

PRELIMINARY
UNEDITED
TRANSCRIPT

HOUSE OF ASSEMBLY
FOR THE PERIOD:
2:00 - 6:00 p.m.
WEDNESDAY, MAY 10, 1978

The House met at 2:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please!

I would like to welcome to the House of Assembly on behalf of hon. members a number of high school students from Holy Cross Central High School in Eastport and they are accompanied by a number of their teachers and parents. I know hon. members join me in welcoming these students, their teachers and parents to the House of Assembly.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for Terra Noya.

MR. T. LUSH: Mr. Speaker, I beg leave of the House to present a petition on behalf of a delegation from Eastport. Arrangements were made for -

MR. PECKFORD: Point of order, Mr. Speaker.

MR. SPEAKER: Point of order has risen.

MR. PECKFORD: As I understand it the - as I assumed the order to go today is that because of the problems yesterday and the question of privilege raised by the Leader of the Opposition and our agreement to using today that the normal practice is for the Orders of the Day to be dispensed with and that you get automatically into the question at hand.

MR. NEARY: Would the member explain what he is trying to do?

MR. SPEAKER: Order, please! Order, please!

There is no doubt because of the nature of the motion before the House today that immediate precedence is given to that motion and the routine orders are not called. The hon. member, as I understand, is asking for leave to present a petition. There has to be unanimous consent; if not, we go into the motion. So I need to do that.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: The hon. Leader of the Opposition.

MR. W.N. ROWE: Mr. Speaker, since I have made the motion and so on, I do not - we can agree on this side, if the members on the other side will agree, for the hon. member to present his petition. As I understand it, Sir, speaking to the hon. member, he made a commitment to a certain group who are here in the building today for the event to present this petition today which he thought was going to be Private Members' Day. If any individual member here decides not to allow it, Sir, that is the end of it, but I would not mind five or ten minutes postponement of my particular motion for that purpose.

MR. NEARY: A speaker on each side.

MR. W.N. ROWE: A couple of speakers, Sir, and that will be the end of it. But as I say, if any individual member feels aggrieved by that he can always say no. For our part I think we are in agreement with it.

MR. SPEAKER: What I need to know is whether there unanimous consent.

MR. PECKFORD: Fine. I can clear this up very quickly. There is not agreement on this side to allow the hon. member to proceed with the petition.

MR. SPEAKER: There is or is not?

MR. PECKFORD: There is not.

MR. SPEAKER: Is not, . . .

SOME HON. MEMBERS: Shame!

MR. SPEAKER: Order, please!

The motion before the House is the motion moved last night by the hon. Leader of the Opposition.

The hon. Leader of the Opposition.

SOME HON. MEMBERS: Hear, hear!

MR. W.N. ROWE: Mr. Speaker, it is too bad the hon.

MR. W.N. ROWE: member was not able to present his petition for the sake of five or ten minutes since a group apparently had come in for the very purpose, as I explained to the House.

SOME HON. MEMBERS: Oh, oh!

MR. W.N. ROWE: But that is as it is, Mr. Speaker, it was not any individual member because apparently the Acting House Leader is speaking on behalf of all the members on the other side. So that is a shame but there it is.

AN HON. MEMBER: There they are.

MR. W.N. ROWE: Mr. Speaker, yesterday was what I consider to be a historic occasion in this House. The hon. Speaker of the House of Assembly handed down a ruling. The ruling was given in response to my motion or my notice of motion, my point of privilege with a notice of motion to the effect that the hon. the Premier, aided and abetted by a minister or other ministers, had deliberately misled the hon. House in connection with questions asked him over the last three years concerning a government building to be built on behalf of the government by a third party outside the government.

The Speaker, Sir, Your Honour had to decide whether in your judgement the rights and privileges of the House of Assembly, and each of us here in this House as individual MHAs were so involved, if the rights and privileges of the House were so involved, Sir, to justify Your Honour the Speaker in giving this whole matter precedence, priority, over everything else before the House—all orders, all motions, all bills, the Standing Orders, the ordinary routine Orders of the Day, Sir, whether the matter which I had raised involved the

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MR. W.N. ROWE: privileges of this House to such an extent that Your Honour in your judgement should decide to give it precedence over everything else. And, Sir, Your Honour so decided after several hours of consideration and deliberation. You, decided that in your judgement this case which I had raised, the matter which I had presented in the House with documentary evidence and argument, this matter argued on both sides of the House, Sir, this matter of privilege was entitled to precedence, was entitled to priority over everything else before the House of Assembly.

MR. W. N. ROWE:

And, Sir, I do not know if that decision by Your Honour is unprecedented or not in this hon. House. I believe it may be. Your Honour referred to certain rulings and certain statements made by Speakers elsewhere - in Ottawa - and Your Honour made a ruling which may be unprecedented in this House, a ruling on a point of privilege by an Opposition member involving the privileges of the House alleging that the Premier had seriously misled the House and deliberately misled the House. And Your Honour decided that a prima facie point of privilege existed, that in your judgement the privileges of the House were so involved that we should have this debate - that there was a prima facie case established - and, Sir, I made my motion. And I do not know, Sir, whether it is unprecedented or not. There are rules and there are theories covering it, but this may be the first time in this hon. House that, in actual fact, a ruling to that exact effect was made by a Speaker occupying that Chair. Mr. Speaker, that in itself is important and noteworthy and should be recognized and realized by all members of this House and by all members of the media and all members of the public who are concerned with this matter.

I rose yesterday, Sir, and I submitted that there had been deception and there had been a misleading of the members of this House in a systematic way, in a continuous and deliberate way beginning in the first session of this House following the general election of 1975, the first session of the House which I believe was in the Spring of 1976, and that the misleading and the deliberate deception continued on into the session of 1977 and that it culminated in this present session of the House in remarks made by the Premier two days ago, I believe,

MR. W. N. ROWE: in answer to questions as to whether there were any deals, arrangements or agreements with anybody to build an office building for the government. And, Sir, to substantiate my case, I quoted certain matters from Hansard over the past three years. I went into it in some detail, Sir - I did not quote everything that had been contained in Hansard - I picked out several of the more blatant examples, and, Sir, I then summed it up with, I believe, two or three or three or four examples to which I will refer briefly now. One of them was on June 3, 1976 where my hon. friend and colleague, then the Leader of the Opposition, the member for the Straits of Belle Isle (Mr. Roberts) asked the question of the Minister of Public Works concerning the building of an office building, and the Minister of Public Works then, referred to as Dr. Farrell in the Hansard, stated that "A decision has not been made, and when it is made I will be announcing it to the House." This Sir, some seven or eight months after an agreement had been signed by that same hon. gentleman, witnessed by the Premier according to the documentation I have tabled, and Sir, by a Cabinet directive made on August 18, 1975. That, Sir, I submit, misled this hon. House. And I submit, Sir, since the hon. minister involved was the very one who signed the document, that it was a deliberate misleading of this hon. House, and that is why I have asked that a Committee of the Whole of the House be set up in order to inquire into the serious allegations that I am making, and these allegations which I believe sincerely and in all honesty are borne out by the Hansard references and by the agreement and the Order in Council - or the Cabinet directive, I should say - which was tabled here yesterday.

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MR. W. N. ROWE: Another example, Sir, on
March 28, 1977 when my friend, the member for LaPoile
district asked a minister, a new minister of Public
Works then, referred to in the Hansard as Mr. Rousseau -

MR. NEARY: Hear, hear!

MR. W. ROWE: Mr. Neary, the member for LaPoile, asked the minister a question regarding the task force report on the building of office space for the government, And he went on to say, this is on March 28, 1977, "Can the minister assure the House then that in the interim period while the minister is waiting for this report that if office space is required that public tenders will be called for such office space and that the award will go to the lowest bidder? Can the minister assure the House that that will be the procedure?" And the minister said "Yes, the minister can assure the hon. member". Maybe they are weasel words, I do not know; maybe the words are to be taken absolutely literally, "Yes, I can assure him" without meaning what was being said behind the words. Well, Sir, I take that to be if this minister knew, if he knew of the existence of this agreement and the Cabinet directive which I tabled yesterday, and I submit, Sir, he knew or should have known - if he did not know then there are some more serious questions to be asked by this Committee of the Whole House - if he did not know that is a serious enough situation in itself. But if he knew, Sir, then I would submit that he deliberately misled my hon. colleague the member for LaPoile (Mr. Neary) district in answer to that question.

On June 2, 1977 a question was asked by my friend, the member for LaPoile (Mr. Neary) district, referred to in Hansard as Mr. Neary. "Could the hon. the Premier " he asked, "assure the House that no deals, no commitments have been made to private developers to rent office space either on a short-term basis or a long-term basis until the government has the report in its hands and decides what the future is going to be as far as government new buildings or office space is concerned?" And the Premier of the Province, Sir, in answer to that question, in the light of the knowledge which he had to have having signed or witnessed a document signed a year and a half or so before that, with no proof of that document ever

MR. W. ROWE: having been rescinded by a deed, for example, from the third party concerned, and no evidence that the Cabinet itself ever rescinded it, formally or otherwise, the Premier answered that question of my hon. friend, "Can the Premier assure the House that no deals, no commitments have been made to private developers to rent office space" etc. The Premier said "I most certainly can, Mr. Speaker, There have absolutely not been any commitments made to any developer with office space or without."

Now, Sir, if we are taking a reasonable view of this whole situation, reasonable men cannot differ on that fact situation. It was calculated, I submit, Sir, calculated to deceive my hon. member and members of this hon. House. There was no word of explanation, nothing to the effect that, yes, my hon. colleague the Minister of Public Works signed an agreement back in August 18, 1975, a week before the general election, which I witnessed but that has since been rescinded by another agreement from the third party concerned and the Cabinet have all approved it and rescinded the Order-in-Council which was granted at that time. No word of explanation like that, Sir, because, Sir, I would submit no word of explanation could have been given in all truth and honesty. And the fact is that that answer to that question deliberately misled this hon. House of Assembly, a deliberate misleading of the member of the House of Assembly, the highest legislative forum in this Province.

On May 8th, Sir, finally on this matter, the question was asked by the member for Trinity-Bay de Verde (Mr. F. Rowe) regarding the building of office space. A supplementary was asked by the member for LaPoile (Mr. Neary) district if there was any agreement, arrangements or deals made, "Is there an arrangement or an agreement to put up a new building, that is all?" asked the member for LaPoile (Mr. Neary). "Will the Premier just tell me, yes or no is there an arrangement or an agreement to put up a new building?" An arrangement - no talk then, in this particular question, about legal agreements or something approved by the Court and considered to be legally valid.

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MR. W. ROWE: Arrangement or agreement or deal, the word 'deal' was often used, intention was used in some of the questions which were asked of the hon. the Premier.

MR. W. ROWE:

and ministers opposite, and in each case, Sir, the answer came back, no, a bald-faced no; and in this particular case the Premier says, "Mr. Speaker, I have already answered once, Maybe if one of the pages could come I could spell it out for the hon. member. It is just n-o, Sir." And the Premier just wrote on a bit of paper, signed, initialed for my hon. friend the word 'no' in answer to that question. And if that, Sir, is not misleading this House, I do not care what kind of an interpretation are put on the words, if that is not misleading this House within the spirit and the letter of an interpretation of the word "misleading" and deliberately misleading, then, Sir, there is no way that one human being can mislead another human being. It is not possible. And the fact is that it was calculated to mislead and it was calculated to conceal an agreement which had been signed, which had been passed over to the third party concerned, I would submit, which was accompanied by a Cabinet directive, and which that third party considered to be, I would submit, Sir, I certainly have not discussed it with him, I would submit because if I were the third party I would believe it to be a legally binding document, an agreement, an Order-in-Council or Cabinet directive, enforceable in the courts, and not only legally binding but a moral commitment made, a moral commitment made by this government to a third party to go ahead with a proposal contained in the agreement and in the Cabinet document. And if that is not a deal or an arrangement, or an agreement, or an intention, and if anyone in this House can get up and say there have absolutely not been, absolutely not been, not present tense, but a tense of the English language which covers the present and the past, Mr. Speaker, there have absolutely not been any agreements with anybody, any developer, to build an office building or to rent office space.

Sir, if that is not calculated to deceive and mislead, Sir, nothing uttered by the mouth of man can ever deceive another person. And if that is not obvious to hon. members, Sir,

MR. W. ROWE: then I fear for the future of the Legislature of this Province.

Mr. Speaker, yesterday I tabled two documents. One document was what purported to be an agreement between Her Majesty the Queen in Right of Newfoundland, represented by the Minister of Public Works, and by a third party outside of this hon. House. The agreement was dated 1975. There was no, as I mentioned yesterday, there was no date, day and there was no month attached to the agreement. The amount of space to be rented in the agreement was 408,000 square feet and the length of the term of the lease to be executed in pursuance of the agreement was twenty years, at which time the government could buy it back at \$1.00, the leaseback scheme in other words, Sir, concerning which I will have a word or two to say later in my remarks. The minimum rent, minimum, Sir, the word is chosen and used deliberately, I would submit, the minimum rent is expressed to be \$8.35 per square foot. As I mentioned yesterday, all expenses of any kind whatsoever were to be paid for by the government, the lessee, and the future owner of the building. They were not to be the responsibility of the developer.

As I mentioned yesterday, Sir, that meant that the developer would make a net revenue, not a net profit, a net revenue of \$3,406,800 to be exact, per year, somewhere around \$3.5 million a year for twenty years. And over the twenty years of the lease

MR. W. ROWE: which would be executed pursuant to the agreement, the developer would receive \$68 million and some odd dollars as well, nearly \$70 million of public funds. Just to put it in perspective, Sir, if this building were to be valued at \$20 million for example, or built for \$20 million, and that was the amount that had to be borrowed and invested in order to construct that building, and if you take over the twenty year period \$1 million per year out to pay back the capital and if you take out another \$1 million to \$1.5 million, \$1.5 million would certainly be the outside limit, to pay the interest payable on the capital, then you have total expenses of \$2.5 million involving the repayment of capital and interest in respect of that lease, \$2.5 million per year, at the outside, which means, Sir, that the owner of that building and the owner of that lease, whether it was the original developer or somebody taking title to the documents under him, would have a net profit every year before taxes of \$1 million.

MR. SPEAKER: Order, please!

I have to draw to the attention of people that notes may not be taken in the galleries. The press gallery are the only people who may do that.

The hon. member for Twillingate.

MR. W. ROWE: Which would mean, Sir, that a developer owning the building, or somebody buying or getting the building from him, or having the rights to it, would make \$20 million over the twenty year period in net profits. That is what it means, Sir, reduced to its simplest possible basics. Now remember, Sir, that these are referred to in the agreement as minimum rental figures.

Now, Sir, let me say a note, let me make

Mr. W. Rowe: a note, or have a note in passing concerning the third party concerned in this agreement.

I would not like to see, Sir, for one moment anybody trying to drag a red herring over these proceedings, and try to attempt or attempt to persuade people publicly or privately that I am in any way criticizing the developer or the third party concerned in this matter. I am not, Sir, this gentleman and other gentlemen like him in this Province, we all know their names - Lundrigan's and Andrew Crosbie and perhaps Brown there with Seabord and others like them, Sir, developers and construction men, men involved in building up this Province, are a part of the life's blood of the industry of this Province. And, Sir, they continuously put in proposals to governments, Provincial and Federal and Municipal, and they are trying to make a buck, and the bigger dollar they make the happier they are. I wish sometimes I was in their position, Mr. Speaker; sometimes I do not, when they lose money as is often the case - it is a very risky business. They are entitled to make proposals to governments, and I am not criticizing them for making proposals to governments.

My criticisms, Sir, are not directed toward that gentleman or any other gentlemen involved in this. The criticisms involved in this particular case, Sir, should not be diluted. They should be concentrated and directed. And they are in my case concentrated and directed, and they are directed at the hon. the Premier of this Province and any ministers who aided and abetted him in this particular scheme. Because, Sir, they are the ones - not the developer - the Premier and his colleagues, and members of this House are the ones who are elected by the people of this Province to protect the people's interest, not developers' interests or their own interests, the people's interest. And that is who I am criticizing, Sir. And when I spell out in detail the nature of this agreement which was entered into by the Minister of Industrial Development, signed, witnessed by the Premier - which in itself, I would suggest, Sir, is unprecedented in the annals of agreements signed between the government and any outside third party when I criticize this agreement I am criticizing the government of this Province for allowing such

Mr. W. Rowe: a lucrative deal to take place to begin with and, once having signed the deal, once having signed the agreement to cover it up, to keep it secret, to refuse to answer truthfully questions directed to the Premier and his colleagues on the matter. That is what I am talking about. That is the criticism. This whole case we are involved in now, Sir, revolves around not how much money necessarily a developer is going to make, although that is an interesting point peripherally in it. The point is that there was a misleading statement or a series of misleading statements and a deliberate attempt to mislead for three years continuously this hon. House on an agreement, an arrangement, a deal—call it what you will—that the Premier knew existed and deliberately misled this hon. House about.

The other document I tabled yesterday, Mr. Speaker, purports to be a Cabinet directive and I have seen many of those in my time, and I would say that it is a true copy as expressed in the document, it is a true copy of a Cabinet directive. The only problem with a Cabinet directive or a Cabinet, Sir, is that Cabinet directives can in fact be made, Cabinet meetings can be held—and there is no particular quorum of Cabinet required. It is possible for two or three members of an administration to get in and hold a Cabinet meeting and have a directive signed, and for other members of the Cabinet to be kept in the dark about it at that particular time, and unless the document is circulated, a Cabinet directive and unless the ministers themselves make direct enquiries about it they can in fact be kept in the dark. And that may be the case in this particular instance, I do not know. We will probably find out particularly if we have this Committee, Sir, which I hope members will vote for—so we can get to the root of this, that may have been the case in this particular instance. There may have been an effort made to dupe colleagues in a government.

AN HON. MEMBER: Two or three could make the decision?

MR. W. ROWE: Two or three could make that decision, yes, and they could have a Cabinet directive signed and then the only recourse, of

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Mr. W. Rowe: course, is the outrage, the morale outrage of the
colleagues who were so deceived or so duped.

Now, Mr. Speaker, -

AN HON. MEMBER: (Inaudible).

MR. NEARY: You will not keep him quiet, 'Frank'.

MR. W. ROWE: Now, Mr. Speaker, the record will show as I
indicated yesterday that the Cabinet meeting so-called was held

MR. W.N. ROWE: one week before the general election was called on August 25, 1975. One week before the general election was called, which may strike some as a coincidence. It strikes me as again, once more a part of the general scheme of events taking place at that particular time. And, Sir, it seems to me to be an integral part of the whole cover-up scheme and the whole misleading attempt made to keep it secret and not to let it be exposed to the light of day because of its embarrassment. And I will deal with that particular matter in a little while, as to why it would exist in the first place.

The Cabinet directive, Sir, which says, as I mentioned yesterday, ordered that the following proposals submitted by Mr. Craig L. Dobbin, St. John's, with regard to the construction of an office complex for the government situate immediately West of Confederation Building, "Be and they are hereby approved in principle subject to the submission to Cabinet of satisfactory plans and specifications based upon analysis of the project by the Department of Public Works," a department, by the way, Sir, headed up by the same minister who signed the agreement, apparently, in secrecy.

And that, Sir, I would submit as a former member of a Cabinet and as a lawyer, is a binding commitment unless recinded, and certainly a binding commitment if based on a proposal or an agreement already signed by the government, which is the case in this particular instance. That, Sir, is a binding commitment. And the fact that something may have to be referred back to Cabinet - we have already discussed what Cabinet can consist of in any particular instance. The fact that plans and specifications based upon analysis of the project by the Department of Public Works

MR. W.N. ROWE: headed by the very minister who has already signed the agreement - the fact that plans had to be referred back to Cabinet for formal approval, Sir, is totally irrelevant. The commitment is there, a commitment in principle, a commitment based upon proposals contained in an agreement. Because the Cabinet directive then goes on to approve all the points, Mr. Speaker - Your Honour has had an opportunity to read that document that I tabled yesterday, a copy of the agreement and the directive - the directive approves all the points in substance, and in detail in some cases, all the points which are found to be in the agreement itself. And as I said yesterday, the copy of the Cabinet directive is signed by the - or the Cabinet directive of which I have a copy is signed by Mr. J.G. Channing, Secretary of the Cabinet, a signature, Sir, which I have seen hundreds of times on similar, or on Cabinet documents. And, Sir, it is possible it is a forgery but I am certainly not presuming that, I assume that it is a valid signature. Somebody, I suppose, could have forged it in an expert way but I doubt that very much. I would assume that it is a valid signature on a valid Cabinet document attached to a valid agreement which affected the rights of third parties who were parties to that agreement.

And I had the documents checked out myself, Sir. I have had some lawyers look at it, friends of mine, nobody closely associated with me, and I have looked at it myself, and the legal advice which I have received and which I believe myself to be the correct case is that these documents, the agreement backed by the Cabinet directive are legally binding and are enforceable against the government in court.

Now, Sir, that is not to say that I can say with 100 per cent assurance, or 80 per cent assurance, or 70 per cent assurance

MR. W.N. ROWE: that the court would, in fact, rule that they are binding. Nobody knows when he goes to court, as any person who has gone to court knows, what kind of a decision you are going to get, you can only go by the best legal advice available. But it is my feeling that these documents are legally binding. In other words, they are very valuable documents worth, as I said yesterday, millions of dollars, not in public money as somebody said - or the Premier said yesterday that I was talking about public money having been wasted or spent, what I am talking about is that these documents are worth millions of dollars in the hands of the developer or anyone purchasing his rights from him, millions of dollars to the extent that these rights could be enforced legally against the government.

 And if the Premier thinks that any third party, a developer unilaterally recinded, or he thinks he is going to persuade me or members of this House that any third party unilaterally, without a quid pro quo, without some good consideration, without something else in return, unilaterally recinded that agreement, that binding document well, Sir, then he is going to have to take his specious arguments elsewhere. Because I say here now that nobody interested in making a profit with valuable documents, especially anybody who has maybe spent money

MR. W. ROWE: on the basis of them, either trying to raise money or trying to get together proposals and trying to get together specs and architectural designs, probably to the tune of several hundred thousand dollars, based on these documents, nobody, Sir, would unilaterally give up his legal rights without some quid pro quo or some good and valuable consideration in return.

The point has been raised by the Premier that the documents are not valid, legal documents because they do not contain a seal, and there is no date on the document, and therefore they are not legally binding. Sir, if a client came to me when I was practicing law and said to me, "I signed this document but I was really cute and tricky, there was no seal on it. My signature is there but there is no seal on it and there is no date at the top of the agreement, therefore I am so cute and tricky I am off the hook, right?" I would look at him, Sir, and I would say, "Wrong! In your cuteness and your trickiness you did not get out of legal responsibility under that document." The fact of the matter is that this agreement, Mr. Speaker, is either a valuable, legally enforceable agreement in itself or is a memorandum of agreement under the statute of frauds, the legislation of this Province, which anyone could bring to court and have the court themselves do what is called "specifically enforce" the agreement. And that is the advice I would give anyone, Sir, who brought this to me as a lawyer. I would also tell him that "there is a chance if you were sued in court, there is a chance the court would throw it out for some reason. But I would not bet on it and I certainly would not ask you to put good money after bad in an effort to try to weasle out of an agreement, especially in a court action, because the chances are you were on the hook legally and you would be bound by it."

Now the Premier may come into the House of Assembly for all I know and tell me he has got legal advice to the contrary, if somebody tells him the document is not legally binding, that there is

MR. W. ROWE: only a sixty - forty chance of being made liable under this agreement if you went to court, or maybe an eighty - twenty chance or something like that. He might do that. He might bring in a legal opinion and table it in the House. He might get the Chief Justice of Canada to give a legal opinion that he can lay on the table of the House. He could go to that extent. But, Sir, that would be totally irrelevant, because the very least you can say about this document is that it was intended to be an arrangement, or a deal, or an agreement of some sort. It was intended by the parties concerned, namely the Minister of Industrial Development representing the government, witnessed by the Premier of the Province, and the third party, it was intended to be an arrangement or a deal or an agreement of some sort whether it turns out twenty years down the road to be legally binding in a court or not is irrelevant. It was intended to be an agreement or an arrangement, or a deal, or an intention on the part of the government and this third party to erect an office building in return for the payments referred to in the agreement. And the Premier of this Province, Sir, denied in this House to members of the House of Assembly, when questions were asked of him, he denied the existence of any agreement, any arrangement, any deal, any intention of putting up an office building by entering into a deal or an arrangement with a third party. And to try to come into this House and to drag a red herring over it to the extent that, Oh, there is no seal on this document! I would like to see some leases entered into by the Government of Newfoundland with other people to see if they all have seals on them. I would like to see some agreements entered into by the government which the government has considered binding and see if there is any seal on them, or if in every case there is a date on them.

 Sure you can go down to the Registry of Deeds and every second deed you come across has no date on it; the day is left out or the day and month is left out. If I thought for one moment,

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MR. W. ROWE: or if people who own millions of dollars worth of property throughout this city thought for one moment that their deeds were not legally enforceable or valuable because of that defect, purely formal defect, Sir, if they thought that there would be an uprising in the Province, It is just a specious red herring signifying nothing.

MR. W. N. ROWE: And the fact that it may or may not be legally binding after it goes to three or four courts in the land up to the Supreme Court of Canada is irrelevant. And the fact that the Premier might be able to find a legal opinion from some lawyer somewhere that he did not think that on the balance of probabilities it is binding, or even if he came out and said it is not binding, the fact that that opinion may or may not be tabled in this House or given by the Premier is totally irrelevant, Sir, because the Premier knows and his colleagues know and the developer knows and everyone who acted on behalf of the developer, I would submit, financially anywhere in this Province or up on the Mainland of Canada or the United States, they all know and I know and every member of this House knows that the intention was to enter into a deal or an arrangement or an agreement between the government and this developer to put up an office building and that is what was denied, and that is where this House was deliberately deceived and misled by the Premier of this Province in a continuous, systematic, calculated way over the past three years. I know that, Mr. Speaker, Your Honour knows it and everyone in this House knows it.

Now, Mr. Speaker, yesterday the Premier of the Province got up and made a statement. It was the usual type of statement which we have grown to expect from the Premier in answer to legitimate allegations and statements made in this House. When I said that I had been sick at heart at having to bring up this matter at all to begin with, we had the Premier reply in a statesmanlike fashion, "I notice the hon. member is sick and I hope he does not throw up over the member for LaPoile."

SOME HON. MEMBERS: Oh, oh!

MR. W. N. ROWE: Is that not great stuff, Sir?
It is great stuff. I hope there were no school children in the gallery at the time. That is the witty, statesman-like Premier of the Province we have here, Sir.

AN HON. MEMBER: Shame! (Inaudible)

MR. W. N. ROWE: And then he went on to say he had never heard such unadulterated nonsense or half-truths and he continued on with a ranting type of statement, very difficult to read in Hansard, but the substance of it does emerge after close study - "the Opposition are using the art of innuendo and smear through half-truths, in my opinion again. They seem these days, Sir, to be the mouthpiece either a fugitive from justice" which seems to be the bete noire -

MR. NEARY: The whipping boy.

MR. W. N. ROWE: - the bee in the bonnet of the Premier these days, Sir. Ask the Premier is he suggesting that Mr. Doyle, the so-called fugitive from justice, is involved somehow in this case? Is that what the Premier is alleging? Is he alleging that the third party involved in the case has a connection, unsavoury or otherwise, with this Mr. Doyle down in Panama? Nobody suggested it yesterday. The Premier dragged the great red herring across the piece again, Sir, where he goes on to say, "In this case I would suspect a thief or someone close to it, because, Sir, how could they get an Order in Council unless some despicable character broke his Oath of Secrecy, which is obviously the case?" Mr. Speaker, I would submit, Sir -

AN HON. MEMBER: (Inaudible)

MR. W. N. ROWE: Well, I mean, if in his desperation he is accusing his own colleagues of somehow leaking out this Cabinet directive, Sir, then so be it. But let the Premier make a statement to that effect. I would like to see if he believes that his colleagues cannot keep things

MR. W. N. ROWE: secret in the government.
But, Sir, I would submit that that is not the case.
I am not going to accuse his colleagues of anything
like that, breaking their Oath of Secrecy. I would
suggest, Sir, that there are at least four to a half
dozen or more of these Orders-in-Council or Cabinet
directives and agreements scattered around in Newfoundland
or outside this Province for various purposes. I would
submit, Sir, the developer who is involved in this
particular case probably carries one around with him
in his own hip pocket -

MR. NEARY: See the reference I made there a
few days ago.

MR. W. N. ROWE: - as my friend from LaPoile said.
I would say, Sir, that if anyone was involved in getting
legal opinions on the Mainland or raising money on the
Mainland or here or anywhere like that, there were copies
of that available, otherwise, Sir, what is the purpose of
them? And for the Premier to stand up, Sir, and to allege
something scurrilous on behalf of his own colleagues,
is not in keeping, I would not suggest, with leadership of a
government.

 And he goes on to say, Sir,
"Secondly, how could the agreements be passed on of this
nature unless the same thing occurred or unless a lawyer
broke his lawyer/client relationship or unless a partner
of that lawyer went next-door and dipped into the files of
that particular person or

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Tape No. 2075

AH-1

MR. W. ROWE:

unless a thief stole it? Mr. Speaker, I do not know what the Premier was getting at but I wish he would say what he is getting at, this hon. gentleman who deplores innuendos and half-truths. Mr. Speaker, the despicable display on the part of a statesman or a purported statesman in this Province - and let me say this, Sir, no lawyer in this Province, no lawyer in this Province gave me any information in connection with this or any document in connection with this. The Premier goes on, Sir, to say, "I have had a little forwarding on this because there are members in the Opposition who are more concerned about the truth and presenting the facts than just publicity in this House and we are very thankful for those people at this time."

Now, Mr. Speaker, the great defender against innuendo and half-truths and so on! I know, Sir, that nobody in the caucus that I have the honour to belong to leaked about this matter.

MR. NEARY: Or tipped him off.

MR. W. ROWE: Or tipped the Premier off. I do not know, Sir. If the Premier knows something different I wish he would name some names, A dastardly accusation!

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: Another misleading statement.

MR. W. ROWE: Coming into this House, Sir, and trying to smear twenty members in this hon. House with dishonesty or breaking secrets of caucus or disloyalty to their own colleagues and so on - a great defender of truth, the great fighter against innuendo. I know, Sir, that there is no leak in my caucus if only from the fact that it was the Premier himself who said there was. That is evidence enough to me that there is no leak, Sir, in the Liberal caucus of this Province. Further, Sir, I would suggest that the Premier who, if he is known for anything he is known for being - how would I say -

MR. W. ROWE: cute, cunning is a word that perhaps maybe thrown in there, slippery, a little bit slippery when it comes to politics. If the Premier had any leak in my caucus, Mr. Speaker, he would not be coming in and divulging it to this hon. House. He would be protecting it as a sacred source of information.

 The fact of the matter is, Sir, and let there be no mistake about this, I discussed this matter far and wide before raising it in this House.

MR. SIMMONS: No better than the sources on Randy Simms' ticket.

MR. W. ROWE: I discussed it with many people - yes, the sources on Randy Simms' tickets were about probably the sources of the Premier's information, where he had to get up and apologize to this House for slandering a member of the press. I discussed this matter with many people, Sir, before raising it in this House. I discussed it with people before I came into possession of the document, I even called up a number of the Premier's former colleagues to mention facts to them, I mentioned it indirectly to a couple of members of the press. I had no desire whatsoever, Mr. Speaker, to hide this question or the fact that I was digging into it. My hon. friends had raised the matter the day before in the House, and I had indicated to a great number of people that I thought documents existed and that I thought that the documents might come to me from a source outside the Province in due course, and they did come, Sir. I had no desire to catch the Premier of the Province unprepared, I was only interested, Sir, in getting the matter out on the table of the House, getting the truth of the matter out that the Premier had concealed and covered up for three years, no interest, Sir, in trying to score cheap political points by trickery. If the Premier had some logical, sensible, rational explanation of why he would cover up this situation for three solid years and deceive members of this House, then I am interested in hearing that. If he is prepared and can knock me down on the matter, I am interested in that as well. No desire to be in this House or to gain

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Tape No. 2075

AH-3

MR. W. ROWE:

the government with my colleagues by
trickery or by something close to trickery, Mr. Speaker.

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Tape 2076

DW - 1

MR. W.N. ROWE:

So let us give rid of this notion about caucus leaks and the Premier being prepared and the Premier pulling a good stunt and all that kind of thing, Mr. Speaker. I could not care less because it is only the truth of the matter which should be of any interest to us or the members of the Press, and I am sure that that is being and has been established.

The Premier, Mr. Speaker, carried on with his remarks and mentioned about some deals or some proposals which have been made in a similar vein by other people, I think he mentioned Atlantic Place or the owners thereof, he mentioned Trizec and so on, and he tabled on the table of this House a number of proposals and documents which he used in my opinion honestly expressed here today, which he used to try to cover up the kernel, the genuine nature of the documents which I had tabled here. He tabled in this House, Sir, as a reading of Hansard will show, a number of documents and if Your Honour has had the opportunity to go through these documents he will see that not one of the documents tabled by the Premier bears the signature of anybody connected with the government.

SOME HON. MEMBERS: Hear, hear!

MR. W.N. ROWE: And to come into this House and try to pretend to me and the other members of this House that this document which I signed bearing the signature - which I tabled bearing the signatures of a third party, the Premier, a Minister of Public Works at the time is in some way similar to a few proposals flung in at the government by some developers is in itself, Sir, a misleading of this hon. House.

SOME HON. MEMBERS: Hear, hear!

MR. W.N. ROWE: The whole thing is of the same piece, Mr. Speaker, there is a desire, an incredibly desperate desire to conceal, to cover this up, to try to obfuscate-as Mr. Crosby would say if he were here, I am sure-to try to by design to try to muddle this matter up and try to conceal from the people of this Province and the members of this House on both sides the true nature of the arrangement and the agreement which was signed by the government and the outside party.

On this Trizec thing, Mr. Speaker, by the way, I was not in the House at the time, Mr. Speaker, and I have not done any research in the Hansards but if I remember correctly were there not questions asked of the Premier -

MR. S. NEARY: That is exactly right. That is right.

MR. W.N. ROWE: - if there was anything -

MR. S. NEARY: Trizec. Any proposals.

MR. W.N. ROWE: - any proposals or agreements or intentions or deals or arrangements made with Trizec -

MR. S. NEARY: He kept denying it.

MR. W.N. ROWE: - and the Premier, if I remember correctly-I will have to check Hansard on it, Sir -

MR. S. NEARY: No, you are right.

MR. W.N. ROWE: - the Premier denied that as well. And yesterday, in an effort to show he did not mislead the House with regard to the Dobbin deal, tables in the House documents which he says are similar which show that he was misleading the House of Assembly when he asked questions about Trizec over the past two or three years. Now, Mr. Speaker, what would you call that?

MR. S. NEARY: What would you call that?

MR. W.N. ROWE: An agreement to rent. It is not signed, it is a draft agreement.

MR. S. NEARY: We asked if there were any proposals.

MR. W.N. ROWE: There is, I believe, an Order in Council, if I looked through the documents very carefully, which covers this which says that the minister has authority. But the Premier denied this time and time again. I have never heard the like, Mr. Speaker, the brazenness of it to try to defend against allegations that he misled the House in one deal by coming in and tabling documents relating to another deal, which he has already misled the House on, as evidence that he did not mislead the House on the first deal. Who ever heard the like of it?

MR. S. NEARY: Sounds like a Nixon type of affair.

AN HON. MEMBER: It is called covering up the small lies with big lies.

MR. SPEAKER (DR. COLLINS): Order, please! Order, please!

I should point out to hon. members that if an hon. member wishes to speak he should rise and be recognized by the Chair. In a serious matter such as is before the House, I am sure hon. members would wish to obey the Standing Orders very precisely. (Hon. member.)

MR. W.N. ROWE: Is this the deal, by the way, that caused the hon. member of St. John's East -

AN HON. MEMBER: No, The Dobbin deal.

MR. W.N. ROWE: Oh! Another deal.

AN HON. MEMBER: Torbay Road Dobbin deal.

MR. W.N. ROWE: Right, the one that the government said -

MR. NEARY: Wedgewood Park.

MR. W.N. ROWE: some people, well we talked it over, and we thought that maybe 70,000 or 80,000 square feet, or whatever it was, was not enough and we should not be getting

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Tape 2076

DW - 4

MR. W.N. ROWE: into this kind of a deal because we needed 400,000 and therefore we changed our minds. This is what he was talking about, was it? The thing that caused the resignation of one of the best minister's this government has ever had.

AN HON. MEMBER: (Inaudible)

MR. W.N. ROWE: That is the same deal.

MR. NEARY: Wedgewood Park.

MR. W.N. ROWE: The Wedgewood Park deal.

AN HON. MEMBER: 75,000 square feet.

MR. W.N. ROWE: 75,000 square feet, that is right.

Mr. Speaker, if anything has ever been calculated to deceive this hon. House, these particular matters and the matters of the Premier's negotiations or shenanigans with third parties outside of this House regarding

Mr. W. Rowe: office space at very lucrative rents, leaseback proposals, if anything is calculated, Sir, to deceive and to bring the government of this Province into disrepute, because they are not acting in the best interest of the people of this Province, these deals are, and this whole cover-up, this whole effort to keep the lid on these unsavoury activities, quick, hushed-up deals taking place a week before a General Election is called.

I have heard speculation and theory as to why the deal never went through afterwards. The deal was never consummated, you might say, up to this point in time, although I can assure the hon. Speaker that it is no lack of desire to consummate this particular deal by putting up the building. I have heard theories about it. One gentleman who I would think has some knowledge in this, a man who has been closely associated with politics himself, mentioned to me that what the Premier was hoping for was a slightly larger majority than he got in 1975. They expected the Liberal Party to get ten or eleven seats in that particular time; instead we got seventeen and Mr. Smallwood's Party got three, so there was not a very - there were only ten members which after all was only five back and forth, separating the Government from the opposition parties. And that if the hon. the Premier had gotten elected with the majority which he thought he was going to get, thirty-six, thirty-seven, thirty-eight seats -

MR. NEARY: What a ripoff!

MR. W. ROWE: - instead of the thirty which he did get -

AN HON. MEMBER: Look out!

MR. W. ROWE: - then, Mr. Speaker, that building would be built now .

MR. NEARY: And a helicopter pad on the roof.

MR. W. ROWE: There may have been a helicopter pad on the roof, as my hon. friend points out.

MR. SIMMONS: And a couple of cash bank accounts in Switzerland.

MR. W. ROWE: Yes, Mr. Speaker. No want of desire, I would suggest, Sir, to consummate this particular matrimony. No lack of desire, just a lack of being able to find the means, the place, the time, the appropriate

Mr. W. Rowe: opportunity.

Let me say one word, Sir, about leaseback.

Mr. Speaker, the sickening part of this whole episode is the rank hypocrisy involved by members of that administration, and the hon. member for St. John's East (Mr. Marshall) knows whereof I speak. I sat over there, Sir, for three or four years, and I heard him, and I heard the hon. member for St. John's Centre (Mr. Murphy), and I heard other hon. members presently in the House, the hon. member for St. John's East Extern (Mr. Hickey) castigate the former administration for their dastardly deeds in entering into leaseback arrangements, ripping off the people of this Province. I heard the Premier of the Province and his colleagues make reference to this kind of a situation, what had gone on for twenty-three years, these kinds of deals, leaseback arrangements, as the worst thing that ever happened, lacking, as they do or as they did public tendering, fostering, as they do, cosy, unhealthy relationships between the government and the developer, with the developer bound to make a tremendous profit, with, of course, the suspicion hanging over everyone that a portion of that profit will perhaps find itself into a government party's coffers. There is always the suspicion whether it takes place or not. And people despise the whole idea of leaseback arrangements. And to see this government coming into office like a White Knight in shining armour, galloping out of the West like Lochinvar, Mr. Speaker, to clean up corruption, clean up politics in this Province, make it decent again - this hon. Premier, and this government, that is how they got elected, that is how they got elected nearly in 1971, and that is how they got elected, Sir, certainly in 1972 with this pledge to the Newfoundland people that the old days of leaseback arrangements and similar activities were gone, and to see the Premier and his colleagues

MR. W. ROWE: stand up in this House now and defend those kinds of proposals, not only the one that I tabled here but to table other similar arrangements, proposals, considered and given approval up to a certain point by the government of this Province, Sir, is a sickening hypocrisy and it stinks to high heavens. And members of this House, Sir, should know that this government has gone back on its word and its pledge to their own colleagues in the backbenches, and to the members of the public who are interested in cleaning up, getting rid of these unholy matrimones, these unholy marriages between government and developers, that if they are not consummated, are only unconsummated because the right opportunity did not arise. The right place was not found, the right time had not yet come - the only thing that saved the situation in this particular case, Mr. Speaker. And the Premier coming into this House and saying, "I would suggest to the hon. Leader of the Opposition, I have adequate proof that no agreement is presently in existence," and talking about the agreement having been rescinded. I did not see any rescission document tabled in this House, Mr. Speaker.

The hon. gentleman, you went through it?

MR. NEARY: No.

MR. W. ROWE: Was there anything rescinding it?

MR. NEARY: It is not there.

MR. W. ROWE: A Cabinet document, maybe there is one now. Maybe there is one now, Sir, in existence all of a sudden that the Premier may table today. I notice he has got a backload of more snow jobbery to lay on the table of the House. No rescission of the agreement, no rescission of the Cabinet document, the Cabinet directive documents, Sir, which existed up to the time that I exposed them to the sunlight yesterday. And, Sir, if that deal does not now go ahead and if no legal action is ever taken on it, Sir, the people of this Province have to thank the fact that it was exposed for what it was in this House of Assembly and no other reason -

MR. NEARY: Hear, hear!

MR. W. ROWE: - and not because the Premier did not desire it to go ahead or one or two of his close colleagues there did not desire it to go ahead.

The Premier of the Province stands up in the House yesterday and snows the House with all these documents and the only one, Sir, I repeat in case anyone has missed it, the only one bearing any signature or having any semblance of legal validity at all was the one that we tabled in this hon. House and which the Premier apparently did not table when he tabled his documents yesterday. Not another one was signed by a member of the government purporting to represent the government itself. And the Premier stands up and says, "All the Opposition Leader had to do, Mr. Speaker, was come and see if this was a fact - "

MR. NEARY: Yes. Sure.

MR. W. ROWE: " - not take hours of the House's time, come and see what the story was and if it was wrong of course bring it up in the House." Well, Sir, you do not have to be Sherlock Holmes to see it is wrong. You do not have to be Chief Justice Learned Hand to see that there is hanky panky involved here. If there is any decency in doing that sort of thing I suggest, Sir, there is not, another cheap shot. I ask my colleague who is now running out of the House, Mr. Speaker, what success did he have, when he had private meetings with the Premier of this Province -

MR. NEARY: That is right.

MR. W. ROWE: - and with the bagman for the PC Party, and with other members of the administration over there -

MR. NEARY: Right. Right.

MR. W. ROWE: - in an effort to get to the foul bottom, if that is possible, of the Scrivener affair? What success did he have? No success, Mr. Speaker, until he took the bull by the horns and laid the matter on the table of this House. Then we see the police investigation, then we see it, Sir. The Premier, Sir, owes a little bit more to the intelligence of members of this House than to think he is going to

MR. W. ROWE: convince them that all we had to do, the Leader of the Opposition, trundle over to see him and say, "Look, Frankie Baby I have these documents here showing that you entered into a deal with Craig, you know. What about that?" "Oh, that is all right, Bill, boy. There is no problem. There is no building outside. You can see there is no building out there."

MR. NEARY: "We will set up an internal committee to look into that."

MR. W. ROWE: "Yes, we will get someone down in the Department of Public Works" Sir, people who went before a board of enquiry, a public enquiry here in this Province and said to the commissioner publicly, "Oh, we do not dispute anything with a minister. What the minister says goes, Mr. Speaker. If the minister says 'Jump', we jump. If he says, 'Do not jump,' we do not jump." "Now let us set up," the minister would suggest to me, as he did to my hon. colleague -

MR. NEARY: That is right.

MR. W. ROWE: - "Let us set up an internal task force to make sure that there is no hanky panky going on here in this matter, as we did with the Scrivener affair," and sure enough two or three months later on it would come. "That is all right, Bill, boy, no problems there," would say the Premier, "we have had that looked at. No problems."

MR. NEARY: Audited.

MR. W. ROWE: "Yes. We have had it looked at. We had somebody run over the figures. The figures are okay. Two and two equals four, we discovered that."

MR. NEARY: We got our invoices and they were paid.

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Tape 2079

EC - 1

AN HON. MEMBER:

That is right.

MR. W. N. ROWE:

What nonsense, Mr. Speaker, for the Premier to try to pawn that off on this House and the people of this Province!

Mr. Speaker, there are a lot of things to be said on this matter and I will have another opportunity when the debate closes up on this to wind up the debate and to make a few more novel statements, I hope, and to summarize what has been said here today and will be said in the future.

There are one or two matters I would like now to bring up publicly in the House. I would like the Premier of this Province when he gets up to speak - and I hope he speaks after me now - I would like him to table the document which exists in the office of the Clerk of the Council, Mr. Channing, the Secretary of the Cabinet, indicating who was present at the Cabinet meeting on August 18, 1975 when this agreement and proposal was approved.

SOME HON. MEMBERS:

Hear, hear!

MR. W. N. ROWE:

I have too much respect for most of the members opposite, Sir, to believe that there were more than a handful - a corporal's guard, I would submit. Most of the hon. members who were in the Cabinet at that time, or are in the Cabinet now and were then, most of them, I would think, Sir, were probably out on the hustings, either trying to get nominated or mending a few fences in their districts, because the election was about to be called, was called one week later. The election was in the air, and I would suggest, Sir, most of the hon. ministers were not at that Cabinet meeting. And I would like to hear from them. I do not have a list in front of me now of members who were in the Cabinet. Perhaps one of my colleagues when

MR. W. N. ROWE: he gets up to speak can mention who the ministers were at that time. I would like to hear each of them presently in this House today get up and tell us were they at that Cabinet meeting -

MR. NEARY: Hear, hear!

MR. W. N. ROWE: - which took place on August 18, 1975, that approved this rotten deal. Let them stand up, Sir, and tell whether they were there or not.

Number two, Mr. Speaker, I would like ministers opposite to stand up when they speak and tell this hon. House whether they knew of the existence of these two documents, the agreement and the Cabinet directive or not. A simple question, Sir, and a simple answer - either they knew of the existence of the documents or they did not. And I know that there are members opposite who had no more knowledge, Sir, than a two-year-old child playing in a back yard that these documents were in existence from the time they were made up to the time I mentioned them yesterday. I saw the Premier lean over to one and say, "Oh, he is talking about the Dobbin agreement." And to see the startled look on the face of the minister concerned! There are other ministers here who had no notion that this document existed. And if there are ministers here who did know about it, I would like to hear their explanation, Mr. Speaker, as to why they condoned the deliberate misleading of this House by the Premier of this Province, why they allowed that to happen, why they did not go to the Premier at least after the first or second time and say, 'Do not tell lies to the House of Assembly - tell the truth.' If ministers knew about this, I would like to hear why they did not do that. Maybe they had some logical, sensible reason. I would like to know who in the caucus opposite knew about the existence of this agreement. I would submit, Sir, that nobody in the P.C.

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Tape 2079

EC - 3

MR. W. N. ROWE: caucus - and I give them a
chance to prove me wrong when they stand up to speak -
nobody besides the Premier and one or two others

Mr. W. Rowe:

who were present at this so-called Cabinet meeting had any idea whatsoever about the existence of this document. The Minister of Municipal Affairs is over there with his usual pleasant smile on his face. I will ask him, did you know about the document?

MR. F. ROWE: He was not even elected then.

AN HON. MEMBER: He just froze.

MR. W. ROWE: Did he know about the document afterwards?

MR. RIDEOUT: His smile is gone.

MR. SIMMONS: He knew about it yesterday.

MR. W. ROWE: Sir, that wiped the smile off his face.

MR. STRACHAN: Speak up (inaudible)

MR. W. ROWE: The smile is gone all of a sudden, Mr. Speaker, He knew nothing about that document -

MR. F. ROWE: (Inaudible) document.

MR. W. ROWE: - that the Premier considers to be such an innocuous, harmless piece of paper with no legal validity or anything like that. He knew nothing about it, it was kept from him, Mr. Speaker, because the Premier maybe had the suspicion that the Minister of Municipal Affairs might have been a little bit too, what shall we say - what is a synonym for honest that is not going to get me flung out of the House - a little bit too scrupulous, say, to live with it, Mr. Speaker, in secrecy. He will get up now perhaps and with mouthful after mouthful of bravado and say, "Oh, no! There is nothing to this, this is okay." Because, Sir, as we found out from the young fellow Dean who was part of the Watergate affair the group dynamics, the loyalties to the group, the desire to be thought well of by your peers in the group, stick to it, to be loyal, to fight it out, brazen it out, stonewall it out, that desire, Sir, is often stronger than the inner feeling or conscience of a person who knows what the true situation is and would love to see the public know the true situation. But this feeling that

Mr. W. Rowe: he has to stick with the group, brazen it out, is often too strong a feeling for all but the strongest individual, Sir, to overcome.

Brazen it out, Mr. Speaker, our only hope of saving our face and saving our hides, and perhaps getting a half a dozen of us elected and keep the party together in the next election is to brazen it out, and pretend that we still are together and that there is nothing wrong here.

MR. NEARY: They forget governments change.

MR. W. ROWE: Yes. And hon. members should not forget that governments do change. They should not forget that, Sir.

MR. NEARY: And then the documents will be brought up to the light of day.

MR. W. ROWE: And I hope we do not see the moving vans shipping out the documents, Mr. Speaker, because I would not mind having a look at some of the documents that were executed over the past six years.

AN HON. MEMBER: Well you could always do what he did to the former premier.

MR. W. ROWE: Well, no, I would not do that. I make this guarantee to the former Premier now, or the present Premier - I am talking about his future when I said 'former Premier'. I will make this guarantee to him now that there will be no witch hunts, Mr. Speaker. There will be no RCMP raids on his house or any of his colleagues'. There will not be. No witch hunts. Not the least bit interested in it. I am interested in what I wish more members on the other side were interested in, staying away from these ripoff situations - and just try to grapple with the problems of the Province.

SOME HON. MEMBERS: Hear, hear!

MR. W. ROWE: The 20 per cent unemployment.

SOME HON. MEMBERS: Hear, hear!

MR. W. ROWE: The increase in electrical rates again now by the Government owned Corporation, a little while ago, and now by the privately owned one, which is going to be a desperate, a desperate situation for many of the people on fixed incomes in this Province. Why do they not

Mr. W. Rowe: grapple with that, Mr. Speaker instead of spending their caucuses and their Cabinet meetings trying to shore up, trying to prop up themselves as a government and as a party, as I said earlier, desperately clinging to the shreds of power and authority which they have left to them.

There are one or two other things, Sir, which I will just mention. When I made these disclosures yesterday and laid these documents on the Table yesterday, I did it, Sir, in all sincerity and in full knowledge of the fact that I was running tremendous political risks, and running tremendous personal risks. For example, Sir, and I want to make this point clear to clear the air because the matter was raised indirectly by the Premier yesterday, one of the best friend's I have in this world, and a law partner of mine happened to have done some work for the third party involved in this case on a legal basis over the last number of years. And I realize, Sir, that by laying this document on the Table of the House concerning which I have not even had a discussion with that gentleman, talk about had a look at any documents, I doubt if he knows whether they exist!-

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Tape No. 2081

NM - 1

MR. W. ROWE: but, Sir, I realize that I ran the risk of this gentleman being the subject of a smear as well -

MR. NEARY: Slander and libel.

MR. W. ROWE: which came, was nearly hatched yesterday.

I realize, Sir, I myself, who have done legal work for the third party involved in this particular case, the developer, ran the risk of myself being slandered with some violation of the solicitor/client relationship. I realize that that risk was inevitable, Mr. Speaker. I realize, Sir, that another one of my very best friends in this world, a gentleman not now in the Province, teaching at law school, a former colleague of the hon. the Premier - until the last election, I ran the risk by doing this of implicating him in some way with these nefarious goings on, either by virtue of the fact that he may have gotten documents to me, which I doubt even if he knew existed, I doubt very much if he knew they existed. I doubt very much if he was at the Cabinet meeting which approved these documents. But I knew I ran the risk of implicating him either by way of leaking documents or information or that he was involved in the activity. I knew, Sir, when I laid these documents on the table of the House yesterday, because I had been told, I knew that the Premier had considered himself to be tipped off as to what I was up to and that I ran the serious political risk of having a snow job done on this House, a snow job done on this government, and that I could be put in the position of having committed an elementary political blunder and so on and so forth. That is another risk I ran.

I knew, Sir, that there was a grave and distinct possibility that you, yourself, might not consider my point of privilege to be well sustained. I talked with some so-called experts in Ottawa and they had told me that it was a very dicey case, that perhaps they would advise the Speaker in the House of Commons to say there was no point

MR. W. ROWE: of privilege, merely a dispute as to facts between two hon. members of the House and that therefore I would look a little bit like a fool again when Your Honour came in and said, "No point of privilege, prima facie point of privilege, next question please." And I am left here with the press and the public and the members of the House all saying, "Well, Rowe leaped into the dark there without having done his homework." That kind of a situation, Sir. Fortunately it did not turn out that way because Your Honour took a courageous and unprecedented position, I do believe, and found that there was a point of privilege raised which could be sustained by a debate in this House and referred to this House for debate. And therefore, Sir, to that extent at least my position is vindicated and I am happy that that is so. But these risks existed, Mr. Speaker, and the fact that they did exist made the whole situation very trying on me and my close colleagues. But we considered it and we thought that they were risks well worth running if we could expose to the light of day these shady dealings, these seedy goings-on, these secret cover-ups, these deals being made behind closed doors that never see the light of day until they are fait accompli and nobody can do anything about them, deals which are not subject to public tender, which have so outraged my friend from St. John's East (Mr. Marshall) from time to time, which made him bring in the Public Tendering Act, which is now in the process of being circumvented, not because the act is no good necessarily but because his former colleagues are too devious.

Expose it to the light of day and let the Premier come in with a rescinding document, or anything else he may have there, a document saying - even signed by the developer, I do not know, saying, "That I hereby renounce all my rights to the document," or "I did not consider the document to be legally binding," or some such thing, or come in with a legal opinion, Let him do it, Mr. Speaker. The fact of the matter is that this matter was

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MR. W. ROWE: covered up for three years. The fact of the matter is that if anyone gave up rights under this agreement they got something in return. Of that I am definitely certain, not by having seen or heard from anyone directly involved in it, but by the operation of a little common

MR. W.N. ROWE:

sense, a little bit of an enquiring mind into what goes on in these situations.

If there is a recinding document, Mr. Speaker, the people of this Province did not benefit from any such recinding document, let me put it that way. And if there is a recinding document there is quid pro quo.

MR. NEARY:

Why would it not have been tabled yesterday?

MR. W.N. ROWE:

Yes, why would it not have been tabled yesterday?

MR. F.B. ROWE:

Why was not the agreement tabled yesterday?

MR. W.N. ROWE:

No agreement tabled yesterday, no recinding documents tabled yesterday, no recinding Cabinet directives tabled yesterday. Maybe they are all in the Premier's possession now. But, Sir, it is too late because the people of this Province now know that the jig is up, they know, Sir, what is going on and they know they are not going to put up with it. And I am certainly not going to put up with it. And I do hope, Sir, that the members of this House on both sides or a majority - I do not expect everybody because I expect there to be an attempt by some to keep the matter out of public scrutiny - but I do hope that a majority on both sides can vote for the setting up of this Committee of the Whole House so that we can examine witnesses and examine documents in connection with this matter. And how far or how wide that web will weave itself, Sir, I do not know. But I will say this, that if I remember my Beauchesne correctly, I have not looked it up for this purpose, but witnesses before a Committee of this House have absolute immunity. My friend, the Chairman of

MR. W.N. ROWE: the Public Accounts Committee would know the answer to that. Witnesses, I do understand, have immunity and can speak, Sir, and know that whatever they say cannot be made a subject matter of criminal or civil prosecution.

And that is the kind of enquiry we should have on this kind of a matter and let us get to the bottom of this and other similar nefarious dealings by this government, using the privileges of this House to do so. That is why this House has its privileges of immunity and so on which can be extended to witnesses before it in grave public matters. Let us set up the committee because, Mr. Speaker, I do not care what the cost is to myself in political matters, or to even my colleagues in political matters, but I do want the Premier to know this, and I want his colleagues to know this, that I am determined, absolutely determined, Mr. Speaker, to clean up the political corruption in this Province.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: God guard thee Newfoundland.

MR. W.N. ROWE: And I am determined, Mr.

Speaker, to wipe off the face of Newfoundland's political map the type of goings-on, the chicanery, the skulduggery, the corruption I have referred to, the hanky-panky, call it what you will, matters in which a government is looking after its own interests first and its friends' interests, and is not looking after the interests, or the best interests of the people of this Province. Sir, I am determined and I believe that my colleagues with me are determined to change that situation, Sir, at no matter what cost to ourselves and at no matter what cost to members on the other side of this House. We are determined, Sir, to wipe the political map of this Province clean.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. member for St. John's

East.

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:

Mr. Speaker, before I get into the debate I would like to alert Your Honour to the fact that there are things I shall be saying in the course of the debate that may not necessarily meet the approbation of members on this side or that side of the House. There are certain things I may say that may not be - they may wish to interject but I have only forty-five minutes, which is a short period of time, Your Honour, and I inform Your Honour that I wish to speak in silence - or be heard in silence.

Mr. Speaker, the issue in this case, and the sole issue in this case is whether or not the hon. the Premier has deliberately misled the House of Assembly. This is the allegation which has been made by the Leader of the Opposition.

MR. MARSHALL: Now on your ruling the hon. the Leader of the Opposition in his introductory remarks made a few comments that I think need to be clarified. The impression that I got when listening to him - although I do not think he intended to convey it - but the impression that probably has abounded is that by making the ruling yesterday that Your Honour was in effect saying there was a suspicion, a reasonable suspicion that the privileges of this House were infringed and that the hon. the Premier had deliberately misled the House.

Now, Your Honour cannot speak, I know, but I refer back to Your Honour's ruling yesterday and I would gainsay and I would suggest to Your Honour that had not the hon. the Leader of the Opposition asserted the words that the hon. the Premier had deliberately misled the House there would have been no point of privilege, it would have just been a difference of opinion between two hon. members, but because the hon. the Leader of the Opposition got up and directly made this allegation himself, then it becomes a point of privilege. That is my understanding.

When Your Honour in his ruling yesterday referred to the former Speaker and the former Governor General, Mr. Michener, the first words he used in referring to that precedent was that the member there involved had, on his authority, said that the other member had misled the House. And because he had made this allegation and he was sticking to it and using it to ground his point of privilege, then there was a prima facie case. Now that is all Your Honour said. And I think it is very important to draw this matter to the attention of the Legislature, because this is really the only issue.

No more grave or serious allegation can be made against any member of this House than that he

MR. MARSHALL: deliberately misled the House. In effect it is saying that the hon. the member lied to the House; in effect it is saying the hon. member is not an hon. member, and that is a matter of privilege and concern to everybody in this House. It would be so if any member on this side or any side of the House got up and said to any member, such as the hon. the member for LaPoile or the hon. the member for Terra Nova or the hon. the member for Placentia, that they had deliberately misled the House.

The principle on which this House is governed is the fact that members are referred to as hon. members. Nobody has a monopoly on honour but each member has it, and each member has to jealously guard the other members' rights to this. So this is the situation, I think, where we are now and this is why the matter at issue is so very, very important. Accusations have from time to time been hurled at random across the House, back and forth across the House. And it is having a grave effect upon this House, I would suggest, and its esteem and its regard in the public and we have to come to issue with it.

The hon. the Leader of the Opposition, then, has made this allegation. He has made it clear that the hon. the Premier has deliberately misled the House. And I would suggest to Your Honour that if that is a fact - the hon. the Premier is just a member of this House - the obvious course of action has to follow. But I would also submit before there is an imputation on the honour of any person in this House there has to be clear and convincing evidence of that fact before this House can take the drastic step of saying that a person deliberately misled the House. And I do not think any member in this

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MR. MARSHALL:
this proposition.

House would disagree with

Before I get to that issue,
which is the main one, I am going to talk about a subsidiary
issue. I want to refer for a few moments to the mode of
construction of public buildings in this Province. Again,
no member has a monopoly on issues whether they be
motherhood issues or what have you, but I would suggest
that perhaps I, at least as much as any member of this
House, have been involved in issues of this nature.
Indeed, one such agreement led to my resignation from
the Cabinet in February, 1975. Subsequent to my
resignation there was a statement made in this House
of Assembly which apparently has been overlooked as
from time

MR. MARSHALL:

to time things are overlooked. On February 27, 1975 by the hon. the Premier "It is a statement in this House which I regard as being commitment, setting forth"- I will not read it in detail but it does say "The government have decided to issue a public call for tender proposals with reference to space needs so that every possible interested party should have the right to submit proposals. And in the hope that better terms and conditions may be received government will decide when tender proposals are received in response to a tender call whether to proceed to rent or to build to meet its additional space requirements."

In other words, Mr. Speaker, my resignation was tendered, there were at that time relevant Orders-in-Council which gave to the developer - in this instance it happened to be Mr. Craig Dobbin - the right to build the building for the government, to lease it, the government was to pay for it and the circumstances, I think, are well known. Subsequent to this there was this commitment and I say here and now that this is the only basis upon which I am prepared to live with any government at all at any time and in any place, and I do not pretend to be alone in that area.

SOME HON MEMBERS: Hear, hear!

MR. W. MARSHALL: Subsequently, Mr. Speaker, the tenders were called. I was not pleased, which is to put it mildly, with the mode and manner of the tender call. It was not, in my view, a matter of a tender call, what I would view as being under the Public Tenders Act because it called for proposals and when proposals are made people can have different varying proposals put up and their mode of what they are bidding on as in a tender system is not set up. I did not say anything about that then, I said I will wait and see what happens because you would wait and see whether the matter is carried out but I had no intention of remaining silent and most definitely would have been heard again

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MR. W. MARSHALL: from if that particular tender had been pleased. Furthermore, Mr. Speaker, to say that I was not amused is to put it mildly. When we come to the position of the instant contract between the government and Mr. Dobbin on Higgins Line I regard it as all part, probably, of the same transaction in August. But, Mr. Speaker, it was not executed at that time, it has not been executed now, when and if it is executed the government will hear from me in technicolor as well as other people in technicolor. I think that perhaps these factors should be brought in mind; on the one hand we did not go ahead in Wedgewood Park, then came Higgins Line, the hon. Premier said on television last night, he indicated words to the effect that - now this is the hon. Premier's prerogative, he can have his opinions, I can have my opinions and hopefully we can live together, but the hon. the Premier said on television last night that he had made this deal - not this deal but that these negotiations were being entered into and he perhaps does not see -

AN HON. MEMBER: (Inaudible)

MR. W. MARSHALL: I do not wish to be interrupted, Mr. Speaker. The hon. members can speak.

MR. SPEAKER: Order, please! The hon. gentleman has stated at the very beginning his wish not to be interrupted and I will require that strict observance.

MR. W. MARSHALL: The hon. Premier indicated yesterday that these were in the process of negotiations or words to that effect. But if my ears did not deceive me he indicated on television that the caucus and the Cabinet did not particularly agree with the situation and this is really, I feel anyway, what really happened. So the question comes down really, Mr. Speaker - I sit with the government on the government side of the House, I hope in a healthy atmosphere, if the Premier of this Province has an idea that he wants to carry out and the majority of the people here say to him "No. We do not think it is a good idea " then it is cancelled. Now the people in Newfoundland

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MR. W. MARSHALL: have got to decide whether or not they want that particular type of government or whether they wish to go back to another form of government itself.

SOME HON. MEMBERS: Hear, hear!

MR. W. MARSHALL: Mr. Speaker, the thing that I want to emphasize and what I am saying here is that this contract has not been executed, it has not been carried out. When and if a public

MR. W. MARSHALL:

building is built in this Province be it, for the government to house the government, be it for a hospital, or be it for whatever purpose the Public Tenders Act requires that there be full public tendering. This alleged contract that has been tabled, or the offer to enter into an agreement, whatever one may wish to picture it, comes under the Public Tendering Act. And I will not get in - I will try to avoid as much as possible legalese because I do not think that that really gets to the gist of the matter except in one item that I will come to in a few moments. But I want to make this perfectly clear so my remarks will not be misinterpreted that be it Mr. Dobbin, be it Mr. Crosbie, be it Trizec Corporation or Mr. Lundrigan, be it Mr. Arthur Lundrigan, be it Investment Developers or be it any company in this Province that is carrying out and constructing business that if they build in this Province for the government they will do so and they will execute their works under open Public Tender -

SOME HON. MEMBERS: Hear, hear!

MR. W. MARSHALL: - and under no other means or mode of construction.

SOME HON. MEMBERS: Hear, hear!

MR. W. MARSHALL: Now, if they do not, not that it may be of interest I do not know about one member, but if they do not, and I know there will be others, what will happen happens to be hypothetical but I think I need not dwell on that.

Now, let us come back, having said these words, to the question at issue. The question at issue is a grave one. It is a most serious one, it is one that is really eating at the roots of this Assembly and the confidence of this Assembly in the Province of Newfoundland.

MR. W. MARSHALL: And I do not make this by way of any-- to the Leader of the Opposition for whom I have a measure of respect, as for every member in this House, but the fact of the matter is, as a member of this House he has made an allegation and his allegation is that the hon. the Premier deliberately misled the House. A grave issue, one that has been in the past taken lightly but I would submit to this House can no longer be taken lightly lest this Assembly crumble down around their ears.

The situation is if it is proven, as far as I am concerned, the obvious course has to happen. A member, whoever that member is, who has obviously misled the House has to take the ultimate action of putting himself in a position of not being able to mislead the House again. It is as simple as that. But there is a corollary to that, Mr. Speaker, and one that I do not think that we can afford to let loose in this particular instance, and the corollary is this; that if somebody has accused another of misleading the House and it turns out to be not sustainable then, and in that event, there are grave and serious consequences which that particular person has to consider.

SOME HON. MEMBERS: Hear, hear!

MR. W. MARSHALL: The question in issue, the immediate question is whether the Premier misled the House by saying that there was no contract existing for the construction of a building. Now I have no doubt after reading the transcript that there have been, where the hon. gentleman has referred us, instances where the hon. Premier and other ministers have since August of 1975 and September 1975 and 1976 and 1977 and 1978, a few days ago as indicated, said there was no contract existing. I think we have to take that as given, at least if you can take the record that happens to be my interpretation

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MR. W. MARSHALL:

of the record, maybe others would agree.

But the next question then we have to ask is was there a contract? My first point is there obviously cannot be a contract now at this present time. This is a contract that was signed, I think unwisely, by the hon. the Minister of Public Works, I can say that, where it was an agreement, the paper agreement that was signed in 1975 for 400,000 square feet of office space for the government of this Province. Now that contract - the biggest point of all is that contract has not been executed. There has been in fact no building built on the Higgins Line adjacent.

MR. MARSHALL: to these premises. It does not exist. The contract has not been carried through. The question comes, Can the contract now be carried through? Certainly when we are talking of large construction matters such as this, much more than a reasonable time has elapsed for the commencement of construction so I would suggest that in the event that there was an attempt to enforce the contract now by the developer if he choose, that more than a reasonable time has expired and there is not now a contract. Had there ever been a contract? Had there not ever been a contract? We have heard words given around that this offer that has been placed before us, or contract, whichever way you want to view it, is worth \$70 million. I certainly would assume, I have no knowledge of the contractor involved or any of the contractors but I think it is a fair assumption to presume that he is not a philanthropist in the sense of giving out things to the government, that he would have a right to, and I would assume that if he did have a right that he would have long ago sought his remedies in the court.

The next point that I want to bring up, which is the main thing, and I want to avoid getting into legal questions because I think sometimes they can be confused, I think the basic issue here is three years ago this alleged offer was signed and there is now no building in existence. But, Mr. Speaker, this alleged offer, which was signed, or this document which is purported to be a contract, now how does the government - I think it was unwise for the Minister of Public Works, I have to say, at the time to have signed this obviously but how does government become bound? Government acts through the Cabinet, through the Orders-in-Council. Any contract that is binding on the government has to be supported by an Order-in-Council authorizing the minister to sign. This particular Order-in-Council reads, "Ordered that the following proposal, submitted by Mr. Craig L. Dobbin, of St. John's, with - " my copy is not that

MR. MARSHALL: clear or my eyes are getting weaker, I do not know. " - with regard to the construction of an office complex for the government, situate immediately West of Confederation Building, be and are hereby approved in principle," I note those words, Mr. Speaker, "subject to the submission to Cabinet of satisfactory plans and specifications based upon an analysis of the project." Then it goes through the various terms.

Now the hon. gentleman has a legal opinion, and he gave his legal opinion free gratis to the House himself today and yesterday. But the fact of the matter is, Mr. Speaker, legal opinions are legal opinions, they are opinions as such, there is no great magic in them. They are trained opinions by people trained in a certain area just as well as an opinion on the engine of a car can be given by a mechanic. They are opinions and they can certainly differ.

But I can say this, if it is worth anything of any weight, that as far as I am concerned, if I were advising a client as to whether or not to rely on this particular agreement as being a binding contract, and to take action accordingly to bind himself, I would strongly indicate that he would be very unwise to, that I would not consider the agreement to have been binding in itself because of two reasons: First of all it is only agreement in principle and we know, it is a matter of public knowledge here, that there was an issue here, for instance, before the Municipal Council of the City of St. John's, not too recently, where residents attempted to enforce a permit that they had been given and it was ruled that even though the council had approved it in principle, approval in principle was not binding. I suggest it is no different from this particular situation. But furthermore, this goes on even further to say, "Subject to the submission to Cabinet of satisfactory plans and specifications." I would suggest that any lawyer who would

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MR. MARSHALL: suggest or indicate to his client that he has a binding agreement before he gets the plans and specifications actually approved by the Cabinet itself, would be very unwise indeed.

Now the hon. gentleman said that he had legal opinion; and so he may have and I do not fault it, but legal opinion differs from time to time. I remember the hon. gentlemen opposite last year were touting a legal opinion on the Upper Churchill and why we did not tax the

Mr. Marshall: revenue from the Upper Churchill going into Quebec. We were told they had a legal opinion and it was reported in the press, and this was a great issue, and then what happened, no less a body than the Supreme Court of Canada came out and indicated that such could not be done. So that is so much for legal opinions.

Now as for the matter of, if somebody acted upon it, and if funds were advanced, all I say is, well that is unfortunate. If people were unwise enough on the basis of these Orders-in-Council and opinions to advance funds on the basis of these agreements, I say, you know, their lack of wisdom is the cause of their loss. I am not in the slightest bit concerned whether any bank or finance company or Mr. Dobbín or Mr. Anybody lost any money, what I am concerned about is whether the people of this Province lost any money. I am informed that there was - and I have enquired about this, that there is no quid pro quo, there has been no quid pro quo to cancell it , and until that is proven to the contrary I shall certainly accept it as one is bound to accept a word that is given to you on such serious matters. I cannot conceive how anyone could even assume that there was an agreement. If the government has gone off negotiating with Mr. Crosbie for space in Atlantic Place, as has been alleged, and has been stated. I mean you can say the government has misled the House, but I mean the government, hopefully anyway, is not so crazy that it is going to enter into a binding agreement to put up 400,000 square feet of space here, another agreement down at Atlantic Place, and rent probably every place around the Province. I mean it just does not make sense.

I say, by the way, that my remarks pertain to Mr. Crosbie as well as Mr. Dobbín and all the rest of them. There will be, as far as I am concerned, no agreement on Atlantic Place or no agreement on any place unless open public tenders are called which was a commitment that this government and this party made to the people of this Province, and I am sure that other members here will insist they keep.

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:

No, Mr. Speaker, if I were to get back to the legalese of the thing, if I were advising a client in connection with an agreement of substance of that nature, and I need hardly add that the person concerned did not consult me, but if I were advising a client I would say that you are unwise to consider yourself bound unless that agreement is accompanied by an Order-in-Council which says, words to the effect, "Be it ordered that the attached agreement be approved by the government in total, identified by the initials of the Clerk of the Executive Council, and that the minister, whoever he may be, is hereby authorized to sign on his behalf." Then and only then would I consider any agreement to be binding. So then and only then I would assume that the hon. the Premier, and the hon. ministers concerned, because there is more than the hon. the Premier involved in this, I would assume that they operated on the same basis. Now anyone else who wants to take a contrary view can, and if you want to take the view that every person in elected life, and this is what it is coming to, is a crook, is an extortionist or what have you, well, you can take that view, But unless we get in this House of Assembly the same rules and regulations that apply in other areas, that an hon. member's word is to be taken, unless there is clear and convincing proof to the contrary, as I say, what we are going to have is utter and complete chaos. And I prefer, Mr. Speaker, to opt to the other situation.

The hon. the Premier did as he said. There was no agreement. As far as I am concerned, and, you know, the hon. the Premier and myself have been known from time to time to disagree, and to differ, and I would have no hesitation in disagreeing or differing with the Premier I guarantee you in this particular case. But if the hon. the Premier indicates that this was his intention, which I believe is the situation, or his impression that there was no agreement on this basis, well certainly I am going to believe him, particularly in view of the fact there is no building out there, and there cannot be a building now

MR. MARSHALL:

under this agreement.

So what agreement is there?

Now this issue, Mr. Speaker, affects the whole House.

It is more serious than members, I think, realize. The general public is, I think, I am not talking about what is going back, I am talking what is going back and forth, the general public is fed up with the bickering that is going back and forth across this Assembly. I myself feel that the Opposition, which is the Opposition's function, its

MR. MARSHALL:

overall plan is to create scandal after scandal and thus attempt to show lack of confidence in the government. But at the same time, it has to be done, I would submit, Mr. Speaker, responsibly. I, myself, am sick of sitting here day after day and listening to this type of thing, seeing the House of Assembly throughout Canada styled as a house of crooks rather than the hon. House that it is - this affects the people of Newfoundland - see it regarded as a circus, and my own personal opinion is that we have to come to grips with it. I think the Opposition in its mad desire for power has developed a certain paranoia. I think yesterday somebody indicated to me that I was seen talking to the Premier, so because I made a certain motion there it was cooked up between myself and the Premier. Well, obviously the hon. gentleman does not know that myself and the Premier have not in previous years been in the habit of cooking up anything. So it is absolute paranoia as far as I am concerned.

Now the position in this House, too, Mr. Speaker, and its regard in the public concerns me to a great degree. I look, for instance, at remarks made just yesterday, which substantiates it, by the Minister of the Board of Trade which presumed to give us a great, broad brush and paint us all black, which has a great effect and it is the easy thing for a person to do. As far as I am concerned it is a very shallow and easy mode of criticism. There are members on both sides of this House, by far the majority of the members of this hon. House who are very interested in conducting government and in bringing the views of their constituents to the public. They are not carrying on pretend games of government and what have you. And it is very

MR. MARSHALL: easy for somebody to get the public media to get up from time to time and paint the whole of us black. I think the person would be much better and the public would be much better if they tried to pinpoint those individuals maybe, if you wish, on both sides of the House who are causing this rather than, as they sometimes do, put them up on pedestals and start making them heroes. In other words, what I suggest the public might do is inquire as to the modus operandi of individual members of this House and draw their own conclusions from it, and not attempt as the President of the Board of Trade attempted, to paint the whole of this Assembly black. But the fact that it is painted entirely black, Mr. Speaker, I would say, is the fault of this Assembly itself, in a way, and one of the cardinal reasons for it is the issue that we are now discussing. And I would hope that this issue could be taken and could be dealt with as soon as possible. I do not see any need for protracted debates on the issue itself. We have been meeting here, and look at the items of concern. We have about 30 per cent, I understand, unemployment in this Province; we have a financial condition which is the worst in North America which is threatening to put this Province down in the mire where it will never get up again; we have the Nordsee proposal; we have the federal government and their fishing licences and their effect on the people of this Province; we have Gull Island; we have the problem of productivity in this Province with labour; we have the problems of attracting industrial development and getting the merchants of this Province to realize that they have to be a little bit more than manufacturers' agents for Central Canada as they were for jolly old England prior to Confederation. All of these

MR. MARSHALL: issues are burning issues that affect this Province, and the longer we take, Mr. Speaker, on issues of this nature, the longer it is going to be that this House is going to come down in the repute that it has with the public, the less it is going to be able to deal with the issues, and the people of Newfoundland in the long-run are going to be the losers. Now I say, let us get at it. We are mired right now in a most critical situation. I do not think we can afford to see the dissent of the House of Assembly any more - that is mired down as well, and we end up not having any effective vehicle at all, whatever effect the House of Assembly can have to deal with the problems of all of our constituents.

Now I say this, Mr. Speaker, and I say it having reviewed the documents last evening and gone over them today, that before any member of this hon. House, be he the hon. the Premier or any other member, is to be adjudged to have deliberately misled the House, to have lied in this House, there has to be clear and compelling evidence involved.

In this particular case, in my own opinion, as I have reviewed the situation, the hon. the Premier has said there was no agreement - there is no doubt about that - but I am not prepared to say that the hon. the Premier has deliberately misled the House, because at the time it was quite reasonable to have said .

MR. MARSHALL: there was, in fact, no contract. All there were were negotiations, all there could have been were negotiations. There was more of a contract in the papers that I saw with Trizec Enterprises Limited than there was with the Dobbin concern. The very fact that the agreement has not been executed speaks for itself, that there was no agreement.

Now, I make this plea, Mr. Speaker, before the House because I think it goes much more deeply, that if we keep on debating in this way, if we keep on showing the public where we stand on these issues, throwing charges back and forth across the House, that this particular House of Assembly is going to descend in shambles.

There are major issues that confront the people of this Province. We have been meeting now for two months, hardly anything has been discussed of any real benefit to the people of this Province, instead we are down to the laying of charges and countercharges.

Now, I must say at this particular time that I am rather sad that it was the Leader of the Opposition, for whom I have a regard, who was the person who led in this particular motion. But the Leader of the Opposition is certainly a mature parliamentarian, he understands the consequences of the charge which he has made and the fact that he must back up this charge, and I think it is a sad day in Newfoundland that really on such flimsy evidence as this, and I think he was very poorly advised, this is my opinion, to have indicated that the hon. Premier misled the House. Any person looking through that contract, I challenge any person looking through that contract to say that it was a contract itself and it was of a binding nature.

MR. MARSHALL: The hon. gentleman when he was speaking said, "This is a binding commitment. I submit it as a former minister and a lawyer." Well, that is fine! That is grand! As I say, there is no magic in that as an opinion is an opinion. If you are a lawyer and you give an opinion, it is no different within your expertise than a mechanic or a plumber or what have you. And I say as a former minister and a lawyer, I say myself that I do not believe it is a binding commitment. I do not believe, Mr. Speaker - in all conscience, Mr. Speaker, if I were advising a client I would turn around and say, Yes, you go off and you borrow \$20 million. I would not borrow twenty cents on an agreement like that unless it was solidified with an Order in Council, unless the plans and the specifications were put in and they were approved by Cabinet. God in heaven! Are they so stunned that they are going to agree to pay out money for a building for which the plans and specifications have not been submitted to them? They could find themselves buying an outhouse or something like that, something as ridiculous as that.

So how could anyone in their right mind turn around and say that there was a binding agreement in this? He says it was checked out by lawyers and the opinion was that it was legally binding and forceable in court. But as I mentioned before legal opinions are legal opinions and you can take them for what they are worth. The hon. gentlemen there opposite may not - that is their prerogative - take mine for what they are worth, but I jolly well, provided the retainer was big enough, would love to contest them in court and take the side that I am taking, and we would see where we would come out on it.

I think the hon. member realizes that because he started somewhat, I got a hint

MR. MARSHALL: of vacillating. He would not be 100 per cent sure maybe 70 per cent or maybe 80 per cent, there is a chance, he said, the court would throw it out. There is a jolly good chance the court would throw it out because as I say with a great deal of confidence, and other people can disagree with me, but as far as I am concerned I would not view this document upon which the hon. member has relied as being a binding agreement. And I think it is quite reasonable for a man in the Premier's case to look at it in the same light, and the other ministers. So where are we left now? We are left with a charge that has been hurled across this House that a member has lied.

