

THE LEGISLATIVE ASSEMBLY OF MANITOBA
10:30 o'clock, Thursday, August 27th, 1964.

Opening Prayer by Madam Speaker.

MADAM SPEAKER: Presenting Petitions

Reading and Receiving Petitions

Presenting Reports by Standing and Special Committees

Notices of Motion

Introduction of Bills

Orders of the Day

MR. RUSSELL PAULLEY (Leader of the New Democratic Party) (Radisson): Madam Speaker, before the Orders of the Day, I would like to direct a question to the Honourable the Minister of Education. I have been receiving a considerable number of requests for information regarding the interest-free student loan fund for University students. I'm sure, Madam Speaker, you will appreciate the fact that these young people are preparing to go into University for the fall term and I would like the Minister of Education to indicate to the House what is the present position in respect of these interest-free loans. I believe the legislation is completely passed as far as the Federal House is concerned.

HON. GEORGE JOHNSON (Minister of Education) (Gimli): Madam Speaker, I wish to thank the honourable member for giving me notice of his question. As the members of the House probably know, loans up to \$1,000 per year are going to be made available for secondary education at designated institutions throughout Canada and abroad. Now detailed regulations governing the terms and conditions under which the loans will be made is expected momentarily. I might say, Madam Speaker, we have been in touch with -- our officials have been in touch with the Department of Finance people in Ottawa on a daily basis. In the meantime, I can inform the House that the Department of Education has been named as the appropriate authority to process loans. I should say that applications are being received and processed but we cannot finalize any loans until we receive the registered regulations and forms and agreements from the Government of Canada. As members may know, these loans will be based on financial need and qualifications necessary to enter an approved institution.

I would like to inform the House, Madam Speaker, that I had hoped possibly during this special session to have made this announcement plus more detail. However, I have been awaiting the finalization of the regulations from the federal authorities which is expected momentarily. However, for the members of the House, I can inform them that applications will be accepted and we are ready to apply the regulations when received. I would have made a formal announcement but I have been awaiting the information from the federal authorities and did not want to anticipate their announcement in this matter at this time.

MR. DOUGLAS L. CAMPBELL (Lakeside): Before the Orders of the Day are proceeded with, I'd like to direct a question to the Honourable the First Minister in regard to the motion that was passed by the House some days ago with respect to the report of the Committee on Rules and the rule books of different dates. Would the First Minister be able to check on this matter and see that that is provided before this session ends, because I would like to continue my researches into this in the interval before the House next meets so as to be able to assist the government in clearing this matter up once and for all as soon as the next session convenes.

HON. DUFF ROBLIN (Premier) (Wolseley): My honourable friend is so helpful that I will do my best to see that that information is made available to him.

HON. CHARLES H. WITNEY (Minister of Health) (Flin Flon): Madam Speaker, before the Orders of the Day, I'd like to answer the question of the Honourable Member for St. George re an elopement from the hospital at Brandon. The patient was admitted to the Brandon Mental Hospital on April 6th, having been committed there following a conviction for indecent assault and other charges. The report of the Assistant Medical Superintendent of the Brandon Mental Hospital made it clear that the man's condition was potentially dangerous and that he was cared for on a locked ward. The recognition of his potentially dangerous condition is shown by the fact that the staff at the Brandon Mental Hospital considered a conference with the Attorney-General to give round-the-clock police supervision of the patient. However, on treatment for his psychosis, the patient improved and reports indicate that his behaviour was good and that he was not following psychotic symptomatology. Due to his response to treatment he was

(Mr. Witney cont'd) progressively less restricted until he was finally cared for on an open ward.

Circumstances of the actual elopement were that on August 3rd at 5 o'clock in the evening the patient telephoned the hospital from visiting with friends and requested permission to stay out for supper. The permission was denied. When the patient had not returned by 7:00 o'clock, two hours later, he was considered an elopement and the RCMP and the Brandon police were notified. On August 5th at 11:00 a. m. the patient telephoned his ward supervisor informing him that he had been staying in a hotel at Brandon and had been afraid to return to the hospital for fear that the publicity would cause him to be locked up. The ward supervisor picked the patient up and returned him to the hospital without issue. At the present time the patient is on a closed ward.

MR. J. M. FROESE (Rhineland): Madam Speaker, before the Orders of the Day, I would like to direct a question to the First Minister. Has the government of this province made a study of the Porter Commission Report on Banking and Finance and, if so, will the government provide the members with an analysis of this report? Further, apparently legislation will come down this year on this report in the Federal House and, if so, does the government intend to make representations in connection with the dropping of the ceiling on interest rates that banks can charge and any other drastic measures that they might contemplate.

MR. ROBLIN: That's quite a series of questions, Madam Speaker. I think I can answer them best by saying that I'll be glad to supply my honourable friend, if he will apply at the Treasury Office, with a copy of our submission to the Porter Commission which gives our views on the matter.

MR. ELMAN GUTTORMSON (St. George): Madam Speaker, I'd like to direct a question to the Minister of Mines and Natural Resources who I believe is responsible in an acting capacity. I noted in a government release whereby they were going to set up driver testing stations in certain parts of the province and I notice that some of them are in areas in my constituency. I wonder if he could indicate to me, are they going to be looked after perhaps by officials from the head office or are they going to appoint somebody in the local area to look after the driver testing.

HON. STERLING R. LYON, Q. C. (Minister of Mines and Natural Resources)(Fort Garry): Madam Speaker, I'll be happy to take that question as notice.

MR. GUTTORMSON: A subsequent question. Could the Minister indicate to me when my Order for Return as regards to the domestic fishing licence will be available?

MR. LYON: be imminently.

MADAM SPEAKER: Order for Return standing in the name of the Honourable the Leader of the Opposition.

MR. GILDAS MORGAN (Leader of the Opposition) (Ste. Rose): Madam Speaker, I beg to move, seconded by the Member for Lakeside, that an Order of the House do issue for a return showing the answers to the following questions: 1. Is it correct that the month of February, 1961, is the first date when the government or anyone in it, requested Mr. Steinkopf to look for land for government purposes for the Arts Centre, as reported on May 19, 1964, in the Winnipeg Tribune by Mr. Val Werier? 2. What were the arrangements made with Mr. Steinkopf when he was first approached? Were the arrangements verbal or written? 3. Were there any changes made in those arrangements later? 4. What steps were taken by Mr. Steinkopf? What price was he authorized to pay? 5. Is it true as reported by Mr. Werier in his Tribune article, that building officials, Great West Life, Monarch Life and Polo Park Centre Limited were consulted by Mr. Steinkopf? 6. Which individuals were consulted? What was said? 7. Was Mr. Steinkopf President of Polo Park Centre Ltd. at that time? 8. Who were the officers and shareholders of Polo Park Centre Ltd. at that time? 9. Did Aljac Holdings Ltd. acquire the H. L. Perry Building on April 24, 1961, for \$180,000.00, and other nearby holdings on August 28, 1961, for \$82,500.00, making a total of \$262,500.00? 10. Did Mr. Steinkopf agree in May, 1962, to pay \$400,000.00 to Aljac Holdings Ltd. for this land, which Aljac Holdings Ltd. had acquired just a few months before for \$262,500.00, for a gain of \$137,500.00? 11. If Mr. Steinkopf was asked in February, 1961, to look for the land, why was there such a delay in negotiating for the purchase of the land so that \$137,500.00 more had to be paid? 12. Was there a delay between the passing of a by-law by Aljac Holdings Ltd. authorizing a transfer to the government on September 1, 1962, and a transfer of the land from the company on May 31, 1963? If so, why the

