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VERBATIM REPORT

FRIDAY, APRIL 10, 1970

SPEAKER: THE HONOURABLE GEORGE W. CLARKE

The House met at 3:00 P.M.

MR. SPEAKER: Order.

MR. J. C. CROSBIE: Mr. Speaker, in connection with the Question of Privilege that I raised yesterday, that one member of this hon. House, namely the hon. the Premier had committed a breach of privilege of the House by libeling another member of the House, namely myself. I want to inform Your Honour that in order to place the evidence before him, I am obtaining a transcript of the remarks in question made by the hon. the Premier on Thursday morning's VOCM conversations with Premier program. And that I will have that transcript for him next Monday hopefully, so that you Your Honour, will then be able to decide whether it was a prima facie case of breach of privilege. In addition Your Honour, I want to draw to the attention of Your Honour, and the House the fact that this breach of privilege, this contempt for the rules of the House was repeated again this morning by the hon. the Premier on the same Radio program on Radio Station VOCM, when he again stated that one hon. member of the House, namely myself, hated another hon. member of the House, namely the hon. the Premier.

MR. SPEAKER: May I interject if the hon. member will permit? That as he is going to raise the question on Monday, his evidence and his case can be presented at that particular time, and I had intended to rule a little later in the day, that the Motion that was suggested on yesterday on the face of it, there was not sufficient evidence even to consider it as a prima facie case. So the whole matter, the hon. member is now within the rules of raising the question at the earliest opportunity and he will be able to raise his point on Monday, if he so desires. That should end the matter for now.

MR. CROSBIE: Thank you Mr. Speaker.

HON. E. M. ROBERTS (Minister of Health): Mr. Speaker, on a point of privilege, may I also add that I am taking steps to obtain transcripts of statements made by the hon. member for St. John's West on Radio Station CJON at 1:15 today in their News Bulletin which, and I quote: He said that the hon. Premier is sick, sick, sick. End of quote. And the context clearly implied that the "sick, sick, sick" was psychiatric. I will submit this evidence Mr. Speaker at the same time, and my submission Your Honour at that time will be that if there is a breach on one side, there will be an equal

breach by the hon. member on the other side.

MR. SPEAKER: Is this simply a notice that the hon. member intends to raise this question on Monday?

MR. ROBERTS: Yes Mr. Speaker.

MR. CROSBIE: I would move in that connection Mr. Speaker, that unless the Hon. Minister is making his Motion now, he will be out of time on Monday, and with reference to his remarks, I might refer him to the remarks Thursday by the hon. the Premier who introduced the sickness.

MR. SPEAKER: I have said that the matter is now closed. Both hon. gentlemen have raised their points of privilege, and they consequently will not be out of time on Monday, and the matter can be gone into again when they will be afforded the opportunity of providing a prima facie case in support of the breach of privilege.

HON. J. R. SMALLWOOD (Premier): Mr. Speaker, unless the hon. gentleman is on a point of privilege.

MR. T. BURGESS: Mr. Speaker, I would like to bring to the attention of this hon. House a matter which dealing with the office space which I presently hold in this building. It can be described as nothing else but a telephone booth. It is down on the third floor in the Legislative Library. There is absolutely no privacy there Mr. Speaker. There is no room to entertain many of the constituents which call to see me. In order for me to adequately do the duty which I was elected to perform in this hon. House, it should be the provision of adequate office space should be provided. Also Mr. Speaker, the matter of having no secretarial help whatsoever. Instructions have been given to various secretaries in this building, not to type anything for myself, and I believe the instructions were given when the hon. member for Humber East was occupying similar office space to what I am occupying now. And we do not have the availability of secretarial help is non-existent. And Mr. Speaker, I do not think that this is proper treatment for any member of this House. I think that provision should be made by the minister responsible for looking after the conveniences of the members who are elected to this august body, and I just wanted to bring this matter to the attention of this House.

MR. SPEAKER: I would also like to bring to the attention of the hon. member who just sat down, that this is not a point of privilege. It is a personal

grievance. This has been gone into before, and personal grievances should be raised in another matter other than as a matter of privilege. It is not a matter of personal privilege. In my opinion it is a grievance that has to be brought before the House and the appropriate committee of the House, but not as a point of privilege. I can sympathize with the hon. member, when he says that he has no place to entertain his visitors from his district. There are a lot of us in exactly the same position, and I sympathize with him to the full, but it is not a point of privilege.

MR. SMALLWOOD: Mr. Speaker, I am very glad to inform the House that I have received the following telegram from the Hon. Donald Jamieson, or from the special assistant to the Hon. Minister of Transport at Ottawa. It is addressed to me and it says the following statement was issued by hon. Donald Jamieson today. "The Government of Canada has agreed to construct the dock facilities at Come-by-Chance to be used by the new oil refinery to be built at that location." This was announced by the hon. Donald Jamieson, Minister of Transport on behalf of the Minister of Public Works, the hon. Arthur Lang, and the Minister of Regional Economic Expansion, the hon. John Marchand.

Mr. Jamieson said that the wharf is estimated to cost in excess of \$16 million. It will be built under an agreement providing for the recovery of the Federal investment through rental and user charges over a number of years. The Minister of Transport said that the decision to construct the wharf is subject to the successful completion of all other negotiations relating to the refinery project, under terms and conditions outlined by the Government of Newfoundland in its negotiations with the Federal Government. He also stated that the wharf construction will help considerably to alleviate the unemployment problem caused by the phasing down of the Argentia Naval Station. Arrangements will be made to give preference to former base workers when hiring gets under way. And it is signed Eric Facev, Special Assistant to the Minister of Transport. I thought that the House would be very glad to hear that announcement.

MR. CROSBIE: I would like to ask for several explanations in connection with that ministerial statement.

MR. SMALLWOOD: I have none. I will none.

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MR. CROSBIE: Mr. Speaker, may I continue?

MR. SPEAKER: The hon. member has asked for an explanation. The hon. the Minister who made the statement has said that he has no explanation to make and he will give none. There is no debate permitted, as every hon. member knows.

MR. CROSBIE: Mr. Speaker, I submit that I am entitled to make my remarks and ask for an explanation in accordance with the rules, and if the hon. the Premier is so ignorant that he will then not make any explanation or comment, that is another matter. But I am entitled under the rules I submit Mr. Speaker, as a chief of an organized group to ask for an explanation. And to ask several questions. If then the hon. the Premier wants not to answer them, that is then his privilege. But I should be entitled to make my few remarks or ask for the explanation first.

MR. SPEAKER: I do not want to go into this every single time that a statement is made. I said yesterday, an hon. minister makes a ministerial statement before the House. We have never been in the habit of having any debate or any comment on the statement which has been given, not since 1949. And under the rules as we have read from Beauchesne, "the leader or the chief of a group or the Leader of the Opposition may ask questions, but there is to be no debate, and he can ask a question and the only remarks that he can make is in connection with his question when they say few remarks." The remarks are to made the way I interpret it, and I suggest that I may be right or I may be wrong, but my interpretation of it is this. That the remarks that he is allowed to make is only sufficient to make his question intelligible. I said this yesterday. We brought it up before. Now I should not have to repeat this every single day that an hon. minister makes a ministerial statement. If the hon. member would just ask his question, then he will get his reply which is not subject to comment.

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MR. CROSBIE: I am quite in accordance with your ruling. All I want to do, Mr. Speaker, is ask the questions that we are permitted to ask for the explanation and in that connection, there comes to mind immediately, Mr. Speaker - I wonder, if the hon. the Premier could clarify this for us, on further thought on the matter, as to whether the announcement is being made through the Department of Public Works of Canada or whether the funds for the wharf and the wharf itself is to be provided under the Department of Regional and Economic Expansion of Canada? Both ministers were mentioned in the statement he just made, and I think it would be of interest to the House to know under which department that is coming and if it is coming, Mr. Speaker, under the Department of Regional and Economic Expansion, does the fact that \$16 million from that program is to be spent on the wharf at Come-by-Chance, cut down in anyway other funds that will be made available under that program for the Province of Newfoundland this year?

MR. SMALLWOOD: Mr. Speaker, I have no comment. While I am on my feet, I wish to announce also that I had conversation today with the hon. Donald Jamieson and learned with great joy from him - a joy that will be shared by the fishermen of this Province that under legislation introduced into the Parliament of Canada, the Strait of Belle Isle, the Cabot Strait and all of the Gulf of St. Lawrence enclosed within those two straits are to be barred absolutely and completely to all fishing vessels, other than Canadian bottoms. That is to say all non-Canadian fishing vessels and that in the second place the twelve mile limit that has been sought by all our fishermen and indeed by all Newfoundlanders is to be enforced and that the twelve mile limit is to extend out from a base line and the base line being the line drawn from headland to headland. A line drawn from Cape Bonavista to Baecalieu - the twelve miles would be, twelve miles outside that line and outside all the base lines.

The question of grandfather rights is still tormenting, but it will gradually be settled. Now, Mr. Speaker, finally the question of enforcing. The Minister of Transport, Newfoundland's Minister in the Canadian Government, already has control, administrative control of Canada's coast guard. We here in this House believe that the coast guard is not enough to patrol the waters and enforce the twelve mile limit. There are also in Canada, fishery patrol vessels under the Minister of Fisheries. There are also hydrographic ships under some minister. I do not know. We feel in this House that the fishermen - we feel in this Government that the fishermen of Newfoundland would want

Mr. Jamieson, Newfoundland's Minister in the Canadian Cabinet, who already has administrative control of the coast guard should also be given administrative control over all fishery patrol vessels in addition, over hydrographic ships, all Canada's hydrographic ships and all Canadian official vessels that float, including the Royal Canadian Navy. That all Government owned vessels in Canada be put under the administrative control of Canada's Minister of Transport, Mr. Jamieson, Newfoundland's Minister and used by him to patrol the waters, to enforce the twelve mile limit and if this is done and the rule is enforced, it will be one of the greatest blessings ever - I say "ever" to be conferred upon the fishermen of Newfoundland.

Finally, Mr. Speaker, under this heading, I want to pay great tribute to the Minister of Fisheries of Newfoundland for the incessant and endless efforts made by him on visits to Ottawa and telephone calls and in other ways to expedite the introduction of this historic legislation.

Mr. Speaker, it is with very great regret..

MR. CROSBIE: Mr. Speaker, if that ministerial statement is finished, I would like to proceed in accordance with the rules.

MR. SMALLWOOD: Mr. Speaker, I wish to proceed. I wish to announce the death - I wish to announce the death - I wish to announce the death..

MR. SPEAKER: Is the hon. member raising a Point of Order?

MR. CROSBIE: My Point of Order is that the minute the Premier has completed a ministerial statement, and that I wish to proceed in accordance with the rules. I have an explanation I want to put. I therefore, would like to proceed as has been agreed under the rules, I can do.

First, of course, Mr. Speaker, we are heartily in accord with this move and are delighted to hear the news...

MR. SMALLWOOD: Is that a question?

MR. CROSBIE: Mr. Speaker, I do not intend to be interrupted and bullied by the members on the other side. The question is coming. First of all as I am entitled to make a remark, I am saying first that we are thoroughly in accord with this move and welcome it and welcome the move of the Government of Canada, not the Government of Newfoundland, the move of the Government of Canada and my question is, Mr. Speaker, - I do not need to refer to Beauchesne. This point will keep coming up. I will refer to it later. My question at the moment, Mr. Speaker, is this: that the hon. the Premier who

made this announcement on behalf of the Government of Canada did not mention the date on which this declaration is to go into effect. Is it as from some time today or some future date? What is the date, when this great event goes into effect?

MR. SMALLWOOD: Mr. Speaker, I have no comment. I wish, while I am on my feet, to announce the regrettable death of a great Newfoundlander in the person of Captain John Blackmore, member of the order of the British Empire at Port Union yesterday. Captain John Blackmore died yesterday at the age of ninety-four. At a very early age, he began fishing on the coast of Labrador and at the age of seventeen was in command of his own fishing schooner on that great coast. It may be that the late Captain John Blackmore, M.B.E. was one of the youngest Newfoundlanders ever to be in command of his own schooner. He fished on the coast of Labrador and conducted coasting vessels in Newfoundland for over sixty years, and in addition to that was also a successful sealing captain. He had reached a wonderful age, ninety-four and in his death, Newfoundland has lost one of her greatest sons.