I do not care whether it is the Premier or whether it is the member for St. John's East, or the good member for Harbour Grace on the other end or members on the other side, we have a very grave and serious accusation and, Mr. Speaker, I think that the House has to deal with it, it has to deal with itself. For my part, I just make the plea that this type of unnecessary attempt to propagate themselves in power should cease forever for the sake of this Assembly and let us hear instead from the Opposition the alternative government, let us see them try to propel themselves in power with a few positive policies and alternative modes of government that they are going to give the people of this Province and maybe they can be a little more enthusiastically received.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER: The hon. the member for Burgeo-Bay d'Espoir.

MR. SIMMONS: Thank you, Mr. Speaker.

The motion before the House although you would not know it from what the member for St. John's East (Mr. Marsahll) just had to say, the motion before the House is that the House resolve itself into a Committee. The motion is not that we judge here today, to decide today whether the Leader of the Opposition has done a wise or an unwise thing, whether the Premier has deliberately misled the House, as I happen to believe he has, or not. That is not the issue, Mr. Speaker, the issue is whether we want to resolve ourselves into a Committee.

Now, Mr. Speaker, I would stop talking right now and every other member of this House, on this side of the House would agree not to speak to this if we had an indication right now that the government will vote for this, and when I say the government, a majority of the members of the House will vote for it, and we can have a Committee of the House and we can go through the procedure of establishing what the motion proposes that we establish.

SOME HON. MEMBERS: Hear, hear!

MR. SIMMONS: That is the issue, Mr. Speaker, whether or not we want a committee.

And then speaking out of both sides of his mouth at one time as he is so capable of doing -

MR. MARASHALL: On a point of order, Mr. Speaker.

MR. SPEAKER: A point of order has come up, please.

MR. MARSHALL: Mr. Speaker, look -

MR. SIMMONS: He is going to obfuscate now is he?

MR. SPEAKER: Order, please!

MR. MARSHALL: On a point of order. Now, Mr. Speaker, I do not wish to interrupt the hon. gentleman, really, but that is contrary to the rules of this House to say that the hon. member, you know, that imputes my motives. I got up and gave my position as sincerely as I could and I do not intend to sit here in the House and hear the hon. gentleman or any hon. gentleman impugn or impute my motives.

MR. SIMMONS: To that point of order, Mr. Speaker.

MR. SPEAKER: On that point of order.

MR. SIMMONS: If my saying speaking out of both sides of the mouth is what offended the member then I can say it quite another way. On the one hand I hear him lecturing to us not to prolong the time of the House in this matter, and then I see him prolonging the time of the House. I have an expression for that, Mr. Speaker.

MR. SPEAKER: Order, please! On the point of order, in my opinion, the allegation toward a member that he is speaking out of both sides of his mouth is an allegation of untruth or deceit or falsity or hypocrisy or some amalgam of these attributes. And I would ask the hon. gentleman to withdraw it.

MR. SIMMONS: Yes, Mr. Speaker, I withdraw and I would also appeal to the member for St. John's East (Mr. Marshall) to extend to me the same courtesy we extended to him, although we had to bite our lips to do so. We had to bite our lip and hold our seats, but he is now going to use the old business, the old trick of the point of order every four seconds? One of our problems on this side of the House, Mr. Speaker, is we are far too courteous, particularly to that hon. member.

SOME HON. MEMBERS: Hear, hear!

MR. SIMMONS: Now, Mr. Speaker, the member for St. John's East asked first of all, is it a contract? Is this agreement between Her Majesty in right of Newfoundland, on the one hand, and Mr. Craig L. Dobbin on the other hand, is it an agreement? Is it a binding agreement? And he tells us, well now, he does not want to get into legalese - well I do not know what that word means, so I will be pardoned if I show my lack of knowledge on that particular point in a moment. But after saying he does not want to get into legalese he then proceeds to give us his legal opinion on a number of issues, most of them unsolicited opinions. And I would say, Mr. Speaker, without getting into detail about it that what I heard from the member was at the very best awfully weak law, awfully weak law, Mr. Speaker.

Mr. Simmons: As a matter of fact, his best case, his best reason the agreement has not been executed, whatever that means in his context today, whatever it means, the best reason is the building is not there. The building is not there.

MR. SIMMONS: Now I do not think the building is there, I am pretty well sure the building is not there, Mr. Speaker, but that alone, Mr. Speaker, does not constitute an argument that the agreement is not binding. We are talking about a fairly monstrous sum of money here, we are talking about a long-term undertaking going into twenty years plus, and as I read the agreement there is no commitment as to a beginning date, except 'as soon as possible' type of stuff, and we are talking

MR. SIMMONS: a couple of years. If I were in government I would have expected that by now the developer would have begun some physical visible activity but on the other hand, if I were on the side of the developer and had good reason as to why I did not physically begin the building, then I do not think I would have forfeited my rights under the agreement because I had perhaps been a bit tardy and, in my own view, perhaps with good reason had been tardy or had been two or three years putting the building in place. I do not think that alone would constitute default under the agreement.

MR. W. ROWE: Like the Premier asking you to hold off, hold off, hold off, something like that.

MR. SIMMONS: I will come to that. Now, Mr. Speaker, what the member for St. John's East (Mr. Marshall) gives us is at best, to put it in its kindest context, very weak law. To put it, Mr. Speaker, perhaps less kindly, but I still think in a parliamentary fashion, if I am ever, Mr. Speaker, in a court of law I hope that member is there too acting for the opposing case, being the counsel for the opposing case, Mr. Speaker, because my chances will be multiplied many fold. As long as that member - if he uses the kind of specious argument in that court of law I talk about as he has done this afternoon, Mr. Speaker, I hope he is there but I hope he is representing the other side of the argument to which I am on.

Now, Mr. Speaker, he argues that it is not a binding contract because we do not have the supporting Order-in-Council. Well, Mr. Speaker, I am going to leave that particular argument to people who are either in Cabinet or have been in Cabinet because I have not been. There are people on both sides of the House who are or have been in Cabinet and I do not understand fully or I am not fully aware of what the details are in terms of supporting documentations for these agreements and I would rather hear from somebody who is more conversant on the particular subject.

But I am going to raise, Mr. Speaker, what I think is a related question because the member for St. John's East

MR. SIMMONS: (Mr. Marshall) has not addressed himself to this one at all. Here is the agreement, Mr. Speaker. It is signed and in the interest of brevity, Mr. Speaker, I am going to assume that the signatures are genuine. Perhaps somebody might want to get off on the argument that they are forgeries or that they are not true signatures or that they were signed under duress and that kind of thing, but I have seen the signatures of three of the four individuals involved here on a number of occasions, that of the Premier, that of the present Minister of Industrial Development and that of Mr. Dobbin, I cannot decipher who the fourth signature is but that is not completely relevant to the point that I want to make here. I am going to assume that the three signatures that I just mentioned are bona fide signatures made freely.

Mr. Speaker, that being the case what does the member for St. John's East (Mr. Marshall) have to say about the fact that the present Minister of Industrial Development signed a document? Was he trying to hoodwink Mr. Dobbin? Is that the game that they were playing? Was he trying to hoodwink him? Did he think he was that stunned that a fellow on the one hand who could put together a package which would accrue him in gross \$70 million over the twenty year period? Did he think on the other hand that he was so stunned that he would not ask the very basic question "Does TC Farrell have the authority to sign this document? You know the document is either worth something or it is not worth something. Now if it is worth nothing how stunned is Mr. Dobbin? How stunned is he that he would take this piece of paper? How naive? How stunned? I suggest, Mr. Speaker, he is not nearly as stunned as is being suggested by other people in this House today. Because that is what the member for St. John's East (Mr. Marshall) is saying really, that Mr. Dobbin was duped, that he was duped by one TC Farrell and one FD Moores who sat there, or stood there or kneeled there as the case may be .

MR. LUSH: Kneeled probably.

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MR. SIMMONS: Sat, stood or kneeled there and with pen in hand affixed their signatures and now we are told that they were worthless signatures, they were worthless motions, that the paper was not worth anything, that they never had the authority to put those signatures on paper. Is that anyway to treat a friend, Mr. Speaker?

MR. SIMMONS: Take him for an April Fool's joke when it is not even April Fool's Day? Is that any way to treat a good friend, to pull an April Fool's stunt on him in the middle of August? Is that any way to treat a good friend? How stunned, Mr. Speaker, how stunned does the member for St. John's East (Mr. Marshall) think we are?

Now look, Mr. Speaker, I am not going to get into the technicalities of whether this is a binding agreement or not. I am told by people who know much more about this than I do, who know more law on the subject than I do, I am told it is a binding agreement. If the Leader of the Opposition thought for one second that it was a mere fabrication, a piece of paper trumped up to hoodwink one, Mr. Dobbin, if he felt that is all it was, some private game between one, T. C. Farrell, one, F. D. Moores and one, C. L. Dobbin, do you think for one second he would have made it the subject of a matter of privilege in this House of Assembly?

Now, Mr. Speaker, whether it is a binding agreement or not at the time it was signed, I would submit to you - and I would invite the Premier to deny this if he thinks fit to do so - I would submit to you that it was purported to Mr. Dobbin to be a binding agreement.

SOME HON. MEMBERS: Hear, hear!

MR. SIMMONS: It was purported to be a binding agreement, Mr. Speaker, or else the fellow who signs himself C. L. Dobbin is awfully stunned. They cannot have it both ways, Mr. Speaker, either it is a binding agreement or it was pedalled - and pedalled is a very good word for it, Mr. Speaker - it was pedalled as a binding agreement at the

MR. SIMMONS: time, either that or they were taking one who is known to be a very good personal friend of the Premier's - and there is nothing wrong in that, Mr. Speaker, we all have our good personal friends, our loyal friends who stand by us - either it was a binding agreement, Sir, on the one hand or it was pedalled as a binding agreement on the one hand, or they were taking their friend for one awful ride, they were pulling one awful April Fool's joke on him.

DR. KITCHEN: Somehow or other I have my doubts whether he was taken for a ride.

MR. SIMMONS: Well, Mr. Speaker, I let the House judge on that particular subject. My colleague to my left expresses his suspicions. I have some suspicions on the subject as well.

Mr. Speaker, I am taking the attitude for the purpose of debate that it may not have been a binding agreement. And I fully expect that when the next speaker is put up by the other side they will imply that somehow I had some doubts about the subject. What I have said, Mr. Speaker, is that I am going to leave the subject of whether or not it is a binding agreement to people more versed in the law, but I am taking somewhat the devil's advocate role on the subject, asking even if it were not a binding agreement, what was it? And I say, Mr. Speaker, that unless you accept the ridiculous thesis I put to you a moment ago that it was just an April Fool's joke, that somehow they were taking Mr. Dobbin for some kind of a silly ride - unless you accept that there is only one other possibility, Mr. Speaker, and this is the one I subscribe to: agreement or no agreement, it was a deal, it was an arrangement. It was an arrangement between the government and a developer, an arrangement that is duly

MR. SIMMONS: documented in Orders in Council and in the agreement which has been tabled by my colleague, the Leader of the Opposition. At the very least, Mr. Speaker, it is a deal.

Now, Mr. Speaker, look, there is no building outside, let us not get bogged down on that one. I know this hill is foggy, but there is no building outside. Let us not get bogged down on that one. Let us come back to the central question which was raised here, and it is not, Do we need office space? It is not, Is Craig Dobbin or Andrew Crosbie or the Lundrigans or Trizac or whoever the best people to provide that space? That is not the question. The question is not, Is the rate in this agreement a competitive rate? Is the term competitive, advisable? The question is not, Was all the documentation in place? That is not the question at all. The question is, Did the Premier mislead the House? And he was asked not only, Are there any formally signed, properly dotted agreements? That is not what he was asked. He was asked, Is there any arrangement -

MR. WHITE: Right.

MR. SIMMONS: - and in case he did not understand the question it was put to him in a dozen different ways over a three-year period -

AN HON. MEMBER: (Inaudible)

MR. SIMMONS: - so he could have time to think about it, to realize the semantics of the question, to see it from all angles, to see it when he was in a good mood, when he was in a barky mood, when he was in an outright bad mood. It was put to him for three years in every which way, every possible way you could ask the question, and the answer came back, not only verbally but in writing - signed by the Premier as recently as this week - the answer comes

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MR. SIMMONS: back, 'No, no arrangement,
no deal.' At no time does he preface that answer by
saying, "Well, now look, we did

MR. SIMMONS:

have an arrangement but it has been aborted, it has been recinded. We did go so far as to authorize the execution of agreements with various companies but we backed off." No time was that ever said, just that there are no arrangements, there are no arrangements.

Now, Mr. Speaker, we submit that in making that reply to the House on many, many occasions, twelve, fifteen, twenty occasions, the Premier has misled the House. That, Mr. Speaker, is a question that can be more fully decided by the Committee of the House asking questions of Mr. Channing, whom I think we should be able to call here and get his version of what happened in Cabinet, have him attest to who was present at that Cabinet meeting; from perhaps Mr. Dobbin, who might want an opportunity to come here and tell his version of the story. He has been implicated, albeit unwittingly, but he has been implicated in this particular issue. Perhaps other people, Mr. Speaker, who went through the expense - I have heard what Mr. Dobbin has spent or the Premier indicated that Mr. Dobbin has spent a lot of money, and I have every sympathy for that because it is that kind of developer and that kind of private entrepreneur who keeps the system we have going and without their competitive bidding and without their willingness to compete in the market place we would not have the system we have.

Mr. Speaker, Mr. Dobbin has unquestionably spent a nice bit of money on this subject. I will tell you some other people who spent some money on the subject, Mr. Speaker. I will read them off in order: Project Management and Design, St. John's Development Corporation, Trizec Equities Limited, Seabold Construction, Western Realities. And if you were one of these companies, Mr. Speaker, that had spent so much money - For instance, if you were the company, Mr. Speaker, that put in a bid not for \$8.35 as did Mr. Dobbin but suppose you were the company that put in the bid \$8.18? Suppose you were that company, or suppose you were the company that put in the bid for \$6.90, would you be concerned about all the money you had spent and did not get a wittle for it?

MR. SIMMONS: Now, Mr. Speaker, I am going to be accused of comparing apples and oranges, so let us compare some apples and apples. One company, Mr. Speaker, now let us go to the proposal that was signed into an agreement - the Dobbin proposal. Location Confederation Building grounds. Another company, location Confederation Building grounds. Space in the case of the Dobbin proposal adds up to 408,000 altogether square feet. Space in the other proposal, 400,000 square feet. Rate to Dobbin \$8.35. Rate in the other one, \$8.18. Interior partitions to be supplied by the Department of Public Works, in the case of the other proposal to be supplied by the developer; taxes - Department of Public Works; elevators in the case of Dobbin - yes. Elevators in the case of the other one - no. Light and heat, both the Department of Public Works; air conditioning - developer in both cases; exhaust and ventilation systems, Department of Public Works in the case of the Dobbin proposal, the developer in the case of the other proposal. Parking - Department of Public Works in the case of the Dobbin proposal, in the case of the other one, the developer will supply it. Cleaning - in both cases the Department of Public Works. Time period - Dobbin 1980 to the year 2000, time period in the case of the other one 1978 - 1998.

Now, Mr. Speaker, I think you will see that if anybody had the edge there, and I have not looked at the whole proposal, but in terms of taking the heads of comparison, in terms of who is going to supply what, you see that the edge is clearly towards the other proposal, the \$8.18 a foot proposal, where they would supply exhaust and ventilation systems, parking, for example, and interior partitions, three items which were not being supplied under the proposal that was accepted. So without being judgemental on this, Mr. Speaker, at the very least you can say it is questionable; it is questionable, Mr. Speaker,

MR. R. SIMMONS:

whether the proposal which was signed as an agreement was even the best proposal.

Now, Mr. Speaker, I have taken the \$8.18 proposal. I could have taken the one at \$6.90, Mr. Speaker, \$1.45 a foot below the one which is accepted, or I could take another one at \$5.95 a square foot. Now, Mr. Speaker, these figures are not as out of whack as you may think because the developer himself a year before that submitted a couple of proposals. He submitted one on the 7th of October to supply some space at \$6.90 a square foot. A month later, on November 13th, he submitted the same proposal word for word, with two changes. The last paragraph in the two proposals were slightly different. In one case it said, 'If the foregoing meets with your satisfaction and you would like to meet to further discuss construction dates, etc. that I will be pleased to do so', and so on. The last paragraph in the second letter said, 'If the foregoing meets with your satisfaction we would request receiving your letter of acceptance.' That is one change.

There is another change, Mr. Speaker, in the two proposals. They are alike in all other particulars, the kinds of walls, ceilings and floors, and the operating expenses, and who is going to supply what, but they are different in one particular detail. Now the first one was sent in on October 7th, 1974 and the second one was sent in on November 13th, 1974, and they are different in one detail, and one detail only, with the exception of the last paragraph. The first proposal of October 7th, 1974 was to supply space at \$6.90 a square foot and then, lo and behold, five weeks later the proposal is to supply not at \$6.90 but at \$8.46 a square foot. Now, Mr. Speaker, I have heard of rampant inflation but not that rampant.

The point I make, Mr. Speaker, is this, that the argument is going to be made later about we are talking about apples and oranges, and so on. The point I make is that the developer who had his proposal accepted at \$8.18 had demonstrated less than a

MR. R. SIMMONS: year before that he was prepared to supply the same space at either \$6.90 or \$8.46, depending on which proposal or which month of the year you are talking about.

The fact of the matter, Mr. Speaker, is that we are dealing here with a calculated plot, a cool, conniving and calculated plot to provide for the lease of office space in a way that would suit the intentions and the schemes of certain people in Government.

Now, Mr. Speaker, let us go back to the preceding December or January for a moment because it has a lot more import on this case, a lot more relevance to this case than members may think. In January of 1974 the Government received a report, a study of accommodations requirements of the Government of Newfoundland and Labrador. In May - now, Mr. Speaker, get this, in May of 1974 Cabinet decided, on May 1 Cabinet decided that there would be no interim moves or no major renovations or expansion to the Confederation Building for two years and that all departments of Government would be directed to keep in check their space requirements. That was in May 1974. One month later the Minister of Public Works is authorized to sign an agreement with Trizec but, as we know, that one was never signed. Now the Premier touted it yesterday as an agreement. Mr. Speaker, these are just so many typed pages, you can call it a draft agreement if you want, but there is no signature, Mr. Speaker, there is no signature on that document.

AN HON. MEMBER: No "F.D." on that one.

MR. R. SIMMONS: There is no signature, There is no "F.D. Moores" on that. There is no "T.C. Farrell" on that. And I will tell you, Mr. Speaker, if I were Trizec, if I had a choice of being Trizec with that document, although it is thicker and perhaps more nicely typed, if I had a choice between that, Mr. Speaker, and that document, I would take that little slim one any day at all. And I will tell you why,

MR. SIMMONS: Mr. Speaker, because despite the fact there is not quite as much paper in what is in my left hand there is a lot more substance there, Mr. Speaker. That has two fairly important signatures, the signature of the Minister of Public Works of the day and the signature of the Premier of the Province. That, Mr. Speaker, is just so many typed papers and let us not hear the suggestion again that that is a signed agreement. That is a draft agreement with so many sheets of paper, nothing more. That one, Mr. Speaker, never got beyond the typist's desk. It was a nice typing job but it never came off. Now that was in June 1974, Mr. Speaker. Then we go through and there is further discussions about the Trizec thing. Then we find that in August 1974 it is back to square one because on August 21, 1974 the Minister of Public Works is authorized to locate some space. The Trizec thing has obviously fallen through completely by now, and then, Mr. Speaker, notice the timing from hereon in. August 21st the Minister of Public Works is authorized to locate additional space, August 21. It was not until September 30th, Mr. Speaker, six weeks later that the minister writes a letter to Mr. Dobbin, to Seabord and to Lundrigans inviting proposals, six weeks after he was authorized to go look for some space.

Now, Mr. Speaker, I did not say that he did nothing in those six weeks. All I am telling you is that he did not write the developers for six weeks. Now did he talk to the developers? Well if you look at the letter from Mr. Crosbie you can assume he did not talk to Mr. Crosbie because Mr. Crosbie asked the following day, on October 1st, one day after getting the minister's letter and he writes back looking for more information. Such basic information as this, Mr. Speaker, "How long do you want the lease for?" Imagine writing a letter looking for space, inviting proposals and not bothering to say whether you want the space for five years or ten years or twenty years. Imagine that. So Mr. Crosbie had to write back the next day and said, "How long is the lease for? And by the way, what kind of a building do you want? Do you want walls in it?" That is the second question he

MR. STIMMONS: asked. "Who is going to do the interior work?" That is how complete the request was that went out on September 30th.

Now what is my point, Mr. Speaker? It is this, that the people the government wanted to know about the space requirements knew in detail a good time before September 30th and the letter of September 30th inviting proposals was a charade, was just a smoke screen and so badly contrived a smoke screen they did not bother to mention whether they wanted the building finished inside. They never bothered to mention whether they wanted the building rented for five years or ten years or twenty years. And so Mr. Andrew Crosbie has to write back the next day and say, "By the way, fellows, do you want the building finished? By the way, fellows, do you want it for five years or twenty years?" Because, Mr. Speaker, long before that memo ever went out on September 30 the deed had been done. The wheels had been set in motion to get a deal going with one of the developers, Mr. Speaker. Now the question is which one? Well, Mr. Speaker, the various people who had been written to, and there were four, not three, there was Mr. Dobbin, there was Lundrigans, St. John's Development Corporation, that is Mr. Crosbie, and Seaboard. They all came back, Mr. Speaker, with their proposals. The deadline for accepting proposals was two weeks after the memo went out on October 14th, two weeks after the memo went out. Two of the companies came back on the last possible day with their bid. One of the companies write the following day saying they did not have time to get the bid ready, that is three of the companies. Two of them came back on the last possible day; one of the companies say they did not have time to prepare the bid, two weeks is not long enough, but the fourth company, Mr. Speaker, the fourth company, which like all the other three only had two weeks altogether to prepare their bids, when do you think that company got in? Do you think they never had time? Do you think they rushed in on the last day with the envelope? Not hardly. They were ready a week ahead of time. And they only got the letter, Mr. Speaker, on September 30th or the first day of October but notwithstanding on October 7th, lo and behold, they had

MR. SIMMONS: the proposal all ready, and what did the proposal say? That is the interesting part, Mr. Speaker, if I can lay my hands on it here, what that particular proposal said. Yes, Now it is worth noting, Mr. Speaker, that when the minister on September 30th., wrote his letter out, he was fairly brief and to the point as you will see. A letter to Mr. Craig Dobbin, Omega Investment, September 30th., "Government has directed me to invite proposals for additional space. We would invite you to submit a proposal on the following - 75,000 square feet, the date when it can be ready for occupancy," and so on, and that is about it.

Now, Mr. Speaker, the letter, and this is very important, the letter says in beginning, "Government has directed me to invite proposals for additional space in the St. John's area." That is the letter of September 30th., "in the St. John's area." When Mr. Dobbin answers seven days later, he not only knows, Mr. Speaker, that the building is going to be in the St. John's area, he knows more. Just listen. Listen to this. "Further to Mr. Rousseau's letter of September 30th., 1974 regarding the rental by the Government of Newfoundland of office space in an office building to be built on the Torbay Road, adjacent to the K Mart Shopping Plaza." He knows exactly where the building is going to be. As a matter of fact he writes the letter assuming that the space we are talking about is one place and one place only, down on Torbay Road.

So on the 7th. of October he rushes in his proposal. I submit, Mr. Speaker, he did it because he had lots of time to do it. Now let us very quickly follow through that sequence. We are talking about a proposal in the Fall of '74. Cabinet received a proposal on November 7th., 1974, The Minister of Public Works in Cabinet was authorized to enter into negotiations and finalize agreements with Mr. Dobbin for 75,000 to 100,000 square feet of space. That was November 7th., 1974. On November 13th., 1974, the then minister, Dr. Farrell, gets a letter from Mr. Dobbin with a detailed

MR. SIMMONS: proposal, identical to the proposal of October 7th., except the price has been changed from \$6.90 to \$8.46, on November 13th. And then, Mr. Speaker, if you have been one of these people who think that government drag their feet about Crown land leases, and about making decisions on welfare payments, and about keeping welfare recipients a month waiting for their cheque because the computers cannot handle it and that kind of argument, if you have been one of those there is a little chagrin because your constituents are not getting action just as fast as they should, you will be encouraged by the speed with which the government dealt with this issue, Because the proposal came from Mr. Dobbin on November 13th., and, lo and behold, on November 15th., forty-eight hours later, a letter goes back to Mr. Dobbin from Dr. Farrell saying, We accept your proposal dated November 13th. How is that for performance?

MR. NEARY: I thought they just told them there was no proposal.

MR. SIMMONS: Mr. Speaker, that was the first of a couple of proposals. That one was accepted on November 15th., on paper on November 15th. I say to the former Minister of Public Works, the Minister of Manpower, that whether he knows it or not, that deal was accepted a long day before that day. It was accepted months before. It was accepted before he was sent on the wild goose chase, the charade of looking for office space. It was accepted a long time ago. I am not suggesting he knew that. I am suggesting he was just one of the pawns in the game, Mr. Speaker, one of the innocent pawns in the game, a vicious game.

So on November 15th., the proposal was accepted and all they required then, Mr. Speaker, was a document to dot the i's and cross the t's. But, lo and behold, Mr. Speaker, that is where inefficiency took over. Had they done things with the same speed as they did between November 13th. and 15th., they would have been saved. They would have been okay. They would have been off the hook,

MR. SIMMONS: Mr. Speaker. But then all the nasty details that got to go into an agreement, it takes time, a girl can only type so fast. And so it was sometime in December before they got the agreement ready to go. Indeed the agreement was not dated but the attachment to the agreement, one of the appendices was dated December 6th., 1974. So we can assume it was into December before the agreement was ready for signing. Indeed Mr. Dobbin was so eager to get on with the job that he actually signed the agreement.

Mr. Simmons: He actually signed that agreement, Mr. Speaker. But either his friends in the government were not in such a mood to take him for a ride as they were later, or they were a little more cautious or for whatever reason they did not affix their signatures that day. He had his signed, and he had it duly witnessed by one Powell. But for some reason one T.C. Farrell, and one F. D. Moores either were not around or were not in any joking mood or for whatever reason they did not sign that particular agreement, although let the records show Mr. Dobbin signed it and was therefore happy with it, Mr. Speaker. It was signed, I assume, sometime in December, if I may judge from the date on the attachment.

Now, Mr. Speaker, the deal is obviously still very much in the works because in January, sometime in January, again no date, except January 1975, Mr. Dobbin wrote the Minister of Public Works telling him that he was also able to make available 400 carparks in the Torbay Road building. And then on the 31st. of January the Minister of Public Works was authorized, by Cabinet, to execute the agreement with Mr. Dobbin. Now the dates from here, Mr. Speaker, are extremely important. On the 31st. of January the Cabinet authorized the Minister of Public Works to execute an agreement, on the 31st. of January. And then on the 7th. of March, Cabinet rescinded the agreement, rescinded the deal, rescinded the authorization, the authorization it had given on January 31, was rescinded on March 7.

What happened in between, Mr. Speaker? What happened in those five weeks? Two things that I recall, two things: One, the Opposition, as the record will show, raised a number of questions on this particular subject; and number two, on February 24 the Minister without Portfolio, the Government House Leader, resigned from the Cabinet over the subject, on the 24th. of February. And so on the 7th. of March, I would suggest in a direct response, the order was rescinded. On the 12th. the Cabinet decided to call public tenders; public tenders were called on the 18th. of March. Tenders were received from Mr. Dobbin, from Western Realty, from Project Management, from the St. John's Development Corporation and from Trizec. Tenders were all received up to and including

Mr. Simmons: April 30, because that was the closing day for the tenders. And then very little action, Mr. Speaker, not the same efficiency that we saw before, the November proceeding where it only took two days to get an agreement.

Now suddenly, Mr. Speaker, there is a long period when not very much seems to be taking place. Between April 30 and August 18, apparently Cabinet does not have anything to say on the deal. Now I assume Cabinet does not have to say, because I am assuming that the Premier is a man of his word and that he tabled all the relevant Orders-in-Council as he said yesterday he did. I am assuming he has tabled them all. He certainly had full opportunity because he told us he knew about this issue beforehand. So he cannot argue now today, Mr. Speaker -

AN HON. MEMBER: Appendix A and Appendix B.

MR. SIMMONS: He cannot suddenly argue today that he never had time to table the documents, and I will get awfully suspicious if he lays on the Table of the House another signed document, whether it is a rescinding order or what it is, -

MR. NEARY: Or an Appendix.

MR. SIMMONS: - because the first thing I will do, Mr. Speaker, the first thing I will do if he lays such a document in the House is run over and test the ink to see if it is dry. I do not care what the date on it is, I will check the ink to see if it is dry. Because he had his opportunity yesterday, Mr. Speaker, to table the documents because he told us himself that he knew beforehand this thing was coming down yesterday, so I assume he had a full opportunity to table the documents and I am assuming, Mr. Speaker, -

MR. NEARY: How did he know?

MR. SIMMONS: Well he said he knew because there were some people over on this side of the caucus who were honest. Well, I will agree with him on that point. I agreed with him on that point. I disagree with him on something else though, if I could get his attention for a minute, perhaps he would be prepared to tell the House whether I was the one who told him.

PREMIER MOORES: Not you, Lord.

MR. SIMMONS: Not me, eh? That is good. One down and nineteen to go.

AN HON. MEMBER: That is right.

MR. SIMMONS: Not me.

MR. F. ROWE: All of us will ask him the same thing.

MR. SIMMONS: Now, Mr. Speaker, the Premier's bluff is going to be called on that one, and I give him notice. It is going to be called on that one.

I assume the Premier told the truth when he said yesterday he was tabling all of the relevant Orders-in-Council. If that is the case, Mr. Speaker, the next time Council or Cabinet deals with the issue is on August 18 when it authorizes that the Dobbin proposal be accepted, Now that is what, May, June, July; that is three and one-half months after the bids - that the tender deadline for this matter, On August 18 the thing was approved, and then we have the agreements which my colleague, the Leader of the Opposition, has made reference to.

MR. SIMMONS: Now, Mr. Speaker, why did I go back to the earlier deal? Because, Mr. Speaker, I submit to this House, it was really only one deal that got off the tracks. It was a deal that was in the works for a long time; it got delayed, it got messed up by the member for St. John's East (Mr. Marshall) who resigned over the issue, and by the Opposition who kept asking questions on the subject. And here was a government that just a few months before had brought in a Public Tender Act which they wanted to give the impression they were standing by. We all know since what happened to that Public Tender Act. You ask anybody in Public Works; you ask the Mahoney Inquiry on the subject what happened to that Public Tender Act; ask anybody in the Public Accounts Committee what happened to that Public Tender Act. So you see, Mr. Speaker, in 1978 the Province is not so gullible as it was in 1974 on the subject of public tendering because it was willing to give this government a chance. And this government had to maintain a stand that they were hard and fast behind the public tender system. We know now that they are not behind the public tender system at all except as it serves their particular advantage, but it took time to establish that - it took the Public Accounts Committee, it took the public inquiry, it took the police investigation, it took the Walsh shenanigans, it took the other shenanigans to establish that this hon. crowd do not mean what they say about public tendering, they are just going through the motions. But, Mr. Speaker, the net result was they had to bide their time. They had to wait until she blew over, as we say; they had to wait until the House was closed; they had to wait until the impact of the resignation of the member for St. John's East had been somewhat forgotten

MR. SIMMONS: by the local people. And they probably would have waited another few months, Mr. Speaker, but then they had this nasty necessity of having to go to the public to get themselves elected. And so all that summer, you will remember, was like waiting for the other shoe to drop. You knew the election was going to come sometime in July or August, you knew it was coming fairly soon. And then the Premier fixed on a date to call the election. He called it on the 25th of August, but before he did that he had some housekeeping to do, and he did one of his bits of housekeeping a week before calling the election, on August 18th. That was the infamous day when this Order in Council was passed authorizing the Dobbin proposal - as I say, perhaps a little more quickly than they would have liked; they would have liked for it to blow over just a little bit more. I submit, Mr. Speaker, there was really only one deal, and that the Premier, as part of his deliberate misleading of this House, was only reflecting what was part of a larger pattern, an ongoing pattern going back into 1974 when he attempted to have Mr. Dobbin and his associates get this leasing arrangement, when it went sour on him, thanks to the Opposition and the resignation of a minister without portfolio. Then the Premier had to bide his time, and then a few months later he puts it through Cabinet, signs an agreement - and I say, Mr. Speaker, signs an agreement - witnessed the agreement which was signed by the then Minister of Public Works. Now, Mr. Speaker, as I say, most of us in this House are not lawyers. That is to our credit perhaps, as well. Most of us are not lawyers. At the very least, Mr. Speaker, the Leader of the Opposition and I and speakers who will follow me, at the very least we have laid out a case which requires

MR. SIMMONS: that it be further investigated by the Committee of the Whole House with the power to call and examine witnesses and to send for documentation. That is all this motion is asking, Mr. Speaker. I am hoping, although I do not take much consolation from what the member for St. John's East (Mr. Marshall) would say, I am hoping that the House can agree on that particular motion. If it does not there is a very obvious conclusion to be drawn -

AN HON. MEMBER: A cover up.

MR. SIMMONS: - the old brazen-it-out approach that we are so used to with this administration - rough her through, hope that it will go away tomorrow.

Now, Mr. Speaker, in closing, just a word. I have heard it said that somehow because I sit on this side of the House I am not interested in things like unemployment and services for the people and that kind of thing. Let me just cover that in one sentence, Mr. Speaker: If my people who live in McCallum and have to row in the middle of the winter two miles in a punt to get drinking water because the Premier will not keep his promise of 1973 to provide \$20,000 or \$30,000 to give those people not a central water system, but one drilled well, if they have to do that for the want of \$20,000 because they are told we are living in times of restraint, and on the other hand I see \$2 million being lashed out to a

MR. SIMMONS: public relations agency in Montreal, where I see millions of dollars being squandered here and there, I see millions being squandered on this particular deal or potentially squandered, then, Mr. Speaker, I have difficulty addressing myself to the narrow subject of water or the subject of unemployment or the subject of health services without addressing myself to the overall problem that one of the reasons we have high unemployment, one of the reasons we have no hospital construction this year, one of the reasons we have the lack of services in McCallum and other communities, one of the reasons for all that is the failure of this administration to govern because they are too busy doing two things: quelling all the internal rows trying to keep their act together and, Mr. Speaker, too busy making nice, comfortable, cosy, financially advantageous arrangements. And that, Mr. Speaker, goes to the very bottom of why we do not have sound government and why the people of McCallum are without water today and why the people of Newfoundland and Labrador are without employment opportunities.

This government, Mr. Speaker, has failed to govern, failed to govern because it is too busy, Mr. Speaker, doing the kind of thing we are talking about today. And if they want, Mr. Speaker, us on this side to talk about unemployment and the other issues, let them have the courage to call the Budget debate which they have not done although it has been down for two months, let them have the courage to call the Throne Speech debate which they have not done for two or three months, let them have the courage and the conviction to tell themselves - I do not care what they tell the House because what they tell the House and what they tell themselves or do can be two very different things - but let them tell themselves, Mr. Speaker, that they have been burnt so often on this kind of deal that they are going to give up on this deal and they are going to address themselves to the reasons they were elected in the first time, to try and give some half decent government to a Province that needs it so badly and is not getting it.

SOME HON. MEMBERS: Hear! Hear!

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

MR. PECKFORD: Mr. Speaker, I would like to have a few things to say about the present issue at hand. I have listened with a great deal of interest to what the previous speakers had to say, the member for Burgeo-Bay d'Espoir, the member for St. John's East, the Leader of the Opposition. I listened with great interest in it. I think the Leader of the Opposition recognized to some degree the very important matter that we are dealing with here. I think the member for St. John's East recognized it to a much greater degree. I think the member for Burgeo-Bay d'Espoir hardly recognized it at all. He got into a fairly wide ranging debate about how well the provinces have been governed or not been governed especially in his last five or ten minutes and that bothers me a lot because I think as the debate continues I think it important for us to realize just how important this whole matter is to this hon. House and to ongoing deliberations that we might have in here.

In his opening remarks the hon. the member for Burgeo-Bay d'Espoir mentioned that the question before us right now is not whether the hon. the Premier misled the House necessarily but what is before this hon. House is whether in fact we are going to have a Committee. He failed to go on and indicate what this whole business of having a Committee established to the motion that the hon. Leader of the Opposition has put before us has to say. The motion has to say to establish a committee to determine whether or not the hon. the Premier was misleading the House and what we have to ask ourselves this afternoon is whether in fact there is sufficient evidence in our minds as individual members of this House to warrant such a committee, to warrant such an investigation, to warrant such a step as has been suggested in this motion by the Leader of the Opposition

MR. B. PECKFORD: recognizing that it has hardly ever happened before, that it is a very unusual step, that it is a motion that does not come up every day, or every week, or every session, or every ten or fifteen years. That is what we have to decide and, therefore, every individual hon. member has to put his mind to work not on whether now the Province has been governed well for water for McCallum, or a highway here or there, or hospital construction here or there. We have, as responsible members of this House representing our individual constituencies, to do one thing and that is to decide whether there is evidence sufficient to warrant voting for this motion and having the Committee of the Whole set up to investigate the charge laid against the hon. Premier that he misled this House in answers to questions over the last two or three years as it related to office space for the Government and for its agencies. That is what we have to decide, Mr. Speaker, that is the sole issue before us. And remembering always that the issue is one of deliberation, one of thought, one of reflection, that the hon. the Premier never misled the House, the hon. the Premier did not say something off the cuff; that he deliberately, that he designed - as the Leader of the Opposition and the hon. member for Burgeo-Bay d'Espoir (Mr. Simmons) are saying - that he designed his answers in such a way as to effectively cover up a secret arrangements that was being proposed between the Government of Newfoundland on the one hand and a developer on the other hand. That is what we have to decide.

Now, Mr. Speaker, we therefore have to try to gather evidence and information to lead us towards making a decision on this motion sometime today or whenever whoever wants to speak has had a chance to speak. We can relate ourselves or we can refer to many, many documents. But number 1, Mr. Speaker, let it be clearly understood first of all that it is an extremely normal practice for cabinets to direct an individual minister or a committee of ministers to go out to a particular developer or to a particular engineering firm, or whatever is before cabinet at the time, and put

MR. B. PECKFORD: together some kind of arrangement, given whatever the circumstances of the day are, if it happens to be a hospital, or if it happens to be a water and sewer system, or if it happens to be office space, whatever it happens to be, that particular minister concerned. The Premier effectively pointed out, Mr. Speaker, in my view yesterday that it is extremely ordinary behaviour for cabinets in any jurisdiction to so direct a particular minister or groups of ministers that way. The cabinet as a whole does not have the time to individually as a cabinet, all sixteen, or fifteen, or fourteen, or twenty people, to sit down and negotiate with a developer or with a group of people, or a firm, or a company. It is left to the minister who is responsible to work out some of the details or to put a proposal before cabinet. It is examined and then that minister is directed to continue his efforts in this regard. That is his job. And it was done in Orders-in-Council on other proposals that have been placed before this hon. House. to show that that was normal practice. So there is nothing, number one, Mr. Speaker, nothing unusual about such a cabinet directive, nothing at all, to direct the Minister of Public Works, based on a tender proposal call, and all the proposal calls came in, they were all analyzed and one was considered to be better than the rest, and then that was brought to the attention of Cabinet and then Cabinet directed the appropriate minister.

MR. PECKFORD: to continue the negotiations along those lines to see if a deal could be consummated. And an interesting point but one that I am sure, Mr. Speaker, I can be accused of using some antics on, but an interesting point on that whole question, it was a Cabinet Directive. It was not an Order-in-Council, it was a Cabinet Directive, number one. Number two, which is a big difference. If anybody wants to go into it they can find out what the difference is on the matter. But let me not just dwell on words. Just let me not dwell on words. Let me consider it non-important even though it is. Well, I will ask the hon. member to call up the Clerk of the Executive Council tomorrow, the building is closed now, and ask the question, and see what the Clerk of the Executive Council will give you as an answer to that, the difference between the two. Because one directs, the other one is an order and has the formality to it and finality to it. A Cabinet Directive does not at all.

So, Mr. Speaker, it is normal practice for Cabinet Directives to be issued to authorize or direct appropriate ministers to continue doing certain things which are within the boundaries of their portfolio, normal regular practice. What was done in this case, Mr. Speaker, what was done in this case, after the proposals came in, analyzed and so on, one appeared to be better than the others, and a Cabinet Directive was ordered that the following proposals, submitted by Mr. Craig L. Dobbin, St. John's, with regard to the construction of an office complex for the government, situate immediately West of Confederation Building, be and they are hereby approved in principle. Approved. Approved no more, nothing after it. Approved in principle. It was normal for this kind of directive to be issued, one. Two, it was a Cabinet Directive. Three, what did it say? Approved in principle, full stop after that? No. 'subject to the submission to Cabinet of satisfactory plans and specifications, based.' And stop there after it is only approval in principle, no, subject to the submission to Cabinet again of satisfactory plans and specifications. Well that

MR. PECKFORD: is enough now. You are covered enough now. You are only approving it in principle. It must be subject to another submission to Cabinet, based on all the plans and specifications of the proposal, two additional things on it. No, based upon analysis of the project by the Department of Public Works and Services. And it was only after those conditions were met, and a submission brought back to Cabinet again, that final approval of a project could be given, or would be given. Normal practice for Cabinet to direct a particular minister, number one. Number two, it was a Cabinet Directive, not an Order-in-Council. Three, what did it say? It directed the minister, it said approval in principle. It said subject to plans and specifications coming back to Cabinet based on a full analysis by experts in the field in the Department of Public Works and Services. And after all those things were done, and Cabinet looked at them as a body, the minister doing his work for us, I doing the work on energy for them, the Minister of Municipal Affairs doing the work on municipal affairs for us, bringing it back to Cabinet, after those things were done then Cabinet would decide, then government

MR. PECKFORD: would decide if in fact this proposal by this developer which was approved in principle now can stand up and be approved in detail so that government can have additional office space. That is the process, Mr. Speaker. Therefore, I submit that those things being true, those things being valid, what I have just said being true and valid, that the Premier did not deliberately mislead this House when he said in response to questions over a three year period "There is no agreement. There is no arrangement." It was all pending further negotiation, pending further talks, analysis and then if it came back to Cabinet and it was rejected we could say it was rejected or if it was approved we would say it was approved, that there is an agreement, that we have a project, that we are going to build additional office space. There was no agreement, Mr. Speaker, absolutely no agreement. There was not one dollar of public money spent, then, during the last three years, now, There is none. It did not come back to Cabinet because it died a normal death, It died a normal death. There is nothing that ever came back to me, I have not seen anything in my Cabinet papers since. It died. And as a matter of fact, not only did it die its normal death -

MR. NEARY: It died in the Mercantile Bank in New York.

MR. SPEAKER: Order, please! I require on both sides strict observance to the rule while this motion is under debate.

MR. PECKFORD: Mr. Speaker, not only did it die a normal death but after, in the last year or so, government has taken upon itself to investigate whether, in fact, there was any need, any desire by government to rent space at Atlantic Place and negotiations were started. To show how dead it was, to show how dead this so-called scandal and corruption is, to show how far under the ground this particular proposal has become, the fact of the matter is that government started over a year or more ago - I do not even know the dates, but I know government has been over the last year or so negotiating for space at Atlantic Place if they could get the right price.

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MR. PECKFORD: So this so-called scandal, this so-called corruption has been as dead as the dodo bird for a year or more. There has been absolutely nothing done. The only thing that has been done has been another negotiation which negates completely any other proposal that might have been on the table before that because here we are now negotiating on Atlantic Place and other space around town. So how can there be an agreement? How can there be an arrangement approved in principle, subject to the submission to Cabinet of satisfactory plans and specifications based upon analysis of the project by the Department of Public Works and Services? How can there be an arrangement? I cannot figure it.

Now, Mr. Speaker, any hon. gentleman worth his salt, with half a wit can take any set of circumstances or any set of dates - I have seen it done many, many times, you could take my goings on, my personal goings on for the last seven days and if somebody has the right mind and the right inclination they can make me look pretty bad, Mr. Speaker, they can make me look pretty bad. There could be all kinds of innuendo -

AN HON. MEMBER: (Inaudible)

MR. PECKFORD: I will let the people of Newfoundland and the people of Green Bay decide that.

MR. PECKFORD: So, Mr. Speaker, if any hon. gentleman is interested in creating probabilities that certain things occurred they are very easy to do. It takes a very small mind. It takes a very small mind to be able to do that. There is no problem there. What you have to do, Mr. Speaker, is to be able to produce the cold, hard evidence. That is what you have to be able to do. You can innuendo all you like. You can suggest all you like. You can imply and infer all you like but the question, Mr. Speaker, is when the facts are placed on the table. And I suggest that what the Leader of the Opposition has done in here in the last few days has been a total and absolute abuse of the privileges of this House. He has, as the member for St. John's East has said, been very, very poorly advised to take this drastic step of asking or moving this motion, to examine whether the Premier has deliberately misled this House, on pretty flimsy evidence. Because the Leader of the Opposition was able to get his hands on a Cabinet directive he thought he had it made even though he had no more additional information as to what has happened over the last three years, the other negotiations going on, even though it was there proved in principle, even though it was only a Cabinet directive, even though it had to come back to Cabinet, even though it had to be analysed by experts, all of these things negating the kind of charge that he subsequently brought before this hon. House.

Mr. Speaker, what perhaps bothers me more than even this motion, if that is possible, is the escalation in this House over the last several months of phraseology and words which are coined in such a manner as to only indicate scandal, corruption, this kind of thing without any hard and cold facts being done on it. It has been done even in normal debates, even when there is no motion before the House, that somebody has deliberately misled. Even in normal debate one is hearing from hon. members for no particular reason 'cover up', 'deals', 'rotten deal', this afternoon. 'This crowd do not mean what they say.' 'This crowd', this is the way one hon. gentleman

MR. PECKFORD: refers to his colleagues in this House, 'this crowd' and wait for it to blow over, nasty, cosy, nice cosy - If there is anything more important, and the hon. member for Conception Bay South has very often eloquently made this point in this House over the last number of years that I have been here and some other hon. gentlemen from that side as well have often made the point, this whole motion sort of is the climax of an atmosphere, an environment that has been gradually created in this House over the last little while which is really dispicable to me. As one citizen, as one human being, as one member of the House it is dispicable. And there were times last Friday and on other occasions when for no particular reason this kind of verbiage and this kind of phraseology and diction was used by hon. members and I just got up, Mr. Speaker, as one member and walked out and went on home because it is not worth it, Mr. Speaker, to stay in this hon. House day after day, hour after hour and listen to some hon. gentlemen who have no facts, who have no evidence but continue to allege through well coined phraseology to imply certain scandal at just about everybody on this side which I think is completely less than honourable and deserves perhaps no more comment.

But it is a sad day when

MR. PECKFORD: an hon. gentleman has to stand up in his place and say those kinds of things are going on in the House. To sum up, Mr. Speaker, the hon. Leader of the Opposition has not proved, has not submitted evidence sufficient to convince me that this motion should be passed. He has produced flimsy evidence and has tried to build a case around a very small amount of information and facts and believes that for some devine, unknown reason he has the right to do this all the time and to stand in his place and to claim almost a monopoly on getting rid of corruption in this Province. Well, I will tell the Leader of the Opposition that I have just as strong a commitment as any other member in this House and he has no monopoly on truth, he has no monopoly on getting rid of corruption, and I too as a member am just as convinced on that score.

SOME HON. MEMBERS: Hear, hear!

MR. PECKFORD: Let him get off his white steed.

Let him get off his big steed as if he were the only one to pontificate in this House to get rid of corruption.

AN HON. MEMBER: (Inaudible).

MR. SPEAKER (DR. J. COLLINS): Order, please! Order, please!

In this particular matter the Chair does have to recognize one speaker at a time. I would ask hon. member to pay attention to that particular rule.

The hon. Minister of Mines and Energy.

MR. PECKFORD: So, Mr. Speaker, let none of us be so bold, let none of us be so big in ourselves, so pretentious as to believe that my sole desire is to get rid of corruption. Every hon. member in this House has a commitment to himself and to the Province, and to the people that he serves, to do what he can in the best interest of this Province. And when facts and evidence

MR. PECKFORD: are produced sufficient to condemn a man, or an hon. member, sobeit, let that hon. member be condemned, And let the courts and this House take care of him. No question about it. But let it not be done, or let it not seem to be done, or let it not be done on flimsy evidence which cannot conclusively show that an hon. member deliberately misled this hon. House because I firmly believe that on the evidence that the Leader of the Opposition presented he cannot show it. It cannot stand up. It cannot stand up. And unless and until the hon. Leader of the Opposition can produce additional evidence, not oratorical jibes, not eloquent phrases, but facts to further substantiate what he is trying to do now, I for one will have to vote against this motion.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for Lewisporte.

MR. F. WHITE: Mr. Speaker, I want to address myself to a couple of points with respect to the motion that is before the House, that a Committee of the Whole House be struck to determine, Mr. Speaker, whether or not the Premier did, in fact, mislead the House.

Now, Mr. Speaker, we have heard from a couple of members on the other side of the House today but they have not addressed themselves to the points that we have been making during this debate, and in the debate yesterday, and leading up to this debate today. Neither the member for St. John's East (Mr. Marshall), nor the Minister of Mines and Energy, the member for Green Bay (Mr. Peckford), addressed themselves to the points that we have been making and to the points that were made by the Premier when he spoke in this House yesterday.

Mr. Speaker, with respect to this agreement between the Government of Newfoundland, and Mr. Dobbin, and the attached Order-in-Council, Mr. Speaker, the Order-in-Council specifically

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MR. F. WHITE: states that this project is given approval in principle. Mr. Speaker, most hon. members know that approval in principle means that a deal is going to go ahead. It means that the deal must go ahead and the only thing that is subject to change are some of the specifications.

MR. WHITE: The hon. the member for St. John's East mentioned a recent ruling at City Council, Mr. Speaker, with respect to this, and if I recall correctly - and I have not researched that particular matter quite thoroughly enough - if I recall correctly, the approval in principle meant that the project had to go ahead but the specifications for that particular project were changed somewhat. It involved, I think, the same gentleman. So that is what approval in principle means.

Now the Minister of Mines and Energy when he spoke, went to great length, Mr. Speaker, to say that this approval in principle meant nothing, meant nothing, Mr. Speaker.

Let me refer to a Cabinet directive that was issued on January 31, 1975 with respect to the 100,000 square feet of office space on Torbay Road, which I assume was the Order in Council that about a month later triggered the resignation of the then minister, the member for St. John's East (Mr. Marshall). Mr. Speaker, there was a rescinding order with respect to that particular Order in Council. Let me refresh memories - January 31, 1975: "Order that the hon. Dr. T. C. Farrell, Minister of Public Works and Services representing Her Majesty, the Queen, in right of Newfoundland - and so on - be and he is hereby authorized to execute an agreement with Mr. Dobbin relative to the leasing of the Government of Newfoundland from Mr. Dobbin of not less than 75,000 and not more than 100,000 square feet of office space." Now, Mr. Speaker, that agreement was rescinded, and it was rescinded on March 7, 1975, ten or twelve days after the minister then, the member for St. John's East, resigned from Cabinet; March 7, 1975, "Ordered that Order in Council 15775 relating to the leasing of 75,000 to 100,000 square feet

MR. WHITE: of office space to be erected near the K-Mart Shopping Centre, Torbay Road, St. John's be and it is hereby rescinded. Signed: Mr. Channing, the Clerk of the Executive Council."

So, Mr. Speaker, we have proof in the House as tabled by the minister yesterday that the Order in Council which went through on January 31, 1975 was on March 7, 1975 rescinded, and that agreement then no longer existed or that Order in Council no longer existed because the Cabinet did, in fact, rescind it.

Now, Mr. Speaker, during his speech today the member for St. John's East (Mr. Marshall) did not pay any attention to that particular matter, that that was rescinded and that the Order in Council attached to the document that was tabled yesterday, the agreement between the government and Mr. Dobbin, there is no rescinding order for that particular Order in Council, C35075, although, Mr. Speaker, the Premier said in his remarks yesterday - and he said quite clearly, and I can read verbatim what he said - he said, "A lot of people did not like the idea. A lot of people wanted to build the building on our own. A lot of people did not like the going proposal, and the fact is, Sir, that the agreement and the Order in Council were rescinded and cancelled." Now, Mr. Speaker, that is what the Premier told us yesterday in the House. And I have checked all the documents that he tabled in the House yesterday and so far, Mr. Speaker, I do not see any Order in Council which says that this particular Order in Council was rescinded.

And let me speak more specifically to this Order in Council that was attached to the document tabled in the House of Assembly yesterday.

MR. WHITE: 'Approval in principle' - that is what it says - 'approval in principle', which means that the approval is given but the specifications can be changed. Now that is what it means. "The rental area will contain," it goes on to say, "(b) the balance of 400,000 feet will be available. The rental rate quoted will apply .. The rental period will extend .. The rental area will be leased.. The delivery of the premises will be subject .. and The government shall agree to pay.."

Now, Mr. Speaker, I submit that this was a binding agreement, is a binding agreement, is still a binding agreement unless the Order in Council attached to this agreement is rescinded by Cabinet and has been rescinded by Cabinet.

The Minister of Mines and Energy when he spoke about this particular document today did not

MR. F. WHITE: say, Mr. Speaker, that the attached Order-in-Council was rescinded. The Minister of Mines and Energy, and I have his quote here he said that it died a natural death a year ago. Now what does that mean? Mr. Speaker, I would like to know what that means coming from a Cabinet minister who has been in Cabinet for quite a while. I would like to know what an Order-in-Council is doing dying a natural death. I have never heard the like of this before, Mr. Speaker, 'dying a natural death'.! Either the Order-in-Council still applies or it has been rescinded. Now if it has been rescinded and the agreement is no longer in effect, then we need something tabled in this House to let us know that that is, in fact, the case. The Premier did not, yesterday, table anything which would indicate that this agreement was rescinded. I have gone, as well, Mr. Speaker, through all the documents that have been tabled in this House today and I do not see one single document, other than the one that I am looking at here that was tabled by the Leader of the Opposition, I do not see one single document, Mr. Speaker, that is signed by the Premier and by the Minister of Industrial Development, who was then the Minister of Public Works. Not one of the other documents is signed, Mr. Speaker, and I do not understand how the member for St. John's East (Mr. Marshall) can stand in this House, as he did today, and I wrote it down, that the Trizec was more of an agreement than the one that was tabled yesterday.

Now I do not understand how the member can get up in this House and say that when the Trizec agreement is not even signed. Mr. Speaker, it is not signed by any officials of Trizec, it is not signed by any officials of the Government, it is not signed by any minister. It says here, 'Minister of Public Works, Witness', but it is not signed. It says here, 'The Common Seal of Trizec', but it is not signed. But we have this other agreement that was tabled by the Leader of the Opposition yesterday, an agreement between the Government and Mr. Dobbin, that is signed. It is signed by the Premier

MR. F. WHITE: of this Province, it is signed by the then Minister of Public Works, and it is signed by Mr. Dobbin and one, Alvin N. Powell, who was a former employee of Omega Investments. Now that is who this document is signed by. Presumably, Mr. Powell, who was a former employee of Omega Investments, witnessed Mr. Dobbin's signature, and presumably, the Premier witnessed the Minister of Public Works at that time - witnessed his signature.

This to me, Mr. Speaker, is clear, very, very clear to me that this document is legal and binding on the part of Government, is still in effect, Mr. Speaker, despite the Minister of Mines and Energy saying that the document was rescinded - he did not say it was rescinded, died a natural death about a year ago. Well if we accept what the Minister of Mines and Energy says that this document died a natural death a year ago, that means that the agreement was in effect for the two years prior to that. During that period, Mr. Speaker, the Premier on a number of occasions consistently told the House that there was no deal, there was no arrangement, that there was no intention, no agreement whatsoever in effect, and yet we have this agreement today that says it is approval in principle. It goes through all kinds of detail on what kind of space would be provided, when it would be provided, Mr. Speaker, and a document attached from the Cabinet also, I might add, outlining the various specifications for that building.

So I maintain, Mr. Speaker, that despite what the Minister of Mines and Energy said that it died a natural death - Mr. Speaker, how can a Minister of the Crown stand in this House and tell us that a document of the Cabinet, the highest governing body of this Province, died a natural death? It was either rescinded or was not rescinded, and if it was not rescinded, Mr. Speaker, I maintain that this document is still in effect and for the last three years the Premier has been misleading the House. What other conclusion can we reach, Mr. Speaker?

May 10, 1978

Tape No. 2106

RT-3

SOME HON. MEMBERS:

Hear, hear!

MR. F. WHITE:

What other conclusion?

Now the Minister of Mines and Energy says that we are standing here today to decide whether or not the Premier misled the House.

Mr. White: That is not the motion, Mr. Speaker. That is not the motion. We cannot decide in a debate such as this whether or not the Premier misled the House. We cannot decide that. We have to have people outside of this House, people, witnesses from outside this House who have the same immunity as members of the House to appear before the House and to give testimony.

I would like to hear, Mr. Speaker, from the Cabinet of August 1975. How many of the Cabinet ministers at that particular time would be willing to appear before the Committee? How many? The Cabinet at that time consisted of the Premier, the present Premier, the Minister of Education was the present Speaker of the House, the Minister of Finance was Mr. H.R.V. Earle, the Minister of Fisheries was Mr. Crosbie, the Minister of Forestry and Agriculture was the present Minister of Health, the Minister of Health at that time was the member for Kilbride (Mr. Wells), the Minister of Industrial Development was the gentleman who is today the Minister of Transportation and Communications, the Minister of Justice was the present Minister of Justice, the Minister of Manpower and Industrial Relations was the gentleman who is now the Minister of Forestry and Agriculture, the Minister of Mines and Energy was Mr. Leo Barry, the Minister of Municipal Affairs and Housing is the present Minister of Mines and Energy, the Minister of Public Works and Services was the hon. gentleman who is now the Minister of Industrial Development, the Minister of Rehabilitation and Recreation was Thomas M. Doyle, the Minister of Social Services is the present Minister of Consumer Affairs, the Minister of Tourism was the gentleman who is now the Minister of Rehabilitation and Recreation, the Minister of Transportation and Communications was the gentleman who is now the Minister of Manpower, the Minister of Provincial Affairs and the Environment was Mr. Gordon Dawe, the President of the Council was the gentleman who was also the Minister of Public Works, the present Minister of Industrial Development, and the Minister of Rural Development was Mr. Reid.

So, Mr. Speaker, we have a lot of people who are not in this House who should be brought before a Committee of this House to give evidence, to give evidence, Mr. Speaker, as to what knowledge they have

Mr. White: of this agreement as to whether or not they were subject to signing and agreeing to this agreement, Mr. Speaker. And whether, Mr. Speaker, whether or not they considered this approval in principle to be a binding agreement, to be a binding agreement. Now only then, Mr. Speaker, only then can we determine whether or not this agreement was in fact binding and is in fact binding, and only then can we make the decision, the Committee of the Whole make the decision as to whether or not the Premier misled this House. We cannot, Mr. Speaker, and I emphasize this, we cannot decide on the basis of debate as is taking place here today, we cannot decide whether or not the Premier misled this House. We say here that we have an agreement. There is an agreement, an agreement, in effect, since 1975 signed by the Premier of this Province, signed by the Minister of Public Works, signed by Mr. Dobbin, signed by Mr. Powell, attached to it an Order-in-Council giving the go ahead for a major building project to go ahead in this Province. We are told by the Minister of Mines and Energy that it died a natural death, Mr. Speaker. And we are still waiting to find out how Cabinet runs its affairs if Orders-in-Council are going to die natural deaths. Presumably this Order-in-Council will die the same way that the January 31, 1975 Order-in-Council died and that is with a rescinding order.

And I assume, Mr. Speaker, I assume that when the Premier speaks tonight, if he does, I assume that he will table the rescinding order for this particular Order-in-Council, attached to this agreement that would then no longer, Mr. Speaker, no longer make this agreement valid. But until that rescinding order is placed on the Table of the House, I maintain and hon. members here maintain that this agreement is still in effect.

MR. WHITE: Now, Mr. Speaker, it is a very serious charge. As hon. members said today it is a very serious charge that has been made that the Premier deliberately misled the House. It has been made by half a dozen members over here, probably more, probably by the time this debate is over it will be made by all members over here, I do not know, I do not know when and how they are going to speak and what they are going to say when they do speak, but I assume that that is what they will do.

So, Mr. Speaker, how can we decide on the basis of information that has been presented to this House whether or not the Premier misled the House? And that is why I emphasize to members opposite that only by the establishment of a Committee of the Whole House, calling witnesses, calling former Cabinet Ministers, calling Mr. Channing, calling Mr. Dobbin, calling people like that inside the House and asking them questions. It has been done before here, Mr. Speaker, it was done in the case of Mr. Shaheen when the proposal came up for the Come by Chance oil refinery. Mr. Shaheen and his officials were brought before the House, the session was televised to the rest of this Province, televised, every single minute of it was put on television right across this Province so that the people of Newfoundland could see. And, Mr. Speaker, there was no charge then of misleading and I maintain that this particular matter is just as important and there should be a Committee of the Whole to discuss it.

Mr. Speaker, there was also a Committee of the Whole when the Auditor General came before this House. I think it was in the late 1960s, and was questioned by members with respect to his report and matters contained therein. This is the only way we can decide and we can judge. It is fine for the government to get up and the government members to get up and vote down this motion, vote down this resolution saying to the people of this Province that the government does not agree that the Premier misled the House and then

MR. WHITE: presumably taken some action against those who have stated that the Premier deliberately misled the House. It is another red herring, Mr. Speaker, it is another red herring. We can only make a sound and logical judgement on this matter by having a Committee of the Whole struck so that we can get on with the motion as it is read and as it is tabled, that we can question people to find out whether or not this was an agreement, whether or not this agreement was in effect for the three years that we have documented that the Premier misled the House by telling us there was no agreement to rent space from anybody, telling us there was no commitment to rent space from anybody and we can only judge that, Mr. Speaker, on the basis of more information and on the basis of expert advice given in this House.

It is okay for the Leader of the Opposition who is a lawyer to give his opinion, one that I concur with, then another lawyer on the other side says that his legal opinion is not the same as that; we can only make this judgement, Mr. Speaker, on the basis of impartial testimony to this House from former ministers of the government, from officials and others who are interested in this particular matter.

Mr. Speaker, we have heard today how the public of Newfoundland are disillusioned with what is going on in this House. Every weekend when I go to my district, Mr. Speaker, the same topic comes up: "What is going on in the House?" But, Mr. Speaker, I do not hear any criticism of us bringing up those matters. What I hear is, "Boy, you are not going to get at it anyway," or "Boy, the truth is not going to come out anyway," or that the government will cover it up anyway or that the government will hide it anyway. Those are the kind of comments I hear, Mr. Speaker, and that is why I say that it is time that all members of this House give attention to the motion that we have put in today, that a Committee of the Whole be struck so that once and for all the people of this Province will

MR. WHITE: see that it is not just another matter of the government with its majority voting down the Opposition, as we are likely to see in this particular debate.

And, Mr. Speaker, I hope that some hon. members on the other side, I hope, Mr. Speaker, that some hon. members on the other side say "Why not? Let us set up a Committee of the Whole and let us find out whether or not the Premier mislead the House. And let us see what action we can take since the motion does compel the committee to give a report to the House containing recommendations" And that is why, Mr. Speaker, that a committee is so badly needed. We had suspected all along, Mr. Speaker, that this agreement

MR. WHITE: existed. We have heard it on the street. We have heard it said that certain people were bragging that they were going around with an Order in Council in their pocket trying to raise money to build a public building - we heard that. And only yesterday did it come out in the House that in fact the agreement did exist, that in fact the agreement was signed by the Premier of this Province, that in fact the agreement was signed by the Minister of Public Works, that in fact the agreement was signed by Mr. Dobbin and a former employee of his, Mr. Powell.

So let us get the Committee going. Let us set up the Committee. We could set up the Committee after supper if enough members agreed to that and we could get on with this particular matter.

The Public Accounts Committee, Mr. Speaker, I maintain, has been of invaluable service to this House and to the people of this Province. It has been a very good exercise, the Public Accounts Committee, and more such committees like that should be established to look into various matters so that we can in fact call witnesses, Mr. Speaker, and find out.

Now, Mr. Speaker, I still have a little bit of time left, but I am not going to take it all up. I know there are other hon. members who want to speak, and I just want to emphasize what I have said before, that we do not accept the explanation of the Minister of Mines and Energy that this Order in Council died a natural death. What a lot of nonsense - died a natural death! And I want to repeat that because I want other people to address themselves to it, to tell us how the Order in Council did die, if in fact it did die. I would like to see the

MR. WHITE: rescinding order. It did not die a natural death.

And I would also like to bring up this matter, Mr. Speaker, about the Premier yesterday and the way he attacked this matter in the House by saying that some Opposition members - I had better quote him directly so that I am clear on what I am saying: "Now, Sir, I have had a little forewarning on this because there are members in the Opposition who are more concerned about the truth and presenting the facts than just publicity in this House and I am very thankful for those people at this time." Now that is what the Premier said.

Now, Mr. Speaker, I think it is incumbent on the Premier to name names or to withdraw that remark, because the Premier knows and I know that I did not tell him, Mr. Speaker, and I challenge him to name whoever told him of this particular matter. If it came from the Liberal caucus I challenge him to tell us; if it did not it does not matter. That is what I would like to know, Mr. Speaker, where it came from on this side of the House.

And I also, Mr. Speaker, in my concluding comment, challenge the Premier to back up his statement yesterday so that we will know he did not mislead the House yesterday when he said, "A lot of people did not like the idea." - referring to this particular agreement here - "A lot of people wanted to build the building on our own. A lot of people did not like the going proposal, and the fact is, Sir, that the agreement and the Order in Council were rescinded and cancelled." I hope that the Premier can prove that when he speaks in this debate, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the member for
St. John's North.

MR. J. CARTER: Mr. Speaker, this is not a
Watergate, it is a Twillingate.

SOME HON. MEMBERS: Oh, oh!

MR. J. CARTER: It is an attempt to set up a
circus - talk, talk talk. So I am not going to take too
long.

I am sorry that the government
went so far as it did with its plans for the building that
has been debated. I think the Civil Service is as large
as it needs to be. I would hate to see it grow any further.
I think it should be kept under control by attrition, perhaps
even made smaller. I do not think it is necessary to look
for additional office space. I think we should try and
make do with what we have. We have other more important
priorities. And I think it is a sad mistake to go looking
for office space from a government and party friend. And
it is also a mistake to try and do it by leaseback. I think
these are all mistakes. I think such a proposal would be
expensive and unnecessary. And I would like to say this,
There is only one thing worse than not getting what you want
and that is getting what you want.

MR. J. CARTER: Fortunately the proposal got no further than just a proposal. There is not even a shell of ill repute. What we have is a negative structure, a non-building. There was no true agreement, fortunately, and therefore the Leader of the Opposition is in error.

Now I would like to say, Mr. Speaker, that as far as I am concerned our system works. If such an agreement had been concluded I would not be on this side of the House and there are several others, probably many others, like me. The government would not be sustained. So I can assure the Leader of the Opposition that there was no intention of giving a building to Mr. Dobbin. There may have been -

AN HON. MEMBER: No intention!

MR. SPEAKER: Order please!

MR. J. CARTER: Yes, I wish silence, Mr. Speaker.

MR. SPEAKER: I must insist that there be no interruptions.

MR. J. CARTER: There may well have been desires, wishes and even hopes, but I can assure you there was no intention. Our system is a bad one. Sometimes you have to go to the brink. You have to develop a thick skin. You have to shout and roar, argue and fight sometimes, to listen to tears and abuse and you have to spend your life in a bear pit. It is a bad system but all others are worse. And now this motion: Things are not always what they seem, especially in a House of Assembly, and the public and the press probably do not appreciate that. On the face of it, it seems like a sensible thing to do. An accusation has been made, a very serious accusation has been made, and what is more sensible or reasonable than to set up a committee to look into it further? It seems very, very sensible. But by the traditions of this House and parliamentary tradition generally, this motion by these conventions is a motion of confidence. It states that a member may have lied and there is not conclusive proof.

Therefore as far as I am concerned the motion must be defeated and the Leader of the Opposition will be forced to

MR. J. CARTER: apologize. Now this is what he should have done in my view. He has some serious accusations to make and some documentary evidence that purports to back this up. He should have risen on a point of order, tabled the documents and then asked for an explanation. If the government could not explain it, obviously they would be embarrassed. Now he must loose face and face the consequences. So what he did as far as I am concerned was dumb. I would say they had poor sources, just poor sources, because as far as I am concerned Liberal intelligence is a contradiction in terms.

I only hope, Mr. Speaker, that the electorate do not expect heaven on earth if the hon. crowd opposite ever form the government. I do not think there will be any great improvement because as far as I am concerned the decision is not between good and bad but between better and worse, and in this instance I support the government.

SOME HON. MEMBERS: Hear! Hear!

MR. SPEAKER: The hon. member for Port de Grave.

MR. DAWE: Mr. Speaker, I am going to start my remarks first to make it clear to this House that the first knowledge I have had of these documents was today. I was not in my seat yesterday so I was not aware of what had taken place. But in my judgement to what I have seen here today I cannot support the motion.

AN HON. MEMBER: Surprise!

MR. DAWE: I am not surprised. You may be surprised. I have been threatened in this House before because if I vote this way I would have been threatened by -

AN HON. MEMBER: Who threatened you?

MR. DAWE: I have heard remarks being made if I do not support this government - we happen to do some business with the government - that I will not get this order and I will not get that order. But I am a completely and independent person. I am not influenced in any manner, shape or form by what business we may or may not do with the government. We have our rights as a citizen to bid on any services or any products that are needed by this government. Or if these people form a member of the government

MR. E. DAWE: in the future we have our rights as a company and as individuals. So I am not influenced in any manner, shape or form by my relationship with a company that is doing business with this Government. But I am satisfied, Mr. Speaker, that the evidence I have seen here today, that I do not think the Premier deliberately tried to mislead this House.

MR. R. SIMMONS: Mr. Speaker, on a point of order.

MR. SPEAKER: Point of order.

MR. R. SIMMONS: Mr. Speaker, the member for Port de Grave (Mr. Dawe) has just informed the House that he has been threatened that if he did not vote a certain way then it would have some consequences for him.

I rose on a point of order, it probably ought to be a point of privilege, but perhaps I can do that in time, if required. I just want to draw attention to the fact and give him the opportunity to explain further because in leaving it there, Mr. Speaker, without giving details, he has really pointed a finger at every member of this House. He said clearly, and I understood him very clearly, he said that he had been threatened by - I think the context was - somebody in this House, that is the impression I got from what the member said. I wonder if he would be good enough to indicate to the House just who did the threatening, or be more specific about the subject. I understood him to say that he had been threatened that if he did not vote in a certain way then it would have certain adverse financial consequences for him.

MR. J. LUNDRIGAN: Sit down and let him have his say. You are confusing the man in his remarks.

MR. R. SIMMONS: Mr. Speaker, I have a right to rise on a point of order without being interrupted by the sometimes member for Grand Falls (Mr. Lundrigan). I think I have stated the point of order very well. If it cannot be dealt with on a point of order, I shall raise it as a matter of privilege. My privileges are affected when a member of this House stands and says he has been threatened by

MR. R. SIMMONS: members of this House.

AN HON. MEMBER: I am the one who should be (inaudible).

MR. R. SIMMONS: Perhaps the member can clarify it by a statement of explanation.

MR. SPEAKER: Before I give a decision, I do not know if the hon. gentleman wishes to say anything on it. I understand that the hon. gentleman wishes to speak to the point of order.

MR. E. DAWE: Yes, Mr. Speaker. Probably the word 'threatened' should not be used. But I can state, and I can name names, and I can name others than the business to which I referred, that there has been suggested to me by members of this House that one of the reasons why I was supporting this Government was because we do business with the Government.

MR. SPEAKER: If the hon. gentleman would permit, I am certainly in a position to make a decision on it. I do not see any matter before the Chair for any decision under a point of order or anything like that.

SOME HON. MEMBERS: Hear, hear!

MR. LUNDRIGAN: Probably if he withdrew the word 'threatened'.

MR. SPEAKER: Hon. member for Port de Grave.

MR. E. DAWE: Mr. Speaker, I can say other things as well. Before I decided to sit here, the hon. Premier knows and other members know that I have been a very close personal friend of the former premier. And he informed me of conversations he had with members of this House, where I should sit and where I may be sitting, or the reasons why. But I did not stand on my feet, Mr. Speaker, to bring this into it but I can, and that is not my reasoning in standing in my place to vote against this motion. But I do not want to divulge or get into personalities. I know what it is to be threatened. I know what it is to be suggested to have ulterior motives why I am in this House.

SOME HON. MEMBERS: By whom? By whom?

MR. SPEAKER: Order, please! I must impose the rules on all sides.

MR. E. DAWE: I know what I am saying, and if I had to I would, but I am not. I would have to bring other people into it.

May 10, 1978

Tape No. 2111

RT-3

MR. S. NEARY:

On a point of privilege, Mr. Speaker.

MR. SPEAKER:

Point of privilege.

MR. S. NEARY:

As a member of this hon. House, Sir, I have to take exception to the remarks that have been made by the hon. gentleman suggesting that members of this House have questioned his motives for supporting the

MR. NEARY: government, Sir. The hon. gentleman has cast a reflection on every member of this hon. House, Sir, and I want to say categorically that I have never personally, I have never in any way, shape or form suggested, threatened, or even mentioned the fact to the hon. gentleman that he was doing business with the government and that was the reason he was supporting them. Other hon. gentlemen should do the same thing because, Sir, as far as I am concerned, it is a breach of the privilege of this House and we should not be put in that position. The hon. gentleman has to name names or withdraw.

MR. SPEAKER: Order, please! On that matter, the hon. gentleman has corrected or explained his use of the word 'threatened' and says that what he meant or the appropriate term was suggested and the gist of what he has said is that it has been suggested to him by some members that a company with which he is associated might be affected by this or by that.

To this point, I do not see any prima facie breach of privilege. There is no allegation of intimidation, of his rights as a member having been affected; what the hon. member alleges is that it was suggested to him that a company might be affected. I think it is too far removed and in my opinion there is no prima facie case.

The hon. member for Port de Grave.

MR. DAWE: Mr. Speaker, I am going to keep my remarks short and to the point, as much as I can. I am concerned with this so-called agreement, and looking at the last page, supposed to be signed by the Premier, and the first page agreement. Now I am not a legal adviser. I have had no legal training but I have some knowledge of business practice, and I have yet, Mr. Speaker, seen a proper

MR. DAWE: document that would be considered valid unless it is duly dated, and the signatures of the parties signing the agreement duly notarized and sworn to, and where the seal has got to be affixed, the seal has got to be affixed. I am sure that anyone who has ever had any business dealings, to go to a bank or to go to any mortgage company, or any legal or any lending agency you can mention, where the company seal is required or the seal of a document is required will not be valid until that seal is affixed. So to me, while there may be some agreement here in principle, Mr. Speaker, I am satisfied that I would not consider this a valid contract. I know if I had a valid contract to build a building and I thought it was valid I would not be waiting until 1978 to start.

SOME HON. MEMBERS: Hear, hear!

MR. MURPHY: That is common sense.

MR. NEARY: Got a helicopter contract (inaudible).

MR. SPEAKER: Order, please! Order, please!

MR. DAWE: I would say if this present contract would have to be adhered to I would suggest that Mr. Dobbin would have to renegotiate it because of the cost. If he was given a valid contract tomorrow morning, inflationary spiralling since 1975 probably he would not accept this agreement today, if it was valid, to erect a building for this \$8.35, whatever it is, per square foot, based on the present cost of erecting this building today.

So, Mr. Speaker, I have given serious thought to this and this is a serious matter to accuse a person of deliberately lying to this House, or misleading this House, and more so in the position of the person in the Premier, or I would say even the Leader of the Opposition. While we all have our rights and probably equal rights as members, I think you will agree that these positions they hold certainly carry more weight and more responsibility than we do as an ordinary member. And, Mr. Speaker,

May 10, 1978

Tape No. 2112

NM - 3

MR. DAWE: I am satisfied, Sir, with the evidence I have seen here today, that there is not sufficient warrant to set up this committee and I want it recorded I will be voting against the motion.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for Carbonear.

MR. R. MOORES: With your permission I would like to adjourn the debate, Mr. Speaker.

MR. SPEAKER: The hon. gentleman does not need my permission but he has moved the adjournment of the debate.

It being six o'clock I leave the Chair until eight this evening.

PRELIMINARY
UNEDITED
TRANSCRIPT

HOUSE OF ASSEMBLY
FOR THE PERIOD:
8:00 p.m. - 8:30 a.m.
Wednesday, May 10, 1978

The House resumed at 8:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please!

I would like to welcome to the galleries on behalf of hon. members twenty-one Officer Cadets from the Salvation Army College in St. John's accompanied by Captain Harvey Canning. I know hon. members join me in welcoming these gentlemen to the House of Assembly.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the member for Carbonear.

SOME HON. MEMBERS: Hear, hear!

MR. R. MOORES: Mr. Speaker, I would like to start off my comments tonight in my usual positive way by making reference to Your Honour's ruling that brought this debate to the floor of the House and before the people of Newfoundland by saying that it is one of the finest parliamentary decisions made in this House, in my opinion, since 1949. And I would like to congratulate Your Honour on that.

MR. SPEAKER: Order, please!

I do have to point out that it is out of order to comment on the rulings of the Chair. That is ususally interpreted as to comment pejoratively but it must be also interpreted to comment in any other manner. So I would ask the hon. gentleman to bear that in mind.

MR. R. MOORES: Thank you, Mr. Speaker.

Mr. Speaker, the issue before the House as I see it in this debate is whether or not, it has been repeated continually here today, is whether or not the hon. the Premier of this Province misled this hon. House by failing to inform the House that an agreement or a quasi-agreement or negotiations or transaction or some type of a deal had been entered into with a contractor or contractors in this Province concerning additional office space for this government. That is the issue, and that, Mr. Speaker, is the only issue.

And let me repeat it again for this hon. House and for anybody within hearing range; the only issue is did the Premier of this Province mislead this hon. House by failing to give information concerning negotiations with contractors or a contractor concerning the

Mr. R. Moores: extension of office space for the government?

Having said that, Mr. Speaker, I believe the hon. the Leader of the Opposition presented a very solid prima facie case, that in fact that was the case. That as long as three years ago the Premier when asked, and his Cabinet ministers when advice, "Have you entered into any discussions, negotiations, deals, transactions, anything relating to the creation or construction of office space for the government?" his answer was unequivocally, no. No, Mr. Speaker, no, to the House, no, to the Opposition, no, to his own party, the members of his own government, and more, importantly, no, to the people of Newfoundland. And therein lies the problem, Mr. Speaker. This House is the ultimate in constitutional authority and political supremacy in this Province. To mislead this House is to mislead the public, to mislead the electorate, to mislead the people who put you in office and whom you represent. And that is the most serious offence that any member of this House can be confronted with, and that should be repeated, Mr. Speaker, the most serious, You can throw slanderous and insulting remarks across the House and be asked to withdraw them, and immediately the thing is forgotten. You can walk across this House and punch somebody in the face, the Premier or anybody else, and you will be suspended or some punitive action will be taken against you and it is forgotten about.

But, Mr. Speaker, as the member for St. John's East

MR. R. MOORES:

said today, if you mislead this House and mislead the people of this Province then there are far more serious things that a member or a Premier must do in order to amend his action. My opinion, Mr. Speaker, is that there is nothing new about the Premier of this Province misleading the public. It may be a novelty that the Premier is now, or has, or is alleged to have misled this House but there is nothing new about him misleading the public. When I was a university student in 1971, I—and, Mr. Speaker, I am certainly not ashamed or embarrassed to say this—I worked as hard almost as any Tory in this Province to get this government elected. I was one of the chief organizers, student organizers on the campus of Memorial because I believed what the Premier of this Province said when he said that when this government comes to power it will be a government for the people, of the people and by the people and the common Newfoundlander will take part in the decision making and there will be no corruption, no graft —

AN HON. MEMBER: (Inaudible).