(Mr. Molgat cont'd) delay? Was the transaction actually completed in September, 1962? 13. Who were the officers and shareholders of Aljac Holdings Ltd. at that time? 14. Was there any relationship, direct or indirect, between the officers and shareholders of Aljac Holdings Ltd. and Polo Park Centre Ltd? 15. Is it not true that if the land had been expropriated by the government in 1961, at the time it was purchased by Aljac Holdings Ltd., it could have been obtained for \$262,500.00 and not \$400,000.00, thus saving the people of Manitoba \$137,500.00? 16. Is it therefore not true that the First Minister was in error when he stated that using Mr. Steinkopf saved the people of Manitoba tens of thousands of dollars instead of costing them that much extra? 17. Were any qualified appraisers employed to advise on the proper value of the land? 18. Was there ever any assurance given to anyone in Aljac Holdings Ltd. or to anyone acting for them that the land was to be purchased for the government? 19. Did Mr. Steinkopf use his own money, or money borrowed from the bank, to purchase land from Aljac Holdings Ltd.? If so, when and why? What agreement did he have with the government to be repaid the money? Was the agreement in writing? Was there anything said about interest? 20. Did Mr. Steinkopf pay back interest to the government after having received it? If so, when and why? 21. Is it true that while Mr. Steinkopf was acting on behalf of the government, he had an interest in land in the area concerned or in any company that owned land in the area? 22. Is it true that part of that land is part of the area designated eventually for the Arts Centre and will have to be acquired by the government? 23. Does Mr. Steinkopf have any interest, direct or indirect, in other lands in the vicinity not designated for the Arts Centre but where values may have gone up because of the Arts Centre? 24. Does this constitute a conflict of interest? 25. What were the terms, conditions and details of options given by Mr. Steinkopf for the sale of any shares or properties in which he had any interest in the general area of the Arts Centre site? 26. What was the market value of any properties owned by Mr. Steinkopf or any company in which he had an interest at the time when the options were given? 27. Were the options exercised? If so, by whom, when and at what price? 28. Will the government obtain and table all the material relating to the option and all the land purchases and options relating to the Arts Centre? 29. Did Mr. Steinkopf have an interest in ensuring that the option would be exercised at the option price? 30. Has the remaining land in the area required for the Arts Centre, been expropriated? Is it intended to acquire such land? If so, and if it has not been expropriated, why not? 31. Is it not true that if the government had expropriated all the land it intended to acquire at the same time, it would have obtained all the land at a fair price without allowing land speculators to make gains and without allowing the government's purchase of one parcel to appreciate the value of the remaining parcels? 32. Why did Mr. Roblin not place all the facts before the people at the last session of the Legislature instead of trying to get unanimous consent in the last days of the session to a Bill to protect Mr. Steinkopf's position? 33. Are there any other informal arrangements of a similar nature made by the government to acquire land? If so, what are they? Has the government used this procedure in the past? If so, when? 34. What investigations did Mr. Steinkopf or his associate make with respect to other prospective locations, and what report did he make of any such investigations, if any? 35. Who were the agents who sold the H. L. Perry and the Joseph Halprin properties to Aljac Holdings Ltd.? 36. Who were the officers and board members at that time, of any of the firms who acted as agents in the above sales?

Madam Speaker presented the motion.

MR. MOLGAT: Madam Speaker, it had not been my intention to proceed on these questions -- rather it had been my intention to proceed on these questions on Bill No. 3, but I have been waiting for several days for Bill No. 3 to appear before this House and the government has refused to proceed. The House may be in a position that we may rise at any time and this may be the only way left for me to proceed. That is the reason that these questions appear on the Order Paper.

The First Minister, Mr. Roblin, has continually and consistently referred to Mr. Steinkopf's problems as a technical inadvertence. I want to assure you that my position in the Steinkopf affair has been simply to obtain for the people of Manitoba the true facts and all of the true facts so that they may determine what Mr. Steinkopf and Mr. Roblin's position really is. That is the reason the Liberal Party has pressed for decision by the courts into the facts of the matter without a cloak of charged emotion and individual attack and insults. Whatever Mr.

(Mr. Molgat cont'd) . . . Roblin and Mr. Steinkopf have done should now be and must be revealed to the people of Manitoba so that they can decide what interpretations to place on their conduct.

The government has refused to refer the matter to the courts. The Opposition in the Legislature has never presumed to judge Mr. Steinkopf and we do not do so now, but we feel that we would be failing in our role in Opposition if we did not insist on clear answers to the many still unanswered questions. For that purpose I submit these questions this morning to be answered by the Premier at the earliest opportunity and I implore him to present the facts and answer these questions without indignant cries and insults. I am sure you will agree that the nature of the question justifies our continued insistence for their answers. I ask the government not to invoke the rules or technicalities to refuse to answer these questions. I want to repeat, we have no brief for or against Mr. Steinkopf. We do not want to assassinate his character. If truthful answers show that there has indeed been a mere technical inadvertence, we will be the first to join in remedying the situation.

There are two main reasons why these questions are asked and why complete and detailed answers are necessary to all of them. First, I feel the public is entitled to know all the facts and I hope that these questions will bring out the facts. More questions may be necessary. Secondly, I want the people to see what the circumstances are which required us to call for a court review of the subject. The circumstances point to a situation which should have been disclosed to the people of Manitoba when Mr. Steinkopf ran for the legislature in December, 1962, and which should be fully disclosed now. There is a high principle at stake here. The public must be able to have confidence that those who offer themselves for public office do not have private interests that conflict with the public duties they undertake. A full disclosure is required to safeguard the public interest.

We called for the reference of the present matter to the court because, as these questions suggest, the circumstances call for explanation. These circumstances in summary are: 1. The apparent delay of over a year between the time Mr. Steinkopf was asked to act for them and the time of his negotiation of the purchase. During that period someone else made a gain of \$137,500.00. If the land had been purchased or expropriated at once, it seems that thousands of dollars would have been saved. 2. The apparent conflict of interest arising out of his holdings in the area. 3. The complete silence of the government during the election campaign of December, 1962, and until questions were asked in this House by the Opposition in the spring session of 1964. If the negotiations were completed by September of 1962 there seems no reason why a full disclosure should not have been made by December of 1962. 4. The contradictory statements that have been made by the Premier on the facts of the case.

I urge the Premier to reconsider his question on this whole matter of the land acquisition for the Arts Centre.

MR. ROBLIN: Madam Speaker, I will not enter into any argumentative discourse with my honourable friend the Leader of the Opposition in connection with his series of questions because I want to assure the Assembly at the outset that we intend to accept them. They are important questions and, to say the least, they are suggestive questions and they are questions to which we will do our best to provide frank and simple answers.

Not all the information that is contained in this series of questions is at the disposal of the government. It is obvious from any consideration of them that a good many of these are questions which will have to be answered by Maitland B. Steinkopf. Mr. Steinkopf has been in touch with me in connection with these questions when we received word this morning that they were on the Order Paper and he has informed me that he will be very pleased and happy to do his best to answer those questions which come within his knowledge and purview. I give the Chamber the statement that the government will do the same with respect to the questions which fall within its knowledge and purview.

In accepting this motion I want to make it perfectly clear that we have always been willing to have had the fullest investigation into this matter. I do not think that we can be accused of having tried to hide or disguise anything. As soon as the matter came to my attention that there was a question of inadvertence here, and I believe sincerely myself that that is the sole question at issue although the series of points that have been put to us this morning may lead some people to other conclusions, as soon as that information came to my possession I shared it with

(Mr. Roblin cont'd) members of the House and I offered at that time to make it clear that the National Trust Company who had been involved in handling this matter, that the Comptroller-General who brought the matter to my notice in the first instance, and Mr. Steinkopf himself would be glad to provide any information to members of the House. That is still our position and we will do our best to get the facts for the honourable gentleman.

I merely conclude by saying that not only were those facts offered but I was informed the other day that the representative of the Aljac Holdings Ltd. made the same offer. Perhaps I could read this letter into the record of the House. It's dated August 5th and its addressed to "Mr. Gildas Molgat, Leader of the Liberal Party of Manitoba, Legislative Building, Broadway, Winnipeg 1. Dear Gil: Re: Aljac Holdings Limited and re Civic Development Corporation, my file 6126, No. 15. It is now almost two months since I have offered to leave with you for your examination all the files dealing with the above transaction in order to satisfy you not only that there is nothing improper but that actually my clients in the sale they made voluntarily gave up an equity which they compute at approximately \$1 million. This they did as a matter of civic conscience and at the persuasion of Messrs. Richardson and Steinkopf. You will remember that I informed you that I had obtained the consent of all persons concerned in these transactions to enable you to examine our files, and for this purpose I have had said files now segregated for almost two months. In fairness to my clients and to the orderly administration of this office, I intend to replace the files unless I hear from you by that time, I can only assume that you are not interested in pursuing the matter any farther. Kindest personal regards, sincerely" --and this letter comes from Mr. A. W. Shinbane, Q. C., and he has given me his permission to read it in the Legislature.

I only mention that fact, Madam Speaker, to indicate that not only the government but others in this matter have been willing to disclose the facts to all who might come to ask. That is our position today. We will accept the Order and we will do our very best to get the answers for my honourable friend just as quick as we can.

MR. MOLGAT: Madam Speaker, I wish to thank the First Minister for . . .

MR. ROBLIN: You'd better wait and see if somebody else wants to speak.

MR. PAULLEY: Madam Speaker, I would just like to make one comment. It has been the practice in some instances in this House that on the prorogation of the House Orders for Return cease. I take it by the assurance that the First Minister has given us this morning in reply to the Leader of the Opposition that the answers will be given, that those answers irrespective of whether this special session ends or not will be forthcoming as quickly as possible and that members of the House, or at least the leaders of the other two groups, will be given the results or the answers to the questions that are on the Order Paper this morning.

