

THE LEGISLATIVE ASSEMBLY OF MANITOBA

2:30 o'clock, Tuesday, April 23rd, 1963.

Opening Prayer by Madam Speaker.

MADAM SPEAKER: Presenting Petitions
Reading and Receiving Petitions
Presenting Reports by Standing and Special Committees

MR. FRED GROVES (St. Vital): Madam Speaker, I beg to present the first report of the Standing Committee on private bills, standing orders, printing and library.

MR. CLERK: Your Standing Committee on Private Bills, Standing Orders, Printing and Library, beg leave to present the following as their first report. Your Committee met for organization and appointed Mr. Groves as Chairman. Your Committee recommends that for the remainder of the Session, the Quorum of this Committee shall consist of six members. Your Committee has considered Bills No. 14, an Act for the relief of Leslie Lidstone and Lucienne Marie Lidstone; No. 16 an Act to incorporate Nelson Finance Corporation; No. 26, an Act to incorporate Greater Winnipeg Society for Christian Education; No. 27, an Act for the relief of Clifford Junghans, Henry Junghans, Albert Chezick and Harvey Chezick; No. 29, an Act respecting Associate Mortgage Credit Limited; No. 30, an Act to amend an Act to incorporate the Community Chest of Greater Winnipeg; No. 31, an Act to amend an Act to incorporate Trafalgar Savings and Loans Association; No. 37, an Act respecting Industrial-Talcott Limited; No. 38, an Act to incorporate Pine Falls General Hospital; No. 42, an Act to incorporate the Elizabeth M. Crowe Memorial Hospital; No. 52, an Act for the relief of Mytro Mandybura; No. 49, an Act to amend an Act to incorporate the Garment Manufacturers Employees Fund; No. 65, an Act respecting C.A.C. Realty Limited; No. 66, an Act respecting Niagara Mortgage & Loan Limited; No. 75, an Act respecting Central Trust Company of Canada; No. 79, an Act to amend an Act and consolidate the Acts incorporating The Fidelity Trust Company; and has agreed to report the same without amendment.

Your Committee also considered Bills No. 17, an Act to incorporate Bel Acres Golf and Country Club; No. 28, an Act respecting Trustees of the Apostolic Temple Congregation in the City of Winnipeg, in the Province of Manitoba; No. 32, an Act to incorporate Holy Family Nursing Home; No. 53, an Act to incorporate Providence Ste. Therese; No. 76, an Act to incorporate The Winnipeg Art Gallery. And has agreed to report the same with Certain Amendments.

Your Committee recommended that the Fees paid in connection with the following bills be refunded, less cost of printing. No. 26, an Act to amend an Act to incorporate The Greater Winnipeg Society for Christian Education; No. 28, an Act respecting trustees of the Apostolic Temple Congregation in the City of Winnipeg, in the Province of Manitoba; No. 30, an Act to amend an Act to incorporate The Community Chest of Greater Winnipeg; No. 32, an Act to incorporate Holy Family Nursing Home; No. 38, an Act to incorporate Pine Falls General Hospital; No. 42, an Act to incorporate the Elizabeth M. Crowe Memorial Hospital; No. 53, an Act to incorporate Providence Ste. Therese; No. 76, an Act to incorporate the Winnipeg Art Gallery. All of which is respectfully submitted.

MR. GROVES: Madam Speaker, I beg to move, seconded by the Honourable Member from Winnipeg Centre that the report of the Committee be received.

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

MR. GROVES: Madam Speaker, I beg to move, seconded by the Honourable Member from Winnipeg Centre, that the fees paid in connection with the following bills be refunded, less the cost of printing. No. 26, an Act to amend an Act to incorporate the Greater Winnipeg Society for Christian Education. No. 28, an Act respecting Trustees of the Apostolic Temple Congregation in the City of Winnipeg, in the Province of Manitoba; No. 30, an Act to amend an Act to incorporate the Community Chest of Greater Winnipeg. No. 32, an Act to incorporate Holy Family Nursing Home. No. 38, an Act to incorporate Pine Falls General Hospital. No. 42, an Act to incorporate The Elizabeth M. Crowe Memorial Hospital. Bill No. 53, an Act to incorporate Providence Ste. Therese. No. 76, an Act to incorporate the Winnipeg Art Gallery.

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

**MADAM SPEAKER: Notices of Motion
Introduction of Bills
Orders of the Day**

MR. MORRIS E. GRAY (Inkster): Madam Speaker, before the Orders of the Day, on a special privilege, may I make a two minute statement in this House. I want to draw the attention of this House, that this morning we were distressed to hear about the passing of Izchak Ben Zwi, the President of the State of Israel.

The President had a distinguished record as a scholar and as a pioneer settler of his country when he assumed office after the death of the first president of Israel, Professor Chaim Weizmann. Throughout the years of his tenure of office, he discharged his duties with dignity and was truly the head of a democratic country, one of the few footholds of democracy in the troubled Middle East.

In his younger years, the President visited quite a number of countries and paid a visit to the City of Winnipeg in 1928, at that time, travelling throughout the world for the purpose of re-establishing the State of Israel, the people who have lost their independence over 2,000 years ago.

May the State of Israel be privileged to find a new President who will continue the tradition of democratic statesmanship of his predecessors Chaim Waizmann and Itzchak Ben Zwi. "May the Lord be his inheritance, and may he repose in his resting place in peace."

MADAM SPEAKER: Orders of the Day.