MR. SPEAKER: Order, please! Order!

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

MR. SPEAKER: A point of order.

MR. SIMMONS: Mr. Speaker, my colleague, the member for Carbonear, is, I believe, laying out a good case. He is doing it in sincere fashion. He has not done anything which would provoke verbal attacks from the other side. Notwithstanding we heard one of the typical, fairly low remarks from the Premier then. We all heard over here what it was and I believe, Mr. Speaker, the member for Carbonear ought to be allowed the opportunity to continue without that kind of harassment and vicious type of interruption. The Premier should be asked to retract the statement and at the very least he should be instructed by the Chair to keep silent while the member continues his speech.

MR. SPEAKER: Order please!

PREMIER MOORES: On that point of order. First of all, Sir, I made an aside to the hon. the minister and certainly by no way did I mean

PREMIER MOORES: to disrupt the flow of speech of the hon. member for Carbonear.

MR. SPEAKER: I can only repeat, as I repeated a number of times this afternoon, that all hon. members should be heard without interruption.

MR. R. MOORES: Mr. Speaker, the hon. member for Burgeo-Bay d'Espoir arose on a point of order which subsequently was not a point of order ruled by the Chair. Notwithstanding that, Mr. Speaker, I heard what the aside the Premier said was and I have heard it before in this hon. House very clearly, very distinctly. And the only thing, Mr. Speaker, that prevents me from taking action which I would love to take is that I have more respect for this House and for you, Sir, than the hon. Premier does.

SOME HON. MEMBERS: Hear! Hear!

MR. R. MOORES: Let me continue -

MR. NEARY: When we get a few tapes on the table we will find out about the (inaudible)

MR. SPEAKER: Order, please! I must repeat what I stated a few moments ago, the rule that when an hon. member is speaking he only will speak, I repeat, and I will require strict adherence to that rule.

MR. R. MOORES: Thank you, Mr. Speaker. I will continue with the essence of my remarks. However, an aside to the hon. member for Fortune-Hermitage: I may not be responsible the next time that I hear that remark. That is not a warning nor a threat, but the Premier had better hear it clearly. Okay?

PREMIER MOORES: I heard it (inaudible)

MR. R. MOORES: I will look straight in your eyes, too. I heard it.

MR. SPEAKER: Order, please! Order! With the kind of questioning back and forth my requirement that hon. members be heard without interruption would be difficult to enforce.

The hon. member for Carbonear.

MR. R. MOORES: Mr. Speaker, this half of a man who led this Province and his Party into government in 1972 with a sweeping majority of the electorate, this pseudo-politician with all the answers, this negative manipulator of political acumen -

MR. SPEAKER: Order, please! Order, please! Order, please!

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please! Order, please!

The motion that is before the House, no doubt all hon. members have a copy, and it does not incorporate within it the allegation that the Premier deliberately misled the House. However, the rules of debate apply and personally offensive or abusive language is in general out of order. That rule is not annulled by the nature of the motion before the House. As a matter of fact, I would go so far as to say, and May would substantiate me there, that the more volatile the motion probably the greater the obligation in terms of one's choice of language. In other words, the rule about personally offensive material not being incorporated is as applicable now as it is in any debate.

The hon. member for Carbonear.

MR. R. MOORES: Anyway, Mr. Speaker, when this Premier, the hon. Premier, led his party to victory in 1972 - because in 1971 of course it could not be said that it was really a victory - the people of Newfoundland in the tens of thousands, tens of thousands, rallied behind this man and put all their faith, all their conscience and all their future in his hands, in his government. The slate on political graft and corruption was going to be wiped clean. No more calling of tenders without the Public Tendering Act, etc., no more deceit of the public, no more election promises - they were going to put pavement in

MR. R. MOORES:

In Carbonear, the same thing. They started on phase 2 of the big Carbonear by-pass road and there was dynamite going everywhere just to mislead the public, to dupe the electorate into believing that this Government was sincere in its intentions, sincere in its promises, sincere in its belief that the future of Newfoundland was in good hands.

This deal with Dobbin and the Premier and the Minister, now the Minister of Industrial Relations, is another one of those dupings.

The member for St. John's East (Mr. Marshall) got up today - a man, by the way, whom I really respect and he knows that I respect him - got up and gave even to my uneducated, in terms of legal, mind that the contract which Mr. Dobbin and the Premier and Mr. Farrell, the Minister of Industrial Relations, signed was in fact not a binding contract.

Well it does not matter whether it was legally binding or not. In fact, not only does it not matter but it is completely and totally irrelevant to the substance of this debate. If two gentlemen meet in a corridor, meet in a bathroom, meet on the street, and they agree to do something then that is termed as a 'gentlemen's agreement' and is based upon trust of the two people involved, nothing legal, nothing binding about it except the mutual trust of each man for the substance of what they agreed to. But what even makes this contract more binding, Mr. Speaker, not perhaps legally binding but more binding, is that each of the three, plus another incidental individual, signed their names, and it does not matter if it is legally binding; what matters is that there was an agreement, there was an understanding between three people that something would occur at some time in the future. And when questioned about that understanding, when questioned about that transaction, when questioned about that deal, the Premier said, 'No, it did not occur, it never occurred'.

MR. R. MOORES: Legalities have nothing to do with it. It does not matter if a building was never constructed. It does not matter if the plans had to come at a later date to substantiate that agreement. It matters only that the Premier of this Province, in an almost callous, scurrilous fashion, said, 'No, absolutely no, no transaction, no deal, no understanding'.

AN HON. MEMBER: That is the point ! That is the point!

SOME HON. MEMBERS: Hear, hear!

MR. R. MOORES: I think, Mr. Speaker, what is most important, having said all that I have said as aggressively and as intently as I want to say it, what is more important to me is the effect that all this activity in this hon. House today is going to have on the electorate of the Province, upon the people in this Province, and it comes right down to trust again. If the Premier of Newfoundland now says as was printed in The Evening Telegram today that the power from the Lower Churchill will be sold at cost, will the people of Newfoundland believe him? Should they believe him? Will they believe him? When the Premier of Newfoundland says tomorrow that we are going to start a Hinds Lake development to employ more people, will the people of Newfoundland believe him? Should the people of Newfoundland believe him?

MR. R. MOORES: Will the Opposition believe him? Should the Opposition believe him? And that, Mr. Speaker, is more tragic to me at least, as an individual, having paid the price on some of my misleadings, what is more tragic to me as an individual is that once I respected the Premier of this Province, thought him to be a gentleman, could believe him, thought I could trust him. Perhaps that means nothing to him, but as a young boy growing up in Carbonear, the Premier, then Frank Moores, was a very respected individual. And I was one of those - and my family - who for years transacted business with his father and his family, who believed him too, who respected him as a fine and honourable gentleman. And I do not believe, Mr. Speaker, that I necessarily speak for everyone, but I speak for myself when I say that I do not believe the Premier and I do not believe I should believe him, and I do not believe that the people of Newfoundland should believe him either. I believe he has misled this House and I believe the burden lies on the government opposite not to argue the trivia involved in this, but to get up like men with some backbone and allow this House to go into a Committee of the Whole, call our witnesses forward, lay it on the line, bare your breast, stand up like men and be counted. And right now, Mr. Speaker, I am going to stand up and be counted.

Yesterday the Premier made some gutless remark about someone in this Opposition tipping off the government with regard to this whole debate. Well, let me look the Premier straight in the eye again and say, The only tip that I would like to give you is for you to come to Carbonear in the next election and I will tip you right out of politics for good.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Minister of
Consumer Affairs and Environment.

MR. MURPHY: I rise, honestly I do not know why, because I have said to myself the past year or so that perhaps the least one takes part in what is happening in this House the better off you will be from many points of view. But I feel compelled, Sir, in view of what I have heard this past couple of days with reference to this Committee of the Whole to check on allegations that the Premier of this Province, the leader of the party that I am very proud to be a member of, deliberately misled this House with reference to certain contracts entered into by this government of which I am a part.

Now it is for that reason, Mr. Speaker, that I must stand and defend myself as a member of this government, and being a member of the government by the very fact of being a Cabinet minister, of taking part in these dreadful secret meetings that we hear about. I think the previous administration also held their Cabinet meetings secret. I do not think they were ever broadcast, I do not think they were ever held in public. But the insinuation, Sir, is that a Cabinet meeting behind closed doors is something awesome and something awful.

Some of the statements I have heard the past few days just make me tremble with what is going out to the general public of this Province.

Tonight, if I may, Sir, I heard a T.V. interview. Now I was getting ready, actually, to come into the House and I heard a statement saying, "If the \$70 million that was to go into this building were spent on providing hospitals, Port aux Basques, Clareville" - and I said, What is all this about? This was

Mr. Murphy: the Leader of the Opposition, Sir, in my opinion, spewing such venom for the ears of the people of this Province, the people who we are sent here to represent, that some \$70 million had been spent, Sir, on a building -

MR. NEARY: Was that parliamentary, Mr. Speaker?

MR. MURPHY: I am awfully sorry if I did use -

AN HON. MEMBER: Take it back.

MR. SPEAKER: I do not think it is a matter of taking it back; it is just to repeat what I said earlier about offensive language.

MR. MURPHY: I see. I am terribly sorry, Sir, and I will retract that statement. But to me it was a statement made that really frightened me that there are people out there somewhere who heard this statement and said, "This \$70 million that the Premier of this Province spent with one Craig Dobbin."

MR. WHITE: Not 'spent'. That is not right.

MR. MURPHY: Mr. Speaker, if I may, let me put my version on what I heard as a human being with two ears, what I heard.

MR. SPEAKER: Order, please!

MR. MURPHY: I am sorry.

MR. SPEAKER: For the seventh or eighth time, I am not sure how frequently, I must require that there be no interjections from hon. members, and that when one hon. member is speaking he do so without interruption, on both sides, irrespective of from which side one is speaking, irrespective of which side is interjecting.

I think it is the only way the House can proceed on this kind of a motion.

MR. MURPHY: As I say, Mr. Speaker, that I was rather fearsome that some people listening might be under the impression from the tone that I heard that this government under its leader has spent \$70 million on a public building in some type of nefarious deal of which the Premier of this Province absolutely denied that deal had taken place where they should have gone out and built hospitals for various areas of the Province. Now this is the way I heard it. I might be absolutely wrong, but I am sure today that there are many, many hundreds and thousands of people who feel that the Tory Government. What are they doing

Mr. Murphy: with our money? And here is Grand Falls wanting an extension; here is Port aux Basques wanting a hospital; here is this, that, and the other thing."

Now all I am nervous of, Sir, and all I am scared of, and all I feel very worried about is what is emanating from this House. We say in here, we have people in the galleries tonight, and, in my opinion, Sir, if I may say that we have set rules in this House if we want to say something we say it, if we are called to order we will take it back - that is very nice. But I am a little bit scared, Sir, and I will be some seventeen years in House, I thought it was a great privilege -

AN HON. MEMBER: Seventeen years?

MR. MURPHY: A great privilege - I will be seventeen years, Sir, next year. I will be eighteen the year after. - to be elected to this House. And, Sir, I was very proud, very proud indeed of the confidence that the people of St. John's Centre placed in me, five times I have been elected to this House, and to hear the statements that - people phone my house and ask me, "What is going on in that House?" The charges of abuse.

MR. NEARY: How would you know? You were in Sarasota.

MR. MURPHY: I was in Sarasota. I am not ashamed to say that I was in Sarasota, Sir. And I will repeat again that when I went to Sarasota I spent my own hard-earned money. I was not there as a hireling or a mouthpiece for any gangster, if you would like to hear that.

SOME HON. MEMBERS: Hear, hear!

MR. MURPHY: The tragic part, Mr. Speaker, is one stands up in this House to try to say something that one feels within one's self without being abusive, but when you have to take this type of stuff from members of this House, who, in my opinion, Sir, have no respect for what we were always thought to respect, the human dignity of a man, that is where we have lost out. They can talk about House rules, they can talk about what they like, but we have lost that dignity that we should show and respect for each other. Even in the old days when in the so-called

Mr. Murphy: Opposition - there were only three of us at one time, then seven - never, never, never was there words uttered or accusations made or statements made that are in the Hansards of this past two or three years, Mr. Speaker. And I say this with great conviction, for I am very, very much concerned. It has become a rabble rousing ring, if you like, or amphitheatre, and this House is not formed for this purpose, Sir. We come here, we are sent here by people to do certain things. We heard statements, only yesterday I heard the hon.

MR. MURPHY:

member for LePoile (Mr. Neary) - and I do not want to get off this subject but I think it all comes back to this House, Sir - where this government instead of facing the problems, unemployment and so on and so forth, they are doing other things, And the same member stood up when a committee was appointed, just a simple committee and spoke for one hour and twenty minutes and delayed this House for one hour and twenty minutes the other night on something that has been said forty-five times in this house.

So, Mr. Speaker, all I say as far as I am concerned - and I am not saying, "Not I, Lord," I am not saying that - but anybody who wants to accuse me as a member of this government and any members of this government for making contracts with people, it is an absolute untruth because a contract is not a contract until it is a contract. Now that sounds corny but that is an actual fact. The gentleman who spoke before me said, "Oh the heck with legality. Who cares about legality any more? Who wants the Lieutenant Governor to sign a bill? Let us do away with third readings, Mr. Speaker. Let us do away with all that formality. Heavens we are all nuts to be here passing bills and using legal language and everything else. What an absolute waste of time. Let us go in the men's room, let us go in the corridors, let us go outside, all the business should be done there, let us burn down the House of Assembly, let us cut out the overhead of lighting and everything, let us do away with it. Very funny! Very funny!

But you ask the ordinary person on the street, and that is who sent us here, ask them what they think is going on in this House, just ask them, and you get accusations hurled time after time, affidavits, tabling this, tabling that, tabling something else.

MR. DOODY: Mr. Speaker, I think the hon. gentleman deserves to be -

MR. MURPHY: What is our late president saying now?

MR. SPEAKER: Order, please! I have said this a number of times, and I do not wish to insult the intelligence of hon. members by stating again what I have said before, but it has become necessary. The rules are quite precise that an hon. member when he is speaking has a right to do so without interruption. In the kind of motion before the House now, and what in my judgement I gauge to be the mood of the House, and I can only use my judgement, I require a strict adherence to that by all hon. members.

MR. MURPHY: I thank you, Mr. Speaker, and it is too bad that the hon. Speaker is placed in that position to have to stand already five times and tell so-called intelligent people what the rules of the House are. It is regrettable but it is a sign of the times, it is a sign of the times, no respect for anything, no respect for law and order; everybody is an authority in their own right. It reminds me of the old days when I was in baseball and everything else, you had a referee and he interpreted the rules and we said, "Yes, here is the referee, he knows the rules." Now everyday everybody has a rule book in their pocket and everybody is a referee and this is what is happening here. We have so many experts in this House that I am just scared, Mr. Speaker, that if this type of thing continues it is going to make it very, very difficult to recruit the type of person, whatever that might be, in this House of Assembly to stand for election. And I just want to repeat again, and I am reluctant to stand on my feet, that I do feel rather sad, rather sad that accusations such as were made—and I understand and I have made some checks, perhaps the most serious allegation that anybody can make is that a member of this House and particularly, as I think someone said today, I think the hon. member for Port de Grave (Mr. Dave), particularly the Premier or the Leader of the Opposition deliberately set about to lie to this House of Assembly, that we call and we use the phrase, this most honoured assembly building. It is supposed to be the most serious accusation you can make. I did check a few and it is

MR. MURPHY: only one thing that can result, the guilty must resign, if he is guilty of the offence, and the accuser who deliberately makes that he has no other option but to scam out of public life and make it clean for those coming after.

AN HON. MEMBER: Who decides?

MR. MURPHY: The House of Assembly will decide, Sir, because as far as I am aware there is no committee and as far as I am concerned there will not be a committee.

DR. KITCHEN: Aha!

MR. MURPHY: What a shame, what a shame that I am not going to vote for a committee from some ill-conceived idea of someone in this House who

MR. MURPHY: decides now tomorrow we are getting along fine, we had a nice bit of friendly and intelligent debate on three or four bills, it is going too nicely. Now let us upset the apple cart again, now we will start a committee, we will start rooting in the corners. We have the bounty hunter at it again and what is next?

Mr. Speaker, as I say, I do not want to carry on with this too long because I think this should be brought to a head as soon as we possibly can, but I just feel badly, Sir, And I say this, it is not my swan song or anything else, but I do not think I will have the opportunity to make too many more speeches in this House. It will not be for the fact that anybody will come down and defeat me because I feel, quite frankly, that notwithstanding the challenge issued by one member to the Premier, I do not feel that my usefulness to the district has gone past, I think I could still serve, but I think I have served a fair amount of time in this House. Sir, I have tried to conduct myself in a manner not in keeping with the charges made by the Leader of the Opposition. I tried to play it honest. I tried to play it decent. But I find it more difficult every day, Sir, quite frankly, to come into this House and sit down and take an active part and an interesting part in what is happening in this House. For some of the younger people, Mr. Speaker, I do not know what their attitudes are on this but as far as I am concerned, and I have spent a lot of hard days and years in this House, Sir- and I will not appeal to the hon. Speaker to back up what I am saying, I would not do that, Sir, I would not place the hon. Speaker in that position - but there are some of us here who have been here for a great many years and when I listened today to a man I admire so greatly, when I heard the member for St. John's East (Mr. Marshall) today, Sir, speak so dispassionately

MR. MURPHY: about the case that we are talking about now, you know, I said, "Thanks be to God, thanks be to God we have some people left who are willing to face facts, a man who when things went wrong, and I say this because I have been pretty close to him for years, who did not go according to what he felt was right in the Party, he did not have any compunction of stepping down and becoming a backbencher. But he said today, Mr. Speaker, that - I am very happy to have been here and heard his speech today, and I do not exclude others, but I say this, that I would like to be the same make-up, and the same character, with the same ability as the member for St. John's East.

Thank you very much.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. member for Stephenville.

MR. MCNEIL:

Mr. Speaker, I just want to make a few remarks, I will not take my full time, but I would just like to go back to the original document and relate on my limited experience in real estate, when we have a document signed by two parties, one the developer and the other the Newfoundland Government and a witness, in my limited experience in dealing with real estate, it is some form of agreement or intention on the parties to proceed with what was outlined in the document and in this case to build office space for the government. But the most important point that we were trying to bring out this afternoon was brought forward by the hon. Leader of the Opposition that after questioning time and time again in this House, for the last couple of years, we have asked the Premier, 'Was there any agreement, was there any intention, contract or deed to proceed with such a development?' And time and time again the Premier stated, 'No.' And if that did not help us on this side of the House, he wrote it down, n-o, no, and signed it, and a witness.

MR. MCNEIL: Mr. Speaker, this type of action is indeed misleading the House and more importantly is misleading the people of Newfoundland who put us here. I come into this House, I am honoured that the people of my district put me in, and I would like to serve them to the best of my ability. When I come to this House and the information that I am receiving in this House, through the Premier, I do not want to question it; but now after sitting here the last couple of weeks I am questioning every bit of information that is coming across the floor. And I think this is a little bit wrong. When the hon. member for St. John's Centre (Mr. Murphy) states that in this House human dignity is lost, I am starting to agree with him. But I ask, who is responsible? Who is the

MR. MCNEIL: One key man that should be setting the tone? And I answer to myself, 'It must be the Premier.' The major part of the responsibility lies on his shoulders and what is he doing? Just a fertile point: The Premier made an accusation yesterday and to the media that someone on this side of the House, one of the Opposition members, is leaking confidential information of our caucus meetings to him. I think if this is the case the Premier has a responsibility to himself and to this House and to every member in this House to name the person so that we can turn this thing around and get it on a much better track. Maybe the only way that we are ever going to clear up the pitiful political atmosphere in this Province is to go to the people and let them decide and I challenge the Premier to do that tonight.

Thank you.

MR. SPEAKER: The hon. Minister of Health.

MR. H. COLLINS: Mr. Speaker, it is not too often that I get involved in this sort of a debate in this House. I have been here for a number of years and I have avoided very deliberately on most times not to get involved in the type of debate which we have witnessed today and which we have witnessed, I am afraid, Mr. Speaker, all too often during this particular session, particularly during the past few weeks. There are some people in the galleries tonight who I am sure are not too aware of what this is all about. I think that it might be useful if we indicated to the galleries again and to the press that the issue which we are dealing with today, Mr. Speaker, and tonight is whether the Premier of the Province and some members did mislead this House as has been alleged by the Leader of the Opposition.

I have been in Cabinet long enough to know, Mr. Speaker, the way Cabinet functions. I know that there has been a number of Cabinet directives as opposed to Orders in Council. I have been around long enough to know that a number of Cabinet directives are issued. There has been Cabinet directives issued to my department or to me as a minister dealing with matters which the government or which another member might have brought to Cabinet or which I might

MR. H. COLLINS: have brought to Cabinet very often. It is a very commonplace thing. It is something that happens in every legislature, in every Cabinet in any jurisdiction in this country including the Federal jurisdiction where Cabinets take decisions directing a particular minister in charge of a department to take some specific action.

Very often, Mr. Speaker, as we have witnessed here today, a Cabinet directive approves a project or a topic or a programme or whatever it might be in principle and the minister is directed to develop the programme, further negotiate or do further work in terms of any particular project. That is exactly what the Cabinet directive which the hon. Leader of the Opposition tabled in this House directed to be done. There was no Order in Council issued, Mr. Speaker. And I do not know if I have the directive here but I believe I have. The Cabinet directive as opposed to an Order in Council, once an Order in Council is issued then of course the appropriate department goes ahead and does their work.

MR. H. COLLINS:

But this Cabinet directive, and I want to stress the word 'directive', ordered that the following proposals with regard to the construction of an office complex for the Government situated immediately west of Confederation Building be and they are hereby approved in principle subject to submission to Cabinet of satisfactory plans and specifications based upon analyses of the project by the Department of Public Works and Services.

Mr. Speaker, there was never an Order in Council issued. The Opposition has not tabled it and it is not in place. There was never an Order in Council issued to carry on with that project.

MT. NEADY:

What is the difference? Will the minister permit a question?

MR. H. COLLINS:

The hon. member will have his chance to speak in this House when his time comes.

MR. SPEAKER (MR. YOUNG):

Order, please! I ask both sides of the House not to interject.

MR. H. COLLINS:

A Cabinet directive approved in principle a certain project and referred it to the department for further analysis and for plans and specifications, etc. The Order in Council, Mr. Speaker, never did follow.

I have been directed as a minister to follow through on some programs which we have had in mind, and I can think of some cases where we did follow through and an appropriate Order in Council was issued ordering that the minister responsible and the department involved carry on or implement this particular program and project. In this particular case, Mr. Speaker, the Order in Council was never issued. And for the Leader of the Opposition to indicate that the Premier by virtue of the answers which he gave to this Legislature misled the House, as far as I am concerned, Mr. Speaker, it is a lot of hogwash.

I also believe, Mr. Speaker, that the Leader of the Opposition and members opposite are beginning to realize that

MR. H. COLLINS: they have their hat on the wrong nail. They have realized this afternoon that they are on a pretty sticky wicket.

Now they have changed their approach,

Mr. Speaker. It is not a case now of whether the Premier misled this House; it is now a matter of vilification of the Premier and every other hon. member on this side of this House. And that, Mr. Speaker, I cannot accept. I do not intend to accept. The Leader of the Opposition tries to come across, Mr. Speaker, as the great white knight riding out of the West, or the South, or out of Twillingate, or wherever. The Leader of the Opposition is not the only gentleman in this country and is not the only member in this House, Mr. Speaker, who has the interests of this Province at heart. He is not the only man, Mr. Speaker, by any means, he is not the only man, the only possessor of some dignity and some truth, and all of the other things which he stands up here today and expounds, insinuating that it is not over here, it is there in that seat, in that seat alone. I cannot accept that and I do not think the people in Newfoundland will accept it, Mr. Speaker.

I think the debate in this House during the past two or three weeks, and in particular for all this Session and certainly since that leader has occupied that chair - whether he is leader number one or number two or number three, it really does not matter now because he does occupy that seat - he is the Leader of Her Majesty's Loyal Opposition in this Province and people expect when that gentleman gets up to speak - you know, he is supposed to represent the alternative to this Government, at least the alternative to the Premier - when that gentleman gets up to speak people in Newfoundland expect the man to be reasonable, to be sensible, not to go jumping off in all different directions for cheap political purposes, they expect something more from him. I would suggest, Mr. Speaker, that if the Leader of the Opposition ever hopes to move from that seat to this one then he is going to have to understand and he is going to have to accept

MR. H. COLLINS: the fact of life that he is in the public eye; and do not let the hon. gentleman be misguided for one moment, the people of Newfoundland are watching his every move. I believe the people in this House tonight realize, and the people in the press must realize, that the tactic which the Opposition used, and the Leader of the Opposition must accept the responsibility, they are beginning to realize that their whole concept was based on a pretty rotten foundation. They are changing their tactics tonight to try to vilify the Premier and trying to vilify anyone on this side of the House if they can.

Mr. Speaker, I believe that it is important that this House settle this question once and for all.

Now, Mr. Speaker, I am opposed to the motion which the hon. Leader made. I am opposed to it. Sure, I am opposed to it. Anybody on this side of the House is going to be opposed to it. I believe, Mr. Speaker, that it is important that we settle it, and I would also move, seeing that the hour is getting late, that this House do not adjourn at eleven o'clock.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Before recognizing any hon. member, I have to put the motion and that is that this House not adjourn at eleven. Those in favour "Aye" contray "Nay." In my opinion the "Ayes" have it.

The hon. member for St. George's.

MRS. MACISAAC: Mr. Speaker, the sequence of events that have been outlined here by the Leader of the Opposition today and yesterday is something that requires, I think, each and everyone of us to take a look at, to stop and think about it and wonder what is beginning to happen. It seems as though asking questions and not getting the proper answers not only from the Premier but from other ministers across the House, evasive answers seems to be becoming acceptable or permissible. I am not saying with Your Honour's blessing. But the motion now before the hon. House is whether or not the hon. Premier did deliberately mislead the House. Hansard transcripts over the past few years has borne out that while the agreement was indeed in existence the Premier was telling the people of Newfoundland that there was absolutely no agreement, no intention, no plan whatsoever to provide additional office space for the administration. I seriously doubt whether the Premier of the Province or the government can have this Cabinet directive or agreement rescinded at this point and while there seems to be a little bit of doubt as to whether or not there was an Order in Council, I think yesterday the Premier himself asked how could they get an Order in Council unless some despicable character broke the Oath of Secrecy which is obviously the case.

So apparently the Premier thinks there was an Order in Council and if there is and if everything is in order I would certainly like to be in Mr. Dobbin's situation. If I had an agreement in my possession and no evidence that it has been rescinded and having been signed by the Premier and one of his Cabinet ministers and duly sworn to, I doubt that I would let the government off the hook with it. I think that maybe I feel sort of sorry for Mr. Dobbin, the gentleman in question, because I believe that maybe as a result of this he may not have had the necessity to go out and maybe borrow large sums

MRS. MACISAAC: of money to complete his engineering work or whatever or make plans for the building. Now Mr. Dobbin may be in a position where he does not have to do this, but I would imagine that since he had what would be sort of a firm agreement that he naturally went to some expense to look into it certainly with an approval in principle in his pocket.

I believe the hon. member for Green Bay today, and I do not want to misquote him, I believe he said that they were negotiating for space in Atlantic Place. And I am wondering now how come if this is the case, how come the Premier did not know that negotiations were going on for space in Atlantic Place? He told us only a couple of days ago that he knew nothing whatever of the requirement, or words to that effect, that there was a requirement for additional office space. In the meantime the member for Green Bay says that they were negotiating for space in Atlantic Place. I do not want to misquote him and I hope I am not. Then the member for St. John's North today when he stood in his seat said that there was no intention to give the hon. gentleman a building or give the developer a contract.

MRS. McISAAC: Then if this was the case, I say, What is the intention and why was the contract written up in the beginning? Why was the agreement written up and signed if there was no intention of giving the developer a contract? The Premier may not have been misleading the House, maybe he is not aware of what was going on, but his signature appeared, apparently, on the agreement, and this is the question, Why did the Premier mislead the House for the past few years in telling the people of Newfoundland that there was no agreement, no plans or no intentions of providing additional office space when indeed there was an agreement in the office apparently? Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Minister of Rehabilitation and Recreation.

MR. HICKEY: Mr. Speaker, like my colleague, the Minister of Health, I do not always rise to debate those issues, such motions, but as one who had the privilege of sitting on the other side of the House, Mr. Speaker, for five years in Opposition, and I think it is fair to say as one who has some appreciation for being in Opposition, I find it necessary to participate in this debate for a number of reasons; one, Mr. Speaker, because of the seriousness of the charge; two, because of the level to which the debate in this House has fallen in the last month or so; and three, and probably equally as important, the fact that the question is being raised as to what ministers aided and abetted the hon. the Premier in terms of the charge of concealing this information from the House.

I want to say one thing categorically, Mr. Speaker, at the outset, that I am knowledgeable of and was party to the Cabinet directive

MR. HICKEY: in 1975. My memory is quite good and I remember quite clearly the circumstances around which that Cabinet directive was issued.

I find it amazing, Sir, to find my friend, the Leader of the Opposition who this afternoon in making his presentation, acknowledges that he knows the developer. He certainly made it clear that he has nothing against the developer - and I suppose all of us know the developer. If the hon. gentleman, Mr. Speaker, knows the developer, Mr. Dobbin, then he must know that he is a good businessman. He must know that he has intelligence. He must obviously know that the developer would not, unless he had lost his senses, keep in his possession for three years, or almost, a document, a supposed contract worth so much money, binding in every respect, as the other side of the House seems to think and say it is. Mr. Speaker, I would suggest that that is an insult to the intelligence of the developer to suggest for one second that he, the developer, looked upon this document as a binding agreement or contract.

There was mention this afternoon, Mr. Speaker, about a directive of Cabinet as opposed to a Minute in Council or an Order of Council. And surely, the Leader of the Opposition and the hon. gentleman over there, former ministers very familiar with the workings of Cabinet, are well aware of the fact that a Cabinet directive, as pointed out by my colleague this afternoon, the Minister of Mines and Energy, is nothing more than an instruction to a Cabinet minister with the approval of his colleagues to go out to whomever

MR. HICKEY: and negotiate and hopefully bring about a suitable arrangement on which that minister may come back to Cabinet for final ratification and conclusion of an agreement.

A Cabinet Directive, Mr. Speaker, in this sense of the word, pertaining to this kind of issue, is nothing more than that. I do not hear and I have not seen, nor I have not heard the hon. the Leader of the Opposition make any reference to a Minute-in-Council. Has he asked himself the question why there was not a Minute-in-Council issued that same day instead of a Cabinet Directive? Has he asked himself that question? In asking himself that question, surely he must answer that there was no deal. There was no final arrangement. There was nothing binding, but simply another step towards a possible agreement, or a possible contract.

It seems, Mr. Speaker, that the Opposition is putting the cart before the horse. It seems as though they peaked too soon. If they had waited for a year and if something had come from that document in terms of a binding legal contract and, as a number of hon. gentlemen said in this debate, a building began to grow outside, then it might well be argued that the hon. the Premier and other ministers might well have been on thin ice, or a very thin line as to indeed whether or not they had kept this information or not said or given accurate answers to questions posed.

But, Mr. Speaker, we all know that is not the case. For indeed what has been done in relation to this issue, this project, this so-called contract that we hear about, what was done after that, after the directive was issued? What other steps were taken, positive steps towards completion of an agreement or indeed actual construction of a building?

MR. HICKEY:

Mr. Speaker, no one has to take our word for it. The answer is nothing, nothing was done, For obvious reasons or for a number of reasons the issue never came to anything other than the directive that was issued to the minister at that time.

Mr. Speaker, I found it very difficult this afternoon to sit and afford the hon. gentleman, the Leader of the Opposition, what is indeed his right to be heard in silence, and I found it very difficult not to interrupt him as he went through his presentation. As one who sat on the other side for five years, as one who, I suppose one might well say, through my ignorance of the rules of the House, at least on one occasion, it was brought home to me in the strongest terms how jealously the decorum and rules of this House are guarded and preserved by my suspension from the Chamber. As one of three, Mr. Speaker, who had the responsibility and the opportunity to debate with the former government and the former Premier, who certainly could not be classed as a Premier who involved all his ministers in everything, or indeed very much of anything. But, Mr. Speaker, I challenge any hon. gentleman in this Chamber to go through the Hansards since 1966 and see if there is any Hansard that would even go close to bordering on this kind of an unfounded, malicious charge against

MR. T. HICKEY: not only the Hon. the Premier, who happens to hold the highest position in this Province, but any minister, or any member of this House. No, Mr. Speaker, one will not find any records of such charges. One will find good, hard debate. One will find debate in which it is evident that tempers flared. One will find disregard for the rules from time to time, and on many occasions, indeed, Mr. Speaker, one will find withdrawals and apologies for minor infractions of the rules of this House; but always, Mr. Speaker, with the highest regard with which this House is looked upon and held by the people of this Province, as a kind of sacred place. Never, Mr. Speaker, has there been something like this. This has to be a first, certainly in this Chamber.

Mr. Speaker, it must be obvious, then, to the Leader of the Opposition that the charge that he has levelled at the Premier and/or ministers, and the statement was made that ministers aided and abetted the Premier in deliberately deceiving this House - I for one as a minister must acknowledge to myself that I am part of that, that I, too, am labelled as having by my silence deliberately misled this House. Mr. Speaker, my response to that is that I am not guilty of any such charge and I take offence to such charges especially on such flimsy evidence, and on doing so, Mr. Speaker, I would also point out to the Leader of the Opposition or, indeed, any hon. gentleman opposite that it is high time they got off their white horse, it is high time they forgot the attitude that has prevailed in this Chamber for quite some time now, almost since this House has been open, that they are the only ones with honour, that they are the only ones, the great seekers of the truth, Mr. Speaker, the only ones, that we over here who have the privilege to govern are always suspect. Why, Mr. Speaker, when a minister stands in this House now and gives an answer, as I have on many occasions, I find my hon. friends opposite questioning that answer, and I say to you, 'How dare you question an answer that I will give in this House?' It is no longer the case,

MR. T. HICKEY: Mr. Speaker, where someone in public life in this Province is innocent until they are proven guilty. Outside of this Chamber people are innocent until they are proven guilty; in here, you are guilty until you prove your innocence. -

AN HON. MEMBER: Hear, hear!

MR. T. HICKEY: - and there is no one that has brought that to bear on this House but the Opposition. No one!

AN HON. MEMBER: Hear, hear!

MR. T. HICKEY: Especially and most pronounced in this particular session of the House.

SOME HON. MEMBERS: Hear, hear!

MR. T. HICKEY: We have arrived at the time, Mr. Speaker, where if any of us give a damn about the future of this Province or who is going to sit here after we leave, either by defeat at the polls or by our volition, by resignation, we might ask ourselves the question who is going to come in here and sit in a bullpen, in a bearpit, where almost when you come in you might as well sign away your character, sign away your reputation, and for that matter, sign away your family, because nothing is sacred anymore. It is a free-for-all, Mr. Speaker. Anything goes, to use the modern expression. And what must grieve the people of this Province is that the latest hon. gentleman to join the ranks, the latest light in the political life of this Province, the man who aspires to be premier of this Province, will come in here and in one fell swoop create a precedent that has not been around before, without evidence concrete, just because somebody says so.

Someone said the other day, Mr. Speaker, I do not know which hon. member it was, but in drawing a comparison to what has been going on in this House, someone said it

MR. HICKEY: is like responding the question of when you beat your wife last: You are damned if you do and you are damned if you do not. There is no way you survive no matter what answer you give. That is about, Mr. Speaker, what this Chamber has come to.

Mr. Speaker, the Opposition might well feel, and so they have a right to feel, that they have an awesome responsibility in this Chamber, that it is their right and duty to uncover any wrongdoing in government. No-one questions that, Mr. Speaker. No-one on this side of the House questions that. But, Mr. Speaker, going with the privileges of this House, such as the immunity that one enjoys by being a member of this House, goes also a solemn responsibility. One does not abuse the privileges that he has as a member of this House without fearing the consequences for the charges, no matter how well founded they might be, for the charges that he or she might make and ultimately, Mr. Speaker, a decision will arrive and that hon. gentleman who makes those charges must then answer and one hon. gentleman must answer in this particular case, or maybe a number on both sides, however many are involved. If the Opposition were to produce evidence conclusive that the hon. the Premier did in fact deliberately deceive this House, then he would have to answer.

I would suggest to you, Mr. Speaker, that there are people over here with minds of their own who would vote by their conscience. The Premier is not afraid over here at any time to say we will have a free vote. He does not need to lasso anyone on this side or to button their mouth. He gets their support because he deserves it. He does not get it by divine right as the former Premier got it. He does not get it by having ministers speechless, no independence of mind. He gets it because there is freedom on the part of ministers and members of this side of the House, for the first time in the history of this Province since this government has been in office a rather new departure from what was the case before. And so, Mr. Speaker, if indeed, as I said, evidence were produced, conclusive evidence, the Premier would, I am quite sure and I truly believe, would do the honourable thing and he would

MR. HICKEY: respond to the case as presented if it were so conclusive.

I say to the Leader of the Opposition now, whether he thought of it or whether he did not, he must now address himself to that very same question and if no case is proven against the hon. the Premier then the Leader of the Opposition has a question to ask himself - what does he do? And there are precedents, Mr. Speaker, where people have had to resign for making such a charge as one who deliberately who sets out in a most conniving, deliberate way, fully conscious of what he is doing, to withhold, keep from the House and the people information. That is the charge that the Leader of the Opposition has leveled against the hon. the Premier and ministers with him or for that matter the entire government or anyone who is knowledgeable and who approved of this directive from Cabinet.

Mr. Speaker, let me say to the Leader of the Opposition there are more watching the proceedings of this House than the people who sit in the gallery. The youth of this Province, for whom I have some responsibility as minister, watch the proceedings of this House and listen to what is said in this House and know the various positions that are taken on pertinent issues in this House and also know, Mr. Speaker, how much time is applied and given to the issue of unemployment, of education and of so many other critical issues facing the people of this Province today. Does he think for one second that the people that he has to go out and woo for support are not aware of the waste, the absolute waste of time in this House.

MR. HICKEY: If he does, Mr. Speaker, he is badly mistaken. If he wishes to associate or if he does associate with the youth of this Province, he will be surprised to know that the fourteen-year-olds, the knowledge that they have of what goes on in this Chamber - the future voters of this Province, the future leaders of this Province, maybe the future legislators - that is if we allow them to come in here, if we keep it decent enough where they might want to come in here, because I do not know why anyone, Mr. Speaker, would want to come in here now, the state it is in.

SOME HON. MEMBERS: Hear, hear!

MR. HICKEY: Mr. Speaker, for someone to enter public life in this Province, at least at the provincial level today, I think the best way it can be described, Mr. Speaker, is he would be dealing with half a deck - he just would not be all there or he would be a fool for punishment, one or the other. It is almost all gone, Your Honour. I think it is fair to say that we are at the crossroads, and if the Leader of the Opposition - and it is not only the Leader of the Opposition, but I refer to the Leader of the Opposition because he represents that side of the House, he is the spokesman for that side of the House and he took the initiative on this issue - if the Leader of the Opposition can in his conscience say to himself, I have set a proper example for those who shall come after or those who might wish to come into this Chamber to be legislators, then, Mr. Speaker, I think we had all better take a look at that. I do not think he has. I think he has made a grave mistake, maybe on poor advise. Maybe he jumped in when he should not have, but then again, Mr. Speaker, those are some of the risks of public life and those are also some of the dangers of being Leader of the

MR. HICKEY: Opposition. One must be awfully careful, for I am a living example of that. I spent five days in the public gallery, Mr. Speaker, for not thinking before I spoke - two sojourns to the public gallery. And not only that, Mr. Speaker, it took me the second time round to learn. So my little bit of advice for the Leader of the Opposition - and he was in this House at that time - it might do him well to think before he speaks and maybe think ten times before he tables, because the best that can be said in this particular issue is that the Leader of the Opposition laboured to bring forth a mountain and brought forth a mouse. At best that is about all it is.

Mr. Speaker, I cannot support this motion.

AN HON. MEMBER: Oh, shame!

MR. HICKEY: No, I can not. I can not in good conscience support it, Mr. Speaker. I was party to the Cabinet directive that gave the minister the instructions to go out and do what the hon. gentleman did - nothing more than he was instructed to do. And this just happens to be, Mr. Speaker. And I do not think the Opposition has gotten this message - you know, the Leader of the Opposition must have been in government too long, because it seems to me that he does not realize that the Premier of the Province, that any minister of the government under the Premier has the prerogative to answer or not to a question. Many hundreds of times I asked questions when I sat over there and I heard the former Premier say, 'Put it on the Order Paper.'

AN HON. MEMBER: Order Paper!

MR. SPEAKER: (Mr. Young) Order, please!

MR. HICKEY: And one poor soul of a minister went to get up one day and was in the process of getting up, and I would say if the gentleman were around now he would tell us that he is still suffering from arthritis because in the process of getting up he was told to sit down. And then those are some of the same gentlemen who are complaining because we do not tell them all. Mr. Speaker, it must be pointed out, surely, and it is pertinent to this case that the Premier of the Province or a minister need not answer the question at all. It is a privilege. Now we do our level best to answer all questions and to give as much information as we can, but to say just because the Premier did not paint pictures, that he did not go into great detail and say, 'Oh yes, there was a directive from Council' and spend twenty minutes going into great detail painting pictures about this issue - because he did not do that - he deliberately deceived the House! What a bunch of garbage, Mr. Speaker! That is just foolishness ,

Mr. Hickey: to say the least. So obviously, Mr. Speaker, the reasons are clear as to why I cannot support this motion. There is absolutely no doubt in my mind; The Leader of the Opposition has not brought forth anything that I am not aware of as a minister, that I, without any hesitancy stand in this House and say I share whatever responsibility the Premier shares and other ministers share in that directive of Council, from Cabinet and from Council. I accept fully whatever responsibility is mine as a member of Cabinet at that time. No wrongdoing. No legal contract, binding contract, binding agreement or legal agreement, nothing other than an intent, an instruction to a minister to go out and do his job. That is all, Mr. Speaker, nothing more. So why in Heaven's name would I support the motion? How could I support the motion?

Mr. Speaker, finally let us get on with the business facing this Province. Let us address ourselves to the real issues of this Province: Not this developer or that developer; not who is wrong today and who was right yesterday; not who has the licence on all CN truce, as if it were just on that side. Let us forget this foolishness that has been going on in this House for quite some time now. And maybe, Mr. Speaker, we might, if we just stop and think, maybe we might find that there are issues, begging attention in this Province, much more important than the issue that we have wasted the time of the House with today.

And I will say one other thing, Mr. Speaker, before I sit down. If the gentlemen opposite who aspire to govern this Province- and surely none of them will deny that they want to be the government; if they do not, why are they over there, Mr. Speaker? - let me say that it is not honourable to get a government by any means, at anyone's expense. That is not honourable. Let them get the government the right way, the way we got it, through the electorate.

SOME RON. MEMBERS: Hear, hear!

MR. HICKEY: Let them get the government that way, and let them get the government when they -

MR. NEARY: Go down and resign!

SOME HON. MEMBERS: Oh, oh!

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

MR. HICKEY: Let them get the government, Mr. Speaker, when they

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

MR. HICKEY: - deserve to get it.

MR. SPEAKER: (MR. YOUNG): Order, please! I will remind hon. gentlemen that the previous Speaker when he was in the Chair asked for silence on both sides of the House, and I would ask you to abide by that ruling.

MR. HICKEY: Mr. Speaker, I am sorry if hon. gentlemen are uncomfortable in their seats. I know exactly how it feels. I went through it this afternoon. All I am simply saying before I sit down, Mr. Speaker, is this, it is an honourable ambition for them to want to be over here, and no one quarrels with that, but let them do it the honourable way. And let them await the opportunity, and let them get over here if the people think they deserve to be over here. And let them try and provide a suitable alternative to this government, which they have not done yet, Mr. Speaker, I suggest to them that they are on the wrong course if that indeed is what they are trying to do, because all they are doing is telling the people of this Province you better keep the government you got because you certainly have no alternative in the Opposition anyway.

SOME HON. MEMBERS: Hear, hear!

AN HON. MEMBER: A good speech 'Tom'.

MR. W. ROWE: Mr. Speaker, if no one wishes to speak, I will, I see the Premier rising.

PREMIER MOORES: Mr. Speaker, on a point of order. I say on a point for this reason, that obviously as I am the one who is accused in this particular debate, I think it is fair as opposed to having gamesmanship that I have had the opportunity to hear all of the accusations. I do not suppose it is a point of order, it is just a point of asking, as I have been accused, and as I am the one who may have to resign and all that goes with that question, I am asking the Opposition if their speakers would go first, and

Premier Moores: if so I would like to be the last before the
hon. Leader of the Opposition clues it up.

SOME HON. MEMBERS: No, no, no. Nonsense!

MR. W. ROWE: If nobody opposite wants to speak then I
intend to wind up the debate, Sir. Your Honour should warn hon.
members that if I do speak now that closes the debate; but I intend to,
Sir, if nobody opposite wishes to speak.

MR. N. WINDSOR:

Mr. Speaker,

MR. SPEAKER:

The hon. member for Mount Pearl.

MR. N. WINDSOR:

Mr. Speaker, I have no intention, Your Honour, of entering into any debate back and forth across this hon. House with hon. members opposite. I feel I should have a few remarks to make on this very serious issue and the very serious charges made by the Leader of the Opposition against the hon. the Premier.

Sir, I would like to say at the outset that I am grateful for the very learned submission of the hon. member for St. John's East (Mr. Marshall), my colleague, grateful for his knowledge on legal matters and his legal advice, and also, Sir, for the experienced submission of the hon. gentleman from St. John's Centre (Mr. Murphy), and for the benefit of his many years of experience in this hon. House. And, Sir, I have neither the legal background of the hon. member for St. John's East (Mr. Marshall), nor the length of experience in this hon. House as my friend from St. John's Centre has. And I call on, Sir, only what I do have to make a decision on this matter, that is my background, my experience, my knowledge, my training as a professional engineer, duly licenced to practice, certified to practice in the Province of Newfoundland, and on many years of experience, Sir, in dealing with construction contracts very similar to the one that has been referred to quite often over the past twenty-four hours.

Both as a contractor, as a person who had to work under the terms and conditions of such contracts, as a consultant, Sir, who drew up such contracts, and was responsible for administering them on behalf of an owner, and as an owner, as a

MR. N. WINDSOR: civil servant who paid taxpayers dollars to contractors who did work. Sir, so I have dealt with these contracts from all three possible points of view, as a contractor, as a consultant, and as an owner.

Sir, in my experience it is quite normal, quite common to come across proposed agreements, tentative agreements, draft agreements, agreements to agree, however you wish to phrase them, and agreements to agree subject to the fulfillment of certain terms and conditions, and I would submit, Sir, that is exactly what we have in this particular case, subject to certain terms and conditions.

Sir, this contract was never, never executed, never finally executed. It was just a draft. I refer to page one of it, Sir, it says, "Subject to the payment of rentals and other conditions hereinafter provided," subject to conditions hereinafter provided. Some of those conditions, Sir, of lease, shall be for a period of twenty years to commence thirty days after the date on which the developer, the developers or architects shall certify, and the government shall agree, that the demised premises have been substantially completed.

I see no premises. There can be no certificate of substantial completion which is quite common in any construction contract and one of the terms and conditions upon which this alleged agreement would be based if it had ever been executed.

And again it says the developer shall use all reasonable efforts to have the demised premises substantially completed pursuant to this agreement at the earliest possible date. Again, a number of years since this draft was drawn up have gone by, I would suggest, Sir, that even if it had been intended to be proceeded with, reasonable efforts have not been made

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MR. N. WINDSOR: and the agreement would be null
and void on that basis.

Again, Sir, the operative word is
"Subject to the fulfillment of the terms and conditions." And
at the very ending of the contract, Sir, it states, "The hon.
minister in right of Newfoundland has hereto his hand and
seal subscribed." I see no seal, no seal, never a seal, never
ratified by His Honour the Lieutenant-Governor.

MR. N. WINDSOR: Sir, there can be no agreement. Some hon. gentlemen opposite have suggested that the developer in this case might have a claim against the Province because he expended some money. I am sure he did. Of course he did. Anyone who ever submitted a tender, or a proposal, had to invest money to compile that document; quite normal, considered to be a normal, accepted part of the business of contracting or developing as the case may be. Sir, developing his proposal would include, would spread over any number of proposals the cost of preparing such proposals or such tenders. Indeed, Sir, I had one case where a number of engineers in this Province complained to me that a certain tender call or a call for proposals for a particular contract, it was a small contract, there were so many people who tendered on that job that the total cost of preparing those documents, the total cost of all of them put together, was more than the eventual cost of the contract. Of course, Sir, people do expend money to prepare proposals and tenders, nothing at all unusual about it, Sir. To suggest that this case will be any different than any other would be totally, totally incorrect.

Sir, I will just close by saying that this whole affair is a matter of great disappointment to me. The hon. gentleman from St. John's Centre (Mr. Murphy) expressed his disappointment as a member with nearly seventeen years of experience in this hon. House, and, Sir, as a member with less than three years experience in this House I have to say, as well, that my concept of what the House of Assembly of this Province should be and is, and was, has been to a great degree shattered in the past year in particular by the sorts of matters that have been brought forward, by the sorts of tactics that have been used, by the fact, Sir, that because of a number of reasons many of us on both sides of the House have not had ample opportunity to discuss the issues that affect this Province and, particularly, that affect our districts. Sir, I would call on all hon. members to put this sort of thing aside and let us get down to what I feel we offered ourselves to the electorate for and why they eventually elected us to office. Thank you, Sir.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (MR. YOUNG): The hon. member for Bellevue.

MR. W. CALLAN: Mr. Speaker, I welcome the opportunity to have a few words to say in this debate. The last few speakers, I think, Mr. Speaker, have wandered off the topic as far as the motion before the House is concerned. I think possibly in that light I might as well do the same thing because perhaps everything that has been said about the legalities of the motion and what led up to it and so on, actions of the Premier or what have you, perhaps all of these things have been said, and not being of a legal profession I do not pretend to know too much about it, and neither have I been in any cabinet unless it was the china cabinet as a small boy around the house.

Mr. Speaker; the Minister of R and R, Mr. T.V., had a lot of advice for the Opposition. He was telling us, I think, how to go about winning an election. He said if the Opposition wants to win an election and wants to form the government then we should do it honourably, the way that they did it. Mr. Speaker, I think the Minister of R and R

MR. CALLAN: should make up his mind; does he want us to do it honorably or does he want us to do it the way they did it? That is the question. That is the question that I ask in answer to that one. The minister said that the Leader of the Opposition brought forth a mouse, not a very good way to talk about his leader, the Premier of this Province. Is he a man or is he a mouse? What did the Leader of the Opposition bring forth yesterday?

MR. NEARY: A \$70 million mess.

MR. CALLAN: Mr. Speaker, it seems a very weak defence to me indeed for people like the Minister of R and R to stand here and criticize the Opposition and the way the people in this Province look on the Opposition and what we should be doing rather than what we are doing. That same minister and one or two others mentioned about the people's attitude towards this House of Assembly, the people, the members of the general public. Well, Mr. Speaker, I want to comment on that under two headings: Number one, the suggestion has been made that the people's attitude towards this house of Assembly is a very - what shall I say? They have mixed feelings, they are saying such things as they are all tarred with the same brush and that sort of thing. Some of the people who spoke tried to leave the impression that this attitude has grown up among the electorate and the general public in this Province over the last couple of weeks or the last month or so that the House has been open. Mr. Speaker, as a schoolteacher out in this Province for years I can safely say that the attitude towards this House of Assembly did not - the present attitude that exists now has been an attitude that has existed for a good number of years. I would suggest, Mr. Speaker, that this attitude was there six or seven years ago; that is when it began, back in 1971, this attitude that the people have towards this House. It did not just spring up in the last couple of weeks or the last month, it started a long time ago and for some very good reasons.

Mr. Speaker, I think the members of the government on the opposite side of this House from where I stand have very short

MR. CALLAN: memories indeed. They cannot seem to remember how they criticized and looked for scandals in the former government and they seem to forget that it was they who pulled off some pretty good shananigans back in 1971 and then from 1972 to 1975, when the election was called again, shananigans like adding ten more provincial seats in the PC stronghold so that they can insure re-election, insure re-election by only getting forty-six per cent of the popular vote and still get thirty-one seats out of fifty-one, a large percentage of the seats but a small percentage, less than fifty, at least, percentage of the popular vote. And this was done, Mr. Speaker, because of redistribution.

MR. SPEAKER: Order, please! I feel that I do have to point out that the motion before the House is a relatively narrow one and that I feel that the Chair would not be doing its duty if it allowed the debate to stray too widely. I just bring that to the hon. member's attention.

The hon. member.

MR. CALLAN: Thank you, Mr. Chairman—or Mr. Speaker, I should say. I have seen you in the Chairman's Chair so often I get confused sometimes. But, Mr. Speaker, let me continue then and let me talk about the second point with regard to the people's attitude towards this House of Assembly. Mr. Speaker, I think there is an attitude out there, or some people seem to suggest that the attitude among the general public is that we are all tarred with the same brush, we are all tarred with the same brush, government and Opposition, each member of the government, each member of the Opposition. Mr. Speaker, I do not think that is true

MR. CALLAN: and, Mr. Speaker, I cannot help but say that I sympathize, quite honestly, I sympathize with some hon. members who sit on the government side of the House because I do not think for one minute that they enjoy being there. I think that if they had their time back they would never be there. I think of people, Mr. Speaker, like the member for Exploits (Dr. Twomey), and there are others - the member for Placentia (Mr. Patterson) - I think, Mr. Speaker, they have much the same feeling as I have, that to them, and to me, the past two or three years as a member of this House of Assembly have been an exercise in frustration, a waste of time, and for some people, a waste, I think, of good talent.

I think, Mr. Speaker, this is getting at the crux of the whole matter that has been raised. Mr. Speaker, you hear people say, and I think it was the member for St. John's East (Mr. Marshall) who alluded to the fact that the President of the Board of Trade said that we here in the House of Assembly should get on with the business of the House. And I have heard that once or twice as I have listened to the radio driving to and from St. John's on occasion: I hear the odd comment from people who 'phone in on Open Line and what have you. Mr. Speaker, I do not know how many or what percentage of the people who live in our Province realize that it is not the responsibility of an Opposition party to create jobs in this Province, and neither is it the responsibility of this House of Assembly to create jobs in this Province. The government, Mr. Speaker, has the responsibility for creating jobs in this Province and they can do it whether the House is

MR. CALLAN: closed or open.

AN HON. MEMBER: Hear, hear!

MR. CALLAN: We have seen it happen, Mr. Speaker, the big announcement, 737-3800 - that was done before the House opened. The House was not open then.

AN HON. MEMBER: Only a couple of jobs.

MR. CALLAN: I think, Mr. Speaker, that there are some members of the P.C. administration who are deliberately trying to mislead the people in this Province into believing that it is the Opposition who should be creating jobs and who are not concerned about the unemployment in this Province, and, therefore, it is our fault that the House is in a shambles. But, Mr. Speaker, as I said, this is getting at the crux of the whole matter. What we have here today for discussion, this motion, to me, Mr. Speaker, it goes a lot deeper than just a motion regarding some document that was purported to be passed by Cabinet and signed, sealed and delivered. It goes deeper than that. It goes deeper than the Premier or some other minister, whether he be the first or some other minister of the Crown, deliberately misleading the House. It goes deeper than that, Mr. Speaker.

I think what we have here, Mr. Speaker, the question that is in my mind, is this; The general public, the electorate who have this attitude towards the House of Assembly - I do not think this attitude, Mr. Speaker, encompasses each and every member here. It is the Premier of this Province who is brought into question here, Mr. Speaker. And it was the Premier of this Province who was brought into question the week before last and the week before that and last year and

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MR. CALLAN:

the year before that.

Mr. Speaker, when I think of how naive I was when I came here and sat in this House of Assembly for the first session believing foolishly that because a priority existed in my district, and because civil servants saw it as a priority in

MR. W. CALLAN: comparison to the needs in other parts of the Province, I was foolish enough to believe that, well, if it is a priority then obviously it will be done no matter what district it is in.

But, Mr. Speaker, not too long ago I brought up in this House of Assembly the matter of a bit of pavement that the people fought for down in Adeytown and I want to mention this once more. The people were told -

MR. SPEAKER: Order please! I do have to again remind the hon. member that the motion before the House relates to a Committee of Enquiry into an allegation of the hon. Premier misleading the House on a specific issue, an issue dealing with the acquisition of office space and other accommodation for government departments, and that the remarks should be directed primarily towards that without getting too far into other

The hon. member.

MR. W. CALLAN: Mr. Speaker, let me carry on by saying that the point I was trying to get at was this, that in one breath the people of this Province are told that there is no money, that the money has all been allocated for this fiscal year - it pertains to high wages and it pertains to other things in this Province - but then at the very same time you see tenders being called for projects and when you ask the Cabinet minister about it, whether it be in the Question Period or somewhere else, you are told it is last year's money. Mr. Speaker, from the advice that I receive in talking to my colleagues on this side of the House who have been in Cabinets, it does not work like that. So as I say, the question that is raised here today I think is a much larger one than whether or not the Premier is misleading the House.

I am wondering, Mr. Speaker, whether the people of this Province and Opposition members of this House are not misled on more than one occasion and in various, perhaps subtle ways.

Mr. Speaker, a former speaker mentioned the fact that the Leader of the Opposition is looked on by the public out there in a bad light for what he has done here today. Well, Mr. Speaker,

MR. CALLAN: let me say this, that in numbers there is strength. A man alone is in bad company, and I think the Premier is in bad company - he is alone. He alone has been the person who has been accused of misleading the House, of making empty promises and what have you.

But as the people of this Province, Mr. Speaker, hear what is happening in this House through the media and elsewhere, they cannot help but remember that last year, the former Leader of the Opposition - not the same gentleman who brought up this point today - brought up a point which involved the Premier. And also the member for LaPoile has been continually bringing up matters, and other Opposition members including myself who had a small confrontation not too long ago with the Minister of Tourism. Members of the general public, who are looking at this House, Mr. Speaker, through the media or whatever other medium, remember these things: that everybody cannot be wrong - one man cannot be right and everybody else wrong no matter how much he is defended by his colleagues. It is only sensible and reasonable to expect that his colleagues are going to support him anyway.

Mr. Speaker, that is all I want to say about the matter. I am a little bit surprised that the debate is rather limited, especially when I have listened to previous speakers and made some notes here, which I cannot refer to now obviously.

MR. CALLAN: Before I sit down, Mr. Speaker, I want to reiterate that point. But I think the question that is before this House is much broader than whether or not the Premier deliberately misled this House on this one particular item. It goes much deeper than that. And that is why the people of this Province are looking on this House with shame, not because what we in the Opposition are doing, but they see things that we are uncovering and we cannot all be wrong. Some of it must be true.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for Mount Scio.

DR. R. WINSOR: Mr. Speaker, it is not -

SOME HON. MEMBERS: Hear, hear!

DR. R. WINSOR: Mr. Speaker, it is not often I get on my feet in this hon. House, but in a debate of importance like this I cannot shirk my responsibility. There are some points I would like to make. First of all, of course, I think the issue, as the member for Carbonear (Mr. R. Moores) said earlier tonight, is simply did the Premier mislead the House? Then the member for St. John's East (Mr. Marshall) this afternoon and others have certainly established to my satisfaction that the agreement that was tabled by the Leader of the Opposition was not a legal document. It was not ratified by Cabinet, in fact it never did get back to Cabinet for discussion and therefore it could never have been agreed to by Cabinet. It certainly is no more a legal document than the discussions that at the same time, or approximately the same time, were going on between Trizec, Mr. Andrew Crosbie and others.

So since these points were more than adequately dealt with by the member for St. John's East, I certainly, with my limited experience in legal matters, am not going to try to carry along on that tack.

DR. R. WINSOR: But, Mr. Speaker, we have a very democratic party and we probably have made mistakes in the last few years. I was elected in September 1975; I found our party to be a very free and open one and certainly no one in our party I think feels stifled or if anything illegal or immoral as some people on the other side have indicated, that things have gone on, that many of us would not still be sitting on this side of the House. I know in my own particular case, I was elected in September '75 and certainly there would have been no building built adjacent to this one that had not gone out on public tender. If so I would not be sitting in this seat.

SOME HON. MEMBERS: Hear, hear!

DR. R. WINSOR: I know it is diverting slightly but it was a subject that was brought up this afternoon and I would just like to refer to it as an example, and the fact the Public Accounts Committee, of which I am Vice Chairman, was mentioned. I am very proud of that Committee. It took twenty-years of Liberal rule and five years of Conservative rule before we got a functioning Public Accounts Committee. I have tried to co-operate and I do not think my desire is anything less than the Chairman of that Committee, the member for Burgeo-Bay d'Espoir (Mr. Simmons), is any less than his in ferreting out any corruption that may exist in the Civil Service or anywhere else, and I certainly feel that this is an example of why I feel that this party certainly has an awful lot to offer, and certainly is a great vehicle for people such as myself to operate in.

I got into politics in a certain way, in a serious way, and I feel - this afternoon when the member for Port de Grave was speaking, I felt very sorry for him for the remarks he made when he started off his speech. Back approximately ten years ago I became very - almost dedicated to politics after a phone call from a very powerful member of the Liberal Party at the time, when I supporting John Crosbie in the leadership campaign of '69. I was threatened and members of my family were threatened. I, from that moment, became very dedicated to

Dr. R. Winsor:

politics in Newfoundland because I had to bring up my children here, and I certainly would want -

MR. F. WHITE: A point of order, Mr. Speaker.

MR. SPEAKER (DR. COLLINS): A point of order. Order, please!

MR. WHITE: Mr. Speaker, the last speaker on this side, the member for Bellevue (Mr. Callan) was brought to order on two occasions for being irrelevant to the debate. I would like to know what this is?

MR. SPEAKER: (Dr. Collins). The hon. member for Mount Scio.

DR. R. WINSOR: To that point of order, Mr. Speaker. First of all there is no point of order. And secondly, I am referring to the remarks made by a previous speaker before the House recessed this afternoon, and sort of correlate that.

AN HON. MEMBER: There is no point of order.

MR. SPEAKER (DR. COLLINS): Order, please!

I think the Chair does have to again point out that the debate should be directed towards the issues in the motion that I need not go into again, and that side issues, although they may be alluded to, and they clearly have been throughout the debate, these should not be developed to the extent that the remarks are not directed towards the main issue in the motion.

The hon. member for Mount Scio.

DR. R. WINSOR: Thank you very much, Mr. Speaker.

The issue was raised earlier this afternoon about the Leader of the Opposition feeling that probably he morally was better able to deal with certain issues than some people on this side of the House. I was trying to bring my remarks around to sort of indicate that some of us on this side feel pretty just as competent to work for morality in politics as anyone on that side of the House. And certainly with the incident that the member for Port de Grave (Mr. Dawe) related to this afternoon, I just wanted to indicate to him I feel, my heart bleed for him because I know that what he went through, I went through too. I thought that the Liberal Party had had a breath of fresh air instilled into it in 1969 but obviously a cloud has descended again.

DR. R. WINSOR: Now, Mr. Speaker, with all the problems facing this Province at this particular time it is very unfortunate that the Opposition again has dragged a red herring across the floor of this House. Of course, there is no evidence that the Premier of this Province is guilty of misleading this House, and obviously I am certainly not going to support this ridiculous motion. Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (DR. COLLINS): Is the House ready for the question?

MR. W. ROWE: Mr. Speaker, if nobody else wants to speak I will wind up the debate. Oh I see we have another speaker.

AN HON. MEMBER: Two.

MR. DOODY: They are coming up now.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (DR. COLLINS): The hon. the Minister of Intergovernmental Affairs.

MR. DOODY: Some hon. members, ho, ho!

Well, Mr. Speaker, it was not my intention to speak in this debate, and I feel that it was indeed the intention of many people on this side of the House to refrain from becoming involved in this particular debate. The arguments were related to that very basic question which is the heart of the issue here this evening, Sir, where set forth very well, very succinctly by the first four or five speakers on both sides of this House. I particularly refer to the comments of the member for St. John's East (Mr. Marshall) whom I thought brought into a very simple sharp and narrow focus the question that is before the House this evening.

It is not as the hon. member for Bellevue (Mr. Callan) said a moment or two ago, a much broader question than the motion that is before the House. The question is simply that the motion that is before the House, and the motion is to set forth or bring forth a Committee of the Whole House to pass judgment and allegations to the effect that the hon. the Premier has deliberately misled this hon. House. Now, Mr. Speaker, in all honesty and in all fairness I have to say that this has to be one of the most serious allegations and charges that have been placed

Mr. Doody: before this House during the years that I have had the honour of serving here. I do not really feel that the comments that I will make during the next few moments will add or subtract from the validity of the arguments that were presented during the first several hours of the debate.

MR. DOODY: But since hon. members opposite feel that this is a game of gamesmanship, one-upmanship, where each and every person has to place his pawn out before he puts his knight out, and a bishop has to be placed in front of the rook, and eventually we get the queens and the kings, and eventually try to get some sort of a stalemate, and the business of the Province is a secondary thing and the business of the House and the repute of the House are unimportant things -

AN HON. MEMBER: Hear, hear!

MR. DOODY: - and the dignity of this Province is of no significance, what does matter is the fact that debating points are made, that weak little people make powerful big points - these are things that are important, Sir, and that is why I feel at this point in time that it is time to stand up and say something.

AN HON. MEMBER: Hear, hear!

MR. DOODY: The point at issue before this House, Sir, is a very, very simple one.

DR. KITCHEN: Will he or will he not.

MR. DOODY: Mr. Speaker, I will even descend to the dignity or lack thereof of the hon. members opposite and ask for silence, please, from the hon. ex-President of the P.C. Party of Newfoundland.

MR. SPEAKER: (Dr. Collins) Order, please! The hon. minister has requested silence for his remarks and this has been the rule that has been in force throughout the day.

The hon. the Minister of Intergovernmental Affairs.

MR. DOODY: This House has conducted itself today, Sir, with a decorum that I think is worthy of a debate of the significance and importance that this one is.

MR. DOODY: I think the only time that it really lowered itself to the level that it seemed to have become accustomed over the past several months was during the time that my friend, my dignified friend, my hon. friend, the member for St. John's Centre (Mr. Murphy) stood up to speak from the center of his heart. If there is any man in this House who deserves dignity, attention and respect, it is the hon. member for St. John's Centre.

SOME HON. MEMBERS: Hear, hear!

MR. DOODY: There are three people in this House, Sir, to whom I listen, with dignity and respect and with reverence no matter what the topic is or no matter what the subject, no matter what the atmosphere - the hon. the member for Fogo (Capt. Earl Winsor), the hon. the member for Burin - Placentia West (Mr. Canning) and the hon. the member for St. John's Centre (Mr. Murphy). These are my peers, these are the people to whom I look, these are the people with honour and decorum and decency -

SOME HON. MEMBERS: Hear, hear!

MR. DOODY: - and to hear the snickers, the absurdities and the insults coming from hon. people opposite during the very few moments that my friend from St. John's Centre took this evening to explain in a very, very dignified and very responsible way about the objects and principles and responsibilities that this House has to the people of this Province was rather sad and rather pathetic.

The motion before this House, Sir, is very clear. The language of the motion is very simple. It can be read and it can be understood, but the motive behind the motion is a great deal deeper, a great deal more significant. The object of the motion is to discredit and to try to destroy the honour and dignity of

MR. DOODY: the Leader of the P.C. Party,
to destroy the honour and dignity of the Government of the
Province, to lower and debase the Government of Newfoundland.
And it has been said by hon. members opposite that this is
one of a series of weekly attacks. I heard a member
opposite say just a few moments ago that this is not
something new, this has been going on. The hon. the
Premier has been subjected week after week, day after day,
hour after hour, to this sort of attack. I can only
suggest that this particular attack is one of the same type
of attack that is aimed at not what the object of the motion
purports to be, that is, the privilege of the House - the
object of a motion of a privilege of the House would seem
to be, by definition, a matter to protect the rules and
prerogatives of the House, a matter

MR. DOODY: to protect the dignity and honour and integrity of this House. A matter of privilege of the House should be, Sir, a motion that is aimed at preserving, not for this government or the next government or previous governments, but for the Province as a whole and the future of the Province as a whole, the integrity and honour of this particular House, of this institution, of this governing body. And as the hon. the member for St. John's East (Mr. Marshall) pointed out so clearly and so succinctly and so ably this afternoon, it would appear that this particular motion or privilege has been used to undermine the House, to undermine the institution, to make it crumble around us as part of a concerted plan that has been going on now week after week, day after day, and I quote hon. member opposite, because the hon. the Premier is the focal point of the attacks and the object of the game is to discredit the government, to drive it out of office, and if this House has to suffer because of that, if the institution has to be debased because of that, then that is the price that some hon. gentlemen are willing to pay to climb into power. And that, Sir, is a price that I think this Province can not afford, that no country can afford, and that the very institutions of democracy can not afford.

SOME HON. MEMBERS: Hear, hear!

MR. DOODY: Mr. Speaker, I now hear whispers and mutterings opposite of 'Listen! Listen!' and I appreciate it, because it is a new atmosphere in this House and one that we have not had during the past several months.

Mr. Speaker, to look at the evidence that was presented, or the so-called evidence that was tabled by the hon. the Leader of the Opposition in support of his substantive motion which has been supported by hon. members opposite, is to look at a figment. The so-called agreement, as was so well pointed out by the hon. the member

MR. DOODY: for Port de Grave (Mr. Dawe), is obviously not an agreement, or any businessman who has any right to be called a businessman would have acted on it quite some time ago. So there was no agreement; there is no agreement. Had there been an agreement, it would have been used, it would have been acted on, there would have been work done, we would have had a building.

The story, as was pointed out some time ago and has been pointed out and will continue to be pointed out, is that the Government of the Province of Newfoundland entered into a heads of agreement, into a negotiating status, into a negotiating stance with a businessman with the intent to build a public building for and on behalf of the Province. The details of that particular deal were not acceptable to Cabinet when the details came back to Cabinet, they were not acceptable to caucus and they were rejected. That is two or three years ago, and now it is resurrected and is being used as a weapon to discredit, to destroy, to humiliate, to debase, to attack to vilify, to shame. And, Mr. Speaker, I think that it is indeed a misuse of the privileges of this House to use these rules in such a way. Because this is not an ordinary event, Sir, this is not the sort of thing that happens every day, as Your Honour well knows. To bring a point of privilege of the House before the House and have it accepted as a debatable motion is a very, very unusual and very, very strange item of debate in the House. It is not something that is treated lightly nor is it something that should be treated lightly. And as Your Honour very correctly pointed out in the beginning, the hon. member or members who have brought this particular motion before the House do it with the full knowledge of what they are doing and should be prepared to accept the consequences when they are demonstrated to be incorrect in their allegations. Mr. Speaker, it is my

MR. DOODY: to survive in such an atmosphere.

I commend the hon. the Minister of Rehabilitation and Recreation, who offered such sage and sensible, non-partisan advice a few moments ago. The hon. the member for Bellevue (Mr. Callan) should not feel singled out for this particular advice. There are many people opposite, many people in this Province who felt not so long ago the need for reform. As a matter of fact, the hon. the member for Bellevue and others opposite formed a Liberal Reform Party. I do not really know whether any of the reforms have really felt themselves or have caused to have made their presence known in the members opposite of the Liberal Party; certainly, they have not become very clear in the pronouncements and announcements of hon. members since they have taken their seats in this particular sitting of the House. I do not think that the House has ever descended to the level that it has during the past several months, certainly not during my six or seven years in here.

I sincerely hope, Sir, that after this particular question is set aside that we can get on with the business of the Province, that we can get on with those things that are important, we can get into those debates and those questions which are significant to the people of the Province.

Mr. Speaker, I would like to just bring to the attention of the House the kind of real interest that the hon. members of the Opposition have in the goings on of this Province and the affairs of the people of the Province and the needs of the people of the Province. I suppose there must have been one thousand, 1,100 - 1,200 questions asked since this sitting of the House started some months ago.

MR. DOODY: How many questions were asked of the Minister of Fisheries?

MR. W. CARTER: Five.

MR. DOODY: Five questions on Fisheries were asked in this hon. House since it started in this session. The heart blood of this Province is the fishery. The interests of the people opposite, most of whom represent fishing districts, have brought themselves to a point where they have asked five questions on the fisheries policies and the fishing interests of this Province.

How many questions have been asked about a building that has not been built? We are into a major debate that may take hours and days and weeks of the public's time. It has held up the Occupational Health and Safety bill of the hon. minister in front of me.

Sir, it is to me very clear
- although it was not my intention to speak in this debate -

MR. DOODY: that the real sum and substance of the debate has to be dealt with and dealt with very, very quickly. The motion before the House is clear. The question is not a broader question as has been stated across the House. The question is a very clear one, a very succinct one, a very definite one: Did the hon. the Premier deliberately mislead this House? The answer to that question is a very clear and definitive no. The more quickly we get to that question, the more quickly we can get on to the business of the Province which was what we were sent here for, Sir.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for Trinity - Bay de Verde.

SOME HON. MEMBERS: Hear, hear!

MR. F. ROWE: Mr. Speaker, I could not agree more with my hon. friend who just spoke, that the motion before this House is a very simple one indeed. It is a serious one but it is a very simple one to understand. But what bewilders me, Sir, is the fact that hon. members opposite do not appear to understand what the motion says. Now, Sir, I will repeat it for the benefit of hon. members opposite. "To move that this hon. House resolve itself into a Committee of the Whole House to consider certain matters concerning the privileges of the House raised by the hon. Leader of the Opposition that the hon. the Premier, speaking from his place in the House, deliberately misled the House" - deliberately misled the House, that is simple enough, Sir - "in answer to questions asked in the House by hon. members regarding the existence" - now here is where the simplicity is, Sir - "regarding the existence of an agreement or an arrangement between the government and a third party to build an office building for the government." I will not continue on with the rest of the motion until later on, Sir.

It is very simple, Sir, that the hon. the Premier, speaking in his place in the House, deliberately misled the House in answer to questions asked in the House by the hon. members regarding the existence, I repeat, of an agreement or

MR. F. ROWE: an arrangement between the government and a third party to build an office building for the government.

Now, Sir, what have hon. members opposite attempted to do here today? The hon. member for St. John's East (Mr. Marshall) gets up and he talks about a legally binding document, Sir, that has nothing whatsoever to do with the motion. It is a great red herring, Sir. It is completely irrelevant. It was mentioned by some hon. members that it is a legally - it was mentioned by the Leader of the Opposition that it was a legally binding document, one of the points that he made. But the motion says, Sir, the existence of an agreement or an arrangement between the government and a third party to build an office building for the government. That is the point at hand, Sir, not whether it is a legally binding document or contract or anything else.

Now, Sir, over the past three years hon. members on this side of the House have gotten up in their place and they have directed on - I counted up going quickly through the Hansard over the last three years - on twenty-four occasions have asked the Premier and some other hon. members if there was any intention -

MR. F. WHITE: How many times?

MR. F. ROWE: - Twenty-four times - if there was any intention, Sir, the word intention was used, whether there was any proposal, whether there were any agreements, contracts, arrangements, all kinds of things, Sir, every descriptive word that could be used to indicate that there had been some form of an agreement or an arrangement or an intention or a desire to build a building. And in each case, Sir, the question was either not answered - there is nothing wrong with that. A minister or the Premier does not have to

MR. F. ROWE: answer the question— or it was evaded. There is nothing wrong with that, Sir. But when the answer is an absolute no and we believed in our own minds that an arrangement existed, or there was an intention or a desire or a contract or an agreement existed, we questioned whether the Premier was misleading the House of Assembly or not.

Now, Sir, I will pick out a few examples of where questions were asked. I said that there are twenty-four instances over the past three years when questions were asked about intentions, agreements, proposals, contracts or what have you, to build a building. On May 13th., 1976, Sir, "Mr. Neary: Could the Premier outline for the House whether or not the agreement with Trizec is off and if the government," you will have to pardon me, Sir, the copy is kind of weak, "whether the government have been approached by Mr. Morgan or Mr. Andrew Crosbie to try and persuade the government to rent space in Atlantic Place and is the government going to rent space in Atlantic Place? And thirdly, what is happening to the Dobbin deal? Is that still on or is it off? What is the situation now regarding the renting of office space for the government offices?" The hon. the Premier, "First of all in answer to the first question Mr. Speaker, there never was any agreement as such to my knowledge with Trizec. Secondly, regarding where the government is going to rent space is under consideration right now and when we have to make up our minds we will gladly pass the information along." That is one example, Sir.

Other examples, when I find them, Sir. On February 7th., 1977, "Mr. Neary: Mr. Speaker, I would like to direct a question to the Minister of Public Works and Services. Would the minister tell the House what has transpired recently and if any decisions have been taken in connection with additional office space to house the public servants?" "Mr. Rousseau; Mr. Speaker, nothing has happened recently. First of all

MR. F. ROWE: the federal study we had done a couple of years ago is being updated. This is a division of the Federal Department of Supply and Services who we retained, I think two or three years ago, and we are having them update their study of two or three years ago which we hope to have."

Another example, Sir, -

AN HON. MEMBER: (Inaudible).

MR. F. ROWE: I am coming to it now. The hon. members opposite do not have to get excited yet.

Now, Sir, June 2, 1977,

"Mr. Neary: Could the hon. the Premier assure the House that no deals, that no commitments have been made" - no deals, no commitments have been made - "to private developers to rent office space either on a short term basis or a long term basis until the government has the report in its hands and decides what the future is going to be as far as government new building or office space is concerned?"

The crux, Sir, Could the Premier assure the House that no deals, that no commitments have been made to private developers?

The Premier, Sir - "Premier Moores: I most certainly can, Mr. Speaker. There have absolutely not been any commitments made to any developer with office space or without."

Sir, this was on June 2, 1977

in answer to a question by my colleague, the

Mr. F. Rowe:

member for LaPoite (Mr. Neary). Absolutely not, Sir. No agreement. No deal. No commitments. That is what the Premier of this Province said, Sir, in 1977. Sir, in 1978, this month on the 8th., a question by myself, Mr. Speaker, "A question for the hon. the Premier. Sir, in view of the fact that I am sick and tired of driving constituency delegations all over the city to the various government departments that are scattered in the city, has the government any intention or plans to build a new government building or an extension to the Confederation Building?" The hon. the Premier: "First of all, Mr. Speaker, I am very sorry the hon. member is sick and tired. Also, Sir, there is no immediate plans right now to build an extension to the building. No.

Mr. Rowe: A supplementary, Mr. Speaker. Mr. Speaker: A supplementary.

Mr. Rowe: In other words, Sir, what the Premier is saying is that no arrangement has been made, has been made with anyone, with anyone at all to provide for a new government building or an extension to the Confederation Building. Is that correct? Premier Moores: I think that is what I said, Mr. Speaker. That is what I meant to say. Yes."

Now, Sir, nobody, when these questions were being asked, had any knowledge of any intentions, any agreements, any proposals, or anything else. But after these questions were asked the Leader of the Opposition came into possession of certain documents.

AN HON. MEMBER: The documents were (inaudible).

MR. F. ROWE: No, the hon. member -

AN HON. MEMBER: Mr. Speaker said there were to be no interruptions.

MR. F. ROWE: The hon. member can speak when he gets his chance, Mr. Speaker, because I am not sure whether I am going to be able to finish in the time that I have available.

