standards and there are arguments pro and con but that is beside the point.

What concerns me now is that we are obviously deep in to the provincial treasury and I wonder if the minister could tell me - I realize it is not the point to ask what we expect next year, in due course, he will bring his estimates before the committee, Sir, and we will have a chance to question him, we will have a chance to talk and explain. I wonder if he could tell us how much of this increase, is an increase in utilization? I realize there was some discussion, I was outside of the Committee for a minute or two, and I did not hear it all. How much is the result of the new fee-schedule which came into effect last year? Also, if there is any suggestion of a new fee schedule? I ask that because I hear some rumblings from the medical profession that you know there is beginning to be a movement being mounted that there incomes are beginning to look a little skimpy. They are back - I see the minister, I do not know if he is nodding agreement or is he nodding that -

AN HON. MEMBER: No.

MR. ROBERTS: I tell him now, I tell the committee that I have been hearing some rumblings from some of my contacts that once again they are about to come back and see what the treasury can do for them.

So I would like to know how much of this increase is the result - we had a seven or eight per cent increase in the fee-schedule when the verbage was stripped away, as I recall it. How much as a result of

increased utilization? I should have thought the increased utilization would be largely predictable because we have been getting pretty well one hundred per cent utilization from our doctors. Therefore, I tend to the view that most of this \$1.2 million in unforecast expenditures is the result of the new fee-schedule.

DR. A.T. ROWE: Mr. Chairman, the first comment I would like to make is that in the early years of Medicare we were making money on the programme.

MR. ROBERTS: Well in a relevant sense.

DR. A. T. ROWE: It was not costing the province anything.

MR. ROBERTS: Right.

DR. A. T. ROWE: But as we are increasing the number of doctors, so we are increasing the costs and obviously we are going to have to put some money in from our provincial treasury. This has been anticipated. On the basis of the extra services, the figure I am given is that there were 60,000 more items of service in the year than were previously anticipated, that it cost us some \$600,000. That is the extra volume that was mentioned.

This figure of the \$1 million, to my understanding does not include the five per cent increase that was the round figure that was given to the medical profession, because that was included in the original estimates which were presented in the House.

MR. ROBERTS: Well now, Mr. Chairman, I am somewhat at a loss. I just understood the minister to say that the increased volume, 60,000 items at \$10.00 an item, and I assume that is an average - I mean what is an office visit now, \$4.50?

DR. A. T. ROWE: An item like an office visit -

MR. ROBERTS: No but an office visit is \$4.50 and going up to a neurosurgery, at several hundred dollars for a procedure.

DR. A. T. ROWE: Right.

MR. ROBERTS: So the \$10.00 per item is probably a reasonable average figure. That would account for \$600,000. I understood the request was for \$1.2 millions under this subhead. Therefore, where did the \$600,000

extra go? It must have gone in payments that were required to be made by Medicare and thus by the government as the result not of increased utilization.

DR. A. T. ROWE: The honourable member did not hear, I think the original statement that I read out on the basis of the \$1,050,000,

fifty-five new fee-for-service physicians commence practice in the Province while thirty-five physicians discontinue practice resulting in a net increase of twenty physicians and some additional 112,000 items of service under that. That was the original and then there were 60,000 extra ones that were performed over and above these.

MR. ROBERTS: Mr. Chairman, now it gets even more confusing. The Government each year - The gentleman from Bonavista South is obviously a case for an extra service.

Mr. Chairman, the Government each year, the Medicare Commission, prepare estimates that have, in my experience, historically, been very accurate. They are very good, just like officials in what used to be Welfare, were amazingly good at predicting the money that would be laid out on such things as short-term assistance. They are uncontrollable votes but they are very predictable.

So, the estimates which the minister brought to treasury board and then to cabinet and brought before the House earlier this year, the estimates for this financial year included a sum of money for medicare, fair enough. They also included, those presumably included an increase in the number of physicians and if we have only had a net increase of twenty physicians in the Province this year, in practice, which is what I understood the minister to say, then that is less, historically, than we have been averaging the last two or three years. We have been averaging more than twenty-five physicians each year, net, coming into practice in this Province. Let us assume we had twenty last year. That seems to be what the minister was saying, although he did use the word fee-for-service but I assume we had twenty physicians a year, twenty new doctors, twenty more doctors came into practice this year than left. If we had 400 doctors at the start of the year, we had 420 doctors when the year ended.

Now, surely the Medicare Commission, when they prepared their estimates took into account a reasonable allowance for the number of physicians who came into service, new ones who would come into service. That is done every year, and the twenty figure is less, I submit, Mr.

Chairman, than the historical average of the last two or three years since the Medicare Bonaza began and since the supply of doctors ceased to be the major problem in medicare person power, manpower and womenpower in Newfoundland, That is fine but that cannot be given, surely, as the explanation. We have a million dollars increase in our medicare expenditures. \$600,000.00 of it can be attributed to increased utilization, although I am very interested to know. That is quite an error, that is quite an error in the number of services rendered, the number of items of service rendered. What will it be? The order of five, ten per cent? How many services are rendered in Newfoundland in a year?

DR. ROWE: I cannot get that figure out of my head.

MR. ROBERTS: That \$60,000.00 is a big percentage. Now, that would lead one, since there were not a lot of new doctors coming in and since they were presumably taken into account anyway, if they were not taken into account, the minister's estimates were, shall we say, at the least inaccurate, if they were based on the assumption that no new doctors were coming into practice. I would like the minister to try to enlighten us.