MR. GRAY: Madam Speaker, before the Orders of the Day are called, I saw in the Free Press an SOS call from the John Howard Society and it's for extra grant. This matter has been discussed fully under the Estimates; we appealed for a greater grant for the work they are doing. Now they are -- I'm quoting the press statement -- "It's impossible for them to carry on unless they get extra help." May I direct attention to the Provincial Treasurer or the Premier of this province whether any consideration is being given to help the SOS call for a cause which is very very important?

HON. STERLING R. LYON, Q.C. (Attorney-General) (Fort Garry): Madam Speaker, I believe the honourable member is referring to a report that appeared in the newspapers of the annual meeting of the John Howard and Elizabeth Fry Society. I'm happy to be able to tell my honourable friend that prior to that meeting taking place, we have had under discussion with the Department of Welfare and the Department of Attorney-General, in conjunction with this Society, some form of extra assistance over and above what they are presently getting, dealing with their particular problems in the field of indigent prisoners. This assistance has been approved and this approval has been communicated to them in the meantime, and I'm sure that it will meet a very great deal of the problem which was expressed, I understand, by the president in his report to the Society.

MADAM SPEAKER: Orders for Return. The Honourable the Member for St. John's.

MR. SAUL CHERNIACK (St. John's): Madam Speaker, I beg to move, seconded by the Honourable Member for Logan, that an Order of the House do issue for a return showing, (1) The amount the Provincial Government actually expended on roads in the metropolitan area, excluding bridges and the Perimeter Highway, during each of the years 1958; 1959; 1960; 1961 and 1962. (a) directly by the province itself; (b) to municipalities; (c) to Metro.

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

MADAM SPEAKER: Order for Return. The Honourable Member for Rhineland.

MR. J.M. FROESE (Rhineland): Madam Speaker, I beg to move, seconded by the Honourable Member for Kildonan, that an Order of the House do issue for a Return showing the following particulars relating to the assessment made by the government on the flood damage that occurred at Horndeen last spring; (a) the names of the people that were assessed and suffered losses; (b) the amount of loss that each party sustained.

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

HON. GURNEY EVANS (Minister of Industry and Commerce) (Fort Rouge): Madam Speaker, I beg to move, seconded by the Honourable the Attorney-General, that Madam Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole to consider the report on the bills listed.

Madam Speaker presented the motion and after a voice vote declared the motion carried, and the House resolved itself into a Committee of the Whole with the Honourable Member for St. Matthews in the Chair.

Bills. No. 4, 7, 19 were each read section by section and passed.

MR. CHAIRMAN: Bill No. 50, Section 1 -- passed; Section 2 as amended -- passed; preamble -- passed, title passed. Bill be reported -- passed.....

MR. M.N. HRYHORCZUK, Q.C. (Ethelbert Plains): Mr. Chairman, there were some amendments in this particular bill. Are they taken into account here?

MR. CHAIRMAN: This Act comes into force the day it receives the Royal Assent and striking out the words on the 1st day of April, 1963, whichever day is the earlier, comes into force after the 1st of April, 1963. It is retroactive, that part in between -- it is retroactive "shall be deemed to have been in force on and after the 1st day of April, 1963."

Bill No. 54 was read section by section, with section 3 as amended, and passed.

MR. ARTHUR E. WRIGHT (Seven Oaks): Mr. Chairman, on Section 8, I think that it's a little ridiculous to put a judge in the position where he has to decide whether a juror has suffered undue hardship as a result of performing this duty. I would rather have seen a straight increase to \$12.00 a day, because as I said before, on second reading, that the average mechanic today is getting over \$2.00 an hour and to me -- I just can't see all this machinery of asking the Courts to decide, or in other words, to apply the means test to this duty of a juror.

Sections 8 and 9 of Bill 55 read and passed.

MR. FROESE: Mr. Chairman, I would propose an amendment on Bill 56, that where the word 'ten' appears in subsections 1 and 2 of section 1, the word 'ten' be deleted and the word 'five' be inserted.

MR. CHAIRMAN: Question -- Those in favour; opposed?

Section 1 (2), passed.

MR. HRYHORCZUK: Well, Mr. Chairman, there is an amendment in that section. It was adopted by the Committee.

MR. CHAIRMAN: 6 (2) Where the estate of an intestate who dies leaving a widow, an issue exceeds the value of \$10,000, the widow's entitled to \$10,000 and has a charge upon the estate for that amount "without" instead of "with" interest and the balance of the section is stricken out -- there on from the date of the death of the intestate at five per centum per annum. That is taken out.

MR. LYON: I take it, Mr. Chairman, that the motion of the Honourable Member for Rhineland was recorded properly as being defeated.

Remainder of Bill 56 was read and passed. Bills No. 57, 67, 68, 71, 72, 74, 80, were each read section by section and passed.

MR. CHAIRMAN: Bill 91, section 1, section 2, 6, 7, 8 (a), (b), (c) passed

MR. HRYHORCZUK: Mr. Chairman, if I may, you're on Bill No. 91?

MR. CHAIRMAN: Yes. Bill No.....

MR. HRYHORCZUK: I think there were some amendments passed in Committee on that one too.

HON. CHARLES H. WITNEY (Minister of Mines and Natural Resources) (Flin Flon): It was amended, Mr. Chairman.

MR. CHAIRMAN: New section 19.

MR. HRYHORCZUK: Okay.

MR. CHAIRMAN: Haven't reached that. 2 (c), 3, section 4, 5, 6, 7, (a), 16 (a), (b), and the new section here, to 19, "moneys realized from the sale of school lands or from the sale of rights or interests therein under Section 16 shall form a fund to be known as 'The School Lands Fund' and shall be credited together with interest received on investments held for the account of the fund, for the School Lands Fund Account in the capital division of the Consolidated Fund and shall be invested under The Treasury Act. Agreed. Section 7; Section 8; Section 9 as amended; Section 10, 11 (a), (b), Section 11 passed.