The funeral at Port Union will be held on Sunday and the Government will be represented by the hon. Minister without Portfolio, the member for Labrador South.

Mr. Speaker, while I am on my feet, I should like to extend a very cordial welcome to some twenty-seven boys who are visiting us today from the Pleasantville Boys' Home in the gallery today, under their principal, Mr. Earnest Anthony and the assistant teacher, Mr. Melvin Oldford. These boys are paying their first visit to the House and I want them to know that they are extremely welcome here. We hope they will enjoy their visit this afternoon. We hope that they may learn something of how the House of Assembly is operated, how it operates, how it conducts its business? Who knows that some day in the future, these boys, some of them will grow up and become interested in public life and take a part in public life, an active part and first as voters, of course. Then perhaps as political workers and campaigners and finally as candidates for election to this House and we may have the pleasure one day of seeing some of them sitting here as members of the House of Assembly. We made it. They should be able to make it. They are as smart as we ever were, so it is only a matter of hard work and application and, of course, if it comes to getting in here, it is also a matter of being with the



right party. They will decide for themselves which is the right party. I would not dare to advise them on that. The Leader of the Opposition might. He now, I am sure, will join with me in this expression of cordial welcome to these boys and if we do not agree on anything else, then every day here, the Leader of the Opposition and I are in perfect unison, two hearts that beat as one, two minds that function together. You would think that we never had a single thought to separate us, that we are in perfect agreement once every day, when we welcome these young Newfoundlanders to the Chamber.

MR. MURPHY: Like the "Bobsy Twins."

MR. SMALLWOOD: I did not hear that.

MR. MURPHY: We are like the "Bobsy Twins."

MR. SMALLWOOD: Like the "Bobsy Twins." One is a little more bopsy than the other. Anyway the whole point is that if we never agree on anything else, we do agree on this that we love to see young Newfoundlanders come in here and it is inspiring - it reminds us in case we needed reminding, it reminds us of what we are working for in this House. We are working for the young people of the Province - the people who are going to own it shortly and be responsible for it soon and have the tremendous task of building a greater province than they find, just as we are trying to do. We are trying to build a greater Newfoundland than it was, when we found it. We will move out in the course of time. I will not be here more than another fifteen or eighteen years. I am sure of that. I will not remain any longer that. The hon. gentleman expresses doubt about that? What is he praying for I wonder, Mr. Speaker? He says he is praying for me. I am getting scared. I would like to know the secret nature of that prayer. In all events we agree on this that we are glad to see these young people here, and I know now that he will express the sentiment of his party, when I sit down.

MR. ANK MURPHY: Mr. Speaker, I would like first of all to join in the expression of sympathy in the death of a tremendous Newfoundlander, Captain Blackmore. He was a great pioneer boat builder, fishermen, man who built his own boats to go to the seal fishery. I think, Port Union, was a much richer town to have such a man as Captain Blackmore. He had his own boat building industry there and I am sure that he contributed a lot to the economy of that beautiful little town and through them to the economy of Newfoundland. I am sure we all on this side join in the expressions

of sympathy to the family of the late Captain Blackmore.

In joining with the Premier in welcoming the boys from the Pleasantville Boys' Home, I can only say just about what I say pretty well every day following the Premier. As he said, our hearts beat as one in this welcome and I am sure that my is throbbing, when the Premier mentions a subject that is so pleasant for us to hear over here. It is not very often we hear them, but today in welcoming these boys, we are very happy to welcome the boys. I hope it is a regular session that is not abbreviated through any act of faith or anything else and that they will get the benefit of the three hours, if they wish to stay here. I hope that they will watch and they will observe and if they are on this side here, move over and have a look at the beauties on this side. I think that is only fair and see how the potential government is working, not the Government in power, but the potential government in a few short months time. So again, Mr. Speaker, I would like to welcome these boys on behalf of all of us on this side and I am sure all the members of the House entrust their stay will be pleasant and that they will come back again in the not too distant future to see us.

MR. NEARY: Mr. Speaker, may I add my own welcome to those of the Premier and the Leader of the Opposition to the boys who are here today from the Boys' Home and Training School at Pleasantville. Most of these young people, Mr. Speaker, that I see in the gallery today are very real friends of mine as a result of numerous occasions that I have visited them in their home. As a member of the audience at the opening night of the musical carousel presented at the Arts and Culture Centre last November, Mr. Speaker, I was particularly thrilled to note that eight of the extras were from our Boys' Pleasantville Home Community. This is the first

MR. NEARY: This is the first opportunity I have had to congratulate them for taking part in such a well directed and colourful production. It is indeed Mr. Speaker, a pleasure to see the boys here today visiting us in our House, and I want to extend a personal welcome to them and to Mr. Ernest Anthony their principal, and Mr. Melvin Oldford the assistant teacher.

MR. CROSBIE: Mr. Speaker, I would first like to say that we join in extending our sympathy to the relatives of the late Capt. Blackmore of Port Union. I am sorry to hear of his death, and join in the tribute that is being to him.

I would also like to welcome on behalf of the Independent Liberal Group, the boys from the pleasantville Boys Home. There have been a lot of visitors Mr. Speaker to the House this session. They are participating in the game see the Government while you can because it will not be here much longer, and we welcome them. I notice that the hon. the Premier Mr. Speaker said that they hoped that they would learn something while they were here, I hope they can learn more than we are learning through the questions we are asking in the House, as is seen today in the replies we got to some of the questions that were asked.

We sometimes think Mr. Speaker on this side of the House, when the hon. the Premier gets up to deliver a message at the beginning of the session, we are expecting that very shortly there might be a got well message delivered by the hon. the Premier.

We like to see these groups come from the various schools, and I notice Mr. Speaker, that sometimes they do not stay here very long, and I think it might be more interesting for them if they were presented with Order Papers and if some, and even a memorandum to explain, or some notes to explain the functions of the House. There used to be last year, or the year before there used to be a seating plan of the House of Assembly distributed to guests in the gallery showing where all the hon. members sat, and their names. I do not know why that has not been done this year, it maybe because the seats have been changed around in the House that that is not done this year. But something should be done I think Mr. Speaker if we are going to make it worthwhile for the boys and girls coming here to visit to give them some idea of the rules and to give them Order Papers so that they will have something to

follow in the business of the House.

MR. BURGESS: Mr. Speaker, nobody can deny the fact that I am the leader of my group, actually this is my shadow Cabinet here.

MR. CROSBIE: Did you notify the Speaker?

MR. BURGESS: I would like to extend a word of cordial welcome to the boys from the Pleasantville Boy's Home, and I along with the other members, I sincerely hope that they learn something today. There is one thing that I would like to relate to these boys, I would like them to keep it mind, and I have to tell a brief story to make my point, and it is story Mr. Speaker of fifty years ago. Because these boys are witnessing greatness in action in various degrees of course. The greatest degree of course is on that side of the house, but I would like them to keep in mind the story about the two boll weevils, who are little insects which attack the crops in South America, the cotton, and the two boll weevils decided to emigrate and they left, they left their particular pad and they went abroad, and one of them became completely and utterly successful. Everything he put his little paw to was successful, and he became a great success, something on the style of the, shall I say the hon. the Premier? He was an absolute success. The other one unfortunately never made any headway in life at all, he became a complete nonentity. That was fifty years ago Mr. Speaker, but despite the fact that one was famous and one was a complete nonentity even today they talk about the lesser of two weevils.

With that in mind Mr. Speaker, I would like these young boys to keep that in mind that varying degrees of success matter very little in later life, but I would like to extend that cordial word of welcome to these boys.

MR. SPEAKER: While the House is still in the mood of passing on their greetings and words of welcome to various groups in the House, or visitors to the House today, may I be permitted to get into the act. It was only once before that I have had the opportunity of doing this, and I would like with the indulgence of the House to join with the other members not only in welcoming these groups that are here today, but another group and my impartiality may be brought to question when they know which group it is. But I would like on my own behalf, and on behalf of the members of the House to welcome to the Chamber this afternoon his Worship the Mayor, and four councillors together

with the clerk of the Town Council of Carbonar who are here on business today in the House, in connection with the business of the Council.

These civic minded citizens together with the others are always most welcome and we are very happy to see them.

PRESENTING PETITIONS:

HON. W.J.KEOUGH (Minister of Labour): Mr. Speaker, I beg leave to present a petition on behalf of the residents of St. Georges District. The prayer of the petition is that the buildings on what was the site of the Cottage Hospital at Stephenville Crossing should be put to use as a home for the aged. There are two things about this petition<sup>of</sup> which I should make special mention. First of all it bears the signatures of a substantial number of the residents of every community of St. Georges District, and secondly in total it bears the signatures of 1,904 residents of the district.

Now I have won elections in St. Georges with fewer votes than that and so it might well be that there is a message for somebody in this petition. It seems to me Mr. Speaker, that this petition is the petition of angry people and I believe they are angry about two things. First of all the inconvenience to which they have been put by the closing out of the Cottage Hospital facility which they had for over thirty years, and secondly because they believe that it was the closing out of the cottage hospital that put the finishing touch to upsetting the rather tenuous economic viability of Stephenville Crossing. There were other factors that contributed, the construction of a by-pass road, and the removal of several other services.

In any case the people of St. Georges district reacted strongly to the closing out of the cottage hospital at Stephenville Crossing, and it still rankles, and hence this petition for another facility in its place. Not the construction of the linerboard mill at Stephenville, and the building up of an industrial complex there will more than compensate and restore the economic viability of Stephenville Crossing. But it has been rather a long wait and the people of St. Georges District are determined to do all that they can to have another establishment at Stephenville Crossing to fill the gap that was left by the phasing out of the cottage hospital there, and in that determination they have my full and complete support.

I move Mr. Speaker, that this petition be received and referred to the department to which it relates.

MR. A.J. MURPHY (Leader of the Opposition): Mr. Speaker, I support that petition. Having spent a great deal of time around that area when I was travelling through the Province, and the building there is in a beautiful location and I think it would be a wonderful asset to the west coast. It is in a strategic position there, roads east, west and from the Port au Port Peninsula coming up there just right in the centre, and if at all possible I certainly would like to see the Minister's wish or petition come true, as I said earlier I believe it would be a tremendous asset to the older folks on the west coast who have to be brought here all the way to the east coast. It would be nearer for visiting for their folks, and I whole heartedly support that petition.

MR. WELLS: Mr. Speaker, let me say frankly first that in the absence of the chief of this group I am not even speaking as an assistance chief. I have some knowledge of this area, and some strong connections in my background with this particular area and a fair knowledge of the particular problem to which the Minister has referred. It goes even a little deeper than just having a replacement for the hospital. There is a bit more than that to it as the minister has indicated I am sure on other occasions. He was the one I believe who first voiced tremendous concern about the, to quote him "rate of Stephenville Crossing" I believe that was his phrase.

This is what has happened. I am not sure that it was necessarily, totally avoidable, it may or may not have been but that has been the net effect of what has happened. The by-pass road as he has indicated has been built. The C.N.R. facility has been more and more moved into the Stephenville area, and in an effort to build up Stephenville, and to replace in Stephenville some of the employment lost through the closing of the base some of the other things that existed in Stephenville Crossing such as the hospital, and the railway facilities and other services and facilities, Canadian National Telegraph is another example, and there are numerous other things that have been moved to give more stability to the town of Stephenville.

That I believe Mr. Speaker, is wrong unless the whole town is going to be moved, because the net effect is that the economic viability has been taken away. I think perhaps it is unavoidable that the hospital be moved because there was an exceptionally good facility located in Stephenville at the time, but there was also a firm undertaking that there would be something in Stephenville Crossing to replace the economic loss. When one has any familiarity

at all with the community, you can do a comparison with what it was like before, and what it has been like since with these losses, not just the hospital, but the C.N.T., railway and other things that have been affected. One can see the effect on that community. It is a sad thing to watch any community, even if you do not have a close connection to it as I do, I grew up there from the time I was seven years old, even if you do not have a close connection it is a sad thing to watch it rapidly become a welfare community.