Now, Mr. Speaker, these are two specific examples where the Premier quite clearly and quite specifically said in this hon. House, and I have not related to the other twenty-four occasions - twenty-two occasions, I am sorry - where he said that no arrangement, no agreement, no intentions, no anything existed with anyone for the building of a new building for government purposes or an extension

Mr. F. Rowe: to Confederation Building. Yet, Sir, my colleague the hon. the Leader of the Opposition tabled yesterday a document which to my mind is an agreement. Sir, I cannot pick out, the copy is gone, but I can get back to what it means later on. "Whereas the developer proposes to build an office building hereinafter called the demise premises upon all that piece or parcel of land situated off Higgens Line in the City of St. John's in the Province of Newfoundland and being more particularly described and set out in Appendix A. And whereas the government's desires of leasing from the developer approximately 408,000 square feet of office space for a term of twenty years. And my colleague, Sir, mentioned the amount of money involved, in this particular instance approximating something in excess of \$68 million.

Now, Sir, that document was signed, sealed, and delivered by the hon. Dr. Thomas C. Farrell, Minister of Public Works and Services acting for and on behalf of Her Majesty the Queen in right of Newfoundland in the presence of, signed by Dr. Thomas Farrell the Minister of Public Works and Services, witnessed by F. D. Moores, the Premier of this Province, signed by Mr. Craig L. Dobbin, the developer, signed, sealed and delivered and witnessed by another gentleman; Mr. Powell.

Now, Sir, the hon. members opposite can get up and scream and yell all they want

MR. F. BOYD: as to whether or not this is a legally binding document. I happen to believe that it is, but that is not the point, Sir. What is this? Let us assume that it is not a legally binding document. It is a document signed by a Minister of the Crown, witnessed by the Premier of the Province, with a developer and witnessed by one of his former workers - employee, I assume - which the developer presumably has in his possession. And if I were a developer, Sir, I would love to have this in my possession so that I could go to the various banks and financial houses of the world to raise money for the purpose of building such a building.

Sir, is this an intention? Is this a desire? Is this an arrangement? Is this an agreement? It certainly is, Sir, and that is what the Premier of this Province has consistently denied existed. And to compound the whole thing, Sir, the hon. the Premier tables yesterday in this House all of this, Sir, proposals, proposals, proposals and presumably the hon. Premier said agreements that are not even signed. So if the Premier did anything in his speech of yesterday, Sir, the hon. Premier reinforced the argument of the Leader of the Opposition that after three years of questioning and denials of any intentions, proposals, agreements, desires, arrangements the Premier finally tables all of these documents that he claimed did not exist. Now, Sir, if that is not deliberately misleading the House, what is it? In the name of heavens, what is it? Right up until the 9th. of May the Premier denied that any arrangement existed, that any agreement existed. And my friend the Leader of the Opposition tabled this document together with a true copy of a directive approved by Cabinet in a meeting of Committee of Council saying, - "Ordered that the following proposals submitted by Mr. Craig L. Dobbin of St. John's with regard to the construction of an office complex for the government situated immediately west of Confederation Building be and they are hereby approved in principle subject to the submission to the Cabinet of satisfactory plans and specifications based upon analysis of the project by the Department of Public Works and Services!"

Mr. J. Jones: Now, Sir, we, everybody in this Hon. House, know that there is no quorum necessary for Cabinet. There can be three members approve of this and I submit there are hon. members opposite did not know this agreement in Cabinet, did not know this agreement until it was tabled by the Leader of the Opposition. Did not know it even existed! So, Sir, for hon. members to try to distract from the point of this motion that the hon. the Premier misled the House! The motion says, "That the Hon. the Premier speaking from his place in the House of Assembly did deliberately mislead the House in answering questions asked in the House by hon. members regarding the existence of an agreement or an arrangement between the government and a third party to build an office building". That is the motion, Sir, and Hansard proves beyond any doubt whatsoever, Sir, that the Premier denied that agreements or arrangements existed. And for the hon. member for St. John's East (Mr. Marshall) and other hon. members to stand up and say, 'There is no building out there,' Well, we did not ask the Premier if there is a building out there, Sir; we could see that for ourselves.

Mr. F. ROWE: We did not ask the Premier if there was a legally binding document. We could have asked it, but we did not ask him that, Sir. We simply asked whether there was any intentions, any arrangements, any agreements, any proposals, any desires, and other words were used, and no, no, no, no, right down the line by the hon. the Premier. And the Premier himself, Sir, tabled documents of proposals and unsigned agreements, and the hon. the Leader of the Opposition tabled a signed agreement- which I believe to be legally binding, but that is beside the point. The fact of the matter is that this document in itself, Sir, without any other evidence, this document having been tabled and the references having been made to Hansard which have been laid upon the Table of the House indicating that the Premier had denied the existence ever of any kind of arrangement or an agreement between the government and the developer, is deliberately misleading this House, Sir. The facts speak for themselves. It is a great red herring being dragged across this House, Sir, by saying, "There is no building out there. I do not see a building out there. The thing is not legally binding!" It is a red herring, Sir.

It is just as much a red herring, Sir, as the hon. members getting up opposite and saying that we on this side are wasting the valuable time of the House by bringing this matter before the House. Sir, how much foolishness do we have to put up with at all with wasting the time of the House by bringing this matter up.

Sir, here was an agreement that could have cost the people of this Province some \$70 million. It came into the possession of the Leader of the Opposition. It was denied by the Premier that it ever existed. I ask hon. member opposite if they were in opposition, or even in government and they came into possession of these facts, would they not be duty bound, duty bound to bring this before the House, Sir, that the Premier of this Province has deliberately misled the House on this particular occasion over the past three years? Sir, it is scandalous that hon. members opposite should try to talk about how much

Mr. F. Rowe: they respect the member for St. John's East (Mr. Marshall), how much they respect the member for St. John's Centre (Mr. Murphy); respect for members has nothing to do with it whatsoever, Sir, respect for members has nothing to do with it. The basic question is; did the Premier of this Province deliberately mislead this House? And I submit, Sir, that the laying upon the Table of that signed agreement, that signed arrangement, and the answers given by the Premier over the past three years in denying the existence of any such agreement, proves beyond any doubt whatsoever that the Premier was deliberately misleading the House.

Now, Sir, I do not know what the Premier is going to say when he gets up. But I would suggest, Sir, the Premier was ready for us the other day, so he says, he was tipped off. He was ready for us. Well, Sir, if the Premier was ready for us yesterday I would submit that he should have had in that bundle of documents the very same agreement that my friend the Leader of the Opposition tabled, the one we are referring to, the signed agreement, the real agreement, the legal document. He should have tabled that and at the very same time he should have tabled the rescinding order, if in

MR. F. ROWE: fact it was rescinded. There is no proof yet, Sir, that it has been rescinded, no proof whatsoever. The Premier had his opportunity yesterday, the Premier had his opportunity for three years to indicate to this hon. house that an agreement had existed and it was rescinded, but no, Sir, he just said there was no agreement ever between anybody, and he made it worse for himself, Sir, by tabling a bunch of documents of unsigned agreements himself further proving that he had misled the House over the past three years. And, Sir, this business of bringing agreements back to caucus for approval, we have no proof that this was brought up in caucus. Are there Minutes of caucus to prove that? Was there a caucus meeting one week before an election? We have no proof that it was brought before the full Cabinet. We have no proof that the true copy of a directive approved by Cabinet in a meeting of Committee was brought before the full Cabinet. I challenge the hon. the Premier to place upon the table of this House the names and number, logically, of the Cabinet ministers who were in attendance at that meeting on August 18th when that directive was approved by Cabinet at a meeting of the Committee of Council. And I further challenge, Sir, the Premier to indicate to the House whether this agreement was ever brought before a full Cabinet for approval. And I further challenge hon. members opposite, especially the ministers, to indicate whether they were knowledgeable of this agreement and the directive of Cabinet. I challenge them on that, Sir, this bringing before the House, the attitudes, lowering the dignity of the House is another great red herring, Sir. The hon. members opposite, Sir, are doing everything in their power to distract from the basic simplicity of this motion, and that is that the Premier when asked questions by hon. members, deliberately misled hon. members of this House. Sir, that is a serious charge but very simple, and I wish that hon. members opposite would, when they speak, address themselves not to whether a document is legally binding, not to whether the dignity of the House is being lowered. I can assure hon. members opposite that we are as concerned about the unemployment situation in this Province

MR. F. ROWE: as hon. members opposite. We are as concerned about the lack of jobs, about the increased cost of electricity, about the Lower Churchill, about the Nordsee agreement, just as concerned, Sir. But, Sir, when we find out that the hon. the Premier of this Province has deliberately misled the members of this Chamber because we have possession of a document which proves it, we are duty bound, Sir, to bring this before the House. Because I ask this basic question: if the hon. gentleman is capable of misleading on one occasion, on how many other occasions has the hon. Premier misled this Chamber and the people of Newfoundland? Very serious stuff, Sir. And I must say, Sir, that I am extremely disappointed in some hon. members opposite, for whom I had a lot of respect, when they see such a document being tabled before this House and when the questions and answers are read out to them and tabled.

MR. F. FOOTE: They have obviously, Sir, been subjected, they have been whipped into shape in a caucus. They have decided collectively to brazen it out, to brazen it out because they have the majority and they can defeat this motion asking that a Committee of the Whole House be empowered to call and examine witnesses before it. that they said Committee be empowered to have relevant documents brought before it for examination and then upon completion of the hearings the said Committee report to the hon. House with recommendations to the hon. House of Assembly." Sir, what are hon. members afraid of over there? We simply want to get at the truth and there is no better way of getting at the truth than having a Committee of the Whole House bringing witnesses before the Bar, Sir, in this House and questioning them. I submit, Sir, that the unified front on the part of members opposite in voting against this motion is no act of solidarity, as I hear' on the CBC tonight, solidarity on the part of the government, no act of solidarity at all, Sir. They are simply covering up the pursuit of truth, it is as simple as that. Hon. members opposite can count, we can count: hon. members opposite, "Just brazen it out all night, brazen it out, wear them out; they will have their talk until three or four or five or six o'clock in the morning and at the end of it we will have a standing vote, we will defeat the motion." Then, Sir, they would likely have the gall to come in with another motion trying to flick or discipline the Leader of the Opposition.

Well, Sir, I am telling you now that I am extremely disappointed in some hon. members opposite when they can look at a signed document between a Minister of the Crown, acting on behalf of the government, and a developer, witnessed by the Premier himself, and they do not interpret that as an arrangement or an agreement. I submit, Sir, that they are a party to a cover-up in not voting for this motion. It is as simple and straightforward as that. So, Sir, I appeal to hon. members who have even indicated that they are going to vote against this motion to reconsider. What have hon. members got to lose? Truth is the best defence. If hon. members did not have knowledge of this

MR. P. DUFFY: Document, what have they got to hide? I can understand, Sir, if some hon. members did have knowledge of this document why they would want to vote against this motion, but I know that some hon. members opposite did not know of the existence of that document nor the directive from Cabinet or Committee of Cabinet, did not know, Sir, it was not even tabled by the Premier yesterday. It had to be tabled by the Leader of the Opposition. No rescinding order has been tabled by the Premier. The Premier has consistently said no agreements have ever existed between the government and anyone for the building of a building.

Sir, I appeal to hon. members opposite to vote for this motion, have witnesses called before a Committee of the Whole House and seek out the truth. The truth is the best defence. Sir, truth cannot hurt anyone except those who have been lying and, Sir, to me I am convinced-it is as clear as the nose on your face, Sir!- a document tabled, signed and witnessed. I am repeating myself but I have to repeat it because hon. members cannot seem to comprehend that a number of pages of words, an agreement signed by the Minister of Industrial Development, witnessed by the Premier and the Developer and witnessed by one of his employees,

Mr. F. Rowe: they cannot seem to understand that that is not an agreement or an arrangement. And the Premier has consistently denied that there was ever such an agreement or an arrangement. Sir, if that is not misleading the House, what is it? What is it?

As I said, Sir, it is very simple; they have made their choice. They gathered together in caucus; "Let us brazen it out! "There are thirty-one - well, counting the Speaker - thirty over there, Sir, twenty over here, Sir, simple mathematics. "We will brazen it out, we will defeat the motion." And then they will probably have the gall to move a motion reflecting on the character of the Leader of the Opposition for doing the very thing that he is duty bound to do when he comes in the possession of a signed agreement - bring it to the attention of the House because the hon. the Premier has denied that it ever existed. Denied that it ever existed!

Sir, the hon. the member for St. John's East (Mr. Marshall) said something to the effect that the members opposite, here are trying to paint us all black over there, the Opposition are carrying them all with the same brush. Well, Sir, I suggest that if any hon. member hon. member feels that he is being painted with the same brush, now is their chance to wash themselves of the tar from that same brush: They simply have to get up and vote in favour of that motion so that the truth will out, so that the truth will out.

Sir, the gall of hon. members opposite to say that the Leader of the Opposition has brought in flimsy evidence, flimsy evidence. Sir, what is flimsy about questions and answers recorded in Hansard? The Speaker did not think it was flimsy, Mr. Speaker. He ruled that the hon. Leader of the Opposition had a prima facie case unprecedented in this Province, had a prima facie case. But they can still brazen it out, Sir. They can still brazen it out.

The gall, Sir, as I was saying, to say to the Leader of the Opposition, "How can we vote for this motion with such flimsy evidence?"

MR. LUNDRIGAN: On a point of order, Mr. Speaker.

MR. SPEAKER (MR. YOUNG): A point of order has been raised.

MR. LUNDRIGAN: Mr. Speaker, on a very serious point of order, the hon. present speaker has indicated that Mr. Speaker ruled on the point of prima facie case of privilege on the basis of evidence -

MR. F. ROWE: I did not say that.

MR. LUNDRIGAN: - presented -

SOME HON. MEMBERS: Yes he did.

MR. F. ROWE: I did not say that.

SOME HON. MEMBERS: Yes.

MR. DOODY: Page! Page!

MR. LUNDRIGAN: Mr. Speaker, precisely what the hon. the hon. Leader of the Opposition said, the hon. Leader of the Opposition said that, the hon. Speaker did not think the evidence was flimsy. The hon. the Speaker did not think the evidence was flimsy.

MR. W. N. ROWE: That is right.

MR. LUNDRIGAN: So the hon. the present member for Trinity-Bay de Verde (Mr. F. Rowe) indicated precisely the same thing, which indicates to me, Your Honour, that the Leader of the Opposition and the present speaker are indicating that His Honour ruled on the basis of evidence. Mr. Speaker, -

MR. F. ROWE: He is not going to rule on the basis of no evidence!

MR. LUNDRIGAN: - His Honour ruled on the basis of the fact that the Leader of the Opposition was willing to take the full responsibility for his charge that he had the solid evidence which could indicate that the hon. the Premier had deliberately misled the House.

SOME HON. MEMBERS: Hear, hear!

MR. LUNDRIGAN: And therefore on the face of it because of the fact, and he repeated his position here according to the hon. Speaker Michener in 1963 in the House of Commons that in fact because the hon. Leader of the Opposition was willing to take the responsibility, and I am quoting precisely, "I would come back", Mr. Speaker, yesterday he said, "I would come back to his statement and his reasoning, "I indicated that I did not think a matter of privilege would arise unless he was prepared to assert on his own responsibility that the House had been deliberately

Mr. Lundrigan: misinformed by the minister, thereby imputing
some impropriety or improper conduct." And on the basis of the fact
that the Leader of the Opposition was willing -

AN HON. MEMBER: What is he doing?

MR. F. ROWE: He is wasting my time, that is what he
is doing.

MR. LUNDRIGAN: - was willing, Mr. Speaker,

MR. LUNDRIGAN: to take the responsibility for laying before the House the charge that the hon. the Premier had deliberately misled the House on the basis of that precise charge that was laid. Mr. Speaker, ruled that there was a first face on the face of it a question of privilege, a prima facie case of privilege. The hon. Speaker, did not make the ruling, Mr. Speaker -

MR. F. ROWE: Mr. Speaker, what is this?

Mr. Speaker, a point of privilege. Would the hon. member get to the point of order?

MR. SPEAKER: (Mr. Young) Order, please! I will ask the hon. member if he would come to the point of his point of order.

MR. LUNDRIGAN: It is clear. As I see it the hon. Leader of the Opposition has suggested that His Honour yesterday, on the basis of evidence presented in the House, decided that there was a prima facie case of privilege. The present Speaker indicated, the member for Trinity-Bay de Verde (Mr. F. Rowe), indicated that the Speaker did not think the evidence was flimsy and this was repeating the position of the Leader of the Opposition. I think that is a very, very serious point of order.

MR. SPEAKER: Order, please!

MR. W. ROWE: Mr. Speaker, I suppose to do Your Honour the courtesy, Sir, of replying to the bunch of nonsense that we just heard from the member who persists, Sir, in abusing the orders of this House by raising specious points of order. The hon. Speaker yesterday made a ruling. He made it on the basis of a presentation I made in the House which he considered to be in order because he listened to it intently; he took several hours to peruse it, to go over it and to come to a conclusion. And the conclusion he came to was that in exercising his judgement this case conforms with the conditions which entitle it to precedence as a matter of privilege, that privilege was sufficiently involved to entitle the Speaker to say that the case should be given precedence over everything else in the House. Now what did he do that on - thin air? Or did he do it on the case which I presented yesterday, Mr. Speaker? He obviously based it on the evidence, the presentation of the

MR. H. ROWE: case, the argumentation. And, Sir, the Speaker made a ruling that there was a prima facie breach of privilege in this House and, Sir, then he left it to the House, of course, to decide on whether a substantive case had been made out or not.

Now for the hon. member to rise on a specious point of order on that, Sir, is merely wasting the time of the House trying to cut into my hon. friend's time.

MR. SPEAKER: Order, please! I feel I can rule on that. It is just a difference of opinion and not a point of order. I ask the hon. member to please continue.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please! During the session this afternoon we have asked both sides to respect the wish of members to be heard in silence. I ask you to please obey that request.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. F. ROWE: Name him, Mr. Speaker.

Mr. Speaker, hon. members opposite, I was trying to get - How much longer do I have? Three minutes! See what you did?

MR. W. ROWE: On purpose.

MR. F. ROWE: On purpose.

MR. SPEAKER: Order, please!

MR. F. ROWE: Mr. Speaker, I had a bit more to say but it is obvious I am not going to get a chance to say it now. I spent some time on some specific points that I meant to and there were other points that I wanted to bring up. But, Sir, may I just remind the hon. House in closing that any member opposite who accuses the Leader of the Opposition of bringing in flimsy evidence are walking on pretty thin ice, they are walking on very thin ice. We have documentation from Hansard to prove answers to questions of denials that any agreements existed; we have a document signed, sealed and delivered by the government and a developer proving that an agreement did exist; therefore the Premier, Sir, has deliberately misled this House. Sir, before I sit down - it is almost a foolish question for me to ask the hon. the Premier

MR. F. ROWE: since I am probably a little closer at least in blood to the Leader of the Opposition, but the hon. the Premier said yesterday in that foolish attempt to try to frighten the Opposition to death and split the Opposition, 'Now, Sir, I have had a little forewarning on this, because there are members in the Opposition who are more concerned about the truth and presenting the facts than just publicity in this House, and I am very thankful for those people at this time.' Now, Sir, I ask the hon. the Premier, was it the member for Trinity - Bay de Verde (Mr. F. Rowe), yes or no? I challenge the Premier, Sir, if he is going to make that sort of an accusation, that he should name names. This Premier, Sir, during the election campaign said he would say it the way it is. Now if the Premier says that he has been informed by hon. members of the Opposition, forewarned, I challenge the Premier to get up in this House and name names or I can only draw one conclusion, Sir, and that is he obtained his information from some other source. What are the other alternative sources, Sir, besides the members of caucus?

MR. SPEAKER: (Mr. Young) Order, please!

MR. F. ROWE: Bugging the members' offices, Sir?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please! I would inform the hon. member that his time has expired.

The hon. the Minister of Fisheries.

SOME HON. MEMBERS: Hear, hear!

MR. W. CARTER: Mr. Speaker, I was interested in the comments of my colleague opposite. I only wish that he had asked more questions and put more time in discussing matters of fisheries especially, of which he is the spokesman in the House.

MR. F. ROWE: There are some unanswered questions on the Order Paper.

MR. SPEAKER: Order, please!

MR. W. CARTER: And like my hon. friend said a moment ago, I only wish that the fisheries problems in the Province had received as much attention in the past five or six or eight weeks as has Andrew Davidson, others, and especially this motion now before the house.

MR. W. CARTER: But the hon. member and his colleagues are obviously more interested in digging up dirt, stirring up trouble, laying false charges against the Premier and members of this House than they are in discussing the real hard issues -

SOME HON. MEMBERS: Hear, hear!

MR. W. CARTER: - that are facing our people, not the least of which, of course, is the matter of fisheries development. I have been sitting here, Mr. Speaker, for two months - fifty days - having listened to about 1,200 questions coming from the other side mostly on matters of dirt and filth and rumour, innuendo -

AN HON. MEMBER: Hear, hear!

MR. W. CARTER: - smear, rotten, filthy questions -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: (Mr. Young) Order, please! Order, please!

I advise hon. members to my right that the member speaking must be heard in silence. I would ask you please to comply with that request.

MR. LUNDRIGAN: Get a baby sitter for them.

MR. SPEAKER: The hon. the Minister of Fisheries.

MR. W. CARTER: Mr. Speaker, thank you. I would suggest, Mr. Speaker, and I think this can be checked in Hansard, that of the 1,200 questions that have been asked in this House since it convened on March 4th, I would suggest to Your Honour that 90 per cent of these questions have been totally irrelevant insofar as the real problems of this Province are concerned. And I think, Mr. Speaker, that the people of our Province are being shortchanged -

AN HON. MEMBER: Hear, hear!

MR. W. CARTER: - shortchanged by an Opposition that is obviously more interested in scoring cheap political points than what they are in debating the real issues facing our people. I am begging for a chance, Mr. Speaker, to talk about fishery development. I have gone as far as to ask some of my colleagues in the backbenches to 'Please, if the Opposition will not ask me questions, will you get up and ask me a few questions to give me a chance to get some information out to our fishermen?' Not one question do I get. In fact, in the past two months

MR. W. CARTER: with about 1,200 questions having been asked, five questions on Fisheries, and these were not of any world-shattering importance, picayune, mundane questions that are hardly worthy of an answer. We have heard comments today from members opposite about the Premier's alleged deliberate misleading of the House.

Mr. W. Carter: I submit to you, Mr. Speaker, that there are things that are equally serious and that is misleading the people of this Province, as indeed did the Leader of the Opposition tonight on CBC Television, and I saw the interview when he talked about the Premier's alleged misleading of the House, deliberately having misled the House, he said, on matters affecting \$70 million of the taxpayers' money. That, Mr. Speaker, is utter hypocrisy on the part of the Leader of the Opposition and a deliberate attempt, I submit, to deceive the people of this Province.

The Leader of the Opposition is an intelligent person, a lawyer, a man with legal training, a lot of experience in this House, and I am sure that he knew better. He knew better than to make that charge, and he made it of course for one reason and one reason only and that was again to score another cheap political point at the expense of John Q. Citizen. I submit that that kind of a statement will do nothing but mislead the people.

Mr. Speaker, I have had the pleasure in the past sixteen or seventeen years to have served on all levels of government - municipal, provincial, federal, and now again back to provincial - and I must say that I resigned my seat in Ottawa in July of 1975 at the invitation of the Premier to seek election in this Province and subsequently to have accepted the post of Minister of Fisheries, and I might tell the House now that I was quite honoured, in fact quite pleased, thrilled to have been given the opportunity to come back to the Province and thinking that I could make some contribution. But I must say there have been times in the past month or two that I have had some very serious doubts as to whether in fact I did make the right decision.

I have been in the House of Commons when there was very serious and very vicious debates. I went through the period just prior to the 1974 election when the government was operating in a minority position, when the members were, at least insofar as the House of Commons was concerned, I suppose, at their worst, the cut and

Mr. W. Carter: thrust of debate was just something else. But never in my seven years in Ottawa, never have I seen such lack of decorum, such lack of respect for the people's House that I have seen in the past three or four months in this Assembly.

The Leader of the Opposition is obviously more interested in rumour. He has become Newfoundland's number one rumourmonger, who would prefer to spread rumour, and to smear, and to utter innuendo than what he is in tackling the real problems facing our Province. And that, Mr. Speaker, for a man who aspires to be the Queen's first minister in this House is a very sad commentary.

SOME HON. MEMBERS: Hear, hear!

MR. W. N. ROWE: Mr. Speaker, on a point of order.

MR. SPEAKER (DR. COLLINS): Order, please! A point of order.

MR. W. N. ROWE: Mr. Speaker, you know, I mean the hon. member over there in a mealy-mouthed fashion is talking about the decorum of the House while he uses unparliamentary language of all kinds. Now I do not mind, Sir, I could not care less what the hon. member says, it just does not bother me. But, Sir, it seems to me that if we are going to try to preserve a little decorum in this hon. House that Your Honour should call to order members who stand up and deliberately use unparliamentary language which is prohibited according to Beauchesne and Erskine May and all these people. It ill-behooves the hon. member to stand up here in a hypocritical fashion and in one breath decry the lack of decorum in this hon. House, and in the next, Sir, slander an hon. member of the House with abusive, unparliamentary language. Let me reiterate: I could not care less, because I do not hold the hon. member in the greatest of esteem. I could not care less. But, Sir, to preserve the decorum of the hon. House I would ask Your Honour to try to warn this hon. member not to use abusive, unparliamentary language and to withdraw unparliamentary and abusive language. You are not allowed to do it according to the rules. that he is citing so mealy-mouthed.

MR. W. CARTER: Mr. Speaker, to that point of order.

MR. SPEAKER (DR. COLLINS): The hon . Minister of Fisheries.

MR. W. CARTER: I think the hon. Mr. Speaker will agree and the members opposite that I have not, since I entered the Assembly in 1976, been guilty of cat-calling or uttering innuendo, unparliamentary language or attempting to smear any member.

MR. W. CARTER: But I suggest to you, Mr. Speaker, that there is a limit to a person's patience and I have sat here now daily, listening to the utterances of the members opposite -

MR. SPEAKER: (DR. COLLINS) Order, please!

Is the hon. minister still referring to the point of order?

MR. W. CARTER: I am submitting, Mr. Speaker, there is no point of order in that the member is obviously trying to draw a red herring and take me off the line of thought that I was following there.

MR. F. ROWE: To that point of order, Mr. Speaker.

MR. SPEAKER: Hon. member Trinity-Bay de Verde.

MR. F. ROWE: I would like to draw your attention to section 154 of Beauchesne, sub-section three, "The imputation of bad motives, or motives differant from those acknowledged, misrepresenting the language of another, or accusing him, in his turn, of misrepresentation, charging him with 'falsehood' - which the hon. minister has used tonight "or deceit;" - which the hon. minister has used tonight, "or contemptuous or insulting language of any kind; all of these are unparliamentary and call for prompt interference" by the Chair. Now, Sir, the hon. minister has used falsehoods and deceit and rumour-mongering, and I cannot find rumour-mongering here as a particular example, Sir, but it certainly would indicate according to section 155, sub-section one; "It will be useful to give examples here of expressions which are unparliamentary and call for prompt interference. These may be classified as the imputation of false or unavowed motives." What is rumour mongering, and trying to score cheap political points mean if it does not mean the imputation of false and unavowed motives on the part of the minister. So, Sir, I would submit that these two citations are sufficient to indicate that the point of order is indeed in order.

MR. CHAIRMAN (DR. COLLINS): Order, please!

I feel I should hear one more submission I have heard two from gentlemen on my right and one on my left. I will hear one more from my left.

Hon. member.

MR. D. BECKFORD: On this point of order which is a specious point of order, there is no imputation of bad motives as suggested by the hon. members opposite in 154 (3) of Beauchesne. Beauchesne goes on to say in 155 to try to explain what it means by abusive and insulting language, 155 (4), and it gives examples of what are considered to be abusive, insulting language and of course the words used by the hon. member for St. Mary's - The Capes, the hon. Minister of Fisheries (Mr. W. Carter) the words that he said are not contained in 155 (4). He was not imputing bad motives. He was using words that have been used by hon. members opposite in this House for as long as I have been here and they are not unparliamentary and they have never been ruled to be so.

MR. CHAIRMAN: Order, please!

My understanding is that the word that is the point of order is the word 'rumour-mongering'. Now this whole debate is related to a charge which the House is trying to determine whether it is true or valid or can be upheld. And we are therefore dealing in the area of a remark or allegation, or it could be termed rumour, so we are dealing with that type of area. The word 'monger' it is my understanding that a 'monger' is one who purveys or spreads around so that this I do not think can be termed an unparliamentary remark. It may not be a very complimentary remark but I cannot determine that it is an unparliamentary remark.

Hon. minister.

SOME HON. MEMBERS: Hear, hear!

MR. S. HEARY: A point of order. I would like to move that Your Honour's ruling be appealed.

MR. CHAIRMAN: The hon. member has appealed the ruling from the Chair. Will the hon. member permit me just a few moments to determine the correct procedure involved?

Order, please! This is a procedure of considerable seriousness and I think that therefore it should be done absolutely correctly and I would therefore adjourn the House for a few moments just to determine the proper method.

MR. SPEAKER: Order, please!

To recapitulate briefly, a point of order was raised, a ruling was made, that the point of order was not sustained and the ruling was appealed by the hon. member for LaPoile (Mr. Neary). What one has to do now, a motion has to be put from the Chair and the motion is as follows:

Is it the pleasure of the House that the Speaker's decision be sustained? Those in favour, "Aye". Those contrary, "Nay". In my opinion the "Aye's" have it.

SOME HON. MEMBERS: Divide the House.

ON DIVISION:

MR. SPEAKER: Order, please:

Is it the pleasure of the House that the Speaker's ruling be sustained? Those in favour of the motion, please rise.

The hon. the Premier, the hon. the Minister of Labour and Manpower, the hon. the Minister of Education, the hon. the Minister of Tourism, the hon. the Minister of Rehabilitation and Recreation, the hon. the Minister of Forestry and Agriculture, the hon. the Minister of Health, the hon. the Minister of Social Services, the hon. the Minister of Consumer Affairs and Environment, the hon. the Minister of Mines and Energy, the hon. the Minister of Transportation and Communications, the hon. the Minister of Municipal Affairs and Housing, the hon. the Minister of Fisheries, Mr. Lundrigan, Dr. Winsor, Mr. Marshall, Mr. Young, Dr. Twomey, Mr. Neil Windsor, Mr. Cross, Mr. Patterson, Mr. Carter, Mr. Woodrow, Mr. Power.

MR. SPEAKER: Those against the motion please rise.

The hon. the Leader of the Opposition, Mr. Hodder, Mrs. McIsaac, Mr. Strachan, Mr. Fred Rowe, Mr. Neary, Mr. Simmons, Mr. White, Mr. Lush, Dr. Kitchen, Mr. Callan, Mr. Flight, Mr. Canning, Mr. Nolan, Mr. Rideout, Mr. McNeil, Mr. Jack Winsor, Mr. Moores.

MR. SPEAKER:

I declare the motion carried.

The hon. Minister of Fisheries.

MR. W. CARTER: Thank you, Mr. Speaker. The members opposite, Mr. Speaker, are obviously unwilling - it seems they can give it but they are not prepared to take it. They can sit over there and they can abuse other people.

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

MR. SPEAKER: A point of order has come up.

MR. SIMMONS: Mr. Speaker, it is a well established precedent in this House laid down many times by Mr. Speaker, that no member of this House may comment on Mr. Speaker's rulings. And I would ask that the member for St. Mary's-The Capes be given the same instruction as we are given.

MR. LUNDRIGAN: You do not comment on it?

MR. SIMMONS: We are allowed to appeal and we did it in the proper fashion, Mr. Speaker. That is quite a different issue. And if the minister wants to appeal a ruling he can do the same parliamentary thing that my colleague from LaPoile (Mr. Neary) has done. But my point is not that at all. It is that he has begun to comment on Mr. Speaker's ruling. And whether he agrees with it or disagrees with it, it is a well established precedent in this House that there is to be no comment whatsoever on Mr. Speaker's ruling. And I believe the minister ought to be instructed to adhere to that precedent.

SOME HON. MEMBRERS: Hear, hear!

MR. PECKFORD: Mr. Speaker, to that point of order. The hon. member for Burgeo-Bay d'Espoir (Mr. Simmons) obviously has a hearing problem because what the hon. the Minister of Fisheries was doing was commenting upon the behaviour of the people on the opposite side. He was not commenting upon the ruling as given by Mr. Speaker and therefore there is no point of order. It is just another attempt now, as it is getting late, by the Opposition to try to stifle this side of the House from getting on with the business of the House.

MR. SPEAKER: Order, please!

I really heard very few remarks so I quite honestly cannot say whether the hon. minister was going to comment or not, but nevertheless I think that it is good practice when rulings are made that there be no demonstration, comments or other remarks. And I would ask therefore that the hon. minister carry on with his remarks.

MR. W. CARTER: Thank you, Mr. Speaker.

I apologize if I said anything to reflect on Your Honour but certainly I was not reflecting on the ruling of Your Honour but on the attitude and the behaviour of the members opposite. Not only, Mr. Speaker, are they very sensitive but they also have very short memories. They talked at length about the so-called graft and corruption of this government, about the fact that our Premier has deliberately misled the House. But these people, Mr. Speaker, a number of them, including the Leader of the Opposition, was a member of a government that has with it the designation of being called the 'cost-plus government' involving the Janeway Hospital, Confederation Building, a number of university buildings, the Arts and Culture Centre, twelve of our seventeen trade schools, the nurses' residence, Gander Hospital, the Bell Island hospital, the Grand Falls hospital, the Sir Richard Squires Building, the Grand Falls public building and a great many more, all of which were called or at least were built at considerable public expense, I would suggest maybe in the hundreds of millions of dollars without the benefit of tender call, but in fact the very thing that they are now condemning this government for and that is calling for proposals.

SOME HON. MEMBERS: Hear, hear!

MR. W. CARTER: All of these buildings, like I said involving an expenditure of many, many hundreds of millions of dollars. In fact the building in which we are sitting tonight was built some fifteen years ago at a cost then of about \$16 million, with an eventual cost by the time -

MR. DOODY: It is still not payed for.

MR. W. CARTER: - the ownership reverts to the Crown, I suppose an amount more than twice that.

MR. MORGAN: And it is still not paid for.

MR. W. CARTER: And it is still not paid for.

MR. DOODY: Eight million dollars a year.

MR. W. CARTER: Mr. Speaker, the Opposition, I contend, is deliberately wasting the time of the House. They are obviously not interested at all in giving government a chance to explain their policies and to bring forward legislation and policies that we think will have a very beneficial effect on the economy of our Province and people.

MR. W. CARTER: on our people. The Throne Speech Debate was an example where the member for LaPoile (Mr. Neary), I believe it was, spoke four and a half or five days.

MR. G. NEARY: Which was it? Was it four and a half -

MR. W. DOODY: Five and a half.

MR. W. CARTER: Four and a half, I am not sure. Let us say four and a half, but it certainly was too long bearing in mind that other members wanted a chance to speak.

AN HON. MEMBER: The hon. gentleman speaking -

MR. W. CARTER: - bearing in mind that other members wanted a chance to speak as well.

MR. SPEAKER: Order, please! Order, please!

I must insist upon the observance of the rule that only one hon. member speak at a time and that there be no interruptions on either side when any hon. member is speaking.

Hon. Minister.

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

MR. SPEAKER: A point of order has been raised.

MR. S. NEARY: The hon. gentleman just accused me, made a vicious attack, Sir, on me because I allegedly spoke for four and a half or five days, so the hon. gentleman said, four and a half or five days. Now that, Sir, is false and I want to ask the hon. gentleman to withdraw that statement that the hon. gentleman made. The hon. gentleman does not know if it was three, three and a half, four, four and a half, five, or five and a half. Would the hon. gentleman withdraw it, or make an accurate statement.

MR. SPEAKER: Order, please!

There would appear to be a difference of opinion about how long the hon. member spoke but I do not see that there was a point of order. It is a difference of opinion.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. W. CARTER: Mr. Speaker, let us just say that he spoke for too long.

SOME HON. MEMBERS: Hear, hear!

MR. W. CARTER: Mr. Speaker, this House is being used - this House, which is the highest court in the land, is being used as a playtoy, like a sandbox, by members who would prefer to, like I said, score political points than what they are in debating the real issues facing our Province. I contend, Mr. Speaker, that in so doing there is a very grave danger that we are, in fact, destroying our system and that people who will hopefully follow us will, I am sure, have some very serious second thoughts, as I am sure most of us do at times, with respect to our offering ourselves for re-election and for service to our Province in this House.

In most legislatures, certainly the ones that I have served in, Mr. Speaker, there are probably more unwritten rules governing the conduct of members -

MRS. H. McISAAC: A point of order, Mr. Speaker.

MR. SPEAKER: A point of order has been raised.

MRS. H. McISAAC: Speaking on a point of order, Mr. Speaker.

A few of the members on this side of the House have been called to order tonight for being irrelevant. I believe that the hon. Minister of Fisheries right now is being irrelevant; he is not speaking to the motion.

SOME HON. MEMBERS: Hear, hear!

MR. F. ROWE: It was ruled -

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: There is no doubt that hon. members must speak to the motion. There is no need for me to re-read the motion. All I can do is draw that to the attention of the hon. member. I am not sure to what point he was leading so I cannot say at this time that he is being irrelevant.

MR. S. MEADY: The hon. member is breaking the rules of the House.

MR. SPEAKER: Order, please!

MR. W. CARTER: Mr. Speaker, I submit again, Sir, that I think the eyes of Newfoundland are on this Assembly and on the behaviour of all of us, and I believe that the conduct of this House leaves a lot to be desired and certainly does very little, as far as I am concerned, for the future well-being of the system under which we operate. While, of course, it might not be the best system, it does have a lot of shortcomings and many pitfalls, but still, I suppose, it is the best system that has been devised by man to govern people, and that is why I think it is awfully important that we spend more time, maybe, doing the things for which we were elected, that is to debate the issues facing the Province, rather than wasting time discussing meaningless and picayune questions such as those which we are doing today. Like I said, the name of Davidson, Andrew Davidson, has gotten more coverage in this House in the past two weeks than has been devoted to the fisheries of our Province and other major issues in the past three months, and I do not think that is doing very much for the House, or doing very much to serve the people that we are here to serve.

MR. S. MEARY: That is the Premier's buddy, Davidson.

MR. W. CARTER: Mr. Speaker, the -

MR. LUNDRIGAN: There being a lack of civilization.

MR. W. CARTER: The Leader of the Opposition appears to have taken upon himself the role of being the champion of just about everything.

MR. W. CARTER: everything that is good. He is the modern Green Hornet, the Lone Ranger.

SOME HON. MEMBERS: Hear, hear!

MR. W. CARTER: He barges in, charges in on his white horse and gives the impression that people on that side have a monopoly on everything that is decent and honest and truthful. One would think, having listened to the gentlemen opposite, especially the Leader of the Opposition, that they are the only people who have knowledge of and concern for the decent things of this Province and concern for the welfare of our people. And that, Mr. Speaker, is anything but the truth.

MR. DOODY: He is more like the roadrunner.

MR. W. CARTER: The charges that have been made are blanket charges that have in fact involved every member of this House, certainly members on this side, and I for one am not prepared to sit by and allow myself to be dragged in the gutter by these charges, all of which as far as I am concerned are untrue and unfounded, not the least of which, of course, is the one that we are debating tonight.

Mr. Speaker, I was not in the Cabinet when this so-called agreement was drafted and allegedly executed, but certainly from what I have seen of it, and the information I have, it is not worth the paper it is written on. And in fact if the charges by the gentlemen opposite are true, and if in fact the document is binding, I would suggest to you that the other party to the agreement, Mr. Dobbin, is in very serious trouble. Because surely a contractor, a shrewd businessman would not want to carry out an agreement in 1978 on the basis of 1975 dollars. So I think that if the agreement in fact is valid, well then I would suggest that Mr. Dobbin is going to have to find a way in a very short time to get out of that agreement, because surely there is no faster way to go bankrupt than to try to undertake a project in 1978 based on 1975 dollars.

MR. NEAPY: The eggbeaters will pay for that.

MR. SIMMONS: Yes, the Ranger helicopters will pay for everything.

MR. SPEAKER: Order, please!

MR. W. M. ROWE: Mr. Speaker, is this a speech or a duet?

MP. SPEAKER: Order, please!

I must insist, I shall absolutely insist that hon. members on both sides refrain from any comment while another hon. member is speaking. I absolutely insist on that as long as this motion is under consideration.

The hon. minister.

MR. W. CARTER: Mr. Speaker, I will bring my few remarks to an end and close off by saying that I consider that the actions of certain members of this House and their utterances on television and in the news media are insulting to the people of Newfoundland, insulting to our intelligence, and does very little for the decorum of this House and in fact does even less to help overcome the very serious problems that we are facing in this Province on matters such as unemployment, fishery development and many other areas of great concern to our people.

MR. F. ROWE: Mr. Speaker, to a point of order.

MP. SPEAKER: Point of order.

MR. F. ROWE: Sir, I must bring your attention to Section 155 of Beauchesne, page 131 in this edition, Sir. I am not quite sure what it is in your edition. But the following examples of unparliamentary phrases, "that his remarks are insulting to the House and to the country" Now the hon. Minister of Fisheries, Sir, has just indicated that certain statements made by the Opposition Leader and other hon. members are insulting to this House and to the people of this Province. I would submit, Sir, that according to this citation that these are unparliamentary phrases and should be withdrawn immediately. Sir, if I have a different edition I will be quite happy to pass it on.

MP. SPEAKER: What is the page?

MR. F. ROWE: Page 131 in my edition, Sir.

MR. PECKFORD: Mr. Speaker, to that point of order.

MR. SPEAKER: The hon. minister.

MR. PECKFORD: If I understood the hon. Minister of Fisheries properly, he said that the behaviour, the decorum of this House. He did not say - and this is the section from Beauchesne that the hon. member for Trinity - Bay de Verde (Mr. F. Rowe) is quoting on page 131 is: "No member will be permitted to say of another:" - and one of them is - "that his remarks are insulting to the House and to the country." Now I do not remember the hon. Minister of Fisheries saying of somebody on the other side that his remarks are insulting to the House and to the country. He talked about the decorum of the House, the behaviour of the House in general, being less than what was necessary for people to believe that we are in an institution of respect here, but I do not think he actually used the words as referred to by the hon. member, and that is what we are talking about. Here it is very specifically said. We are talking about phrases, specific phrases, specific words. These specific words and phrases were not uttered by the hon. Minister of Fisheries.

MR. SPEAKER: On this particular matter, if the hon. minister said that another hon. member's remarks were insulting to the House and to the country, it would be out of order. If his remarks were something to the effect of a criticism of the general decorum of the House, they would not be. What I would have to do is wait until I get the official transcript to see what he said. Until I have that there is nothing I can do.

The hon. minister.

MR. W. CARTEF: Mr. Speaker, I was referring, of course, to the television interview by the Leader of the Opposition tonight on CBC in which he made reference to the fact that the Premier has been deliberately misleading the House and I quote him now, "On a matter," he said, "involving \$70 million of the taxpayer's money."

I contend, Mr. Speaker, that certainly on the basis of what I know about this motion and this debate that that is misleading. It is misleading, and for the Leader of the Opposition, Mr. Speaker, to dare make that suggestion on the public media in view maybe of many thousands of people, it is an insult to their intelligence to expect them to believe it.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. F. ROWE: That is it precisely! The hon. minister, Sir, has -

MR. NEARY: That is seven times the minister broke the rules.

MR. F. ROWE: - just gone ahead and repeated the exact same thing, Sir, that the remarks of the hon. Leader of the Opposition on television were an insult to the people of Newfoundland and in the previous time -

MR. W. CARTER: To their intelligence.

MR. F. ROWE: Yes their intelligence. Do we have to be semantical about it?

SOME HON. MEMBERS: Yes.

MR. F. ROWE: Oh, yes, yes.

MR. SPEAKER: Order, please!

MR. F. ROWE: - are an insult to the people of the Province and before, Sir, earlier, he said to the members of the House of Assembly. So I would suggest, Sir, that that is unparliamentary language and it should be withdrawn without qualification.

MR. NEARY: That is seven times the minister broke the rules tonight.

MR. SPEAKER: Certainly the reference here does state that if an hon. member says of another that his remarks are insulting to the House and to the country, that it is out of order. What I do not know, because this is a quotation, of course, from the quotation in Beauchesne is a quotation from Bourinot, page 361, and I do not know whether that refers to when an hon. member is speaking in the House and does that or when he is speaking anywhere else and does that. I think that that is a valid distinction, so

Mr. Speaker.

I will have to wait until I can check that and come back to it.
I would suggest that the hon. member avoid the use of the phrase
and I will check and see from the source from which this is quoted
in what specific context it is meant.

MR. MURPHY: The point is that we did not go to Borneo to check on that one.

MR. W. ROWE: Mr. Speaker, on a point of order or a
point of personal explanation.

MR. SPEAKER: A point of order.

MR. W. ROWE: No one is quite sure in the House what
one you should rise on in these instances. But I am alleged to have
said certain things on television. Bourinot, by the way, Sir, I
do not know if he was around when television was around or not.
I think he was in the eighteenth century or something. But anyway,
Sir, what I am about to say is this, what I said on television
tonight was not that the government had spent \$70 million and
that this was the same amount that it would take to build a hospital
in the Province. What I said, Sir, is that the amount contained
in this agreement, or the amount that would have been spent under
this agreement is \$70 million which is the same amount as is
needed to bring the hospitals in the Province up to a good
standard. You see, Sir, there is a subtle distinction there.
The point

MR. W. ROWE:

I was making to the public at large, Sir, by way of personal explanation, was that here is a Government which is prepared -

MR. B. PECKFORD: Or a point of order, Mr. Speaker.

MR. W. ROWE: I am on a point of order, Sir.

MR. PECKFORD: Well, get it over with.

MR. S. NEARY: Sit down, boy! Sit down! Do not make a fool of yourself.

MR. SPEAKER: Order, please!

I think what the hon. Leader of the Opposition is doing is making a personal explanation. He obviously cannot get into debate and has to be entirely relevant and fairly brief but -

MR. W. ROWE: And reverent.

MR. SPEAKER: - I think that is allowed.

MR. W. ROWE: Yes, Sir, I have one more sentence to utter. It is this, that, Sir, the point I was trying to make, and which I believe did make since so many members are jumpy about it, is that this is a Government which was willing to commit to a developer a contract of \$70,000,000 with a built-in profit of \$20,000,000 at the same time that they are not willing to spend a cent on the hospitals in the Province. That is the point I was making, Sir, and that is a point, Mr. Speaker, lest there be any doubt about it, that I intend to go on making from now on until, Sir, doomsday.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

MR. B. PECKFORD: That is not a point of explanation; that is debate. The hon. Leader of the Opposition has alleged that there was an agreement to spend so many millions of dollars by the Government when, in fact, there was no agreement to spend so many millions of dollars.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. B. PECKFORD: And that is the whole point of this debate this evening.

MR. SPEAKER: Order, please!

MR. SPEAKER: In my opinion the whole matter is different opinions, different interpretations, different recollections of what the hon. member said on television. It is no matter for the Chair to decide on. Certainly it is not incumbent upon me to go check tapes and see what was said. It is a difference of opinion based on recollection, or understanding, or whatever.

Hon. Minister.

MR. W. CARTER: Mr. Speaker, I will bring my remarks to a close by begging the members opposite to get off this kick they are on, to stop witch hunting and trying to cover the real issues, to hide the real issues facing the Province, in their attempt to discredit this Government. That is what they are doing, Mr. Speaker, and I suggest that the sooner they learn that lesson, the sooner they act like responsible people, members as in fact they should be, the better off we will be in this Province.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Hon. Minister of Tourism.

MR. J. MORGAN: Mr. Speaker, this being a very serious matter, I will ask that the Chair give protection to me, while I am speaking, from interruptions from the other side of the House, that I be heard in silence. It is a very serious matter and deserves some very serious comments, a situation where we have a member of the House, a parliament charged with deliberately misleading the House of Assembly, or the Legislature, or the House of Parliament. Not only any member of the House, or Parliament, but in this case the head of the Parliament, the head of the Government, the Premier, the Prime Minister. Not only that, to make it more serious, it is made by the man aspiring to become the Premier, or the Prime Minister, or the head of the Government in the Province. Because of that there is an awful lot at stake. Not only is the dignity of the House at stake and the decorum of the Assembly at stake, but I would say tonight, Mr. Speaker, very seriously that the positions of these two hon. gentlemen concerned are both at stake. Your Honour could not decide whether or not the Premier had deliberately misled the House. It is the position of the House to decide that, and we tonight are going to debate this motion, we are now in a position which is going to be put to the house, a decision made.

MR. J. MORGAN: Unfortunately, Mr. Speaker, it is a very serious matter. I cannot refer to it as a waste of time. The motion was put forward unfortunately, in my view, in haste. I sincerely hope it was in haste. I sincerely hope it was put forward without being thought out. I sincerely hope it was done in that manner because I cannot imagine a man who is so experienced as a parliamentarian - I have listened to his debates in the past when I have sat in the gallery. I

MR. MORGAN:

listened to his debates eagerly when he was a minister in the previous government. I thought he was an excellent parliamentarian, a good debater. And I say again I sincerely hope that this motion was put forward by the hon. gentleman who I am talking about, the hon. Leader of the Opposition, in haste without being thought out, without being carefully thought out. Because if not, Mr. Speaker, with his experience, with his knowledge of the rules of the House, with his knowledge of how important it is to have decorum in this Assembly and in his own position aspiring to become the head of the government of this Province, Mr. Speaker, I have to say sincerely that if he did not put forward a motion in haste without being thought out, this kind of an act is simply unforgiveable. It is unforgiveable. It is an unforgiveable act, charging an hon. gentleman, in this case the Premier, with this kind of misconduct in the House of Assembly. It reflects on all of us as members.

I recall when the preamble of the motion was put forward or the prima facie case was put forward, the preamble. It was not just the Premier. It was quoted the Premier and his ministers, the Premier and his colleagues, the Premier and his ministers. It reflects on all the Cabinet at this time. Despite the fact, Mr. Speaker, I was not in the Cabinet in 1975 which is the matter now referred to, it all revolves over the point of questions, that something occurred in 1975 in the Cabinet of the day and a decision was made, a so-called Cabinet directive was issued. Questions have been asked since that time. Questions, I think, were listed off as being asked.

I mention yesterday and the same debate, questions were asked on May 13, 1976 and June, 1976, February 7, 1977, and the answers that were given by the hon. the Premier and his ministers are now being labelled as untrue. That is the essence of it all, the answers given were untrue. The statements from the members of the Opposition and the leader is that they were untrue and the House was misled

MR. MORGAN:

deliberately. Now, Mr. Speaker, I was not part of the Cabinet in 1975. I came into the Cabinet shortly after that when the general election was over. But I will say tonight in a very sincere way that if I had to stand in the House of Assembly as a member of the House tonight, irrespective of where I stood—in Opposition, in the backbench of the government, as an independent or as I am now, a Cabinet minister—I would not hesitate in any way or form to vote according to my conscience. If I felt the Premier misled the House I would vote accordingly, let the consequences of that decision lie with the man concerned.

If I thought the charges were unfounded I would also vote accordingly and again, I repeat, let the consequences fall and those who are concerned will suffer the consequences. I have always been the kind of an individual who believed in speaking his mind openly, what I believed in, what I believed was right, what I believed was wrong. And tonight it was to me a bit disturbing to note from the other side of the House that each one of the hon. gentlemen on the opposite side stood not only to support the motion—and somehow I guess you can expect that because it was put forward by their leader and they have to support the motion that was put forward, like I mentioned earlier, hopefully without being considered, what he was doing at the time — but more serious than that, each hon. gentleman stood not only to speak on the motion but to personally condemn and personally attack the Prime Minister of our Province. It is fine if you have a dislike towards the man known as "Frank Moores," but it is not fine to stand here as parliamentarians and attack the position of the Prime Minister of our Province in

Mr. Morgan.

such a way as the personal attack I heard here tonight by certain hon. gentlemen, an outright personal attack on the Prime Minister's position that, Mr. Speaker, is a very serious occurrence in this House. And to prevent any kind of reoccurrence in the future, tonight's decisions and most important decisions to prevent any kind of reoccurrence again in the future, how do we go about that? How do we go about that? We go about it as each of us standing here, when the vote comes later on tonight, asking ourselves certain questions in the backs of our minds; What are we doing here? What are we here for? Why did we campaign so hard in the last election in 1975 to get here? Why did we go out and sway the voters in our direction to come here? Did we come here to condemn ourselves one by one, individually, to personally attack each other, to create such hatred towards each other that I witnessed here today? I sat most of all day through the debate, I sat and listened. I sat and listened very attentively, and I could sense the hate that came across the floor today towards the Premier, outright hate, Mr. Speaker.

MR. NEAPY: They all love you.

MR. SPEAKER: Mr. Speaker, I asked for protection. I want to be heard in silence.

So the question is there: Are we here as leaders of the Province? And we are leaders of the Province, all of us, Opposition members, Independent members, all of us, backbenchers, cabinet ministers, we are here as the Province's leaders, and what are we doing? Creating hatred towards each other. There is no brotherly love in this House, none whatsoever. Why is it? Because the sole aim of certain members of this House, the sole aim and sole aim only is to get power. Power hungry people can destroy a country. We saw it many times in the past throughout our history, throughout many countries, and power hungry people can destroy a province, can destroy a people. And, Mr. Speaker, power hungry people who will stop at nothing, who will absolutely stop at nothing to get power, that is what is happening. We did not come

Mr. Orszag.

in this House to make charges and countercharges. Surely, we did not come in here as members to hide behind that great shield of immunity, immunity away from the courts, immunity away from being taken to the courts by the law officers, the law enforcement agencies. We did not come in here to be immune from that, which we all are, just to stand up and personally attack each other and personally attack members outside the House. We did not come here for that, Mr. Speaker. Surely, we did not.

But the unfortunate thing that is happening is that over the last number of months we are destroying the House of Assembly, and we are destroying each other. Many members of this House that I have great respect for, and I can assure you, Mr. Speaker, that many members of the House on both sides have a fair amount of respect from their constituents. They did. I have travelled a fair amount in the last couple of years around the Province, and I would say tonight that if this kind of debate continues in the House, and this kind of ill-feeling towards each other, and this kind of continual innuendoes and charging each other in the House, unfounded charges, which is damaging the individual, damaging his family, damaging his reputation throughout the Province whether the charges are founded or not, make the charges, because they are made in the House of Assembly and because we are immune; that, Mr. Speaker, is going to destroy the respect that we have, any of us, from our constituents and from the people of our Province.

I said earlier that I hope that the leader of the Opposition did put forward this motion condemning the Prime Minister of the Province without thinking it through. He did not think it through before he took the step. It

MR. MORGAN:

was not thought out, and I keep telling myself that is the situation and I am hoping tonight to see the Leader of the Opposition stand in his place when the House decides. I do not know what the decision of the House will be. I said earlier that the House has all the evidence. The evidence is there for all to see. And if each of us voted according to our conscience I cannot see for the life of me, Mr. Speaker, and speaking strictly as an individual member, how I can pick up the evidence I gathered today, all this evidence, Mr. Speaker, all of this here for all of us to have and read and go through, all day today from both sides, tabled by the Premier, tabled by the Leader of the Opposition who made the charge, put forward the motion, I cannot see how I can look at the Premier, and not because I am in the Premier's Cabinet, not because of that. Because, Mr. Speaker, I would rather be today or tomorrow or next week, I would rather be 'Jim Morgan', the school teacher or the 'Jim Morgan', the life insurance underwriter having known I voted in this House according to my conscience than to be the hon. 'Jim Morgan' who voted not with my conscience.

Mr. Speaker, I am sure if all of us tonight would search our minds as individuals that what we are doing, all of us, in voting for this motion is condemning the Prime Minister, condemning the Premier and in doing this we are destroying ourselves and destroying this House. The fact is the evidence is here for all of us to see. And if the Opposition members feel they have to vote because their leader put forward the motion, I think that is unfortunate. If any of us on this side tonight thought we had to vote against this motion because we had to support the Premier, the fact is the Premier is charged and if you think he is guilty, vote accordingly. And the consequence is the Premier will have to resign his position tonight or tomorrow. That is very obvious.

The charge is made, Mr. Speaker, irrespective of what the motion says, the charge is made in the motion that the Premier of this Province deliberately misled this House, a most serious charge

MR. MORGAN:

ever made in any parliament. And if any of us feel the Premier did mislead the House we should vote accordingly and he should be penalized accordingly and punished accordingly. But on the other hand, Mr. Speaker, if some other gentleman in this House, if he has not got the courage to say at the same time, if I made the charge against a member of this House, in this case the Premier, and if the House decided that it was not -

MR. NEARY: What arrogance!

MR. MORGAN: Mr. Speaker, if I could have silence!

Mr. Speaker, the situation is nobody but the House can decide this issue, but the House. And if the House decides that the charge put forward is unfounded, Mr. Speaker, I said earlier as one member of this House, an individual member of this House, I cannot forgive the hon. gentleman who put forward that charge. It is unforgiveable unless it can be explained later or some other time that it was done in haste, done without thought and it was not given proper consideration before being put forward. If it was put forward in a deliberate way, intentional, systematic way, it is unforgiveable. And if we do not deal with the matter, irrespective of which way the House decides tonight, if the matter is not dealt with, if the Premier is found guilty of this charge against him -

MR. W. ROWE: Pay whom?

It will not stop the Committee.

MR. MORGAN: Mr. Speaker, if I could have silence!

The charge was made in the House yesterday by three hon. gentlemen. Hansard will show it, Hansard copies will prove it. The charge was made before the prima facie case was established by Your Honour for this debate to go on. It was established - it was stated rather by the hon. gentleman from Twillingate (Mr. W. Rowe), from Bay d'Espoir (Mr. Simmons) and from Trinity-Bay de Verde (Mr. F. Rowe).

MR. H. COLLINS: Do not forget LaPoile.

MR. MORGAN: No. The hon. gentleman for LaPoile (Mr. Neary) did not state in his statements yesterday that the Premier deliberately misled the House. But these three gentlemen I just mentioned, Mr. Speaker, did state clearly - it is in Hansard for all records and all information and any person to see - the charges were made quite clearly and put forward by three hon. gentlemen that the Premier deliberately misled the House. In fact, one statement you will find in Hansard, a quote from the member for Burgeo - Bay d'Espoir, that the Premier systematically, deliberately misled the House.

MR. NEARY: That is right.

MR. MORGAN: Now, Mr. Chairman, I am sure that any parliamentarian that I would talk to, any us would talk to across this nation of ours, in any province and in the House of Commons, would agree with what I am going to say: it is the most serious charge ever made against another hon. gentleman, against one of our own peers, a most serious charge. In this case a man above most as peers because he is the Prime Minister. And I am going to repeat again that I cannot sit in this House as one member and say that I can forgive that kind of action if it was done intentionally; if the Premier intentionally misled the House, deliberately, the same time I would say I could not forgive him for it either. But the evidence is there for itself. There is no point in my rehashing over the evidence. All the evidence is here. The evidence is there and I am not going to get involved in the technicalities of this. I went over it today myself, it has been gone over in detail and I am sure it will be gone over in further detail from other speakers.

MR. MORCAN: But I am convinced in my mind that I am voting tonight strictly according to my belief and my conscience. And I sincerely hope that the decision of the House tonight, no matter what the decision is, Mr. Speaker, will prevent any further recurrence of this kind of attack from one hon. gentleman against another. Thank you very much.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Premier.

PREMIER MOORES: Mr. Speaker, first of all, Sir, I guess it has been a long day. It has been eight hours, a little better than eight hours in the House; ten hours since we first met here. Well, I guess we have witnessed in the last hour or so gamesmanship as to who is going to speak next but what I have got to say I do not think is really gamesmanship, Sir.

Before I get into what I think is the meat of the whole debate we are talking about tonight, which I personally am very involved in obviously, first of all I would like to apologize to the member for Carbonear (Mr. R. Moores) if I did make a smart aleck aside here I did not mean to upset anybody. It was meant in a facetious way, which sometimes can be a vicious manner, and for that I apologize. I also would like to say, Sir, that on the lighter side I suppose I have been challenged tonight to name the persons or person who gave me forewarning yesterday, and it is obvious, Sir, that the Leader of the Opposition is well able to find that out as the person who controls his own party, but I can tell him that it is not the past President of the PC Party from St. John's West. That I will do. But quite seriously, Sir, I would like to -

AN HON. MEMBER: (Inaudible).

PREMIER MOORES: - also apologize to another individual who probably by innuendo I may have associated with something in this House. And I will not say a partner of or anyone else of, and when I was reading yesterday in a reaction to a charge that has been made which I thought was pretty serious, where the document itself came

PREMIER MOORES: from, I publicly - the gentleman is in the gallery, Mr. Les Thoms - apologize to him for any personal embarrassment I caused him. That was not the intent and I say so now. Having said that, Sir, I would like to come to -

MR. NEARY: Apologize!

PREMIER MOORES: Well, I do apologize which I think is more than some people do. But anyway, Sir, I will not go into that tonight because I think what is happening here is a little more serious than that.

MR. SIMMONS: The Premier has more reason to apologize than most people.

MR. SPEAKER: Order, please! Order, please!

Premier Moores: Mr. Speaker, I know the hon. member for Burgeo-Bay d'Espoir (Mr. Simmons) probably thinks I have more reason to apologize than anyone else, that is his own opinion. But I suggest, Sir, when he speaks in the House he is able to give it and not at this particular time.

The fact is, Sir, that this particular motion we have before the House now is something that I consider probably to be more important than people on the opposite side. I think I would probably consider it more important for one reason, that I consider that very honestly my job is on the line right now, and I intend to put it on the line, and I am hoping that other people will do the same. But, Sir, before going into that I would just like to read the motion itself because there is only one issue at stake, and I want to make sure that that issue is identified by every member of this House. And the motion states as follows: "That this hon. House resolve itself into a Committee of the Whole to consider certain matters concerning the privileges of the House raised by the hon. Leader of the Opposition, and those are that the hon. the Premier speaking from his place in the House deliberately misled the House in Answer to Questions asked in the House by hon. members regarding the existence of an agreement or an arrangement between the government and a third party to build an office building." Then it goes on as to what that Committee would do.

The allegation itself, Sir, is based on the fact that I deliberately misled the House. To go through, Sir, the people who have made that particular statement, and, Sir, I might say it is not an allegation - it is not something that I may have done; it is not something that I can get off the hook on, if I did - it is a statement of fact that I absolutely did it. The Leader of the Opposition, to quote him from Hansard, "My point of privilege, Sir, is that the Premier of this Province, aided and abetted by a minister or by ministers, has deliberately misled this hon. House in a matter involving tens of millions of dollars of public money."

The hon. the member for LaPoile (Mr. Neary) did not name me as such but he did say "That indeed the House had been duped for

Premier Moores: the last three years," that we have given false and misleading information. That is a generalization statement, Sir, and one that cannot be, I suggest, be directed, I suppose, to any individual.

The member of Burgeo-Lapointe made it very clear -

SOME HON. MEMBERS: Burgeo-Bay d'Espoir.

PREMIER MOORES: Burgeo-Bay d'Espoir (Mr. Simmons) rather. "The Premier and his colleagues clearly and deliberately, and knowingly and systematically, and on a continued basis misled this House."

And, Sir, the hon. member for Trinity-Bay de Verde (Mr. F. Rowe), "That there is a prima facie case that the Premier has indeed deliberately, systematically and continuously misled this House over the last three years."

So the fact is, Sir, that I do not think there is any question that the statements that have been made are ones of accusation, ones of definitive statement, and not one where there is any 'maybe' or 'ifs'. There is no way that I can say tonight, or any of these gentlemen can say that I have not misled the House. I mean, they are saying I did, and I hope to build a case where I will say I most certainly did not.

Sir, I will try tonight not to stray from the subject because I think it is too important. I think that the subject that is before this House tonight, certainly, as far as I personally am concerned, is the most important I have discussed here. I think possibly also, Sir, it is important to the House itself, because I guess all of us on occasion tend to remark, tend to make accusations, tend not to think when we are talking about each other. But, Sir, it is certainly too important to me tonight to take that angle, and I have no intention of doing so, because I am the one particularly and personally accused.

What the issue is, Sir; was there an agreement in effect, was there a binding agreement on the government at any time I was asked any of these questions, or for that matter was there at any time a binding agreement on the government to build a building to rent space? The fact is, Sir, that for my own part I sincerely believe that there was

Premier Moores: never an official, binding agreement to that effect.

But, Sir, was there an agreement in principle or was it in fact official?

As I said, Sir, an agreement in principle

PILLER ROOMS:

is one directed towards a final solution, a final place whereby it is no longer discussable because it is there. But that particular agreement we are talking about was not official that way. There never was a final agreement, Sir, and I would like once again to give the background that I did yesterday, but very briefly tonight. I do not intend, Sir, to spend forty-five minutes or the ninety I have got talking on this subject.

I talked yesterday about the need for office space in this Province; I talked about the need for office space for government employees of which there are some 28,000. The fact is that the Confederation Building today as we know is overcrowded—some people will say we should not have as many, but it is overcrowded. We have some twenty-odd locations around the city, maybe more than that now, with various departments and various branches of departments in them. It has been obvious for quite some time that office space is desirable; it also, I think, has been proven that office space is desirable in a centralized location. Yesterday I mentioned the Trizec arrangement or agreement or the position that we had with that company a few years back. After long negotiations we decided to rent space with the Trizec people mainly because it would help the core of the city of St. John's, and by helping the core of the city and establishing a new hotel, which was the case at the time, we felt that that was in the public interest. Sir, at that time there was never any discussion of public tender because people thought it was the right thing to do. My good friend from St. John's East (Mr. Marshall), who spoke, I thought, so forcefully and so effectively today, we can talk about this subject and I will refer to it again in a few moments, but the fact that we disagree, Sir, on some things does not mean to say that we disagree on those things of import.

The fact is, Sir, that the nearest time this government came to a firm agreement with any developer or any organization to set up office space was at the time that we were negotiating with Trizec because, Sir, the Order-in-Council, the Minute-in-Council that I tabled

PARLIAMENTS: yesterday, of the 1st of June, 1974 stated very clearly what the position was. It said "Ordered that the draft agreement to rent between Her Majesty the Queen in the right of Newfoundland and Trizec Equities Limited, with Trizec Corporation Limited subscribing as an intervener, a copy whereof and of all schedules and appendices thereto is on file with the Clerk of the Executive Council be and is hereby approved. Ordered further that the hon. Joseph G. Rousseau, Jr., Minister of Public Works and Services be and he is hereby authorized to execute the said agreement to rent for and on behalf of Her Majesty." Now, Sir, that particular Order-in-Council without any question gave the right to the minister to sign an agreement with the Trizec Corporation based upon the plans and the proposal that Cabinet and officials of various departments had studied.

The fact is, Sir, that they could not put their package together of the hotel accommodation, they could not put the financing together to do it without that because we would not go along without it, and that is why that fell through. But the fact is, Sir, that it was the nearest to a firm agreement we have had. Sir, I might make one point here: the government cannot make a firm agreement unless an Order-in-Council authorizes a minister to sign it. I will come to that very shortly because, forgetting the proposals in between, I would like to come to the one that is before the House now and exactly what it means.

First of all, Sir, to get to what is referred to as the Dobbin proposal: a Minute-in-Council went out for proposals for buildings-I also tabled it yesterday. It was a Minute-in-Council which in effect asked for potential bidders, and it was advertised, to send in (a) detailed plans and specifications for a new public building to be erected in the Confederation Building area and (b) prepared by the Department of Public Works and Services. Tenders were called requesting that bids be submitted thereon on a lease purchase arrangement and on a fixed cost basis and (c) the Department of Public Works and Services evaluate the tenders received under both alternatives.

July 18, 1973

Tape No. 2163 (Night)

AM-3

PREMIER MOORES: Now, Sir, when that particular proposal went out we received proposals and they were reviewed by the officials in Public Works and Services, they were reviewed by the engineers we had in government who were the best people we had, and the fact is that at that particular time in order to make absolutely sure that we had had the best recommendation and the recommendation from the officials

PREMIER MOORES: was that the Dobbin proposal was the best, but to absolutely ensure that it was the best, we asked, because Mr. Dobbin happened to be a personal friend of mine, because there were political ramifications to that, of course there are in this Province, having a friend it is at his cost, not mine. Anyone who is a friend of the Premier's it is automatically suspect that he is getting special treatment. But the fact is, Sir, having said that, in order to cover ourselves we set up a Committee of Cabinet comprised of Mr. Rousseau, the Minister of Public Works and Services; Mr. Peckford, Minister of Municipal Affairs and Housing at the time; Mr. Maynard, Minister of Manpower and Industrial Relations at the time; and Sir, they have met with the officials and analyzed each of the bids that came forward.

Six developers submitted one or more proposals, all of which were analyzed by officials of the Department of Public Works and Services and reports submitted on the basis of cost, general construction, and location.

Number one, the first proposal, and these are the comments on them, not acceptable for the following reasons: (a) The proposal envisages buildings that would be owned by Seaboard Construction on Confederation Building grounds. (b) The height of the building, sixteen stories, would overwhelm this particular building we are in now. (c) There will be an escalating cost on the second and third phases. And (d) if this figure is converted so that the government would own the structure in twenty years, the rent figure would be virtually doubled. And that rent figure was mentioned by the member for Burgeo - Bay d'Espoir (Mr. Simmons) today, was five dollars-and-somethin' but the fact is that if the government ended up owning the building in twenty years it would be double that amount.

PREMIER MOORES: Number two was the Project Management and Design Associates. These bids contemplate too much government involvement, financing; basically it was a project management proposal and a physical separation of the buildings in the proposed complex is unacceptable and indicates high maintenance and operational costs.

I can go through all these but I think I should come to the last because going through them only qualifies, and I will gladly table this document, going through them only qualifies why not and why in the case of the Dobbin Confederation Building proposal. This proposal is the best submitted in that: (a) Politically good because the majority of the members of the House of Assembly wish to be on the Confederation Building grounds. (b) Functionally it makes sense in that all facilities are located on the same grounds and orderly expansion is provided for beyond the 400,000 square feet needed. (c) Price, having regard to construction, design and escalating rents of the other bidders, the price is competitive. (d) Architecturally, aesthetically pleasing and recognize the Confederation Building as the seat of government. It harmonizes with the existing buildings on the Parkway and does not overpower the present Confederation Building.

"After careful consideration, it is our Committee's recommendation that number seven, the Dobbin proposal to construct an office complex immediately West of the Confederation Building, be approved, with the exception of the parking lots proposed on a rental basis, page four, last paragraph in Mr. Dobbin's letter, be deleted from the agreement and that, subject to government approval of completed plans and specifications, the project be proceeded with immediately."

Now, Sir, that I would suggest, was after a lot of analyzation by the Department of Public Works and

PREMIER MOORES: by a study of a Cabinet Committee, was the agreement or the position we had come to.

MR. NEARY: What was the last paragraph the Premier read out to the House.

PREMIER MOORES: I will table the document, Mr. Speaker, and the gentleman can read it for himself.

MR. NEARY: Would you read the last paragraph again?

PREMIER MOORES: I will send it over. You can read it yourself.

MR. NEARY: All right. Send it over.

PREMIER MOORES: Mr. Speaker, the fact is that the last paragraph of that document is the same as the ending of the first paragraph on the Order-in-Council of August 18th., 1975, and that also was tabled yesterday. And the fact is that, "approved in principle, subject to the submission to Cabinet of satisfactory plans and specifications based upon the analysis of the project by the Department of Public Works."

Now, Sir, at this particular time I would like to talk about what transpired thereafter. The agreement was signed by the Minister of Public Works and Services a week after, witnessed by myself. Sir, I would like to mention at this time that that agreement could not be binding unless there was authority by the Lieutenant-Governor in Council approving the signing of it. Now it can be signed as a - well. I have got a zillion comfort letters there that the Ex-Premier signed at a time when many members over there were in the Cabinet, comfort letters that have no legal significance.

PREMIER MOORES:

They may help, in this case, the developer arrange his financing, it may help him get his architects and engineers underway, it may be of such a nature that it will allow the development to go ahead much more quickly than it could be done before.

Now, Mr. Speaker, when I say that, I wanted to say one thing right now: I have heard comments in this House that the developer used this particular document to go out and arrange financing. Sir, I suggest if in the end analysis if the developer had the contract officially awarded for that particular building, he could go out and arrange the financing, which I understand he had commitments for, but equally, Sir, to say that that is not the case, to say that a contract for a government building of that sort is not one that allows you to finance, would be to say that Gull Island should be financed by our borrowing the money and building it without a customer. In other words, the only way, Sir, we can afford to borrow the money, the only way this Province can get Gull Island going, is if we can prove that we have a customer on the other end to take the product, to take the facility, to take the energy after the fact.

The fact is, Sir, that there was nothing done in this particular regard that gave any legality whatsoever to any document without Cabinet authority.

Sir, the fact is that there are people who think that this document was legally binding. I not only suggest not, Sir, but I suggest that no one even thought it to be so. And I will, Sir, give a few examples of what I mean by that particular comment.

PREMIER MOORES: If there were one person who thought this document should be legally binding, I would suggest it was Mr. Craig Dobbin. He, certainly, from what we have heard today, was the person who stood to gain by this document being binding. He was the one who had this particular document with all the power and the authority that the Opposition said it had.

Sir, I would like to read a legal opinion that was given to me by Mr. Dobbin from his lawyer at the time, a lawyer in Halifax, and if he wants to expand on this he can.

There is one particularly interesting clause in this in that it says, "Item (d), Clause 15, of the agreement, provides that the developer supply to the government a proposed office lease for the building, called the office lease, within three months of the signing of the agreement." We have not seen the proposed office lease and understand that Dobbin has not yet supplied the office lease, which meant that if it had not been put in after three months, automatically the agreement was not valid even legally or by any interpretation.

MR. W. N. ROWE: That is only what Dobbin is saying.

PREMIER MOORES: Yes, and I am sure he will provide the detail of it.

Additional points that are mentioned here - the land is not owned by the Province of Newfoundland, it is owned by the Newfoundland Government Building Corporation, which is a Crown agency. Action by the Newfoundland Government Building Corporation would be required. Number two, any agreement is subject to Dobbin obtaining satisfactory financing, which was not carried

PREMIER MOORES: through; and number three, considerable doubt as to whether the agreement would be enforced against the Province under the proceedings against the Crown Act Statutes of Newfoundland (1975).

MR. NEARY: Are you going to table that?

PREMIER MOORES: Sure, I will table that.

And also, by the way, it is incomplete. It was given to me by Mr. Dobbin as an opinion of his lawyer. It came in over a teleprinter. And I am sure that he will make the necessary thing available.

MR. NEARY: (Inaudible)

PREMIER MOORES: He tells me that it is his lawyer, I know the member for LaPoile (Mr. Neary) laughs, Sir, but I can assure him that he is going to be very familiar with lawyers before the next year is over.

MR. SPEAKER: (Dr. Collins) Order, please! Order, please!

I would remind hon. members on each side of the House that throughout the debate, hon. members did have the floor to themselves and others were silent.

The hon. the Premier.

MR. W. ROWE: A point of order, Mr. Speaker.

MR. SPEAKER: A point of order.

MR. W. ROWE: I would assume the Premier is going to table it. I would assume he is also going to table a letterhead or something with it. Is it an anonymous document? Is it a document bearing a signature or what is it?

PREMIER MOORES: I said it was a document given to me by Mr. Dobbin.

MR. W. ROWE: You might as well throw it out the window, Mr. Speaker, as table it.

PREMIER MOORES: I also, Mr. Speaker, have another document here given to me by Mr. Dobbin, which, after he was on his way to Montreal yesterday - I had to return home.

MR. W. ROWE: Is the ink dry on it?

SOME HON. MEMBERS: Oh, oh!

PREMIER MOORES: The hon. gentlemen, Sir, seem to be very sensitive about the fact that Mr. Dobbin has made certain statements. They seem to be very sensitive about the fact that the person who was going to benefit most from this particular arrangement does not agree with them. In other words, he does not try to shaft the government because I have a document which could possibly do it. There is no such thing, Sir, as good will, there is no such thing as understanding,

Premier Moores: there is no such thing as trusting the other person. Well, Sir, I suggest that this Province and this House get back to that.

SOME HON. MEMBERS: Hear, hear!

PREMIER MOORES: I will say, Sir, right now I have a letter here dated today from Mr. Dobbin where he wanted to put his position straight. And it says:

"Dear Mr. Premier:

The purpose of this letter is to clarify some of the questions raised by members of the Opposition concerning the proposed expansion to Confederation Building. For the record, please be advised that (a) there was no money raised by me as a result of the agreement from any financial institutions. All the money required for evolving the proposal came from my personal funds. (b) There were no monies received by me from government as a result of the proposal. (c) Unfortunately - unfortunately! - at no time did I feel that I had a contractual document from government permitting me to start construction on the building. The purpose of the agreement was the first step in permitting me to go forward with plans and specifications for approval by your Public Works officials along with your Cabinet colleagues.

Rest assured that had I at any time considered this to be a bona fide contract, construction would have commenced forthwith. I have understood for some time certain members of the Cabinet were not in agreement with this proposal, and for this specific reason I stopped expending funds on debenture. My total out-of-pocket expenses at this stage are substantial, and I await a definitive statement as to your government's policy in that regard. " Well I do not blame him for saying that. I table that as well, Sir.

MR. W. N. ROWE: What good is that?

PREMIER MOORES: No, you know, maybe the hon. Leader of the Opposition does not want a letter today from the person who was primarily involved.

MR. NEARY: It is too late now anyway.

PREMIER MOORES: No, it is not too late now.

MR. NEARY: We heard some examples (inaudible).

PREMIER MOORES: Mr. Speaker, could I be heard in silence, please, by the Siamese twins over there?

MR. SPEAKER (DR. COLLINS): Order, please! The hon. member requests silence and this is something that the Chair will have to insist upon.

The hon. the Premier.

PREMIER MOORES: I might say, Sir, also that whilst this letter was given to me by Mr. Dobbin because he was upset, he returned from Montreal because of these accusations against him, I was glad he was in the galleries today. I think it would be ideal if he were here more often. I notice the member for Burgeo-Bay d'Espoir (Mr. Simmons), who is not here now, was most polite this afternoon. And I do not know if sitting in the galleries is the answer to that member, Sir, being polite, but I certainly was impressed by his particular reaction whereby today he was saying what a great entrepreneur Mr. Dobbin was and how these are the people who make the Province tick. Well, if Mr. Dobbin was in the gallery yesterday, I would suggest he would have realized that he was the reason that they are trying to get the Province to explode as opposed to tick.

But the fact is, Sir, I would like to talk about now what a Cabinet directive means. And even the Leader of the Opposition, who went in with all of his Cabinet directives, should know what a Cabinet directive means. The fact is, Sir, the normal way for Cabinet to operate is to give a directive to officials or to ministers to negotiate on behalf of the government -

MR. SIMMONS: Mr. Speaker, I want to rise on a matter of privilege.

MR. SPEAKER (DR. COLLINS): Order, please! A matter of privilege has come up.

MR. SIMMONS: Now, Mr. Speaker, the Premier can get all the letters he wants, Mr. Speaker, but he will not get from me any letter and he will not get from Hansard any record to support the statement he made in the past two or three minutes about what I am alleged to have said or implied yesterday about Mr. Dobbin. I said exactly, if I said anything on the subject yesterday, the same kinds of things in Mr. Dobbin's absence that I said in his presence today, some of which were not probably

Mr. Simmons: very complimentary, but they were matters that I felt deeply on. And I said nothing any different yesterday. The Premier has now giving the House, Mr. Speaker, and members of the public who happen to be within hearing of his voice, the impression that somehow yesterday I gave some very different comments about a member of the public, in this case Mr. Dobbin. That is not the case, Mr. Speaker, I reject it outright. And I challenge the Premier to get the tapes of Hansard for yesterday if he wants to back up his comments or else withdraw them, and withdraw the implication.

MR. W. ROWE: More misleading statements.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (DR. COLLINS): The hon. the Premier.

PREMIER MOORES: Mr. Speaker, I will gladly withdraw the remark, I do not want to get involved in that sort of thing now. I will gladly withdraw it because my impression was that that have been the case. The fact is that if it was not the case, I will gladly withdraw the remark.

MR. SPEAKER (DR. COLLINS): Order, please!

The remarks to which objection was taken have been clearly and unequivocally been withdrawn, so I do not think there is a point that the Chair has to rule on.