MR. HRYHORCZUK: Mr. Chairman, just as a matter for the rules, isn't it proper and in order that all these amendments be passed in the House here? Is it sufficient that we have these amendments moved in Law Amendments Committee without doing the same thing in the House or does this come on the third reading? We want to make sure that we make them law.

MR. CHAIRMAN: The only thought was that someone who wasn't on a committee will say "well, what was that amendment?" Sometimes we are stymied that way. It will save time if we say, "as amended."

MR. LYON: Mr. Chairman, the report of the Committee indicates that certain Bills have been approved in Committee "as amended" and I have always been under the understanding, subject to correction by Mr. Clerk, that that is sufficient indication to the House that the Bill that it is receiving and passing at third reading is being passed as amended, but that I indicate only as my understanding. I know in my own experience I have never had to move amendments in the Committee stage after third reading to account for amendments that are already put in at Law Amendments stage.

MR. HRYHORCZUK: I believe, Mr. Chairman, that insofar as this Chamber is concerned, anything that is passed in the Committee doesn't bind the Chamber until the Chamber has adopted it and you can only do it by way of motion. Now whether we do it at this stage or on third reading, but I think that it should be done at one of these stages.

MR. CHAIRMAN:when I said agreed. That was to place it before the Committee as a Whole as to whether they were agreeable.

MR. HRYHORCZUK: It's all right with me. If the government is satisfied, I've got no objection.

Remainder of Bill 91 read and passed and Bill No. 97, was read section by section and passed.

MR. CHAIRMAN: Committee rise and report. Call in the Speaker.

Madam Speaker, the Committee of the Whole House has considered the following Bills: Nos. 4, 7, 19, 50, 54, 55, 56, 57, 67, 68, 71, 72, 74, 80, 91, 97 and directed me to report the same, without amendment, and ask leave to sit again.

MR. W.G. MARTIN (St. Matthews): Madam Speaker, I beg to move, seconded by the Honourable Member for Springfield, the report of the Committee be received.

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

Bills No. 4, 7, 19, 50, 54, 55, 56, 57, 67, 68, 71, 72, 74, 80, 91, 97 were read a third time and passed.

MADAM SPEAKER: The adjourned debate on the proposed resolution of the Honourable the Member for Inkster as amended, The Honourable the Member for St. Matthews.

MR. MARTIN: Madam Speaker, the amendments before us suggests and recommends the establishing of a national pension plan to which the individual contributes. I don't think anyone in this House would be opposed to the idea and the ideal of a national pension plan. Perhaps we'd find in that something that would help to solve many of our social problems. There was an old maxim "to put by for a rainy day." I don't know that that is as much in vogue today as it used to be because there seems to be an ever-increasing feeling: "why should I put by for a rainy day, for if that day ever comes then the government will provide an all-covering umbrella to take care of me."

The Federal platform of the Liberal Party, and now the Liberal Government, their platform in 1962 and in 1963, suggested the setting up of a national pension plan and it was to be a very comprehensive plan. I presume that the Member for Burrows had this in mind in presenting his amendment. This plan would be fully paid out of contributions and not financed from taxes; fully paid for by a small percentage from the earnings of employers and employees, and also the suggestion was that self-employed persons may be encouraged to participate in the plan. Then also in their program there was outlined a new national minimum of \$75.00 a month pension, and I would like to read the way in which it was expressed: "To help people already retired who have not had the chance to contribute under the new Liberal plan; a new minimum supplementary pension of \$10.00 a month which will be paid from the start out of the pension fund established by contributions. This will raise the total old age pension to \$75.00 for single or widowed persons and \$150.00 for a married person." Now the old age pension as we have it at the present time in Canada is provided out of "the ability to pay" taxes -- corporation tax, sales tax, personal income tax -- and if we forget it the rest of the year we're suddenly reminded of it as we approach the 30th of April, we are asked to fill in the column, \$90.00 or three percent of your taxable income. That is right across Canada and that is how we are able to take care of a pension for the senior citizens.

(Mr. Martin, cont'd)... My contention, Madam Speaker, is that any increase to this old age pension should come from the same source; that it should come out of taxes. Why should Joe Smith who earns perhaps \$1.50 an hour and has a large family to support and who is a subscriber to this national pension fund -- why should he, out of the moneys that he pays into that fund, have to help pay for an increased old age pension to people of independent means. The whole thing to my mind is iniquitous because the amendment suggests "to all old age and blind pensioners." And I'm quite sure, Madam Speaker, that if the Honourable Member for Burrows wished to increase his old age pension when he reaches the 70 year age -- which of course is some time away yet -- I don't think he would be at all happy in the thought that that increase in pension which he was going to enjoy, and which I rather believe he doesn't exactly need, would not have to come out of the pocket -- out of the money of Joe Smith who, from his hard won earnings, paid into the fund in order to provide himself with additional protection when the time of retirement draws near.