MR. J. M. FROESE (Rhineland): Madam Speaker, the previous speaker just referred to the two groups. I take it that the same information will be provided to me.

MR. MOLGAT: Madam Speaker, if no one else wishes to speak . . .

HON. GEORGE HUTTON (Minister of Agriculture) (Rockwood-Iberville): I just don't know quite what to say. I have been told to sit down, Madam Speaker. I'm most distressed. In one way I'm a little bit relieved, but at the same time I think this is a pretty sad day for all of us in Manitoba. It must be a sad day for other members in this Legislature because things have changed, things have changed a long way in a short time because a week ago -- a week ago -- just a week ago we had statements, we had statements such as "we believe the Honourable Member for River Heights is without blame in this matter." Yes, this is what was said on Tuesday a week ago by the Honourable the Member for Lakeside.

MR. CAMPBELL: Will the honourable member read the quotation?

MR. HUTTON: Yes, I'd be happy to. He's speaking about the inadvertence. He says, "For the inadvertence I do not place blame upon the Honourable Member for River Heights. For the inadvertence . . .

MR. CAMPBELL: That's not the way my honourable friend quoted me before.

MR. HUTTON: "For the inadvertence," he said on Tuesday a week ago. "I do not place blame on the Honourable Member for River Heights."

MR. CAMPBELL: My honourable friend said that I said that the Honourable Member for River Heights was without blame in the matter. When he read Hansard it did not bear out what he had said.

MR. HUTTON: I want to quote, Madam Speaker, what the Honourable Member for Selkirk said on Wednesday last, August 19th. He said: "I don't think any of us in this House have suggested for a moment that there was any element of personal gain involved in this transaction." And just listen to these words: "I don't think anyone in this House has suggested for a moment that there was any element of personal gain involved in this transaction, nor do I think that there was any intent." This is the Honourable Member for Selkirk speaking on Wednesday last. Now, in short, a week ago it was the position of the Liberal Party on these two days that there was no suggestion of wrong-doing; that they were in no way attacking the bona fide of this man -- in no way -- and this was backed up by the Honourable Member for La Verendrye when he spoke.

MR. CAMPBELL: The honourable member is saying something that is incorrect. I ask him to withdraw it. The honourable member said, "That in no way, in no way did we question the bona fide." My honourable friend from Selkirk definitely questioned the right to sit in the Chamber because of a breach of The Legislative Assembly Act and I, not so directly, but certainly I raised the question too if there had not been this breach of the Act. My honourable friend says in no way was his bona fide questioned. Personally perhaps, but as far as the Act is concerned my honourable friend is entirely wrong.

MR. HUTTON: Madam Speaker, I am entirely right because the position of the Liberal Party a little over a week ago, just a little over a week ago was that there was no suggestion of any wrongdoing. Yes, there was no suggestion of any wrongdoing. The position taken by the Honourable Member for Selkirk was that, well it was a technical inadvertence, but just because...

MR. T. P. HILLHOUSE, Q. C. (Selkirk): I didn't use the word technical inadvertence, Madam Speaker. I took the position that if there was a breach of The Legislative Assembly Act it didn't matter whether there was any personal gain or whether it was inadvertent or if it was intentional or what it was, it was still a breach of the Act and I took the position that I didn't think it was incumbent upon us to sit in judgment of a fellow member.

MR. HUTTON: Madam Speaker, what the Honourable Member for Selkirk did say was this, and I am quoting his words right out of Hansard: "I don't think anyone in this House has suggested for a moment that there was any element" -- any element -- "of personal gain involved in this transaction, nor do I think that there was any intent." Now this was the position a week ago, just a week ago. It was their position that they were not attacking, and this is what they said. This is what you said, that you were not attacking the bona fide of this man Maitland Steinkopf, the former Member for River Heights, Member of the British Empire. But after the resignation of the Minister and in the light of the questions you have put, that the Leader of the Liberal Party has put to the First Minister of this Province today, there is no question that the Liberal Party has changed its mind.

The Liberal Party today is challenging the bona fide of this honourable gentleman. The statements made to the public over television by the Leader of the Opposition challenged the integrity of the man. These questions that are on the Order Paper today and that have been put to the First Minister, and which he has accepted, are not questions, they are charges; they are accusations. I hope the Honourable the Leader of the Opposition isn't going to hide behind punctuation I hope that he isn't going to veil his charges and his accusations behind punctuation marks -- behind question marks. Please, please -- you must believe that there is something wrong; you must have some facts. I ask you personally as the Leader of Her Majesty's Official Opposition in Manitoba, I ask every member in this House if the day has come in this province when he can be investigated and questioned without even knowing what the charge is or knowing what it is that he is accused of; when somebody can accuse him by innuendo -- by innuendo -- by question marks. The Honourable the Leader of the Opposition shakes his head. That's why I feel bad.

I can't understand how the member for Selkirk who has been the champion of personal rights in this Legislature in this province for years and has established a reputation for it can't see the injustice of the position taken by the Liberal Party in this matter, a most unjust position because should a man -- and you have asked this matter he sent to a Court -- you have asked that this matter be sent to a Court -- should a man be hailed into Court without being charged? Should a man be hailed before a public inquisition not knowing what he is accused of just so that you can get answers, just so that you can get some facts that you think might be

(Mr. Hutton cont'd) there? Is that the position of the Liberal Party in Manitoba today?

I ask you, doesn't the worth of personality and the dignity of man mean anything today in Manitoba? I ask you that. I'm not whining; I'm not complaining; all I'm asking is that instead of and insidious attack by question marks, by action, all I'm asking is that the Liberal Party state what their true position is -- state their true position and what was it? What was their true position? Do you know what else they said last Tuesday? The Honourable the Member for Lakeside said, "If it were just an inadvertence, if it were just a technicality. . . ." He didn't believe it was then -- he didn't believe it was then, but the Honourable the Leader of the Opposition went about saying, "We're not to blame, we're not to blame for what happened. We're completely innocent. I haven't even spoken about it. I haven't made any accusations. I'm just asking questions. I'm just looking for information."

We don't mind, we don't mind them asking questions. Why we invited -- the Honourable Leader of the Opposition was invited along with the Leader of the NDP to get all the information. We now find by a letter, a copy of a letter that was sent to him by Mr. Shinbane, Q. C., that he apparently wasn't very interested in certain kinds of information and he stated so to the public, and he said, "I didn't pursue the sources of information that were opened up to me. I got my own. I got my own." Why? Why did he do this? Why did he do this? I say that what the Opposition has now disclosed to us is that under the respectable cloak, the respectable cloak of a judicial enquiry into a technical breach, what they called a technical breach of the Act last week, they were out to impute wrongdoing to the name of the member for River Heights, the former member for River Heights, because we can't forget that it was the Liberal action in this House that forced that honourable member to resign.

They say that they made no charges to his face. That is true, that is true. They made no charges to his face and that's the sad thing about this whole thing, that's the sordid part of this whole thing, they made no charges to his face. They made the charges by question marks -- question marks. Should the Honourable Leader of the Opposition in Manitoba be able to hide behind a question mark? Should he? Should a man in our society, a man who has displayed courage, good citizenship, service to his community, service to his province, service to his fellowman be allowed to be charged and accused by question marks, by question marks raised by the Leader of the Opposition of Her Majesty's loyal Opposition in Manitoba? Has politics reached this abyss -- abyss?

Let's not make any mistake about it, it's as clear as crystal today what the Liberal Party wanted last Tuesday. They knew it; the Honourable the Member for Lakeside knew it when he made his speech; the Honourable the Leader of the Opposition didn't have to make a speech, but they knew it. They were asking a public inquisition of a man who they didn't have the courage -- I have to say it -- they didn't have the courage to accuse face to face, but they are accusing him now and still not face to face, still by raising questions, still by raising questions.

They are trying to make out that they are trying to get information. They are not trying to get information; we have shown that. They haven't even taken advantage of the sources of information that were open to them, and I'm sure they could have gotten some of the answers to the questions they are asking on this Order Paper today. They could have gotten some of the answers from that honourable gentleman and from examination of those files. Why did they ask their questions in this way, Madam Speaker? Why do they ask them here? They could have asked the same questions, I'm sure a lot of them, in a way that, let us say, would have been much less embarrassing to the member for River Heights. Why do they ask them this way? There's only one answer to me. Maybe they have a better answer, but doesn't it raise the question in our minds; why do they do it this way? Aren't they trying to destroy that Honourable Member for River Heights by these questions? Why would they ask a question like they have when they could have had the answer? Why? Don't you have to ask yourself that question? Does not even the Leader of the Opposition have to ask himself that question: Why do I ask these questions in this way? Why didn't I take advantage of the offer of the First Minister and these other honourable gentlemen to look into this matter?