The hon. the Premier.

PREMIER MOORES: Thank you, Mr. Speaker.

The fact is, Sir, that a Cabinet directive when it is issued by Cabinet, as the hon. the Leader of the Opposition knows, and anyone who has been in Cabinet - the hon. the member for LaPoile (Mr. Neary), the hon. the member for Conception Bay South (Mr. Nolan), as well as people on this side, - the fact is, that when a Cabinet directive is given it is given for the expressed purpose of directing either a minister or officials to go

PREMIER MOORES: and further negotiate, further develop a position until a Minute-in-Council is given which is the final position of Cabinet, which allows then, like in the Trizec context, allows the minister to go and sign the document which is authorized and has been authorized by Cabinet.

Now, Sir, that is the normal way for Cabinet to operate. I would suggest it is the way that Cabinet has operated in the free countries since day one. Because, Sir, I will give you an example of what I mean. If Cabinet said, for instance, that we give a directive to the Minister of Forestry and Agriculture to go and negotiate with Bowaters to give them more forest lands because they do not have enough to keep their mill going, what the hon. Opposition are saying, Sir, is that that minister could go and give away every tree in Newfoundland on an agreement, on his own signature, without having to come back to Cabinet. And that does not make any sense. It would be the same thing, Sir, if the Minister of Mines and Energy was told that Julianne Lake is to be reactivated, and he went to Panama and he saw Mr. Doyle and they drew up an agreement between them, and he said, "You can have all Labrador back -

MR. NEARY: You are going to do that next.

MR. SPEAKER: Order, please!

PREMIER MOORES: - the fact is, Sir, you can have all Labrador back without coming back to Cabinet." And, Sir, that is absolutely asinine, and just does not make sense. And that is, Sir, is what we are being accused of here. There is an agreement without authority to put it into effect, but the Opposition are saying that was official government policy when Cabinet had not given final authorization. What I am saying, Sir, that is not so. That is not how Cabinet works and the hon. members know that; to do

PREMIER MOORES: otherwise would be stupid. They are not stupid people. They know the difference of that. And if they knew the difference of that, Sir, they should have put their point before this House based on fact and not political fiction.

The fact is, Sir, that a Cabinet Directive must be referred back before a Minute-in-Council is issued and this was never done in the case of the Dobbin proposal. Now I made a comment in this House yesterday which I will now withdraw because it is not so. I said that the Minute-in-Council had been rescinded.

AN HON. MEMBER: Directive.

PREMIER MOORES: No, I said a Minute-in-Council. The fact is, Sir, that there was a Cabinet Directive which, until that report came back to Cabinet there could not be a Minute-in-Council. When checking with Mr. Channing, the Executive Clerk of the Council, he said, "Sir, you cannot rescind a Minute-in-Council that does not exist." In other words, the fact is that this was never a Minute-in-Council, this was never with the authority of government, this was a Cabinet Directive to come up with the best position possible for the Province and therefore the Minute-in-Council could not be rescinded because in fact there had been no official Minute-in-Council and the Leader of the Opposition should, if he is not, be well aware of that.

Now the fact is, Sir, as I have said, that Trizec, the one I mentioned a moment ago, is absolutely in order and would have allowed the minister, to my left here, to sign that agreement without any qualm or any problem whatsoever. Now, Sir, also in this particular argument, as was mentioned by the hon. member for St. John's East (Mr. Marshall) today, this particular arrangement, and to use a quote "that costs the Provinces tens of millions of dollars," the fact is, Sir, that this particular arrangement never cost this government, nor this Province, one cent. It did not cost any money whatsoever. There is no building out there. Sir, the fact is that no agreement was executed. It

PREMIER MOORES: probably cost Mr. Dobbin plenty, but the fact is that the government and the Province are not out of pocket because of the Trizec arrangement, the Dobbin arrangement, the Atlantic Place arrangement. The reason we are not out of pocket, Sir, is the simple reason that no arrangement has been made. The government has not put itself in a position where it had to back up any arrangement.

And at the same time, Sir, as the Leader of the Opposition gets very pious and very proper, in his own way he says that he is against lease-back, people on this side are against lease-back. I suggest, Sir, he talk to his colleagues in Ottawa because eighty per cent of the federal government office space is lease-back, or leases. I mean it is only a good Liberal policy, you know.

But the fact is, Sir, that Ontario does the same thing. Governments do this. But all of a sudden because it was suggested here it is bad. Because it was suggested that this is a possibility here it is bad. And here we are looking at the two largest governments of Canada who do it on a regularized basis. I am not saying it is good or bad, Sir, but I am saying that it is being done.

Our agreement was not executed and that speaks for itself. There is no building and that, I suggest, is obvious. I did not see television tonight where the Leader of the Opposition made the

PREMIER MOORES: comments that he referred to in the House a few moments ago. I will obviously see the transcript of it and certainly if it was a matter of saying that this \$70 million should be spent on hospitals instead of being wasted in this manner, or that it could be or that it should be over a period of time, I would suggest, Sir, that if that is all the amount of money that over next twenty years the Liberal Opposition have in mind, they should be thinking in much larger terms when we are talking about hospitalization and health of the people of this Province because, Sir, we plan to spend a great deal more than that over the next twenty years.

SOME HON. MEMBERS: Hear, hear!

PREMIER MOORES: The Leader of the Opposition made a lot today, and other members of the Opposition did as well, about who was in the Cabinet when this particular in nefarious -
MR. PECKFORD: Directive.

PREMIER MOORES: - directive went through. There was obviously a very small group, Sir, just before an election, a very small group indeed to make sure that this was done for political reasons. This particular group, Sir, that met for this particular Cabinet directive were a group that obviously are on the in with me, the schemers, the ones who want to make sure that the people of this Province are going to pay the price by a nefarious scheme that is going to have a big pay off and the kickback for this government. Well, Sir, as was said over there today, he said himself that most of the ministers had no notion of this document, they had no idea whatsoever. The fact is, Sir, I suppose in the old days it was the habit to have two or three of the boys around to make decisions of that nature. I am sure, Sir, if the hon. Leader of the Opposition was in on the group he knows what I am talking about and if he was outside the group he suspects it still happens.

PREMIER MOORES: Well, Sir, the fact is I would like to just review who was at that particular meeting. Now the Hon. Minister of Mines and Energy was not, but he had signed the recommendation for the proposal previously. Now, Sir, there are a lot of very suspect characters here. Of the Cabinet and the ministers present at the Cabinet meeting of August 18, 1975 there was myself, of course, there was the Minister of Justice, there was the hon. Minister of Consumer Affairs and Environment, there was the hon. Minister of Transportation and Communications here, there was the hon. Minister of Health down there, there was the hon. Minister of Rehabilitation and Recreation, there was the hon. Mr. Gordon Dawe, at that time, the hon. Minister of Forestry and Agriculture, the hon. Mr. Val Earle, the hon. Mr. Tom Doyle, the hon. Mr. Rousseau, the hon. Mr. Jim Reid at that time, the hon. Mr. Robert Wells - a bit of crowd but we are all plotting this together.

And, Sir, also the good friend of the Leader of the Opposition, the hon. Mr. Leo Barry, was there at that time -

MR. S. NEARY: That is not true.

PREMIER MOORES: Well, you had better check with Mr. Channing in that case because he was. The hon. Mr. John Crosbie was there at that time who was also, Sir, known for his give-away programs in this Province and, Sir, last but not least was the hon. the Speaker of the House, the Minister of Education at that particular time. Now, Sir, every Cabinet minister was at that particular meeting except one, who is today Minister of Mines and Energy, whose name was on a report to bring in that same recommendation.

HON. W.N. ROWE: That is not true.

MR. SPEAKER: Order, please! Order, please!

PREMIER MOORES: Mr. Speaker, on a point of order, Sir, I was just accused that that is not true - and that is not true, I would ask it to be withdrawn, Sir.

MR. SPEAKER: Order, please! Order, please!
The remark was clearly audible
That the statement made by the hon. Premier was referred to as being not true, in other words, an untruth. I would require that that remark be withdrawn unequivocally.

MR. W. ROWE: Mr. Speaker, I have no hesitation in withdrawing that remark. It was an aside made to my hon. colleague here, it was not made for the benefit of the House. But for the benefit of the House, what was it Churchill said?

MR. S. NEARY: A terminological inexactitude.

MR. W. ROWE: A terminological inexactitude. Sir, I withdraw the statement that it was untrue, but I am sure Your Honour does not mind if I whisper to my friend.

PREMIER MOORES: Well, I certainly appreciate that terminological inexactitude because it is going to be very interesting when they both say that together. The fact is, Sir, at the particular time I for one thought that the proposal put forward for the office building on the west side of the building was a good one, as did other people, obviously. There were other people who thought otherwise and other opinions were sought. The hon. member for St. John's East (Mr. Marshall), as I said, and myself have disagreed several times. We have disagreed, for instance, on proposals versus tenders for public buildings, and we can go into that debate for as long as we want.

PREMIER MOORES: But, Sir, there are many things we disagree on, and most of them may be matters of principle and some of them may be matters of practice, but I will say one thing right now, Sir, that there is one thing we do not disagree on, and I am not talking about the issue before this House. It is a fact that what some people may not realize, is that democracy in government is something that may not be anticipated if the hon. the Leader of the Opposition ever gets here, but Sir, whether he knows it or not it is a fact in our society today.

The fact is, Sir, that in the past there was not a great deal of democracy in the government of this Province. I think there is today and the fact that members of caucus and members of the Cabinet can change a position that government has taken before, that is not a bad thing. That has got to be a good thing.

SOME HON. MEMBERS: Hear, hear!

PREMIER MOORES: Sir, the fact is that will be the case as of today, and as it has been, but it will be even more so, Sir, I suggest, in the future. It is the sort of thing that no longer can an individual, or one or two individuals, dictate to other elected members what is going to happen, to fly in the face of opinion that is against a particular situation. No longer can one or two or three people say that "I am controlling any given situation in this Province," irrespective of who it may be.

The fact is, Sir, that I know the member for St. John's West (Dr. Kitchen) thinks it is all very amusing because, Sir, as I have said about him many times in the past, I know and I think he sincerely believes in anarchy as long as he is leading it.

The fact is, Sir, that it has been suggested that the deal with Mr. Dobbin had a quid pro quo. The

PREMIER MOORES: fact is, Sir, that is a very serious allegation. I suggest that the members opposite make it outside the House. I think they should. I think they have a duty to. They have nothing to be ashamed of. Why say something in the House that you will not say outside, to say that there has been a payoff for something that you did not get?

SOME HON. MEMBERS: Hear, hear!

PREMIER MOORES: They are thinking, Sir, that a third party should unilaterally withdraw unless there is some reason why there should and obviously, Sir, with the remarks that were made, that something had to be given, something had to be paid off, there had to be something that was extraordinary, Sir, as far as I am concerned there was no payment made under any arrangement. The fact is to say otherwise is to accuse an individual, and as I said before, Sir, I would strongly recommend that the members of the Opposition who have made these charges and made these comments, there is no reason why they should not say them outside the House. The House, Sir, is not sacrosanct. It is not a place to abuse other people. It is not a place to say things about other people that you are not prepared to say to them themselves or in society generally. It is not a place that you use because of its immunity. You have its immunity, Sir, hopefully because an indiscretion in a heated debate, the protection of the individual himself in a heated debate, they are protected.

But, Sir, it is not here primarily because of its immunity. It is here primarily because many serious things have to be discussed, hopefully, much more serious, I suggest, Sir, than what we have been doing here so far.

AN HON. MEMBER: There is nothing more serious than that.

PREMIER MOORES: All right. I will get back to that in that case, Sir. It is one time I agree.

I think, Sir, this is much more serious than the specifics that are mentioned. The fact is that the documentation we talked about today is not - it was not illegal. The fact is the only way that that document could have been legal was with authorization of Cabinet and that was never there.

MR. NEARY: But there was a proposal.

PREMIER MOORES: But, Sir, here we are tonight - of course there was a proposal. They accuse me tonight, Sir, of deliberately misleading this House. In other words, Sir, I was lying, I was a scoundrel, I was a rogue - just basically not very nice accusations. And the hon. member for Burgeo - LaPoile mumbles away. I know it is not too important to him. It is to me.

AN HON. MEMBER: Burgeo - Bay d'Espoir.

PREMIER MOORES: Burgeo - Bay d'Espoir, I am sorry, But I cannot tell the difference, see.

The thing is, Sir, the last few weeks the image of this Province across Canada - I am sorry, but it is true - the image across the country is not something that any Newfoundlander is proud of. I certainly am not. The fact is that it is the Opposition's job to point out weakness of government, and, Sir, I agree with that, that the Opposition should point out the weaknesses of government but I also think there should be in a responsible way. I can understand being hungry for power. I think that is a good thing in an Opposition. I think it is as they should be. But, Sir, I do not think it should be at any cost.

Sir, I will tell you right now, there are a few people on the other side who think it is a matter of time before they stroll in

PREMIER MOORES: to the offices of power. Well, Sir, I can inform them at this moment that there was an ex-Premier who thought that he was going to stay there forever. And I will tell you right now, Sir, that irrespective of the hatchet job and the innuendo we are having in this House, I will tell you right now, Sir, that it is only one place that this will be decided, and that is at the polls. And if the Opposition think that -

SOME HON. MEMBERS: Hear, hear!

PREMIER MOORES: And if the Opposition think, Sir, that they are going to win the people of this Province by the manner in which they are acting in this House right now, I think, Sir, the people of Newfoundland are too decent and too honourable to elect them ever to office.

SOME HON. MEMBERS: Hear, hear!

PREMIER MOORES: The fact is, Sir, we all know -

MR. SIMMONS: You are just whistling past the graveyard.

MR. SPEAKER: Order, please!

I direct the hon. gentleman not to interrupt. It works for all sides, but there are a couple or three for whom it has been necessary to make this interjection frequently. I point out to them the need to observe specific ruling from the Chair.

The hon. the Premier.

PREMIER MOORES: Thank you, Mr. Speaker.

Now, Sir, I was getting a bit carried away there myself and I will try to calm it down. The fact is, Sir, I do think we have wasted a lot of time in the House. I think it has been a colossal waste of time most of the time. I think the public reaction to the House, in general, is bad, and both sides of it. I think the place for so-called accusations of scandals are in court and not in this House. I know there was a poll done over the weekend, a 200 poll sample, whereby the overwhelming majority thought the members of this House should get on with the business of the Province. I know that for a fact. The fact is, Sir, tonight I am worried, not just because of the situation in the House, I am particularly worried because I have to be, because, Sir, I make no equivocation

Premier Moores: that on this order, this motion that is before the House, and the hon. members on this side have not heard or know what I am going to say at this particular time.

MR. NEARY: Call the election.

PREMIER MOORES: No, I am certainly not going to call the election, Mr. Speaker, I do not have to call an election nor do I have to be bossed around or intimidated by the member for LaPoile (Mr. Neary) and I would ask him to hear me in silence for a moment because for once I am going to make a statement that I would rather be heard in silence about.

The fact is, Sir, that if this is proven tonight I obviously have to resign, not just my position, but my seat. If I deliberately misled the House, if I am a liar, I ask for support of members on both sides of the House if they think I am a liar, if they think I misled this House deliberately. And, Sir, I ask the people on this side of the House to be absolutely free - I have got friends on this side of the House, and I know there are a lot of people on this side of the House that may think someone else would be better - but I am asking the members on this side of the House to feel absolutely free to have a free vote, and I have not told them that before but, believe me, I mean it. Because, Sir, the fact is, maybe -

MR. W. N. ROWE: Soft-soap now.

PREMIER MOORES: No. I would ask the Leader of the Opposition to do the same thing. Because, Sir, we are making accusations of people who deliberately lied to this House, deliberately misled this House, a person who has no respect for the House, if that is the case by all means go ahead and do it. But the fact is, Sir, that I feel very strongly that I think everyone should have his own conscience when they make that particular vote, and certainly on this side of the House, Sir, as far as I am concerned they are allowed to. What the Leader of the Opposition does, Sir, is his own business. I can talk about wasting time. I can talk about the Province's business. We can talk about what is not going on in the House, not talking about the fishery and Gull Island. But, Sir, as far as I am concerned there

Premier Moores: other values. There are other values as far as the House, and the calibre of debate, and the people who are in it, I guess. The fact is, Sir, that I guess I have been referred to as a crook; it has been in every paper every day, 'Moores accused of bribery,' 'Moores accused of corruption.'

I remember the member for LaPoile (Mr. Neary) one time saying that his two children were in the gallery and how upset he was when he was accused in this hon. House of something that was wrong. And the fact is -

MR. NEARY: I remember the inquiry on Bell Island.

PREMIER MOORES: No, no! Forget the inquiry on Bell Island, I am talking about the kids. It is the same sort of thing. What I am saying, Mr. Speaker, is it is not nice to have your family saying that you are guilty of bribery and corruption without any proof of that fact. It is not very nice to have your wife tell you in the morning, "This is not worth it." It is not very nice for any person in public life to have to go through the condemnation and the personal - I do not know what you would call it - as you go through

Premier Moores: day to day. Certainly, Sir, this House and the people in it have got to have some respect for each other. I have had bitterness in this House with the member for LaPoile (Mr. Neary), we have had it back and forth, the Leader of the Opposition and myself, we have all had some of that. But the fact is, Sir, in the end analysis, please God we can come back to some sort of sanity. The fact is, Sir, that as far as I am concerned, sure, I thought about resigning, I thought about what is the right thing to do for my family, but, Sir, as far as I am concerned I guess it is at times like that you realize that it is so much more important to correct the situation. It is so much more important to bring this place back to a place of reason and a place of dignity, and a place where people want to serve. A place where people want to serve their constituents, a place, of course, there will be debate, of course there will be bitterness on occasion, of course there will be back and forth in every context of that, but also, Sir, in the end analysis, and in the true context that first of all we come in here to represent the Province of Newfoundland and Labrador, first. There are always other reasons, there is always politics. There are always two sides. But in the end analysis, Sir, please God that the people in this House want to serve this Province first.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the member for the Strait of Belle Isle.

MR. E. ROBERTS: Mr. Speaker, it is 1:00 o'clock in the morning. The House has been in session continuously since 8:00 o'clock, which is five hours ago, and the House met for four hours before that so we are now beginning, if my mental calculations do not fail me, the tenth hour of debate on the motion which stands in the name of my friend and colleague, the member for Twillingate, the Leader of the Opposition.

I have heard most of the debate; I will not say that I have heard it all. I have heard most of it, and particularly the Premier's speech which has just concluded. I will refer in a moment or two to one or two of the points which he made which I think may require some detailed comment from me, but before I do let me say that in my years

Mr. Roberts: in the House, and I have not been here as long as the gentleman for St. John's Centre (Mr. Murphy) or the gentleman for LaPoile (Mr. Neary) nor the gentleman, my friend for Burin-Placentia West (Mr. Canning), and for the district of Fogo (Capt. Winsor), but I have been here as long as many of the hon. members, and longer than most. I do not think I ever heard a debate, and let me say, Sir, I do not question the sincerity of the hon. gentlemen opposite, I believe each of them spoke his mind as he saw it, gave his opinion as he felt it to be. I do not think I have ever heard so many irrelevancies, so many statements which can be considered as nothing more nor less than utter nonsense.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: I have heard the motives of my friend, the Leader of the Opposition, questioned. There have been all sorts of points of order raised, most of them, in my opinion, specious and spurious, but the one that ought to have been raised time and time again and was not raised was the one in which the motives of the hon. gentleman for Twillingate have been questioned. I do not know if they were questioned deliberately or negligently or maliciously or innocently by people on the other side, but they were questioned time and time again, I do not think it is justified, I do not think it is proper, and furthermore I find it insulting to have to listen to that when we hear it from the lips of men who then go on to say that this House is being demeaned and lowered. If we cannot debate an issue in this House -

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: - without questioning the motives of hon. gentlemen, Sir, then we have, none of us, any business being here.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: And I would go on to say that the Premier did not question the motives of any hon. gentlemen here that I heard, and I think I heard all of his speech.

I have over the years that I have been in this House - I guess this is the thirteen year now - I have served in many capacities,

MR. ROBERTS: I have changed positions from time to time, and not altogether always voluntarily, but I have always been proud to be a member of this House. These last few weeks, like many of us, I have talked to members on both sides - I think most hon. gentlemen would consider themselves friends of mine as I consider myself a friend of theirs - and I think the feeling is general that many of us, perhaps most of us, perhaps all of us, these last few weeks have felt somewhat ashamed of this House, ashamed for two reasons. Number one, we are not doing the business of the people who sent us here, and I am not talking about partisan controversy. I happen to believe this is a partisan forum, and I happen to believe the system cannot work without partisan comment and without partisan debate. That is the whole essence of this House. That debate sometimes will become bitter and sometimes heated, When men and women of strong beliefs state their positions on important matters, it is bound to become heated. But, Sir, we have not come to grips with the issues that ought to be concerning the people of this Province today. We have only debated - and I do not blame that side or this side. I am as guilty, perhaps not in this session because I have not been noticeably vociferous, after all we still have not had anything beyond the first Speech from the Throne debate. We still have not had the budget called.

But, Sir, the tenor of debate in this House in my experience, which goes back fifteen years because for the two or three years before I was elected to the House I was a very close observer. I was on the staff of the then Premier, Mr. Smallwood, and I haunted the House, fascinated by it, feeling a reverence for it, which I still feel and I think we all do. All of that, Sir, I think has been reflected in this debate today. I do not think this debate is irrelevant. I think that my friend from Twillinwate (Mr. W. Rowe), the Leader of the Opposition, did the right thing to put the motion down,

MR. ROBERTS: and once Your Honour accepted it and said that in Your Honour's opinion, guided by the precedents and the rules, that it was in order to be debate it, then I think my friend from Twillingate (Mr. W. Rowe) did the right thing to debate it. But, Sir, the debate has become irrelevant in many ways and has, I think, taken many devious and many improper turns.

Let me say again what many speakers have said, but let me emphasize one point, let me emphasize the motion on which we are going to vote. At some point this evening or tomorrow morning or this morning, however one wants to put it, the motion is to appoint a committee, it happens to be a Committee of the Whole House, but is no less a committee for that. It could be a committee of three members or thirty-three or fifty-one. And the motion is to appoint a Committee of the Whole House. To do what? To consider certain matters. What certain matters? The certain matters which were raised by the Leader of the Opposition. And the Leader of the Opposition made assertions, allegations, call them what one wants, statements; he made them in his place openly with no secrecy, no innuendo, no back doors; he made them manfully and in the way he ought to have and the only way he should have. The statements were that in his opinion, and he led his evidence to support his opinion, that the Premier deliberately misled the House with respect to the existence of an agreement or an arrangement between the government and a third party to build an office building for the government.

I am not sure why we use the words "third party" in that motion to be quite candid. But the government and another party, a party other than the government. There are only two parties in this, the government on one hand, and the third party on - I am sorry not a third party, a second party to the contract.

Now, Sir, that is all we are asked to do, to set up a committee to investigate those statements. We are not asked to sit

MR. ROBERTS: tonight in judgement on the Premier's veracity or otherwise. I have my own opinions on the veracity of the Premier's statements. But, Sir, the fact remains that the motion, which I will support and have no hesitation at all in supporting, is a motion to do nothing more and nothing less than to establish the truth of a series of statements, of a series of events. It is a motion to investigate, a motion to consider. It is not a motion to condemn and hon. gentlemen opposite may believe it is a motion to condemn, they may view it as a motion to condemn, but, Sir, in so doing in my view, and my view is founded squarely on the words of the motion before the House, in my view,

MR. ROBERTS: Sir, they are wrong, they are mistaken, Whether they are mistaken through innocence or whether they are mistaken through deliberate malevolence, I do not know and I do not cast any aspersions, I just say they are mistaken and a vote in favour of this motion is not a vote to condemn anybody. Condemnation, if there was to be any, would come when the committee made its report after it had used its power to call and to examine witnesses and after it had examined any documents that it sought to have before it; that, Sir, would be the time when there was condemnation or otherwise.

That is the point I want to make, Sir, because I think it is the key point and the crucial point. We have gone over the debate today into the character of the gentleman from Twillingate (Mr. W. Rowe), into the character of the Premier and all sorts of things that I think are irrelevant and I find offensive and I certainly find completely beside the point with respect to this motion.

Now, Sir, I did not think that the Premier made very many effective points. As a matter of fact, I thought his statement was weak, I know it is a difficult one to make when one feels that one's integrity is involved, it is a very difficult position. I think every one of us from time to time has been in that position. I did not think the Premier made a strong defence, I know it got a great clap from the crowd - I am sorry, the gentlemen on the other side, and so it would, I will come back to this. Unfortunately, this has become not a matter of seeking after the truth, this has become a matter of partisanship, a matter which will now be decided on who are Liberals and who are Tories. And I can tell Your Honour, I believe with some accuracy, what the votes will be; every gentleman who sits to Your Honour's left when the motion is called will vote against this resolution and every hon. member who sits to Your Honour's right will vote in favour of it. Not because it is a party matter, it is as much a free vote on this side, in my understanding, as on the other side. This is a party matter. But I venture to believe many of my friends and colleagues have spoken - I do not know if they will all speak; I mean, have some mercy on us, but

MR. ROBERTS: Many have told me privately that even if they have not spoken they certainly intend to vote for this motion. It will be decided on partisan lines and that to me, Sir, is the shame of this whole debate. And I think this debate has become a shameful debate because it no longer is an enquiry after truth, it no longer is a concern for what actually happened, it now has become a straight, partisan debate on one side viewed as an attempt to smear the Premier and on the other side being viewed increasingly - this is my opinion but I think it is a sound one - as an attempt to discredit and to smear and to somehow derogate the gentleman who is the Leader of the Opposition, the member for Twillingate. (Mr. W. Rowe)

Mr. Speaker, I think it is a sad day, a sad day for the House that we have come to that. Now, the Premier - I attempted to make notes when he spoke but he really said so little that seemed relevant. I do not doubt his sincerity. I very much felt for the position in which he found himself and I very much agreed with him when he talked about the need to have this House back on course and the need to consider problems and the need to elevate the tone of debate and to take away the spirit of rancor which has pervaded us and permeates us and hangs around this Chamber like a miasma and it has had the result of bringing this House, Sir, I venture to say, into the lowest state of disrepute it has ever reached in the eyes of the people of this Province.

I think, Mr. Speaker, that if we were to ask the people of this Province today, they would probably say all fifty-one of us should be taken outside the Narrows and dumped, each and every one of us. In my dealings around the Province I am more and more finding people who will say, Why are you there? Or in the words, which I believe were used in the British House of Commons on a very famous occasion in 1653 "Get thee hence. Thee have sat too long for any good thee have done."

But, Sir, the Premier only made two points that I want to refer to. As I say, I have a lot of sympathy for much of what he said but first of all I just want to pick him up; He made a great amount of noise about, Was there an official, binding agreement to rent? Well, I will deal with that a little later on,

MR. ROBERTS: but I submit that is completely irrelevant.

I have heard more second-class legal opinions in this House today-
and there are only, I believe, three members who spoke in the House
today who are "learned in the law", the gentleman from Twillingate
(Mr. W.N.Rowe), the gentleman from St. John's East (Mr. Marshall)
and myself. We may be learned to

MR. ROBERTS: greater or lesser extent, Sir, that is a matter for opinion, but I have heard more second-class, second-rate legal opinions from people who, with all respect, have no more idea if they are punched or bored when it comes to legality of documents, yet standing up and making wise and learned assertions. Well, Sir, the Premier seemed to be very concerned whether there was an official, binding agreement to rent. I do not know whether there was or not, I think one can argue either side of it, but to me, that is beside the point, Mr. Speaker, the important point is, as I shall submit, and I think it cannot be argued, there was a deal, there was an arrangement. Whether it is a legal contract or not, whether Her Majesty's judges will issue an order to enforce it is not the point. The point is, there was an arrangement - there were more than one - there were two arrangements with Mr. Dobbin; there was one arrangement with Trizec. There were three separate arrangements these last four or five years whereby the government were about to rent space - I put it 'about to rent space' - maybe they had agreed to rent space, and in the face of that the Premier and his colleagues time and time again, consistently and constantly - and we must assume and infer, deliberately - I do not think they did it accidentally, and the act had to be either deliberate or accidental, there was no middle ground - either deliberately or accidentally, and in my view it was not accidental, it happened time and time again. The gentleman from Twillingate laid out the instances yesterday - laid them out one after the other from Hansard - a series of questions, different words, different times, different members, different ministers, but always the same answer, 'Oh, we are

MR. ROBERTS: not about to do anything like that.' And yet these Orders in Council, tabled by the Premier yesterday and the one tabled by the Leader of the Opposition, showed that there was arrangement after arrangement to rent space. And I will say, Mr. Speaker, that it is no fault or act of this government that these arrangements were not put into effect. If they had had their way we would have been saddled with a contract under which we would have had to pay out \$70 million over a period of years. It was not their doing -

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: - it was not their fault, Sir, that Trizec did not go ahead. The only reason the Trizec deal did not go ahead apparently - and the Premier has said it, other hon. gentlemen opposite said it - was that Trizec could not attract the hotel as part of their office complex. The Minister of Transportation, as he now is - and I noted down his words - said 'the deal fell through.' And he was referring then to what I would call the second Dobbin deal, the one for the 400,000 square foot building to the West of this. The minister - I think I am quoting him word for word - 'The deal fell through.' There was a deal, there was more than one deal, there were three separate deals, and the Orders in Council make that quite clear. And yet in the face of that - and that is a state of fact, Sir, that is not an opinion; that is not a legal opinion; it is not a political opinion. It is not any kind of opinion, it is a state of fact. There were three separate deals made by this government, or were contemplated or entered - I mean, I do not want to use - I am not arguing in a court; it is not a matter of words of legal interpretation. This is not a court in the sense in which the term is used

MR. ROBERTS: on Duckworth Street or in the courts under the Judicature Act. This, Sir, is the Parliament of this Province, supreme, subject only to the British North America Act. This, Sir, is the place where a government answers to the elected representatives for its acts. And this government, Sir, constantly and consistently denied, in the face of repeated and persistent questions, denied there was any deal even being contemplated. To read the Hansards, to sit in one's chair and listen as I did, one would conclude that the government were not about to enter into a deal. And, I confess, I was always puzzled because we all heard the rumours. These questions that we asked over a period of three or four years were always asked on the basis of, you know, rumours you would hear, never information. The government never came before the House and said, We are thinking of entering into a deal with Trizec to rent several hundred thousand square feet. In fact, I would think, if one went back through, one could probably find denials to say that there was a Trizec deal, and yet, by Heavens, there it is in the Orders in Council! And if the government had had their way that building would have been up and we would have been on the back of the lease. So I say, Sir, that the Premier is just being irrelevant and evasive and pettifogging when he talks of no legal, binding contract. I do not accept the Premier's opinion on legal matters at any time.

MR. ROBERTS: but, Sir, on this matter he is completely wrong. And then he has the unmitigated gall, there can be no other word, to table what purports to be an opinion. Now, Sir, I have been given the copies which the Pages brought from the Clerk to the Leader of the Opposition.

I have trouble finding parliamentary words to describe what I think of tabling a document - now it may or may not be an opinion. How do I know? How does Your Honour know? How does anybody know? - headed up with nothing! It could be page 101 or page 1, we do not know what went before it we do not know what went after, there is no signature on it there is no indication from whence it came. It may or may not be a legal opinion. It has some legal language in it, but we heard legal language thrown around this House all day that is not a legal opinion in the sense of coming from a lawyer. It is an astonishing performance! It could have been written this morning; it could have been written a hundred years ago. We are not even sure it refers to the agreement to rent which my friend tabled.

MR. NEARY: That is right.

MR. ROBERTS: Sir, how do we know? It says, "We have reviewed an agreement to rent."

MR. NEARY: It could be Wedgewood Park.

MR. ROBERTS: It could have been 1,000 agreements to rent.

AN HON. MEMBER: It could be a mortgage.

MR. ROBERTS: I mean, how do we know? How do we know? It talks about 408,000 square foot building but there may be a million 408,000 square foot buildings. It does not tie it down to specific draft agreement, to put at least that term on it, the draft agreement which rather unusually was autographed by the Premier by the gentleman for Number East and by the proposer or this man who proposed to build the building, the developer.

MR. ROBERTS: This is absolutely worthless! Then the Premier—as if it were the crushing Blow, as if it would destroy our case, just drive us under, out through the Narrows with the crowd of them—says, and this is supposed to be the clencher — it is underlined in this, it is not underlined by me. I assume it was underlined by the Premier in making his notes and preparing his spirited defence of an unspirited or dispirited case, he reads, and these are the words; he did not misquote, it says "Clause 15 of the agreement provides that the developer supply to the government a proposed office lease for the building," the office lease, as it was defined " Within three months of signing an agreement. We have not seen a proposed office lease and understand that Dobbin has not yet supplied the office lease." So what? That does not void any agreement there may have been. At very most it might be a matter for small, consequential damages. But if Your Honour wants a very quick lecture on the law, the only way that what the Premier was trying to get across would void a contract or make it voidable would be if we could invoke what is known as the doctrine fundamental breach. And I will not go into that because in private practice I happen to have spent some time on it recently and unfortunately I could go on at great length because I have been doing a lot of reading of the cases.

But, Sir, that comment, which might have been made by an office boy, might have been made by the Premier, might have been by some gentleman who is a lawyer, or it might not. That comment no more shows that the contract that was entered into, whatever the effect of the contract was invalid. It is just misleading at best, and I could put worse terms on it except, of course, I am not permitted to. And it goes on. This opinion shows nothing, nothing at all. In fact, whatever belief I had that the Premier might have had a case evaporated not just when I heard him read the opinion but when I had a

MR. ROBERTS: chance to look at it. The Premier has made no defence at all except to fall back on quibbling, on semantic quibbling whether the actual document which was tabled yesterday, the one which was signed by the Premier and the gentleman from Humber East and by the developer and by an unknown-or unknown to me, at least - fourth party who signed as witness to one of the signatures, the Premier says that was not binding. And then we get a long lecture about Cabinet directives and about Orders in Council and all that sort of absolute nonsense and garbage. I could not care less whether that document can be enforced in the court of law or not. That is not the issue. That is not the issue in any sense, Mr. Speaker, the issue is simply whether this government were entering into arrangements and proposing to and making deals-and they were! There can be no argument with that. All you have to do is look at the orders that were tabled by the Premier. We do not whether we have them all now,

Mr. Roberts: we have no idea. There could be a hundred other things in the files down here. There was a deal with Trizec, a series of Orders-in-Council, 1531-73, 663-74, 738(a) 74, 769-74, 976-74, all of them, C-72, that is a Cabinet directive, 75, all of them relating to a deal which was made and the existence of which was denied time and time again in this House. As for the government, Mr. Speaker, this deal would have been in effect today. As a matter of fact it was never cancelled. It fell on its own weight only because Trizec could not provide the hotel, could not get the tenant, and accordingly could not put up the building. If the government had had their way we would have a building down today which we, the people, would have rented and the first the House of Assembly would have heard of it was when it was announced, probably, knowing the way this government operates, when they heard it in the newspapers sometime after the House had adjourned for the Summer. There was a deal. That is one.

There was another one, which I call Dobbin number one - and I do not wish to involve the gentleman's name, but as a means of identification - and that was 75,000 to 100,000 square feet of office space, and that was embodied in C-199-74, which is a Cabinet directive, and I may add, the distinction that the hon. gentlemen have made opposite is spurious and specious. The difference between an Order-in-Council and a Cabinet directive is nothing at all.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: They are both Orders of a Cabinet.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: No difference or distinction at all.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: And I would say in most cases it is simply a decision of the Clerk of the Cabinet, an immensely skillful, dedicated, knowledgeable public servant, Mr. Channing, who has been in that position for twenty-odd years, is now about to retire, if in fact he has not already, and he decides what is going to be embodied in a directive and what is going to be embodied in a Minute-of-Council. He used to tell

Mr. Roberts: me when I was a member of the Cabinet that Orders-in-Council are documents which we execute under Statutory authority, and directives are lesser types of decisions. But, as said, it is simply an arbitrary decision. And one time they were all Orders-in-Council until the volume of paper became so absolutely immense. And I defy hon. gentlemen opposite to produce any letter, any opinion from any of the law officers of the Crown, or from anybody else, setting down any rational basis on which a directive is issued as opposed to an Order-in-Council. The Order-in-Council simply sounds a little better, and the Order-in-Council must be signed by his Honour the Governor, or approved by his Honour the Governor, normally done, in my experience, unless the practice has changed, at a formal meeting every once in a while. Two or three ministers will go down to Government House, there will be a formal Cabinet, and a vast number of Orders-in-Council will be approved. Directives do not need that. That is the only distinction, the only difference. It is one without any substance whatsoever.

But in any event there was an arrangement for 70,000 to 100,000 square feet of office space and I believe, yes, it was located in the K-Mart Shopping Centre at Torbay Road, a price specified, and so on. That one was cancelled. And if there was no deal why in the dickens cancel it? An Order-in-Council was issued 7th. March 1975, 215-75 is the number of it, cancelling the arrangement that had been made. So that is two deals which were made. And then there is a third one, the one that was embodied in the Cabinet directive C-350-75 which was issued in response to a Cabinet paper, with which we have not been supplied. I will come back to that because that is the one which was also embodied in the agreement which was submitted by my friend for Twillingate yesterday.

Interestingly enough, Atlantic Place, the most recent series of negotiations, never got to a deal stage. The Orders-in-Council reads very differently. The Cabinet directive, 9th. September, C-276 (a)-77, ordered the Minister of Finance, in consultation with the Minister of Public Works and Services to study the feasibility and economics

Mr. Roberts: of renting space in Atlantic Place.

The next one serially - and I assume we have all of the documentation, Mr. Speaker, I assume we do. We do not have file No. 160, we only have documents from it - ordered that the Deputy Minister of Public Works and the Secretar of Treasury Board are directed to determine the amount of additional office space needed and then to submit firm proposals and to discuss them with Mr. A. C. Crosbie, who I assume is the principal of the Atlantic Place Company.

The next one is C-56-78, passed about three months ago, the 10th. of February 1978 - four months ago. Ordered that it is approved in - the rental of office space in Atlantic Place be and is hereby approved in principal, a

MR. ROBERTS: draft agreement to be prepared and submitted to the committee of Council for final approval. And then there is another Cabinet Directive, all are directives, this one is C - 108 '78, ordering that no further action be taken until there be further instructions from Cabinet. Now why Cabinet chose to issue that we do not know, but the fact remains they did and I assume it is still in effect. It is less than two months old, 22nd. March '78, but significantly different from the other ones.

There is no deal on Atlantic Place, in my opinion. There was a deal on Trizec, there was a deal on the Torbay Road property, and there was a deal on the 400,000 square feet to the West of here. And of course there was a deal. The terms were agreed. The amount of space was agreed. The rent was agreed. The term of the lease was agreed. What remained to be agreed? Nothing! Absolutely nothing, except, to quote C - 350, as my friend from Twillingate (Mr. W. Rowe) says, "satisfactory plans and specifications." Not even the nuts and bolts. That was all agreed. The deal was made. Now, it fell through. I do not know why. I could put my mind and come up with all sorts of interesting speculation. We have been told by some hon. gentlemen opposite that it fell through because caucus objected to it, or because Cabinet objected. I do not know and I could not care less why it fell through. Nor do I know whether it was a good deal or a bad deal. And that is not the point, either. The whole point is that the Premier and ministers stood in their places and said there was no deal and there was! There was!

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: All the rest of it, Mr. Speaker, is quibbling and semantics, pettyfoggery and not worthy of a member of this House, quarrelling about whether the great seal ought to be affixed or not. It has some effect in law. Of course it does. You do not

MR. ROBERTS: even need to be a lawyer to know that. And I could not care less whether the document is dated or undated or anything else. There was a deal and the deal was embodied in that document that was tabled yesterday. And it is an agreement to agree, if in fact it is anything, and it can be as binding as any agreement to agree. And it specifies all the important terms of the lease. It has not got the boiler plate in it. The lease might well be fifty or sixty or one hundred pages, depending on how high the lawyers involved want to drive the legal fees in main, if you want to know the truth about it. We do not have a short form of leases act and we should - that is another story - but all the important things are in here.

This is an agreement. The two parties have put their mind together, the government and the developer, and have reached what the lawyers would call consensus. Whether you could go to court on it, Mr. Speaker, is another story, and is completely irrelevant and I challenge any hon. member to deny that there was a deal. He cannot. It cannot be done because there was a deal. There was an arrangement. It is still there. It apparently has fallen. As far as I know it has not been cancelled. The Premier said yesterday it had. Today the Premier admitted it had not. It may have fallen. Maybe the parties decided afterwards not to go through with it, one or both of them. I mean, that is irrelevant. Who could care less? What concerns me now is this motion and the motion says we must vote in favour, if we are in favour, of a committee to investigate. To investigate what? The truth of certain statements. And in my view, Sir, there is a case that needs investigation, that cries out for it. That is all this motion is about.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: Let me make another point, Sir, that strikes me as curious. A year or so ago I came by some information which

MR. ROBERTS: I felt was serious and I stood in the House and I raised a question of privilege. It related to a television set. I made no charges.

AN HON. MEMBER: Of course not!

MR. ROBERTS: No, I did not. And I would say to hon. gentlemen opposite that I have listened without any objections to any of them, and if any of them wants to cross swords, let him get his rapier out. But I will say, Sir, that most of them come to a battle of wits half armed and I expect, Mr. Speaker, the same courtesy that I have accorded them, all of them, each of them. What I said was there was some facts which in my view demanded an explanation. The Premier agreed with that. There was no debate. I spoke. The Chair ruled there was a prima facie question of privilege. It allowed the motion to be presented. I spoke in support of a motion. The Premier got up and suggested an amendment to the effect that instead of a select committee that a royal commission be appointed. The commission was appointed. The Chief Justice of Newfoundland received the commission, carried it out, made his findings, and there the matter rested. I accepted the findings. He found that the television set in question had been - I am not sure that he found it had been paid for by the Premier, or whether he phrased it as

Mr. Roberts: that there was no evidence to indicate it had not been paid for by the Premier.

SOME HON. MEMBERS: That is right.

MR. ROBERTS: But in any event, the Chief Justice made his report and there the matter rested. Now what I find curious is this, Sir; that matter of a television set was nowhere near as serious. The very most it could have been-offensive to me, it went right to the core of my belief, of my understanding of morality, but \$1,500, All sorts of people said to me around the Province, "So what? It was only \$1,500!" As if somehow you could be a little bit pregnant, you know. But in any event, the Premier in that case was quick enough to suggest and demand a royal commission to search out the truth, and he got involved in his seat and mine, and if he had allowed the inquiry to be a full and complete one, and we would find out where all of the other television sets went, but they were not - and the Chief Justice commented on that in his reports, by the way; he commented his terms of reference were very narrow, and he, of course, stayed within them.

But I find it passing strange that on this case, infinitely more serious, the Premier has not been the very first to leap to his feet and demand a commission of inquiry and say to his colleagues, "Back me and we will have a commission of enquiry and we will get to the truth of it." That is what he ought to have done, in my view.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: He did it once, Mr. Speaker, for a far lesser, in many people's view, a far lesser offense than this, because if this charge is proven here, if a committee were to sit and that committee were to make a finding against the Premier, that finding, as we all agree, would destroy the Premier in public life. And yet no demand for an inquiry. In fact, Sir, I venture to say that hon. gentlemen opposite have already decided, each and every one of them of his own free will, to down this motion, and they will in due course. At some point it will come on for debate.

But I think it is worthy of comment, Sir, that the Premier, normally so willing to refer issues to an independent inquiry,

Mr. Roberts: has not suggested that here and obviously will not permit it. And since he has a majority of the House to his back - not a majority of the Province, a majority of the House

MR. W. ROWE: He just (inaudible)

MR. ROBERTS: - a majority of the House to his back, then there will be no inquiry. The matter will be stifled. It will not die. Ben Shawn, the American, once said, "You have not converted a man just because you have silenced him." The doubts will remain. If anything, they will grow.

Mr. Speaker, I have only a few minutes left, What? I have about ten? I have got to get used to this forty-five minute rule instead of the ninety minutes, the luxury to which I was formally accustomed.

SOME HON. MEMBERS: Oh, oh!

MR. ROBERTS: I have about ten, I thank Your Honour's assistants at the Table.

I have already talked about the House and my feelings and I will now talk about it again because, I can say candidly, I have been ashamed at times the way this House has carried on. And I accept my full share of the guilt. I am not saying I am above it or below it or beneath it or away from it; I am a part of the House for better or for worse. But I certainly share the feeling of almost all hon. members that this House this year has been irrelevant. We have not come to grips with the problems that beset this Province. They are not being discussed here. We are getting no leadership from the government. They have not produced a piece of legislation worth talking about. The Budget is a disaster, piled upon a disaster, piled upon a disaster. We are not even being allowed to debate it. At some point they will have to call the Budget motion so they can once again increase taxes. We will have a crack at that. But that is all another story, Sir; there will be another time for it.

The only point I want to make, Sir, is that the most effective way I can think of, the most effective way I can conceive to restore this House if we feel, as I do, that our reputation, our standing in the eyes of our fellow citizens, our peers, to use the term misused by the Minister of Transportation earlier this evening, if we feel

MR. ROBERTS: that our stand -

MR. W. N. ROWE: Minister of Tourism, was it not?

MR. ROBERTS: No. The Minister of Tourism I did not even listen to. I have learned long ago not to bother with that.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: If we feel that the reputation of this House has suffered, and that we today stand lower in the eyes of our peers throughout this Province than we did hitherto, or than we ought to, I think we can tonight take a giant step towards restoring that. Because the issue here, Sir, is not whether a committee will be set up or not - that is what will be decided by the vote. That is the mechanics, the mechanism - the issue is whether we are going to seek out the truth or not. And there can be no doubt

MR. ROBERTS: on the evidence that has been led by the Premier, as well as by the gentleman from Twillingate, there can be no doubt that there is at least a question about that. Maybe I formed a view, and perhaps there is evidence which if I was aware of it would change my view, but whether I formed a view as to whether or not the Premier has been telling the truth is not the matter to which I directed my mind this day, it is not the matter which will determine how I vote this night: The question is whether there is something to be investigated. I say there is. And I can understand how reasonable men can differ on reasonable questions, but I am unable to understand how any person approaching the matter with an impartial mind, an open mind, could possibly vote other than to set up this committee. Or if we object to the committee - and I am not very keen on a Committee of the Whole House, I am not even keen on a select committee because by their very nature they are partisan and I was in the House when Mr. Groom, who was then Comptroller and Deputy Minister of Finance, and Mr. Howley, who was then, as now, Auditor General, were invited to appear before the House and did appear. And I was in the House, again as a member, when Mr. Shaheen and a number of his associates in the Come By Chance venture appeared before the House, neither of them a very useful proceeding, neither of them much of a way to get at the truth, to the nub of the matter - I would favour an enquiry by a judge or by some other party. And where is Fabian O'Dea now that we really need him? You know. It does not have to be one of Her Majesty's Judges. It could be any man of stature, any man of ability, any man of probity. He does not even have to be a lawyer. We are not asking for legal interpretations. I could not care less whether these contracts were in effect or not as legally binding documents. That is not the issue. Hon. gentlemen who think it is, I suggest, are misdirecting their minds. They are clutching at straws in an effort to try to get away from facing the real decision.

MR. ROBERTS: And the real point is: was there a deal? And there was! And there was not just one, there were three separate deals made by this government and made by this government in the face of consistent, constant, persistent repeated and deliberate denials that there was any such thing in contemplation. They did it time and time again. It could not have been accidental. It must have been knowing. It must have been deliberate. It must have been intentional. I cannot put any other words on it, Mr. Speaker. You cannot possibly come to any other conclusion. They were wheeling and dealing. They were making deals with developers. Whether they were good deals or bad deals nobody knew because we could not find out. We did not know. We did not know that they had agreed to rent 408,000 square feet of space at whatever it was, \$8 a foot. I do not know if that is a reasonable price or not, and could not care less. We did not know they had agreed to rent 75,000 to 100,000 square feet of space. We did not know they had agreed to rent 270,000 square feet of space, all these deals, Sir.

Now I know government cannot negotiate publicly but by heavens, Mr. Speaker, government can answer truthfully. They could say, "We are negotiating."

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: Mr. Speaker, let me conclude by saying that I, like every member of this House - and I question no member's motives. I think every hon. member is genuine and serves as best he can, according to his own lights. I question no man. I question no member - am all concerned about this Province. We all have a deep love for this Province. We have all chosen to make our homes here, raise our families here. We have all chosen to go into public life, which can have its good points, it can have its high points, but it can also have its valleys, and also have its bad days, it can also have its unhappy experiences. But that is part of it. If you are not

MR. ROBERTS: willing to carry the Queen's rifle, in that old saying, then you have no right to take the Queen's shilling. And if you enter public life you have got to be prepared for whatever fate may bring.

But, Sir, all of us are concerned about this Province, and all of us feel the people of this Province have a right to the highest possible service from us, the fifty-one of us, good, bad, indifferent, tall, fat, ugly, short, green, black, pink or yellow, it does not matter. We are what there is. It is the only House there is going to be until there is an election, and there is obviously going to be no election for a year or two or three. We are all there is. We are the only possible forum the people of this Province have to determine the truth. And I am going to vote for this motion, Sir.

MR. ROBERTS: I am going to vote for it not as a Liberal - I do not view it as a Liberal motion and I would be very much happier if hon. gentlemen opposite did not view it as a Tory motion or a Liberal motion or a Tory response to a Liberal motion. I am going to vote for it because I believe that is the way I can best serve this Province this day. I suggest to all hon. members that they do likewise. They are not voting to condemn the Premier or condemn the government - that is a red herring. It is like a rotten mackerel, 'It stinks in the moonlight' to use an old phrase.

MR. NOLAN: Randolph.

MR. ROBERTS: Yes, it was Edmund Jennings Randolph, I believe, in the American House of Representatives. It is completely irrelevant. The Premier is not being condemned - he may feel he is, but he has no right to. He would be condemned, now this may be the nub of it, because the Premier knows whatever he knows and he may feel that if the Committee met and sent for witnesses and examined papers the Committee would decide and would then recommend that the Premier be condemned because he had then, in the Committee's view, misled the House. But as of now there is no condemnation. The motion simply says that the House resolve itself into Committee of the Whole, that we appoint a Committee which happens to be a Committee of the Whole to consider certain matters, no finding made, we are not passing sentence before we hear the evidence. We want to hear the evidence. And I find it passing strange, Sir, that hon. gentlemen opposite, including in particular the Premier, who was so quick on the television set inquiry where again he knew all the facts. The evidence was led and the Chief Justice made the finding and Your Honour can

MR. ROBERTS: accept it or Your Honour can reject it, but it stands, the finding of the Chief Justice of this Province in response to questions put to him under a Commission. I find it passing strange, and I would say to hon. gentlemen opposite, all of whom are honourable men, all of whom, I believe, are genuinely and deeply interested, as we all are, in getting at the truth of this matter, I would say to them, Sir, they ought to reflect upon that. Why is there to be no investigation? If there is nothing to be hidden, why not let the truth come out? The Bible tells us, "The truth shall make you free." Sir, I am going to vote for it. I would ask and suggest that all hon. members vote for this motion. If they have nothing to fear they will vote for it, and if they do not vote for it, each of us and each of the citizens of this Province will draw his own conclusions. I am voting for it, Sir, because in my opinion, a vote for this motion is the only way to establish the truth of what actually happened. It is the only way to establish in truth whether the Premier of this Province misled this House or not.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: That is the only way you will establish it. And I would say, Sir, to establish the truth should be the fierce determination of each and every one of us. As long as I am here, Sir, that is what I shall try to do. I can think of no better way to serve this Province and her people. Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the member for Conception Bay South.

MR. NOLAN: If I may, Mr. Speaker, just a very few brief words at this late hour, at 1:45 A.M.

SOME HON. MEMBERS: Hear, hear!

MR. NOLAN: I listened with great attention, as I believe all hon. members did on all sides, to our hon. friend who just spoke and indicated his concern about the matter that has been before us now for a number of hours.

We have heard lectures today from a number of people about the dignity of the House, decorum, what the people think of us or do not think of us, whose fault it is, and so on, and at the same time we find surprising statements. For example, the Minister of Tourism in his remarks had the unmitigated gall to suggest that all the people over here - if he did not use those exact words, if he did not use the word 'all' - hated the members opposite.

AN HON. MEMBER: He has a complex.

MR. NOLAN: I suppose the hon. the member for Grand Falls (Mr. Lundrigan) believes that too.

MR. LUNDRIGAN: No, I do not mind that at all.

MR. NOLAN: No.

MR. RIDEOUT: Now he cannot take it.

MR. NOLAN: Yes.

MR. SPEAKER: Order, please! Only one hon. member at a time.

MR. NOLAN: And then you have the gentlemen who, after lecturing us on the fact that all those over here hate the hon. gentlemen opposite, goes on to talk about decorum in the House, how the place has gone down, how the people have lost respect for us, I wonder why, Mr. Speaker, I wonder why?

The first thing that the Premier of this Province should have done tonight when he stood to speak was to apologize to all members on this side of the House of Assembly. He was talking with great enthusiasm and emotion about clearing his good name. And yet he never had a moment's hesitation, apparently, in suggesting and branding everyone over here as being informers. That is what the hon. the Premier did. He made a number of efforts to apologize to a number of people tonight, and perhaps properly so, but it seems to me if certainly not first, one of the groups he should have included in that apology list were all members on this side of the House of Assembly, because what he said publicly in this House was that there were one or two people who cared enough for the truth on this side of the House; in other words they had broken their solidarity, confidentiality, within the caucus.

MR. R. MOORES: Had forewarned him.

MR. NOLAN: And had forewarned him.

Can anyone really in this House imagine my hon. friend from Fogo (Captain E. Winsor) rushing to the Premier to inform him of something like that? Would someone tell me or try to suggest to me, for example, that the hon. member for Bonavista South (Mr. J. Morgan) would run to inform? Of course not, of course not. And I find it particularly offensive, Mr. Speaker, we are now talking in this House, with this resolution about a committee to be set up. According to the Premier if the vote does not go in his favour it will destroy him and so on. That is nonsense. It will not. It certainly will not. And yet the hon. the Premier, who is so interested now in having his name cleared and his family not embarrassed, and

MR. NOLAN: who can blame him for that, does he forget that we all have families, that we all have feelings, that we all have some honour and integrity? Does he feel that he is the only one with a monopoly on this? He owes this House an apology and he should not leave tonight without offering it to the members on this side of the House. It is as simple as that.

Now, Mr. Speaker, no one here has called the Premier a liar, no one. No one has said any such thing, to say that he is a rogue. I am using now the words that he mentioned in his remarks tonight. No one said that. And not only that, I do not recall ever in my experience here in the House of Assembly, ever using any such derogatory terms towards any member on any side at any time. Never! So where is it all coming from? It is a pretty sad thing to see that because there seems to be, as the hon. member indicated, a partisan political, it has fallen into the PC - Liberal debate again, that we are now here, at this hour of the morning, and hopefully will eventually vote, but the thing is that this Committee needs to be set up.

Now there are a number of other things that have crept in here. Mr. Dobbin's name has been bandied about, for example. I certainly have not mentioned it, but it has been mentioned here in this House. And I had no intention of mentioning it at all until the Premier spoke. Apparently the Premier has access to Mr. Dobbin, not only to do business and as a friend, that is okay; he is the Premier of the Province, he has the committee and Cabinet Committee and so on, nothing wrong with that. They are good friends, nothing wrong with that. But when Mr. Dobbin starts providing

MR. NOLAN:

documentation, legal documents and letters today, apparently designed to refute the information as tabled. I would hope, in all honesty by my friend, the hon. the Leader of the Opposition, I mean, does Mr. Dobbin now bring himself into the political game? Is he? Is Mr. Dobbin tonight attempting to influence this House of Assembly? I call upon Mr. Dobbin now to offer publicly to appear before the Committee of this House to answer the questions that will certainly be asked of him not only on this side, but, I am sure, by hon. members opposite. And may I say also - and I am no lawyer, but there are lawyers in this House and we have heard from them - if there is anything wrong with the alleged legal agreement that was tabled here tonight by the Premier, provided by Mr. Dobbin, and if it was in any way designed to deceive the members of this House, then Mr. Dobbin must appear and answer or the Premier on his behalf, and it seems to me that would be unfair to the Premier.

I am not sure that this debate is going to improve the tenor of the activity of this House, I am not sure at all. Almost all members on all sides of the House of Assembly do chit-chat back and forth from time to time privately. It is not an uncommon occurrence, we are not always at each others throats. We have all heard the things that are going around about accommodation and so on. Who is saying it is true? I am not, because I do not know. I do not have the evidence, I do not have the documentation. I have heard for two or three years that Mr. Dobbin has been going around with a little piece of paper in his inside pocket saying he can put the bulldozers in the ground any time. I am not the only member

MR. NOLAN: in the House of Assembly who has heard that on either side. And not only that, men and women who are in political life in this Province and other places, and may I say, journalists, are sometimes the victims of every crackpot who wants to come around with a rumour anyway. But they are not all crackpots, some of it is the truth. Would anyone suggest, for example, that even in the building trade there may be a little jealousy, maybe even towards Mr. Dobbin? I do not think Mr. Dobbin would give me a letter denying that - hardly. So maybe some of his competitors may have been responsible for some of these stories, I do not know. Maybe some political opponents of his one way or another, I do not know that either. But what I am asking Mr. Dobbin to do is not to interfere with any inquiry in this House. And I would like to know from Mr. Dobbin, and I hope, since he will not tell me, that he will now tell the press a little more about the legal document that he caused to have tabled here tonight, because it was delivered to the Premier specifically for usage in this House tonight. And the same thing applies to his letter. Now I have known Mr. Dobbin and his family for years and I wish him well. I am not one of those who gets any joy in seeing any businessman going under. There is enough of that in this Province, and the more free enterprisers and entrepreneurs we have who can successfully establish good business in this Province, we have to welcome them with open arms. And I am sure Mr. Dobbin would certainly agree with that. And he has operated not only here in Newfoundland but in the United States and other parts of the Mainland. But in view of what I have seen tonight, I would hope that perhaps Mr. Dobbin might be good enough to favour us on this side in the future with any documentation that he might have on matters concerning the public of this

MR. NOLAN: Province. And we do have a right to know - the people have a right to know - or perhaps inform the members of the press if he wishes to go that route. I hope that the members of this House will vote to set up this Committee. I do not agree that if the vote is for the setting up of the Committee that it means that the Premier of this Province should resign. Nonsense! Absolute nonsense! And surely, no one opposite believes that. Why should he resign? There will be a Committee of the Whole House and the evidence that is brought in, those who testify and so on, with immunity, will have an opportunity to have their say.

MR. J. WELLS: But let us not con the public again with the old red herring scheme that the Premier will have to resign, that he will have to resign not only his position as the Premier, possibly leader of the PC Party, but also his seat in the House of Assembly. That is not so, and there is no member opposite who can prove that it is so. So, let us see, then, how the vote will go. Will it be as my hon. friend indicated, strictly a PC/Liberal split, that the idea of the Committee will be ignored?

Because if it is, I am afraid that there are going to be lots of other people who are going to look at it, those in the press. All citizens are not blind to what goes on in here. They may pay some attention, I am sure they do, to some of the things that are mentioned in debate. It is not all name-calling, character assassination, but I think we will all be judged one way or another if we attempt in any way, shape, or form to sweep this under the rug.

If, as our friend says, there were three deals on accommodation for the Government of this Province and for accommodation and extra accommodation and, incidentally, you know, there are - I know there is a need for accommodation but I also know there are other needs in this Province for other things that people need that perhaps money could be better spent on. Maybe the hon. members might want to consider that.

So, Mr. Speaker, the hour is late and perhaps other hon. members would want to address themselves to the matter before us. I, for one, will certainly vote for this Committee because I have no other choice and, again, I call upon the Premier of the Province now in his list of apologies which he made reference to at the beginning of his remarks this evening, to find some way before this particular evening or morning closes to either explain his accusations directed at members of this side of the House of Assembly and charging them, and a blanket charge, of being informants and so on, or else withdraw. We made a point this evening of saying that he did not mind apologizing, did not mind withdrawing a statement where he was wrong. Well, fine, we can only admire and respect

MR. J. MOLEY:

clear this thing up.

him for that; now, let him go all the way and

Thank you, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

Hon. member for Terra Nova.

MR. T. LUSH:

Mr. Speaker, I rise to say a few words in this debate and want to say from the outset that I will be supporting this motion, and nothing that the Premier said or nothing that other members opposite said convinced me that I should be voting otherwise.

The hon. member from the Straits of Belle Isle (Mr. Roberts) in making the excellent speech that he made referred to some of the irrelevancies in this particular debate and also talked about the secondhand legal advice that came by today and, I am sure, he must realize how I feel and other educators feel when we get not only secondhand advice in the field of education here in this Honourable House but thirdhand and fourthhand.

Mr. Speaker, this is not the kind of debate that I take great pleasure in participating in, but as I sat here this evening hearing all sorts of innuendoes and accusations being passed this way at the motives of the Leader of the Opposition and, indeed, at all Opposition members, all of us as a group in presenting this motion this evening, I felt obligated to get up and to say a few words. But, Mr. Speaker, I feel the same as other members who spoke in this debate when they referred to the fact that other important economic issues should be raised in this debate, the issues of unemployment and the other issues related to the cost of living, issues relating to education and teacher contracts. Of course, Mr. Speaker, I would like

MR. LUSH:

to raise those issues, and I have attempted from time to time in this hon. House in this present session to raise these issues. I have attempted to do that. But strangely enough up to this point I have not noticed any great enthusiasm, any great effort on the part of hon. members opposite to discuss these economic issues, until this evening. I have not noticed that. Indeed I have noticed an effort to avoid talking about these issues. But today for some reason or other members across the way, hon. members opposite, raised these important, economic issues. They would like to talk about these issues. Well, Mr. Speaker, I hope that we are going to get an opportunity in this House to talk to these important issues. I am hoping that the House is going to be open long enough where I can talk about the unemployment problem in this Province, where I can talk about the 32,000 people who are unemployed and find out from the government just what action they are going to take to ensure that we are going to get jobs for these 32,000 people who are unemployed. I want to speak to these issues.

I want to speak to the issue of education in this Province and I am hoping, as I have said before, that before this hon. House is closed that I am going to be given an opportunity to talk to these important issues. I want to discuss these problems. I am hoping, as I have said before, that the occasion will present itself where we can talk about these important issues and not only talk about them and discuss them but to take action on them.

Mr. Speaker, this government cannot have their cake and eat it too. When unsavoury issues come up, when unsavoury issues arise they must be dealt with. When scandals arise they must be dealt with. Now, Mr. Speaker, somebody alluded to the fact that on this side of the House that maybe we have been too diplomatic and there was one point that caught my attention today when the hon. member for St. John's East (Mr. Marshall) was speaking. I am just here trying to find my notes and I cannot seem to do it. But the hon. member

MR. LUSH:

for St. John's East when talking in this debate today mentioned that in referring to the Opposition and in its effort to condemn the government, he made some reference to the fact that the function of the Opposition was to create scandal. Now, Mr. Speaker, I do not know whether that was a slip of the tongue or whether the hon. member did it deliberately. But the function of the Opposition, the member said, was to create scandal. That is the major reason why I rose to speak to this debate this evening. There is no way that I want to be part of any group of people, be it a political party or any organization, whose function is to create scandal. I do not say that it is not the job of the Opposition to expose the scandal.

Mr. Speaker, you do not have to be around this House very long in the last few weeks to realize that it is not the Opposition that is creating the scandal. Mr. Speaker, I would suggest that these were very unparliamentary remarks coming from the hon. member for St. John's East, coming from a lawyer who is supposed to know what the function of an Opposition is. To say that it is our job, the function of the Opposition, to create scandal is ridiculous, Mr. Speaker, absolutely ridiculous. And had I the copy from Hansard earlier I would have asked the hon. gentleman to withdraw the remarks but I was not sure that I was hearing the right thing. I could not believe that the hon. member for St. John's East was making that remark about the Opposition. I was not sure. And I cannot put my hands on the copy right now but it is here somewhere among this pile of notes that I have here. Here it is. Now I have found it. There it is.

It says - now let me see. "Now this issue, Mr. Speaker, affects the whole House. It is more serious, I think, than members realize. The general public is, I think, I am not talking about what is going back, I am talking what is going back and forth - the general public is fed up with the bickering that is going back and forth across this Assembly."

MR. LUSH:

"I, myself, feel that the Opposition, which is the Opposition's function, its overall plan is to create scandal after scandal and thus attempt to show lack of confidence in the government."

MR. FLIGHT:

We do not create them, we expose them.

MR. LESE:

Mr. Speaker, it is completely unparliamentary for the member for St. John's East to make that allegation, to make that accusation.

MR. NEARY:

A point of privilege of the House,

Mr. Speaker.

MR. SPEAKER:

A point of privilege.

MR. NEARY:

I am raising this matter at the earliest opportunity. We did not have Hansard. But now the hon. gentleman has quoted from Hansard, having gone to the Editor of Debates and gotten a copy of the transcript, where the hon. member for St. John's East (Mr. Marshall) accused the Opposition of creating scandal after scandal. That is completely untrue, Sir. It is unfounded, it is unparliamentary. It is attaching motives to the work of the Opposition. And having raised it at the earliest opportunity, Sir, I would ask Your Honour to direct the member for St. John's East (Mr. Marshall) to withdraw that unparliamentary remark and apologize to the House.

SOME HON. MEMBERS:

Hear, hear!

MR. LUSH:

Ridiculous.

MR. MARSHALL:

Mr. Speaker, it is only early yet tonight. Perhaps we could go back to 1958 to 1960 and 1970 and all the rest of it. You know, obviously that remark was not out of order and obviously it was not risen at the earliest possible opportunity, and obviously the Opposition again does not know the rules or the functions of this honourable House.

MR. SPEAKER:

The remark of the hon. member to which exception is taken was very close to this - I do not have the script in front of me - it is the function of the Opposition to create scandal. I cannot see that there is a point of privilege

Mr. Speaker,

involved. There could be a difference of opinion; an hon. member might think the function of the Opposition is to create scandal and another hon. member might think it is the function of the Opposition to do something else or something else. But it is a statement of opinion. It is not an imputation of motives. It is a statement of opinion. I could not ask the hon. gentleman to withdraw it.

The hon. member.

MR. LUSK: Mr. Speaker, again I am tremendously surprised that that kind of remark came from the hon. member for St. John's East (Mr. Marshall), tremendously surprised and disappointed that he saw fit to make that kind of remark, to cast these allegations to Opposition members.

In reference, Mr. Speaker, to a few other of the speakers that spoke earlier in the debate, the member for St. John's Centre (Mr. Murphy) with his pious and sanctimonious statements of past developments in this honourable House about the Opposition, the performance of the Opposition in the past and the decorum of the House, it is sickening to the stomach, sickening, to say the least. Now, Mr. Speaker, I am not one of those members who delves into the past because I am a person who deals with the present and with the immediate future, but I just want to remind the member that I do have a good memory, that I do recall some of the developments that went on. But just to hear these pious and sanctimonious statements, as I said before, is enough to sicken anybody who knows anything about the past performance of the previous Opposition. And also in reference to that, along the same lines I want to say something about the nonsense, the unadulterated nonsense and the unmitigated twaddle that was presented by the hon. Minister of Fisheries talking about the Opposition in not raising questions about the fisheries in this Province. Now, Mr. Speaker, just one word of advice to the hon. Minister of Fisheries: If he learned to keep his answers precise

Mr. Lush.

and concise, I am sure that possibly we would give him more questions. But the minute a question is directed to the hon. minister he is immediately like a stuck record. And this is the example of another gentleman who wants to have his cake and eat it too. He is the kind of gentleman who takes credit for the abundance of fish that is now on the coast, but, of course, is objecting to the licencing system. And, you know, for a gentleman with that kind of an attitude it is very difficult to try and accommodate him.

But, Mr. Speaker, I want to get back precisely to the motion, the motion which I said that I will vote for, a motion which neither

Mr. C. LUSKY: The Premier nor any other member of the Government side have convinced me that I should vote against. Mr. Speaker, again the motion refers to allegations affecting the Premier misleading the House and to set up, or to resolve the House into a Committee of the Whole to dig to the bottom of this situation, to find out the truth, to investigate the whole matter. Mr. Speaker, I would suggest that if we are going to raise the integrity of this House, if we are going to restore confidence in this House, if we are going to want the people of this Province to put faith in this House, it seems to me that this is the only direction in which to go, to resolve this House into the Committee of the Whole, to delve into the whole matter and to find out the truth, to find out just what is going on. As I have said, Mr. Speaker, there has been nothing said in this debate to date to cause me to change my stand in this particular motion.

Questions have been asked relating to the construction of Government buildings or the expansion of Government buildings, relating to plans and arrangements, and as laid out so clearly, so concisely, and so explicitly by the Leader of the Opposition, time after time the answer was 'no'. There were denials as to the existence of any plans or any agreements.

So, Mr. Speaker, I am convinced on the basis of what I have heard here this evening, I am convinced that the Leader of the Opposition has built a solid case. Whether the documents are legal or binding, that is not a matter that I want to get into. All I know from the evidence presented by the Leader of the Opposition and by the hon. member from the Straits of Belle Isle (Mr. Roberts) is that there were questions asked about plans and arrangements and, as I have suggested before, they were all denied.

Now, Mr. Speaker, this is a strange turn of events. This is a dramatic turn of events from the Government that was going to operate on a philosophy of complete openness - the Government, the Party -

Mr. T. LUCY: that was going to take the government to the people. That is a strange turn of events. When we ask questions here in the House of Assembly relating to plans and arrangements that were revealed in the House to indeed have gone on because I was fully convinced when the Leader of the Opposition brought in this document and brought it before the House of Assembly, but then, when the Premier spoke and presented his documents, what I call 'the Premier's confessions', and put that on the table, then I was doubly convinced of the matter referred to by the Leader of the Opposition, the true confessions showing not only one deal but several deals. As I said, Mr. Speaker, this is a strange turn of events. The Government that was going to be open, the party that was going to govern this Province on a policy of openness, the party that was going to govern this Province on the philosophy of taking the government to the people, and now, where have we gotten, Mr. Speaker? To the situation where an hon. member cannot even present a petition on behalf of constituents when they travel all the way from Westport, paying a bus to come in on a special day to present a petition to their member. I wonder is that the kind of philosophy the hon. Premier and his colleagues would have espoused back in 1972.

MR. LUSH:

when they were talking about the openness -

MR. NEARY: The time has come.

MR. LUSH: Right, when they were saying, "The time has come!"

Is that what they would have done to an hon. member? Deny him the unanimous consent of the House of Assembly to present a petition on behalf of just about 900 people on a matter of very serious concern to them?

MR. NEARY: Hear, hear!

MR. LUSH: And would not grant this hon. member the unanimous consent of the House to present that petition. The people who delivered it to me hired a bus, spent their time and energy in getting this petition together. Mr. Speaker, that is where this party has come to. Such immaturity and such irresponsibility, such arrogance this Province has never known.

SOME HON. MEMBERS: Hear, hear!

MR. LUSH: Now, Mr. Speaker, I shall be supporting this motion because I believe that we need to get to the bottom of this matter. I believe the truth needs to be exposed. Mr. Speaker, if members on the other side have nothing to hide, if they have got nothing to conceal, then I see no reason why they will not agree to this motion that the House resolve itself into the Committee of the Whole so that this matter can be fully discussed, so that this matter can be fully looked into. Mr. Speaker, it is the only route to go. And I think the Premier should want to do it, all members of the government should want to do it, all members of the House of Assembly should want to follow this route so that the truth can be known. As the hon. member from the Straits of Belle Isle (Mr. Roberts) so eloquently pointed out, there is no condemnation in this motion. It is a matter of investigation and a matter of enquiry.

Mr. Speaker, I, on the basis of the case presented by the hon. Leader of the Opposition and by the hon. member for the Straits of Belle Isle and on the points that I have raised myself, I will be

MR. LUSH:

supporting this motion and I hope that we will find hon. members on the other side supporting the motion as well. Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: (MR. YOUNG) The hon. member for Pleasantville.

MR. DINN: Thank you, Mr. Speaker. Mr. Speaker, the first time that I spoke in this House of Assembly was in defense of a nomination of you as Deputy Chairman of Committees-to be Deputy Chairman of Committees. At that time we had an all night debate on that issue. That was the first time I stood in this House of Assembly and at that time in this House of Assembly I compared the then leader of the Opposition, the member for the Straits, as the Brutus of the Liberal Party. Mr. Speaker, I had no idea at that time that he would meet his philippi as quick as he did. He set the tone for the Opposition of the day. He was the leader at that time that set the tone for what happened with the Opposition in the House of Assembly at that time. And as sure, just as sure, Mr. Speaker, as he met his Waterloo, I will make another prediction in this House tonight that somebody else will meet their Waterloo and soon.

SOME HON. MEMBERS: Hear, hear!

MR. DINN: And it will not be long.

AN HON. MEMBER: It will not be long now.

MR. DINN: And it will not be long now. Mr. Speaker, I have not seen nor have I ever heard such a despicable display by a man in this House of Assembly who claims that he wants to be the Premier of this Province.

Mr. Dinn: Mr. Speaker, I will ask the Chair for protection. I will not listen to the Leader of the Opposition. He had his day in court. He will have his day before this day is out and the decision will be made. And, Mr. Speaker, if he is the man that I thought he was he will have a decision to make.

MR. W. N. ROWE: I am not the man you think I am then.

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

I will ask hon. members that only one should be speaking at a time. I recognize the hon. Minister of Municipal Affairs.

MR. DINN: Thank you, Mr. Speaker.

The hon. the Leader of the Opposition said that he is not the man I thought he was, and that, Mr. Speaker, speaks for itself. We have gone through today, and now what the Opposition is calling for is that this House resolve itself into a Committee of the Whole to waste another week on this despicable display by a leader of a party in this Province who claims that he wants to be the Premier of this Province. A man, Mr. Speaker, who has experience. He cannot claim that he does not have experience, he does not know what goes on in Cabinet. He cannot claim that he does not know what a legal document is. He cannot claim, Mr. Speaker, that he did not say something that he did, for he stood in this House of Assembly and he said that a member of this House and some of his colleagues deliberately misled this House.

SOME HON. MEMBERS: Right. That is right.

MR. W. N. ROWE: That is right. That is exactly what I said.

MR. DINN: That, Mr. Speaker, is one of the things that he will live to regret. That, Mr. Speaker, is one of the things that not only he will live to regret but the hon. member for Burgeo-Bay d'Espoir (Mr. Simmons) will live to regret, and the hon. member for Bay de Verde (Mr. F. Rowe) will live to regret.

MR. HICKEY: What about poor old LaPoile?

MR. DINN: The hon. member for LaPoile (Mr. Neary), Mr. Speaker, got up in this House last night or yesterday and he skirted

Mr. Dinn: all around the issue. The Leader of the Opposition made a statement -

MR. NEARY: That is right.

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

Again I request that hon. members to refrain from interrupting. I will ask you to respect the wish of the Chair.

MR. DINN: Thank you, Mr. Speaker. And I would hope that if the hon. member for -

MR. NEARY: He is up there again!

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

I would like the hon. member for LaPoile (Mr. Neary) to withdraw that remark, the Chair heard it. I will ask him to withdraw it please.

MR. NEARY: The remark that I made that Your Honour is up there again. I withdraw the remark, Your Honour is not up there again.

MR. LUNDRIGAN: Mr. Speaker, on a point of order.

Mr. Speaker, this is insulting, absolutely insulting. I know it is late in the night, but the hon. member for LaPoile should get up and apologize and try to show a bit of respect for the Chair. And I ask that he definitely withdraw that remark.

MR. W. N. ROWE: What remark, Sir? On that point of order, Mr. Speaker. Your Honour asked my hon. colleague to withdraw a remark, the remark being, Your Honour is up there again - whatever that might mean - which he got up and withdrew by saying, "Your Honour is not up there again." And what is the hon. member for Grand Falls beefing about?

MR. LUNDRIGAN: That is an example of disrespect.

MR. W. N. ROWE: Sir, let us get on with the business.

MR. MURPHY: Thanks be to God I did not (Inaudible).

MR. W. N. ROWE: Let the hon. Minister for Municipal Affairs make his speech, Sir. He is doing his best.

MR. DINN: Did Your Honour rule on the point of order?

MR. SPEAKER (MR. YOUNG): I feel that the hon. member for LaPoile withdrew the remark.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (MR. YOUNG): I recognize the hon. minister.

MR. DINN: Thank you, Mr. Speaker.

MR. NEARY: (Inaudible) Your Honour.

MR. DINN: If the hon. member for LaPoile will

not let me speak in silence, Mr. Speaker, then you have no alternative but to name him because I request that I be heard in silence.

Now, Mr. Speaker, in the past few months in this House we have had a display by hon. members opposite of some of the worst kind of political tactics that I have ever seen in my life. And, Mr. Speaker,

MR. DINN: I do not speak from what a lot of experience but I have been in the House of Commons in Ottawa, I have been in the Assembly in Nova Scotia, New Brunswick, Alberta. I sat in on meetings in the United States, both in the state governments and in Washington, and I have not seen, nor do I hope to see while I sit in this House of Assembly, the display that we have seen coming from a man who claims that he wants to be the Premier of this Province as I have seen from the Leader of the Opposition in the past day. A man who stood up in this House against another hon. member and members, and when he said 'members' he did not know how many members he was talking about, but in the Cabinet of the time there was only one person missing from a decision. The complete Cabinet made a decision and the one person who was missing was one of the people that put the proposal forward to Cabinet. So when he stood up in his place and he thought he was zeroing in with the kind of venom that I have not seen displayed in parliament, he put the cloud over the head of every member of the Cabinet of the day.

Now, Mr. Speaker, I was not a member of that Cabinet but I will say this, that I have listened to argument on both sides of this House and a gentleman stood up this afternoon and gave an opinion, the hon. member for St. John's East (Mr. Marshall) who certainly has no axe to grind on this issue, and several other members, Mr. Speaker, and the hon. Leader of the Opposition wants somebody a little more lively. Well, I would never want to be lively on these kinds of issues because they are fairly serious issues. He may not realize that they are serious, but they are serious. They are the kinds of issues, Mr. Speaker, that have to be answered and they will be answered by this House of Assembly before the doors close, and, Mr. Speaker, there will be no more motions made until this issue is decided, and this issue will be decided by this House of Assembly.

MR. DIMM: And when that decision is made you will have to make other decisions. And when that time comes I do not expect, I really do not expect the hon. member, the Leader of the Opposition, the member for Twillingate (Mr. W. Rowe), nor do I expect the hon. member for Trinity - Bay de Verde (Mr. F. Rowe), nor do I expect the hon. member for Burgeo - Bay d'Espoir (Mr. Simmons), to make the right decision, but there is only one.

SEVERAL HON. MEMBERS: Hear, hear!

MR. SPEAKER (MR. OTTENHEIMER): The hon. member for Burin - Placentia West.

MR. CANNING: Mr. Speaker, there is no need of saying I have been here a long time and I have seen a lot of resolutions, I have heard a lot of speeches and what not, but when I came here today and had this resolution on my desk I intended to rise and speak to it and support it, Mr. Speaker, and that is exactly what I rise to do now. But during this long day, Mr. Speaker, I have heard so many get up and speak, so many irrelevancies, that I do not intend getting up now and getting into debate on the issues they brought up because they brought up everything under the sun

MR. CANNING: except the principle or the main part of this resolution.

Mr. Speaker, I have seen a lot of resolutions come in and what I always did was pick them up and read the resolutions, get the principle of them if I were to debate on them, or prepare myself to debate on them and that is exactly what I did today.

But this whole long day there has been speech after speech after speech of irrelevancy, they had nothing to do with the resolution. The last speaker, the speaker who preceded me, Mr. Speaker, from the time he got up until he sat down I did not know what he was talking about.

MR. W.N. ROWE: Nor did he.