I say, Madam Speaker, that a national contributory pension fund belongs to the contributor, every penny of it, and should not be used for any other purpose. If we, in Manitoba, use money from a national pension fund to increase our old age pensions, then we will be taking out of that contributory fund, to which I'd say we weren't entitled, millions of dollars. The whole idea is unjust. The purpose of the fund for which it was established was to help people in their retirement who pay into the fund to have just a little extra. We believe, Madam Speaker, absolutely in an increase of old age pensions, but not across the board. We are concerned with hard pressed, financially embarrassed people who are finding it well nigh impossible to make ends meet on a small amount of \$65.00 a month. In these days of high cost of living many of these people who are passed their working days have to endure bitter hardship through no fault of their own and have had little or no opportunity for providing for the future. I would say concerning these people, that \$75.00 a month could well be considered a minimum; perhaps it should be \$85.00 a month; perhaps that should be \$100.00 per month. Who can tell in the tomorrows with this steadily increased cost of living. And it is their cause, Madam Speaker, that we are championing. We are opposed utterly to an increase to \$75.00 of the old age pension fund to all citizens irrespective of their financial status; and we are equally opposed to using the moneys of a national pension fund provided out of the earnings of the worker and designed to give that worker an additional bonus upon retirement, to use that money to increase old age pensions, particularly when it says "all old age pensions." We say, "increase without delay the pension to those who need it, but do it on a just and equitable basis, providing the money out of taxes; out of the general revenue."

MR. GRAY:the last Speaker. Will you permit a question? When you say, "we", are you speaking on behalf of the Conservative Party?

MR. MARTIN: When I say what?

MR. GRAY: Are you speaking on behalf of the Administration?

MR. MARTIN: Yes.

MR. GRAY: Okay. That's all I want to know.

MR. MARTIN: Yes, we have it in the resolution.

MR. GRAY: His Masters Words.

MR. S. PETERS (Elmwood): Madam Speaker, if nobody else wishes to speak, I beg to move, seconded by the Honourable Member from Seven Oaks that the debate be adjourned.

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

MADAM SPEAKER: The adjourned debate on the proposed resolution of the Honourable Member for Inkster and the amendment of the Honourable Member for Selkirk, and the proposed sub-amendment of the Honourable the Minister of Education. The Honourable the Member for Gladstone.

MR. GRAY: Madam Speaker, may I, on a point of privilege, make a very brief statement in connection with this question before -- (Interjection) --

MADAM SPEAKER: Order please. The Honourable Member for Gladstone has the floor.

MR. NELSON SHOEMAKER (Gladstone): Madam Speaker, I adjourned the debate the other day for my honourable friend the member for Selkirk.

MR. T.P. HILLHOUSE, Q.C. (Selkirk): Madam Speaker, in some respects I'm very much like the Minister of Education. He was out of the House when I spoke and I was out of the

(Mr. Hillhouse, cont'd)...House when he spoke, so I've had to rely upon my reading of Hansard to find out what he said.

I think that the House though, should read his amendment to my amendment in its entirety so that they'll get a complete picture of how he has emasculated, eviscerated, and rendered completely impotent, the amendment which I moved. The resolution as amended by me and subsequently amended by the Honourable Minister now reads as follows: "Whereas no survey has ever been made of the number, types or kinds of handicapped children in Manitoba and, Whereas this problem must be approached objectively and studied in its entirety with a view to setting up the necessary schools, acquiring the necessary specialized help in teachers to deal with the problem effectively and intelligently and, Whereas this problem comes within the jurisdiction of many departments of government and, Whereas many associations and organizations have been set up, constituted and formed to deal with the problems, training, education and welfare of handicapped children; Therefore Be It Resolved that the government consider the advisability of" -- Then we add the Honourable Minister's amendment to my amendment -- "continuing their study of these problems in consultation with those interested associations and organizations with a view to providing an appropriate policy on these matters for the consideration of this House, in due course."

Now, Madam Speaker, if the members do not think that the way I described this amendment to the amendment at the opening of my address is correct, I would like them to point out to me in what respect it is incorrect. To me, Madam, when anyone says that we will continue a study, that presupposes that a study has been made. I have read the Honourable Minister's remarks and nowhere in these remarks is there any reference whatsoever as to the government having made any study of these problems; and as a matter of fact, Madam Speaker, when he adopted my preamble in its entirety, he adopted the correctness of the first paragraph of my preamble wherein it says "Whereas no survey has ever been made of the number, types or kinds of handicapped children in Manitoba." Now having adopted that, how can the Honourable Minister ask this House to continue a study which in effect was never started? Because the first thing that anyone would have to do to make a study of any problem, would be first of all to ascertain the extent of that problem, to know the extent of the study which would have to be made.

Now, in reading the Honourable Minister's speech, I find too, that he feels that this problem can best be dealt with by various departments of government, without the assistance of these various associations that I mentioned at the time that I moved my amendment. Now, I would like to point out to the Minister that had it not been for these various associations to which I have referred, particularly the Association for Retarded Children; the Association for Crippled Children and other similar associations, purely formed on a voluntary basis and as a community effort, I say if it were not for these associations, we would have little or no program whatsoever in this province to deal with these types of children.

It is true in the Department of Health, under the guidance of the present Minister, that he has taken a keen interest in matters affecting retarded children in this province. He has also taken a keen interest in handicapped children. But I think the Honourable Minister of Health will be the first to admit that as far as that problem is concerned, that we have only made a start in respect of it. What I tried to do in my amendment was simply to take a position where we would make a start dealing with this whole problem in its entirety in a comprehensive way, so that we would at least know where we're going and know what we should do. Unfortunately, the Minister of Education in moving his amendment to the amendment has absolutely destroyed the purport and intent of my amendment to this resolution; because when he throws out these associations to work in conjunction with government departments, he's throwing out the best help that he can get, because these government departments need the help of these associations if they are to make an intelligent and proper study of these problems.