It seems to me they must ask themselves that question, because by their questions they question the motive of the former member for River Heights. By their questions they impugn; by their questions they charge; by their questions they accuse. Well I say it's a sad day for Manitoba. It's a sad day for the former member for River Heights, a most terrible experience,

(Mr. Hutton cont'd) but it affects every one of us and let no one make a mistake about that -- let no one make a mistake about that -- and it affects our children and it's going to affect our grandchildren.

Well I want to say, Madam Speaker, that how the Honourable Leader of the Opposition can on the one hand claim innocence of any responsibility of the resignation of the former member and how he can pretend that he only wants the facts, and how he can ignore what he knows in his own heart, that he didn't take an opportunity to get the facts in a way that you would expect the Leader of the Opposition to get the facts, and why he has come to this House with his story that he can't get the facts, and he isn't going to get the facts, and he's afraid he isn't going to get the facts, and he had to resort to this.

Madam Speaker, men have rationalized and justified their actions since time began with all sorts of sordid reasons and the Honourable the Leader of the Opposition knows that what he said to the House this morning is not true. He knows that he didn't pursue the offers of the government; he knows that he waited until he got into this session; he knows that this government has never refused him the opportunity to satisfy himself that men outside of this government, entirely outside of this government, the National Trust and Mr. Shinbane, and Mr. Johnson, and I think there are others, have made themselves available; but we know that he didn't take advantage of all the sources of information.

Well I think it is a terrible thing, Madam Speaker, when we use the democratic institution and hide behind a mantle of respectability to rob a man of his good name, and that is what is going on in Manitoba today, under a cloak of respectability, a mantle of respectability, a judicial enquiry to subject a man to endure the indignities of a public inquisition without even accusing him, without having the courage to accuse him, having the gall to stand before the people of Manitoba and say that he is not accusing him; that he is not charging him. Who is going to believe this story? Who is going to believe? Surely in Manitoba, Madam Speaker, I must believe that the people will not stand for men being hauled before a Court before they're charged. In Manitoba it can't be possible that the people will believe that a man should be subjected to a public inquisition before he knows what he is accused of. Those sordid things I thought belonged to the medieval times. I didn't know that they were a part of modern twentieth century Manitoba.

I had to say these things, Madam Speaker, because I believe in Maitland B. Steinkopf's complete innocence. I believe that he is as innocent and as clean as the driven snow. My colleagues believe that, every one of them, and it is with sadness that we see this man subjected to this innuendo, this cruel, cruel campaign. I say cruel, yes, and something else, so respectable a campaign of what really is slander.

I won't fault you if you believe that he has done wrong and you stand up and say it. I won't fault you at all because that's your job if you believe that, but all I say to you today is this, that if you do believe that there is wrongdoing here you should come out and say so, and say, "I accuse; I have reason to accuse; I have sufficient reason to accuse the former member for River Heights of having a conflict of interest in this matter. Don't put it as a question. Don't say, "Was there any conflict of interest?" Say, "There was a conflict of interest, we believe there was." Don't say, "Was there any conflict of interest?" What was the Minister's position in all this?" Why don't you say, "We have reason to believe that personal gain did accrue to the former member for River Heights." This is the honourable way to make a charge. Don't ask a question. Don't hide behind a question mark, please, because you can do your job as the Opposition in Manitoba. You have every right to challenge a man but don't do it with a question mark. Make the charge; make the accusation; let the man know what it is. We know, we know what you're getting at. We know what you're getting at and the pity of it all is that a lot of people, and this is the terrible part of the way you have done this thing, you're charging him with question marks -- questions marks and you don't have to. You don't have to.

Well I believe him to be a man of honour, a gentleman, a man of noble heart and a man of courage, and I suggest, Madam Speaker, to the loyal Opposition here in Manitoba that they be of noble heart; that they be gentlemen; that they have a little courage, the courage of their convictions. Do you want a comparison? Do you want a comparison? The Honourable Member for River Heights when he was faced with what he believed to be your lack of confidence in him, and knowing the wonderful parliamentary traditions of this country, he had the courage, he

(Mr. Hutton cont'd) had the nobleness of heart to resign, to do the only thing that a sensitive gentleman could do. Now I say, Madam Speaker, is it too much to ask the Official Opposition in Manitoba to be the same kind of sensitive gentlemen, to show the same nobleness of heart, to show the same courage, to come out from behind their question marks, to stop hiding behind their question marks and to put the charges on the line.

You know Shakespeare said, "Who steals my purse steals trash, but he who filches from me my good name takes that which while not enriching him makes me poor indeed." I suggest that far from enriching the position of the Liberal Party in Manitoba, far from enriching your position you are driving yourselves into bankruptcy, morally, spiritually and intellectually bankrupt. This is the only possible end of the direction that you are taking now.

I suggest to the Honourable the Leader of the Opposition when he stands up before the people of Manitoba and he says that it is his job to be a watchdog for them that he's entirely right, but there is an honourable way to be a watchdog for the people of Manitoba and there is a dishonourable way to be a watchdog for the people of Manitoba. There is an honourable way to carry out his duties to the people of Manitoba and there is a dishonourable way to carrying out his duties to the people of Manitoba, and I say when you carry out your duties, when you act as a watchdog, it isn't necessary to impugn motives to a man, to try him in a court of public opinion without making a charge; it isn't necessary to charge him by question marks; it isn't necessary to accuse him by your actions and your question marks and your punctuation.

I had to say this. I had to say this because I believe that a very wonderful gentleman, a very wonderful gentleman has been sacrificed to a very unworthy cause. I can't help believing that. I can't help believing that the actions of the Liberals in the past week and the change that this whole thing has taken and these terrible questions and the insinuating nature of them can only lead me to believe that a very wonderful gentleman, a noble heart, a proud soul, a man who has had a great record of public service to this House, that they are trying to destroy him with their questions.

MR. CAMPBELL: Madam Speaker, after the highly melodramatic and equally illogical address of my honourable friend the Minister of Agriculture and Conservation, I would like to try and get this matter back into the realm of everyday commonsense which my honourable friend usually prides himself on being such an exponent of. There's no need for my honourable friend to engage in his emotional exercises here. Nobody needs to be told in this Chamber of how we need to act in the discharge of our public responsibilities. Of course we all agree with him that there are honourable ways and dishonourable ways of doing things, and it's incumbent upon the people of this Chamber to take the honourable course. I'm sure we agree. And I think that any reasonable perusal of the position that we have taken in regard to this matter cannot be held to be other than honourable and a proper discharge of our responsibilities.

Madam Speaker, when the question is raised about the eligibility of a member to sit in the House, this is a matter that must be taken very seriously. It doesn't need a whole lot of emotionally-charged philosophy and sermonizing by the Honourable the Minister of Agriculture. It needs to be examined in the light of the facts, and those facts should be clearly stated, and if they had been clearly stated all the way through, if there had not been reluctance to answer questions and to bring forward the full information, the situation that we face would not likely have arisen.

In my opinion, Madam Speaker, the Honourable the First Minister took the proper course this morning. The Honourable the First Minister stood in his place and said quite frankly, "It is our job to bring all the information that we can. We'll get the information so far as it lies within our power, we'll do our best to get what we can from Mr. Steinkopf that is wholly within his knowledge. We'll do the best we can to get this information. We'll support the motion!" That was the right position to take. He having taken that position, I would have been very very satisfied and said no more if it hadn't been for the exercise of my honourable friend the Minister of Agriculture and Conservation who wants to read a sermon to we folks on how we should conduct ourselves and feels that he is the person who is so qualified to do it.

Madam Speaker, the questions that have appeared on the Order Paper should not have been necessary because the debate on Bill No. 3 should have continued before this, and the questions could have been, and I think would have been, asked at that time, but the way Bill No. 3 has been handled in the recent days, and handled mainly by my honourable friend who

(Mr. Campbell cont'd) charges us with dishonourable procedure, stood on the Order Paper for days because my honourable friend evaded his responsibility to speak on them, even after he had taken the position of hustling in to adjourn the debate and then kept out of the House, got sent out of the House -- yes -- and has evaded completely his responsibility to give the information that he says isn't necessary, and he gave no more during the discourse that he gave us a little while ago. He simply tried to play upon the emotions of the members of the House, and I suspect of the public. The Honourable the First Minister has taken the right course, saying, "we'll do what we can," but this performance of my honourable friend the Minister of Agriculture and Conservation leaves a great deal to be desired.