MR. CANNING: He did not mention the resolution. He stared across at the Leader of the Opposition, he charged into him, he charged him with things I did not hear him say and I am listening to him all day. There has been speaker after speaker and nobody on that side of the House has done justice to this. They have been relevant for, I suppose, a few sentences, perhaps half a sentence. So now I find myself, knowing the rules of the House - I should, at least this one. I may get a complicated one some day and I will have to look up Beauchesne but I will leave that to one of the lawyers or somebody. But this is, first of all, important and serious. But, anyway, the resolution itself is simple.

Mr. Speaker, when I first came into this House a few years ago - I came back in the House - I came in with an open mind, with good resolutions, how I was going to behave myself in the House. I promised the Premier quite openly that what I was here for - I told him I felt I knew what I was here for, I was going to co-operate with his government, I said that was my duty, they were the government of the land, or the government of the Province

MR. CANNING: and wherever I could co-operate; where I saw they were going wrong, or if I did not agree with their policies I was going to stand up and do just that and that is what I have carried out since I came here.

Mr. Speaker, speaking to this tonight I can only say one thing about the other side of the House; Mr. Speaker, after two years - is that how long we are back now? almost three years back, three sessions or something like that - I find that, well, I do not know what I find, Mr. Speaker, because I looked over across the House and I took this member and I took that one, I took the member for St. John's East (Mr. Marshall) and I admired him and I said to myself, Well, that is a fellow who has a future in politics and seems pretty fair. I knew he had gotten out of the Cabinet and I knew he was not very fussy about going in. One time I went so far as to say I sympathize with him because once upon a time, a certain time - nobody would guess because I have been here too long, so do not try to think which year it was or what was on - I felt like I did, I felt that I could not toe the line at a certain time, at a certain period. I do not mind admitting it. But, Mr. Speaker, here tonight, or this morning, I have come to the end, not disillusionment, but I have come to the end of faith in this government.

SOME HON. MEMBERS: Hear, hear!

MR. CANNING: Because, Mr. Speaker, this could have been done so fast, so right and so proper.

MR. W.N. ROWE: That is right! That is right!

MR. CANNING: I have never seen anything yet come into this House that gave the Premier of this Province, and gave the government an opportunity to - I do not know what we would call it - stand up and be counted. I never saw

MR. CANNING: such an opportunity for the Premier before to clear all the rumours up that are going around the Province, to clear himself, if he can clear himself, against the opinions in the Province today.

SOME HON. MEMBERS: Hear, hear!

MR. CANNING: Mr. Speaker, I have travelled around this Province quite a bit in the last few years. As a matter of fact, I have travelled more, perhaps, than I have in my lifetime and, Mr. Speaker, I know across this Province, and it started a long way back, the people started to lose their faith in the Premier and his government. That has been shown. Just three years in here and they almost went down to defeat.

MR. CANNING: They almost went down to defeat in three years.

MR. W. ROWE: About 500 votes difference.

MR. CANNING: Mr. Speaker, when I came in here I still had faith in them, I said the first three years they were inexperienced. He was not too well off with some people he had in his Cabinet, he was not too well off with people he had in the House. I surely sat here with better men but I still had some confidence in them, I had regard for them. Mr. Speaker, if anybody goes through my district, or if anybody followed me during my election when I was coming in here, there was very little I said about the Premier. I said it about the government, it was my duty to do it, but not too much. I never made a dirty speech in my life. I never used any derogatory statements in my life to anybody against anybody. I never wanted to hurt anybody. Sometimes I often felt, is it my make up? You know, is it right to be in politics? Perhaps I should not have been. There were other times I would think to myself, look I think I have been going right. I think I have been following the honesty my parents taught me or I think you know that I am intelligent or something. I do not doubt but I almost doubt; I wonder am I old fashioned, you know, am I on the wrong track because I will carry it pretty far. I felt hurt here today. I felt hurt was it today or yesterday? we are getting mixed up, I have been here so long - but anyway when the Premier came in here and said, "Some of the Opposition over there" - it was no one on the Opposition! - "somebody came to me." The first thing came to me was, Good God! I hope after twenty-six years in here it is not me. But I do not know. I do not know if it is or not. I want to know because I do not think that the previous government or any member in it, I do not think any of them, those of them that are here now, I am sure they do not look at me as a traitor.

I would not say it has been very easy to be loyal, to be honest, to be right sometimes. It has not been.

MR. CANNING: There are times that my opinions perhaps clashed with the opinions of my party or the government side I was on. It was very difficult and perhaps I was wrong at the time. I do not know. I would have to come out and get that proof. Mr. Speaker knows. I do not understand why the member for St. John's East (Mr. Marshall) did not know what is here. None of the others did. The Premier does not know what is here. The Premier is under some fear. But I will tell him this, there is a good favour done him here if he is in the right. And if he is wrong, if he did mislead the House intentionally, now is the time to clear himself and clear this government, which has gone down pretty far. Talk about the House going down! Well, I will tell you the opinion of Newfoundland today with this government. I know what it is. I am not making politics here because my politics are made. Good or bad they are made. I may go back to the district again, I may not. I may go back twice, perhaps. I do not know. I am not that old yet. But I can assure you one thing that I do not have to make any more politics.

SOME HON. MEMBERS: Hear, hear!

MR. CANNING: And nobody in this House can accuse me of making, since I came in again, what they call politics. Perhaps I am making the best politics you can make by behaving myself in the House, and by not lashing out.

I will tell you one thing. Mr. Speaker, I have not shouted out much in this, I have not let forth any oratory. I do not know if I can or not. I believe I can if I wanted to. But I can assure you this, that every speech made by the government today I can spend the next two hours and tear it apart.

MR. H. BONE: Hear, hear! That is right.

MR. CANNING: I guarantee you I certainly can tear it apart. Because the thing was they got up, were frightened to death, were accused of being rogues. I have not found it here. I have not found it. But I vote for this tonight, or this morning or tomorrow,

MR. CANNING: or whenever we vote for it. Mr. Speaker, I am not voting against the government because they should not be there. I do not think they should be there. I think it is time to give up they are making such a mess of it, and today and yesterday it is the worst mess ever you could see and there was a - no, it never happened in Canada in any province, that a government,

Mr. P. Canning: that men entrusted with the cares of this Province today, in a serious era of unemployment, so many doubts across the Province about the government. Mr. Speaker, they are using it so much so that it is used widely today the same slogan they came in on, "The time has come."

SOME HON. MEMBERS: Hear, hear!

MR. P. CANNING: They had enough. The people have had enough.

Mr. Speaker, the hour is late so I am not going to spend very much time at it. I am going to repeat tonight what the member for Trinity-Bay de Verde (Mr. F. Rowe) said when he rose in his seat tonight. I was ready to speak, was ready to get up, when he picked this up and the words he used, the sentence he used to express his feelings was exactly what I was going to do when I got up.

MR. F. ROWE: Great minds think alike.

MR. CANNING: Perhaps so.

During the day you heard them say, you know, there was no building out there, there was no contract signed. You know, there is nothing in that about that. He made good sense when he read down through the resolution. He did not say there was a building built. He did not find that in it. He did not think there was any contract out, he did not find that in it. So he just simply read the resolution. I do not understand why they do not understand it. I think they do understand it. But I will tell you one thing they do not understand, they do not understand the repercussions throughout this Province when they vote against it -

MR. F. ROWE: You are right.

SOME HON. MEMBERS: Hear, hear!

MR. CANNING: - that a committee be set up. If I were over there tonight and I was going to vote against the committee - a committee for what? I mean, what is it for? To declare themselves .

SOME HON. MEMBERS: Right.

MR. CANNING: Not to clear themselves well, you know, to clear themselves of what they are thinking. They are shooting across here, you blame us for being rogues, you know. You are bringing down the House, you know, the House is at its lowest ebb. There is nothing wrong with that, that is true. But if I were the Premier of Newfoundland tonight I would come in here and I would say, "Okay, If you have doubts cast on me, or if he got doubts or anybody over there got doubts, alright set up the committee -

AN HON. MEMBER: Right.

MR. CANNING: so I can clear myself and I will be vindicated".

MR. F. ROWE: Exactly.

MR. CANNING: And then, Mr. Speaker, I would not doubt that the Province might think a little more of him, might think a little more of his government.

SOME HON. MEMBERS: Hear, hear!

HON. F. ROWE: He is afraid, my son!

MR. CANNING: They are a afraid. It is an opportunity for him. I would almost say that the Leader of the Opposition goofed to give him that opportunity.

AN HON. MEMBER: Right.

MR. CANNING: I do not know, but if it has been my personal decision to give it to him, I do not know, I might be a better politician than he is. He has put his foot into it, politically, you know, because all he has to do is come in and have a full Committee of the House. Mr. Speaker, I know I am relevant, I am speaking on the committee, I am not talking about going back to 1963 or 1964 or talking about the other government, or talking about what contracts are given out, you know. I heard statements made over here today that if I were going to go on and get out of order, Mr. Speaker, and start debate, you know; I heard someone over there today saying that we always gave a contract. I mean I could have a good debate on that. I could point out \$1 million in one year and no contract, no

Mr. Cannino: tenders called. You know, you could make what you would call a political speech.

AN HON. MEMBER: Tell us.

MR. CANNING: No, I would not go into that, I would not go into that. You know, there is a time and a place for it.

AN HON. MEMBER: Right.

MR. CANNING: In Newfoundland when you give out \$1 million to one fellow there is no tender; you do not know what he did, or what he did not do with it. We do not know where it has gone. You know, I could go into that, but then, Mr. Speaker, I think I would be irrelevant and you would have every right to tell me so. And I would be ashamed, you know, I would be ashamed of myself if you had to tell me, because I would say, well, you know, if I were three years here or five years here, I could get up and say, Mr. Speaker, I am sorry, but I did not know the rules. I do not know what is relevant -

AN HON. MEMBER: A good reason.

MR. CANNING: - or what is not! But when you are

MR. P. CANNING:

Here twenty-six years, you know, and you stay here I cannot be stupid or the people who voted for me time and time again, there some be some smart people among them, so if I was stupid I would not be here. And I must be honest or I would not be here -

SOME HON. MEMBERS:

Hear, hear!

MR. S. NEARY:

That is right, Pat!

MR. P. CANNING:

I mean there were 13,000 or 14,000 people or something had to decide that in the last election. After they were in three years they thought I was good enough to send in. But, Mr. Speaker, I did not come in to try to tear them apart - their policies apart, yes, Mr. Speaker. I did not have much opportunity to do it. I did not have much opportunity to tell them about my district. I have not had much opportunity this year, nothing. I am just waiting to tell the needs of my district and the feelings in my district and what they want. There is no speech from the Throne debate.

MR. CALLAN:

The money will be all allocated by that time.

MR. P. CANNING:

That is the day that you tell what is going on. You are pretty free, the rules of the House are not strict, you can wander to your left and right, but we have not had that opportunity. No Budget Speech. I have not had a chance to get up in this House yet and give my opinions of the Budget. I have not had it. They were talking about questions today, we have a half hour of questions. The Minister of Fisheries said they had not asked him anything about the fisheries, you know, he was smart what he would have said was, "Well, they have not asked me questions, I must be doing a good job" or something like that. But every time that I hear a question asked to the minister they do not get an answer they get a speech; they get a speech about some plant that is out in St. Mary's Bay; perhaps it is one that we built but he is beginning to think that he built it - the one up in Admiral's Reach. I do not know.

SOME HON. MEMBERS:

Hear, hear!

MR. P. GANNING:

Mr. Speaker, I had one occasion, the Minister of Industrial Development one time I asked him a simple - I did not mean to ask him, I was going to ask the Premier but I waited for three weeks and I could not get him in his seat -

SOME HON. MEMBERS:

Hear, hear!

MR. P. GANNING:

- so I came to understand that I was afraid, I was keeping away from the Minister of Industrial Development-he wanted to use his tactic, he wanted to make a speech. So I asked him a question and I got a speech. An hon. Minister I asked it of. So, Mr. Speaker, again I think this is enough for me to say on what went wrong today because there was nothing went on in relation to this. Mr. Speaker, if there had, I would have to get up and I would have to go along much longer than I am to justify why I am going to vote for it. But I am going to do the Premier a favour-I am still co-operating with him. I am going to do him this favour: I am going to vote for it and I am hoping he is going to come in and vote for it and then we are going to have a Committee of the House, the whole House. Then we will go into the thing and one day the Premier might proudly get up, "I agreed to form the Committee, I wanted to show Newfoundland that I did not mislead the House, there was nothing wrong." Perhaps we will prove there were not agreements, you know, arrangements - it says here agreements or arrangements - I think we have proven without a shadow of a doubt tonight that there were agreements, that there were arrangements. There is no doubt whatsoever in my mind at all. No, Mr. Speaker, this is what it says, "to move that this hon. House resolve itself into a Committee of the Whole House to consider certain matters concerning the privileges of the House raised by the hon. Leader of the Opposition that the hon. Premier speaking from his place in the House deliberately misled the House in answers to questions asked in the House by hon. members regarding the existence of an agreement or arrangement between the government and a third party to build an office building for the government." Pretty clean, pretty simple, and if I were the Premier of this Province I would come in, and if I were the members on that side of the House I would vote for it. Why not? What have you got to hide? If we have

MR. P. CANNING: suspicions, if we have accused them of anything, they are all under suspicion - this is the place to clear it up, this is what this House is here for. Through this House tell the people, prove to the people of Newfoundland there is nothing to hide, that you have a good government, that there were no agreements, you know, if that is the way it turns out.

So, Mr. Speaker, I could not do anything else. I would like to hear people questioned, I would like to hear this thing coming out in the open just in case I have any doubts - if I have doubts. And then at the end if it is proven that we are wrong, victory day for the Premier, red letter day for him! Good luck to him! That is the chance the hon. Leader of the Opposition took.

MR. W. N. ROWE: The Premier is afraid to take the same chance.

MR. P. CANNING: So, all right! If the Committee goes against the Leader of the Opposition it will not be a red letter day, it will be a dark day for him. So here we are. The people of Newfoundland are trusting us tonight to carry on the business of this Province. Are we going to set up a Committee or are we going to vote against it?

AN HON. MEMBER: Ask the Premier if you are the one who squealed.

MR. P. CANNING: Well, I know I have to ask him that.

MR. CANNING: Mr. Speaker, I was a little bit glad, I am human, human nature you know, when the hon. minister-What is he now?

AN HON. MEMBER: Doody is Transport.

MR. CANNING: The Minister of Transport. They change so often, you know, that you have difficulty finding them in the book. You wonder who it is, you know. You look and you see one fellow's name, Was he last week or next week? The Minister of Transport, I was a little bit proud when he said that both of us were behaving ourselves over here, myself and my good friend who has been a long time in the House. It is nice to get that thrown at you after sixteen years. I felt good. But, Mr. Speaker, I will feel better when the reflection cast on me is lifted. Perhaps when the Premier comes in before this House closes this morning-

PREMIER MOORES: It was not you.

MR. CANNING: Now he tells me it was not me, so I am at least cleared. I think every other member on this side, I know they did, every single one of them wanted to find out who ran to him. What a low trick. I will tell you this much about it: if there is anybody who went to the Premier and tipped him off about the caucus there is going to be one less in that caucus tomorrow.

AN HON. MEMBER: That is right.

MR. CANNING: I am going to ask the Leader of the Opposition that if he cannot be trusted any more than that if he is going to put him out. If he says no, then I will say, "I am sorry, I got to go out because I am not staying in with him."

MR. W. ROWE: There will be nobody going out, boy.

AN HON. MEMBER: He is being misleading.

MR. CANNING: Here is what I am saying; I will be either in that caucus tomorrow or else there will be somebody out -

AN HON. MEMBER: Out on his head.

MR. CANNING: -if we find out who it is. I do not know. I have no suspicions, I do not think they would; I have been saying it but I do not believe it.

MR. W. ROWE: - deliberately misleading.

MR. CANNING: Now then if I do not believe it and

MR. CANNING: the Premier believes it and they have proof, well let them come in, for God's sake and tell me because I do not want to stay in a caucus like that because I was never in one like that.

I think my constituents think highly of me as to my honour that way. I do not think they think I am a rat, I can assure you that, but if I am not cleared I do not know what they will think. So, Mr. Speaker, I am going to vote for this motion, I am going to support this motion, and I am sure that if it appears in the paper tomorrow, the whole motion, and I go back to my district, I am pretty confident that my district, the people in my district will be intelligent enough when they read that - even if the government is not - I am sure they will have the intelligence to say, "Well, what about it? I suppose the hon. member did vote for that." And I suppose the Tories up there say this - the few that are left. I think they found ten the other day doing a poll. I have found one but I do not know the other nine yet. I have found one of them. They took a poll in my district the other day. I do not know how many heard of it. They got on this Action Line and they had seventy per cent Liberal and ten per cent Tory.

MR. W. ROWE: Seventy to ten.

MR. CANNING: That is what I said, seventy to ten. There were ten people who said they were Tory. I did not know they were there but I have three years to convert ten so I should do alright the next time.

MR. W. ROWE: Use the telephone ten times.

MR. CANNING: No, Mr. Speaker.

MR. SPEAKER: Order, please! I think it is important that the Chair be consistent throughout the day and as hon. members know when an hon. member speaks he is the only one who should be speaking so I would request other hon. members not to interject.

The hon. member.

MR. CANNING: Mr. Speaker, I am supporting this. I know why I am supporting it and I know I should support it. I am sure the people in my district will know why I have supported it and everyone in this House will know why I have supported it -

SOME HON. MEMBERS: Hear, hear!

MR. CANNING: - because I believe they trust me and know me, and they know I am voting for this because I think it is right. And, Sir, I know it is right, and I support it.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the member for Fogo.

CAPT. E. WINSOR: Mr. Speaker, the human body is at its lowest ebb, I think, at this hour of the day.

SOME HON. MEMBERS: Hear, hear!

CAPT. E. WINSOR: And the darkest hour is before the dawn, so we are heading, I think, in that direction right now.

Mr. Speaker, I find myself having to rise and support this motion. And as was ably pointed out by my senior colleague here, there is nothing in this motion that the government members should take any exception to.

Now I have the greatest respect for the office of the Premier -

AN HON. MEMBER: Hear, hear!

CAPT. E. WINSOR: - and I have never in my political career ever tried to downgrade that office or any person holding that office.

AN HON. MEMBER: Well, what does the motion do?

CAPT. E. WINSOR: Well, that remains to be seen. I think this motion, Mr. Speaker, as my colleague said, gives the Premier a great opportunity. You know, there is nothing to fear only fear itself.

SOME HON. MEMBERS: Hear, hear!

CAPT. E. WINSOR: And if the Premier has nothing to fear then the only sensible thing to do is adopt this motion, set up the Committee and clear the air. It is as simple as that.

AN HON. MEMBER: That is right.

GAPT. E. WINSOR: The public will never know unless that Committee is set up who is right or wrong because we can forecast now what is going to happen a little later on, maybe before breakfast or after, that the vote is going to be put and the majority will win. That is democracy. But then, what is after that? Are we any the wiser who was right and who was wrong? And, Mr. Speaker, we can argue all we like, but the documents tabled in this House by the Leader of the Opposition stated or indicated or pointed out that there was an agreement. It is true there was no contract, but I feel, as a layman, that if I were to receive an agreement from the government signed by a minister of the Crown, witnessed by the Premier of the Province and another witness and signed by the developer, I feel within my heart and soul that I could take that agreement to any bank and I would be welcomed by the bank if I wanted to raise collateral or if I wanted to raise money to go ahead with such a construction.

Mr. Speaker, I have listened to the legal advice of this House. The member for St. John's East (Mr. Marshall) almost had me thinking seriously about what he was saying, but having heard our leader, who is a legal man, and then the member for the Straits of Belle Isle (Mr. Roberts), it left no doubt in my mind that those are legal brains, and I do not pretend to be able to decipher or use the legal terms and apply them to such an agreement as those gentlemen have done and, therefore, I have to take my advice from the legal office. If I get in trouble anywhere I am going to go to a legal man to try and fight my case. Well, I have to be convinced that that legal man is capable of doing the duty which I hire him to do.

Capt. Winsor: In this case the legal brains of this House have given their opinion, and I am willing to accept that opinion and I feel that their opinion now has convinced me - if I needed any convincing; I may say I did not need any convincing - and I am fully convinced that the only way out of this dilemma, if it can be called a dilemma, and I can appreciate the way the Premier feels, it is a serious charge. And I can appreciate the Premier's feeling how his family and how every other member's family, especially the members of Cabinet, feel about this. It is not easy today to be a member of the House of Assembly. It is not easy, Mr. Speaker. And we are all subject to the same criticism. And I can certainly appreciate the way the Premier feels. And I have every sympathy, but, Sir, I think to clear his good name, to clear his good name, he has an opportunity now, let us vote for the motion -

SOME HON. MEMBERS: Hear, hear!

CAPT. WINSOR: - form the committee, and let the chips fall where they may.

SOME HON. MEMBERS: Hear, hear!

CAPT. WINSOR: Mr. Speaker, I support the motion.

SOME HON. MEMBERS: Hear, hear!

CAPT. WINSOR: Mr. Speaker, I was a bit disappointed in the Premier when yesterday he made his statement that there was an informer or informers from the caucus. Now, Sir, I have always given my support and loyalty to my leader, and I had given that until such time as we had another leader, and I give the same support to the present leader.

SOME HON. MEMBERS: Hear, hear!

CAPT. WINSOR: And I intend to do that. But, Sir, now the finger is being pointed, and I do not know, I do not know whether the present leader has a suspicion in mind that "Winsor" is the culprit. He is the man who is feeding information to the Premier." So, Sir, I too have a feeling, and human nature as it is, as human beings as we are, I think that the least the Premier can do is say, "It is not you."

MR. W. N. ROWE: He should apologize.

MRS. MCISAAC: Is it I, Lord?"

CAPT. WINSOR: I do not think that he should go as far as that, but I think the Premier owes an apology to this House. If there are two or three members then I think we should know. And I, like my colleague for Burin-Placentia West (Mr. Canning), I would not stay in that caucus and be a suspect, because as it is now we are all suspects, and I think it is an unfair criticism and an unfair accusation for the Premier to make without clearing clarifying it. So, Mr. Speaker, I certainly support this motion.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: If the hon. member speaks now he closes the debate.

MR. W. N. ROWE: Anyone else want to speak? Do you want to speak?

MR. SPEAKER: The hon. member for St. John's South.

DR. J. COLLINS: Mr. Speaker, I had not intended to speak to the motion until quite late in the day, but I felt for circumstances perhaps hon. members might understand, that I should really, having heard the hon. member for the Straits of Belle Isle (Mr. Roberts) speak, because the hon. member put it very, very clearly that the vote would be on partisan lines - and it was my intention to vote. I felt that as a member of the House I had to vote. Other members had their opportunity to state why they were going to vote as such - I felt that if I did not say anything it could only be taken, in view of the member's remarks, it could only be taken that I was not doing it from any motivation other than one of partisanship, it was not a matter that I considered that I should take any conscientious or moral stand on, and that is something that I cannot allow to be thought.

The other thing that troubles me, Mr. Speaker, when the hon. member spoke - if I can find the motion that we are suppose to speak to - my understanding of the hon. member's

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DR. J. COLLINS: words were that he was indicating that we were merely voting on a motion to investigate. And if that were so possibly one could support such a motion. One would have to think about it closely but certainly I do not think it would be out of count that one could support such a motion.

DR. J. COLLINS: But that is not my reading of the motion and I feel that the member, I am sure not intentionally, but I think that he misinformed the House in that regard and I would like to read the motion.

The motion states, "That this hon. House resolve itself into a Committee of the Whole House to consider certain matters concerning the privileges of the House raised by the hon. Leader of the Opposition," that is "that the hon. the Premier, speaking from his place in the House deliberately misled the House," and then it goes on. There is not a word about investigating whether this statement is true or false, if one could leave out the clause there which says, "concerning the privileges of the House" which really does not alter the sense of the thing, and read it that, "This hon. House resolve itself into a Committee of the Whole to consider certain matters, that is that the hon. the Premier speaking from his place in the House deliberately misled the House." That is a definitive, assertive statement. It is not a statement asking one to vote to investigate; it is a statement, a fact, and I presume that the hon. the Leader of the Opposition in drawing up the motion drew it up in that form for a particular purpose. And with the information I have before me I cannot in all conscience vote in favour of such a motion which states unequivocally, as it does here, that the hon. the Leader of the Opposition deliberately misled the House.

AN HON. MEMBER: The hon. Premier.

DR. J. COLLINS: The hon. Premier, I mean.

If I could go to the substance, as I see it, of the decision or at least the facts I made my decision on, firstly I would like to say that I feel that this is really a partisan issue. I think that if one clears away all the undergrowth and all the verbiage and just gets down to the essentials, it is quite clear what we have to vote on here. But in actual fact, Sir, it has been handled in a partisan way.

DR. J. COLLINS: I do not object to that, I think that this is fair game in this House.

But the bones of the matter, as I see it, is this, that in 1974 there was a Minute in Council in regard to the Trizec deal, we might call it. There was no doubt about it, this document was a Minute-in-Council. There was no signed agreement. That is the information I have and I have no information to the contrary. If in the absence of having it, I will have to take this as I have it; there were no signed agreements. I think that is important.

The next point is what the hon. member for the Straits of Belle Isle called Dobbin One and I will stick to his nomenclature because I think it clarifies the issues. The Dobbin One deal, there was a signed agreement in 1975 but this was rescinded, I am informed, in March 1975. So there was a signed agreement on the Dobbin One deal, that is the deal over the 100,000 square foot space from the period January '75 to March '75.

The third point is that what has been called the Dobbin Two deal. There was a Cabinet Directive in August 1975 indicating agreement in principle and it did not go beyond that.

Now, Mr. Speaker, the issue is whether the Premier lied in addressing the House. I am going to confine my observations to what the Premier has stated in the documents that were tabled—and this is the only charge, I presume. There were many other Hansard extracts tabled but they are quite peripheral to the issue. They relate to other ministers. They might relate to other matters and so on so I am ignoring those. I am just going to stick to the Hansard extracts which deal with the question the Premier was asked and the answer the Premier had given.

DR. J. COLLINS: The first one - and incidentally, hon. members have said that the Premier was asked questions over the past three years. If that is so the documentation does not support that. As far as I can see the first documentation here is dated May 13th., 1976 and this is May 11th. now, 1978. In actual fact it was a two year period; it was not three years, it is two years.

On May 13th., 1976 the hon. member for LaPoile (Mr. Neary) asked a question which states in part, and this is the essential part, "And is the government going to rent space in Atlantic place? And thirdly, what is happening to the Dobbin deal? Is that

Mr. J. COLLINS: still on or is it off? What is the situation regarding renting of office space for the government offices?

"Premier Moores: First of all, in answer to the first question, Mr. Speaker, there never was any agreement as such to my knowledge with Trizec. Secondly, regarding where the government is going to rent space is under consideration right now and when we have made up our minds we will gladly pass the information along."

I see no untruth in that. There was a Minute of Council, as I mentioned, with Trizec, but there was no signed agreement, and as the Premier states here, there never was any agreement as such to my knowledge with Trizec. This is not an untruth, it is a statement of fact. If the hon. the member for LaPoile (Mr. Neary) had continued his questioning he might have caught the Premier in an unfortunate or an embarrassing admission, but he did not continue his questioning along that line, he let that stand, and I am afraid that the Premier is not to be held accountable for inadequate questioning on the part of the Opposition.

The next item or extract from Hansard that the Premier should be accountable for is the one dated March, 1977 which states as follows, "Premier Moores: Mr. Speaker, there are absolutely no terms or no conditions nor any agreement" - this is very difficult to read and I think all members have the same difficulty - "nor any agreement to rent any space whatsoever from Atlantic Place at this time, nor any contemplated to my knowledge." Mr. Speaker, that was in March, 1977. The Trizec deal for which there was no signed agreement was long past by that time so this is a perfectly accurate statement that there was no space whatsoever contemplated at that time.

The next item of Hansard in which the Premier may be implicated is dated June, 1977, and the hon. the member for LaPoile asked the following question: "Could the hon. the Premier assure the House that no deals, that no commitments have been made to private developers to rent office space either on a short-term basis or a long-term basis until the government has the report in its hands" - that is the report that individuals from the federal government were making on behalf of the

MR. J. COLLINS: government - "and decides what the future is going to be as far as government new buildings or office space is concerned? Premier Moores: I certainly can, Mr. Speaker, as there have absolutely not been any commitments made to any developer with office space or without." Now, Mr. Speaker, that was in June, 1977. The last possibility of an agreement was the one for which the Cabinet directive was given in August, 1975, that is just about two years beforehand, and that was an agreement in principle on which no action had been taken for two years. So this clearly is not an untruth or a lie. That issue was clearly not gone ahead with, it was clearly a dead issue for two years and that cannot be taken to be an untruth.

The next item in the Hansard extracts is the one dated May, 1978, and the hon. the member for Trinity - Bay de Verde (Mr. F. Rowe) asked the following question: "Mr. Speaker, a question for the hon. the Premier. Sir, in view of the fact that I am sick and tired of driving constituent delegations all over the city to the various government departments that are scattered in the city, has the government any intention or plan to

DR. J. COLLINS: to build a new government building or an extension to the Confederation Building?

Premier Moores: 'First of all, Mr. Speaker, I am very sorry that the hon. member is sick and tired. Also, Sir, there is no immediate plans right now to build an extension to the building. No, there are no immediate plans. The only possible plan, as I mentioned a little while ago, was to the Cabinet directive dated August 1975. That can in no way be called an immediate plan. As a matter of fact, as I mentioned already, it was not a plan. It had not got beyond the stage of Cabinet directive, an agreement in principle. " So the Premier stating there is no immediate plan in no way can be taken to be a lie.

I next turn to later in the same day, May 8, 1978, in which the hon. member for LaPoile (Mr. Neary) says; "Is the Premier indicating there is no arrangement or is he indicating that there is an arrangement to put up a new building for office space? I am not quite clear. The Premier has me confused. Will the Premier just tell me yes or no. Is there an arrangement or an agreement to put up a new building? That is all."

The Premier: "Mr. Speaker, I have already answered same. Maybe if one of the pages can come I can spell it for the hon. member. It is just no, Sir, he can get a translation from his colleague" and so on. So the Premier was asked, Is he indicating there is an arrangement? There is. At this point in time there is an arrangement. Is there an arrangement or an agreement? Is there? At this point in time, is there?

As I have said a number of times, the only possible agreement, and that was not a completed one, was back in August 1975. So by stating in May 1978, there is no agreement, clearly that is not an

DR. J. COLLINS: untruth. So I think that if one looks at the essence of the thing, forgets all the verbiage, forgets all the partisan attitudes which, again, I do not decry because this is part of the deal in here, but if one looks at the bones of the thing there were proposals, there were thoughts and even intentions and so on and so forth, but none of these implicate the Premier in an untrue statement, a deliberate untrue statement that has been set out in these Hansards. So for that reason, Mr. Speaker, I have absolutely no hesitation whatever in voting against this motion which clearly implies that if one voted for it you were agreeing that the hon. the Premier had deliberately misled the House.

MR. RIDEOUT: Would the hon. member permit a question before he sits down?

DR. J. COLLINS: I feel that I do not want to get into a debating issue. There are other members to follow me and I feel that I just want to make a statement and leave it at that.

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I had not intended to speak in this debate, Sir. It is getting kind of late but I can see now that I am being forced into it because it is becoming increasingly obvious to the House that members are taking a partisan position, that members are going to vote along partisan lines, that they are not going to go along with the spirit of the motion that was moved by my hon. friend, the Leader of the Opposition.

First of all, Mr. Speaker, before I offer the House an alternative, I want to congratulate my friend, the Leader of the Opposition, for having the courage to bring forward this resolution.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: The hon. gentleman, Sir, has

MR. NEARY: provided a great service to the people of this Province. And the hon. gentleman has been slandered today in this Hon. House, he has been attacked personally, attempts have been made to smear the hon. gentleman and to attack his character

MR. NEARY: and, Mr. Speaker, the hon. gentleman, as hon. members can appreciate after watching the debate and the peculiar turn of events that the debate has taken and the issues, the non-issues that were dragged into this debate, that my hon. friend has acted as a gentleman, my hon. friend has shown that he is a true leader. And, Mr. Speaker, immaterial of how members on the opposite side of the House vote, truth will win out in the end and justice indeed will be done.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: Mr. Speaker, I will not deal with the speeches that were made by most hon. gentleman on the government benches, but I do want to say that I was extremely disappointed with the member for St. John's East (Mr. Marshall) for allowing himself to be stuck up front, to be used by the Premier and by the administration to try to get the Premier and the government off the hook. I will tell you what my hon. friend reminded me of Sir.

AN HON. MEMBER: A puppet!

MR. NEARY: No. The hon. gentleman reminded me of a farmer hauling on a pair of thigh rubbers to get into a pigsty after it was raining for about a week. He got in and slipped and slithered around and ended up flat on his face in the mess that was inside the pigsty.

MR. SIMMONS: And then decided to eat it.

MR. NEARY: No, the hon. gentleman did not eat it but he may eat it yet before it is all over. Well, Mr. Speaker, the hon. gentleman has turned out to be a great disappointment because if we thought that any one gentleman on that side of the House, Sir, would go for this matter of resolving the House into a Committee of the Whole, it would be the hon. member for St. John's East (Mr. Marshall) who resigned from the Cabinet on a similar secret agreement -

MR. W. ROWE: Not quite so bad as this one.

MR. NEARY: that was not so bad as this one. A secret agreement with the same gentleman, the same developer, that caused the hon. gentleman to resign from the Cabinet a few years back. So, Mr. Speaker, is there any honour left on the government side of the House at all?

MR. CROFT:

No.

MR. NEARY:

It would appear, Sir, at this stage that there is none.

MR. SPEAKER:

Order, please! I do believe that the hon. gentleman there is using unparliamentary terms. One cannot say indirectly or rhetorically what could not be said directly, and all hon. members on whichever side are assumed to be hon. members and have honour. So I would ask the hon. gentleman to withdraw that.

MR. NEARY:

Well, I withdraw it, Mr. Speaker. I merely asked the question, Your Honour, but if Your Honour says it is not in order of course I withdraw it. I am not going to deal any further with the hon. gentleman. It is hardly worth the effort, Sir. But I want to talk about the Premier's statement in this House tonight. I paid very strict attention to what the hon. the Premier said, Sir, and I can appreciate and I can understand his feeling. The hon. the Premier, as far as I could see, was making a plea for mercy, the hon. gentleman was trying to drum up a little sympathy for himself by attempting to tug at the heartstrings of the members of the House and at the members of the press that have been conned so often by that hon. gentleman and yesterday were conned again. When the documents were laid on the table of the House the press immediately said, "Oh, oh! That is it. It is all over. The Leader of the Opposition got caught and made a fool of himself." And I stood in my place in this House, Sir, and took a shot in the dark and I said that the documents that were put on the table of the House, even before I saw them. -

MR. F. ROWE:

An educated gamble.

MR. NEARY:

I just took an educated gamble, as my hon. friend said, **Before** I even saw the documents I said I am willing to lay my future on the line that none of these documents are signed.

MR. W. ROVE:

That is right.

MR. NEARY:

And sure enough, when I got a chance to go over and thumb through the documents none of them were signed. One had the signature of Mr. Craig Dobbin on it and the rest of them had **no signatures at all**. Certainly there were no signatures on any of these documents signed by ministers or witnessed by the hon. the Premier. So

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MR. NEARY: the hon. the Premier tonight in his plea
for mercy says to the hon. House, "Just think of how this effects your
family." Just imagine, Mr. Speaker, how this effects your family.

MR. NEARY: The hon. the Premier does not remember the gruelling experience he put me through -

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: - in 1972. The hon. the Premier was head of the Administration that did it and has been doing it ever since. And the hon. Premier must have a short memory. In this hon. House in the last two weeks he has called me anything but a gentleman - a spokesman for this one, and a spokesman for that one, innuendoes -

MR. W. N. ROWE: A smear artist.

MR. NEARY: - character assassination, smear tactics of the worst kind, of the lowest form. And the hon. gentleman gets up tonight and makes a plea for mercy!

AN HON. MEMBER: He talks about decorum.

MR. W. N. ROWE: Mercy.

MR. NEARY: Mr. Speaker, the only thing that I can say to the hon. gentleman, the hon. gentleman should have been around my household in the last couple of weeks.

MR. W. N. ROWE: Threatening phone calls.

MR. NEARY: The hon. gentleman does not have any kids going to school right now, but I happen to have four.

PREMIER MOORES: I have two.

MR. NEARY: Not here.

PREMIER MOORES: I have two.

MR. NEARY: Not here. Well, not here the hon. gentleman does not. Well maybe, but they are not going down to the same school now that they used to go to, when the Premier had a government car, chauffeur driven, bringing them back and forth every day. I had to drive mine.

PREMIER MOORES: He should be a chauffeur, is that what he is saying?

MR. NEARY: No, Mr. Speaker. I am just saying that was another misuse and abuse of the taxpayers money.

SOME HON. MEMBERS: Hear, hear!

AN HON. MEMBER: Right.

MR. NEARY: But I did not bring it up because I did not want to get personal with the hon. gentleman. But I have four kids going to school and the hon. gentleman should have been around my house for the last couple of weeks if he wanted to see abuse, and crackpot phone calls from some of the - I would assume - sympathizers of the Administration: Going to blow up the house! Going to burn her down! Going to run a truck into her, in through the house at 3:00 o'clock and 4:00 o'clock in the morning, and quoting some of the statements made by the hon. gentlemen in this House.

Now who is the spokesman for who in this House, Sir? I was really greatly disappointed tonight, really disappointed, Mr. Speaker, when a certain gentleman who is now sitting in the Speaker's gallery made his presence felt on the floor of this House.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: That gentleman would have had an opportunity to make his presence felt in this House if the government and the Premier had agreed to set up the committee. We would have gladly accepted evidence from the hon. gentleman under oath before the Bar of the House, when the gentleman would have had immunity, but no, Sir, the hon. gentleman felt that he had to get his buddy off the hook, so he sent in a couple of what I would call honey documents to the hon. the Premier. A little ammunition to throw across at the Opposition. I hope, Mr. Speaker, the press in this Province have learned their lesson with the hon. the Premier and the people that he associates with, and they will not be conned into making that a part of the defense of the hon. gentleman.

Mr. Speaker, that hon. gentleman outside the Bar of this House, and I told him so a few minutes ago that I thought he made a gross error in judgment by interfering with the proceedings of this hon. House. It was an error in judgment, Sir, making the hon. the Premier the spokesman. The hon. Premier can wink

Mr. Neary: all he wants. He will probably talk it over tomorrow at a game of golf and just slough it off again. It is a big joke as far as the hon. gentleman is concerned.

MR. W. N. ROWE: A joke!

MR. NEARY: The next time they go off to California golfing, oh they will just laugh it off. We will get Neary. Get something on him.

AN HON. MEMBER: Down on the Serpentine too.

MR. NEARY: Down on the Serpentine .

MR. SIMMONS: St. Pierre for lunch.

MR. NEARY: That is right, St. Pierre for lunch.

Mr. Speaker, this hon. gentleman I refer to outside the Bar of the House, Sir, the reason I say that I think he made a gross error in judgment, up to the time, Sir, that these documents were injected into the debate there was not one hon. member on this side of the House that said an unkind word about that hon. gentleman.

SOME HON. MEMBERS: Hear, hear!

MR. W. N. ROWE: Right.

MR. NEARY: Not one.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: The hon. gentleman felt so moved that he should come to the rescue of his buddy that he decided to give him a little ammunition to get the hear off, to disarm members on his side of the House, and in so doing, Sir, in my opinion, interfered with the proceedings and with the workings of this hon. House,

MR. NEARY: an attempt just to help to prop up the Premier, to shore up the administration in their time of adversity and in their time of difficulty. But it will not work, Mr. Speaker, it will not work. And if that gentleman were a stranger I might have forgiven him for it. I might have said, 'Well, he did it in his simplicity and in his ignorance and I forgive him for it.' But, Mr. Speaker, this particular gentleman and the Premier happen to be kissing cousins, buddy around together—nothing wrong with that, the Premier has a right to pick and choose his friends—but that particular gentleman, Sir, also is doing business with the government in other ways. And the hon. gentleman, Sir, in my opinion, was just putting words in the hon. the Premier's mouth. Now who is the spokesman for whom in this hon. House? The Premier cannot stand on his own two feet, cannot substantiate his own actions? He has to get assistance from outside the Bar, notes and scraps of paper and documents sent into the House to the hon. the Premier. Mr. Speaker, I have to admire my colleagues here tonight, Sir, for the way that they have handled themselves in this debate. There was no dirt, there were no smear tactics used. It was hard debating by a group of people who were trying to get at the truth, who were trying to do a job for the people of this Province, a job which they were elected to do, and if they did not do it, Sir, they would leave this House tonight in disgrace. If they did not do their job they would let the people of this Province down. And I admire them all, Sir, every one of them. We have not always agreed, members on either side of me. We were never as united, Sir, as we are at the present time.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: And that should be evident tonight when the member for the Straits of Belle Isle (Mr. Roberts) walked in and took his seat in this House and made one of the finest speeches that I ever heard an hon. gentleman make in this hon. House.

SOLE HON. MEMBERS: Hear, hear!

MR. NEARY: Even his strongest critics on the government benches would have to agree, and I heard some of them already pass remarks that it was one of the best speeches that they have ever heard in this

MR. NEARY: Hon. House. It was certainly one of the finest that I have ever heard in my sixteen or seventeen years in this Hon. House. And I could not help thinking when my hon. colleague behind me, the member for Burin - Placentia West (Mr. Canning), the only veteran in the House, got up and laid it on the line, and the reason I refer to the hon. gentleman as the only veteran in the House, Mr. Speaker, when the hon. member was speaking he reminded me of something that happened to me Sunday morning when I was down at the Holiday Inn having breakfast and I met a group of naval veterans at the Holiday Inn. They all had their ribbons on and they all had their medals polished up and they were all over there having breakfast. Most of them were from Grand Bank, by the way. And they were all there, some of them the years are beginning to have their toll, and they all walked up to me, every one of them, and they shook my hand and they said, 'You know, Mr. Neary, we have to admire and respect you for the job that you are doing in that House, trying to keep the government on its toes and trying to keep them honest, and trying to keep corruption out of the government.' And I said to some of these people, 'Well, you need eyes in the back of your head to keep that crowd half honest.' And they said, 'That is what we fought for, and do not ever give up that right! That is what we fought for!'

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: "Freedom from fear, freedom of speech, that is what we fought for!" And every one of them gave me a slap on the back when they were leaving, and their medals were clinking and I felt so proud! And I felt so proud tonight when I heard my hon. friend get up and lash into the administration and challenge the administration. And my hon. friend has fought for this, for truth and freedom. And hon. members may not be able to get up in this

MR. NEARY: hon. House today and tonight and make the speeches they made but for these gentlemen that I referred to, the veterans of the Second World War who fought for freedom, who fought for people's rights. And so, Mr. Speaker, the message that I am getting across to my hon. friends is this, these people, Mr. Speaker, these veterans that I speak about, and my late father happened to be a veteran, they fought to see that people's rights were protected, that the democratic system would prevail, that the British Parliamentary system under which we operate would remain intact and that people who sit in the legislatures and in the parliaments of this land would act in an hon. and decent fashion. And when situations arise, when members have to break ranks with the party, when members have to decide on issues according to the dictates of their own conscience and not be bullied around by the leader of the party, then they should do so. That is the message, Sir, that I have been trying to get across to these hon. gentlemen on the opposite side of the House.

And you know, Mr. Speaker, the hon. the Premier was talking tonight that, you know, his wife says to him some mornings, "Is it worth it? Is it all worth it? Why do you not give it up? Why do you not resign?" And then he mentioned, "Well, I could have a general election or I could resign." Either way, Sir, either way will satisfy us. Resign or have a general election it does not make any difference. It does not make any difference to us, Sir. It does not make one iota of difference, Sir. But the thing that we have to do, Mr. Speaker, in this House is that we have to show the people of this Province that we are going to do the hon. thing, that we are going to roll up the blinds, open up the windows and let in the light, and let a little fresh air in on the matter that has given rise to this motion.

MR. NEARY: Now, Mr. Speaker, as I said when I started, hon. members are going to vote, apparently it is becoming more obvious to this House, are going to vote along partisan and political lines. The battle lines are drawn.

The hon. member for St. John's East (Mr. Marshall), speaking for the government, who is deliberately set up to lead off the debate on the government side because the hon. administration and the hon. Premier, I would assume, thought that the hon. gentleman would be the best one to do it because he would get the press and he would be interviewed on television and radio and he had resigned previously so he would have the respect of the people of this Province. And the hon. gentleman let him down. The hon. gentleman had it in the palm of his hand and he blew it, he let the people down. So the battle lines are now drawn.

I was hoping, Mr. Speaker, that the hon. the Premier himself would have supported this motion. On one occasion previously, Mr. Speaker, I went to the hon. the Premier - I did not go, I was invited by the Minister of Transportation and Communications, invited to the Premier's private dining room for lunch. The hon. gentleman says, "That is right" and I know it is right. And we had a long serious talk, the Premier and I. The hon. Minister of Transportation and Communications did not say very much. I presume the hon. gentleman was there to witness the conversation between the Premier and myself. And I said in this House the other day and I repeat again what I said; I advised the Premier at that time in connection with

MR. NEARY: the Scrivener affair for his own protection and to clear his own good name, that the hon. the Premier should have had a public enquiry into the Scrivener affair. And the hon. gentleman told me he would, and the hon. gentleman reneged, went back on his word.

MR. W.N. ROWE: Why?

MR. NEARY: I do not know why. Maybe the truth is not in the hon. gentleman, I do not know.

That was the first indication that I had, Sir, the first indication that I had that I was taken up a country lane, that I was misled, and then I watched the hon. gentleman ever since, paid very close attention to the hon. gentleman's movements and every word that he uttered. And ever since, Mr. Speaker, and I coined my own phrase in this House last year to describe the hon. gentleman, people believe the hon. gentleman when they know they should not be believing him. The hon. gentleman has a knack for doing that. We could go back, Mr. Speaker, over the last few years, just turn back the clock and take a look at some of the promises that were made by the hon. gentleman that were broken. I wrote down a list of them somewhere here today. I cannot find it now, but I will think of it as I go on.

The Grand Falls Hospital: Not only did the hon. gentleman go out to Grand Falls and tell the Concerned Citizen's Committee that they were going to get their hospital in this fiscal year, but the hon. gentleman came back and confirmed it in writing, another case of misleading the people of this Province.

And what about the tunnel across the Straits of Belle Isle, when a blast was set off on either side of the Straits of Belle Isle in the 1975 election?

PREMIER MOORES: A point of order.

MR. SPEAKER: A point of order.

PREMIER MOORES: I am having a difficult time here, Sir, listening to this tonight and I am just wondering, Sir, if the rule of relevancy applies in this particular case or not?

MR. W.N. ROWE: On the point of order, Sir, we are talking about misleading members of the House, misleading the public, and what the hon. member is saying surely bears on the subject of misleading.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: To rule, certainly the rule of relevancy is applicable. There has, I think, on both sides by some hon. members, not by all, been some wandering. I would point out that hon. gentlemen's remarks do have to be related to the resolution before the House.

MR. NEARY: Thank you, Mr. Speaker. So I am just pointing out to the House a number of examples of where the people of this Province have been misled. I am not just going back to ordinary political promises like the promises that were made in the by-election down in Burgeo - Bay d'Espoir - out in Hermitage rather - or out in Twillingate, we are talking about another matter, Sir, that involved \$75 million or \$80 million of taxpayer's money down the drain. And my little research that I have been able to do on that project indicates that there was tremendous extravagance and waste involved in the contracts for the construction of a tunnel underneath the Straits of Belle Isle and the development of the Lower Churchill.

And remember the Saunders' affair, Mr. Speaker? A complete denial of that on the part of the Premier. That matter is not laid to rest yet, Sir. The hon. the Premier may think that that has just evaporated and disappeared, but that matter is not laid to rest yet either, Sir.

MR. W.N. ROWE: That will come back.

MR. NEARY: That will come back to haunt

MR. NEARY:

the hon. gentleman.

And then all the police

reports: The Department of Fisheries' scandal; the scandal
in the Department of Public Works and all the police reports
that have been carried on in the last few years; denials
that there are any reports in the hands of the government,

Mr. Neary: denials that they are sitting on these reports. And the latest one, of course, is the denial by the government that there was any agreement to put up a new building, a new office building to provide office space for the government.

Now, Mr. Speaker, what did Mr. Dobbin say in his letter that he sent into the Premier tonight to try to give him a little ammunition to throw across this House? He says for the record "please be advised (a) there was no money raised by me as a result of the agreement." An admission that there was an agreement. That is an admission there was an agreement. My hon. friend, the member for the Strait of Belle Isle (Mr. Roberts), already pointed out that there were three proposals, three agreements, three arrangements, call them what you like, and here it is confirmed in a letter from Mr. Dobbin who says that "there was no money raised by me as a result of the agreement." Did the hon. gentleman realize what he was saying? The hon. gentleman nods, yes, he knew what he was saying. There was an agreement. Well, the hon. gentleman nods his approval.

MR. LUNDRIGAN: On a point of order, Your Honour.

MR. SPEAKER: A point of order.

MR. LUNDRIGAN: Your Honour, this is totally, absolutely out of order. The hon. member is abusing the rules right to the core. He is discussing and debating and making reference to members in the gallery. There are no members in any gallery. There are never any members in any gallery in the Legislature, Your Honour.

MR. W. N. ROWE: Do not be so foolish.

MR. LUNDRIGAN: And he is carrying on what he claims is a discussion with members in the gallery, -

AN HON. MEMBER: Strangers in the night.

MR. LUNDRIGAN: - and that is totally out of order, Your Honour.

MR. SPEAKER: The hon. Leader of the Opposition.

MR. W. N. ROWE: On that point of order, Sir. I have been in this House for a number of years and I have seen hon. members sometimes

Mr. W. N. Rowe: communicate with members in the gallery. The former Premier, who knew more about rules, Sir, the first day he was in the House than that hon. member will know after he is here fifty years, the former Premier of this Province when I was here in this House often, Sir, got a nod of assent or something from someone in the gallery, recognized as such, confirm for the record by the Premier's own voice. I did it myself on a couple of occasions. It is the first time I have ever heard a specious and spurious argument raised that in some way or other there are no human beings in the gallery and that an hon. member does not have the right to indicate or to communicate with a member outside of the Bar of the House or in the gallery. It is totally ridiculous, Sir.

MR. LUNDRIGAN: No people in the House -

MR. W. N. ROWE: Do not be so foolish!

MR. LUNDRIGAN: - are allowed to (inaudible).

MR. W. N. ROWE: Sit down, I say, Mr. Speaker, listen to them. The likes of it!

MR. SPEAKER: Order, please!

MR. W. N. ROWE: Back up precedings lies.

MR. SPEAKER: Order, please!

I believe here it is necessary perhaps to distinguish, all hon. members are aware that there are times when there are officials in the House, frequently during supply or during other proceedings, who frequently sit by leave of the House in a seat for members and communicate with the minister in writing, verbally, by nodding, in that way, and that is done, I think, by leave.

For an hon. member to say something about somebody, a stranger, somebody who is in the gallery, that is in order. Where I think it would be out of order would be any kind of communication whereby a person not a member would indirectly be participating in debate by acknowledging or not acknowledging a question put by a member, because in a certain sense then that person would be participating in the debate of the House. So that I would consider would be improper:

Mr. Speaker: in other words, to convey the opinions of someone who is not a member but present in the gallery, to convey their opinions, whether it is to affirm or to deny something to members, is out of order.

MR. NEARY: How do I get out of it, Your Honour, out of this situation. Do I have to bring the hon. gentleman in and put him on the Table of the House now that I have referred to him? I would be very happy to do it, Sir, if I could. We have been trying to get the gentleman before the Bar of the House.

MR. NEARY: But in this letter that was tabled by the Premier, Mr. Speaker, he says in paragraph (c): "Unfortunately, at no time did I feel that I had a contractual document from government forbidding me to start construction on the building. The purpose of the agreement" - listen to this, Mr. Speaker. The hon. gentleman admits in this again there was an agreement. "The purpose of the agreement was the first step in permitting me to go forward with plans and specifications for approval by your Public Works officials along with your Cabinet colleagues." And then the hon. gentleman said, "I have understood for some time that certain members of the Cabinet were not in agreement with this proposal and for this specific reason I stopped expending funds on the venture."

MR. W. N. ROWE: After a Cabinet directive.

MR. NEARY: The hon. gentleman has a Cabinet directive, has an agreement witnessed by the Premier, signed by the Minister of Public Works, and the hon. gentleman says he heard, he had understood. Who did he understand it from? He sees the Premier every day of his life and he understood. Do they not talk about these things when they meet or do they just talk about golf and helicopters and trips?

Mr. Speaker, there was a stranger in the gallery who just beckoned to me, Sir, to come outside and I ask Your Honour to take note of that. I may need protection before the night is over.

MR. SPEAKER: The hon. gentleman has asked me to take note of it. I did not see it, but I will take note of it. I am not sure what else one can do.

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: Mr. Speaker, that is not a bit funny.

MR. SPEAKER: I am not laughing at it.

Order, please!

MR. NEARY: Was it a challenge? Did the hon. gentleman challenge me outside the Bar of the House? Is that what the hon. gentleman did?

MR. LUNDRIGAN: A point of order, Your Honour.

MR. SPEAKER: A point of order.

MR. DOBBIN: Your Honour has already warned the hon. gentleman about trying to carry on some kind of a debate or an interaction with somebody who is not in the hon. House. And he is doing the same thing again, Your Honour, he is trying to provoke a situation, capture the attention of the press and the gallery today to draw attention to the situation, and I ask Your Honour to bring the hon. member to order.

MR. SPEAKER: Order, please! Order, please!

Obviously, nobody who is not a member of the House or is not brought in as a witness before the House or called before the Bar of the House or by leave of the House or is in to sit with a minister to advise him on certain matters can participate, nor I would say, as a corollary to that, invited to participate, because persons would be likely to do what they are not allowed to do.

MR. NEARY: I would suggest that -

MR. HICKEY: Ring Judge Roberts.

MR. NEARY: - if Mr. Dobbin, Sir, wants to give evidence in this House or wants to talk to members of this House, all the Premier and the government have to do if they want the truth to come out is to agree to setting up this Committee, resolving the House into a Committee of the Whole, and the hon. gentleman will be able to stand in front of the Bar of this House and speak his piece.

MR. W. N. ROWE: And you will not be intimidated.

MR. NEARY: And I will not be intimidated by any hon. gentleman, and neither am I afraid of any hon. gentleman, but leave my family alone.

MR. W. N. ROWE: Right.

MR. NEARY: That is all I say to him.

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: The hon. gentleman heard what I said about ten minutes ago. And the hon. the Premier - the lowest form of life - worried about his family and what his family has to go through.

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

MR. SPEAKER: A point of order.

MR. SIMONS:

A point of privilege, Mr. Speaker.

MR. SPEAKER:

A point of privilege.

MR. SIMONS:

Mr. Speaker, I was listening with interest to my colleague's comments and I thought he was going to come back to the very serious matter which transpired just now, a matter which some members of the House treated rather lightly. I happen to believe, Mr. Speaker, that if a person not a member of this House has made any gesture, any indication, any way of intimidating a member in this House, I think that is a very grievous development and I think we have treated it far too lightly. I feel threatened, Mr. Speaker, as a member of this House. I understood that we have full protection here and that we are allowed to say what we like within the parliamentary framework and if it is not within that framework then it is up to Mr. Speaker and/or the House to bring it to our attention and to discipline us accordingly. As I understood it, my colleague at that moment when he was

MR. SIMMONS: speaking was well within the rules - at any rate the record will show that he was not instructed to withdraw - he had obviously said things which were parliamentary. He was exercising his parliamentary function as a member of this House and by his own account and by the witness of several people on this side of the House he was clearly intimidated by a person who is not a member of this House.

Now, Mr. Speaker, I believe that requires some interjection from the Chair, or requires some action on the part of the Sergeant-at-Arms. At the very least, Mr. Speaker, I submit my matter of privilege that I have raised is this, that I submit that kind of thing cannot be condoned because it could set a very dangerous precedent where you would have people in the gallery who are not members of this House, who by gesture could convey all kinds of intimidation to members of this House and may well, Mr. Speaker, in the process, may well have the effect of interfering with what the member would otherwise say or wish to say in this Chamber. And, Mr. Speaker, I may say that if a prima facie case is established, which I feel it is, I am prepared to move the appropriate motion.

MR. MORGAN: A point of privilege, Mr. Speaker.

MR. SPEAKER: The hon. Minister of Tourism.

MR. MORGAN: Mr. Speaker, the last few minutes was a situation whereby an hon. member speaking in this Assembly attempted to communicate with a member of the public, known in our terms as a stranger to the House, sitting in the gallery, attempted to not only communicate but very obviously provoke by means of the personal attack and slander of the same gentleman in the gallery, by the hon. member speaking. If any motion, whether an eye expression, a facial expression or hand expression was made in any way or form by the persons or person sitting in the gallery, it does not indicate that there was any form of intimidation. But, Mr. Speaker, I think

MR. MORGAN: it is completely out of order, and on this point of privilege for a member of the House of Assembly to stand and slander and personally attack and provoke a stranger of the House sitting in the gallery.

MR. SIMMONS: To that point of privilege.

AN HON. MEMBER: Whose privilege is it?

MR. MORGAN: Mr. Speaker, if I could have silence in speaking on the point of privilege.

MR. SPEAKER: I would ask the hon. gentleman to bring his remarks to a conclusion.

MR. MORGAN: Mr. Speaker, because the hon. gentleman speaking in a few sentences prior to the indication given that he was being intimidated did communicate and was brought to order for doing so, that the communication was at the initiative of the person who was speaking in the House of Assembly. And therefore, Mr. Speaker, there is no point of privilege.

MR. SPEAKER: Order, please! Actually it was the hon. gentleman for LaPoile (Mr. Neary) who a few minutes previous to the point of privilege raised by the hon. member for Burgeo Bay d'Espoir (Mr. Simmons), the hon. member for LaPoile said to the effect that somebody in the gallery had invited him out and asked the Chair to take note of it and that was that. There was no allegation by the hon. member for LaPoile that he had been intimidated, threatened, or anything, so on what the hon. gentleman who was invited out has stated to me I am not aware that anybody has acted improperly. The hon. gentleman did not make any allegation of intimidation or anything. He merely said that he had been invited out and asked the Chair to take note. But that is what he said so as long as it is at that the hon. gentleman has not made any allegation of intimidation or an infringement upon his performance of his duties, etc.

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

MR. SPEAKER: A point of order.

MR. PECKFORD: Mr. Speaker, a point of order. Before the point of privilege came up I was rising on a point of order. In the remarks by the hon. member for LaPoile (Mr. Neary) before the point of privilege came up, as I was trying to get up on a point of order, he had indicated, referring to the hon. the Premier, the words "lowest form of life" in reference to the Premier. This is abusive, insulting language, Mr. Speaker, that the hon. member for LaPoile was using in referring to another hon. member of this House and I ask that he be ordered to withdraw.

MR. SPEAKER: The allegation as stated by the hon. Minister of Mines and Energy certainly would be unparliamentary and extremely offensive language and I would ask the hon. gentleman to withdraw it.

MR. NEARY: Mr. Speaker, I withdraw, Sir. The hon. the Premier is not the lowest form of life.

Now, Mr. Speaker, as I -

MR. SPEAKER: Order, please! I recall an incident of a few weeks ago where the same situation came up and I said that the Chair judges withdrawals in the context. I realize semantics and that can come into it but I do believe that the appropriate thing is to withdraw the remark without repeating it. Just withdraw the remark.

MR. NEARY: If Your Honour does not want me to repeat it, I withdraw it.

Now, Mr. Speaker, I started to say a few moments ago that it is becoming more obvious to the House that this matter is going to be voted on along partisan political lines and that indeed, Sir, would be a shame and the only people who will suffer will be the people of this Province so I am going to offer the House an alternative, Sir. I would like to move an amendment to the motion that was moved by my hon. friend, the Leader of the Opposition.

MR. W. ROWE: And seconded by me if that is possible.

MR. NEARY: And seconded by the Leader of the Opposition if the hon. -

AN HON. MEMBER: No.

MR. NEARY: And seconded by my hon. friend the member for Buchans (Mr. Flight). The amendment is this, Mr. Speaker, to move that all the words after that be substituted with "a public enquiry be established under the Public Enquiries Act to investigate all circumstances surrounding arrangements made between the government and other parties to build an office building or to provide office space for the government between January 18, 1972 to the present time"

MR. W. ROWE: See now what they will do to that.

MR. LUNDRIGAN: First of all, the hon. gentleman I believe seconded -

Mr. SPEAKER: A point of order?

MR. LUNDRIGAN: Yes, Your Honour. The hon. gentleman seconded the motion which was moved by the Leader of the Opposition. Now I am not completely clear on the rules but I am wondering if, first of all, it is in order for a seconder of a motion to amend a motion and, secondly, Your Honour, if I might just speak to the amendment, in my opinion, Your Honour, the amendment completely eliminates the motion.

MR. W. ROWE: There are two points of order you have there.

MR. SIMMONS: One at a time now.

MR. LUNDRIGAN: Okay, the first point.

Mr. SPEAKER: The first point of order: I am not aware of any authority that would preclude hon. gentleman who seconded the motion from amending it. The person who proposed it could not amend his own motion, but to my knowledge an hon. member by seconding is not precluded from moving an amendment.

MR. LUNDRIGAN: Thank you, Your Honour. But on the other point of order, Your Honour, which is the more important point of order because the important point is that the hon. the member for LaPoile (Mr. Neary) really in essence is saying that the Leader of the Opposition is asking to withdraw the motion because in essence what he is asking us is to withdraw the motion. We have been getting the sentiments of that the whole evening, Your Honour, and I am alleging and stating clearly that the intention of the amendment is to eliminate, dilute, it is totally dilatorious, it is totally to negate the entire motion. Your Honour, and consequently as far as I am concerned the amendment is a total elimination of the motion and consequently totally out of order.

AN HON. MEMBER: Hear, hear!

MR. SIMMONS: Mr. Speaker.

Mr. SPEAKER: Hon. member for Burgeo-Bay d'Espoir.

MR. SIMMONS: Mr. Speaker, the amendment proposed by my colleague from LaPoile (Mr. Neary) had the effect of removing all the words after that and substituting some other words. The amendment in effect gives the House two alternatives, Mr. Speaker,

MR. LUNDRIGAN: One is a charge and the other is an apology.

MR. SIMMONS: Mr. Speaker, this is the crowd that preached all the business about silence all night since eight o'clock.

MR. LUNDRIGAN: I am just putting the member straight on it.

MR. WHITE: Name him. Name him.

MR. SIMMONS: I have learned, Mr. Speaker, not to be governed by that member's prospectus. Mr. Speaker,

Mr. Simmons: I submit the amendment among other things gives two alternatives to the House; the House can vote down the amendment, for example, and still have the other alternative. And Beauchesne provides, I do not have the exact reference, but Beauchesne provides for that kind of an amendment. The rationale behind it will come out during the debate and we will all have a go at it again, but basically the rationale is that the House has indicated from the number of speakers we have had so far, that it is not too happy, the majority is not too happy with the unamended motion and so we are giving another alternative to the House on which to vote, and I submit for those reasons the amendment is very much in order.

SOME HON. MEMBERS: Hear, hear!

MR. W. MARSHALL: Mr. Speaker -

MR. SPEAKER: Does the hon. member have leave?

SOME HON. MEMBERS: Yes.

MR. MARSHALL: Mr. Speaker, I just invite Your Honour to this point. I do not really know whether a point of privilege such as this is amendable. I do look at Beauchesne, and I refer you to Beauchesne, Page 161, Paragraph 46 where it says, "A motion to refer a bill, resolution or any question to the Committee of the Whole, or of any standing or special committee shall preclude all amendment of the main question."

SOME HON. MEMBER: Hear, hear!

MR. MARSHALL: Now that would appear to cover this situation. I just wonder, Your Honour, whether in a case particularly where you have a matter of privilege where it is well known that all proceedings of the House are then suspended until the matter of privilege has been taken up and dealt with and that specific matter of privilege itself, whether it suspends all machinery in the House at the time until that issue is decided. I would think that it would be a very good argument per se in that there should be no amendment to privilege. And this particular privilege motion is also couched in the terms that the question be referred to a Committee

Mr. Marshall: of the Whole and the authority I gave in Beauchesne seem to preclude it.

MR. SPEAKER: The hon. Leader of the Opposition and then the hon. Government House Leader.

MR. W. N. ROWE: Mr. Speaker, there is nothing to this point of order. Sir, a motion has been made by myself and placed before the House. Any motion is amendable, if the House sees fit to do so, and a motion can be made to amend the motion. The motion that my hon. friend has now made could have been made at the beginning by myself on the prima facie breach of privilege ruling given by Your Honour. I could have made that motion then.

The point, Sir, it is a motion, it is an amendment offered by way of motion which merely changes or alters the main motion. It does not negative or negate the main motion as suggested by one of the hon. member's opposite, because then, of course, it would not be in order because you could achieve the same thing by voting no. What it does, Sir, changes it in a material particular. And it allows the House on this grave question of privilege to seek another avenue of recourse, particularly in light of the fact that, as my hon. friend next to me has said, there is a feeling that this motion will not carry if the government votes in mass against it, which they have indicated they are going to. Surely they are interested in arriving at the truth in this matter. So, therefore, Sir, we offer by way of an amendment another alternative, a public enquiry, which merely amends the main motion. It changes it in a material particular. It does not negative it. It changes it. It gives another direction to go in which surely, Sir, should be accepted by every reasonable hon. member of this House.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Government House Leader.

MR. PECKFORD: Mr. Speaker, to that point of order, the section in Beauchesne quoted by the hon. member for St. John's East (Mr. Marshall) is relevant I think here, which is put another way in

Mr. Peckford: Standing Order (35), page 22, Standing Orders of the House, which says essentially the same thing. Beauchesne, page 171, 203 (1) "It is an imperative rule that every amendment must be relevant to the question on which the amendment is proposed." And the kernel of it is here that the motion that is being proposed is that this hon. House resolve itself into a Committee of the Whole and that is a very major part of the motion itself. And what you are really doing is changing the whole motion, and hence Beauchesne 203 (1) applies and therefore the amendment is out of order.

MR. W. N. ROWE: The whole thing is changed when you have an amendment.

MR. SPEAKER: I realize the hour is late, or early, depending on one's prospective, but I will have to leave the Chair, hopefully for no longer than five minutes. It is an important matter and I want to know I am right when I rule.

RECESS

MR. SPEAKER: Order, please!

I have no precedent for an amendment to this kind of motion on which to go. The most relevant, in my opinion, authority is Standing Order 35. I realize that it is capable of at least two interpretations, perhaps numerous, at least two. And all I can do is, having given it quite some consideration, to tell hon. members what my interpretation of it is and its application to the present motion and the possibility of amendment thereto.

Now Standing Order 35 reads: "A motion to refer a Bill, resolution or any question to the Committee of the Whole or any standing or special committee shall preclude all amendment of the main question." To take out everything superfluous or to boil that down to its absolutely essentials: a motion to refer any question to the Committee of the Whole precludes amendment.

The motion before the Chair is obviously a motion, and its passage would, or it purports to refer a question outlined here to a Committee of the Whole. And in my interpretation and application of that Standing Order to the present motion would mean that it precludes amendment. It came as a surprise to me, but that is my interpretation of a standing orders application here, and in my judgment the motion is not amendable.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Did I understand, Your Honour, you cannot extend the motion?

MR. SPEAKER: No. No. That precludes any amendment of this form, or to add or any alteration.

MR. N. ROWE: There is something wrong with that.

MR. SPEAKER: It precludes all amendment of the main question.

MR. NEARY: How much time do I have left?

MR. SPEAKER: Would the Table please inform the hon. member how much time he has left?

I understand your time has expired.

MR. NEARY: We did not stop the clock?

MR. SPEAKER: The hon. gentleman's time has expired.

MR. NEARY: We did not stop the clock when Your Honour was -

MR. SPEAKER: When the House was in adjournment certainly I assume the clock stopped.

AN HON. MEMBER: Sit down!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for Grand Falls.

SOME HON. MEMBERS: Hear, hear!

MR. LUNDRIGAN: Mr. Speaker, it was fully my intention to watch the rest of the debate and not take part in the debate because I think most of the relevant points that could have been made were made until the last forty-five minutes or so. And I think in the last forty-five minutes I have been inspired to get involved in the debate and in some ways I regret that the amendment was not in order, because I am sure there are members on this side of the House who would like to maybe have another say, having seen the events of the last hour in particular Your Honour.

Your Honour, the member for LaPoile (Mr. Neary) indicated that there has been a great momentum and a great lift in the spirits of the members of the Opposition today. He has indicated that nothing has united the members of the Opposition as much as this particular motion. That was his comment. And he had a great round of applause across the way.

AN HON. MEMBER: That is right.

MR. LUNDRIGAN: I would have liked to have seen a situation today where we could have had a gallery large enough to hold the people of this Province.

SOME HON. MEMBERS: Hear, hear!

MR. LUNDRIGAN: That is what I would have liked to have had. I would have liked to have seen a situation where the entire Province could sit and make a judgment on the proceedings which have taken place since the allegation and charge was laid by the Leader of the Opposition.

SOME HON. MEMBERS: Hear, hear!

MR. LUNDRIGAN: And to see what kind of a unified attitude you would get on the part of the public of Newfoundland and Labrador. That is one of the regrettable things in a Legislature which is rather isolated and insulated from the public. Because if I came in the Legislature today or in the last number of hours since this charge was laid, and I had no political affiliation, no interest in politics, no motivation, no identification with a political party of any sort

MR. LUNDRIGAN: I feel today, right now, that I would be a fairly adamant supporter of the group on this side and a very concerned person for the quality of the Opposition and therefore for the quality of government in our Province. The last time I took part in a debate like this was in 1971, I believe; it might have been 1970. I was taking part in the debate, it was late in the night, three or four o'clock in the morning, and I was on my feet in the Legislature in the House of Commons and the record will show this, it is a little bit of history for me to have been associated with one of the most moving events in Canadian history, when Donny McInnes from East Richmond in Nova Scotia brought in a note and he gave me the note, Cape Breton, East Richmond. He brought in the note and I opened the note and he gave me the note and when I read the note the note said that the body of Mr. LaPorte had just been found. And we were debating the FLQ crisis. And I felt a little bit sheepish to stand in my place in the House of Commons and take part in that debate because of the fact that I was looking at Stanley Knowles and John Diefendbaker and great parliamentarians talking about rights and privileges. I did not read what was on the note. I indicated to His Honour that I understood there had been a major break in the events and His Honour announced it, or another member from the other side got up and announced it on behalf of the government. That was the famous FLQ crisis. And the reason that was a moving experience is that we were talking about the rights of Canadian people, the threat, the degradation of the rights of Canadian people.

The member for LaPoile (Mr. Neary) here tonight got up and talked about his concern about the rights. Somebody said to him, keep up the work in fighting for the rights that we fought to protect, that we fought to achieve. If we keep going the way we are going in the Legislature, if the Opposition keep up what

MR. LUNDRIGAN: has been going on since this House started this year, Mr. Speaker, I have got a funny feeling that we will be back to an administration and not a parliamentary system of government. That is talking about the rights.

I saw here in the House tonight with an individual where there is no charge laid, there is no crime alleged, there is no indication of any wrong doing on the part of a Newfoundlander, a person who is on his own soil, in his own Legislature, the member for LaPoile (Mr. Neary) stood in his place, took him apart, vilified him, accused him, all kinds of accusations, judgement, not somebody that we have to try to bring back who has been bootad out of Newfoundland.

MR. SPEAKER (DR. COLLINS): Order, please! A point of order.

MR. NEARY: Mr. Speaker, these statements that were just made by the hon. gentleman are completely untrue. There was nobody slançered or vilified, Your Honour, and I would ask Your Honour to ask the member to withdraw these remarks. There was no personal attack made on anybody. The statements made are completely untrue and the hon. gentleman, Sir, according to the rules of this House, is not permitted to make - if he is going to quote me will quote me correctly. But the remarks, Sir, are untrue.

MR. LUNDRIGAN: Mr. Speaker, I have no intention of involving myself in the points of order that are raised on the other side. I will Your Honour to judge any that come up and I will also ask the Opposition not to be worried about what I am going to say. I would like to have my say and I would like for them to sit in silence and let me have my say, rather than try to stimpie me from getting involved in the debate.

MR. SPEAKER (DR. COLLINS): Order, please!

MR. NEARY: I can have my say too you know. You do not own the House.

MR. SPEAKER (DR. COLLINS): Order, please! In regard to the point of order, if I understand it that the remarks of the hon. member to my left referred to the remark which stated that the hon. Premier was a low life, or whatever the term was, I have just forgotten the exact term now.

AN HON. MEMBER: Lowest form of life.

MR. SPEAKER (DR. COLLINS): If that is the remark at issue, that remark was withdrawn and is no longer a part of the debate and therefore cannot be considered to have been made. If I am correct in that I would ask the hon. member if he would recognize that point.

MR. LUNDRIAN:

Thank you, Your Honour. It is 4:45

P.M.

Mr. Speaker, quite seriously, I am going to get to the point about the actual motion. I believe the Leader of the Opposition in a matter of a few months as leader of his party has committed one of the most tragic political blunders - and it is a political blunder - that I have seen in the bit of time I have been associated with politics. Tonight what we have seen is a motion that was moved with a charge specifically laid against a member of the House. We have seen all the members get up and skate around it. Quite a number of members, if you watched carefully, almost apologized for the motion, stickhandled around the motion, never got to the core of the motion. It was obvious to me for a long time. I have been making notes for the past twelve and one-half hours on the debate. It was obvious to me that the Leader of the Opposition recognized he had made a mistake because he started out looking like he was going to score a big victory and now it looks like he is going to get himself in a hell of a mess and he is apologizing. And the member for LaPoile (Mr. Neary) is clever enough to recognize that he has got himself in a mess. Because when members today stood up and specified - three members in particular that had really laid the charge - I watched the member for LaPoile; he is one of the cleverest debaters and one of the cleverest manipulators of the rules. That is what you call a good parliamentarian, Your Honour.

MR. SPEAKER:

A point of order.

MR. NEARY:

Your Honour should just interrupt and ask the gentleman to withdraw that. I should not have to stand on a point of order -

MR. LUNDRIAN:

If you would let me finish my sentence then you will understand that there was no point of order.

MR. SPEAKER:

Order, please! If the hon. the member for LaPoile would just specify the point of order a little bit more clearly.

MR. NEARY:

The gentleman, Sir, accused me of manipulating the rules and Your Honour knows that is unparliamentary, and I ask Your Honour to direct the member for Grand Falls (Mr. Lundrian) to withdraw.

MR. NEARY: Sir, and apologize to the House.

MR. SPEAKER: (Dr. Collins) Order, please! The hon. member asks the Chair to step in. I felt that the hon. member was not using the word in a derogatory way, but if the hon. member was using it in a derogatory way I would ask him to withdraw it.

MR. LUNDRIGAN: I was being complimentary about the way the hon. member can handle the rules. Two different hon. members can stand in the House, one hon. member gets himself in trouble because he does not know how to handle the rules. The hon. the member for LaPoile (Mr. Neary) handled the rules quite well. He never used the phrase 'deliberately misled'.

AN HON. MEMBER: Right.

MR. LUNDRIGAN: He is going to come out of it smelling like roses in one way. He is definitely going to come out of it smelling like roses. I would say the Leader of the Opposition was the one who was hoping the most that the amendment proposed by the hon. the member for LaPoile would have been in order.

AN HON. MEMBER: Weaseling his way out.

MR. LUNDRIGAN: Very easily. That was his hope, because he has got himself in a mess. He has done something that is going to go down in parliamentary history in our country. I 'phoned today and I talked to people with whom I have had a lot of association in federal politics and I asked them to do some research on this particular type of motion. They could not find evidence of where a member - not had stood up and made the charge 'deliberately misled', I have said that a dozen times in the House of Commons and I have said it here I guess, and it has been said dozens of times - but a member who stood up and premeditatedly, calculatedly, deliberately stood in his place, cool as a cucumber, everything arranged and was willing to lay everything on the line with it - not the member for LaPoile, the member was clever enough not to get himself hooked into it.

AN HON. MEMBER: Hear, hear!

MR. LUNDRIGAN: Because what he has done in essence

MR. LUNDRIGAN: Is he has set the Leader of the Opposition up where he is going to look about two feet tall - that is essentially what the outcome of it is, Mr. Speaker.

MR. SPEAKER: (Dr. Collins) Order, please!

MR. LUNDRIGAN: And the member for LaPoile (Mr. Neary) is going to look about ten feet tall!

MR. SPEAKER: Order, please! Order, please!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please! A point of order.

MR. NEARY: Your Honour must be aware it is unparliamentary to say that I set anybody up, the Leader of the Opposition or anybody else. You cannot impute motives, Mr. Speaker, to members of this House, and the hon. gentleman should be directed for the third time to withdraw an unparliamentary remark. And the next time the hon. gentleman makes any unparliamentary remarks he should be named by Your Honour.

MR. LUNDRIGAN: I would hope he would let Your Honour make the ruling without any comment because it is using up my time. And I hope the member does not waste my time because he should allow me to speak.

MR. NEARY: You cannot be unparliamentary, you have to follow the rules of the House.

MR. DINN: He is shot down twice.

MR. SPEAKER: Order, please! I think the imputation here is that the hon. the member for LaPoile did something that he did not avow, that he did something in not a clear way. I think that should be withdrawn, that his motives for

Mr. Speaker (Dr. Collins): doing what he did should not be questioned.

SOME HON. MEMBERS: Hear, hear!

MR. LUNDRIGAN: I will, Mr. Speaker. Thank you, Your Honour.

MR. SPEAKER (DR. COLLINS): The hon. member for Grand Falls.

SOME HON. MEMBERS: Oh, oh!

MR. LUNDRIGAN: Mr. Speaker, this is a very sensitive point, very sensitive point. The Leader of the Opposition knows what I am talking about. The member for LaPoile (Mr. Neary) knows what I am talking about. He is standing back there now and he is hoping I am going to say it again Your Honour, but I am not going to say it again.

SOME HON. MEMBERS: Hear, hear!

MR. LUNDRIGAN: No, I am not going to say it again, but he would like for me to say it again. He would like for me to be on television and radio and say it again because I would say when this is all over, and the next few hours or days whatever the case might be, that the Leader of the Opposition is going to stand two feet tall. He will live to regret it, like the minister said earlier on this afternoon, earlier on today, he will live to regret it. It is a bad political move, aside from the impact it is having on the people and the impact it is having on Newfoundland across this country

AN HON. MEMBER: Very true.

MR. LUNDRIGAN: -by people who do not understand parliamentary procedure and do not understand things of this nature, almost as though we were a court being exposed to the public.

Mr. Speaker, first of all let us look at a couple of comments made by members here today. The member for Lewisporte (Mr. White) said, "We cannot decide whether the Premier deliberately misled the House. We cannot decide, that is why it needs to be referred to a Committee. We cannot decide." I thought, and I was waiting, and I said to the Premier today, I said, "Premier," this was earlier on today, while we were setting up the member for

Mr. Lundrigan: St. John's East (Mr. Marshall) to be our spokesman. What an insult that was! Can you imagine us in caucus trying to get the member for St. John's East, coaxing him, and saying, You are going to be our spokesman now because you got the credibility? That is what the Leader of the Opposition said tonight, "He is not deceitful, Mr. Speaker, I could not say that. He never deliberately misled the people of the Province. That is unparliamentary, I could not make that comment!" But that is what he said on television tonight, that we set this man up, the member for St. John's East, because he has the credibility, he told the people of the Province."

AN HON. MEMBER: Hear! Hear!

MR. LUNDRIGAN: The people, he thinks, are going to believe him, and they might - if I do not walk about 5,000 miles in the next year and a half to tell them otherwise and the rest of the members in this Legislature on this side do not walk 150,000 miles combined to tell them otherwise, And maybe he will convince them. He has a lot convinced today. I would like to bet, and I bet once in a while, gamble a little bit, play cards, and I am a betting man, I would like to bet that a year and a half from now, Mr. Speaker, that there will be less people in the Province believe him.

As a matter of fact, tonight it was obvious to everybody who the leader was across the way, not the appointed leader or the elected leader, but the nominal leader.