I do not have any ready made answers, and I am sure the Government do not have any or they would have implemented them a long time ago, but I think it is something with which all members of the House might think about and concern themselves. Not necessarily just Stephenville Crossing alone, this is quite likely to happen in the future particularly with this DREE program and it being implemented in the eight designated areas we are likely to create a lot more such areas. If this is going to happen, then perhaps we should have a gross move. Clean out the community, because it is very sad to watch a place rapidly become nothing more than a welfare community.

I give my whole hearted support to the the petition Mr. Speaker, and ask that we consider the matter beyond what is asked for in the petition, and consider the whole problem and try and find a cure for the problem rather than just this particular symptom.

MR. BARBOUR: Mr. Speaker, I beg leave Sir, to present a petition from the people living in the following communities and I might add that there are almost 1,000 names signed to this petition. The correct number is 990 names and the petition comes from the following communities; Princeton, Southern Bay, Sweet Bay, Charleston, Winter Brook, Jamestown, Brooklyn, Canning's Cove, Lethbridge, Bunyan's Cove, Musgravetown, Morley's Siding, Portland and Bloomfield, fourteen communities in all.

Mr. Speaker, the prayer of the people's petition is and if I may be permitted I would like to quote. "Whereas the Central High School Musgravetown, and Feeder Elementary Schools located in Princeton, Lethbridge, Musgravetown, Bloomfield, Bunyan's Cove, and Canning's Cove have a total enrollment of 1,253 pupils and the medical personnel are not provided in spite of the school board's efforts. Whereas no practicing doctor can be had for the area, whereas adjacent and equivilant school areas have either a doctor or a nurse or both to administer to the medical needs of the people, whereas a qualified

registered nurse living in the area has been found interested in serving as a school nurse, therefore your petitioners, citizens of the following communities thereby pray that you will take steps to insure that a school nurse be appointed immediately to care for the health of the school children in the area, and all petitioners are in duty bound, and will ever pray.

Mr. Speaker, it is indeed deplorable that these 1,200 or more pupils have no person qualified to care for their health needs.....



MR. BARBOUR: No doctor can be had for the area, but Sir, and I want to be careful in making this statement, but sir, a qualified nurse has been found who is willing to serve in this area. And every effort will be made to accommodate such a person so far as a clinic is concerned by the people in the areas I have mentioned. Therefore, Sir, all that remains is for the Government to approve salary allocation and in all fairness to the people of my district, I cannot see such a small amount of money as would be required to pay a nurse's salary should be allocated to deprive so many healthy young Newfoundlanders of the proper medical care. I am certain however, that the Government will leave no effort unturned. I am certain that the Government will give careful consideration, and I too must vigorously support this petition. And I ask the department concerned that they lose no no time, because this is very essential to the youth in the area concerned. Mr. Speaker, I wholeheartedly support the petition, and I ask that it be received and referred to the department to which it relates.

MR. H. COLLINS: Mr. Speaker, I rise to support this petition which has just been presented to this House by the member for Bonavista South. And I will go through the settlements in reverse. The people of Bloomfield, Portland, Morley's Siding, Musgravetown, Bunyan's Cove, Lethbridge, Canning's Cove, Brookline, Jamestown, Winterbrook, Charleston, Sweet Bay, Southern Bay, and Princeton, certainly are deserving of better medical services than that which is now provided in that area. It might be noteworthy to note Sir that the member for Fogo, the Hon. Minister of Highways, presented a similar petition in this hon. House a short time ago, concerning the need for nursing services for the schools in the Gander Bay area, which is a section of his riding. And I would hope Sir, that the Government will take note of those two petitions, realizing the significance, the importance of this service. And that before this hon. House opens again next year, they will have those services provided in the areas mentioned.

MR. ROBERTS: Mr. Speaker, if I may be allowed a word in reference to the Motion moved by my hon. friend from Bonavista South, just spoken to by the hon. member for the district of Gander. The problem of recruiting a doctor from Musgravetown is certainly both serious and not new to me. My hon. friend has been in touch with me on many occasions. We have been trying to recruit a doctor, or help to recruit a doctor from that area. Now that the hon.

gentleman has been told by his constituents Sir, that a nurse is available in the area for the purposes of public health work. I have checked into this, and I think that we would be in a position in the Government, subject of course to the house granting supply which we will request in course to retain the services of the lady in question. It does not say that the nurse is a lady but I assume she is a lady. Well if the lady is available for the duties in assuming as I am sure is correct that she has the qualifications and will take the necessary training courses, we would be able to retain her Sir. I would assume this would probably be, well maybe there is still a summer term to come either from the rest of this year, or beginning the first of September. We will have to work that out. We do have about ninety-five or a hundred such nurses around the Province Mr. Speaker, and it is always a pleasure to get more if they provide a most valuable service.

MR. BARBOUR: Thank you Mr. Minister.

MR. SPEAKER: It is moved and seconded that this petition be received and referred to the department to which it relates. Those in favour "aye", contrary "nay", Carried.

Notice of Motion:

HON. L. R. CURTIS (Minister of Justice): Mr. Speaker, I give notice that I will on tomorrow move that Standing Orders one to eight be stricken out and the following substituted therefore. (1) In all cases not provided for hereafter or by sessional or by other orders their usages of the House of Commons of Canada as enforced at the time shall be followed so far as they may be applicable to this House. (2) The time for the meeting of the House is at 2:30 o'clock in the afternoon of each sitting day. And if there be not a quorum present by 2:45 of the clock, Mr. Speaker shall adjourn the House until the usual hour of the next sitting day. When the House rises on Friday it stands adjourned unless otherwise ordered until the following the Monday. (3) The presence of at least fourteen members of the House, not including Mr. Speaker, shall be necessary to constitute a meeting of the House for the exercise of its powers. Whenever Mr. Speaker adjourns the House for want of a quorum the time of adjournment and the names of the members then present shall be inserted in the journal. (4) a. Any member may direct the Speaker's attention to the fact that there is not a quorum present. When attention has been directed to the fact that there

is not a quorum present, the Speaker shall wait for ten minutes, so as to enable members to reassemble. If at the expiry of that period a quorum is not present, he shall declare without question put that the House stands adjourned until the next sitting as provided for by these Standing Orders. This procedure shall be duly recorded in the journal. (b) A member need not remain in the House after giving notice that a quorum is not present. (c) The only occasion when the Speaker takes the initiative in this matter is at 2:30 o'clock or at 7:30 o'clock after the intermission. If he does not see a quorum he refrains from calling the members to order and asks the Clerk to count the House. If there are not fourteen members present he declares without question put that the House stands adjourned until the next sitting. This procedure also shall be duly recorded in the journal. (d) while the House is being counted the doors remain open and members can come in during the whole <sup>time</sup> occupied by the counting. (5) If notice is taken by a member that there is not a quorum present in the Committee of the Whole, the Chairman follows the course outlined in Standing Order for (a) if he ascertains that fourteen members are not present, he leaves the Chair. The House is resumed and on his report the Speaker waits ten minutes at which the Clerk counts the House, and if there then not be a quorum, he must adjourn the House forthwith. When the Sergeant-at-Arms announces a messenger from the Lieutenant-Governor, Mr. Speaker shall take the Chair whether there is a quorum present or not. (7) If at the hour of six o'clock P.M. except on Friday the business of the House is not concluded, Mr. Speaker shall leave the Chair until 7:30 P.M. At the hour of 6 o'clock P.M. on Friday, Mr. Speaker adjourns the House without question put. The House then stands adjourned until Monday following. If at the hour of 6 o'clock P.M. business of the Committee of the Whole House be not concluded, the Chairman is directed to report progress and ask leave to sit again. (8) At 10:30 of the clock P.M. unless the closure rule Standing Order 50 be then in operation, the proceedings of any business under consideration shall be interrupted, and Mr. Speaker shall adjourn the House without question put, provided that all business not disposed of at the termination of the sitting shall stand over until the next sitting day, when it will be taken up at the same stage where its progress was interrupted.

MR. HICKMAN: Mr. Speaker, I give notice that I will on tomorrow move the

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following Resolution:

WHEREAS Canadian National Railway has indicated that the ferry operated and/or managed by the Canadian National Railway and running between North Sydney and Argentia may include the Islands of St. Pierre and Miquelon as a regular port of call.

AND WHEREAS the implementation of such policy by Canadian National Railway would adversely affect the tourist trade of the Burin Peninsula and Newfoundland generally thereby reducing the potential income and earnings of the residents of the Burin Peninsula in particular.

RESOLVED that this House inform the Government of Canada that it opposes unreservedly any decision by Canadian Railway to make St. Pierre a port of call of such ferry.

Answers to Questions:

HON. STEPHEN NEARY (Minister of Public Welfare): Mr. Speaker, I have the answer to Question (349) on today's Order Paper in the name of the member for Fortune. I might say Mr. Speaker, that last Spring's austerity Budget caused quite a number of government departments to do a great deal of soul-searching on the limit that was set by their spending. But there has been some very real benefits both to the departments and to the Provincial Treasury, as a result of this. And a good example of this is through the more effective use of space which in the foreseeable future will enable us to accommodate another twenty-eight senior citizens at the Hoyles Home without any expense of additions to the present building. This is being done simply through the better use of existing floor space. Part (2) of the question Mr. Speaker will have to be directed to the hon. Minister of Public Works.

HON. W.J. KEOUGH: (MINISTER OF LABOUR): Mr. Speaker; Question No. 379, asked by the hon. member for Burin. Answer to the first part; "No". The second part of the question: "It does not, therefore, arise." The third part; "At the moment, I do not know." In elaboration of that I would like to say this: I take it that this question arises out of some publicity that appeared in the newspapers this week, that dealt with one aspect of a conversation that I had a week or so ago with Mr. Martin Saunders of Baie Verte. Mr. Saunders is the President of the Asbestos Workers' Union there. He is also, I believe a Vice-President of the Newfoundland Federation of Labour. He came to discuss a matter that concerned his own union with me and we disposed of that matter and then he raised, with me, another matter which concerned a letter he had from Mr. Ernest Shea of Glenwood, concerning a complaint that Mr. Shea had made to me. Since Mr. Saunders undertook to give the matter publicity, I wish that he had undertaken at the same time to report more accurately what I said to him at that time.

What I said to him at that time was: "that I had received representations from Mr. Shea and on the basis of his representations I had reviewed all of the evidence available to me, that I had concluded that there were no grounds from my intervening and that I had informed Mr. Shea to that effect. However, I added this. I told Mr. Saunders this in addition, that since Mr. Shea continued to make representations to me, I had directed a second review of Mr. Shea's case and that if it appeared from that second review that Mr. Shea had been done any injustice, if it there appeared sufficient evidence from the second review to warrant such action that I would ask for a magisterial inquiry." At the moment the second review is not completed, and I am not in a position to say whether or not a magisterial inquiry will proceed or not.

Question No. 381, asked by the hon. member for St. John's East (Extern). The answer to that is; "as yet there has been no allocation of parking, individual parking lots to the employees of the Workmen's Compensation Board."

MR. SMALLWOOD: Mr. Speaker, before your Honour calls Orders of the Day, I would like to have the indulgence of the House and I am sure I shall, as the House knows what it is about, to draw the House's attention to the fact that the most popular member of this House, personally popular member of this House is today celebrating the fiftieth anniversary of his being called to

the bar of Newfoundland, and I refer, of course, to the Minister of Justice and President of the Council. Fifty years ago this day, he was called to the bar as a very young lawyer and began his very distinguished career as a lawyer in Newfoundland, rising to be Minister of Justice and as Minister of Justice serving longer, I think, in that office than has any man in Canada's history, certainly longer than any man in Newfoundland's history. He served something like eighteen or nineteen years as Minister of Justice.

The President of the Council, the Minister of Justice served his apprenticeship as a lawyer under a very great and brilliant man, the great brilliant lawyer, Sir Richard Squires, the great Liberal Premier of this country as it was then and having served his apprenticeship as a lawyer, under Sir Richard Squires, the firm then <sup>was</sup> known as, I believe, Squires and Winter; he was called to the bar fifty years ago today and then entered the firm of Squires and Winter as a practising lawyer and not too long after that, the firm's name was changed from Squires and Winter to Squires and Curtis. It was as the law partner of Mr., later Sir Richard Squires that the present Minister of Justice entered the field of law in Newfoundland from the very beginning in a very dramatic way. Because as the law partner of the Minister of Justice, as Sir Richard Squires was for a large part of that time, and as the law partner in any case and as a close political associate of Sir Richard Squires, the present Minister of Justice learned more about the public life and the politics of this country than I suppose any man ever did. Whenever the Prime Minister would go away and that Prime Minister would go away for as much as two and three months at a time, the then Mr. Curtis, his law partner, was his representative in Newfoundland possessed the code by which the Prime Minister could communicate here with him and he with the Prime Minister, and he was the liaison between the Prime Minister and the members of the Cabinet.