About three years ago I asked the Minister of Education to make a survey in Manitoba of the number of hard of hearing children in this province. No such survey has ever been made; and I suggest, Madam Speaker, that before this House adopts this amendment to my amendment, that the Honourable Minister of Education should prove to this House what study has been made by this province in these various fields. As the matter stands and on the basis of the remarks that he passed in this House last Friday, I suggest to you, Madam Speaker, that he has not even made out a prima facie case and that he had no right to amend my amendment in the manner

(Mr. Hillhouse, cont'd).... which he did, if it was not done for political purposes and for the purposes of patting himself on the back.

HON. GEORGE JOHNSON (Minister of Health) (Gimli): Madam Speaker in speaking to this amendment as proposed by my colleague, the Minister of Education, I would like to point out quite honestly and clearly that I agree largely with the suggestion of the Honourable Member for Selkirk and I commend him for his continuing interest in this area of endeavour in the province. Now while the problem of deaf children comes largely under the Department of Education, nonetheless it is becoming only too apparent more and more that the various departments of government must work closely together in resolving the several areas of concern in this whole field of the retarded and the handicapped child and I agree largely with this side of the House with the proposition and resolution of the Honourable Member from Selkirk. However, I think that the Minister of Education in his amendment here has said clearly in the last paragraph that "Be It Resolved that the government consider the advisability of continuing their study of these problems in consultation with those interested associations and organizations." There is no intention whatsoever of casting aside the official association, and I would like to point out to the Committee that the contrary is the case. I think that the whole nubbin of the argument here is, should the Committee that is set up by the Honourable Minister of Education, contain in the initial instance representatives of all the associations concerned in initiating the study or should the first step be to bring together the several departments of government. But I would indicate it is a complicated task and it's a task that will go on for several years in this province; and I would just like to indicate to the Committee that I think that the Minister of Education is correct; I think there isn't that much difference between the suggestion of the member from Selkirk, but I do think that government has to be the focal point of pulling together all these associations. Other jurisdictions, as you well know, are becoming concerned with the large number of voluntary organizations which are tending to get too far removed from the central theme of what we're all trying to accomplish.

I don't know if I can explain this clearly to the Legislature, but for example, just in the past two months, because of little misunderstandings that occur from time to time, despite frequent and continuing consultation with the Association for Retarded Children, The Society for Crippled Children and Adults, and so on, we have asked the several boards if our provincial co-ordinator couldn't be in attendance at those meetings that these associations have once a year, where they deal with their plans for the year -- their long term planning -- working with them closely. For example we have written letters to all these associations; they are welcoming this approach. This was decided some months ago as we saw new areas of concern arising. For example, here we are developing workshops for the mentally incapacitated and rehabilitating the mental patient, and on the other hand we have workshops for the physically ill and why can't we bring these together.

The Honourable the Member from River Heights on this side of the House is keenly interested in this whole field and recently he and members of the association and our Director of Rehabilitation went to New York to look at the combined workshops where we can get together and instead of everyone going on their own way. And it's a real job for a Minister or the Ministers of several departments to pull together the several problems that arise. Somebody has to be the focal point, and I think the Minister is saying, "it shall and it must be government, because government must be responsible for the co-ordination of all these services in the public interest." For example, in the past year as we developed the School with the Kinsmen Club who put up the money, the initial moneys for the Society for Crippled Children and Adults and the development of a pre-school centre for deaf and cerebral spastic children. This involved five agencies; The Sanatorium Board, the Hospital Commission, the teaching hospitals, the Director and Co-ordinator of Rehabilitation Services, all had to come together at my request to look into the area of services. For example, how many physiotherapy units are we going to have in that area? Should the society duplicate services that are across the street at the Rehab? One of the reasons we built it in that area was to prevent the duplication of services. It was finally agreed these services should continue in the Children's Hospital through the Rehab Hospital -- so everybody knows what the other fellow is doing. In one area, physiotherapy, it requires these several agencies to be brought together so that everybody understands what the other one is doing. With their leadership and the Director -- the Provincial

(Mr. Johnson, cont'd.). . . . Co-ordinator in this province, we were able to get the Multiple Sclerosis Society, The Canadian Paraplegic Association, the Association for Retarded Children to all plan space in this one facility where again they're going to design the facility and the workings of that facility and the floors in that facility so that the various associations bump into one another coming to work in the morning and we know what the other foot is doing. This is what I think the Minister was trying to develop. I just touch on some of these points to show that there has been a great deal done. The Association themselves -- of Retarded Children for example are exploring areas and ideas and bringing them to us -- to try them out on us. We're both not satisfied that we know too many of the answers for the future and we both agree to go slowly in the development of bricks and mortar in this field; we're more concerned about personnel.

We're into speech therapy; speech therapists are needed for retarded children, for the physically handicapped; the children with cleft palates for example; the mentally retarded. They're needed in head injury cases and so on. The Rehabilitation Hospital -- it's been proposed that an audiometer and speech therapy centre be established there and co-ordinate the activities of the audiometers in all the other hospitals in the same area. Why should we have four audiometers set up when all you have to do is go through a tunnel and you can get together on one. So we find these associations ready, willing and able and anxious to come together and settle these things as one, and I think this step of having our Provincial Co-ordinator being invited to the annual planning meeting as a further assurance that it's underlined, that the liaison is there.

I have no quarrel with the Honourable Member from Selkirk in his objective and I just wish to make this plea to the House, Madam Speaker, that the focal point will have to be the administration in bringing together these several groups and it is our fullest intention, as spelled out in the amendment, that the fullest consultation and co-operation of these several voluntary associations and dedicated people in this field be brought along in all the planning and in all the doing when it comes. They should share in many of these decisions, and I know that's the intention of the administration, because we repeat, and I repeat as often as I can, that the activities of the Department of Health for one are quite meaningless without the concern and support and understanding of the people in the community who can help the Department, government, and we in this Legislature, best interpret the priorities and needs in these several areas.