SOME HON. MEMBERS: Hear, hear!

MR. LUNDRIGAN: Still the leader almost thought he was the leader for a while, the learned gentleman, became a great lawyer 'ad hoc', habeas corpus' 'mutans mutantis'. I got carried away with it - 'corpus dilecti', all the rest of the stuff. I really enjoyed it. And he believed it, and if he was here I would torment him about it because I do admire his capabilities.

But, Mr. Speaker, the Leader of the Opposition told the people of the Province today that the Premier deliberately misled the House. I do not believe, and I am safe on saying that he

Mr. Lundrigan: recognized when he moved his motion, when he came in with his bit of ammunition what he was getting himself into. The former Leader tried to protect him a bit. Get it out of the House. Get it into a committee. He almost tried to give the impression with his skilled, capable, learned capability that really this was not too serious a matter. It is a matter of investigating something that might have some mystery to it or something that might be shady or something that might not be quite in order, get it out into the committee and let us get at the truth. He never quite got to the real point. And the real point is, Mr. Speaker, that a member of this Legislature has made a clear, definitive, hopefully substantial charge against another member. That is the issue.

SOME HON. MEMBERS: Hear, hear!

MR. LUNDRIGAN: I said to the Premier today, I said, "Premier, if the Leader of the Opposition comes into this place today, once the motion is moved, stands in his place and cannot present evidence that the Premier deliberately misled the House, I am voting with him."

SOME HON. MEMBERS: Hear, hear!

MR. LUNDRIGAN: I am voting with him. I will ask my colleagues around, is that the comment I made? "I am voting with him." "Not only that", I said, "Premier, if he can come in this place he has the obligation to prove his charge." That is why Mr. Speaker allowed it. That is why Mr. Speaker said in quoting back to Mr. Michener in 1963, that unless the member then moved and said that someone deliberately misled the House in 1963,

MR. LUNDRIGAN: unless he was prepared to assert on his own responsibility. I wonder what does that mean? I happen to know what it means a little bit because I got caught like that one time, Mr. Speaker. I almost lost my seat in the House of Commons over it. His Honour was so concerned to say that that was the basis for accepting the prima facie case, the question of privilege, that he repeated, Mr. Speaker yesterday repeated, he went back and he said, "I indicated that I did not think a matter of privilege would arise unless he was prepared to assert on his own responsibility." He repeated it. And on that basis, Mr. Speaker, on that basis His Honour accepted it, "If the member is prepared on his own responsibility." There are numerous occasions.

Allan Lawrence most recently in the House of Commons not very long ago got up and said that the Finance Minister deliberately misled the House. It has been said fifty times a year and in all cases, Mr. Speaker, His Honour stood up and said, "The hon. gentleman knows the consequences of making that kind of a charge. He has to be prepared to move a substantive motion. He has to be prepared to do it on his own responsibility. If he is not prepared to do that then I ask that he withdraw it because he is out of order." And in all cases after finagling back and forth the member withdraws it. If he does not withdraw it then he lays a specific charge against the member in his motion, a specific charge against the member and then, Mr. Speaker, he stands in his place and he supports his charge. He does not allege his charge. He does not insinuate his charge. He does not suggest his charge. There is nothing airy-fairy about his charge. He does not get around the point. He does not come up and do what was done in the House a couple of days ago and indicate, for example, that there were some questions

MR. LUNDRIGAN: raised to the Premier in hopes that he is going to put his foot in it so they can come in and get the motion on the floor. Nothing like that. It is clear and unequivocal. How clear and how unequivocal?

Mr. Speaker, clear enough that evidence exists that there has been money laid out, that the thing was a firm deal and that this House has been misled, that the members have been misled. Mr. Speaker, all of the members on this side of the House said this morning that if this charge is correct, if the Leader of the Opposition can stand up and prove that there has been some deliberate deception, lies, deceit, because of a charge laid, Mr. Speaker, the hon. Premier has no choice but to resign.

Nobody stood up in this House today and was prepared to blindly support the hon. the Premier. Nobody! And I say right now, if the hon. the Leader of the Opposition can support his charge, can get up and prove categorically that in fact this deal was consummated, that money has been laid out, that there has not been some kind of an interpretation based on an answer given in an informal question period, which is their total position, then Mr. Speaker, the Premier will not be in the position where he will ask members to support him. It is not a matter of lying. It is a more serious charge than that, I say to the learned gentleman, or half-learned gentleman across the way, Mr. Speaker.

MR. DOODY: Order, please!

MR. LUNDRIGAN: Never mind your Question Period. I will get around to the question period in a second.

The former Leader of the Opposition tried to apologize, that is what he did. But he is so skillful that you had to listen and watch. He said, "Get it into the Committee. Let us bring out the evidence." He said, "No charge has been laid." That is quite opposite to the facts. That is a verbatim comment.

MR. LUNDRIGAN: "No condemnation." I wrote it down. "No condemnation." He tried to say because he is an hon. gentleman, tough as nails but an hon. gentleman, he tried to say, Mr. Speaker, that there is nothing substantial about the whole thing and he went as far as to say, "Let us have an enquiry."

Now here is where the telltale comes in. There is your professional politician. There is your professional politician. He said, "If I were the Leader of the Opposition today, do you know what I would do, Mr. Speaker?" This is what he said. "I would have stood in my place and I would have laid out the evidence that I have. And I would say, 'Look, there is something going on here. I have got documents which suggest to me that there is a deal, there is an agreement, it has been consummated, it is firm and it is in place and I want to know what is going on and I ask for an enquiry.'" And the Premier would have gotten up and finagled back and forth, if there was any evidence an enquiry would have taken place. If not the regular Question Period, which is the mechanism we use, would have been used to eliminate the suspicion. That is what he said. Is that not what he said?

MR. DINN: Exactly.

MR. LUNDRIGAN: He said the Leader of the Opposition made a tactical error. He made a blunder. But he could not come out and say what I am saying because he would have been accusing the Leader. He would stickhandle around it. There is evidence, there is an agreement, he says.

MR. LUNDRIGAN:

Sure there is an agreement. That is the word on the top of the directive from Cabinet, an agreement in principle, like you find on dozens of agreements that come out of Cabinet, dozens of directives. Go and do it, go and get at it, go and look at it, go and explore it.

MR. W. ROWE:

You are talking your way out of it.

MR. LUNDRIGAN:

I am talking my way out of it,

am I?

MR. SIMMONS:

You talked into a corner.

MR. LUNDRIGAN:

Am I talking my way into a corner? I will let the people in Newfoundland test this all out.

SOME HON. MEMBERS:

Oh, oh!

MR. LUNDRIGAN:

Name him! Name him!

MR. SPEAKER:

Order, please! I think we have well established the precedent both here today and now today that when hon. members speak they have the attention of the House in order to be heard.

MR. LUNDRIGAN:

Mr. Speaker, I am in a corner, I admit it. I am in a corner but the corner occupies ninety per cent of the floor, Your Honour. That is the kind of a corner I am in on this one. Now, Mr. Speaker, let us get down to the core of the original charge, the original charge because the charge has been diluted as the evening progresses. It is so diluted now, Mr. Speaker, that you would never get much of a charge out of it, it is so diluted now. It started out, Mr. Speaker, with all kinds of stuff, all kinds of stuff when the thing got off the ground initially. I have got to find my documents. I will tell you how serious the charge was at one time that yesterday Mr. Simmons - I am quoting, Your Honour - Mr. Simmons, he sort of took back a little bit of it earlier tonight, I do not know if that was an apology. "In fairness it was not an agreement. Why did someone not tell Mr. Dobbin? He used that agreement, he did use that agreement to negotiate a large bank loan, \$20 to \$30 million. The agreement was used, Mr. Speaker, to secure substantial bank financing of the order of I believe \$20 million using this bit of paper that we have tabled here today." So what they are saying now, Mr. Speaker, is that the matter is so important at the

MR. INQUIRY

present moment that it has reached the stage where monies have been raised. And, Mr. Speaker, the argument which was used - I have lost my document - it is no difference anyway, Your Honour, because I have a fairly good memory. The Leader of the Opposition when he got up and made his statement, never beat around the bush at all about where he stood. He indicated in his motion or in his Question of Privilege yesterday that there had been a deal, that the deal was alive, that the deal was worth millions of dollars, that he had a legal opinion that said it was worth millions of dollars and that in fact it is a today issue, it is a today deal. Tonight on television he said they might come in with evidence or proof or something trumped up to suggest that it is no longer alive. But the Premier two years ago was saying there was no deal so he was guilty then if he is not guilty now. That is when I got tipped off. I said, "There is something wrong here." I said, "That sounds like to me that the man is backing away from it." All of this stuff that the Leader of the Opposition said yesterday and the motion that he moved said that it is a today deal, it is a live issue, it is worth money, it is worth millions, it can be cashed and you can even sell it to somebody. He can take the deal and he can sell it over to somebody, that is how alive it is, that was the basis for it. It is not that there was some flimsy little bit of stuff happen over the past few years in answering questions where the Premier did not tell him everything, did not take them on his knee and say, "Look, gentlemen, come on and I will tell you everything." It was not that kind of stuff because they all know that in parliamentary debate and give and take the government does not take the Opposition on it's knee and baby-sit them, although the member for Trinity-Bay d'Verde (Mr. F. Rowe) wanted one of my colleagues here to go and be his poll captain. "Give me the information when you decide on announcements for me so I can make them." I know the Opposition expects a lot from us - I recognize that, that is important. But, Mr. Speaker, the Opposition leader did not indicate that over the past couple of years there has been any subtle misleading. What he indicated clearly was that it was a live, real issue today and when he made his motion he said, "speaking

MR. LINDBERGH: from his place he deliberately misled the House in answer to questions asked in the House by the hon. members regarding the existence of an agreement or arrangement," the existence. And, Mr. Speaker, I am contending that that particular allegation, that particular charge was made with the thought on the part of the Leader of the Opposition that there was something meaningful, real, hard, still existing right there, present now, in

MR. LUNDRIKAS: that particular deal. That was the spirit of the charge and the backbone to the charge that he laid and he is not going to stickhandle his way out of that one.

Now I should get back to my Trinity - Jay de Verde friend (Mr. F. Rowe). He said in the House this afternoon that when these questions were being asked on the 8th of May - that was the series of questions which took place two days ago on the 8th of May - that the Opposition were not aware of the existence of the documents which were tabled in the House yesterday. That is what he said. And I stood in my place and I said, "May I ask the hon. member a question?" Because I said to myself, He cannot be telling me a lie; he is not going to deliberately mislead me; he is not going to do that because it is so obvious that if he does that I will catch him on it. He is not going to do that. And he would not let me ask the question, so I have to assume that he is telling me the truth. But he stood in his place, Mr. Speaker, and he started off. This was the day before the tabling of the agreement. Now I am just sort of suspicious periodically. Mr. Rowe got up and he said, "I am sick and tired of driving around my constituency and my delegations all over the city. Does the Premier have any intention of building anything or doing anything? Has he any intention or plans to build a new government building or an extension to the Confederation Building?" Now they already told us this afternoon that they did not know anything - these questions, because he was quoting 'these questions' - did not know a thing about it. The hon. the Premier, unsuspecting, sitting right in the woods, Mr. Speaker, gets up and says, "First of all, I am sorry that he is sick and tired - I know he is sick and tired, but," he said, "we have no immediate plans," - condemned, guilty of an offence of deliberately misleading the hon. gentlemen across the way. Supplementary: Mr. Speaker, in other words, what the Premier is saying is there is no arrangement," I think that is what I said, the Premier indicates. Now in jumps Perry Mason. Because the hon. the member for Trinity - Jay de Verde was not very skilled at getting at the core of it, in jumps Perry Mason, Mr. Speaker: "A supplementary. Is the speaker

MR. LINDRIGAN:

saying to my hon. friend there is no deal regarding Atlantic Place?" - they throw that in as a curve - "or any other extension to the Confederation Building?" They did not know anything about the existing agreements, no deceit - no deliberately deceiving the House this afternoon and this evening when the member for Trinity - Bay de Verde (Mr. F. Rowe) spoke, never had a clue about it. And away we go, Mr. Speaker. The Premier gets up unsuspecting again and answers the question. Then Mr. Neary continues:

"A supplementary, would he indicate if there are any proposals or if there are any plans for a new building?" And the Premier gets off on a kick and makes a lot of press about the old House of Assembly. And lo and behold, after about seven questions zeroing in, the member for Conception Bay South (Mr. Nolan) gets up and he sort of adds the icing on it. He gets up, and being the gentleman he is, asks the gentlemanly question which was totally unrelated, and I would almost say he did not even recognize what the other two hon. gentlemen were up to. Because I read his question and I have to assume - he said, "Would he appoint a committee which he promised a year ago?" - so I am assuming he did not even know what was going on.

Now, Mr. Speaker, they set up the Premier. They set him up. Mr. Speaker, this evening, two hours ago, this hon. member for Trinity - Bay de Verde said, "We had no knowledge of the agreement, of the existing documentation, of the directive from Cabinet when we asked these questions." Now I cannot accuse them of deceit. I cannot accuse them of misleading the House. I cannot say, 'You lied to me.' I cannot say he and his colleague from LaPoile got together and schemed to try to put the Premier in a position, to set him up, so that then they would have something hard and fast. And they could not go too far. Who do you think tipped them off? How stunned do you think the Premier is not to have caught on to that? Mr. Speaker, do the two hon. gentlemen who told, 'Oh, he is right crazy upstairs - really crazy upstairs - "

MR. SIMONS:

Mr. Speaker, a point of order.

MR. SPEAKER:

A point of order.

MR. W. N. ROWE:

I am going to get a smoke.

MR. SIMONS:

There really should be two points of order, one to ask whether there is a doctor in the House to look after the member when he comes down off his trip.

Mr. Speaker, the real point of order I rise on is the member for Grand Falls (Mr. Lundrigan) knows that he cannot say indirectly what he is not allowed to say under the rules directly.

MR. SIMMONS: And the questions, Mr. Speaker, that he is putting now rhetorically, the imputation is very clear, the innuendo is very clear, low, vicious, but certainly clear, Mr. Speaker, that my colleague the member for Trinity-Bay de Verde (Mr. F. Rowe) did have knowledge and therefore did misinform the House, did mislead the House by stating at the time the questions were put on the 8th. of May in this Chamber that he had no knowledge, that in stating that information to the House he was giving incorrect information. I submit, Mr. Speaker, the questions, the rhetorical questioning sequence now for the member for Grand Falls (Mr. Lundrigan) is clearly out of order because he is attempting to say, and I think he is conveying his point fairly well, he is saying indirectly what he is not allowed under the rules to say directly, namely, that my colleague has deliberately misled the House.

MR. W. N. ROWE: Withdraw it!

SOME HON. MEMBERS: Withdraw it!

MR. SPEAKER: I would point out that what cannot be said directly may not be said indirectly or by inference or by imputation or rhetorically, so I would ask the hon. member to bear that in mind.

MR. LUNDRIGAN: Mr. Speaker, let me just go on now and maybe a little bit more relevant to the issue, because the hon. the Leader of the Opposition has made a tactical blunder, too hungry for power, too eager to get at the core of what he thinks is a problem. Mr. Speaker, he has not sat back and thought of the implications. He is so arrogant he does not listen to people who make the presentations. I listened to every word he said, I did not sneer at him or laugh at him or say he was crazy or stand up and point at his head or anything like that. I did not do any of this stuff. I listened to what he said. And I listened to all of the members, and I tried to get from them and learn from them what they were talking about.

The Leader of the Opposition has a level of arrogance, Mr. Speaker, which is broader than the Mississippi Delta.

Mr. Lundrigan: I do not know how he has arrived at that state without anything. He waded around his poll for weeks, and even the -

MR. SIMMONS: On a point of order, Mr. Speaker.

MR. SPEAKER: A point of order.

MR. SIMMONS: Mr. Speaker, I know it is getting late, or early, as the case may be, but cannot we be spared this derogatory, insulting language about the breath of the arrogance of a member of this House, and that kind of thing? That is clearly insulting and designed, Mr. Speaker, designed to be insulting, designed to be insulting. And the member is going about it fairly skillfully, but nonetheless, Mr. Speaker, he is skating around the rules, indeed violating the rules in using that kind of language. And one of the particular impositions on this debate is that we have been called upon again and again, and rightly so, from the Chair to observe more than ever, more than normally the requirements of the House in terms of maintaining the dignity of the Chamber, making sure our language is particularly parliamentary in this instance. And I think these admonitions should apply here now to the member for Grand Falls (Mr. Lundrigan).

AN HON. MEMBER: That is right.

MR. PECKFORD: Mr. Speaker to that point of order.

MR. SPEAKER: The hon. Government House Leader.

MR. PECKFORD: Mr. Speaker, that is not a point of order, insulting language. Why does not the hon. member for Burgeo-Bay d'Espoir (Mr. Simmons) look up his Beauséjour and find out what is insulting language and what is not? Saying that somebody is arrogant in the House has never been classified as being insulting language. And talking about people using rather provocative language, why does not the hon. member remember only a half an hour or forty-five minutes ago when his own colleague, the member for LaPoile (Mr. Neary), was using words ten times more explosive and provocative than what the hon. member for Grand Falls was using.

MR. SIMMONS: Why did not the member rise on it? Why did he rise on it?

MR. SPEAKER: On the point of order, I do point out to hon. members the general requirement to avoid offensive language. I am not going to rule specifically on the attribution arrogance, but I do point out to hon. members the general requirement of avoiding offensive language.

The hon. member for Grand Falls.

MR. LUNDRIGAN: Mr. Speaker, the word 'slimy' is that an arrogant word? I wonder is that an insulting word, Your Honour?

MR. SPEAKER: It certainly is.

MR. LUNDRIGAN: 'Slimy'?

MR. W. N. ROWE: Are you accusing me of saying that?

MR. LUNDRIGAN: No, I am not. I am just saying this afternoon you accused the hon. the Premier of being slimy. He used the word 'slimy'. I sat like I was embarrassed because there were a lot of youngsters in the gallery. And Mr. Speaker, the hon. members do not hear, they do not seem to perceive what they say themselves.

Mr. Speaker, let me get back to the point -

MR. W. N. ROWE: On a point of order.

MR. SPEAKER: A point of order.

MR. W. N. ROWE: Perhaps I had a momentary black-out or something, Sir, listening to some hon. member over there perhaps my subconscious exploded or something. That would be quite possible, Sir. I honestly do not recall using the term 'slimy' in this hon. House.

SOME HON. MEMBERS: You never did.

MR. W. N. ROWE: Now, Sir, maybe the hon. member can dig it up in Hansard tomorrow, if so I would like to see it, and I will apologize to whatever hon. member I directed it at that time, if I used it. But, Sir, to the best of my knowledge I did not use that term of disapprobation towards any member of this House.

MR. F. ROWE: It was ruled upon the day before last.

MR. LUNDRIGAN: As I was saying, Your Honour,

MR. LUNDRIGAN: the hon. Leader of the Opposition started saying there is an agreement. I have got my notes now. Legal advice which he has received on these documents is to the effect that such an agreement, backed by Cabinet Directive, copies of which we shall be tabling here today, appear to be legally binding and enforceable against the government in court, enforceable against the government in court.

In other words they would be very valuable documents worth millions of dollars in the hands of the developer or anyone purchasing his rights under the agreement and the directive from the developer.

Now, Mr. Speaker, this is in the formal signed, or I should say typed because it was the presentation which was put on the table, or the notes that he had, the salubrious notes that he used, indicating clearly that this is, that whatever the word is, Mr. Speaker, the long-drawn-out prepared detailed -

MR. PECKFORD: Voluminous.

MR. LUNDRIGAN: - voluminous notes, is it? I am from Island Cove and I am not always clever on my Webster stuff. But in any event, Mr. Speaker, there is an agreement. It is worth millions of dollars.

Now this afternoon the member for Trinity - Bay de Verde (Mr. F. Rowe) gets up and says that the hon. the Premier misled the House, deliberately misled the House because there were questions asked about the intention of building a building, the desire of the government to build a building, the arrangement that has been made, the agreement that has been made, these were the four words that he used. He broadened it out from an arrangement, an agreement, to a desire. He had it to the point where there was a desire. The Premier misled the House because he had a desire to build a building and he did not admit it to the House of Assembly that he had a

MR. LUNDRIGAN: desire. He had an intention of building a building and he deliberately misled the House because he did not admit that he had an intention. He had a plan. Other members use plan. Many members use the word deal. There was a deal to build a building. There was an undertaking to build a building. There was a thought to build a building. There was a dream to build a building. There was a suspicion, an expectation, an illusion, and you can go on down and come up with 200 words, Mr. Speaker.

MR. W. ROWE: Did I say that?

MR. LUNDRIGAN: No. The hon. member only used arrangement, agreement, desire and intention.

MR. SIMMONS: You are doing well.

MR. LUNDRIGAN: These were his four words. The only point I am making, Mr. Speaker, is that the Leader of the Opposition has laid a charge clearly based on the thought that he had, that an agreement is in existence, now exists, is worth millions of dollars and that government are covering it up - not the government, the Premier is covering it up and the members of the Cabinet do not know it and the members of the group involved in the caucus do not know it. Now they have gotten around, Mr. Speaker, to asking for an enquiry, which was what the recommendation of the former Leader was, as an apology, to get him off the hook, because this is what he should have done in the first place.

SOME HON. MEMBERS: Hear, hear!

MR. LUNDRIGAN: - as an apology to get him off the hook. He recognized he has no charge against the Premier. He recognized he laid a charge against another member which is novel in this Legislature, has never been done before. He should have had the hard facts. He should have been able to go out around somewhere and find the building. He should have been able to find money which was laid out by the government, spent by the government, proof that the Premier was telling a lie in the Legislature before

MR. LUNDRIGAN: he made his charge.

Mr. Speaker, I am sure, and all hon. members said, "My goodness, for a member to get up in his place and make a charge he has got to have hard, unequivocal, substantible facts behind him." This is what he has got and because of that, Mr. Speaker -

MR. SIMMONS: A point of order.

MR. SPEAKER: A point of order.

MR. LUNDRIGAN: Mr. Speaker, he has been told by the Leader of the Opposition to get up on the point of order because there is only three or four minutes left so that he will eliminate my bit of time.

MR. SPEAKER: A point of order.

MR. LUNDRIGAN: That is the kind of a Leader of the Opposition we have in the Province.

MR. SPEAKER: A point of order.

MR. SIMMONS: Mr. Chairman, my point of order is all

written out in front of me and I am a speedwriter, but Mr. Speaker -

SOME HON. MEMBERS: Hear, hear!

MR. SIMMONS: I am a speedwriter but Mr. Speaker, I cannot write that quickly. What the Leader of the Opposition said to me is whether it was parliamentary for the member for St. John's North (Mr. J. Carter) to be asleep in the House at five-twenty in the morning?

MR. W. ROWE: Is that a point of order?

MR. SIMMONS: But my point of order, Mr. Speaker, I mean in duty to my leader I had to wait to hear what he wanted to say to me and I do notice -

AN HON. MEMBER: Why do you not go away for a while?

MR. SIMMONS: The point of order is this, Mr. Speaker, and I have been waiting for the member, he is about to clue up and he has not retracted the statement that he made concerning me, the statement being that first of all in the first instance

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Tape No. 2218

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MR. SIMONS: yesterday I alleged that the Premier had deliberately deceived the House and then he said a few minutes ago that in my comments today or tonight I had, the quote I have from him is that I had cut back earlier tonight. The implication left there is that I changed my tune.

MR. SIMMONS:

Now, Mr. Speaker, for the record I stand by the statement that the Premier deliberately misled the House and what is more, Mr. Speaker -

MR. LUNDRIGAN:

Mr. Speaker, a point of privilege.

MR. SPEAKER:

A point of privilege.

MR. LUNDRIGAN:

On a question of privilege, Mr. Speaker.

First of all my rights are being seriously abused by the member right now in collusion with the Leader of the Opposition and secondly, Your Honour, which is more important, I have about one minute left -

MR. SIMMONS:

We know the feeling.

MR. LUNDRIGAN:

And I was about to challenge the Leader of the Opposition to resign if he has not got any more evidence than he has today. The other two members, at least one of the members over there to resign if they have not got any more evidence than they have today.

MR. SIMMONS:

Where is the point of privilege?

MR. LUNDRIGAN:

Mr. Speaker, what they are doing is effectively eliminating the points that I wanted to make in my conclusion and this is why I am saying that the member for Burgeo- Bay d'Espoir -

MR. SIMMONS:

I was on a point of order, Mr. Speaker.

MR. LUNDRIGAN:

- is standing - they do not want to hear the facts.

MR. SIMMONS:

Where is the point of privilege?

MR. LUNDRIGAN:

They have had enough of it.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please! I want to point out that obviously when hon. members rise on points of order and points of privilege the Chair hears them and a point of order interrupts somebody when they are speaking and a point of privilege interrupts that point of order. All I can do is point out to hon. members that an improper use of those procedures is an infringement upon other member's rights.

MR. W. ROPE:

Sir, on a point of privilege.

MR. SPEAKER:

A point of privilege.

Mr. W. POWE:

Sir, on the point of privilege raised by my hon. colleague on the other side of the House it certainly accused me of being in collusion with my hon. colleague to my right to abuse his rights as a member of this House.

Now, Mr. Speaker, my hon. colleague said what I said to him. I went over there and I said to him, Is it parliamentary for an hon. member of the House to be sound asleep while his colleague is speaking? Then I came back and sat down. My hon. friend got up and made a completely distinct and different point of order, Sir, and I resent the contemptuous and the contemptible allegation by the hon. member that I was somehow in collusion with somebody to abuse his rights. Sir, I demand that he withdraw that statement because it is not correct. It is wrong and it is unparliamentary to say so.

MR. LUNDPIGAN:

Mr. Speaker.

MR. SPEAKER:

The hon. member.

MR. LUNDPIGAN:

A question of privilege, Your Honour.
Just so we will get the thing off to a -

AN HON. MEMBER:

He is allowed to go again.

MR. LUNDRIGAN:

- better start, the hon. the Leader of the Opposition has that many problems right now that he does not need me adding any on to him so I will withdraw that little bit and piece which constituted his question of privilege.

MR. SPEAKER:

Order, please! I understand that the hon. gentleman has withdrawn what the hon. gentleman to my right has taken exception to. Am I right in assuming that the hon. gentleman has unequivocally withdrawn?

MR. LUNDRIGAN:

Yes, Sir.

MR. SPEAKER:

Then that settles the matter.

MR. SIMMONS:

A point of order.

MR. SPEAKER:

A point of order.

MR. SIMMONS:

Mr. Speaker, I just want to make it clear to the House perhaps as a point of explanation that notwithstanding the impressions conveyed to the House by the member for Grand Falls

MR. SIMMONS: (Mr. Lundrigan) I certainly stand by the statements that I made earlier and I hope I did not in any way dilute what I said. I still feel that the Premier has deliberately misled the House and who better than the member for Grand Falls (Mr. Lundrigan) would know what the Premier's word is worth.

AN HON. MEMBER: Hear, hear!

MR. SPEAKER: Is the House ready for the question?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Hon. member for St. John's West.

DP. KITCHEN: Mr. Speaker, I must congratulate all hon. members who have spoken so far in what for me has been the most spirited debate this session. And contrary to what other people may have said I believe that this is today one of the high-points in the history of this legislature.

SOME HON. MEMBERS: Hear, hear!

DP. KITCHEN: This is not a low level of debate. It is a very high level of debate with every member, virtually every member in the House participating. The point that we are debating are most crucial to

DR. KITCHEN: the operation of any government. It is most crucial to the way the people of this Province want this house to operate. We cannot do anything unless the integrity of the government, which is really what we are talking about, is without question.

SOME HON. MEMBERS: Hear, hear!

DR. KITCHEN: There are how many thousand unemployed in this Province?

MR. LUSH: Thirty-two thousand.

DR. KITCHEN: Fifty thousand? Thirty thousand? I do not know.

MR. LUSH: Thirty-two thousand I think it is.

DR. KITCHEN: I do know that there are 1,000 unemployed people in the district that I represent and most of them are young people, not all. It is very hard to get a job.

I was privileged to visit the Northwest Coast last week where the fish plant in Port au Choix hired approximately 100 extra people. But there were 400 people looking for work. Of the 400 looking for work, 300 of them could not get work. Unemployment is a very serious problem in this Province. But it is related, very much related to what we are talking about here today.

Housing is a very serious problem too. There are many people in this city, in this Province, who do not have a decent place to live.

AS HON. MEMBER: That is right.

DR. KITCHEN: And those who have do not have the money to pay the rent, the outrageous rent that some of the developers are charging.

SOME HON. MEMBERS: Hear, hear!

DR. KITCHEN: Some are being flung out of their houses in this city right now.

AS HON. MEMBER: By law.

DR. KITCHEN: It is very important for us to discuss government morality and who they are mixed up with.

DR. KITCHEN: There are people who cannot afford to buy medicinal drugs and they have to choose between eating and taking care of their sickness.

We have prices going up in supermarkets all over town. And when I get a chance I am going to ask the hon. the Minister of Consumer Affairs what he has been doing about this question lately. But we cannot do anything, the government cannot do anything until we have integrity in government.

AN HON. MEMBER: Stand up, boy.

DR. KITCHEN: Confronting the members of this Assembly, as I see it, are three great tasks that have to be accomplished in the next few years: One, and this task has been very ably presented to this House in the only positive statement that has been made in this House to date this year, is the development of Labrador. And remember, that is our legislation, not yours. It is our legislation.

SOME HON. MEMBERS: Hear, hear!

DR. KITCHEN: The other one is the development of the fishery -

AN HON. MEMBER: That is ours, not yours.

MR. SPEAKER: (Mr. Young) Order, please!

DR. KITCHEN: - a second major task of a government.

A third one - and I will agree with many hon. members on the opposite side - is to rearrange our position in Confederation. These are the three great tasks confronting this Legislature. But they are not the priority items, because we cannot move ahead on either one of these items until we can guarantee to the people of this Province that the government itself is a government of integrity.

SOME HON. MEMBERS: Hear, hear!

DR. KITCHEN: Total, absolute integrity, that is what we must have and that is what we have been talking about for the past number of hours.

MR. SIMONS: That is what they do not understand.

DR. KITCHEN: We cannot have a House of Assembly with a government led by a Premier if that Premier's integrity is challenged.

DR. KITCHEN: We cannot have it. We have to clear up this matter and it has to be cleared up properly and not hidden away. We cannot have a government supported by a House of Assembly led by a Premier whose signature has no meaning.

SOME HON. MEMBERS: Hear, hear!

DR. KITCHEN: I was amused - not amused, saddened, when I realized during the debate that just a week or two ago several of the members opposite were threatening to resign from this government.

MR. W. N. ROWE: That is right.

DR. KITCHEN: And now they are up there doing all sorts of peculiar things because we dare to question-

Dr. Kitchen: not to dare to question to dare to request that the House look into that.

AN HON. MEMBER: This is an abuse of the House.

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

I will remind all hon. members on both sides of the House that the speaker is to be heard in silence.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (MR. YOUNG): The hon. member for St. John's West.

DR. KITCHEN: Thank you, Mr. Speaker.

My handwriting is getting pretty bad at this stage in the game, I cannot even read what I was going to say.

Mr. Speaker, I believe that the level of debate has been very high today, and it has been high, and it has been high for the past several weeks because we are coming to grips with the most serious question facing this Province, and the most serious question is not unemployment, as serious as that is, nor Labrador development, but it is integrity in government -

SOME HON. MEMBERS: Hear, hear!

DR. KITCHEN: - on which everything else must be built.

SOME HON. MEMBERS: Hear, hear!

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

I will ask the hon. members to refrain from interrupting.

AN HON. MEMBER: Fling him out!

MR. W. N. ROWE: Name him!

AN HON. MEMBER: Order him out!

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

DR. KITCHEN: I have been travelling quite a bit in the past three weeks, three or four or five weeks doing this and that. I have spoken to a lot of people all over this Province, and believe you me the people of this Province do not think that this Legislature is not doing its duty. They believe that the Legislature is doing its duty,

Dr. Kitchen: and this is the duty of the Legislature to make sure that the government is operating in a proper fashion. That is our duty.

MR. SIMMONS: Mr. Speaker, on a point of order-if my colleague will permit me?

MR. SPEAKER (MR. YOUNG): A point of order has been raised.

MR. SIMMONS: Mr. Speaker has requested on two occasions that there be silence, The member for Bonavista South (Mr. Morgan) has abused the rule. That is in character for him and the member for Mount Pearl arena (Mr. N. Windsor), who has temporarily left the Chamber, but now most recently the member for St. John's Centre (Mr. Murphy), the sometimes member for St. John's Centre, has made another loud interjection, It is very difficult, Mr. Speaker, with the member for St. John's Centre and the member for Mount Pearl arena, and the member for Bonavista South, it is very difficult to hear what my colleague is saying. He is making a good speech and he should not be subjected to this harassment. And I ask the Speaker to enforce the rule of silence. We extended that crowd over there the courtesy of listening to them in silence, and now, Mr. Speaker, can we have the same protection from the Chair?

MR. N. WINDSOR: To that point of order, Mr. Speaker.

I just want to point out to Your Honour that at least on two dozen occasions today the Speaker has been forced to bring the members of the House to order. And I would suggest, I do not know if Hansard will show it or not, but the hon. gentleman for Burgeo-Bay d'Espoir (Mr. Simmons) has, without any question, been one of the worst offenders, It is totally hypocrisy to stand here and accuse another hon. member, Sir.

SOME HON. MEMBERS: Hear, hear!

MR. SIMMONS: Mr. Speaker, I do not want to interrupt the train of my colleague from St. John's West (Dr. Kitchen), but if he would just allow us for another minute. I understand that the member for Mount Pearl arena is sensitive. I assure him that we will have a debate on his issue later, and he need not fling low, vicious terms across the House about how bad or good I am in the House. I hope that Mr. Speaker

Mr. Simmons: if he hears me say something or sees me do something that is unparliamentary will bring me to order. And if he has not then I suggest that the member for Mount Pearl arena has indicted not me, but the Chair.

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

I will ask the hon. member. all hon. members in this hon. House to be called by the district they represent. To the best of my knowledge there is no Mount Pearl arena district. I ask the hon. member to withdraw that.

MR. W. N. ROWE: Oh I did not know that.

Did you know that?

MR. SIMMONS: Mr. Speaker, I was certainly calling him by what he represents.

MR. SPEAKER (MR. YOUNG): I asked you to withdraw it, please.

MR. SIMMONS: I withdraw.

MR. SPEAKER (MR. YOUNG): I would like to rule on this point of order, I do not know if it is a point of order as such, but I ask all hon. members while the hon. member for St. John's West (Dr. Kitchen) is speaking that they please refrain from interrupting.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (MR. YOUNG): The hon. member for St. John's West.

DR. KITCHEN: Thank you, Mr. Speaker.

I was saying that the most crucial thing that this House can debate is the question of government's integrity on which everything else is based.

SOME HON. MEMBERS: Hear, hear!

DR. KITCHEN: And to suggest, as some of my hon. colleagues on the other side of the House, one or two, that we are abusing the time of the House doing things that the people did not want done with their crocodile tears over there, is certainly not what I pick up when I speak to the people outside. The basic question we have here, Mr. Speaker, is whether we should refer something to a

DR. KITCHEN: Committee, and the question basically is, did the Premier deliberately mislead the House? And that is really what this committee will be looking into if it is established.

As I understand what has occurred and the evidence that has been tabled before us, there can be no doubt that the Premier denied that there was any agreement. I think his denials have been read out into the record by both sides. He has certainly denied the existence of an agreement. I think that part is true. That does not say he deliberately misled the House. That just says he denied something. I think there is no doubt that he denied that there was an agreement. If there was an agreement then he has misled the House.

Of course there could be an agreement. He may not have known there was an agreement, or he may have thought it was not an agreement, in which case he did not deliberately mislead the House but unknowingly misled the House. I am not too sure if he deliberately misled the House or if he unknowingly misled the House. It all hinges on whether or not there was an agreement and whether he thought there was an agreement. And when I look at the preamble, there are only two documents I think that have any meaning here, one is the preamble to the Cabinet Directive which says that "the following proposals submitted with regard to the construction of an office complex for the government situated immediately West of Confederation Building be and they are hereby approved in principle subject to the submission of Cabinet of satisfactory plans and specifications." Now to me there is something like an agreement there. I am not too sure if it is an agreement but it is certainly Cabinet knowledge of something that went on or was going on.

MR. W. ROWE: An arrangement.

DR. KITCHEN: An arrangement. But the thing that bothers me is not so much that, that is something too but the other piece of evidence

DR. KITCHEN: Is this thing with the signatures on it, and that is really what bothers me. I have to ask, it could be of course that the Premier really did not sign these things. They could have been skillful forgeries. I would like to ask the Premier, I suppose he cannot tell us now because he has spoken, but I would like to know if he did sign it. Is this the signature of the Premier of the Province? Because if that is the signature of the Premier of the Province then I do not want that signature on anything that I have any dealings with if he can say it was not an agreement. If that is an agreement what can be an agreement? His signature is there. He is there as a witness to the signature of the appropriate minister.

MR. SIMMONS: His written word is no more than his spoken word, not worth anything.

DR. KITCHEN: If the signature is there the only question I can conceive that he is not guilty of deliberately misleading is if that is not his signature. Now if that is not his signature then I think we should apologize to the Premier for an error on our part and so on. But if that is his signature then I believe that we are quite justified in this House of getting to the bottom of the matter and setting up a Committee of the Whole House to look into the whole situation.

So I would like very much to know is that is the signature of the Premier and if that is the signature of his minister.

Another point that I wish to look at, because it concerns this whole question of morality in government and that is really what this is about. This is the context in which this thing sits. I believe our Leader, my Leader suggested that, I am not sure if I have him right or not, that he was not particularly interested in the amount of the deal. I am not sure if he said that or not. If he did say it I am not sure that I entirely agree. Because it is one thing, I suppose, to mislead the House or not to mislead the House and it is something entirely different, I suppose,

DR. KITCHEN: if there was a rip off here. Now I do not know if there is a rip off or not but I look at the price, \$8.35 per square foot, and I asked a developer friend of mine, "Is that a good price? Is that a fair price three years ago for a building of 404,000 square feet, \$8.35?" He said, "Well boy, if that was built now it would be a fair price, I suppose, a reasonably good price, no rip off there. But three years ago I think there is a lot there," he said, "in my view there is a lot more there than there need have been to make a good deal." And I asked him again and he said you have to look at the land. "What do you mean land?" I said, "The land is supplied in this deal. It is going to be built next to the Confederation Building on land that is owned by a creature of the government. You do not have to buy any land."

DR. KITCHEN: That means that is added into it too. And then I understand that there is no tax. The government does not pay the 30 per cent tax that everybody else does when they rent, you see. So the developer would not have to pay any tax like a developer would if he were renting apartments or if he was renting office space to a business firm in the city. So here again that is a good cushion, a very big cushion.

So the only thing that I am not sure of is whether our Leader really looked at the total amount of the rip-off, if there is a rip-off.

SOME HON. MEMBERS: Oh, oh!

DR. KITCHEN: And what bothers me in this context is another thing that I came up against recently and that was the unnecessarily large salary paid by this government to the President of Newfoundland and Labrador Hydro, which I calculated to be in the vicinity, counting coin and all the freebees and so on, to be about \$110,000 per year. Another rip-off.

Now we cannot have these rip-offs in government. We cannot have a double standard. We cannot have a double standard for politicians and then at the same time to say it is all right for the developer to take whatever he can get. Mr. Speaker, I do not believe that any Newfoundlander should be ripping off the government of this Province -

SOME HON. MEMBERS: Hear, hear!

DR. KITCHEN: - or any outsider, whether he be a developer or whether he be a politician.

SOME HON. MEMBERS: Hear, hear!

DR. KITCHEN: We are being ripped off by Quebec on Chruchill Falls. There is no doubt about that.

SOME HON. MEMBERS: Hear, hear!

DR. KITCHEN: We have been ripped off by the British for years and years. We have been ripped off by ERCO. We have been ripped off by Price (Nfld.). And we have been ripped off by Bowaters.

SOME HON. MEMBERS: Hear, hear!

DR. KITCHEN: But let us stop this ripping off. I have a book here, The Story Of Newfoundland written by the late A. B. Perlin, and it is full of rip-offs, the story of the commercial rip-off of the government of this Province by one prominent politician, and people connected with politicians after another. It has to stop. It has to stop. It has to stop. We cannot allow anybody in this Province, whether he be in the government or in private business, to make more than what is considered an appropriate amount.

AN HON. MEMBER: Shame!

DR. KITCHEN: That we cannot take what the traffic will bear or what you can get away with. And I do not care who it is, whether it be the developer or medical or a university professor, or anyone else. People who get more than their share should have it taken from them. I know it is pretty hard sometimes to figure out what their share is, but the principle is clear.

Mr. Speaker, I certainly hope that this House resolves itself into a committee, because I would like to see the Premier cleared. I hope he is innocent. I really hope he is innocent for a number of reasons. It is terrible to think of a fellow Newfoundlander deliberately misleading the House. It is a terrible thing to contemplate. It looks very much like it. We cannot be sure until we look at all the evidence and summon various people before the Bar of this House. I hope he is innocent. But I believe it is our duty here in this House, every single person here, to clear the air. So let us set up this committee, clear his name, or if not fling him out.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (MR. YOUNG): The hon. member for Ferryland.

SOME HON. MEMBERS: Hear, hear!

MR. C. POWER: I am glad I am getting some applause, some applause from both sides of the House.

MR. NOLAN: His merry band of ministers.

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

MR. POWER: I am not going to speak for very long. It is almost six in the morning, but I have a few things I want to say which is very difficult after fourteen hours of debate to say something which is totally different or it is totally new, but I think on an issue that is so important to the House that every member should speak just to say as to why he is voting one way or the other.

I think also most members on both sides of the House will reasonably acknowledge that I am a reasonably objective politician.

SOME HON. MEMBERS: Hear, hear!

MR. POWER: That I have proved by my past experience that I am at least more objective than most.

DR. KITCHEN: You are going to vote for the motion?

MR. POWER: I did not say that. I said that at least my motives should not be impugned that if I vote for this motion, or if I spoke, like one day I spoke before and the good member for LaPoile (Mr. Neary) said I was talking my way into the Cabinet or some such, and it was sort of a facetious comment probably, but my comments today are not designed to talk my way into anything, I have certain reasons for voting one way or the other which I shall certainly let you know in course. But those reasons are certainly reasons which are sincere, they are not reasons for any great political gain which I will get because I certainly will not.

Before I get on to how I intend -

MR. NEARY: How are you going to vote?

MR. POWER: I will get on to that, Sir, in due course.

I must admit that today's debate in the House of Assembly is by far the best debate that I have seen.

SOME HON. MEMBERS: Hear, hear!

MR. POWER: It has been a debate which on both sides of the House members have listened to attentively, both sides of the House have been well attended.

MR. POWER: All members have been for the most part very courteous considering the amount of time that we have been here. And to my way of thinking, being a young member, that is maybe the way the House of Assembly should be done all the time, although I know, Mr. Speaker, that the seriousness of this debate lends itself to a little bit of better decorum than you could ordinarily have on ordinary days when you are here for sixty or seventy or eighty days at any given time. But certainly the general trend of the debate has been the way a parliamentary system should be -

AN HON. MEMBER: Hear, hear!

MR. POWER: - where people have certain things to say. It is debate and there is obviously difference of opinion, people here and there have difference of opinion, but in any civilized society people have to learn that a difference of opinion does not necessarily mean that one guy is crazy or one guy is ignorant because he has a different viewpoint from another person. In our parliamentary system we have to learn that the parliamentary system only functions as long as gentlemen use the rules for what they were intended.

The previous speaker, my good friend from St. John's West (Dr. Kitchen), whose at least recent political background I seem to follow very closely having been elected on the same day as he was and having gone on to the same position in our respective parties, there are certain things that he says that especially in the case of rip-off with this one deal that I have to take exception to. How can you be ripped off when you do not pay a dollar to someone? A rip-off says on one hand that you are giving something away, and not getting back a fair amount in return. We in this case as a government have not given away one dollar, so how can you be ripped off?

MR. SIMMONS: We know that!

MR. POWER: We are talking about the motion that is before the House, the motion dealing with one deal which relates to 400,000 square feet of space -

MR. SIMMONS: We do not know if there was any money exchanged.

MR. POWER: Well, certainly we have no proof to the opposite.

AN HON. MEMBER: The way you work who knows.

MR. POWER: As I say, Mr. Speaker, I do not have a lot of comments but the few that I do have I suppose it is better for me to do it in reasonably good order.

The point from a young politician's point of view, from my point of view, is that this whole thing is a matter of semantics, I suppose, in the sense that almost all the gentlemen who have spoken on this side think that there is not an agreement and the the gentlemen on the other side think there was an agreement. And it comes down to one's definition of what an agreement is and what factors make up an agreement. And I think when you get down to that point of view - and what I have done, I have sat down and said, Look, from my point of view is there an agreement, Mr. Speaker, and is there not an agreement? If there is an agreement, or was at that time, then obviously the Premier is guilty and should resign; also on the opposite point there is a little small problem that bothers me somewhat because so much time has been "wasted" in the House of Assembly or at least not spent wisely - maybe "wasted" is a poor term because if you spend time talking about points of order or points of privilege it is not technically wasted because they eventually solve something - but one of the points that bothers me about this is that a point of privilege is before the House. Obviously if the Premier is found guilty of deliberately misleading the House he must resign, but what happens to the person - even after this case, what happens next week or next month if a person can make a point of privilege knowing that all he has to do when the thing is over and his case has not been proven, all he has to do is stand up and say, 'I am sorry, I withdraw'?

It appears to me, in any crime, the punishment should be comparative to the crime.

MR. SIMMONS: Let us prove the case.

MR. POWER: Alright. But if the case is not proven - and I will say, by the way, that had this motion been the only one of the

MR. SIMMONS: Opposition proposed one step further, and it said down one bit further that after moving into Committee of the Whole that were his case proven in another paragraph: 'and whereas this case having been proven that there was a point of privilege that the Premier did deliberately mislead the house, then the Premier should resign,' and also in that motion there should be to the effect if the Leader of the Opposition does not prove his point then he certainly has no choice but to take that same course, being the same punishment for the same crime. And if that were there, I would gladly move or gladly vote for a motion to move this house into a Committee of the Whole to bring in witnesses. I would also vote for a public inquiry if that were the case, provided that the punishments were the same for both sides. It simply is not fair to say that one person should resign if it is true and the other person withdraw his remarks if it is not true. To my way of thinking, again being a young politician and not being familiar with the problems of the House or the running of the House -

MR. HON. MEMBER: That is fair enough.

MR. POWER: - I think that that seems to be fair from my point of view.

MR. SIMMONS: Move the amendment that by leave of the House.

MR. LUNDRIGAN: Mr. Speaker, do we have to put up with this?

MR. POWER: Again I narrow my comments down to two points, first of all as to whether or not there was an agreement by my humble definition, and secondly, whether or not there was an agreement between government, which is the key word, and a third party. And those two small comments I will address myself to, just whether or not there was an agreement and whether that agreement was between government and a third party.

If you look at this point and you take the documents that

MR. POWER: we have tabled here and you take the documents that the Leader of the Opposition tabled the other day, the one which contains the Premier's signature and the Minister of Public Works at that time, do those signatures and the contents of that "agreement" constitute a legally binding agreement or document or whatever? And I looked back and I talked to the member for Trinity-Bay de Verde (Mr. F. Rowe) today and he mentioned something to me about life insurance which I work at and many people in real estate that I thought about, or in car sales and I thought is a signature an actual knowledge or an actual stating that something will take place. And I know that if a person goes out to buy a house and he signs a document with a real estate agent those signatures are only an agreement that the House will be purchased if the money can be arranged, if certain conditions take place. It is only then that it becomes a legal document. If a person applies for life insurance, or sells life insurance as I do, or as someone applies for it and two signatures, the buyer and a witness goes on that document and it goes off to a life insurance company, a head office, and they decide not to issue insurance for whatever reason, because the person has speeding tickets or he is drinking, again it only becomes legal based on certain conditions. If a person goes in to buy a car, like buying a home, he signs a "deal" with a car representative or car dealership, subject to financing, subject to those conditions that must be met and if those conditions are not met then obviously the deal is not a legally binding contract. That is one point, when you get to the signatures.

The other point on the other side of the thing, if you look and say, "Why is it not an agreement? Has it had a seal?" I know for instance that if you have an incorporated company and you go to the bank and you want to open a bank account for a corporate company then certainly they will ask you for the corporate seal.

MR. NEARY: No quorum in the House, Mr. Speaker.

MR. SPEAKER: Order, please! A quorum has been called.
I am informed that a quorum is present.
The hon. member for Ferryland.

MR. POWER: Mr. Speaker, one point again in deciding whether there was an agreement in force at the time the questions were asked in the House, and relates specifically to the fact as to whether the Premier misled the House purposely, in the paper that is signed today it says, this is the one that was signed from Mr. Dobbin, addressed to the Premier, it says, "Clause 15 of the agreement provides that the developer supply to the government a proposed office lease for the building, the office lease within three months of signing the agreement." This supposed agreement that was signed on August 18th. of 1975 that three months after that agreement becomes, if it is an agreement at all, certainly becomes something which is not legal because that time period has expired. How many

MR. POWER: questions were asked of the Premier of this Province between August 18, 1975 and October 18, 1975, or November 18, 1975? I would say none, because the House of Assembly was not open.

Now, if at any time in the past, with regard to this agreement, that ever was in force - it could only have been in force during those three months because after three months the thing becomes null and void because that clause is not carried through - certainly the Premier did not deceive the House at that time because the House was not open and there were no questions asked of him.

Again, another problem that I had to solve, whether there really was an agreement or not, was how - even a marriage that is not consummated is not a marriage. There is no building as many people have said which, in fact, says that there was not agreement at all. No developer in the world would give up such a rosy deal if there really was a deal, if it was legally binding, no one. I submit no one would give up.

MR. SIMMONS: If it is a wedding, it is certainly a case of a shotgun wedding.

MR. SPEAKER: Order, please!
I wish to repeat the ruling from the Chair that hon. members should not interject.

The hon. member for Ferryland.

MR. POWER: The other point, Mr. Speaker, as to whether or not there was an agreement or not, the other big point is that in the case brought out yesterday or the day before by the Leader of the Opposition - if I can find a copy of the actual motion - says, if you read the preamble, "Deliberately misled the House in answers to questions asked in the House by hon. members regarding the existence of an agreement or an arrangement between the government and a third party," the key word being 'government'. In all the questions asked that were tabled - and I think the member for Trinity -

MR. POWER: Bay de Verde said there were twenty-four times that these questions were asked, twenty-four times - almost all questions you will find are from Mr. Roberts' question away back - and again the dates on these things are not the best because you cannot read them and you will have to bear with me there because as you can see the photocopies did not come off terribly well and the dates are sort of blocked out - but Mr. Roberts away back in March of 1976, says, "Of the government's negotiations to obtain extra space. Mr. Neary in March 1977, it says about the government renting office space and so on right down the line up to May 8th., the other day, numerous, numerous, numerous references to the government's negotiating, the government obtaining power.

And here is a point of contention that I wish to bring in. A Cabinet directive, whether it be signed by one or two ministers or others, is not a government document, is not binding on the government in any way. The only thing that binds a government has to be a Minute of Council from the Executive Council itself, the problem being that the member for St. John's West (Dr. Kitchen) said, and he almost put his finger on it when he said it, the Premier's signature is not worth anything. That is what the member for St. John's West quoted. He said he could not live in a Province where the Premier's signature was not worth anything. My argument is that what the Liberal Caucus has been subjected to is almost a dictator psychosis where in the twenty-three years of Liberal administration the Premier's signature was worth everything and there was absolutely no difference between government and Premier, they were one and the same.

SOME HON. MEMBERS: Hear, hear!

MR. POWER: They were absolutely one and the same. For twenty-three years, government and Premier were one and the same and that sort of dictator psychosis which was

MR. POWER: developed throughout the Liberal Caucus is the belief that the Premier has ultimate and absolute control of a province, that the Cabinet and caucus have to go along 100 per cent with what a premier suggests and, as the Premier has suggested in his own comments today, that simply cannot be done, that in this day and age there is a sort of a democratic trend to government and whether it be premier, or cabinet or caucus, that trend is there. And I say this to you, that simply because one person or two persons or two ministers sign a proposal, a suggestion that certain work should be carried out, does not make that legally binding on the government. Does not make it legally binding on the government. I say that for my belief

MR. POWER: first of all there was no agreement as such, and certainly if there was an agreement there was no agreement between the government and a third party. There was no agreement between the government and a third party at all. That is my contention and that is why I shall vote against the motion when it comes up.

MR. SPEAKER: The hon. member for Baie Verte - White Bay.

SOME HON. MEMBERS: Hear, hear!

MR. RIDEOUT: Mr. Speaker, I had intended to speak when I got a chance, but what made me jump to my feet so quickly after hearing the last hon. member was the dictator psychosis - I suppose that is the last part of the word - and let me say that that is not I, Lord, I have never been subjected to any dictator psychosis since I have been a member of this caucus and I do not anticipate that I ever will be.

SOME HON. MEMBERS: Hear, hear!

MR. RIDEOUT: Now, Mr. Speaker, there has been a deliberate attempt by almost every speaker who has spoken on the other side in this debate in the last number of hours to drag one red herring after another across the floor of the House.

MR. NOLAN: Right.

SOME HON. MEMBERS: Hear, hear!

MR. RIDEOUT: The simple fact is, Mr. Speaker, that there is a motion before the House saying that the Premier time after time in questions from members on this side of the House deliberately misled the House in the information that he gave to it. That is the motion, nothing else. No dictator psychosis or any red herrings of that nature, the motion is that the Premier, the leader of the government, the leader of the Province has deliberately misled the House in answers to question by members of this side, and I believe, Sir, that when we have evidence of that sort, and

MR. RIDEOUT: the evidence has been backed up in Hansard on a half dozen occasions, brought forward when the Leader of the Opposition laid out his case yesterday, when we have that kind of evidence then we have an obligation to the people of this Province to bring it before the House of Assembly and to have it aired once and for all. And that is what that motion, Sir, is all about.

To hear Your Honour who is now in the Chair, the member for St. John's South (Dr.J.Collins), say there is no provision in the motion for investigation then I would submit, Sir, it is only reading part of the motion, it is only putting into the motion what one wants to hear, because the latter two stages of the motion says, "Call and examine witnesses" and then the second part says, "Examination." Now to me examination means investigation and if that is not investigation then I do not know what it is.

Now as I said, Sir, the simple fact of the situation is that this government which came to office with a 'holier than thou' attitude, that they were going to clean out the ranks, that they were going to bring back honest government to this Province have fallen down on the job.

MR. NEARY: Hear, hear!

MR. RIDEOUT: And they have fallen down on the job aided and abetted and led by the leader of that government.

SOME HON. MEMBERS: Hear, hear!

MR. RIDEOUT: Mr. Speaker, the member for St. John's East (Mr. Marshall) said it was unfortunate and unwise that the Minister of Public Works would even sign such a statement.

MR. NOLAN: Right!

MR. RIDEOUT: Then for that same hon. member to weasle³¹ around and be able to support the government and vote

MR. RIDEOUT: directive itself it implicitly states in black and white that a copy was to go to all ministers, but I did not notice that, Mr. Speaker, on the Cabinet directive that was appended to this agreement that we tabled in the House yesterday. That did not say it was to go to all ministers, it did not say anything. All it said was what the directive was all about. There were no instructions about who it was going to go to, there was no recinding order as there has been in some other cases, with the Trizec deal and so on so, Mr. Speaker, it is all a red herring. The whole point of the matter is that the Premier was asked on twenty-four different occasions in this House of Assembly in every conceivable manner, was there a deal? Was there a commitment? Was there an intention? Did the government intend to go ahead? And in every case the Premier said in black and white, proven in Hansard, 'no' and in one case he said, 'Absolutely not, no deal'.

SOME HON. MEMBERS: Right!

MR. RIDEOUT: Now what conclusion can any reasonable person come to, Mr. Speaker, only the Premier did not want to give the House the information. It is either that or the Premier of this Province has the shortest memory of any man that I know. Because if the Premier witnessed that document, if the Premier was present when it was signed, as he had to be, then the Premier could not forget that quickly and it is stupid to ask us to believe that kind of an allegation or that kind of information.

Now, Mr. Speaker, almost everybody who got up in this House tonight, not being lawyers - there are only three or four people who are - got off on a legal kick. I say to members, forget about the legality of this document because that is not an issue either. If there is any question about the legality it can be decided by the courts. If anybody wants to take the document into court - I am not going to give a legal opinion - if anybody wants to

MR. RIDEOUT: take it into court, then the courts can decide on the legality. The simple fact that we have to contend ourselves with is that a document did exist, an agreement did exist, a deal did exist and the Premier said it did not, and the Premier said that in this House on more than one occasion.

MR. NOLAN: That is right.

MR. RIDEOUT: So we can talk about sweetheart deals, we can talk about misleading the people's House, and that is really the issue, and, Mr. Speaker, that is the nuts and bolts of this particular motion that we have before us tonight. On every occasion that that was done the Premier replied no, so what are we to do? Once we have established that case, as we have in a documentary fashion, are we to sit back and say, Well, too bad, but we will have to take the Premier's word for it? The Premier said no on every occasion and I would say that the Premier has now, in the terms of colloquialism, made a rod for his own backside and he must put up with it.

Now, Mr. Speaker, there have been dozens of speakers on both sides of the House tonight speak in this debate. All kinds of red herring, as I have already indicated. We had the Minister of Health, for example, get up and accuse the Opposition of trying to vilify the Premier, putting the Premier down as a villian. Now, Mr. Speaker, if giving misleading information to the House makes the Premier a villian, then I say, so be it, he is a villian.

MR. W.N. ROWE: Hear, hear!

MR. RIDEOUT: And if continuing to give that same misleading information to the House day after day on twenty-four different occasions, if that makes the Premier a villian, so be it, he is a villian. And if us calling, if the Opposition calling on the Premier, or calling the Premier to task for his actions makes him a villian, then he is a villian, so be it. We did not call him that. The word 'villian'

MR. RIDEOUT: did not come from this side, Mr. Speaker, it came from that side. And if by so doing, if by calling the Premier to task we force the supporters of the government, the supporters of the Premier to defend their leader, if that makes him a villian, then I say so be it, he is a villian. I did not call him a villian, it was called from that side of the House. And, Mr. Speaker, as one member of this side, I make no apologies for that because I believe that it is our duty on this side of the House, our duty, Sir, our sacred duty on this side of the House to expose corruption if we have reason to believe it exists, that is what we are here for.

SOME HON. MEMBERS: Hear, hear!

MR. RIDEOUT: And to expose shady deals, Mr. Speaker, if we happen to discover them, which we believe we have, and to take to task any person whom we believe has misled this House of Assembly, the people's House. That is the issue. No red herrings involved, that is the nuts and bolts of the issue. It is our duty, Mr. Speaker, to expose wrongs in the hope that by so exposing those wrongs then they will not be committed again.

MR. RIDEOUT: I do not make any apologies for that, as I have already said, and I believe the Leader of the Opposition did the right and proper thing. In fact, I think he was duty bound to bring this resolution, and this motion before the House so I have no hesitation in supporting it at all. I stand proud in the belief that what we have done and what we are doing is the right thing and the proper thing, it is not vilification. I would submit that it is not vilification at all, Mr. Speaker, but it is exposition of what has gone on in this Province and in this government.

SOME HON. MEMBERS: Hear, hear!

MR. RIDEOUT: It cannot be construed to be malice, but it is conviction that what we have discovered is right and we ought to bring it out. It cannot even be called gutter politics, but it is protecting the sacred rights of this House and the people who sent us here.

Then ministers on the other side got up and they talked about how we want to get over there so badly, and we do not care how we get over there, and it is an honourable ambition to get over there. And one minister said, But get over here the same way we did, by honourable means. They have short memories, Mr. Speaker. And that same minister who uttered those words was an Opposition member on this side of the House in the late '60's and the early '70's when the guttersniperly of politics in Newfoundland had never fallen so low before and will probably never fall so low again.

They never talk about the Crosbys and the Hickmans who sat on this side of the House, they do not talk about the Bill Saunders' affair, but they try to slap it all back this way. We will stick out the chest and it can bounce off and go back again, Mr. Speaker. I would say to them, if they want to throw those kinds of stones then they ought to make sure that they do not have to duck themselves to avoid being hit.

MR. RIDEOUT: Then you get people getting up on the other side and talking about, We do not want to talk about the fishery, we do not want to talk about unemployment, we do not want to talk about this or we do not want to talk about that. We learned, Mr. Speaker, as one member already said here tonight, not to ask too many questions of the Minister of Fisheries because there is no point in it anyway. If Question Period starts at 2:30 and you ask him a question, he may finish ten minutes or five minutes to three, if you are lucky, and Question Period is shot down the drain. The only information you can get from the Minister of Fisheries, Mr. Speaker, is Friday morning press releases -

MR. NEARY: Hear, hear!

MR. RIDEOUT: - to catch the radio and the T.V. so he will be on the news on the weekend. That is not the type of information that we are interested in.

The Minister of Fisheries, Mr. Speaker, has not spoken, has not engaged in a major speech in this House this session except in defence of his own estimates, and he calls us to task about not talking about the fishery. The Minister of Fisheries has been as clear as mud on the Nordsee deal, just as clear as mud, and then he talks about us not talking about the fishery. How foolish, Mr. Speaker, can you get? It ill-behooves the minister to chastise the Opposition for not talking about the fishery and accusing us of deliberately wasting the time of the House when you hear that kind of thing going on.

Now, Mr. Speaker, they talk about wasting the time of the House as if some people are in a rush to get out of here. I am not in any rush to get out of here. I have no other job, Mr. Speaker, I draw no other income from any other source only what I get as a member of this House so I do not care if we are here until this time next year. I do not have a worry in the world about being here.

MR. RIDEOUT: So when you talk about wasting the time of the House do not go talking to me about that foolishness. Because the government kept this House muzzled and kept the members of this House muzzled until the 4th. day of March, 1978, from the 18th. day of June previous, and then they talk about wasting the time of the House. We can spend ten or twelve hours on this special debate talking about corruption, we can spend many days on this debate talking about corruption, and still have lots of time to talk about the fishery and still have lots of time to talk about unemployment and still have lots of time to talk about the development of the Lower Churchill and so on because I am in no rush, Mr. Speaker, whatsoever to get out of here, no rush whatsoever.

SOME HON. MEMBERS: Hear, hear!

MR. RIDEOUT: I would submit that there is nobody on this side in any rush to get out.

SOME HON. MEMBERS: Right.

MR. RIDEOUT: So do not go talking about that foolishness and red herring approach about wasting the time of the House.

Then they talk about how productive the House is. Well, I would throw the question back and ask how productive is the Cabinet those days, Mr. Speaker -

MR. NEARY: Shoring themselves up.

MR. RIDEOUT: - when they spend all their time clustered around the big table down on the 8th. floor, sitting in the white chairs with their hands under their jaws wondering how they are going to cling on? The productivity of this House, Mr. Speaker, the productivity of this debate has already superceded what has gone on down on the 8th. floor in the last seven or eight weeks.

SOME HON. MEMBERS: Hear, hear!

MR. RIDEOUT: They talk about productivity, Mr. Speaker, productivity of the Cabinet, productivity of the House. Productivity in reverse, I would say to Your Honour, Sir. Then they talk about anything to cling on to power.

And the government majority over there, Mr. Speaker, who have - this very reasonable motion, to resolve the House into a Committee of the Whole, we are not condemning the Premier. Maybe the Committee of the Whole may condemn him and make a report back to Your Honour and then the House acts. What a red herring, that by voting to resolve this House into a Committee of the Whole to bring in witnesses so we can hear their evidence, is condemning the Premier. What a foolish going on! How you can twist the facts, Mr. Speaker, to suit your own partisan wishes, foolishness to the nth degree.

So, Mr. Speaker, there is one issue here and that is that the Premier has been accused, there is an allegation that has been made that the Premier has deliberately misled the House. I think there has been sufficient evidence placed before the House to substantiate that charge and I think the House has the right, and every member should ensure that the House has the right to investigate that charge and if that hon. crowd is not going to do that then they are aiding and abetting the Premier in any wrongs that he may have committed.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER(Collins): The hon. member for Windsor - Buchans.

SOME HON. MEMBERS: Hear, hear!

MR. FLIGHT: Mr. Speaker, earlier in the night I had made my mind up and thought it was incumbent on me to speak in this debate, but as the morning wore on

MR. FLIGHT: I realized that anything I might say would be tedious, tiring and probably boring, abusive and nonsensical. But, Mr. Speaker, I lost all fears of that after I heard the hon. member for Grand Falls make his speech. I had no worries, Mr. Speaker, about standing up and boring this House or being abusive, or being tedious or being anything you want. You cannot outdo that man in that area so, therefore, I will be very composed and make my speech that I had debated whether or not I would make at the risk of boring the House.

Now, Mr. Speaker, why is this debate tonight valid? The hon. Leader of the Opposition yesterday raised a point of privilege, the privilege being that the Premier had misled this House. Mr. Speaker ruled on that breach of privilege and accepted a motion, and the motion, Mr. Speaker, is to move that this hon. House resolve itself into a Committee of the Whole House to consider certain matters concerning the privileges of the House raised by the hon. the Leader of the Opposition, moved that the House resolve itself into a Committee of the Whole.

Now, Mr. Speaker, most of the debate here, and I do not challenge his Honour's rulings tonight or his handling of the debate, but most of the debate in this hon. House has not been relevant. Most of the debate that has come from that side of the House has not been relevant. The Minister of Transportation, the Minister of Fisheries, the Minister of Tourism, the Minister of Health, the member for Mount Scio, the Minister of Municipal Affairs; sanctimonious, motherhood, pure partisan politics. Political partisanship.

SOME HON. MEMBERS: Hear, hear!

MR. FLIGHT: Slanderous, dispicable attacks on the Leader of the Opposition, attacks, Mr. Speaker,

MR. FLIGHT: unbecoming of scoundrels
let alone hon. gentlemen.

Now, Mr. Speaker, let us go back to the real meat of this debate, let us try to be germane to the motion. The fact, one undeniable fact, that the Premier and his ministers have consistently deliberately denied that an agreement, an arrangement or a deal existed with regards to building a new building or expanding Confederation Building, the present Confederation Building.

The second fact, Mr. Speaker, depends on the interpretation that one puts on this document. The first time I saw this document, Mr. Speaker, was minutes after the Leader of the Opposition tabled it. I perused it and I looked at it and I read some of the conditions contained herein and I saw the signatures and I said, Yes, that is an agreement. A poor lowly mortal like me with no legal training said that is an agreement. And, Mr. Speaker, I submit to you that 99.9 of the people in this Province today, possibly excluding some lawyers, would say that that is an agreement and it would follow, Mr. Speaker, that once they accepted that as an agreement

MR. FLIGHT: then 99.9 of the people in this Province today would say that the Premier misled the House.

SOME HON. MEMBERS: Hear, hear!

MR. FLIGHT: This, Mr. Speaker, is a government of the people, by the people, for the people, not necessarily of lawyers, by lawyers or for lawyers.

MR. RIDEOUT: Now! Well spoken!

MR. FLIGHT: Now, Mr. Speaker, nobody in the government wanted to talk about the agreement, they wanted to talk about the Cabinet directive. They avoided like the plague the agreement. Now, if the Leader of the Opposition had tabled a Cabinet directive directing the Premier to enter into an agreement or to talk to some developer that in itself, in view of his answers in this House in the past few months, would in itself have warranted this debate.

But, Mr. Speaker, the reason that the hon. members did not want to talk about the agreement, that they wanted to refer to the Cabinet directive was that they wanted to avoid drawing attention to the fact that there was a document containing the Premier's name, the developer's name and witnesses thereto.

Mr. Speaker, one, I think, is allowed to wonder out loud. There is no date on the agreement, there is a date on the Cabinet directive. One is allowed, Mr. Speaker, to wonder to himself, to wonder out loud why there is no date on the agreement. Had that Cabinet directive - and could it be proven - and had the hon. the Leader of the Opposition been given what he simply asked for, a Committee that could call witnesses to determine the facts of this case, it might have been possible to prove that it is possible that that Cabinet directive was issued before the agreement was signed. It is not inconceivable that that could have happened, in which

MR. FLIGHT: case then, Mr. Speaker, that would have been a bona fide agreement, undertaken Cabinet agreement.

Mr. Speaker, members on the other side of the House got up man for man and denied - the ones who did refer to this agreement - that it was an authentic, valid agreement. Well, if we would have had that Committee that the hon. the Leader of the Opposition asked for, then possibly we could have asked to have laid on the Table of the House agreements that were indeed consummated by this government. And it would be interesting to find out, Mr. Speaker, if this agreement is any less authentic than the agreement under which this government paid \$435,000 to have wood delivered to Stephenville. That wood was never delivered. So by the logic of the other side, since the building is not there there is no agreement, well, since the wood was not delivered there is no agreement and you need not have wasted that \$435,000.

SOME HON. MEMBERS: Hear, hear!

MR. FLIGHT: The same logic applies, Mr. Speaker.

Mr. Speaker, I submit that it was not the government that did not consummate this agreement, it was not the doing - the hon. the member for the Straits of Belle Isle alluded to this tonight - he did not say it the way I am going to say it now, but it was not the government, Mr. Speaker, it was not the doing of the government that this agreement was not consummated, the people of Newfoundland made sure that that agreement was not consummated. Had the people of Newfoundland in 1975 returned that government with a big enough majority, the few hon. members sitting on the other side would have been indispensable and they would not be sitting on the other side tonight because this agreement could well have

MR. FLIGHT: been consumated.

SOME HON. MEMBERS: Hear, hear!

MR. FLIGHT: But the Premier knew and
Cabinet knew that that hon. gentleman resigned on the
principle of this and he could not risk having no
more of a majority than they had so it is conceivable
to think that he could not risk having him leave his
caucus because he knew that he would have. So, Mr.
Speaker, the people of Newfoundland have to believe
that the intent was there, the agreement was there,
the work had been done and only the people of Newfoundland
and only the event of September 16, 1975 did indeed stop
the people of Newfoundland from having this kind of a
debt on their hands.

 Mr. Speaker, the member for
St. John's East (Mr. Marshall): I would never put
myself in a position where I would want to have to
debate with him in a legal sense, but I fail tonight,
Mr. Speaker, being an untrained legal mind, I fail to
follow his logic. The member stood up and on four or
five occasions in his speech indicated, he told us
the conditions under which he resigned. He resigned on
the same principle. There was no agreement signed, Mr.
Speaker,

MR. FLIGHT: I understand when he resigned on the Wedgewood Park proposition but he had resigned from Cabinet on the principle of an agreement like this.

Now, Mr. Speaker, in his speech he said on four or five occasions that the proof that there was no agreement was that there was no building. Following that logic to its justified end, why would he have resigned before there was a building? You know, following the same logic that hon. member used, Mr. Speaker, then he should not have resigned. If it took a building to make this agreement authentic or to say that it was consummated, then why would the hon. member not have followed the same logic back when he resigned from Cabinet?

MR. W.N. ROWE: Exactly right.

MR. RIDEOUT: That is right.

MR. W.N. ROWE: Hypocritical.

MR. FLIGHT: Mr. Speaker, the other side of the House tonight needed a crutch and they had a crutch in the hon. member for St. John's East. I said before, Mr. Speaker, that had the people of Newfoundland returned this government with a majority big enough that the Premier could have done without them, those two hon. gentlemen, St. John's North (Mr. J. Carter) and St. John's East (Mr. Marshall), were indispensable, they would not be there. If ever - were dispensable, I am sorry - if ever the member for St. John's East was indispensable to the government it was tonight. They needed him tonight. They put him up front. There was not, including the Premier, one speaker on the other side tonight but alluded to the argument put forward by the hon. member for St. John's East. It is ironical, Mr. Speaker. It is ironical. He will have in his own mind to reconcile his position tonight and his position of a year or two ago when he resigned on the same principle.

MR. FLIGHT: Mr. Speaker, in view of that hon. gentleman's - and let me say I have a great deal of respect for the hon. member for St. John's East. I have developed that respect since I came into this House, number one, for some of the stands he has taken in debate. But he might well have come close to blowing it tonight.

MR. W.N. ROWE: Oh yes. He blew it.

MR. FLIGHT: He blew it tonight. Now, Mr. Speaker, the hon. member for St. John's East is going to have a hard time in my mind reconciling to himself his attitude, his defence of the government tonight based on his performance with the same government when he was forced to resign, when he resigned on principle, the very principle that he is upholding here tonight. He will probably just, as my hon. friend says, have nightmares.

So, Mr. Speaker, the issue here, there is no doubt in anybody's minds that that was an agreement. There is no doubt in anybody's minds that the Premier and his Cabinet denied that there was an agreement. There is no question. If that was made public to this Province, if there was a referendum held in this Province as to whether that is an agreement or not, or whether or not the Premier had intentions of going into an agreement, and I am prepared to leave it to the imagination of the people of Newfoundland as to what would have happened to this had the right things happened on September 16, 1975. So, Mr. Speaker, again, the hour is getting late and to try to make any more points would simply be repetitious. I intend to support this motion. I congratulate the Leader of the Opposition for having the strength to bring in the motion. If that is not reason, Mr. Speaker, to ask that this House be brought into a Committee of the Whole and call witnesses, a

MR. FLIGHT: document that would have placed \$70 million on the backs of the people of Newfoundland and consistently over two years it was denied that it existed, if that is not reason to ask for an enquiry. If we cannot be proud of exposing something like that then, Mr. Speaker, we cannot be proud of being members of this House.

SOME HON. MEMBERS: Hear, hear!

MR. FLIGHT: And I am, Mr. Speaker, prepared to stand or fall.

And the hon. member for Grand Falls talked about the hon. the Leader of the Opposition, his political career, he will stand that high. Well, Mr. Speaker, I will tell you that I was prepared to go out with this in my hand and stand ten feet tall and say yes, I supported the motion.

MR. W.N. ROWE: We stopped it.

MR. FLIGHT: If there was any chance of this succeeding, we stopped it, and, Mr. Speaker, I will stand

MR. FLIGHT:

or fall politically by defending this motion.

AN HON. MEMBER: Hear, hear!

MR. FLIGHT: Stand or fall in this Province in any riding or district with the people.

AN. HON. MEMBER: Stand by the people.

MR. NEARY: Are they going to rescind it now or what?

MR. FLIGHT: It is not rescinded. The one germane point the member for Lewisporte (Mr. White) asked - of course there is no point in saying it now, we are all waiting for the Premier to table a rescinding order. That would have been the - but there was no rescinding order, Mr. Speaker.

Mr. Speaker, I would have preferred, and I still cannot understand why the Premier spoke when he spoke, I would have preferred though that the Premier would have closed this debate prior to the hon. Leader of the Opposition because I would have liked to have heard the Premier - as a matter of fact I know it will not happen but I would certainly be prepared to give the Premier leave to withdraw another misconception, another statement in Hansard where again he can be accused of misleading the House, where, Mr. Speaker, the hon. Premier accused members of the Opposition, a member or members of leaking to him, tipping him off as to what would happen. I would be prepared to concede leave for the Premier to withdraw that statement because he knows that that indeed, Mr. Speaker, is misleading the House. He knows it did not happen. It is not a case of saying, "Who me, Lord?" It is a case of saying, "We, Lord" because we all know it did not happen. The Premier knows it did not happen and he owes the Opposition an official apology.

So, Mr. Speaker, I intend to support the motion and I call on all members of the government who have any backbone, who believe in decency, fair play, believe the people of Newfoundland are entitled to straight, honest government, to support this motion. And then let the chips fall as they may when this House has been turned into a committee whereby witnesses can be called. Let the chips fall as they may. Mr. Speaker, it is a great pleasure for me to support the motion.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for Port au Port.

MR. HODDER: Mr. Speaker, I rise just to say a few words in support of my colleagues. I have not much more to say than has been said here tonight. But I too would like to put my name on the record as being proud to be a member of the Liberal Party, of being proud to be associated with the Leader of the Liberal Party and being proud to be associated with the members of the Liberal Party. Because, Mr. Speaker, in the few years that I have been in this House I have come to the conclusion that if the Premier had been born 200 years ago he would be standing on the back deck of a brigantine with a skull and crossbones flying overhead. The only thing that happened in this Province was that the people of the Province got tired of the same face for twenty-five years and gave the chance for a buccaneer to come in and plunder the Province.

MR. SPEAKER: Order, please! Order, please!

I draw to the hon. gentlemen's attention, to my left as well, the requirement of appropriate language and the need to avoid offensive and insulting language.

MR. HODDER: Thank you, Your Honour.

Mr. Speaker, I think most of us reflect the views of the constituents and people who we talk to and at the present time the word that I am getting is, "There is something wrong with that crowd over on the other side. Go after them!" And that is our bounden duty when letters come into our possession or documents come into our possession signed by ministers and witnessed by the Premier then we have no choice but to make sure that the information is laid on the table of the House and the people of this Province know what is going on. But, Mr. Speaker, the motion that was put here today that this House be resolved into a Committee empowered to call witnesses and to look into the impropriety of the matter,

Mr. J. Hodder.

this particular motion, this resolution, is completely proper. And what I cannot understand is why the gentlemen on the other side are afraid of doing that. Why are they afraid, Mr. Speaker, to call a select committee or to call a royal commission or to form the House into a committee to look into those matters? What more would give the people of Newfoundland faith than to have the whole thing out. Let us call the people concerned here and question it. Are the gentlemen on the other side afraid, are they afraid to do that? Because it is a simple procedure. Nothing could be more above board than this allegation. Nothing has been solved here tonight, Mr. Speaker. Not a thing has been solved. All we have done is stand and debate back and forth, back and forth, back and forth, one group saying that the document is a good document, the other group saying that the document is not worth anything. Nothing has been solved. The press has been up there listening. And one speaker gets up after the other making their points. The only way that this can come out, Mr. Speaker, is to have a full enquiry, to have the committee of this House look into all allegations which have been raised in this House. And unless that is done the people of this Province will consider it to be a cover-up. And there is no way that this government can let down the fact that they voted against the motion presented by my honourable friend and colleague, the member for Twillingate (Mr. W. Fowe).

There are a couple of other things. One other thing I would like to say, Mr. Speaker, is that I feel that I, as a member of this House, on a couple of occasions have been the victim of innuendo here tonight or today or yesterday. First of all the Premier said that the - you know, one of his misleading statements-that members on this side of the House have been informing and this sort of thing, trying to plant the seed that there is a problem on this side of the House. Well, Mr. Speaker,

Mr. J. Hodder.

I call on the Premier to name that person, because I feel he has an obligation. He went on provincial television and said that. I think he must and has to name that particular person.

The other thing that happened, tonight I listened to the Minister of Fisheries get up and belittle questions that were put to him. He said that there were five questions put to him in his capacity as Minister of Fisheries. I do not believe that. I put two to him myself. I am sure that the people of Port au Port would not think that they were - he said that they were of no consequence. They do not feel that they were of no consequence. And then in debate I have asked that particular minister to do certain things for the district which have not been done. So what does this debate mean to the people out there with 150 fishermen at Blue Beach, stuck, who cannot get back or forth. Fish buyers cannot get down there. Fisheries access roads are in disrepair. And the minister has the face to get up and criticize as if we on this side of the House - or as if they were trying to prove that on this side of the House that we have to ask a question of that minister before we get anything done. And there have been more letters and more telephone calls come from me to that minister's department than to any other minister in this House. And I can back that up any day of the week.

But, Mr. Speaker, I believe that the Premier has misled the House. I have read the Hansards. I have listened to the debate. I have listened to the red herrings being dragged across the floor of the House. And the questions that have not been answered: Why was the document signed one week before a general election was called? That is a question that has not been answered. Was it that perhaps the party was trying to raise a little money and they made a quick signing of those

Mr. J. Podder.

documents? Because these are the types of questions that must come out in this House. And I believe that the members on the other side must, if they have any moral responsibility at all, must vote to see that this whole story comes out, because there is more to it than this. We know it, and the people of Newfoundland will know it after tonight if those honourable gentlemen do not vote

MR. I. SPEAKER:

— in the proper fashion.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

Hon. member for Eagle River.