Now the honourable member said, and I had to correct him on this because he said that he had stated, the Honourable Member for Selkirk and myself, that the position of the Honourable Member Mr. Steinkopf was bona fide in every way, in every way -- yes, he did say that; the record will show whether he said it or not -- in every way. The honourable member and myself, without challenging any personal dealings by the former honourable member, made it very plain that we thought it was quite likely there was a breach of the Act. We certainly did challenge his bona fide as far as sitting in this Legislature was concerned. This is a legal matter. This is why we wanted that question referred to the courts. They're the people to decide it. And it's a mighty important thing for a member of this House if it is found that he's not properly elected, and if the honourable member was not eligible for nomination on November 28, 1962, or whatever that date is, if he was not eligible for nomination at that date then he was not eligible to sit in the House and there are severe penalties provided; and in the interest of the honourable member himself, it was very necessary that this question should be answered, and the Honourable Member for Selkirk and I took the position -- of course we challenged these bona fides in that regard because it appeared to us that there was a very possible infraction of The Legislative Assembly Act, but the Honourable the Minister of Agriculture and Conservation now says that we in this party are imputing motives to the honourable former member for River Heights -- imputing motives or imputing wrongdoing. I didn't impute wrongdoing to him, except of course the possible one that through inadvertence he was sitting in the Legislative Assembly in contravention of the Act, and that's something for the courts to answer. But the person to whom I did impute wrongdoing was the Honourable the First Minister. I was most emphatic in imputing wrongdoing to the Honourable the First Minister because I pointed out that in my opinion he, who was an experienced public servant, well-versed in the ways of politics and politicians, had allowed this man while these negotiations were going on, to get himself into this position. I tried to be fair to Mr. Steinkopf by saying that, although he was an experienced business man, he was at that time a novice in politics and that this would not occur to him, but it should have occurred to the Honourable the First Minister. But not only that, Madam Speaker, I went further and said that the Honourable the First Minister had compounded his wrongdoing when he had taken Mr. Steinkopf into the Cabinet and when he had admitted on the TV interview of some time ago -- not the late lamented one of last Saturday and Sunday but in a TV interview of some considerable time ago -- when he admitted that he was aware when he took Mr. Steinkopf into the Cabinet there was at least a possible conflict of interests, and I said to my honourable friend the First Minister at that time that if he had any idea that there was even the possibility of a conflict of interest, that that's the time this question should have been cleared up, and it should have been cleared up by referring the question to the courts and making sure, for Mr. Steinkopf's sake, and certainly for his own sake.

But I imputed wrongdoing to the First Minister of this province in other regards, as well. I imputed wrongdoing to him because of the fact that he had furnished to the members of this House contradictory and conflicting evidence regarding this case. In presenting to our Leader, and through him to our group, a draft bill which gave a certain set of circumstances and then, when the House met this time, presenting a bill that is in some respects entirely in conflict with what was stated in the earlier bill, and as an example of that -- I haven't them before me at the moment but there's an example -- the draft bill that was shown to us by the Leader of our Party said in categorical terms that Mr. Steinkopf had been repaid moneys of the Crown. He had been repaid moneys of the Crown; and Bill No. 3, in speaking of exactly the same transaction, says in equally certain terms that Mr. Steinkopf received no money from the Crown, and then it goes on to say with regard to interest, the first bill had said that he had been paid

(Mr. Campbell cont'd) . . . interest, or repaid interest, the bill that we have before us now says that he did not receive any and that he had no beneficial interest at all. The draft bill that we had said that Mr. Steinkopf had later returned the interest, and I asked the question, why would he return it? And I asked it in my remarks. Why would he return it if the deal was open and shut and everything else above-board? And if this is imputing motives, then I imputed, because I asked these questions. To me they're fundamental and the other question is fundamental. Why was such an unusual deal entered into?

This is not the kind of a deal that you would expect by two such capable gentlemen as the Honourable the First Minister of this province and Mr. Steinkopf -- going into a matter of the size of this and the complexity of this and to have an arrangement such as they had whereby Mr. Steinkopf, after assembling the property, is asked to put up his own money. This is not sensible and when a thing isn't sensible it's bound to raise some questions. And when you have conflicting statements made in the bills that are submitted to us, that's bound to raise questions, and I make no apology for the fact that I am one of the ones who has asked these questions and I still want to know. Then, as to the misinformation, when my honourable friend the First Minister was on that TV program that I speak of, he said -- and I was watching and listening very carefully -- and he said that when this matter came to his attention it was in the dying days of the session last spring and that he had a bill ready, prepared, and that he intended to present it to the Legislature but that at that stage of the proceedings it required unanimous consent to bring it before the Legislature and that there was one person who didn't give that consent and consequently he couldn't bring it before the Legislature. That statement is not true. That statement is untrue. And whether it was a slip of the tongue or not on that occasion . . .

MR. ROBLIN: I think that was clear.

MR. CAMPBELL: My honourable friend can have the opportunity to explain it. I'm afraid not on this debate but some other time he can have the opportunity to explain it. Bill No. 3 is still before us and there'll be further discussion, I expect. If my honourable friend, the Minister of Agriculture and Conservation, who likes to give us lectures about courage, will have the courage to stay in his seat for once and proceed with the debate on that question, he can have the opportunity of explaining it. My point is that it was not necessary to have unanimous consent at that time in order to proceed with the bill. It was necessary, it was necessary to have unanimous consent if there was an attempt to rush it through the House quickly, or to get it through without discussion or to get it through two or three sittings -- two or three stages in one sitting -- unanimous consent was necessary. But it was not necessary in order to proceed with the bill, and whether it was a slip of the tongue or not that's the statement that my honourable friend made. And I said before and I repeat, that when you have the conflicting information in the two bills that we have, it raises questions. When you have this unusual arrangement between competent businessmen it raises questions. When you have the Honourable the First Minister on the TV wanting to say -- and I must, I must compliment him left-handedly at least, that on that TV appearance he wasn't as bad as he was on the other one later on. But he gave misinformation, and when you have this situation it is bound to add to the questions that present themselves to we folk in the Chamber, and I plead guilty completely, Madam Speaker, that I'm one of the ones who has raised these questions because I think it is incumbent upon us to, when we get as conflicting a position as this, to try and get all the answers with regard to it. This is the purpose. My honourable friend the First Minister and the government I think made a very wrong decision when they refused to refer this matter to the courts. That's where this question belongs. It all hinges on whether or not the honourable member was entitled as of November 28, 1962 to be nominated for membership in this House. If he was, then he was sitting here properly. If he wasn't he was not sitting here properly and he was subject to grave penalty, a very heavy fine.

The Honourable Minister of Agriculture and Conservation says that we have been trying to destroy Mr. Steinkopf -- a silly statement. A silly statement by my honourable friend and with no logic to it whatever. A silly statement that my honourable friend ought to be ashamed of himself for using in this connection. If any destroying of Mr. Steinkopf is done it's because of the circumstances, and if there are no circumstances that could destroy him then the plain matter of clearing both Mr. Steinkopf and the government was to submit this matter to the courts and let the courts tell us their opinion upon it.

(Mr. Campbell cont'd)

But even if it should be, even if it should be that Mr. Steinkopf, through this matter being brought up in the Legislative Assembly here, even if it should be, to use my honourable friend's term, that he should be destroyed, it would be better that Mr. Steinkopf were out of public life than that this Legislative Assembly should refuse to take its responsibility in connection with grave matters regarding the eligibility of a man to sit in the House, were not fully and properly considered, and I repeat that it's a great mistake that this question was not referred to the courts.

My honourable friend the First Minister in that TV performance, the recent one, on which I cannot compliment him because I think he did himself much less than justice on that occasion, used a biblical quotation, or he said it was a biblical quotation, with which I am not too familiar -- the language does not seem to me to fit in with the King James version with which I am mostly familiar but I accept his quotation as he gave it. He said it was a biblical quotation, that people should think about it and look it up in the New Testament and see to whom it applied. He said it is expedient that one man should die for the people. I haven't had the opportunity to look it up and I'm afraid I'd have to look quite awhile to find it, but I say it's better that one man should have to leave this Chamber than that the members of this House should sit in judgment on a matter that they can't help but have a partisan interest in, and without reference to the court push through the House a bill to take away from the courts their proper function, and even if it isn't Mr. Steinkopf's fault -- and I continue to accredit the fault in the way this was handled to the First Minister and the government rather than to him -- even if it isn't his fault it's still better that this matter should be held right up to the light of day.