It was an extraordinary relationship, He was almost the acting Premier, the acting Prime Minister of Newfoundland in the long absences of Sir Richard and Lady Squires. I have had a lot to do with a lot of lawyers in my twenty-one years as Premier of this Province and before that in another way, mostly defending myself against them or getting them to defend me against other lawyers, but since I became Premier I have dealt with lawyers on both sides

of the Atlantic. I have dealt with some of the most brilliant lawyers that you would want to meet, American, Canadian and British-English; especially English, some German, some French, some Italian. I met a lot of lawyers and dealt with a lot of lawyers. I have yet to meet any lawyer more brilliant in his quick insight, his ability to go straight as an arrow, razor sharp to the heart of any matter and the thing, Sir, that always left me in a state of tremendous admiration is the fact that here at least was one lawyer, if there never was another, here was one to whom law was not an end in itself at all, but a means, a thing to be used to serve men, not something that men should serve, but something that should be used to serve man - it is a tool - a tool of man's mind - a tool to achieve purposes and to achieve justice.

The association I have had with him, which began long before I was anything, when I was a very obscure person and he befriended me, when I needed friendship in the worse kind of way. That relationship has continued to this day and there never has been in Newfoundland's history, I would say, two men in politics who saw more closely eye to eye and who agreed more than he and I have done from many, many years ago. I do not know how many more years he will be willing to stay with us in this House. I would hate to see him go, before I go. I would like him to feel the same way about me that he would hate to see me go before he goes, and I hope that we can stay here a team, a partnership, political partnership, that the like of which has not been seen in Newfoundland before. I am sure I speak for the whole House, when I say that we have nothing but affection for him, affection and respect, on all sides of this House. He is a great Newfoundlander and fifty years a lawyer today.

MR. HICKMAN: Mr. Speaker, it is only now that I realize that the hon. Minister of Justice has reached that plateau that he has been in practice for fifty years. This, I believe, makes him the second most senior member of the Bar of Newfoundland. The senior member of the Bar living today is Mr. J. A. Winter, Q. C., who used to be a Speaker of this hon. House and the senior practising lawyer is the hon. Minister of Justice.

I have the very good fortune to follow in - I was going to say "in his footsteps", but at least to follow into the office of Minister of Justice. I can

truthfully say that over the years, the hon. Mr. Curtis has been regarded as one of Newfoundland's great conveyancers. When he was a practising lawyer before he entered the political field, I am told, I cannot speak with much experience in this, because he was pretty well into politics but the time I started practising law. I am told by my seniors that he was always regarded as one of Newfoundland's great conveyancers. His family have a connection with Grand Bank. I can remember, as a very young boy, in the United Church in Grand Bank, when his late father preached what I believe was his last sermon. It was on the seventy-fifth anniversary of the establishment of the Methodist Church on that building in the town of Grand Bank and whilst the hon. minister was unfortunate enough to have missed the opportunity of being born in that noble town, he did the next best thing - he managed to get himself born in the town of Twillingate. I would wish for him many years of happy retirement and today we have the first conclusive and absolute proof of the impending retirement of the hon. the Premier, because it is quite clear that these two partners will go out together and the hon. the Minister of Justice has made it quite clear that he is looking forward to an early retirement. May I wish both hon. gentlemen..

MR. SMALLWOOD: He has been looking for that for the last fifteen years.

MR. HICKMAN: I wish both hon. gentlemen, as they now embark upon..

MR. SMALLWOOD: Like the minister for Mr. Main.

MR. HICKMAN: their retirement, one a grandfather and the other a great grandfather, my very best wishes for their retirement and my congratulations to the hon. Minister of Justice.

MR. CROSBIE: Mr. Speaker, it is not often in this House that we have to congratulate one of our honoured colleagues for achieving fifty years at the Bar, not only in the House but outside the House, and the learned Minister of Justice, of course, has been an adornment of the Bar here in Newfoundland for more years that we care to remember. He is also House Leader, Mr. Speaker. He is the Leader of the House and has been for some twenty-one years. He has been Leader of the House for twenty-one years and during all that time, I believe, there was only once when the hon. gentleman did not have a quorum in the House,



at least that he was caught at - or the hon. gentleman was caught at.

I certainly would like to join with the hon. the Premier and the hon. Minister of Justice was a former colleague of mine in the Cabinet. I often heard him give very sagacious advice, Mr. Speaker. I will not reveal the secrets of the Cabinet, but one of the pitias of the last twenty-one years is that all the advice that that learned gentleman gave was not listened to, and I hope that if he intends to participate in active politics that indeed he and the hon. the Premier will go out together, flags flying as they go down beneath the waves.

Now, Mr. Speaker, the hon. Premier has mentioned that the learned Minister of Justice has been looking for retirement for years and we all know that the hon. Premier has been looking for retirement for years. He has been saying at least for three or four years that he is going to retire, and we hope that this strong feeling of both hon. gentleman have about retiring will break forth shortly and that they will not be able to overcome it. As the hon. Premier said, Mr. Speaker, the law is not an end in itself but just a means. The means should be justice. I think there has been quite a bit of progress in our system of justice in Newfoundland since the hon. the Minister took over his Portfolio in 1949 - great reforms in

MR. CROSBIE: comes in just labour law alone, and in many areas a lawyer's law, conditional sales, Bills of Sale, Magistrates Courts, other things that came in while the hon. gentleman was in office. And I think that the Premier's praise in him is well deserved. I enjoyed my time with him in the Cabinet the several years that we were there. I only wish him good luck in the rest of his political career and that when and if he does retire, that we can get together for some interesting chats about his experiences during the last twenty-one years. I feel sure Mr. Speaker, that one day when everything is known, when all the details are known of what has gone on for the last twenty-one years, that the hon. gentleman will stand high among those who have been active in that period.

MR. BURGESS: Mr. Speaker, before proceeding with Orders of the Day.

MR. WELLS: Mr. Speaker, if I may say a few words while we are still on this matter. Do you intend to speak on this matter?

MR. BURGESS: No.

MR. WELLS: Well if the hon. gentleman does not wish to speak on the matter, just raised by the Premier, I would like to speak before he moves on to another matter. It will only be brief Mr. Speaker. I am sure that the comments made by hon. members are well deserving. The hon. learned gentleman has reserved for himself and for his a memory a place in the law of this Province. His record as Minister of Justice. The fact that he carried Newfoundland's responsibility as Minister of Justice over those years of vast change, I think will be recognized. They were not necessary easy years, some of them rather turbulent. But there is one matter that has been overlooked, the discussion of his eminent departure of the House brings it to my attention, and I think Mr. Speaker, I should bring it to the attention to other hon. members. Perhaps his legal training and background have something to do with his development of his facility in this regard. I can quite frankly say what little I do know about procedures in this House and how the House should be run, and what little I do know of <sup>what</sup> tends to dignity and decorum and what tends to something less than dignity and decorum I have learned from that hon. gentleman really, and from nobody else. Now I can acknowledge the fact, I am sure we all do, that the hon. the Premier has a fair to middlin' knowledge of the procedures of the House, as it very well known, and very well accented. But it has been the hon. the President of

the Council who has for the four years that I have been in the House, guided the House, and it is to him that most members of the House turn when they want some advice as to how this should be done. Not necessarily whether it is legal or proper, but what is the traditional way of doing it. And perhaps it is his fifty years that brings him this knowledge and makes available to us this knowledge. And I think Mr. Speaker, we would be overlooking something if we overlooked that fact as well. Not only his achievements as a member of the Bar, of which I am very proud to be a member, although a much more junior one than that hon. member. But I think Mr. Speaker, we ought to acknowledge this on this particular occasion, irrespective of the fact that our opinions differ rather substantially on occasion, I can nevertheless say quite honestly that I have a great deal of respect for his vast knowledge of the procedures of this House, and for the way in which he has directed the House in the four years which I have been a member of it. Thank you Mr. Speaker.

MR. MURPHY: Mr. Speaker, I do not wish to delay the proceedings, but at a time like this I feel I would be rather amiss if I did not congratulate the hon. the Leader of the House, and to thank him very sincerely for my eight years in the House, the past few months as Leader of the Opposition, for the courtesy he has shown at all times to our side over here, and I would like very sincerely Sir, to say thank you, his name is Curtis, but I think it should be Courteous. And when he is having his party I would like for him to remember me as saying a very good word about him. Thank you Mr. Speaker.

MR. CURTIS: I rise and say thank you to the Premier and to the hon. members of Burin, St. John's West, Humber East and the Leader of the Opposition for their kind words. I might say I am taken completely by surprise. I had forgotten that today was the day, and when the Premier started to speak, I was quite taken by surprise. I want to say Mr. Speaker, I feel very, very humble, very humble, and at the same time very appreciative of what the hon. members have said. Thank you.

MR. BURGESS: Mr. Speaker, when I stood on my feet and the hon. member for Humber East asked me if I was going to speak on this matter and I said no, I did not intend it to be any discourtesy to the hon. gentleman. Since he has spoken, just let me add a sincere word of congratulations to the hon. gentleman on the service that he has provided the Province and to the field

of law. It certainly is a terrible duo when you look over there and see the two of them there ready to pull you up on minor fraction of the House rules. The hon. the Premier as the hon. member for Humber East has said, he is quite an authority on them. He is such an authority, as a matter of fact, there are two areas of Newfoundland that are laying claim to his birth. Gambo is saying it is Corner Brook, and Corner Brook is saying it is Gambo.

But Mr. Speaker, before proceeding with the Orders of the Day, I would ask leave to move the adjournment of the House for the purpose of discussing a matter of urgent public importance. The matter being Mr. Speaker, based on the number and type of complaints which I receive daily from the workers employed at Churchill Falls relative to the matter of union representation which they are receiving, and such union being the legal representative of the workers only because of a retroactive Bill passed in this House on May 1968, to legalize what had obviously been a blatant breach of the existing Labour Relations Act at the time which this union was certified in 1967. And since at this time, this union is acting in no other capacity other than a dues collection agency, and if we are to believe that a peak work force of 6,000 people are to be employed at this project in June of this year, a goodly percentage from this Province, and since these workers are paying for protection from the abuses of management and service which is non-existent. And since the economic advantage to this Province from the workers employed at this project is undeniable, this Government and this hon. House has the responsibility and obligation to ensure the workers, the workers welfare and protection, before the situation degenerates to the point where the workers take matters into their own hands. And therefore, I feel that the urgency of debating this matter is of prime importance to the welfare and progress of this Province.

MR. SPEAKER: I have listened with much attention to what the hon. member said respecting the urgency of debating this subject right now. I do not think that anything can be gained by adjourning the House to debate this, and neglecting all the other matters that are before the House already. There will be an opportunity. The Address in Reply has not been concluded, the Budget debate has obviously not been started, and there is always by way of Resolution to put the matter on an Order Paper. And delaying it for a day

or two, or three or even longer. But the urgency of the debate I feel is not there, therefore, I have to deny the Motion made by the hon. member for Labrador West.

MR. BURGESS: Mr. Speaker, I would like to mention something else relative to this and the matter of urgency. I am accepting the fact that a ruling has been made.

MR. SPEAKER: I have given the ruling on the remarks that the hon. member made, and we are not going to debate the ruling unless, not even if the hon. member intends to challenge it. The matter is closed as of now. I would permit the hon. member, if there is something he thinks that should be added to this, since I have given the ruling. It is not within the rules to do it, but if he wants to make a remark or two I would be prepared to listen.

MRS. BURGESS: The point I want to make is the fact I feel that since I have introduced this Motion, that in the event that the situation does degenerate to the state -

MR. SPEAKER: The hon. member will have another opportunity and as I say, he can always do it by putting a Resolution on the Order Paper asking for immediate debate.