MR. I. SPEAKER:

Mr. Speaker, it is almost seven o'clock in the morning. If I could get the page awake maybe I could —

SOME HON. MEMBERS:

Oh, oh!

MR. I. SPEAKER:

Mr. Speaker, well, what a thumping!

Seven o'clock in the morning and almost all that the Government could do was to draw red herrings right across the whole thing, stand on the dignity of the House, stand on their own dignity, accuse us of bringing in allegations scandalizing the Government, and instead of responding to the argument placed by the hon. Leader of the Opposition a day ago, the member for St. John's East (Mr. Marshall) was the only one who was obviously put up as a vanguard, the flag-bearer, who was going to present the argument which was going to shoot all our arguments down. I must admit that I thought that some of his logic, the logic that he was using, left a lot to be desired, especially some of the statements he made, in view of the fact, as the member for Windsor-Duchess (Mr. Flight) stated, that he did resign from Cabinet on the basis of the "Edgewood Park deal, I understand, on the basis of an agreement which he did not go along with and he resigned from that. Yet, today, he can turn around his logic in a double standard method, he can turn around that logic and argue that the reason why he is going to vote against this motion here is because this building is not built; it does not exist. If this one does not exist and he is going to vote against the motion on that basis, then why, as the member stated, did he resign from Cabinet on the basis of the "Edgewood Park" one as it is not there either? So, there is the logic of these two arguments? There must be some kind of double standard applied, one for arguments that suit him, and one for arguments which will nail the Opposition, or the Liberal Party. Surely, then, Mr. Speaker, there has to be something wrong when you can use these kinds of standards, when you can get into these kinds of arguments based on the fact that it does not exist,

Mr. I. Gagnon:

and I use his words here. He says, "I

believe that there is no agreement, the Premier told me that and I believe that especially in view of the fact there is no building out there." What kind of argument or logic is that for the member of St. John's East (Mr. Marshall) to use, because the building is not there then he is going to vote against this motion and we should not be arguing it. Does that mean to say that we have to wait until Gull Island becomes a fact before we start arguing about the deal with Gull Island, what arrangement there is in Gull Island. We have to wait until it is all in place and then start arguing after the money has been spent, after the agreements have been met, then we start arguing? Surely not, I am sure the member must regret using that kind of logic to justify a defense for our statements and especially the motion moved by the Leader of the Opposition.

I would also like to state to the member for St. John's East that it seems also to be a double kind of standard applied in the questioning. We ask questions, for instance, and questions have been asked for three years. We did not ask, was there a legal, binding agreement with any developer; that was not the question we asked. If it had been and the answer as shown was that there was no legal binding agreement; if that is the case, then, of course, we would be wrong. We did not ask if there was a legal binding agreement. Our questions almost totally were, 'are there any arrangements, any deals, any agreements, any proposals, anything at all?' For three years that is what we asked. It was not, 'Was there a legal binding agreement?' We did not ask that. We asked the question, 'are there any agreements, proposals?' and in various words that can be used to describe that sort of thing. The answer consistently was that there were not. And then we find that in defense of our questions and in defense of the motion here we find that there were agreements, proposals, and our argument, as the member for the Straits of Belle Isle (Mr. Roberts) said, "It does not depend on whether it is legal or not," because we never asked that question whether it was legal or not,

Mr. Strachan.

We did not know how far along it went. We did not know in fact until the motion was moved and a defence was put out exactly what there had been. I would say to the Premier that it would be very, very simple to answer the question and just state in the House, yes, there have been proposals received. There have been some agreements and that would have been the end of it. Why deny and deny that there had been proposals, agreements, deals or whatever? Why continue to deny that there had been when there was? And in fact the defence used by the Premier showed in fact that there had been deals, agreements, proposals. All this that we have here, all the red herrings hauled across. In fact when the Premier answered the other day in reply to the motion moved by the Leader of the Opposition for the first few minutes it astonished me, because I thought that something was going to come out which showed that the whole thing was wrong. And in fact his defence was to table a whole heap of documents, proposals, agreements, deals or whatever it is as a defence which implicated him further, which will show that there had been agreements.

I realize full well that offense is often the finest form of defence, but obviously to use this kind of defence which where one tables agreements proposals, documents, deals or whatever you want to call it - and I do not care two hoots whether it is legally binding or not. It does not bother me whether it is legally binding or not. We did not ask whether it was legally binding or not. We asked, Had there been any deals, any proposals, any agreements? And there we saw a multitude or quite a number of proposals, deals and calls for tenders, and especially this deal here laid on the table of the House in defence against this motion moved by the Leader of the Opposition.

MR. STRACHAN: So I say that what has happened here as to the Premier, coming in and replying to this motion here, has in fact incriminated himself. He has established the fact that for three years while he was denying to us that there were any deals, documents, negotiations, proposals, that in fact in the last day or two he has incriminated himself by laying on the table of the House the very deals that he would not acknowledge existed. That to me, Mr. Speaker, is the whole essence of it in as much as the whole defence that the government have in this motion here is shot, it all goes out the window. There is no defence. When you look at all the proposals that were tabled by the Premier, all the agreements and documents - the idea, of course, was to obviously pile one on top of the other. Pile it all on. We got a study of the accommodation requirements of the Government of Newfoundland and Labrador, January, 1974 and then we have a whole heap of other ones. Pile it all on so that our one, the one which was tabled here, gets lost in all the mess. All of them tabled by the Premier, none of them signed. The only one which was signed in fact was the one tabled by the Leader of the Opposition - piled all on top of each other so that the whole thing would become confused, obfuscated, as the Leader of the Opposition said - nice word - so that nobody would know what was going on, so that the press would become confused with it, and we would feel, therefore, that the whole thing would become so difficult to untangle that little would be made of it, that the Opposition would be confused, that the press would be confused or whatever would happen.

We can almost throw all the documents that were tabled by the Premier, we can almost throw the whole works away only except that in taking them he has shown existence of arrangements or proposals which he has consistently denied for three years ever existed or had existed. Our

MR. STRACHAN:

range of questions were quite wide and varying over the three years. Are there any in existence now? Have there been any in existence? The range of words used was not always the same. It was not, was there a legally binding agreement. That was not asked. Any deals, any proposals, any plans for a wide ranging discussion on the buildings. For instance, I think there was an extension to the building and new building for office space, Atlantic Place, various other aspects of the question. So we can make sure that what was being asked could be replied to. But I cannot for the life of me understand why the answer could not have been in the positive, to say, yes there have been, we are in the discussion stage or we are negotiating, we do not want to tell you. That is fair enough.

But what we got for the three years was denials and that is what led to this motion, that the Premier had misled us because for three years there were denials of any negotiations and surely that is the kernel of the matter, that for three years there were denials of any negotiations, of proposals or deals. And it would make no difference, in fact, if the document that the Leader of the Opposition had if he did not have it, because in essence the Premier in tabling all his documents and had kept that one out would have still shown that there had been deals like the Trizec one, there had been proposals. So I cannot understand the logic of that, that in effect in defence and moving on the offensive the Premier in fact laid out the fact that there had been a great deal of proposals, a great deal of studies, three deals, as the member for Straits of Belle Isle (Mr. Roberts) laid out, or agreements or whatever you want to call them. Whether legally binding or not is obviously for the courts to decide.

The member for St. John's East (Mr. Marshall) continues his arguments in trying to cover up this whole thing or trying to make it muddy by trying to argue that it is not a binding agreement. We did not ask whether it was a binding agreement. We are not concerned.

MR. STRACHAN:

And he obviously stated too that there would be a difference of opinion in the legal profession, he stated, whether it would be a binding agreement or not. That is immaterial to us. It is immaterial to this question. It makes no difference whether it is legal and binding. We did not ask whether the agreement was legal and binding. We asked had there been any agreement or if that did not suit, proposal or deal.

MR. NEARY: If that did not suit, arrangement.

MR. STRACHAN: Arrangement, that is right. In fact the Premier in his defense right after our motion the other day in which he was obviously ready—and well and good, no problem at all. He could have become ready from a number of different sources, could have known that we had a motion ready. I will deal with that in a minute. But the Premier in his speech then in which he tabled these documents, in defense of the motion which we moved, mentioned arrangement fifteen times. Fifteen times through here he mentioned arrangement.

AN HON. MEMBER: Agreement. Give it to him.

MR. STRACHAN: Agreement, sorry. The word agreement. That is what he said, is it not? Agreement. The word agreement, he mentioned we had an agreement here, an agreement there. Fifteen times he mentioned the word agreement. And yet when we asked questions in the House of Assembly, "Had there been agreements?" the answer was no. And yet in defense he used the word agreement fifteen times. In fact, in the letter tabled tonight from Mr. Dobbin, who I will deal with in a second, which I think is a totally different situation, there is the word agreement three times - twice, sorry, the word agreement. Once he calls it a proposal.

In other words, in their defense they have acknowledged that there were agreements. And our question then is that surely they are misleading the House if for three years he said there have been no agreements and the very defense they use is the Premier in speaking uses the word agreement fifteen times. Surely there have been

D. I. STANBURY:

agreements and the developer talks about the agreement which he had with the Government in a letter tabled this evening. Now, I have no argument whatsoever with the developer, Mr. Robbin; in fact, it is a shame in some ways that his name has come into it as far as I am concerned, because I do not know him. I have not a clue of what the arrangements are. Other colleagues here who know the situation in St. John's, the political situation in St. John's, in the Province and Island, and so on, are far better able to talk about that than I am. The only thing I do know is that previously I admired entrepreneurs. I think that Mr. Robbin obviously must be a very clever and able one. But, I ask you, that in this document tabled here tonight by him - I ask you that if he is a clever and able one, and obviously his history shows that he is a very clever and able entrepreneur, is it normal for a clever and able entrepreneur to spend his own money, a considerable amount of his own money developing a proposal, developing an agreement, getting ready to do a building, and then, on the basis of the agreement which he had in his hand, find out that it is not an agreement anymore? Is that normal? Surely in the construction industry is such fierce competition, and he is obviously a very clever and very able entrepreneur, and I am sure that he did not go and spend substantial amounts of money, out-of-pocket expenses, on the basis of pure speculation, on the basis that he may get something. Obviously there had to be an agreement, otherwise why would you go and spend a considerable amount of money if there was no agreement? So, obviously then, the defense used by the Premier and the documents tabled, the voluminous documents tabled here of all kinds of proposals and agreements, and the document tabled by the developer himself in which he talks about the agreement, then surely, what you have done is to admit guilt, if you like, but you have admitted the fact that there were agreements when you have been consistently, as far as we are concerned, denying the very existence of them for three years now in the House of Assembly. Now, I do not care about any other part of it; I do not care about the legality of it, now

Mr. I. STRACHAN:

binding it in. Surely that is the kernel of the thing, surely that is the allegation which is made, the allegation being essentially that we had asked if there had been any agreements and the answer was 'no'. And here in defense of it we find there are all kinds of agreements talked about with money being spent by the developer on the basis that he felt he had an agreement, agreements being tabled by the Premier in defense against this motion, and obviously then the two do not fit. Obviously, then, the notion made by the Leader of the Opposition must be correct. If there had been no documents, proposals, agreements, arrangements tabled by the Premier, because there were none in existence, then he would be correct. The very fact that he tabled them must therefore indicate that what he was telling us was incorrect, which is the result of the motion. I cannot see it any other way. There cannot be any other way you can see as far as I am concerned, and I cannot see how the members opposite can see it any other way. If there had been no documents tabled, no agreements tabled, no arrangements, no proposals, then what had been said in the House for the last three years would be correct. But to use in the very defense against our motion, to use all these documents, proposals, arrangements, deals, agreements, contracts, whatever you want to call them, surely that indicates that what has been said was incorrect in the House and we were misled.

MR. STRACHAN:

So in other words I believe in this case here that the Premier and the administration opposite since they seem to be in agreement have proven the fact that they misled the House by tabling the very documents which they said were not in existence. That is all we were asking, nothing else. Never mind the semantics. Never mind the arguments, the legal arguments. Never mind talking about the dignity of the House and the decorum of the House and the level of debates. Never mind trying to pull in all the red herrings in the world, throw the debate off into some other avenue or channel. Surely then what has occurred as far as I am concerned is that we have been proven correct.

The arguments used are that all the Opposition is interested in is to scandalize government, have no facts at all, that all they are interested in doing is pulling people through the gutter, through the mud, and allegations like this. I have no great love for a great deal of name calling that goes on. It is some people's forte and some people are good at it and other people are not. Some people get into it. Usually you find that the repartee which occurs, occurs between people who generally are involved in it and that is what they maybe excel in. I am not generally interested in that. I am not good at it. So I do not usually get involved in it and I stay away from it.

The arguments here are as in the case of the Scrivener business about allegations against the government. I stated here two nights ago or three nights ago, I stated that I looked at it very carefully and became involved in them albeit not as the principal or anything else, but became involved in them because I believed that there was a fair amount of truth to the allegations. But not only that. I would not have become involved in them at all, nor would I have become involved in this here if it had been something plucked out of the air, if somebody had gotten some allegation and picked it up and run into the House with it or something they heard or a document

MR. STRACHAN:

they picked up or something like that. I am not interested in the slightest. But the business of this Scrivener deal, the member who raised it had had it for a number of years. He had documents to show that he had asked for enquiries. He had documents which went to the Premier of the Province. He had documents which I believe went to the Minister of Justice here, letters which went to the Minister of Justice in Ottawa. In other words, he fairly well exhausted, as far as he was concerned, his avenue and he decided after that to make it public and he was intent in his own way, which is his own way to continue with it and make it public in this House.

In this case here, did we jump aboard; here is a document and we will jump in and we will table it without any discussion? What is Question Period? Question Period surely then is an opportunity to question government on proposals and agreements and arrangements that they have and for three years questions were asked and denials were made that there was anything. It was felt then that government had ample opportunity in three years to answer correctly. All they had to do was once along the line somewhere once say, yes, there have been arrangements, there have been agreements. Then the line of questioning would have changed totally. But in three years of questioning there were denials and therefore it was felt because the document came to hand that we were quite entitled as an Opposition to table it in the House and to move the motion. Had the questions not been persistently asked for in that period of time, then I would have felt, most definitely would have felt that we were pursuing something purely for the idea of scandalizing. But I fully believe that in both of these issues the Opposition have done what Oppositions are supposed to do, and that is pursue the avenue for facts from government, truth hopefully and to pursue it in a way in which it can be guaranteed that the truth will come out. And that is exactly what we have done in both cases.

MR. STRACHAN:

The refusal in the case of the Scrivener business to allow it to be totally within the hands of the police is for obvious reasons and we want the truth to come out because in essence it goes from police back to the government. And it is not the police that we are afraid of, the RCMP or police. What we are afraid of is

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that the government would then, the administration, would be asked to lay charges against themselves if there is anything there. So we decided to keep making it public as again I said in the way that the member for LaPoile (Mr. Neary) and only he can do.

This matter here, exactly the same as occurred, that for three years the opportunity has been there for the administration to say, "Yes, there have been deals or arrangements or proposals received. We have looked at them all. There have been various ones accepted at various times. There is one which may be ongoing or is not ongoing." But instead we continually received denials of anything at all taking place. And, therefore, surely as an Opposition it is our bounden duty as far as we are concerned to pursue this avenue which is the legitimate avenue by the Opposition in this House of Assembly.

There seems to be from most of the talk by the members opposite, and I think I have fairly from my point of view established that we have a case, there seems from the speakers opposite that they seem to mix up this motion here or loathed what this motion is about. This motion in essence is to resolve into committee to consider certain matters. In other words, to look into the whole thing to find out whether the facts that we have are correct or whether there are other situations to consider certain matters. If what the administration are saying that we must have a hundred per cent pure tight case every time we talk about something like this, then nothing would ever be discussed, nothing would ever be discussed, because we cannot - we do not have access to documents, all kinds of documents. We can never get it. That we have to do is make a judgement that we feel there are sufficient grounds. We cannot hope to collect all the evidence. The evidence may be for the good. The evidence may show that what we have in the one hand is incorrect. That is no argument there. But we cannot hope to collect all the evidence. And surely what the

Mr. Strachan.

are suggesting here in this committee was for the committee to consider certain matters. The Premier at any time or anyone opposite, the ministers involved, at any time could have come in with anything, with any kind of document to show that one week after this arrangement was made that it was cancelled. If that particular document did not come into our hands, there was no way that we knew or could know that it was cancelled. So surely then what we were asking for here was to set up a committee to find out the truth of the matter and to lay it out. And if we did not have all the facts here, which we do not have and never could have, then surely the committee would find out these facts, and we would obviously be told that some of what we have is correct, but there is much more to it, and these are the facts laid out, and the case would have to be dropped in that case.

The committee then as far as we are concerned, surely the committee was to look into this situation, to discuss it, to weigh the matters, to call witnesses. And I remember the Minister of Mines and Energy in a discussion - some people were talking about the secretary of the Executive Council in a question about the difference between a directive and a cabinet order -

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indicated that we should call him up tomorrow and find out exactly, specifically, what the difference was. Surely that is what the purpose of the Committee was. Surely the purpose of the Committee is to have the members come in and indicate that it is legally binding, or not. There is still another argument: It makes no difference if it is as far as we are concerned because it is not a point of our argument. But what we are moving here is that we discuss the whole matter and find out exactly where we stand on this.

The last point I want to make, like other speakers before me, is that - I do not need to ask the Premier, so far as I am concerned, in this - The last point I wish to make is that I believe, as many members, that one of the necessary requirements, or characteristics, the most important characteristic is loyalty, more than anything else that one has to be loyal; if one has agreed to go a certain path, or a certain way, one has to be loyal and stay with it, and I believe in that very much. I think that on that basis, once I have made a decision, however wrong everyone else might think I am, I generally tend to hold and go that way. I think I have indicated that in the past, and I say in this case here that where the Premier accuses some members opposite of leaking information, then to me, of course, it is total nonsense because it must have been fairly obvious and there must have been a dozen people outside of caucus who knew about our getting copies or trying to find out, looking back over Hansard's or whatever it was, but I say, if the Premier thinks it was he had better speak up and say so, because I do not like to be blamed or accused, obviously, of telling, or ratting.

I notice, also, that almost all of us on this side here have stood up and talked on this matter, and discussed this matter, laid it out, because we believe that there has to be loyalty. But it is not loyalty because we were asked for it. Demanded. I believe that the case that we have here is a proper case. The case that we have here does show, as far as we are concerned, that for three years we have

MR. I. STRACHAN: had denials of any arrangements and that we have proven that there have been arrangements, and therefore, something is wrong, someone has been misled, and we think we have proven our case.

We have all talked on this side now.

I believe.

AN HON. MEMBER: Except the member for Stephenville (Mr. McNeil).

MR. I. STRACHAN: The member for Stephenville has talked.

I think the debate has been useful. The Minister of Fisheries, in fact, at one point was discussing the fact that we never talked about anything useful here, very, very seldom. The last time I was talking in the House we spent part of Thursday, Friday, and part of Monday on the Mineral Import BILL which, as far as I am concerned, was a fairly important bill - four and a half hours we spent on that. Our Question Period, the Minister of Fisheries says, has been a total waste of time with nothing being asked but scandal. Surely, we have been asking about the Treadon Road, about Churchill Falls, about Gull Island, about air transportation, about health matters, as far as I am concerned. So, surely, we have been asking a considerable amount of questions which concern this Province, or certainly the parts that I represent. So, I would say, Sir, that what we have done is that where we have serious allegations, and we believe we have a serious allegation against the Administration for wrongdoing, or

MR. STRACHAN:

we think it is. We have laid it out and we have asked here to set up a committee, vote to set up a committee to look into the matter further to find out whether the facts that we have that have come to light are correct. If they are incorrect, then to lay out the evidence which will make them incorrect. And that is what the committee was for. That is what we hope will be set up.

The debate has been a long one and everyone has talked, almost, on both sides. The Minister of Manpower has not talked on the other side, the Minister of Education.

MR. SIMMONS: The Minister of Manpower?

MR. STRACHAN: Has not talked. We thought everyone would get into it and discuss this matter. Mr. Speaker, I support this motion. I support the motion not because it is demanded of me. I support the motion because I believe in the very defense of the administration they laid out their own guilt by tabling documents which showed agreements which they stated in the questions in the last three years had never existed. I believe, then, Mr. Speaker, that in essence the incrimination was against themselves and I cannot do anything else under the situation but to vote for the motion.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Leader of the Opposition.

SOME HON. MEMBERS: Hear, hear!

MR. W. ROWE: You should warn the members, Sir -

MR. SPEAKER: If the hon. member now speaks he will close the debate.

MR. W. ROWE: Mr. Speaker, I am surprised the Minister of Manpower has not spoken in this debate. Does he want to speak? I will give him his opportunity if he does. He does not want to speak, the Minister of Education? Does not want to speak?

MR. ROUSSEAU: I would like to make one statement if I could if you do not mind. I could stand here and say that I have never deliberately misled the House. That is all I have to say. That is what you are worried about, is it not?

MR. SIMMONS: Mr. Speaker, on a point of order, if my colleague would yield for a moment.

MR. SPEAKER: A point of order has come up.

MR. SIMMONS: Mr. Speaker, I was particularly hoping that the member, the Minister of Manpower, would address himself to this debate. He has now indicated to the House that he is not going to. So perhaps he ought to be given an opportunity to do something which he promised the House on April 16, 1975 he would do.

MR. ROUSSEAU: What is point of order?

MR. SIMMONS: This is the point of order. Wait and perhaps the member will learn. I want to give, Mr. Speaker, and I believe it is a legitimate point of order if you will hear me out on it, I want to give the Minister of Manpower an opportunity to do what he promised on April 16, 1975 to this House he would do. I am quoting from Hansard, the verbatim report of the House of Assembly for Wednesday, April 16, page 4425. The minister is speaking, Mr. Rousseau, and I quote in part. "I can stand here and say to the hon. member and to all hon. members and to the people of this Province and if I, Joe Rousseau, thought there was a deal then I would resign from this government."

Now, Mr. Speaker, my point of order is that during the debate it has been clearly established that there was a deal. He is talking about the deal that we have been talking about all day and I now ask him if he will now honour his commitment to the House of Assembly and submit his resignation from the Cabinet.

MR. ROUSSEAU: Mr. Speaker, to that point of order. I would contest that that is merely a difference of opinion between two hon. members.

MR. SPEAKER: Order, please!

I feel there is no point of order before the Chair.

The hon. Leader of the Opposition.

MR. W. ROWE: The minister does not want to speak. Well, Sir, I will not be long. I will say one or two words.

MR. SIMMONS: It is not that he does not want to. He is not allowed to speak.

MR. W. ROWE: I was very gratified, Sir, that every single member on

MR. W. ROWE:

this side of the House rose to speak. The member for Fortune-Hermitage (Mr. J. Winsor) made several attempts to speak earlier in the evening and did not get a chance to get to his feet and had to go, had to leave, Sir, as everyone in the House knows. He does have a severe problem with his hands and could not stay on.

Mr. M. Rowe.

Everyone else in the House, Sir, on this side of the House, spoke in support of the motion before the House, which is a motion to set up a committee to examine the allegations, Mr. Speaker. It is quite clear from the statements made on the other side of the House that such a committee will not be set up as far as they are concerned in this honourable House.

The Speaker's ruling, Mr. Speaker, which started this debate, ruled that there was a prima facie case of privilege involved in this matter, a prima facie case of a breach of privilege and that, therefore, this debate referring it to a Committee of the Whole House would be allowed to take precedence over every other order, every other matter before the House. It appears that that is going to be turned down. That is too bad, Sir. That is too bad, Sir, because it is obvious from the information already given to the House by myself and by the Premier that it is a matter concerning which the Premier does not want any additional information especially from people examined under oath and especially in a committee, whether it be a commission of enquiry or a committee under this House that can require documents to be brought, Sir. The Premier and his colleagues do not want further information to be brought out on this matter particularly the matter involving the deal between himself, representing the government and also the minister concerned and the developer in this case. He does not want it. I can understand why he does not want further information to come out, Sir. It is a very good deal from the point of view of the developer if it had ever been allowed to go ahead. And I hope that if this debate has served no other purpose it has served the purpose of stopping that. Seventy million dollars under an arrangement, a deal, entered into by this government with that developer. An arrangement, Sir, which the member for St. John's East (Mr. Marshall) characterized in his very circumventing legal opinion, his very convoluted legal opinion, an agreement, an

Mr. C. Fove.

arrangement which the member for St. John's East (Mr. Marshall) said the hon. Minister of Industrial Development was badly advised to sign. "Foolishly signed the agreement," I believe, the words were used by the member for St. John's East (Mr. Marshall) - foolishly, he very foolishly signed that document, that agreement.

We had the member for Green Bay (Mr. Peckford), the Minister of Mines and Energy admit there was approval in principle and then go on to say that approval in principle means nothing. It means nothing. Approval in principle means nothing, Mr. Speaker.

It is obvious that there was a deal, an arrangement, an agreement, entered into between the government and this developer, and there was a deal, an arrangement, entered into with Trizec previous to that which the Premier denied having been in existence when he was questioned on it earlier three or four years ago in this honourable House. And he denied the arrangement between the government and Mr. Dobbin, and in doing so, Sir, deliberately misled this honourable House.

I was disappointed to see the member for St. John's East (Mr. Marshall) stand up and defend the government on this matter when he had shown courage earlier in resigning from the government on a similar deal, not quite so bad as this one, but a similar arrangement, a similar deal had brought the minister - I do not know; he was House Leader for a while there - brought his resignation from the government. He says there was no agreement because no building was started, which is the height of nonsense, Mr. Speaker. If every agreement had to wait until something was done under the agreement, before it was binding or considered to be a binding legal arrangement or agreement, Sir, very few agreements would be considered to be binding. I must ask the member for St. John's East (Mr. Marshall), as other members have asked him as well, if he resigned needlessly when he resigned on the other deal

Mr. Marshall that was not consummated concerning which no building was ever started? Did he resign needlessly? Was his resignation in vain? Did it accomplish nothing? I would say it accomplished something, Sir. It stopped the deal from going through. It made the Government hustle back to the developer and pressure him into not proceeding with his position in that particular matter, I would submit. The Premier at the time, according to this newspaper, The Niagara Falls Review of February 25, 1975 said Premier Moores said that Mr. Marshall had been told five months ago he would be required to leave the Cabinet. Maybe he is correct. I would have liked to think that the hon. member resigned from his Cabinet position on a matter of principle involving a deal very similar to the one which is now the subject matter of these discussions.

The hon. member for Green Bay, the Minister of Mines and Energy (Mr. Packford) stood in his place, Sir, and said that the Order in Council, the Minute in Council, covering this particular building 'died a natural death' about a year ago. Nobody has ever heard, Sir, of an Order in Council, or a Minute in Council, 'dying a natural death'. It is ridiculous. In other words, Sir, if anyone has any commitments from this Government he has to see to it, he never knows when his rights are going to evaporate because he never knows when the Order in Council is going to 'die a natural death' or be considered to have 'died a natural death' by this Administration. And if it 'died a natural death' a year ago, then that hon. Minister has admitted that up to a year ago there was an arrangement, a deal, concerning which the Premier in answer to questions in this House did mislead members of this hon. House. That is the only deduction, the only logical conclusion that can be drawn from the statement made by the member for Green Bay district that the Order in Council 'died a natural death'.

I reiterate the question asked by the member for St. John's West (Mr. Kitchen), Mr. Speaker, 'Do not signatures of the Premier and the Ministers mean anything to this Government?' Do they fling around their signatures hokus-hokus with both hands in a wholesale fashion,

MR. H. ROY: appended to documents which are expressed to be agreements, which are set out with agreements with all the terms of agreements in them, and they do not consider this a document to be honoured in any way, legally, or otherwise? Mr. Speaker, the whole thing is too ridiculous to talk about. Any reasonable man or woman in this House, or in this Province, knows that there was a deal between the Government and Mr. Robbin, that there were other deals as well between the Government and this gentleman, and the Government and Trizec Corporation, and in at least two of those deals the Premier stood up and denied the existence of any deals whatsoever. He did not say there are proposals which we are still negotiating and nothing has been decided, or he did not say that we have an agreement but that can be rescinded by an Order in Council. He did not make any qualifying remarks whatsoever, except to say that the agreement - that there was no agreement, no decisions, and no arrangements had been made with anybody, and in attempting to prove his case in that regard he tabled in this House another arrangement which he denied existed before. Only when a building is put up is there an agreement. Absolutely ridiculous, Mr. Speaker!

It is one thing, Mr. Speaker, not to answer in the House. It is one thing for the Premier to stand up and say, or any Minister to stand up and say, 'I refuse to answer that question': it is a completely different thing for an hon. member, or Minister, to stand up in this House and to answer the question, and in answering the question to mislead the House. That is the difference, Sir. It was not a matter of saying nothing or refusing to answer; it was a matter of standing up and saying something which was a misleading answer to members of this House, including myself, and my colleagues, and other members of the House.

MR. W. ROWE:

for the last three years. A \$70 million agreement, Sir, no wonder the government and the Premier wanted to keep it secret. No wonder the only kind of information we could get on it was rumours around the streets of this Province and the towns of this Province that such a deal existed. No wonder the Premier and the ministers wanted to keep it secret because the people of Newfoundland, he knew if they got wind of it in an inappropriate time, would be completely outraged at the idea of this government spending \$70 million on that kind of a project. \$70 million, Sir, involving a profit at least of \$20 million to that developer. And I do not deny anybody a reasonable profit, Mr. Speaker, What I do deny is secret, cosy arrangements made whereby the profit is far more than is reasonable, with no public tenders being called.

MR. MORGAN: A radio in the House!

MR. W. ROWE: The details of the agreement -

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

MR. SPEAKER: A point of order.

MR. MORGAN: Not in regards to the hon. gentleman's speech. But it is maybe a question for clarification, whether or not it is allowed to bring in an electronic instrument into the House, for example a radio like has now been brought in by the hon. gentleman from Trinity - Bay de Verde (Mr. F. Rowe).

MR. SPEAKER: I do not know off hand, to be perfectly frank, whether it is in order to listen to a radio in the House or not. Off hand I do not know.

MR. F. ROWE: Mr. Speaker, if I may speak to it, since I was listening to the news. On a number of occasions, Sir, I think my friend and colleague from St. John's East (Mr. Marshall) will verify this, that he has been sitting in this Chamber over the past five and a half years taking in the national hockey playoff games by earphones through a radio and nobody has risen on a point of order on that occasion and it just has not been brought before the House before.

MR. F. ROWE: As a matter of fact, everybody knew it and there was no problem at all, Sir, and I did not hear the minister's point of order because I was listening to the radio but this is certainly not a precedent. It is a well established thing that people have been listening to the radio in the House of Assembly with earphones.

MR. MURPHY: Mr. Speaker, if I may.

MR. SPEAKER: The hon. Minister of Consumer Affairs and Environment.

MR. MURPHY: It is not something that has happened that - I remember back in former days, the hon. Premier at these days used to always have his little radio plugged in listening to the news. You know, quite frankly if someone were broadcasting I could see some harm being done.

AN HON. MEMBER: Why do you not try again, 'Jim'?

MR. SPEAKER: Well, all I can say is really I am not in a position to make a decision. I suppose to a large extent it will depend on a concensus of the House and the matter perhaps which at the opening some day, before strangers are admitted, hon. members can express their views on. I am not in a position now to say if it is in order or not in order.

MR. MURPHY: I might add to it that it is not a very good compliment to his brother, the hon. Leader of the Opposition, that he has to listen to the radio but just the same outside that I do not mind.

MR. SPEAKER: That is not a matter on which I choose to get involved.

MR. W. ROWE: That is a matter between myself and him, Sir, but he was listening to me on the news, as it happens.

MR. MURPHY: Oh, that is it.

MR. W. ROWE: He was not listening to a game or anything, he was listening to the news, Sir.

MR. SIMMONS: The score is heavily in our favour, Mr. Speaker, at the moment.

MR. NEARY: The polls all show that the government is finished.

MR. SIMMONS: Maybe Your Honour could take it under advisement and deal with it tomorrow?

MR. SPEAKER: Yes, that is what I will have to do. I will have to take this under advisement and make a decision on that. I am not in a position to do so now.

MR. SIMMONS: Mr. Speaker, just a brief word, I just submit that I do not think it is a major or earth-shaking issue but I would submit, Mr. Speaker, that as demonstrated by looking around the House now, a number of people are absorbing the news via the printed media and I would suggest that if my colleague wants to do it through his ears rather than

MR. SIMMONS:

through his eyes, I cannot see any problem unless he is interrupting the proceedings of the House and, of course, that he is not doing.

MR. SPEAKER: The hon. Leader of the Opposition.

MR. W. ROWE: The hon. Minister of Transportation, Sir, when he was making his remarks talked about the details of the agreement not being acceptable to Cabinet or to caucus. I dispute that, Sir. I dispute and I will endeavour over the next number of months, and years if necessary, to find out the veracity or otherwise of the situation. I dispute the fact as alleged that members of the caucus or members of the Cabinet beyond a few hack in August of 1975 were even aware of this agreement, Sir. That is how grave the cover-up attempt to keep this thing quiet until the appropriate moment arose, that is how grave and how concerted and how serious the cover-up attempt was.

MR. NEARY: Keep it under wraps.

MR. W. ROWE: Details of an agreement, Sir, which had a Cabinet directive attached to it is suddenly not acceptable to Cabinet. What a ridiculous notion!

MR. NEARY: Did not Nixon try that one time, a cover up?

MR. W. ROWE: Yes, he tried that kind of stuff. You know where he ended up. The idea, as some hon. members opposite have mentioned, that an agreement with a Cabinet directive attached to it is found not to be agreeable to Cabinet some time later is a notion, Sir, which is too ridiculous to talk about. Mr. Speaker, on twenty-four occasions according to a count done by an hon. member of this House in answer to questions the Premier of this Province gave misleading answers to the probing variety of questions concerning a deal or an arrangement or an agreement to build an office building.

MR. F. ROWE: The Premier and other ministers.

MR. W. ROWE: The Premier and other minister is right, is what I meant to say. The Premier, the Minister of Labour and Manpower, one, for example, the Minister of Industrial Relations is another and the Premier himself on twenty-four separate occasions gave what can only be characterized by any kind of a reasonable interpretation as misleading

MR. W. ROWE:

answers, deliberately misleading answers to members of this House as a result of their questions.

What is the government afraid of, Mr. Speaker, from a committee of this House or from a commission of enquiry? And we offered them the choice a little earlier on and they jumped up with points of order and points of order and Your Honour ruled on an ambiguous Standing Order that it could not be amended or an amendment could not be moved based upon points of order raised by the other side. The option was given to members of this House to enquire into this matter, Sir, which I have alleged by a committee of this House or a commission of enquiry to get at the truth of any possible hanky-panky or skulduggery involved between the government and anybody else outside the House involving buildings of great expense, \$70 million or perhaps more because the figure was expressed to be a minimum figure, Mr. Speaker, in that agreement.

What are they afraid of? I am not afraid of an enquiry on this matter. I am not afraid of a committee of this House on this matter. I would gladly serve with the other members of this House and examine witnesses or have somebody else, some competent individual, as well, to do the same in a commission of enquiry. I would gladly examine documents and see why the cover-up took place, why the deliberately misleading statements were made, what is at the bottom of all this. Probe to the bottom of it, Mr. Speaker, in order to get to the truth, particularly in an effort to make sure that the same thing was not allowed ever to happen again.

Mr. Speaker, in the documents which I laid before this House, on any reasonable interpretation a signed agreement, the absolute blinding legality of which could only be determined by the Supreme Court of Canada ultimately but which in my opinion was a binding legal document and in the opinion of other lawyers, in my opinion Sir, and in the opinion of

Mr. M. Pove.

at least twenty members of this House openly, and I would suspect, Sir, more in their hearts, we have the allegation which I made proved by these documents, an agreement with the signature of a minister, a signature of the Premier, a signature of the developer, also witnessed, and a directive of cabinet. And if that does not go to make an arrangement, Sir, or a decision taken by the government regarding a building to be built or an agreement, then, Sir, the words have no meaning whatsoever. And only a partisan, only a party person, Sir, more dedicated to the party than to the reasonable clear interpretation could vote in a manner which may obscure the fact that the proof has been laid on the table of this House and try to obscure that fact.

The Premier tabled a document which showed that a committee of cabinet recommended to cabinet that the Dohhin proposal he proceeded with immediately and a decision, as I understand it, was taken on that as well. Mr. Speaker, for a minister or a Premier to come into this House and tell members not that he would not answer the question, but that no arrangements, or deals or commitments or agreements of any kind, no decisions had been taken, is to wilfully mislead this honourable House.

And, Mr. Speaker, we may not get the truth of the matter now, because the government will not allow a committee of this House to look into the truth of the matter and plunge to the bottom of this matter, or a commission of enquiry. But I guarantee, Mr. Speaker, that honourable members opposite and honourable members on this side sooner or later will find out the absolute truth of these matters. And I caution honourable members, Sir, to reflect on what they have done, what they are doing or what they intend to do, because I intend if, as, and when I have the opportunity and the authority to do so to get to the bottom of these matters.

Mr. M. Rowe.

I said earlier today that I do not intend to conduct any witch-hunts nor do I, but I do intend to get to the bottom, Sir, of ongoing matters concerning which there are many loose threads hanging out and rag-taps and matters which look very suspicious and are unresolved, unresolved because this House, or a majority of the House in a partisan way represented by a party which supports the government, would not allow the enquiry which we requested to take place and which, Your Honour, ruled a debate on should go ahead. It was of such importance involving the privileges of the House.

I said one time in this House before, Sir, on another matter, the Saunders' matter referred to by some of my honourable colleagues, some five or six years ago which took place, which stank to high heavens then and does now, Sir, I said at that time in this House that the truth is the daughter of time. Sooner or later, Mr. Speaker, sooner or later these matters will be plunged to their depths and the truth concerning them will be found out and will be made public to the people of this Province, and this is one of the occasions, Sir, which would be included in that category as far as I am concerned. And I am very sorry that honourable members have decided not to look into the truth of the matter, not to follow the overwhelming case which has been presented here, supported by argument, supported by Hansard reports and references, twenty-four of them, supported by documentation bearing signatures of the government ministers,

MR. M. BOUT:

a Cabinet directive, an overwhelming burden of proof has been met by myself, Sir, and my colleagues in this matter, in showing that we alleged was indeed true, and, Sir, this House should have gone on to establish that clearly to everyone's satisfaction and, also, to go into a few more matters involving this particular case. I was very, very disappointed, as my hon. colleague from LaLoche indicated, to see the developer, a third party, so to speak, in this case, inject his presence into this House, very disappointed to see it.

MR. DON. STORER:

Hear, hear!

MR. M. BOUT:

A letter written May 19th, which was the day this debate started, in an obvious effort to bail out his buddy, the Premier of the Province, in a very difficult situation that he found himself in, "No money raised by me as a result of the agreement." He understood it to be an agreement. It was an agreement. He knew it was an agreement, he says it was an agreement in his own letter here. He understood it was an agreement, Sir.

Then we have a legal opinion. This is the best the Premier can scrape up. Mr. Speaker, a legal opinion on a few scraps of paper, number 3 down there, number 4, and then it ends, no names, no nothing, no letterhead. As my hon. friend from the Straits of Belle Isle (Mr. Roberts) indicated in a brilliant speech, it is a worthless document and takes a tremendous amount of gall to even bring it into the House in an effort to take this document here substantiate an already weak case which the Premier was putting forth.

It is referred to as an agreement in this document. "We have reviewed an agreement to rent, signed by Her Majesty the Queen in Right of Newfoundland, and Craig L. Dobbin." It is admitted to be an agreement. It is admitted to be an agreement, Mr. Speaker. Then it goes on to deal with - We do not have the whole legal opinion, so-called,

MR. W. BURT: but it goes on to deal with a number of matters which have been raised in this House. The agreement is undated, leading to some confusion as to the date for the land lease. The part upon which the agreement was signed can, however, be obtained and inserted, presented no legal difficulty whatsoever to this presumable learned gentleman and lawyer. It is the kind of legal opinion, Mr. Speaker, which if somebody brought this agreement to me for my perusal as a lawyer, I would write, pointing out things which I would like to see more clearly enunciated, or shown, in the agreement, showing the defects of the agreement if any, showing any weaknesses that should be shored up, showing points which were strong and should be used in any negotiations, or further negotiations, regarding the whole matter. That is the kind of a document it is, Mr. Speaker, so far as it goes, but it does not really do anything.

But, I was sorry to see the developer injecting his presence into the House because it casts a cloud on the validity of what the members on the Government side of the House are now trying to do, or what they will try to do in the future concerning this matter. We have had it clearly indicated to us that there is going to be a vote on purely party lines: there is going to be a partisan vote, Sir, which will be totally meaningless to the people of this Province. All it will mean to the people of this Province was that two parties voted on party lines, and it allows me and my colleagues to do something which I do not particularly want to do but which will leave us no choice concerning,

Mr. W. Powe

to go throughout this Province stating that the members of the government covered up and dragged a red herring over the allegations made by me and our desire for a committee. They covered it up, Sir, and they supported the Premier and the government in an agreement, a \$70 million agreement entered into between the Premier and his best buddy secretly, \$70 million with \$20 million of profit to go to the developer. That is what they are doing, Mr. Speaker. That is what they are doing. The idea, Mr. Speaker, the idea that in this forum here the Premier is going to be found guilty or I am going to be found as not having substantiated my case is totally, utterly ridiculous and an abuse of the whole idea of an enquiry to try to get at the truth of this matter, a party supporting the Premier in his allegations and a party supporting me in my allegations. That kind of a notion, Mr. Speaker, will hold no water with the people of this Province. The Premier is likely to get up now, when his party votes down my motion, and say, "Okay, I have been found innocent," the Premier will say, "therefore, the member has not substantiated his allegations. I would have resigned. Is the member prepared to resign?" What childishness, Mr. Speaker, as if the matter -

MR. NEAVEY: One of his hacks will do it.

MR. W. POWE: - as if the matter had something to do with 'Frank Moores' and 'Bill Powe'. How ridiculous, how childishly ridiculous! The matter has nothing to do with that. The matter has to do with something far greater, Mr. Speaker, than him as an individual or me as an individual. The matter has to do with a wilful attempt by a government to cover up, to mislead members of the House, to keep things quiet that they were embarrassed about, and when it is discovered, when I had the fortune to have these documents come into my possession, everyone in this Province can see why the cover-up was put into place, why we were misled in this House, Mr. Speaker, because it is a gigantic

Mr. W. Pove.

rip-off and would have been a gigantic rip-off. And no wonder they were embarrassed about it and kept it quiet and denied all the rumours and allegations that were going around. That is the important matter. It has got nothing to do with that gentleman as a member of the House or personally, or me as a member of the House or personally, Sir. It has got to do with graver issues than that or of his political future or mine. How ridiculous! Nonsense!

If now, Sir, if there was a commission of enquiry with broad terms of reference to look into this matter, broad terms of reference to look into this matter, not only the misleading statements but the whole deal itself and whether it is in the best interest of this Province or not and so on and so forth, terms of reference which were approved by me as well as by the Premier, I might say then they might have some argument for talking in terms of this gentleman resigns or that gentleman resigns, a totally foolish situation designed to reduce the grave argument to ridiculous proportions and try to make it look like a personality contest or something between the Premier and myself when what we are talking about is the best interest of the Province and the people in it when it comes to the spending of public money. The Premier wants to put it to the test, Sir, what the people of Newfoundland think about this deal and others. I issue him a challenge, Mr. Speaker. I say, Go down to Government House and advise the Lieutenant-Governor to call an election and let the people decide.

SOME HON. MEMBERS: Hear, hear!

Mr. W. Pove: Let the people decide.

SOME HON. MEMBERS: Hear, hear!

Mr. W. Pove: If the Premier thinks that he should resign or I should resign, or if the Premier thinks that we

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MR. H. ROSS:

cannot do any work in this honourable House because there is too much nit-picking back and forth or bickering, or if the Premier thinks that in his government he cannot get any work done

MR. W. ROWE:

else. Let them decide. Let us have a debate on this publicly, out in a campaign, whether this government here has misled the people over the past six years as the Premier and ministers have misled this House? Let us do that and let us present our case and our arguments and our evidence to the people of this Province and see what they say. I would gladly do that and I issue that challenge to the Premier. It has been, what, two and a half, going on three years or something since he had an election. Normally you would let him go four years before you would say have an election. But, sir, this government has ground to a halt. This government can no longer govern. This government does not have the moral sanction of the people because they feel themselves, they know themselves to be so unpopular, they do not feel they have the mandate of the people. You have got ministers who are frightened to death at meetings practically. They cannot get up. They can hardly get up and make a spirited defense of what they are doing. It is all apologetic, no morale, demoralized.

Well maybe the results of a general election may put them back in power again. Then they can come back with their morale, come back with the spirit-or maybe not. Maybe they could be over here trying to uncover and expose skulduggery, which I hope never exists. But I say to the hon. member for Green Bay (Mr. Peckford) and any other hon. member over there if any of those hon. members ever come into possession of documents which I have tabled there in the last day or so then I say to you, come into the House, rise on a point of privilege, make your prima facie case, table it in the House and have a debate. And I will say this, Mr. Speaker, and I say this and I guarantee this for the future, that if there is this kind of evidence ever presented regarding any administration that I am involved in or that I lead there will be an investigation.

MR. NEARY: Hear, hear!

MR. W. ROWE: I guarantee that now, Mr. Speaker and we will not -

SOME HON. MEMBERS: Hear, hear!

MR. W. ROWE:

because people are always fussing about how to cling on to power, as my hon. friend from Baie Verte-White Bay (Mr. Rideout) said, if the Premier honestly thinks that then let him go call an election and let the people decide. If he is re-elected again with a clear mandate, so be it. He would certainly have four years of clear sailing and legislative power in this House, Sir, with a clear mandate. Or on the other hand the people may turn to this party or some other party and may give some other party a clear mandate to govern on their behalf. They may do that. I am not afraid of whatever decision may be taken by the electorate. I am not afraid of that at all. As a matter of fact, I would welcome it. Let the two hundred-and what? - forty or fifty thousand voters we have in the Province now, let them decide. I would gladly submit myself, my political fate, to the hands of the people of the Province. Submit my political fate to thirty partisans on the other side of the House! How totally ridiculous, Mr. Speaker. Making a vote on partisan grounds! What nonsense! How ridiculous! After an election is over I would certainly submit my fate to the hands of the majority of the House, gladly. And if I could not sustain their support in the House I would certainly resign. But let there be a general election if we think these matters are getting too serious to handle here in this House. Let us clear the air that way.

I would not hesitate, Sir, to advise the Premier to do that. Come what may: Maybe we would win, maybe we would lose. One of the hon. members over there seemed to think that I was cocky or something as a result of a poll. Yes, we have had good results from polls that we have had commissioned, radio stations have had commissioned. But, Sir, the outcome of an election is of little concern to me. If we went to the polls we would go there with our platform and our leadership and our candidates and then we would let our fate rest in the hands of the people, let them decide. There would be no clinging on, trying to trick our way into power by promises or dupes or anything

MR. M. BONE: and we will not have it all decided on partisan lines. Mr. Speaker, We will not have childish challenges flung back and forth, we will not have mutterings of revenge against the people who dared to exercise their rights in this House to lay these documents on the table. none of that kind of stuff. I will be very interested to see now, Sir, what the hon. minister and members have in mind when in a partisan way they defeat this motion. I will be very interested to see.

One thing I know, Mr. Speaker, is that it is going to be a political blunder of the worst order and I welcome - well, I wish I could plot it out for them. I know what I would like for them to do, but I doubt if even they are quite that foolish, but I hope that they do have something in mind, Sir.

AN HON. MEMBER: Wait and see.

MR. W. ROWE: I will sit down when I am finished. Mr. Speaker, there are one hundred other things that you could say about this. You could talk, since the gentleman outside the Bar of the House there now saw fit to inject himself into this, you could talk in terms of other little interesting coincidences and so on, Mr. Speaker. Fund raising of political parties or anything else is a very, very, difficult subject, as we have touched on in this Hon. House a number of times, because of the grave danger that efforts on fund raising on the part of parties or candidates may become seriously tangled up with government favours and government deals and so on like that.

One of the enquiries, and I must say that I am giving consideration to what further moves and steps and public utterances I may want to make concerning this subject, but one of the very fertile fields of enquiry would be an examination into the role played by certain gentlemen, close to the Premier and close to that party over there, in the months

MR. V. ROWE: leading up, the weeks leading up to the general election at the same time as this deal, Sir, was signed in the month of August, August 18th, a week or so before the general election. That is a fertile field for enquiry, Sir. I hope that that kind of thing is not a fertile field for enquiry a year or two years from now, because I hope that we will have legislation in place which will get rid of any suspicion even of hanky-panky or skulduggery or anything. But, Sir, in the weeks leading up to the election of 1975 there would be a fertile field for enquiry and I am pondering out loud to myself now, Sir, as to what might be said or done about that now and in the future. I do not know. It will have to be thought about very carefully. But one thing, Sir, as I indicated earlier in my remarks - and every member here, knows, I think, what I am talking about - as I indicated earlier in my remarks, Sir, without trying to be holier than thou, without trying to have a halo or anything around my head, as the member for Green Bay (Mr. Peckford) tried to do himself and then accused me of trying to do immediately afterwards, I and my colleagues here, and I am willing to venture many of my colleagues on the other side of the House want to clean up the whole process of monies and funds involved in politics. They do, as do I, and we will have to make some moves, either separately as parties or together, in that direction and I do hope, Sir, that we do make progress in that direction.

Let me finish, Sir, by saying simply this, every member on this side of the House stood up and said that they are convinced that they were misled or that their colleagues were misled in answers given to questions by the hon. the Premier. I for one am convinced of that completely. I would like to go further and find out more about the deal itself. We are not going to be permitted to do so. But, Sir, I am convinced we were misled and willfully misled and deliberately misled

MR. H. BOND and so do my colleagues here who have to
a man and a woman stood up and made exactly the same accusation
and we stick by it, Sir, because we know it is true

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Is the House ready for the question? Those in favour "Aye", contrary "Nay". In my opinion, the "Nays" have it.

SOME HON. MEMBERS: Divide! Divide!

DIVISION

MR. SPEAKER: Those in favour of the motion, please stand.

The hon. Leader of the Opposition, Mr. Hodder, Mr. Strachan, Mr. Fred Rowe, Mr. Neary, Mr. White, Mr. Lush, Dr. Kitchen, Mr. Flight, Mr. Canning, Capt. Winsor, Mr. Nolan, Mr. Rideout, Mr. McNeil, Mr. R. Moores.

Those opposed to the motion, please stand.

The hon. the Premier, the hon. the Minister of Labour and Manpower, the hon. the Minister of Education, the hon. the Minister of Tourism, the hon. the Minister of Rehabilitation and Recreation, the hon. the Minister of Forestry and Agriculture, the hon. the Minister of Health, the hon. the Minister of Consumer Affairs and the Environment, the hon. Minister of Mines and Energy, the hon. the Minister of Transportation and Communications, the hon. the Minister of Municipal Affairs and Housing, the hon. the Minister of Fisheries, Mr. Lundrigan, Dr. R. Winsor, Mr. Marshall, Dr. J. Collins, Mr. Young, Dr. Twomey, Mr. Neil Windsor, Mr. Cross, Mr. Patterson, Mr. J. Carter, Mr. Woodrow, Mr. Power.

Fifteen affirmative votes, twenty-four negative votes. I declare the motion lost.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Premier Moores.

PREMIER MOORES: Mr. Speaker, I rise on a point of privilege. The debate has been held and the motion has been lost. And I would point out, Sir, that in the Hansard of just before the debate took place the hon. the Leader of the Opposition said as follows, And my point of privilege, Sir, is that the Premier of this Province, aided and abetted by a minister or ministers, has deliberately misled this hon. House in a matter of involving tens of millions of dollars of public money.¹¹ The phrase "deliberately misled this House", Sir, I would ask the hon. the Leader of the Opposition to do the gentlemanly thing and withdraw that remark.

MR. SPEAKER: The hon. the Leader of the Opposition.

MR. W. ROWE: To the point of privilege.

MR. SPEAKER: I do not know if the hon. gentleman, the Leader of the Opposition, intended to rise or not. Does the hon. gentleman wish to speak to it?

MR. W. ROWE: Yes, Sir. Sir, the remarks made by myself were made in order to set up a prima facie case of abuse of privileges of this hon. House made to Your Honour. And in doing so, of course, I had to set out what I was trying to do. I could not couch it in language which was meaningless. It had to be language which would set out what I was trying to do. Your Honour accepted the prima facie case which I presented and allowed the debate to take place on the motion which I have subsequently put, the motion being to set up a committee of the House, a Committee of the Whole House in order to enquire into the allegations -

MR. W. ROWE:

and so on. There were two points made, Sir; one is that I was making my case, and two, that the question which I raised has never been dealt with because the government or the majority of the members of the House would not resolve into a Committee of the Whole or accept an amendment which we offered in order to determine the truth or otherwise of the allegations, which I would submit, Sir, a prima facie case of the truth of them was made when Your Honour accepted my case and allowed the debate to take place on the motion to enquire further into the truth of the allegations or the lack of truth thereof.

Now, Sir, without dealing with the matter as to whether I am going to withdraw or not, I submit, Sir, that there is no occasion to require me to withdraw for the simple reason, Sir, that if I am exercising my rights as a member of this House, rising on a point of privilege in order to make my prima facie case, and my prima facie case is accepted by the Speaker, whatever the position may be - if it was not accepted that would be a different matter, I would vouchesave to Your Honour - my prima facie case was accepted by the Speaker and the debate allowed to take place on a motion which I subsequently made. Therefore, Sir, I would submit that the whole matter has to be taken as a piece. I mentioned when I made my remarks, Hansard will show, that I am making these remarks which would otherwise be unparliamentary - I mentioned that, Sir - remarks that might otherwise be unparliamentary and I intended to move a motion in connection therewith. Subsequently Your Honour accepted the prima facie case, allowed the motion to be made and the debate to take place, Sir. So I am saying, Sir, if a member in those circumstances is required to withdraw anything that might be said in support of a case, which is subsequently accepted as a prima facie case by the Speaker and a debate is allowed to take place, if that is a case where he is forced to withdraw subsequently, Sir, there is no way a member can

MR. W. ROWE: make a case before Your Honour involving the privileges of this House where any allegation is made of impropriety, or deceit, or willful misleading, or anything else regarding any member of this House and that would be clearly a derogation from the rights of an hon. member to make that allegation and to lead evidence in support thereof.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please! I am in a position to make a ruling. I am not going to consider the privilege of prima facie, I am not going to consider that. The substantive matter is that the hon. Premier has asked that the allegation of deliberately misleading the House be withdrawn. I would point out, May, page 429, "It would be useful to give examples here of expressions which are unparliamentary and among them the misrepresentation of the language of another and the accusation of misrepresentation," and then it says, "and the accusation of deliberate misrepresentation." That allegation in Parliament is per se unparliamentary. When it was made by the hon. Leader of the Opposition, it was made as the substantive issue in his allegation that privilege had been broken and he indicated that if the ruling of the Chair were such as to give it a prima facie operation that the matter of privilege was sufficiently involved to require precedence in debate, that that would be incorporated into whatever such motion might in fact have precedence.

If the decision of the Chair had been that there was not a prima facie case, then I think the hon. gentleman would have been required to withdraw. This is not the situation we are now in. When the Chair ruled that there was a prima facie case, I was

Mr. Speaker:

ruling that the matter of privilege was sufficiently involved in the allegation made by the hon. gentleman that the House should give precedence to this matter, and that a motion based thereon would have precedence.

The Chair does not decide matters of privileges. It is specifically stated, and I think all hon. members know that. The Chair is precluded from deciding whether there was a breach of privilege or not. All the Chair can do is make decisions on two points: whether the matter is brought up at the earliest opportunity and, number two, whether, in shorthand, there is a prima facie case meaning whether the privilege is sufficiently involved in the allegation and submission that this matter should have precedence and the motion based upon it would have precedence.

A motion with such precedence has been debated and finally it has been resolved. And the motion would direct a number of things, examining witnesses, documents, reporting recommendations to the House of Assembly, etc. But in its first paragraph, the extremely important part of it is that the House resolve itself into a Committee of the Whole to consider certain matters concerning privileges of the House raised by the hon. gentleman, viz, that the hon. the Premier deliberately misled the House in certain matters.

It is the House which decides on whether privilege has been broken or not. It is the House which decides, when that motion which has precedence is ruled to be in order, and when it is finally resolved by a debate, after the debate, when it is finally resolved, it is the House which decides. And the House has decided by a majority, which is the only way the House can decide, to negate that motion. In my opinion, therefore, the hon. the Premier is justified in asking for a withdrawal of that allegation.

Allow me to put one other reason, if that is the correct term. If an allegation such as being deliberately misleading were allowed to go without being withdrawn after the House had decided on the substantive matter, it would appear to me that henceforth any hon.

Mr. Speaker: member on any side could attribute to anybody else that he is deliberately misleading the House, and that that very essential restriction, rule of parliamentary language would henceforth be forever undermined in the House of Assembly. And I do not think that I could allow that. I would be acting improperly toward the House, toward all hon. members, to allow that. It is therefore my decision that I call upon the hon. gentleman to withdraw the allegation made toward the Premier.

The hon. the Leader of the Opposition.

MR. W. ROWE: Mr. Speaker, I assume I will say a word or two in advance of doing what I intend to do. Sir, I do not mean to argue with Your Honour. Your Honour has made a ruling. But I will point out particularly with reference to your last, or your latter reason, or your last reason, that there are two separate cases; one, being where no prima facie case is involved, and the other, where a prima facie case, a breach of privilege is in fact ruled to be made out by Your Honour. I agree entirely that if no prima facie case is made out then the words would be certainly unparliamentary and the person should withdraw them or take the consequences.

So, therefore, Sir, since the Speaker has the right to make the prima facie case ruling one way or the other, Sir, that certainly gets rid of any danger or any apprehension Your Honour has of the danger that people can go around this House

MR. W. ROUPE:

calling members willfully misleading or anything else with impunity because when there are matters of grave privilege involved I would assume Your Honour exercises a certain amount of discretion and judgement on the matter as to whether it looks as if it should be debated, it should be looked at carefully and so on and so forth and therefore, Sir, in that particular case it seems to me that there should be no requirement to withdraw. The matter has been debated, the matter has been resolved in the House, so to speak, but, Sir, I would point out very clearly for the record and for Your Honour's edification as well that no opportunity was afforded me, who made the allegation, to in fact enquire into the truth of them or not, or this House for that matter.

The motion that was defeated, Sir, was not a motion as to whether the hon. the Premier willfully misled this House or not; that issue was never decided in this House, Sir. The only issue that was decided was whether there would be a committee set up to examine into that question. And for reasons which Your Honour can best imagine yourself the majority of this House decided not to set up a committee and not to enquire into the matter. They did not decide, Sir, the truth of falseness of what I had to say, and therefore, Sir, the matter is left hanging by willful vote of this House. It is not my fault, Sir, I wanted to have the matter looked into, if there is any fault, and I do not call it fault, it is the fault of the majority of the House who decided not to have the matter enquired into and the matter is therefore unresolved. Therefore, Sir, we do not know at this moment in time whether my case is in fact substantiated or not.

MR. SPEAKER: Order, please! I have to interrupt the hon. gentleman, I heard his remarks up until I interrupted as

MR. SPEAKER: perhaps a question or an explanation of the ruling, but I could not allow what might appear to be a questioning or an argument with my ruling. I think in order to keep our practice and our procedures, which are very important in this respect, to keep those without any ambiguity I will just repeat my decision. It is my judgement that after the prima facie ruling was made, which means that the matter of privilege was sufficiently involved to permit a motion which would be given precedence, and that motion was made and has now been resolved and it has been resolved in the negative, that that does now require a withdrawal of the allegation.

I realize the wording of the motion, and it asked for a committee to be set up, but there is an obvious reference there to set up the committee to consider certain matters raised by the hon. Leader of the Opposition, viz., that the hon. the Premier speaking from his place in the House deliberately misled the House in answer to questions, etc., etc., I would have to interpret the vote obviously as a negative vote, as a negative vote on that motion which took precedence because of my previous ruling. I do not require the hon. gentleman to withdraw. I cannot hear any debate or questioning. An appeal obviously can always be made.

MR. NEARY: I move that the Speaker's ruling be appealed.

MR. SPEAKER: The motion is that the Speaker's ruling be upheld. Those in favour, "Aye". Contrary, "Nay". In my opinion the "Ayes" have it.

MR. W. ROWE: On division, Sir.

MR. SPEAKER: Call in the members.

MR. SPEAKER: The motion is that the Speaker's ruling be upheld. Those in favour, please stand.

The hon. the Premier, the hon. the Minister of Labour and Manpower, the hon. Minister of Education, the hon. the Minister of Tourism, the hon. the Minister of Rehabilitation and Recreation, the hon. the Minister of Forestry and Agriculture, the hon. the Minister of Health, the hon. the Minister of Consumer Affairs and Environment, the hon. the Minister of Mines and Energy, the hon. the Minister of Transportation and Communications, the hon. the Minister of Municipal Affairs and Housing, the hon. the Minister of Fisheries, Mr. Lundrigan, Dr. Winsor, Mr. Marshall, Dr. Collins, Mr. Young, Dr. Twomey, Mr. Neil Winsor, Mr. Cross, Mr. Patterson, Mr. Carter, Mr. Woodrow.

MR. SPEAKER: Those opposed to the motion please stand.

The hon. Leader of the Opposition, Mr. Hodder, Mr. Strachan, Mr. Fred Rowe, Mr. Neary, Mr. Simmons, Mr. White, Mr. Roberts, Mr. Lush, Dr. Kitchen, Mr. Flight, Mr. Canning, Captain Winsor, Mr. Nolan, Mr. Rideout, Mr. McNeil, Mr. Moores.

MR. SPEAKER: Twenty-three affirmative, seventeen negative, I declare the motion carried.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: I now have to call upon the hon. Leader of the Opposition to withdraw the allegation.

MR. W. ROWE: I understand the position you are in, Mr. Speaker. You have to make a ruling because the words in themselves are unparliamentary. In theory the words themselves are unparliamentary. Your Honour has no choice but to ask me to withdraw the words, whether Your Honour feels it is justified or not is irrelevant. That is your position, Sir.

My position, and this will be a very brief explanation, my position, Sir, is that although I recognized the words to be as words unparliamentary, I also have to recognize something greater, and that something greater, Sir, is what I believe

MR. W. ROWE: to be the truth and I have made allegations in this House which I know to be true, which I believe to be true, which I know in my conscience, my heart and my mind to be true, and whether those words which I uttered are unparliamentary or not, Sir, I cannot in conscience or in principle, or by exercise of my intellect, withdraw those words. I cannot do it, Sir, because to do so would in some way make it appear as if I did not believe that the words were true, And Sir, I believe what I uttered when I said that the Premier of this Province willfully misled members of this House, including myself, Sir, I believe those words, I know them to be true and I cannot in principle withdraw them.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. gentle has explained his position and I will explain mine. I have no choices. As Speaker I have certain obligations. The authority I exercise is not a personal thing, it is the authority of the House of Assembly. I have not, during the close to three years I have been Speaker, ever been required to name anybody. It is not my wish or desire to have to so do. I regard one of the main areas of my responsibility is to facilitate members being in the House; not a part of my responsibility which I particularly relish, if and when the occasion arises, for having to name an hon. member.

However, the rule that I must apply is totally binding on me. I am sure the hon. gentlemen - I am not trying to put words in his mouth - I am sure all hon. gentlemen realize that when the Chair requires

MR. SPEAKER: something to be withdrawn and an hon. member refuses to so withdraw, it is imperative upon the Chair to take a certain action and I now so do. I have to name the hon. member for Twillingate, the Leader of the Opposition, Mr. William Rowe.

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

MR. PECKFORD: Mr. Speaker, in the name of the dignity and privileges of this hon. House I move that the hon. the member for Twillingate be expelled from this Chamber for three sitting days.

SOME HON. MEMBERS: Shame! Shame!

MR. PECKFORD: Seconded by the hon. Minister of Transportation and Communications.

MR. SPEAKER: Order, please! The motion before the House is that the hon. member for Twillingate be expelled for three sitting days. This is not a debatable motion.

MR. NEARY: Do you not need a seconder for that, Mr. Speaker?

MR. SPEAKER: I think the hon. gentleman indicated the seconder.

MR. NEARY: Who is the seconder?

MR. PECKFORD: The hon. Minister of Transportation and Communications.

MR. SPEAKER: I shall now put the question. Our precedents clearly establish it is not a debatable motion.

The motion before the Chair is that the hon. the member for Twillingate be expelled for three sitting days. Those in favour "Aye"?

SOME HON. MEMBERS: Aye .

MR. SPEAKER: Contrary "Nay".

SOME HON. MEMBERS: Nay.

MR. SPEAKER: In my opinion the "Ayes" have it.

SOME HON. MEMBERS: Divide! Divide!

MR. SPEAKER: Call in the members.

DIVISION

MR. SPEAKER: The hon. the member for Twillingate be expelled for three sitting days. Those in favour of the motion please stand. The hon. the Premier, the hon. the Minister of Labour and Manpower, the hon. the Minister of Education, the hon. the Minister of Tourism,

the hon. the Minister of Rehabilitation and Recreation, the hon. the Minister of Forestry and Agriculture, the hon. the Minister of Health, the hon. the Minister of Consumer Affairs and the Environment, the hon. the Minister of Mines and Energy, the hon. the Minister of Transportation and Communications, the hon. the Minister of Municipal Affairs and Housing, the hon. the Minister of Fisheries, Mr. Lundrigan, Dr. R. Winsor, Mr. Marshall, Dr. J. Collins, Mr. Young, Dr. Twomey, Mr. N. Windsor, Mr. Cross, Mr. Patterson, Mr. J. Carter, Mr. Woodrow.

MR. SPEAKER: Those opposed to the motion please stand; Mr. Hodder, Mr. Strachan, Mr. F. Rowe, Mr. Neary, Mr. Simmons, Mr. White, Mr. Roberts, Mr. Lush, Dr. Kitchen, Mr. Flight, Mr. Canning, Captain Winsor, Mr. Nolan, Mr. Rideout, Mr. McNeil, Mr. R. Moores. Twenty-three affirmative, sixteen negative. I declare the motion carried.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Premier.

PREMIER MOORES: On the same subject, the hon. member for Burgeo-Bay d'Espoir in the May 9, 1978 Hansard, his quotation was, "The Premier and his colleagues clearly and deliberately and knowingly and systematically and on a continuing basis misled this House". I ask the hon. members here to withdraw those remarks.

MR. SPEAKER: On that matter the circumstances are -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please! Order, please!

-identical and there is obviously no need for me to go through the ruling again because the circumstances are identical as they were with respect to the hon. gentleman's colleague. I therefore do call upon the hon. member for Burgeo - Bay d'Espoir to withdraw that allegation. Hon. member.

MR. SIMMONS: Mr. Speaker, first of all I wanted it to be made clear that I am responding to Mr. Speaker's request that I withdraw, not to the Premier's request that I withdraw. There is a big difference, Mr. Speaker, I will take direction from the Chair, never from the Premier in this House.

Mr. Speaker, the allegation I made I have made on several occasions in the past few hours, Mr. Speaker, something which I can if not repeat word for word then

I can certainly reflect in other words the essence of what I said. And I can do that so well, Mr. Speaker, without

MR. SIMMONS: notes because I happen to believe it so deeply, that the Premier did wilfully and deliberately mislead the House on a number of occasions in relation with the matter we have just concluded debate on. Mr. Speaker, for me to stand here today and withdraw these remarks because as words they are not within the parliamentary framework of terminology laid for us to use, or which we can use or cannot use for me to withdraw them for that reason, Mr. Speaker, would be a very serious contradiction in terms. I understand, Mr. Speaker, that you have no choice in what you have to do in requesting me to withdraw and I understand the circumstances in which you find yourself required to do what you have to do. But equally I would hope, Mr. Speaker that you and the members of the House would understand that what I have to do I have to do to and that is be prepared to stand up for what I believe in. Mr. Speaker, respectfully and without any desire to intimidate the Chair in any way, I must say, Sir, that I find that I cannot withdraw the remark.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Obviously the obligation incumbent upon me with respect to the former hon. gentleman is incumbent upon me now. I must proceed to name the hon. member for Burgeo - Bay d'Espoir, Mr. Roger Simmons, and require his withdrawal from the House.

The hon. Minister of Mines and Energy.

MR. NEARY: Watch the executioner get up.

MR. PECKFORD: Mr. Speaker -

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

MR. SPEAKER: A point of order has risen.

MR. S. NEARY: Is the hon. gentleman moving the adjournment of the House? Is the hon. gentleman moving the adjournment?

MR. PECKFORD: I cannot answer. It is out of order for me to answer.

MR. S. NEARY: Well, Mr. Speaker, Your Honour has named two of my colleagues for accusing the Premier of deliberately misleading the House in answering questions asked in the House by the hon. members on this side of the House regarding existence of an agreement or an arrangement between the government and a third party to build an office building for the government.

Now, Mr. Speaker, my point of order is this, that hon. members in this House, Sir, are going to find it very difficult in future to carry out their responsibilities and their obligations of the people of this Province if that is allowed to stand. And I repeat, Sir, I have no hesitation in upholding my hon. friends who have just been named by Your Honour and I say that the Premier, and I believe that the Premier deliberately misled this House.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Hon. minister.

MR. PECKFORD: Mr. Speaker, to that point of order.

There is no point of order, but in the process of the hon. member trying to make one he has in fact also used unparliamentary language and therefore must be brought to task.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: There is no doubt that the hon. member for LaPoile has made a similar allegation which I regard as unparliamentary and which I will in time require him to withdraw, but we are now in a somewhat

MR. SPEAKER: different stage and we have to do things one at a time.

MR. PECKFORD: Mr. Speaker.

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

MR. PECKFORD: In the name of the dignity and privileges of this House, I move that the hon. member for Burgeo - Bay d'Espoir be expelled from this Chamber for three sitting days.

MR. SPEAKER: The motion is that the hon. member for Burgeo - Bay d'Espoir be expelled from the Chamber for three sitting days.

Those in favour 'Aye'.

Contrary 'Nay'.

In my opinion the 'Ayes' have it.

Order, please!

It will come as no surprise to the hon. gentleman from LaPoile that I must call upon him to withdraw the allegation of deliberately misleading the House which he has previously made. Will the hon. gentleman withdraw it?

MR. NEARY: No, Mr. Speaker, I believe the charges and the allegations that I made to be true and I have no intention of withdrawing them.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The rules of the House require that I name the hon. gentleman, which I proceed to do - the hon. member for LaPoile, Mr. Stephen Neary.

The hon. the Minister of Mines and Energy.

MR. PECKFORD: In the name of the dignity and privileges of this House, I move that the hon. member for

MR. PICKFORD: LaPoile be expelled from this Chamber for three sitting days.

MR. SPEAKER: The motion is that the hon. member for LaPoile be expelled from the Chamber for three sitting days. Those in favour 'Aye', contrary, 'Nay'.

In my opinion the 'AYES' have it.

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

MR. SPEAKER: A point of order.

MR. STRACHAN: Mr. Speaker, in the debate which ensued I made certain statements that the Premier and members opposite had deliberately misled this House. I believe these to be true and I say them now in a point of order.

I believe the statements and the arguments I made. I believe that this House was misled by the Premier and the ministers opposite.

MR. SPEAKER: Order, please!

MR. F. WHITE: To the point of order, Mr. Speaker.

MR. SPEAKER: I am dealing with one.

MR. F. WHITE: The same one, Mr. Speaker.

MR. SPEAKER: The same point of order? I thought the hon. gentleman was going to make an additional point of order, but one somewhat similar.

MR. F. WHITE: The point of order that I want to speak to is exactly the same as my hon. friend just spoke to. I, too, believe, Mr. Speaker, that the Premier deliberately misled this House.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please! Order, please!

I have to take one at a time. The points have great similarity but they are different, and I cannot deal with fifteen or sixteen en masse.

MR. SPEAKER: In the first one, made by the hon. gentleman for Eagle River, his allegation that the Premier deliberately misled the House, I must require him to withdraw.

MR. STRACHAN: Sir, I believe them to be true and I cannot withdraw.

MR. SPEAKER: The hon. gentleman does not withdraw. Obviously, I have to name him. The hon. member for Eagle River, Mr. Ian Strachan, please withdraw from the House.

MR. HODDER: A point of order.

MR. SPEAKER: No, I have to deal with one at a time.

Order, please! After an hon. member has been named then there is - something -

AN HON. MEMBER: (Inaudible)

MR. SPEAKER: - nothing, oh, fine. Well then, the next one. I believe the hon. member for Lewisporte had risen - I can only take one at a time - did not the hon. member for Lewisporte rise?

MR. WHITE: On a point of order.

MR. SPEAKER: Yes, and the hon. the member said that he was not willing to withdraw the allegation. I name him, Mr. Freeman White.

MR. HODDER: Mr. Speaker,

MR. SPEAKER: The hon. the member for Port au Port.

MR. HODDER: To a point of order, Mr. Speaker, I would like to categorically and emphatically say that I believe that the Premier, sitting in his place, deliberately misled the House.

MR. SPEAKER: The hon. gentleman has made his statement. I assume he does not intend to withdraw it, and I assume he is waiting for me to name him. The hon. member for Port au Port, Mr. Hodder.

MR. F. ROWE: A matter of privilege.

MR. SPEAKER: A matter of privilege.

The hon. member for Trinity-Bay De Verde.

MR. F. ROWE: On a point of privilege, Mr. Speaker. I find it passing strange that in the debate last evening and this morning that hon. members opposite quoted from the verbatim reports from the House of Assembly statements and allegations and charges made by the Leader of the Opposition and the member for Burgeo-Bay d'Espoir (Mr. Simmons) and myself. Three different members stood in their places, Sir, and read back the verbatim reports and I find it passing strange that the hon. the Premier has seen fit to rise in his place for the purpose of seeking a retraction from the Leader of the Opposition and the member for Burgeo-Bay d'Espoir (Mr. Simmons). I find it passing strange, Sir, that the same rule does not apply to myself, the member for Trinity-Bay de Verde.

AN HON. MEMBER: (Inaudible)

MR. F. ROWE: Mr. Speaker, for the edification of the minister, we were asking the minister whether he was going to adjourn or not and he would not tell us what he was about to do.

MR. MURPHY: That is his business. He is House Leader.

MR. F. ROWE: That is right, it is absolutely right. It is his business what he wishes to do. I simply want to say that I in speaking, before this motion and during the debate on this motion accused the Premier, by referring to the verbatim reports of the House of Assembly, Hansard and subsequently after the motion is brought in, a document, an agreement, I accused the Premier of deliberately deceiving and misleading hon. members of this House, and I repeat that charge, Sir.

MR. PECKFORD: To that point of privilege, Mr. Speaker. For the edification of the hon. member in his explanation of why the hon. the Premier did not take similar action as it relates to him because of

MR. PECKFORD: his charges that were in the same vein and in the same phraseology and around the same time as the other two hon. gentleman, it was the intention of this side of the House to so do and to take the same action, and we can prove that with the documentation here. But before the hon. Premier had a chance to get up on his point of privilege for the third time, because there were three hon. gentleman involved from our point, the hon. member for LaPoile (Mr. Neary) rose on a point of order and then got into the business of unparliamentary language. In order then he had to be taken up after the second person was done, and then as it continued from there in points of order the whole question became a mockery of this House, which we are trying to prevent and trying to safeguard the dignity and the privileges of this House, and have therefore refrained from taking any further action to try to keep a semblance of dignity and honour in this hon. Chamber.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please! On that specific point of privilege, I can dispose of it. There is no point of privilege on which the Chair is required to make a decision. An hon. member may ask for an apology, a withdrawal from whom he elicits to and from whom he does not. So there is no matter there on which I have to make a decision.

MR. F. ROWE: Sir, on a point of order.

MR. SPEAKER: A point of order.

MR. F. ROWE: Is it the intention of the Premier to move the motion that he had intended to move?

AN HON. MEMBER: (Inaudible)

MR. F. ROWE: Well, in that case, Sir, I simply wish to identify myself with previous statements made earlier that it is my sincere feeling and my sincere belief that the Premier over the past three years has deliberately misled members of this House of Assembly in answers to questions directed to him concerning certain agreements for the building of certain buildings for rent for office space for

MR. F. ROWE: the Confederation Building or addition to the Confederation Building.

MR. SPEAKER: Again I have no choice but to name the hon. member for Trinity-Bay de Verde, Mr. Fred Rowe.

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

MR. SPEAKER: A point of order. The hon. member for Windsor-Buchans.

MR. FLIGHT: Earlier in this debate I supported the motion, Mr. Speaker, and now in all conscience having supported the motion, and the motion reads that 'the hon. Premier speaking from his place in the House deliberately misled the House,'

MR. FLIGHT: I would not have supported the motion had I not believed that had been true.

MR. SPEAKER: Then I have to name the hon. member for Windsor - Buchans, Mr. Graham Flight.

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

MR. SPEAKER: I believe the hon. member for Carbonear has been trying to get in for some while.

SOME HON. MEMBERS: Trying to get out.

MR. SPEAKER: Trying to get out.

The hon. member for Carbonear.

MR. R. MOORES: If I have not said it already, Mr. Speaker, I would like to say it now on this principle of such importance, that I believe, and know it to be true, that the hon. the Premier speaking from his place in the House, deliberately misled this House in regard to matters relating to agreements entered into with office space.

MR. SPEAKER: I will have to name the hon. member for Carbonear, Mr. Rod Moores.

The hon. member for Conception Bay South.

MR. NOLAN: Mr. Speaker, in my point of order may I say that during this past few hours we have witnessed a member of the House of Assembly on this side being threatened from outside the Bar, and a person who has been in association with the Premier of this Province; may I also say that we have had the Premier of this Province defame the name and cast aspersions on the character of every member on this side of the House -

MR. SPEAKER: Order, please! Order, please!

I cannot allow a resume of hours of activity in a point of order because if there is a breach of order then exception must be taken when it occurred and the case submitted for judgement then. So I could not accept as a point of order sort of a review of things which have happened during the past several hours. It would have to be a specific matter.

MR. NOLAN: What I said was merely a preamble, Mr. Speaker, to say that I will not be dictated to by this Goebbels. I believe that the Premier has misled this House and I would be glad to be fired out.

SOME HON. MEMBERS: Hurray.

MR. SPEAKER: Order, please! Of course, I do not fire people out or in; all I do is name hon. members. If there is some recourse that comes after that or not, that is a matter for the House. The rules require that I name the hon. member for Conception Bay South, Mr. John Nolan.

The hon. member for Fogo.

CAPTAIN WINSOR: Mr. Speaker, having stood in my place here in the early hours of this morning and supported this motion, regretfully I feel that I can do no other but stick by my argument and I too, Sir, deserve the same punishment.

MR. SPEAKER: The hon. gentleman has said nothing which requires me to take any action. I make that point to emphasize that I only will name a member, as long as I am Speaker, when the rules require that I must. And I want every hon. member to always know that it will be a last resort when it is done by me, and it will only be done as a last resort, and it will be done because the rules require me to do it. Because I regard one of the most important parts as to facilitate the participation of members in the House. So that I why I said, there is nothing in the rules would not require me to take any action with respect to what the hon. member for Fogo just said.

The hon. member for Fogo.

CAPTAIN WINSOR: Mr. Speaker, I certainly, Sir, appreciate your ruling and certainly have no intent on my part to question any decision of the Speaker so therefore I too believe that the hon. the Premier deliberately misled this House. I think that covers it.

MR. SPEAKER: I must name the hon. member for Fogo,
Captain Earl Winsor.

MR. PECKFORD: I move, Mr. Speaker, that this House
adjourn until tomorrow morning at 10:00 A.M.

MR. SPEAKER: I must ask by tomorrow morning if you
mean Thursday or Friday?

MR. PECKFORD: Friday at 10:00 A.M., and that this
House do now adjourn.

MR. SPEAKER: The motion is that this House adjourn
until Friday next at 10:00 A.M. Those in favour "Aye",
contrary "Nay," I believe the "Ayes" have it.

This House stands adjourned until Friday
at 10:00 A.M.