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

MR. HILLHOUSE: Yeas and Nays, Madam Speaker.

MADAM SPEAKER: Call in the members.

The question before the House is the proposed sub-amendment of the Honourable the Minister of Education.

A standing vote was taken with the results being as follows:

YEAS: Messrs. Alexander, Beard, Bilton, Bjornson, Carroll, Cowan, Evans, Groves, Hamilton, Harrison, Hutton, Jeannotte, Johnson (Gimli) Klym, Lissaman, Lyon, McDonald, McKellar, McLean, Martin, Mills, Moeller, Roblin, Seaborn, Shewman, Smellie, Stanes, Steinkopf, Strickland, Watt, Witney and Mrs. Morrison.

NAYS: Messrs. Barkman, Campbell, Cherniack, Desjardins, Froese, Gray, Harris, Hillhouse, Hryhorczuk, Johnston, Patrick, Paulley, Peters, Schreyer, Shoemaker, Smerchanski, Tanchak, Vielfaure, Wright.

MR. CLERK: Yeas: 32; Nays: 19.

Madam Speaker declared the motion carried.

MADAM SPEAKER: The proposed motion of the Honourable the Member for Selkirk as amended.

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

MADAM SPEAKER: The adjourned debate on the main motion -- I'm sorry -- on the proposed motion of the Honourable the Member for Inkster as amended.

MR. RUSSELL PAULLEY (Leader of the New Democratic Party) (Radisson): Madam Speaker, I just want to make one or two comments before the main motion is taken on the resolution as proposed by my honourable colleague from Inkster, and that is simply to say this: I appreciate the intentions of the Honourable Member for Selkirk who introduced the

(Mr. Paulley, cont'd)... amendment and also the amendment to the amendment by the Minister of Education; but really Madam Speaker, it's my considered opinion that had these things been done at the proper time then the motion as presented by my honourable friend was the only legitimate one and fair and reasonable one before this House. For surely my colleague has been introducing this resolution in the same manner as was originally before us for a considerable period of years. It just seems to me now that the efforts of my colleague have made an impression on this matter before the House, that the only gain that he may consider that he has made in respect of this, that at long last both those of the Liberal Party and those of the Conservative Party in this House feel that this is a matter of such importance that it must be at least studied. Such is not the case insofar as we of this group are concerned. We have known of this problem. My colleague has presented this problem to the House year after year; and while I say, Madam Speaker, that we must of necessity accept the amendments that have been made to our resolution, we do so reluctantly, but suggest that in the future that it does not take years of activity on the part of this group, and especially the part of the Honourable Member for Inkster, before matters of such supreme importance to the well being of our deaf, blind and handicapped children in the Province of Manitoba; that at least we start making studies on this vital matter.

MR. JOHNSON: Well, just before the honourable member closes the debate, I can't sit here and -- I appreciate the concern and interest -- the spirit of the resolution, but this is a pretty inclusive resolution as the House knows. There have been these advances which I tried to point out during my estimates, which I've tried to bring to the attention of the House, in the area of crippled children, retarded children and the development of specialized facilities for them. I just want to remind the House that the development with The Society for Crippled Children and Adults, of the development of the Pre-School Centre, the Pre-School Deaf and Cerebral Spastic Children, the development by the Progress Club of a facility -- albeit a humble beginning, but a beginning in the area of the more severely incapacitated cerebral spastics that I brought to the attention during the estimates. These things are major steps forward -- the expansion further of St. Amant Ward. I know that the Leader of the NDP recognizes this; I know he knows the difference between the way things are becoming organized today from the old days when he had to go virtually and beg for some help for the retarded children in the Province of Manitoba. We recognize these problems. They're big problems. They're Canada-wide problems and I'm the first to admit that they are fantastic. Not even the volunteers and the associations know all the answers. Our professional people don't know all the answers. We, I suggest to the House, will be studying this matter for a long time, but this doesn't mean when we say we're going to keep studying that action doesn't come concurrently with study. I think we have shown that action is forthcoming and considerable action and progress has been made in the past few years. I just want to say that so that the Honourable the Member from Inkster can take some heart in while his motions -- he's always a step ahead of us as it were in the development of these very necessary facilities -- but it isn't as negative, I don't feel, as the Leader of the NDP would have us believe from his remarks this afternoon.

MR. HRYHORCZUK: Madam Speaker, just before the Honourable Member for Inkster closes the debate -- I see the Honourable Minister of Education is going to get into this -- I just want to draw the attention of the House to the statement made by the NDP, the Leader of the Party, my honourable seat mate here. He left the inference that this particular type of resolution, or this resolution has been before the House for quite a number of years, for a long time. Well that is not quite accurate. The resolution, as I remember it in years gone by, dealt exclusively with the deaf and the blind. The present resolution includes the retarded, the handicapped children, and so forth. I just thought I'd keep the records straight on that so we wouldn't be led to believe that this particular resolution has been on the Order Paper for many years.

HON. STEWART E. McLEAN, Q.C. (Minister of Education) (Dauphin): Madam Speaker, as the author of the emasculated, eviscerated and impotent sub-amendment perhaps it would not be out of order for me to say something at this time. First let me say for the benefit of the Honourable the Member for Selkirk that I would have no intention in relation to this matter, nor indeed of any other, I would hope, of patting myself on the back, but particularly insofar as this field of education is concerned I would be entitled to no credit, have never claimed any

(Mr. McLean, cont'd) credit, and, indeed, if there is any credit to be given to anyone it must be to my colleague the Honourable the Minister of Health who has been somewhat more active in certain aspects of this problem than I have.