MR. SMALLWOOD: Before Your Honour calls the Orders, the House might be interested to hear a telegram that I received a few minutes ago sent in to the House here from Ottawa. And it is a matter of tremendous interest and importance to our people. It is from Mr. Jamieson, and the first part of it perhaps is not very fresh, not very new, but I will read the whole telegram, which is fairly short: "The Government of Canada has introduced legislation which would establish the Canadian territorial sea as twelve miles in width, measured from the base lines around our coast. These base lines in the case of Newfoundland were drawn in 1967. The twelve mile territorial sea will replace the three mile territorial limit, and the nine mile fishing zone which was established in 1964, that goes too, these are replaced by what is called here the twelve mile territorial sea. After the establishment of the twelve mile territorial sea, the Government proposes, the Government of Canada, proposes to conclude the negotiations, to conclude the negotiations. I take it this means to terminate, to conclude, to finish, to wind up, to conclude

the negotiations concerning the fishing activities of the European countries, which have permitted to continue fishing in the nine mile zone. The present legislation would also empower the Government to create exclusive fishing zones, exclusive fishing zones in areas which have not yet been enclosed within straight base lines. Now I think understand this is no moment, no occasion to try to explain it, but if the Press gallery would like to have copies of it that they can take the original and make copies themselves. This seems to be a terribly great importance to the fisheries and the fishermen of Newfoundland.

MR. CROSBIE: Mr. Speaker, before you call Orders of the Day, I would like to stand on a matter of personal explanation as I have the right to do I believe, before Orders of the Day are called. It is a matter of a vile slander that has been circulated about me in connection with my conduct, with my conduct as a member of this House. The vile slander Mr. Speaker is that I am in the pay of Imperial Oil Limited. That anything I have said or done in connection with the Oil Refinery project at Come-by-Chance is said or done by me, because I am in the pay or paid by, or an agent or paid for this by Imperial Oil Limited.

Now Mr. Speaker, I was telephoned two nights ago by a gentleman from Clarendville, who was told this in Clarendville, and I know Mr. Speaker, where this vicious lie comes from. And if the person spreading that vicious untrue statement or lie, will make the lie or statement in the public print, or outside the confines of this House orally or in writing, immediate court action will be commenced. Mr. Speaker, I state now categorically that I have not discussed any matters at all with anyone from Imperial Oil Limited, any agent of theirs, any representative of theirs ever. And in particular that before and since I resigned from the Cabinet on that issue, never once have I been in contact with a representative, an agent, an employee of Imperial Oil Limited. Never once have I discussed the matter with them, never once have I received one cent, five cents, one dollar, any amount of money whatsoever from Imperial Oil Limited, or any company associated with them. Or anyone having anything to do with them.

anything to do with them and that in my leadership campaign last year, Mr. Speaker, not one cent, not one red cent, not one dollar, not one part of a dollar came from Imperial Oil Limited to meet the expense of the campaign. I, therefore, state that I welcome - I welcome the first person in this Province who will state publicly, instead of sneaking around behind the scenes spreading a rumor, telling people it verbally. I will welcome anyone in this Province that will make this statement publicly that I am associated in anyway with Imperial Oil Limited - have ever been paid a cent by them - have ever had any dealings with them in connection with the Come-by-Chance Oil Refinery or any oil refinery or any matter at all. If that person will do me that privilege, the matter will go immediately to the courts, as I will sue for libel or slander. There is not one word of truth in it and anyone who says it, suggests it or spreads it, is a deliberate, vicious liar.

MR. SPEAKER: I do not want to engender a debate on this and we are not going to have a debate on this, but when the hon. member rose, I was under the impression that this was something that had been published in some of the media, whether it had been by radio or television or newspapers or something. Now I find toward the end of it that this is something that is personal conversation between two individuals. How can a person raise on a point of personal explanation for something that has never been and explain away something that has been told to us that somebody said about somebody else? Now if it had appeared in the public press and he tabled the paper from which he was quoting or it had appeared on radio, and he was quoting from the radio script or an extract from it, as far ~~as~~ it was possible, to make a denial, but to make an explanation on something that is alleged to have taken place between two individuals; I am afraid that the explanation, although it is acceptable and the hon. member has given <sup>it</sup> and there the matter closes.

MR. CROSBIE If the matter was published, then one could take legal action. The matter is being whispered, scandalously around and as your Honour knows, it is difficult to combat it. I make this statement today not fearing that anyone in this House or in this Province can prove me wrong on it. If it is ever made publicly, other action will follow.

ORDERS OF THE DAY

MR. CURTIS: Mr. Speaker, I move that at 6:00 pm. today, Mr. Speaker do leave the Chair and that the House then stand adjourned until tomorrow Monday, April 13 at 3:00 p.m.

Motion, second reading of a Bill, "An Act Respecting The Payment Of Bounties On The Construction Of Fishing Ships." (Bill no. 16).

MR. CROSBIE: Mr. Speaker, it will take me a moment to get some notes here. Yes, Mr. Speaker, I think that when we adjourned debate on the second reading of this Bill, I had stated that I supported the principle of this Bill which is to do with bounties - the payment of bounties on the construction of fishing ships. This is a piece of legislation which replaces an earlier Act, no. 30 of 1955.

Now, Mr. Speaker, the problem I was raising in connection with this Bill is one that is common. The many pieces of legislation that come before this House, that the person who wants to obtain a bounty to build a fishing vessel must apply to the minister for a permit to build a ship, and he must do certain other things. He must conform with the particular sections of the Act. But then, Mr. Speaker, under section (6) of the Bill, "it is discretionary as to whether the minister issues a permit to the applicant for approving bounty for him to get bounty in connection with construction of a ship. The minister may issue the permit."

Mr. Speaker, this raises the problem of how the minister decides who is going to get permits for these bounties. If the hon. minister last year had forty or sixty or hundred applications for bounties, but only sufficient money voted him to issue fifteen, then how does the hon. minister decide which of the sixty are going to get the bounties and which are not; assuming that they are all, Mr. Speaker, entitled to the bounty and they all meet all other requirements? Do political considerations enter in or can they? That is the problem and I would appreciate the hon. minister explaining, when he speaks in closing this debate, as to what the procedure is in his department in connection with these bounties and how these decisions are made and who advises him and I would like the hon. minister to advise whether this is a matter that he decides himself or whether it has to go before the Lieutenant Governor-in-Council, these applications for bounties or for permits?

I think it is a pity, Mr. Speaker, that in connection with this Bill and others, there is not some appeal procedure. How does the applicant, who is



rejected, but who thinks that he is entitled to this assistance, what can he do about it? I have had several speak to me about problems like this. Now it may be, Mr. Speaker, that they are not qualified to get the bounty, but they do not believe that. They do not accept that, and they have nowhere to appeal to. I feel that in connection with all these matters, Mr. Speaker, there should be some kind of an independent appeal agency within the Government where the applicants for discretionary assistance from the Government, as in this case, can go and that board would review the minister's action? Would ask him, on what he bases his decision? Why this applicant rather than the other applicant?

Then, if the minister or the civil servants concerned have got good grounds for refusing the application, an impartial, independent board can confirm that. But, Mr. Speaker, if the minister has not got good grounds or the civil servants in question have not got good grounds and they do not satisfy the independent appeal board that they have, then the permit would have to be issued.

That is the only way I see, Mr. Speaker, in an age when the Government is becoming all powerful, only through some kind of machinery like that can we ensure justice for people who have to apply to Government, whether Federal or Provincial for assistance of any kind. Under this Bill, I see no provision. The minister can point it out, if I am wrong. I see no provision for the applicant for assistance to have an appeal to any independent agency, if the minister refuses to issue him the permit. I do not believe that any appeal is provided to a court—either on that ground. It is a very difficult thing, in any event to appeal to a court, because what legal matter can the court prove on it. But an independent appeal board with knowledgeable people, versed in these kind of matters, perhaps a five member or seven member board and on that board, people absolutely independent of Government who have experience in the fishery, who have experience in agriculture, who have experience in other phases of our life and who got something to base a judgment or a decision on with a lawyer and so on - a seven man independent appeal board to hear appeals in connection with all these kinds of decisions, Mr. Speaker, is badly needed in the Government of Newfoundland, and badly needed particularly in this Government, because this is a Government that knows how to wheel power and use it for political affect and does not hesitate to do it.

I do not say that the hon. minister who is connected with this legislation is of that nature at all, because I have a very high opinion of that hon. gentleman. This is a problem that does not pertain to the individual minister who is in a department. It pertains to ministers who are going to come and go and I think that, particularly in Newfoundland, Mr. Speaker, this is a matter of the first importance in connection - practically every significant piece of legislation we have had before the House, this session, Mr. Speaker, has got the same kind of discretionary powers in it.

The Minister of Justice able to stop a private investigator overnight by whipping his licence, no appeal, except to the courts, on a broad ground like in the public interest. Alcoholic Liquors Act the same, even more frightening. Application for bounties, for assistance to build a ship, the same situation and Act after Act is the same, Mr. Speaker. I would ask the minister to consider whether or not he could not move an amendment to this to provide some right of appeal for an applicant who is turned down. I understand last year, Mr. Speaker, that the amount of money provided for this purpose in the estimates of the Government of Newfoundland was limited. They could only handle a certain number of applicants and that there were far more applicants than the money permitted to be assisted. In that situation the right of appeal is even more important.

I would request that the minister, when he speaks again at second reading, advise the House how many applications are now pending for this type of assistance before his department and how many, if any applications last year, the last fiscal year, were not successful and how many of those were deserving of this assistance, but were not assisted, if there were any? Some kind of information like that on the situation here and how the minister decides, when he has more worthy applications than money available - how does he assign the priorities? Other than that, Mr. Speaker, there are other questions I have in individual sections of the Act, but that is the important, I think, point of principle that arises here, when we are considering this Bill on second reading.

I notice that under section (16) "the hon. minister has the power to designate by regulations what persons are approved builders for the purpose of

building ships in accordance with the Act." How does the minister decide there who is the approved builder? How many approved builders are there today? Are there very many? Does the minister approve the individual building his own ship? The individual fisherman of a long liner? Some of them are certainly capable of building their own ships. Does the minister approve them as approved builders? I think it would be interesting to hear about that and how he decides who are approved builders and who are not?

Mr. Speaker, this is a piece of legislation which is replacing an earlier - it is not a new Government program. I suggest strongly, Mr. Speaker, that it is of the utmost importance for the Government to consider all these pieces of legislation where they are given arbitrary power, complete arbitrary power to decide what persons will get the benefit of a Government program or not and in all those cases, in every case, Alcoholic Liquor licence, Fisheries Bounty Assistance, licencing a private investigator, licencing of anyone, there should be an appeal to an appeal board of at least seven people, every one of them independent of the Government, appointed to the board for a stated period of time, not able to be removed except by resolution in this House, same as a judge in relation to the Government of Canada, Parliament of Canada, who would be

MR. CROSSIE: Who would be empowered to hear appeals from this kind of situation with respect to the whole avenue of Government services in this Province. I cannot see any reason why that should not be done, if there is nothing to fear, and the Government should agree to that kind of procedure. It would be much better for the ministers concerned, because anybody with a grievance should either have his grievance found correct or not by this independent board and would have to accept it. And the whole situation, Mr. Speaker, would be far healthier, than the present atmosphere that we have in this Province today in matters such as this.

MR. WELLS: Before the .... It will not be very lengthy. I do endorse what the hon. member for St. John's West has said in the setting of this general principle of limitation of Government's discretion. I think there should be some kind of a limitation, and some kind of protection. The matter that I did want to particularly draw the minister's attention to, and ask for some explanation upon, matters contained in Section 16, I have no desire to go into the detail of it now, because this can be done in committee stage. But I want to make sure that I do not find myself trapped in the committee stage, being unable to have this sub-section removed because the principle has been approved. So I want to challenge any principle involved in this at this time Mr. Speaker. And it relates very much to what the member for St. John's West has said. One particular thing, the providence for the designation by the minister of persons who are approved builders. Now there is no limitation on that, that I submit Mr. Speaker should not be there. The next one is position, again I realize this is done in committee stage, but I do not want the principle of this to go unchallenged at this stage. That I can readily see the necessity for a list of qualifications of people who may be approved, but I want to make sure that everybody who meets those qualifications will be designated. This is my concern, that there will be no picking and choosing as to who will or will not be designated. And I would not want that approved in principle at this stage. Thank you, Mr. Speaker.