DR. ROWE: We are talking, first of all, about the fee for service doctors. We are not talking about salary doctors and during the course of the year fifty-five new doctors started practice. In the course of the same year thirty-five discontinued practice. Whether they worked for one month, six months or the whole twelve months, I do not know but the figure, of 112,000 additional items of service, is based on the work that the fifty-five new doctors did over the twelve month period and I can be no more specific than that. They may have worked for one month, they may have worked for six months. If they worked for six months, they did six times the procedures they did in one month.

So, I can only tell you that over the course of a year there were fifty-five new doctors and during the course of the year thirty-five of them stopped. How many months during the year each one of these worked,

I do not know but that is the only way that the figure can be accounted for.

MR. ROBERTS: Well, I appreciate, Mr. Chairman, that the minister does not have at his finger tips nor would I expect him to, how many doctor months there were in this. Let us go back because the thing gets more and more - we are talking a million dollars now and we are talking - I was going to say a mistake. I do not think it is a mistake. We are talking an underestimate of a million dollars, a very large chunk of money when you consider what the province lays out on medicare, as much as a-half or a-third of our total net expenditure.

Now, I would assume that the number of salaried doctors has not changed very greatly this year, that the number of posts provided either in the minister's own department or through the various agencies, I.G.A. Notre Dame Bay Memorial Hospital, whoever has salaried medical people in Newfoundland, the various cottage hospitals which have salaried doctors still - that has not changed dramatically. If there were 150 salaried doctors in 1972-1973, there are about 150 salaried doctors in 1973-1974.

The minister tells us that fifty-five new doctors came into practice, thirty-five doctors dropped out of practice, therefore, we have twenty more doctors practicing. If each one of them practiced for a year, that is 240 doctor months, if my arithmetic be correct. Now, that is fine. What I am saying is that that is a predictable figure and I would have assumed that the minister when he brought in his estimates, when he prepared them, his officials brought him the documents and he studied them and went to treasury board, would have allowed for an increase that is not any greater than the increase that we have had in the last three or four years. Twenty doctors is not a quantum jump forward. It is not a great leap forward. It is not a lot of new medical doctors in Newfoundland. We have been averaging twenty-five or more I would say in the last three or four years.

So, those twenty doctors were taken into account, I would assume. If not, the minister brought in estimates which were unrealistic to say the least. Therefore, Mr. Chairman, we are faced with, on the analysis

that I am suggesting - and I am not saying that it is correct but I am putting this as a question to the minister - we are faced with the situation that we have a million dollars extra, not expected, not predicted, not forecast.

Now, all I am telling you about is where that went. The minister says \$60,000 went in increased utilization. How could that have been the new doctors who came into practice? I mean were they not taken into account? That sounds very strange. That sounds passing strange, Mr. Chairman. Surely they must have been taken into account. What I am trying to get at is how much of the million dollars increase - I would venture to say, Mr. Chairman, that in the five or six years in which medical care insurance has been in operation in this province, this is the first time we have had a sizeable supplementary supply requested of any sort.

So, I am wondering how much of this is the result of the fee increase which was negotiated by the minister on behalf of the government with the N.M.A a year or so passed. Really that is what I am trying to get at.

Now, it is eleven o'clock, Mr. Chairman. The Standing Orders require you, as I understand it, to adjourn the committee so - you know, unless the minister - I would be willing to stay for a minute or so if the minister wants to deal with it but we may want to go back at it again.

DR. ROWE: If you take the total amount of medicare funds, about \$70 million, the million dollars, something about five per cent - I do not feel that that is a tremendous increase over. It is a five per cent increase.

MR. ROBERTS: Is the minister saying, "What is a million?"

DR. ROWE: No, I am not saying what is a million, I am saying that in view of the increased services, the increased demands, that I do not consider that the five per cent is all that much out of line.

The second question that was mentioned about how is their section made up, I do not know but I can get the additional information which was requested and get the thing in an audited way, as to how this complete \$1 million is made up but I can tell, Sir, that it is money extra that we did not anticipate, whether the M.C.P. estimate of the number of doctors, the number of services was outside their usual sort of assessed figure, we finished up with the fact that we looked for this \$1,800,000 in total for the Newfoundland Medical Care Commission.

I will get whatever other information I can from M.C.P, to sort of satisfy him on exactly how the total is made up for the number of doctors and the number of procedures and the type of procedures. This can be available.

MR. ROBERTS: Possibly that is the best way to leave it, Mr. Chairman, if the committee will sit tomorrow or Thursday, whenever the government decides to bring the matter back into committee, if the minister could then come with some information and I will go further since this thing is a technical argument, I fear. If he should want to come to see me outside the House, I would be quite happy to. I am not trying to be difficult, I am just curious. This is a very large amount of money and, it is only five per cent the minister says, but that is a very large gap. The whole government, the Minister of Finance told us, is one point six per cent out on a great number of heads of expenditure, many of which are far less predictable than the Medicare vote.

DR. ROWE: Mr. Chairman, I do not know if I can have an itemized account of that by tomorrow or Thursday, whenever you wish to do it.

I am quite happy to get the information and pass it to the Leader of the Opposition outside the House, if that should meet with his approval.

MR. ROBERTS: Provided it is done before the committee meets.

On motion that the committee rise, report progress, and ask leave to sit again, Mr. Speaker returned to the Chair.

On motion report received and adopted, committee ordered to sit again on tomorrow.

MR. SPEAKER: It being now eleven o'clock, I do now leave the Chair until three o'clock tomorrow, Tuesday, March 26, 1974.