The Honourable Member the Minister of Agriculture and Conservation will do his very best to blackball me and our party for our part in this. Let him do so. That's quite O.K. That's democracy. Let him tell the public in his melodramatic terms of what he thinks about this kind of thing. Let the Honourable the Leader of the NDP say that he thinks these are black days. Let the Honourable the Minister of Agriculture and Conservation say that this is a sad day. Let them say whatever they wish. The fact is that when the slightest question is raised in a case of this kind, it is right that it should be fully considered, and that is striking a blow for democracy when these matters are brought out into the open. It's not a case of trying to victimize somebody, it's a case -- and I must again say what a mistake the government made in not referring it to the courts, that this is a case where in the absence of a reference to the courts, we'll try and get the information that we can before the public of Manitoba.

HON. STEWART E. McLEAN, Q. C. (Attorney-General) (Dauphin): Madam Speaker, I rise to take a small part in this debate, fully appreciating the fact that I am unable to compete with the others who have spoken in their eloquence, but it might not be amiss if the members of the House were reminded of a few of the facts, because sometimes the facts tend to get things in their proper perspective to understand what we have to consider.

I begin where the Honourable the Member for Lakeside left off, when he said this is an important matter in a democratic Assembly for them to consider a matter which pertains to one of the members, one of the persons sitting as a member of that Assembly, and I'm right with him there. I part company with him, however, when he says that it should be referred to the courts, because as I endeavoured to make the point the other day, and I will have a bit more to say about it at this time, it is not a matter for the courts. It is a matter for this Assembly to decide, and if you will consult the parliamentary authorities and the decided cases, that point is abundantly clear. I shall say something more about it in a moment.

Let us just review, as I say -- and I haven't the files and I haven't the dates before me -- the essential facts which are of importance in this matter. May I say that I have been reasonably close to this problem since the day in April last when the Comptroller-General came to my office and indicated to me that there was -- payment had been made which perhaps ought to be looked at from the standpoint of its relationship to the Honourable the Member for River Heights, and it was at that moment that this whole matter began.

He explained to me that a cheque had been issued by the Province of Manitoba to the National Trust Company in payment of the property which had been acquired, and on the requisition of the National Trust Company they showed that they were asking for certain monies to repay them, and properly so, for monies which they had paid, according to their statement,

(Mr. McLean cont'd) . . . which they had paid to Messrs. James Richardson and Maitland B. Steinkopf. No question of course arose as to the matter of Mr. Richardson. The question was, was this payment shown on the voucher or statement or whatever it's called from the National Trust Company, did that require consideration from the standpoint of the fact that Mr. Steinkopf was a member of the Legislature.

Immediately -- I did two things. First of all I reported immediately to the Honourable the First Minister so that he was fully apprised of that information within minutes of the time that it had come to the attention of the Comptroller-General and of myself. We examined the provisions of the Legislative Assembly Act and on reading Section 17 of the Legislative Assembly Act, and on the very brief explanation which I had at that stage, I was certainly perhaps not satisfied, but of the opinion that Mr. Steinkopf was in contravention of the Legislative Assembly Act. When I had a further and fuller explanation of the facts I was satisfied that there was a breach of The Legislative Assembly Act. There, Madam Speaker, has never been any question in my mind, although there may be a question in the minds of others, and indeed it might be quite possible as the Honourable the Member for Selkirk would well know and the Honourable the Member for St. John's would well know, that one might argue that there is the principle that is often applied by courts, that something which on the face of it appears to be contrary to a statute might be held by the court to be not contrary to the spirit of the Act. In other words, the courts can and do on many occasions take into account the spirit of a statute as well as the technical wording. I didn't pay any attention to that aspect. I looked at it from the strict point of view of the words and I came to the conclusion, and I recommended to the Council, the Executive Council, that in my opinion, having arrived at that decision, that in my opinion the proper course was a bill to be brought before the Legislature which would seek in its terms to validate the election and to confirm the position of the Honourable Mr. Steinkopf who was then at that time the Member for River Heights.

Now there was no question then, as indeed there is no question now, of anything, any wrongdoing on the part of Mr. Steinkopf. He had received no personal gain, no personal money, no benefit, no commission, no fees, no payment of any kind for himself, but he had been involved in this transaction which on the face of Section 17 of the Legislative Assembly Act appeared to place him in a position where he was in contravention of the words and of the actual section, and as I say, I gave that opinion that a bill was necessary.

Now this is an important point, Madam Speaker, because all of the discussion about referring it to the court is irrelevant in this discussion. It isn't necessary, but in any event, what would the courts say, assuming they had the same opinion as myself? They would simply say Mr. Steinkopf is ineligible. Well that's what I told the Executive Council when I advised them after having examined the facts which were at my disposal; and what would we then have to do? We would have to bring a bill to the Legislature to have the members decide whether or not they were going to validate the election. My point being this, Madam Speaker, that the reference to the court doesn't really -- isn't of any consequence, because we have been prepared to accept the fact that Maitland Steinkopf had, by virtue of these dealings, contravened the provisions of The Legislative Assembly Act, and it would then have had to be dealt with by the Legislature if it was to be dealt with by anybody else. The court couldn't do anything about it other than make that finding.

Now what were the facts, the basic facts which led up to the situation which led me to give that opinion? They have been recited many times and I do apologize for repeating them, but perhaps just to bring them into line here. The Honourable the First Minister requested Mr. Richardson and Mr. Steinkopf to act as agents of the province in acquiring property for the purposes of the cultural or Arts Centre, and as the Honourable the Member for Lakeside said the other day, there was nothing wrong about that; and they proceeded, and you will remember there had been a report by a firm of architects or -- Adamson report -- which indicated the general areas which it was recommended that such a centre should be located, and it was on the basis of that report that they were requested to act in the way of scouting out and acquiring the necessary property. This they proceeded to do and everyone knows Mr. Steinkopf, I presume, and he's a man of action and doesn't -- he's a pretty forthright sort of a fellow and when he's asked to do a job he does it; and he proceeded to do this job.

Now, when they had made their arrangements -- and they were doing this rather quietly

(Mr. McLean cont'd) in order that the fact of the interest in the possible cultural centre would not become known and have its effect on increasing prices -- when they were ready they arranged for the necessary down payments to be made and the transaction got under way. Now the Honourable Member for Lakeside said well that was unusual to ask Mr. Steinkopf to put up his own money. Well, a matter of opinion, I suppose. Any time I can get anybody else to put up his money for me I don't object, and I suppose that one may call it unusual if you like, or call it any name you like, but the fact is that he and Mr. Richardson made arrangements for the necessary funds to carry out the job they had been asked to do. Even there there'd have been no problem, Madam Speaker, except for the fact that subsequent to that the Honourable Mr. Steinkopf was nominated to run for the Legislature and was subsequently elected, and following his election a further payment was made and again on the same basis, to complete the transaction, and it was proper that the moneys which Messrs. Richardson and Steinkopf had arranged to be advanced on account of the purchase price should be repaid, and that was done, and the matter as I say came to our attention subsequently, which led to the opinion which I had expressed.

Now, some comment has been made on the fact that there was a difference in the draft bill which was submitted to the Honourable the Leader of the Opposition and the Honourable the Leader of the New Democratic Party -- some difference between that bill and the one which is presently before the House, and this, Madam Speaker, is quite correct. There are some differences. Differences for which I must and do accept the full responsibility and the explanation is quite a simple one. When this matter came to my attention -- and it was toward the end of the Legislature -- and having decided on the procedure to be followed, in the anxiety to get the bill prepared as quickly as possible it was prepared by the Legislative Counsel under my direction on the basis of the information as we understood it at that time, and rather than being blameworthy in the matter, the Honourable the First Minister is to be commended, in my opinion, because he immediately made this draft document, bill, available to the other members of the Legislature. When it was not proceeded with at that time and having longer to go over the details again, I did find that we had not correctly set out the true situation with regard to the matter of the interest and hence members will know, as has been stated that there is a difference in the wording and the statements that are made in the present bill. That is the way in which it arose and as I say, a matter for which we who were responsible for drafting the bill are fully responsible, and I make that explanation. I suppose some would say well, that's odd, and so on, and it is, I suppose. I can only give the facts that we didn't have as long to go into all of the extensive details in order to set the matter out as it is now, and the way in which it now appears is exactly as the transactions transpired because we have had the necessary time to check out with those who were concerned.