HON. AIDEN MALONEY: (MINISTER OF FISHERIES): Mr. Speaker, perhaps I should first of all deal with a point raised earlier in the second reading of this Bill, raised by the hon. member for Burin. And the point he raised, was a point of concern to him, that provision should be made for assistance to fishermen and boat owners to repair these vessels, the vessels in question, the vessels built under the Fishing and Coasting Bounties Act. The hon. the member is not here in the House at the present time, but I would merely draw

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to his attention, that there is already in the statutes an Act respecting the payment of bounties under rebuilding, and repairing of fishing and coastal vessels. And essentially this provides that whereby vessels are in need of rebuilding or repair, as a result of wear and tear, and where a vessel is over fifteen years of age, that the minister may approve bounties payable in respect of rebuilding such a vessel. So there are funds provided there is legislation, there is an item budgeted every year since this Act has been brought in, it was brought in 1958, and I may say, Mr. Speaker, that it has been availed of by a great many boat owners. These are not in a majority by any manner of means because we do not have a great number of boats over fifteen years of age, but there are such vessels and they are in need of repair or rebuilding as a result of fair wear. Then there is provision for assistance. I think that takes care of the point raised by my hon. friend, the member for Burin.

I think Mr. Speaker it might be well not only for the benefit of the hon. member for St. John's West and the hon. the member for Humber East, but perhaps for all hon. members that I outlined briefly the procedures involved in obtaining a permit to build a fishing vessel. And I hope in so doing, I will demonstrate the complete and practicability of an appeal board. First of all Sir, one of the newspapers in dealing with the earlier stages of this debate suggested that the hon. member for St. John's West stated that the permits were issued for political reasons, he did not make that suggestion at least this was not my understanding of what he said. But he suggested I think merely that in his opinion, the Act did lay itself open, to that suggestion.

I would like to say, Sir, that a long liner, and this is essentially to what this legislation refers, has become a very expensive vessel. The cost is roughly about \$1500 a ton. So the average long line fishing vessel around the Province would be worth anywhere from \$35,000 to \$60,000. And to a fisherman this is a very tremendous amount of money. You have no idea, that is fitted ready for fishing. This is far beyond the reach of a fisherman from his own resources. Therefore, there are four contributing parties involved financially in the construction of a long liner. First of all, there is the fisherman, who from his own bank account, or wherever he keeps his money, or in materials that he, himself is able to get from the forest, and saw and prepare, he is required before any consideration is given to a permit to furnish

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evidence of a contribution. As I say this maybe in cash, it may also be in coin, and in coin it may be a combination of materials that he cuts himself, and labour that he provides himself, or his family provides. It is totalled up, added up, given a dollar value, and it is deemed to be his contribution. That is All

The next contribution assuming that the application meets all other conditions, and these will come a little later, the next contribution is a contribution possible under the Act now to be amended, and that is the Fishing Ships Bounties Act. That contribution Sir is at the rate of \$160 a ton. And if the fisherman's vessel is thirty tons, the Province therefore, the applicant having met all other conditions, makes a contribution of \$4800.

So now we have the fisherman's contribution, the contribution possible by the Province. It would be impossible Sir today for any fisherman in this Province to acquire a long liner, I suggest without the help of the Federal Government, and to that extent, they have brought in, and has had in now for a number of years, a program similar to ours, called the Fishing Vessels Subsidy Act, and they are now making contributions up to fifty percent of the total cost. Again, they lay down requirements for eligibility and when these requirements are met, the Federal Government may then make a substantial contribution amounting to fifty percent of the finished cost, the total finished cost.

So now you have three contributions, the fishermen's, the Province's and the Federal Government's. If you total these up, Mr. Speaker, in my experience in the last fourteen years in the department, they have almost without exception, fallen short of the amount necessary to build a boat. And here is where the fourth contributor comes in, in the person of the Fisheries Loan Board. This is a loan board set up by the Legislature, answerable to the House through me, and they make their contribution by way of term loan at a modest rate of interest. So you have four people contributing to the venture. Well, each of the three of the contributing parties, Mr. Speaker, have very rigid requirements. The Province, first of all, has to determine on the fishing experience of the applicant. He has to prove his citizenship, these are requirements in the Act. If he wishes to build the vessel himself, and I may say Sir that most of the long liners built in the Province, are built by the fishermen who become the owner and operator, because builder, owner and operator, we must satisfy ourselves that he has the competence to build that

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vessel. Maybe he decides that somebody else has to build a vessel, if he is unable to do it himself, he has to furnish us with the name of individual or the yard who may build the vessel. He has to give us assurance that he will fish the vessel for a period of five years, after construction. And a number of other perhaps lesser requirements.

Now to get to this procedure, he meets with the appropriate officials in my department and the Director of Shipbuilding is a qualified Naval Architect, a man that we brought in from Scotland, a man very competent in small boat building, particularly wooden ship building. He replaced Mr. Dick Harvey, Mr. R. A. Harvey who was Lloyd's surveyor in Newfoundland for a great many years and also worked with the Department of Fisheries, both very competent men, particularly in small boat building, and wooden ship building.

The fishermen meets the Director of Vessel Construction, that is his title in our department, he is an architect. And we have on the staff of the department, a number of people who are very well known, and very well qualified in wooden vessel building, we have Mr. Max Grandy, who for years and years operated a small shipyard on the south coast, and Captain Alenza Frampton who operated a small fishyard in Monroe, Trinity Bay. These are competent vessel builders. They know a good bit about shipbuilding, they know a good deal about the fishery of Newfoundland, and a good deal consequently about the competence of the people who come to them.

But these are the people to whom they talk to in the first instance. Then having satisfied the officials who are in the Division of Vessel Construction, the man is referred to the Fisheries Loan Board to make an application for a loan, the amount of which it is necessary to make up between what he provide himself, what he may get by way of bounty, and what the Federal Government may provide.

the fisheries loan board is, as I say is set up, is a board established by the Legislature and is answerable to the House. Its membership is made up of the regional director of fisheries in Newfoundland for the federal government. I think the present members are Mr. Basil French of the firm of Fishery Products, and has been engaged in the fishery of Newfoundland for perhaps fifty years, forty or fifty years. Mr. P. J. Antle, the General Secretary of the Federation of Fishermen is a member of that board. The deputy minister of Fisheries, Eric Cosse is a member. Mr. Ross Young of the Newfoundland Fisheries Development Authority and one other whose name skips me for the moment. This man's application, or he goes before the Board makes his case, and the decision, the appropriate decision is taken.

Now after this, there comes the major contribution to the project and that is an application has to go to Ottawa. And they feel very strongly about the major contribution that they make and for a number of reasons a number of valid reasons in my opinion Sir, they, as we do, want to make sure that where they are subsidizing boats to enter the fishery, that in their opinion and in the opinion of the department of fisheries research people a long liner fishery is possible. There are certain areas of Newfoundland Mr. Speaker, where it would be a complete waste of time and money for a fisherman to engage in long liner. My hon. friend from Bay de Verde knows this pretty well his area happens to be one of the particularly good ones, and my hon. friend from the district of St. Barbe South happens to know from the development down there that that too has been found to be a particularly good area. But I repeat there are certain areas, certain grounds, off parts of Newfoundland where it would be <sup>im</sup>practical, and as a matter of fact Mr. Speaker in my own district, if I may, the district of Ferryland, they have not taken to the long liner programme over the years and I think perhaps there are only two in the whole district. And, for the very simple reason that the grounds do not lend themselves to this particular sort of development, it is a big trap-fishing area, perhaps one of the biggest in the Province. But for long-lining it is quite different from Bay de Verde, say, or Bonavista or Pogo Island, the headlands and this is where the main development is taking place.

MR. WORNELL: Mr. Speaker, if the hon. minister will allow a question, he knows the District of Hermitage very well and I was wondering if the hon. minister



will tell the House why it is that there is such an absence of long liners in that district? I do not think, I know of any more than two in my district.

MR. MALONEY: To that point Mr. Speaker, I believe the explanation that I was giving I think perhaps answers the question. Farther south along the south west coast in the district of Burgeo & LaPoile there is no question about it that is an excellent long lining area and one that has developed very rapidly, we do not have to encourage the development there it takes because of its own momentum. And I think for the very same reason that there are not the same grounds off Hermitage Bay that the fishermen have not taken to this kind of development.

So consequently Mr. Speaker, to be as brief as I can, the Federal Government takes quite an interest in this subsidy and they wish to have their stamp of approval as well on an application.

So you have, Sir, the staff of the division of vessel construction in my department made up of the director, who is a naval architect, a professional man, and qualified builders underneath him. You have the Fisheries Loan Board made up of a chairman and a number of men from the business community and from the civil service. And you have in Ottawa a board, perhaps somewhat similar to our division of vessel construction here but perhaps aided and re-inforced by the research of fishery department. All these people have to have a say, all these people have to give their stamp of approval, to an application. Now to a fisherman this is a torturous process. This is one of the things that I have, has annoyed me, but unless we get the kind of help, unless we can get this kind of money, unless the federal government is prepared to make this kind of a contribution and unless the fisheries loan board are prepared to make loans under favourable conditions to fishermen there is no way that a fisherman in Newfoundland, the average fisherman in Newfoundland today can acquire an expensive fishing vessel.

So you have, as I say, three groups of people, professionals, people out of public life, and civil servants, all of whom are involved putting the seal of approval on it before it gets to the minister. And I have never known Sir, I am just going to deal in one sentence with the fear raised by the hon. member for St. John's West and that is I have never known in my experience and I am sure that it has not happened before my time where an application, a permit has come to a minister, it has merely come to affix his signature to meet the requirements of the law.

The hon. the member for St. John's West raised another, raised two or three other points which I think are important, which I can clarify, and that is that he is concerned on the approval of builders, to that I can say this, in the majority of cases the fishermen who come to us to seek permits to build vessels are able to build them from their own skill. If they are not able to build them personally perhaps they have a brother or a cousin in the community who can furnish the skill but by and large Newfoundland long liner operator is, can qualify as a builder as well. But I believe it is a very necessary precaution in this Bill Mr. Speaker, to have a designation by the Minister and the Minister in this instance is the department, and the department as I suggest is the director of vessel construction, a naval architect, and men like Capt. Grandy and Mr. Frampton. I think that their advice and help and knowledge in approving the Bill is very very important, very essential. Because Sir, when I say the majority of Newfoundland fishermen are able to build their own vessels it does not necessarily follow that every fisherman is able to build his own vessel, and it would be quite wrong in my view to encourage <sup>every</sup> ~~one~~ without qualification to put his own money at risk, his own time, his own energy, his own materials, his own money or cash or whatever you have. Forgetting the government's contribution federally and provincially and the Loan Board's money to put his own at risk if he is going to wind up with a boat that is not seaworthy and perhaps not able to do the job that the boats intended to do. Therefore this is a very very prudent provision in my opinion, it is one that we, it is not a contentious one in my experience, because it does not take very long for our people to determine whether a man is able, has the competence in himself, or can get the competent men to build a vessel. These are the, I believe the main points raised Mr. Speaker, in the debate, if there are others that may come up or may be allowed to come up in committee stage I will be glad to answer them, but I think in general I have, to many concerned raised, is that the necessity for an appeal board and I, the process is tortuous already. A man has to go through all these stages, we tell the fishermen first of all, when he comes in, look, it is going to be, with everything going right it is going to be perhaps two or three months before we can get you a permit. With everything working perfectly and having back every qualification there is the division of vessel construction

by - criteria if he has them cut have to be examined. There is the meeting of the Loan Board to be called. The application has go to Ottawa, they have to meet on it, they are referred to the research people and it comes back and this is tortuous enough. Now I suggest to have an appeal board set up you would have to have one appeal board to deal with what he, the reaction of the department, if that was alright and he got up against a problem in the Loan Board there would have to be an appeal board to deal with that. If they had met everything then the federal government may for their own good reasons turn it down. There would have to be an appeal against that. And this would be a completely unworkable and impractical Mr. Speaker, as not to justify any consideration. Mr. Speaker, I do not think there is anything else with these few remarks. I have much pleasure in moving second reading of this Bill.