Now with regard to the resolution, it has always been a puzzle to me what to do about this resolution because it is perfectly true that practically every year since I have been in this House, the resolution has appeared on the Order Paper. Now on an examination of the resolution it's obviously -- and I don't think even the Honourable Member for Inkster has ever claimed that it was either logical or represented what he had in mind, because for example he speaks of the blind children. The blind children, Madam Speaker, are very few in number -- a fact for which we are all very thankful -- and who are all provided with education at the best blind School for the Blind in the Dominion of Canada; provided with their transportation to and from; provided with their board and lodging at the school, and their tuition, and in every respect, I'm certain, provided with the best care. Now we couldn't, the Province of Manitoba couldn't, with the best will in the world, we couldn't possibly afford the provision of the Brantford facilities for 25 blind children from the Province of Manitoba. That's a fact that was recognized by the previous administration and it's a policy which has been carried on by the present. But you see the resolution refers to the blind children as though -- and if one looks, if one wants to take a technical approach to this resolution, it refers to re-opening a school in Winnipeg to provide for these people. Now, I don't think the honourable the member means that, but that's his resolution and we have to deal with it the way it comes to us.

Then he speaks, or the resolution speaks, and the Honourable the Leader of the New Democratic Party suggests that nothing has been done. Madam Speaker, the crippled and retarded children through the Department of Health, and I'm not patting myself on the back, I haven't had anything to do with it, they've expanded their assistance and their facilities tremendously in the last three or four years for this particular group of children -- tripled expense is the proper expression, and so that must be taken into account too.

Now we come to the deaf children, and actually when you read the resolution and then you hear the speech of the Honourable the Member for Inkster, he's really only concerned about the deaf children. He's never made any bones about it. He doesn't speak about the others, he speaks about the deaf children, and he wants the old school, or a school, residential school that was once in the Province of Manitoba re-opened. Now he overlooks the fact -- now I shouldn't say that because actually he admitted it -- the basis of his plea is not that there's anything wrong with the School for the Deaf at Saskatoon; not that there's anything wrong with the policy and procedure that's followed out; not that there's anything wrong with the quality of the training and education that are given to the deaf children; his plea is based on the very simple, and indeed, very commendable point that these children are entitled to be in their homes and not to be separated from their parents and he makes a plea to our concern for the love of parents for their children, all of which we understand very clearly. But Madam Speaker, we have provided, starting with the base that was established by the previous administration, we have provided for slightly over one-half of the total deaf children in Manitoba to be educated right here within the Metropolitan area of Winnipeg and that's where these folks come from. Now we couldn't get them any closer to home than you can -- I don't suppose anyone's suggesting that we should have more than one school in the Metropolitan area of Winnipeg -- but they're at home, if that's a benefit, and that's what the Honourable Member for Inkster is interested in. They are at home and they are getting the benefit of a good day school for the deaf; and what more does one want. I mean it actually needs no study to determine that; that's a fact. That's the actual fact of the situation.

Now who are the children that go to the School for the Deaf at Saskatoon? They are the children who need this type of training from the various points in the Province of Manitoba -- and they're scattered all over the Province of Manitoba, Roblin, Ethelbert, Minnedosa, and so it goes by ones and twos, all over the Province of Manitoba. And what the Honourable Member for Inkster has never perhaps been able to understand -- and of course he and I are miles apart in this -- that that child from Roblin would be just as far away from his or her parents down in a residential school in the Metropolitan area of Winnipeg as he is up in Saskatoon. If it's a matter of separation of parents and children, it takes place, it couldn't help it. If we had 17 residential schools in Winnipeg, those parents and children would still be separated;

(Mr. McLean, cont'd) and if I could ever get the Honourable Member for Inkster to acknowledge that in fact the thing that's happening in Manitoba with regard to these children, and the matter of their relationship to their parents, is happening now, I'd be inclined to call off the study, because I don't think one would be necessary.

Now Madam Speaker, I just wanted to say this. I accept the criticism that the Honourable the Member for Selkirk has levied at me. I acknowledge that I'm not an expert in this field -- I don't really fully understand it, I'll be quite frank about it. I have however just the same concern for these children as any other member of this House. We must use our resources to the best advantage, and I believe, Madam Speaker, that generally speaking we're doing the best we can and in doing so we're following out the general lines of a pattern that was laid down by the previous administration in this province.

MR. CHERNIACK: I just want to make a few comments, Madam Speaker. I listened to the Honourable the Minister for Education and I heard what he had to say about the resolution and the preamble dealing with the blind children, but I see no reference to the resolution portion dealing with the blind children and I presume he didn't read it correctly, otherwise he wouldn't have criticized the main motion in reference to providing for the blind. I have, however, listened to what he said and at the same time read the amendment as amended and as already passed by this House, and I find it difficult to reconcile the description by the Honourable Minister of what has been done and what is being done, with his acceptance of the preamble and of the resolution itself which he amended, which indicates how the problem must be approached, the fact that it must be approached, and that it must be studied, and that one must acquire the necessary specialized help, and the resolution itself which says: "that the study will be continued with a view to providing an appropriate policy on these matters for the consideration of this House, in due course." Now, these are the words of the Honourable Minister for Education, and the way I read them, it is a recognition of the fact that more study has to be carried out and more conclusions arrived at, and more planning done in order to bring an appropriate policy before the House, and this sounds commendable. But in the light of what the Honourable Minister has already said about what has been done and what is being done, and his last suggestion that "maybe this committee ought not to be" -- I forget just the wording he said -- but he indicated, I think, that possibly it's not necessary to proceed with it, because of what has been done, I am wondering the extent to which the government will continue the study. Because I have the impression that the Honourable Minister feels that what is being done now is sufficient and is measuring up to the need and if the government now passes the resolution which provides for a continuation of the study with a view to providing an appropriate policy, then I am afraid that there will be very little that will be done as a result of this resolution. I would suggest to the Honourable Minister that if this amendment passes and the resolution passes as amended that there won't be any difference done by the government from what it would have done had this resolution not been prepared. And if I am right about that then I would suggest that the amendment which has already been approved and which is now an amendment to the main motion, ought not to have been brought at all, but rather the motion should have been defeated as indicating that the government proposes to continue to do what it has been doing. But I'm afraid we are inclined to get the wrong impression, that the government is now going to become re-invigorated, reinforced in its desire and broaden the scope of its work. I don't really think it's going to do that. I think, in all honesty, that the Honourable Minister doesn't believe it's necessary, because I think again that he believes that the government is doing enough, and I don't criticize him for thinking that on his side, I would expect that he would think so. But I do think that passing this amendment and the resolution as amended will not make the slightest difference to the government's program or plan of attack of the problem.