Now, the Honourable the First Minister went, as soon as we had the first draft of the bill ready, and had his discussions, as has been related here, with the leaders of the other parties and undertook, as I understand it, to make fullest information available to them, and left with them copies of the draft bill. It was his feeling that the matter ought to have -- he should have some indication of their feelings with regard to the bill before bringing it forward in the Legislature, and I believe it was some two or three days, some period of time elapsed while they were considering the matter and then the answers that he received which led to the fact that the bill was not proceeded with in the Legislature at that time. It was, if I recall correctly, either on the second last day or the last day that I was informed that there was no disposition to, as it were, agree to the bill, and the matter was not proceeded with further at that time. That gave us an opportunity to check our bill again and to prepare it for consideration at a subsequent session.

I conclude, Madam Speaker, again by coming back to the question about the position of the courts that the parliament authorities, the decided cases, make it quite clear that in questions of this nature the only authority, the competent authority, is the Legislature itself and not the courts. That is why the matter was brought to the Legislature and, if I may repeat again, that there would be only one matter for consideration by the courts, namely, whether or not there was a contravention of the Legislative Assembly Act, and there appeared to be such; there was only one course of action to take and that was to bring a bill before the Legislature in order that the matter might be considered, and that was the basis on which it was proceeded with.

MR. E. R. SCHREYER (Brokenhead): Madam Speaker, would the Minister permit a question at this point? Would he cite the cases he's referring to?

MR. McLEAN: Madam Speaker, I haven't them here. There's a 1943 Ontario case, *The Queen vs Clark*, 1943 Dominion Law Reports -- I can't just recall the page -- and there are citations in May's Parliamentary Practice.

MR. SCHREYER: I'd like to ask the First Minister if it's his intention to proceed with Bill 3 some time today? On a point of order, Madam Speaker, I would like to know because if it is not I intend to speak at this time.

MR. ROBLIN: Madam Speaker, I would suggest that my honourable friend should speak now and then he will have his opportunity to have his say. I have no statement to make about Bill 3 at the present time.

MR. SCHREYER: Madam Speaker, I listened with interest to the remarks made by the Minister of Agriculture, by the Member for Lakeside, by the Attorney-General, and I must say that it is my intention not to be melodramatic, not even to be in the least agitated about it but if anything to speak with complete dispassion about the matter.

It seems to me that what members opposite need to keep in mind here is that there is no great tragedy involved, and the sooner they get that into their heads the more we can begin to deal with the problem on its merits. Well, Madam Speaker, I can't speak for the 13 members who sit to my right. I do not know what motivated them or what motivates them today, but for my part I looked upon this matter entirely apart from Maitland B. Steinkopf. I looked at this as being Bill 3. That's the issue, Bill 3, not Maitland B. Steinkopf, and I made that clear in my remarks and you can find them in Hansard, because although I have been lumped in as being a hypocrite -- a rank hypocrite at that -- I wish to say that I would resent that at any time but particularly do I resent it coming from the very man who in this Chamber used to take a good deal of time when he was in the Opposition, a good deal of time to deal with matters of constitutional propriety and impropriety. I have taken the trouble to consult constitutional issues and cases that have evolved down through the hundreds of years of British constitutional development, and I can find many precedents and parallel cases where situations somewhat analogous and similar to the one we are facing here faced members of the British House of Commons, the Canadian House of Commons, and the action that they took was somewhat similar to the action that's been taken at this time.

Let me refresh the memory of members opposite. I will start with recent history, for that will be easier for them to recall. Do they remember when only a few months ago John D. Diefenbaker got up in the House of Commons and made a big to-do about the fact that the Minister of Justice had delayed the serving of a warrant for only 24 hours. The Minister of Justice had used discretionary power to delay the issuing of a warrant for 24 hours. The Leader of the Opposition in Ottawa made a constitutional issue out of it. And I believe he was right. And about a year before that the Minister of Finance in Ottawa had taken in two outside consultants when he was preparing the Budget. Again leaders of opposition parties made a big constitutional issue out of it. And I believe they were right. On surface these matters may have seemed to have been trivial, but I want to remind members opposite that almost every constitutional issue appears on surface to be trivial, and yet if members in the Opposition do not make anything about issues of a constitutional nature they are neglecting their responsibility and trust put in them, and the only excuse there can be is that they believe sincerely that there is no constitutional issue involved. And I believe that to be the position of some members on this side.

But I'm still not finished, Madam Speaker. I want to remind members that they have a very analogous case that they can look back to. In London in November, 1947, when the Chancellor of the Exchequer entering into the Commons made a very off-the-cuff remark pertaining to the Budget, an inadvertent -- an inadvertent error -- What was the result? The Leader of the Opposition, Winston Churchill, demanded his resignation. And it was given. It was the most technical and inadvertent of errors. The man involved, Hugh Dalton, had prepared himself for 20 years for public service, a graduate of Eton, King's College, Cambridge, a man who had sat in Parliament for 25 years, he was forced to resign from the Labour Government. That could be construed as a tragedy. That man could have been looked upon as a martyr but that was not the way the government chose to use the issue. They realized that

(Mr. Schreyer, cont'd.) . . . what was involved here was keeping the constitution safe. Now the members can laugh all they like. They say how can you make a big constitutional case out of this? I just want to say that every constitutional issue that has arisen in the courts for the past 200 years has appeared to be trivial, but if you treat every one as trivial, the accumulative effect is that you end up with the constitution seriously undermined. I'm surprised that this sort of action should have been taken by a man, who perhaps better than anyone else in this Chamber, knows what is constitutionally proper or improper.

I'm still not finished, Madam Speaker, because I have here a clipping "Under the Dome" from March 25, 1958. At that time the Premier was Leader of the Opposition and, like the Member for Gladstone, I'm going to read it all. "One popular theory has been that Duff Roblin, the Leader of the Opposition, was holding back, that he was just waiting for the opportune moment to touch off the political explosion that would re-echo only unto the hustings, but nothing happened.

"On Monday afternoon, however, things suddenly began to look promising. Mr. Roblin got up before the voting of Supply was proceeded with. He said there was something that he wanted to bring to the attention of the Assembly. He began to talk about 'Constitutional Propriety'. It was a cardinal principle of parliamentary government he said that control of public finance was the business of Parliament or of the Legislature, and to emphasize how important this principle was, he went all the way back to 1348 to the reign of Edward III to trace the history of the heroic struggle for parliamentary control of the public purse.

"The gallery by this time began to sense that something was in the air. Government members, at least cabinet ministers, did a noble job of looking unperturbed but they appeared far from easy. Mr. Roblin went on. He talked about a loan the government had authorized for the Honey Producers' Co-operative some time ago. He seemed to take pride in the meticulous care it had taken to observe constitutional propriety in this transaction, then almost inadvertently he mentioned the government's guarantee to the builders of the new race track. With one difference, said Mr. Roblin, snapping it, the Honey Producers' deal had been done up all right and proper; the race track agreement had been made quite differently by way of letters from Mr. Greenlay the Provincial Treasurer. It was subversive he said, even if it was technically legal. It was short-circuiting, nay voiding the principles of parliamentary control. It was dangerous, the implications" . . . and then a trailing off.

Now, Madam Speaker, a man who can take I suppose 40 or 50 minutes of the time of this Legislature to talk about constitutional propriety, be it in respect of control of the purse or be it in respect to the relationship of the Legislative Branch to the Judiciary, there is, of all people, the least excuse when such a man would come before us and propose a bill such as this, such as Bill 3 was, or is -- we have no way of knowing whether Bill 3 was or is.

Madam Speaker, I made it very clear when I spoke last on this matter that as far as Maitland B. Steinkopf was concerned I accepted the explanations that had been given, but that I was voting against the Bill in effect because of the constitutional implications, and I will do so. I did so yesterday, I will do so today or tomorrow and for ten thousand tomorrows. Why? Because it is not right, and that in itself should be enough of an answer for the First Premier, and if he persists in calling one a hypocrite for doing so, then my respect for his capacity and judgment shall diminish considerably.

I just do not think that any of the explanations given so far as to whether or not this was a matter properly for the Courts or for this Legislature, I don't feel that any of these explanations have been adequate. In my opinion, they have been rationalizations -- convoluted rationalizations, tortuous and winding in order to justify what? In order to justify a movement or a method -- and let's forget about the end now -- in order to justify a means which is in itself wretched; wretched, Madam Speaker, there is no other word for it.

And I would like the Attorney-General to tell me since when can he so goodly say to us that the legislature here is the custodian and interpreter of statute law. I accept the fact that the Legislature is the custodian and interpreter of its own rules, but not of statute law nor of the constitutional conventions and customs which that statute law reinforces. That's what he told us this morning and I say it's nonsense. I've discussed the matter with professors from the Law School and from the University and we are of like mind in this matter, so let's not say that we are hypocrites on this side because we chose to take this stand. I can not speak for

(Mr. Schreyer, cont'd.) . . . the men to my right, but as for myself I would do it now, tomorrow and for ten thousand tomorrows.