MR. CROSBIE: Mr. Speaker, would the hon. minister answer a question? Does the hon. minister know, or has there ever been a case where an application has gone through all these procedures you describe and been approved, yet the application you know, the permit was never issued? Having been accepted by Ottawa, having gone through our loan board and so on, and been found alright are there any cases where there are permits still have not been issued?

MR. MALONEY: Mr. Speaker, on that of course As the hon. member knows, there are limitations of money, both in our own budget and in the federal budget. We have to take applications on the first come first serve basis. We also consider and I think it is a very wise consideration we have to consider as good a distribution around the Province as possible having regard to areas that have potential for a long liner development. I am not aware of any incident on the question raised by the hon. member.

MR. WELLS: The third question for the minister, the undertaking referred to in section 5 (2) (c) and (d). These are undertakings that for a period of five years from the date of final payment the owner will undertake that the engine and power equipment of the ship will be operated by a person who has satisfied the minister that he has sufficient working knowledge, what happens if these undertakings after they have been given, say a year after, they have been given what is it proposed will happen if they are not met if he discovers they are not met?

MR. MALONEY: Mr. Speaker, these are not matters of principle and I think my hon. friend will agree, perhaps they could be done within committee.

MR. WELLS: As long as the minister agrees with that, I will accept.

MR.SPEAKER: This Bill has now been read a second time, ordered read a third time on tomorrow.

Second Reading of a Bill, "An Act Further To Amend The Welfare of Children Act,"

MR.NEARY: This is purely a routine, Mr. Speaker, it is just to remove something from the existing legislation that is now unnecessary because our own workers can provide the information that was previously provided by Peace Officers and the Magistrates.

MR.SPEAKER: It is moved and seconded that this Bill be now read a second time.

MR.WELLS: Mr. Speaker, the main purpose of this Bill is to delete certain sections and to delete in particular subsection 11, of section 15, and substitute a new one and I take it that this, while it is in a sense detail it is basic principle because there is not much else in the Bill, so if we approve the principle at this stage this will be it pretty well. That section reads where an order is made under section 57 of the Welfare of Children Act, chapter 60, the Revised Statutes of Newfoundland the judge who makes the order shall where he is satisfied that the director will not otherwise be informed of the principle evidence on which the order is founded submit to the director a statement containing a summary of all the important evidence taken before him and any other relevant information which should be brought to the attention of the director. Mr. Speaker, I believe the principle of this thing is wrong that we should enact legislation ordering that a judge of any court shall submit to any person the evidence given before that court where it places the onus upon the judge to do that. I suggest Mr. Speaker, that the word "may" should be substituted and I think that this is principle because that I am debating because the tenure of it now is the onus is placed upon the judge and he shall do it and shall have no choice, but to do it, and shall initiate the action of his own accord. I submit Mr. Speaker, that it should, it should be made but at the very least it should, shall, where he is requested so to do, that the onus should not be placed upon him to make the decision in any particular case. I can see the desirability of the director having the evidence, I have no quarrel with that whatsoever, my thought is that it should be made where he is satisfied that the director should not have it, or at the very least it should be shown where he is requested by the minister, by the director.

MR. NEARY: Mr. Speaker, in answer to the hon. member who just commented on this Bill, I would just like to merely point out that I do not believe that he did his homework very well. Because actually what we are doing is deleting this very section of the Bill that he referred to, because we feel now with our trained social workers that they are able to provide us with the information that we need instead of having to get it from the sources that we got it

MR. WELLS: May I ask the minister a question, I think I have to correct him, what the Act, as it is here says, delete the existing one and substitute the following. With respect Mr. Speaker, may I ask the minister a question? He has just given this information to the House which appears to be wrong on the face of it. It appears blatantly to be wrong, and I would ask the minister to correct it or show me where I am wrong.

MR. HICKMAN: Mr. Speaker, there is some confusion.

MR. WELLS: The only Bill I have is No. (3) Child Welfare.

MR. NEARY: The leader in the House called Order 16 which is Bill No. (4).

MR. HICKMAN: We do not have the Bill. The Bill has not been circulated.

MR. NEARY: I assumed he was talking about No. (3).

MR. ROBERTS: I fear the Bill has not been circulated, I do not have a copy. We did call Order 16 Bill (4), but I do not think it has been circulated. Anyway it was a grand debate about nothing.

MR. WELLS: No. (3) Mr. Speaker, is an Act Further To Amend The Child Welfare Act.

MR. ROBERTS: I will read the entire Bill, it is only two sentences. The Act may be said as the Welfare of Children Amendment Act, 1970. Section 73 of the Welfare of Children Act, is Chapter 60 of RSN as enacted by the Act No. 5 in 1968 is repealed. It is extremely simple. This is why we were unable to understand the hon. gentleman's point, and why he was unable to understand us.

MR. NEARY: Mr. Speaker, I believe the Bill was circulated.

On motion A Bill, "An Act Further To Amend The Welfare of Children Act, read a second time, ordered referred to a Committee of the Whole House on tomorrow.

ADDRESS IN REPLY:

MR. GERALD MYRDEM: I would like to move that the House proceed the debate on Motion No. 2, the Bonne Bay Park, and seconded by the member for Number

East

MR. SPEAKER: The calling is in the hands of the House leader, and the House leader has called the Address in Reply.

MR. WELLS: On a point of order Mr. Speaker. On a point of order, on a point of order Sir. May I make it? I refer Your Honour to Rule no: 33 of our Standing Orders, Standing Order No. 33. The matter came up when the Speaker was in the Chair yesterday, and the Speaker ruled that the Motion just made by the hon. member for St. Barbe South was in order, under Standing Order No. 33. The Motion for proceeding to another order is in order at any time. Mr. Speaker so ruled yesterday Your Honour.

MR. SMALLWOOD: Mr. Speaker, on that same Point of Order, there is now before Your Honour a Motion from the Government side, from the official government business. There is an order, a Motion before Your Honour. If the House does not want to accept that then a simple negative vote will settle the matter. If the House wants it, a simple affirmative vote will settle the matter. Why not have the vote from the House as to whether the Government's order that the Government have called on Motion will be proceeded with. Then if it is not, the Government would then call another order. But there is a Motion before Your Honour which is that this order be now proceeded with. And just to see that it will not, can be done by a negative vote, not by substituting another Motion.

MR. CROSBIE: Mr. Speaker, on a point of order, the position now is that there has been called the Address in Reply. The hon. leader of the House called the Address in Reply under Standing Order 33, when a question is under debate no question is received unless to amend it and so on; or for proceeding to another order. Now this question is now under debate, the Address in Reply having been called, and our colleague is moving that we now proceed to another order. And I submit Mr. Speaker, that it is quite in order and was accepted yesterday and should be accepted today, and a vote called on the matter.

MR. SPEAKER: It is moved and seconded that the House proceed to Motion 2 on today's Order Paper. Those in favour please say "aye", contrary "nay". The Motion is defeated.

The Motion is that the House proceed to Item 2 of Motions. Those in favour please rise. Mr. Farle, Mr. Wells, Mr. Crosbie, Mr. Martin, Mr. Burgess.

Those against please rise: The hon. the Premier, the hon. the President of the Council, the hon. the Minister of Labour, the hon. the Minister of Highways, Mr. Smallwood, the hon. Minister of Labrador Affairs, the hon. the Minister of Education, the hon. Minister of Social Development, the hon. the Minister of Provincial Affairs, the hon. the Minister of Public Welfare, Mr. Canning, Mr. Barbour, the hon. the Minister of Health, the hon. the Minister of Fisheries, the hon. Mr. Hill, the hon. the Minister of Supply, Mr. Wernell.

MR. SPEAKER: Seven for, and nineteen against. I declare the Motion lost.

The Address in Reply:

MR. WALTER HODDER: Mr. Speaker, before I was rudely interrupted by the hon. member for St. John's West with a cry to his comrades to leave the ship, I think I was dealing with inflation. Before I begin this afternoon, I would like to associate myself with the Premier in an expression of pleasure over the announcement that the Federal Government has finally decided to introduce the twelve mile limit. I feel sure Mr. Speaker, that the fishermen in my district are very happy with this news. And I know that the fishermen not only of my district, but of other places in Newfoundland and Labrador - the enforcing of this regulation as suggested by the Premier I think is a good one, because it would be very little use to the fishermen of this Province to have legislation which was not properly enforced.

Mr. Speaker, pollution has become a greater monster than inflation. The disposal of waste should be given priority in our plans for the future. Canadian Society of Zoologists say bluntly, the very survival of mankind is at stake. Perhaps the greatest menace of to all mankind is pollution. In Canada it is a menace from east to west. Canada is a beautiful country, but many of the provinces reek with pollution from end to end. Fish plants dump offal over the ends of the wharves, where it simmers and stews. Stinking pulp mills effluent is dumped into the Pacific and the Atlantic. Scientists say that an exploding population could use up food and oxygen supplies while destroying the water, the forest, the field that produced the food and the oxygen. Dr. Chant a noted scientist says, "the red signs of danger are imminent - algae chokes waters; fish, animals and birds are disappearing; carbon monoxide fills the air from automobiles. Montreal dumps 500 million gallons of raw sewage daily into the St. Lawrence. Many of our salmon rivers

are open sewers. Lake Erie is in a large part dead, and Lake Ontario is dying of waste from the United States and Canada which dumps 1500 lbs. of garbage per persons each year. Four billion cans and 2 million bottles and jars. Cities and towns dump raw sewage into the sea.

Mr. Speaker, we have heard plenty. I am sure, about the effects of pollution from the mill at Long Harbour and its effect on our fish. In my own district at Isle aux Morts, many people suffered the discomforts of belching acid clouds, from the herring reduction plant there. Some had to move their families to other areas for health reasons and we had no legislation to deal with it. I hope this will be remedied. The problem has been corrected somewhat. It is not exactly nice to be living there yet, but it is improved, and it is a lot better in a lot places where.

MR. HICKMAN: Some families had to move out recently, had they not?

MR. HODDER: It has not come to my attention.

Aside from the unpleasant odor, the effects on the people's lives can never be determined. Plants of that kind should never be permitted to establish in our towns and villages without



MR. HODDER: Without making adequate arrangements for the prevention of such discomforts and dangers to the health of our people. Thank God public outcry of our citizens is making progress against the belief that our land, sea, sky, and water are infinitely able to absorb poison in the name of progress.

Groups in every Province are preparing data, holding their own public enquiries, distributing scientific literature to try to make people conscious of the danger which prevails from pollution. The achievement of cleaner air and water must clearly be accorded greater priority in our society. It is certain it will cost Canada large sums of money, but the importance of the goal to the quality of our living is such that the price hopefully will not be begrudged.

The contributors to pollution are many and varied. Municipalities, utilities, public and commercial buildings, schools and hospitals and individuals are frequently bigger offenders than industry, a fact, which the public as a whole has been slow to grasp. There must be evidence of real determination to bring about cleaner air and water which are so vital to our future.

Mr. Speaker, the Federal and Provincial Governments are concerned about the low standard of living in many parts of Canada. Newfoundland is one of the sections where the per capita income is low than any other Province. The Federal Government in February 1969, passed a Bill which subsequently became law. This Bill was introduced to establish the Department of Regional Economic Expansion. It provided for a new approach to regional development. This new department incorporated a number of previously separated development agencies. The purpose of this department is to encourage economic expansion in regions of Canada where the growth of income and the employment has been lagging.

In the formulation of development plans it is required to cooperate with other departments, branches and agencies of the Government of Canada. It is also required to provide for cooperation in the implementation of plans with these departments, branches and agencies, and to carry out these parts of the plan which cannot more appropriately be undertaken. Departments are also required to make provisions in formulating and carrying out plans for cooperation with the Provinces and with individuals, voluntary groups, agencies and bodies in designated areas.

Mr. Speaker: In every country and Province there are at least three groups of people. There are the aged and disabled who are unable to provide for themselves and their families, with a reasonable standard of living. There is the hard-core unemployables. There are those who are living at a low level of income, because they either are unemployed or working at low levels of productivity, but who could if adequate jobs were available, and if sufficiently trained, could be brought out of the poverty class. It is this group Mr. Speaker to which a regional development plan is primarily directed.