MR. HUTTON: Madam Speaker, would the Honourable Member for Brokenhead permit a question? Would he tell me if he does not distinguish between a man like Churchill who has the courage of his convictions to stand up and make a charge and demand a resignation, or even the First Minister of this province who made the charge, and the behaviour of people in this Legislative Assembly in not making any charge and hiding behind a question mark?

MR. SCHREYER: Madam Speaker, whether I offend anyone or not, I would say that the Minister has a point there, but as to how much of a point I can't say because while it's true that there seems to have been implications of innuendo being used here, I believe the Leader of the Liberal Party could defend himself. I merely say that my position on this was made clear and I resent being lumped in as a hypocrite.

MADAM SPEAKER: Are you ready for the question?

MR. MOLGAT: If there is no one else wishes to speak, Madam Speaker, I am prepared to proceed.

MADAM SPEAKER: All those in favour

MR. MOLGAT: No, Madam Speaker, I have some things to say. The last speaker I think gave an excellent exposition of the constitutional issues at stake here. He finished off his comments by saying that he didn't think he had to defend me for the position that I take and I agree with him, because I don't think that my position needs any defence, Madam Speaker. I think my position in this and that of my party has been eminently clear in this matter all along. We have said, and we repeat, we don't believe that we should sit here in judgment of another member of this House. We have stayed away from making any judgments. We wanted this to be referred to the Courts. What do we get from my honourable friends, Madam Speaker? Well, wild rantings and ravings from the First Minister on a TV show on Sunday, and this morning from the Minister of Agriculture a tear-jerking appeal. Why not get down to the facts? Why not get down to exactly what the situation is here.

I would like to make it very clear first of all, Madam Speaker, on a statement that has been made by the honourable friends opposite that I did not get information. Well I would like to tell them that I got a lot of information. I may not have got it from the sources that they wanted me to get it from. That's quite possible, but I had this matter investigated and I had it done by people outside of my own group as well, Madam Speaker. I had it done by legal people who did some work for me on this, who searched through and who got a great deal of information, and for my honourable friend this morning to read the letter from Mr. Shinbane, I could read it to the House too because I have the original here. There's no problems to that at all. I might add that I had several telephone conversations with Mr. Shinbane, many of them — no problems in that at all.

Madam Speaker, the investigations that I conducted led me to believe that this was not a matter to be settled by this House, that this was a matter that needed more investigation and more information, that it should not be a matter settled on a political basis on the arena of this Legislature but should be settled on an impartial basis before the courts, and that's exactly what we recommended, Madam Speaker, that if there were some problems here that the government not bring it in here but take it to the courts.

If there is a problem of interpretation, take it to the courts; if there's more than that, take it to the courts, not here. And now, Madam Speaker, we get the honourable friends opposite accusing us of bringing the matter into politics. I ask you, who brought this bill in this House? Who brought this matter here? The government, not us. But the moment the government brings something in this House and if the members on this side are not prepared to vote with them, what do we get, Madam Speaker? Character assassination, statements and speeches, if I might call them that, and I hardly dare give it that terminology like what we got from the Minister of Agriculture this morning, -- (Interjection) -- Just try it.

MR. HUTTON: Come out from behind the question mark?

MR. MOLGAT: Get out from behind the emotional appeal, get out from behind all this nonsense that you have been spreading around, get out from behind these straight indications in this thing. Get down to the facts of the situation. If there is a problem here, let's get it settled and that's been our position all along.

MR. HUTTON: Let's have a Churchill speech.

MR. MOLGAT: Look, if you want to get to the facts of this thing, send it to the courts where it can be found out. If you're not satisfied with sending it to the courts, have your judicial enquiry on it if you want, but I can tell you this, Madam Speaker, my investigations show me that the First Minister has known about this situation from a very long time back and this House was not advised. The First Minister has known from the very beginning that there was a possible conflict of interest in this matter. Did he do anything about it? Did he so advise the House? Never, Madam Speaker, until a question was asked by members on this side. This was allowed to drag on and drag on and drag on, and I have reason to believe that he got advice from people outside of this House that he should not do so but that he should proceed and clear this up, and he never did it. And now the attempt to confuse the issue, Madam Speaker, the attempt to bring in emotional matters and personalities and all the rest. This has nothing to do with it, but if you think for one moment that the emotional rantings of the Minister of Agriculture or the attempts of my honourable friend the First Minister to get on TV and blackball anyone who votes against him is going to make us back down one moment, one iota from our duty, then you are completely wrong, and I say that in this issue there is required more information. I did not seek to bring this into political arenas. I did everything I could to keep it out of there. We said, don't ask us to settle the matter. Send it to the courts where it can be settled outside of the political arena. My friends refused across there. They wouldn't do it. Wouldn't do anything about it. Madam Speaker, I say that they're wrong but then they expect us on this side . . .

MR. PAULLEY: Madam Speaker, on a point of privilege and order, and I hesitate to do this and I hope nobody misconstrues my objective, but yesterday evening at the hour of closing, 5:30, as my honourable friend the Leader of the House had just started into his reply on Bill No. 2, I raised the question as to the rules of the House. My object this time is simply to say that I do it again, with this difference however, realizing your position, Madam Speaker, and the interest in this matter of all members of the House, I suggest that the member be given leave to continue beyond the hour of 12:30 in order to complete his rebuttal on this motion.

MADAM SPEAKER: Will the honourable members grant leave to proceed? . . . Agreed.

MR. MOLGAT: I thank the members of the House and the Leader of the NDP for giving me this courtesy, Madam Speaker. I will not delay them too long.

Madam Speaker, the First Minister said, "we're prepared to give all the information, we'll give all the answers," and so on. In the meantime, in any -- I shouldn't say any, but in most of the public statements he has made in this issue we get conflicting information. On the "EYE-to-EYE" debate back on May 12th, what did he say at that time to the people of Manitoba, everyone who was listening -- public information. "I consulted with people of all political points of view with respect to this matter and proposed the introduction of a remedial bill to bring this matter to public attention and make sure it was properly dealt with. Unfortunately, as I say, it came up in the dying days of the session and needed the unanimous consent of every member in order to proceed with it then under the circumstances, and there is one gentleman who didn't give us that consent."

Madam Speaker, an absolutely untrue statement, giving the impression to the people of Manitoba that here we were, or myself, personally, trying to prevent this thing from coming to the House. Madam Speaker, there's nothing further from the truth and the First Minister knows the rules. He must have known when he was making that statement that he can bring a bill in this House any time he wants. There's nothing preventing him from bringing in a bill, and to give this sort of a statement that he needed unanimous consent and that one gentleman refused -- and it was pretty clear as to who he was pointing to -- Madam Speaker, was that being straightforward on this matter or is that bringing politics into this matter?

Statements were made earlier this week in this House and I asked some questions about it, asked questions for example regarding a statement that he made here that certain options had been exercised back in 1959. He made the statement, then he corrected himself later. When I corrected him he admitted that this was not so. I asked him what the correct date was and he said he didn't know. I'd like to know from the First Minister, Madam Speaker, what investigations has he conducted into this affair? Is he absolutely satisfied and certain of all

(Mr. Molgat, cont'd.) . . . the statements that he is making in this House?

Madam Speaker, we didn't attempt to bring this into politics. The government did. And if I proceeded this morning with asking these questions it is because I am satisfied that the public's interest requires that these questions be asked, that the whole fabric of our system requires that these questions be asked. I know what my honourable friends opposite, I know what they are going to do. They're going to run all through the by-election making accusations against us. They've started already, Madam Speaker, and they'll continue in this course rather than discuss this matter on the basis of the facts, rather than have it referred to the courts and rather than have it taken out of the political arena. They want it in the political arena because they want to use this technique for their own advantages, and I say to them we don't want it there. Take it out. Take it to the courts. Take it to a judicial enquiry. Take it where you will, where it will get an impartial hearing, where it will be away from the political atmosphere that we're faced with here, where it will be away from that sort of an interpretation. It shouldn't be there in the first place.

MR. ROBLIN: Madam Speaker, I beg to move, seconded by the Honourable Minister of Industry and Commerce -- oh, I'm sorry, the question.

Madam Speaker put the question and after a voice vote declared the motion carried.

MR. ROBLIN: I beg to move the adjournment, Madam Speaker, seconded by the Honourable Minister of Industry and Commerce.

Madam Speaker presented the motion and after a voice vote declared the motion carried and the House adjourned until 2:30 o'clock Thursday afternoon.