Money comes to the Provinces Mr. Speaker, in three forms, from the Federal Government through personal transfers, inter-governmental transfers and development programs. Each is designed for a separate purpose. The personal transfer or transfer to individuals is designed for the first two groups, namely the aged, disabled and the hard-core unemployable, to provide them with a minimum standard of living. The inter-Governmental transfers to the less wealthy Provinces, are intended to permit Government to provide a better level of services, health, roads and bridges. A development program is another matter. Its purpose is to provide productive job opportunities to people in low productive regions which are undeveloped or unemployed and capable of accepting productive jobs. This seems to be the answer because there is less need for transfer of income. This will not only make people in poorer regions less dependent but will raise the national income.

For society as a whole, it must be remembered that concern is with people who can under the right conditions, become fully productive. To deny them this can only mean that the National and Regional income will be less by the amount of their potential output.

The Atlantic Provinces, especially Newfoundland, thus have a higher stake in this program than any other part of the country, in encouraging the the Federal Government to pursue a realistic regional development program.

If the Regional Development Program which is about to be launched is to be a success, there must be elaborate long term preparations which will be shared by the Federal and Provincial Governments. The Federal Government will establish objectives and priorities. The region will have to accept responsibility. There will have to be one total development effort by all parties devoted to the same end. Let us hope that this can be achieved. The policy is good, let us make it a success.

No program of development however well planned, can be a success without a good system of transportation. Our first efforts should be to see that new roads are built where needed and old one upgraded and paved.

Mr. Speaker: The people of Newfoundland and particularly those of Channel-Port aux Basques, are wondering just how far the C.N.R. will go in making changes in transportation of freight or just what they intend doing.

I remember a year or so ago attending a meeting of the Canadian National officials who told the freight handlers of Channel-Port aux Basques that the rail car ferry would bring mainland cars to Port aux Basques. The cars would be placed alongside our local cars and unloaded. This is not so. The cars are shunted off the ferry on wide gauge tracks and transferred to narrow gauge wheels and moved to their own destination. This series of moves involving rail, sea and road has puzzled people. All moves point to the one objective, cutting down cost, loss of jobs for our people, and giving worse and worse service.

Mr. Speaker: The conditions along the south coast were never much to boast about. I am pleased that the Minister of Transport has selected so competent a group of men to study the present system and to make recommendations for better and more efficient service. There is a noted improvement already in the number of boats now operating on the coast. I know that if the Commission's recommendations are implemented the service will be further improved.

Canadian National seems to discriminate against Newfoundlanders wherever and whenever possible. For example, freight destined for the south coast is unloaded and sorted at North Sydney. Why should this be done there? We have the facilities and the freight was purchased by Newfoundlanders. I have been informed by the C.N.R. top officials that if Newfoundland freight were to be unloaded from the cars at Port aux Basques it would further complicate the labour situation in North Sydney. The people of Port aux Basques are sympathetic towards North Sydney, but they cannot see their jobs that rightly belong to them going to others. It is our freight, paid for by Newfoundlanders, and any jobs developing from it should go to Newfoundlanders. I shall do my best to see that Port aux Basques gets the advantage of it.

Mr. Speaker: The supplies for the C.N.R. boats are purchased in North Sydney. The C.N. officials will tell you that they can get them cheaper

This may be the case, but if it is a few cents more in Port aux Basques, it is only the extra freight that could increase the price, and the Canadian National would have the advantage of this. The freight collected on the food across the gulf should be considered in the awarding of contracts. Otherwise Newfoundlanders have no chance in getting a contract against their counterpart North Sydney.

Newfoundland should get all the advantages and benefits which can come from the Canadian National operations under the Newfoundland jurisdiction.

I do not want anyone to think that I am criticizing any of the C.N.R. employees in the Newfoundland area. I know every one of them from the manager to the lowest grade employee is conscious of our problem and the treatment received. I am sure that everyone of them is doing everything possible to make the service as efficient as possible under the rules and regulations which are laid down for them. My quarrel is with the policy makers of the C.N.R.

Mr. Speaker: I was one of a committee of this House who was appointed to study the matters of an Ombudsman for this Province. We studied debates, read books that had been published, and studied the debates in other legislatures. We noted the objections raised and the arguments in favour and we finally concluded that the adoption of an Ombudsman is necessary in a society where Government is becoming big business.

The activities of public administration have become so comprehensive and the powers of bureaucracy is so great that legal status of the individual needs additional protection. There are other suggestions and recommendations in this gracious Speech from the Throne upon which I have not commented. I shall leave these until another occasion.

I am pleased however, that some of the important forecasted suggestions have already been brought to fruition, namely, the negotiations for the refinery at Come by Chance; the liner board mill at Stephenville; the extension of existing industries in Labrador. This is good and should boost our economy and we shall all share in its success.

MR. BARBOUR: Mr. Speaker: I do not propose Sir, to retire the progress of this hon. House, but Sir, I feel it my duty and I would be very remiss if I did not have a word to say in this the Throne Speech debate.

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But Mr. Speaker, before I refer to the debate, I would like first

of all to congratulate the hon. the member for Trinity North mover of the Address in Reply, and the hon. the member for St. Mary's for seconding the Address in Reply.

This forenoon I made it my business Sir, to call the Grace General Hospital to find out how my friend the hon. member for Trinity North was progressing, I am happy to report to this hon. House he is making excellent progress. I would like to congratulate him on the admirable way in which he moved the Address in Reply.

To the hon. member for St. Mary's whose name in St. Mary's is a household word because for many years he was the family practitioner, always at the beck and call of the people when they were sick, gained for himself the name " the great healer of the sick " in that district. I also.....

MR. BARBOUR:

congratulate him on the admirable way in which he seconded the address in reply. Mr. Speaker, I would also like to congratulate the new leader of Her Majesty's Loyal Opposition. I have been a sitting member of this House for eleven years and I think, Sir, he is the fourth leader in my time but I admire his modesty, the quiet way in which he goes about his official duties but I cannot agree with him altogether when he said some time ago that he is not keen on night sessions because he has to work hard all day, coming in to his office, arriving at his office about 8:30 a.m. or 9:00 a.m. or 9:30 a.m. looking after the needs of his district and by the way, Mr. Speaker, he happens to be my member because I live in St. John's Centre. Mr. Speaker, I have news for the hon. leader of Her Majesty's Loyal Opposition. I too work very hard from early morning till late at night and my telephone is always ready for me to receive calls from the people of my district and with the finding of the occasional job and the answering of my correspondence, and I receive many letters, I do, Sir, work just as hard as the hon. the leader of Her Majesty's Loyal Opposition.

I have more news for the Tory Party on that side of the House. Mr. Speaker, does the House realize there are seven sitting members from Bonavista Bay in this hon. House, so you had better watch out because whenever we want to take over the Loyal Opposition there are seven of us against five and we could very well do it.

MR. ROBERTS: The hon. member will agree that nobody in his right mind would sit with the Loyal Opposition.

MR. BARBOUR: We would not. We would rather be on this side.

Now where do the hon members come from in Bonavista Bay? To start with the hon. the Premier, Gambo that is in Bonavista North.

MR. HICKMAN: Was the hon. gentleman born and raised or just born there?

MR. BARBOUR: He was born there so he is a native son of Bonavista North. You cannot deny that, I understand that he might have been christened somewhere else, someone said Elliston, but nevertheless he first saw the light of day in Gambo.

MR. HICKMAN: and tradition that a man is born and raised in Pound Cove, as I think the hon. gentleman was, or born and raised in Merasheen as the hon. colleague next to him. It all goes together, does it not? You agree that it is both the same.

MR. SMALLWOOD: Are you a Grand Banker or St. John's?

MR. HICKMAN: I was born and raised in Grand Bank and I am proud of it. If you do not know it by now you have not been listening.

MR. BARBOUR: Mr. Speaker, that is number one. The second hon. member from Bonavista Bay was born in Kings Cove, the member for Ferryland district, I am sure he lived there for awhile. The hon. member for Trinity North was born in Salvage and in Salvage the very house where he was born and where he lived in his boyhood days is now a museum and I would, do not laugh, do not laugh, if you go into the Eastport Peninsula take time out, go into Salvage and see this museum, see the historic antiques that are there, sign the honour role, be shown around and I am sure you will learn something.

Then there is the hon. Minister for Labrador Affairs, born at Wesleyville, he is, of course, the member for Labrador North and the hon. the Minister without Portfolio, Labrador South, also born at Wesleyville and then there is the hon. member for Hermitage who was born and lived for awhile in Greenspoud.

MR. HICKMAN: Twelve years.

MR. BARBOUR: Twelve years.

MR. HICKMAN: Why will he not let his hon. gentleman go back and run in Bonavista Bay.

MR. BARBOUR: And, Mr. Speaker, yours truly, the one and only was born at Newtown, also in Bonavista Bay.

MR MURPHY: It behoves us to have a national shrine.

MR BARBOUR: It could be. It could be. But we set a precedent because there is no other district, there is no other bay that has so many sitting members in it as Bonavista Bay.

MR MURPHY: Oh, be careful!

MR HICKMAN: Bonavista is a good bay.

MR HICKMAN: The hon. Minister of Education, he did not get that suntan in Bonavista Bay.

MR BARBOUR: Mr. Speaker, it gives me much personal satisfaction to learn from the hon. the Minister of Provincial Affairs that negotiations for obtaining the historic lighthouse are proving successful and the Provincial Government intends to convert this building, this lighthouse, at Cape Bonavista also

MR. BARBOUR:

into a museum.

MR. HICKMAN: Would the hon. gentleman tell the House about the other museum in Bonavista, the Barbour Room? The Barbour Room, is that museum still -

MR. BARBOUR: The Barbour Room is there in good standing and when the hon. the Premier went down in a successful campaign he stayed there overnight.

MR. HICKMAN: That is what happened to him, how do we know.

MR. BARBOUR: The Barbour Room is very, very attractive and is well known to the people from all over the island and from all over Europe.

MR. MURPHY: The hon. Mr. Barbour slept here.

MR. BARBOUR: Mr. Speaker, I have other good news. I understand that the statue of John Cabot is in the process of being molded and when it is finished it is the people's wish and my wish that it will be erected at Cabot's Landfall, Bonavista. Mr. Speaker, I have here in my hand the throne speech and I know, Sir, there are many important topics in that which have already been referred to especially by my hon. friend, the hon. member for Trinity South. So without further ado I think it is not necessary for me to continue along these lines referring to the throne speech. Such things though were referred to as the minimum wage economic development, the proposed conference to chart Newfoundland's economic feature and, of course, one very important industry, the fisheries. Therefore, Mr. Speaker, it is not necessary for me to say more already along these lines.

Mr. Speaker, for twenty-one years now, Sir, the people of this Province have given the Premier a great vote of confidence to carry on the people's business. We have had six elections since 1949 and we have won every one of them with great majority and in my opinion, in my opinion, one of the greatest victories of all was the victory of the Leadership Convention on November 1st, 1969 when the Premier received 1,070 votes out of a possible 1,600 or 1,700. Once again the voice of the people spoke, "We are not tired of him after twenty-one years" and it is the wish of the people of this Province that he will continue. Well there are more Liberals than there are Tories and if my hon. friend thinks they are coming on this side and we are going over there I have news for him, it is going to be a long, long time to come.

Mr. Speaker, I would like to speak for a moment, if I may, concerning the



MR. BARBOUR:

lack of communications in the world today as I see them. Mr. Speaker, I think if the nations of the world would have diplomats who would sit down around the conference table and iron out their differences of opinion and come to some kind of agreement, we would not have the massacre, we would not have the bloodshed, we would not have the wars that we are having today. Then, Mr. Speaker, there is the lack of communications between labour and management. I would like to see the officials of management and of labour sit down together and iron out their differences, if they did we would not have so many strikes as we are having.

Mr. Speaker, it is now 6:00 o'clock, and I move the adjournment of the debate.

MR CURTIS: I move, Mr. Speaker, that the House do now adjourn. until Monday, April 13, 1970 at 3:00 P.M.

On motion the House at its rising adjourned until tomorrow, Monday, April 13, 1970, at 3:00 P.M.