..... Continued on next page

MR. GRAY: Since the Minister of Education came into the House I have always admired him for being straightforward. Many times I did not agree with him, other times I did. Anyway, I admit now, and I've admitted before, that he's a very capable, constructive Minister and is doing a good job. I have purposely not made any notes of what I am going to say. I trust to my heart and for the little bit of thinking I perhaps still possess. His speech tonight -- the last one -- was in my opinion delivered without a heart, a soul, and not even logic -- if this is permissible to state. He used the argument that a lawyer would say in Court: "Are you still beating your wife?" What should he say? He went and took a resolution which I have submitted for a long time, and he knows well, and so did the other Ministers before him, what I had in mind. I had in mind that they have a school in Saskatoon. If I mentioned the blind, no harm done -- my main interest was in the school for the deaf and they're sending them to Saskatoon after they have taken away their Home here, and the Home was used for this purpose by the powers-that-be at that time, realizing that they have the Home for them, particularly for the young people. All I have suggested is this. I tried to prove -- and if I didn't it's not my fault -- I tried for many years to prove that in addition to the school -- I have nothing against the management of the school. It's one of the finest schools in Canada, but it was not mine only -- the action. I have spoken to many mothers and they came to me right here from Winnipeg, where there were 60 children. I've spoken at least to ten -- I could probably find their names -- who felt that they wanted to see their children; that the affection and the love of a mother to the child takes away his inferiority complex. They have a complex. They cannot understand yet fully why they cannot hear and the others do; but when a mother comes into the child, embraces her, talks to her, not in the language of a social worker but in the language of her mother, it's a comfort to her. I'm no authority on it. I learned my experience from life; but I have submitted authorities. I still have in my office, 22, 23 books provided and secured for me by the library, and it could be read down there, appeals of the greatest of the educators, and I'm entitled to believe them as much as I could believe the Minister of Education, that they felt that a child who has a defect, a child who has something wrong with it, a retarded child, finds its comfort in the arms of her mother or close relative. That's all I had in mind.

Now, this year -- and this was the intention -- I actually copied the resolution from three or four or five years ago. I didn't change the text. But instead of standing up and stating that this matter has been solved, he comes up here and blames me because I mentioned the blind. Supposing I did? Supposing I did; does it make the other resolution . . . ? It's ridiculous. It's tragic to make such an argument. However, I've told that there'd be also another today in another meeting -- I made an amendment that was defeated as usual and I said to the doctor, "If that amendment would have been carried, I would have had a heart attack, because that will be the only one -- the only time -- probably that it was accepted."

MR. JOHNSON: That's why I sat next to you.

MR. GRAY: Thanks very much! So I feel this way. You submitted a safe resolution. You don't want it, defeat it. Be on record. Some day some people, some youngsters, our children, will take them to task for it as we do now. We could show you for the last 20 years, resolutions so far that have been defeated. They are now in the statute books, not submitted by us, but submitted by those who defeated them earlier, and when -- from Portage -- what's his name? He was with the Liberal Government -- (Interjection) -- Greenway, submitted a resolution which he, himself, talked against it for years, all he said is, "I've a right to change my mind." Well, there's nothing wrong about it. Anybody has a right to change their mind. It's immaterial to me, Madam, just now, whether you defeat it or not. You still try to carry on, and if it's defeated as far as the school is concerned in Saskatchewan, this has been solved. They have no room for us; we'll have to take them back. What solution they will have I don't know, but they are coming back to Winnipeg -- either attend public school or any other school, it's immaterial now; but I'd like to urge the Minister of Education in particular that we are living in a world of progress. We're living in a world that what a good ten years ago was reactionary may be normal today. It has been proven. He came in here with a message of progress; a message of work and everything else. Carry on. I'll . . . you. I don't care where the help comes as long as the help is here. So I feel now, Madam Chairman, it's immaterial to me what you do, we are going to put on record the government, that they were opposed to something which we have suggested, and I predict that if they still stay in power the next two or

(Mr. Gray, cont'd.) . . . three or four years, they will submit the very same resolution -- probably in other words -- because they will realize then two things: first of all, it's not as bad as it looks; and secondly, it will come from them. I don't know whether I'll be in this world by that time, but if I'm not, I wish they would telephone me or telegraph me and at least reveal it. As far as I'm concerned now, I have supported the amendment of the Honourable Member for Selkirk. It was a good amendment. It's a progressive amendment. It's a half a loaf. It has been defeated. We'll then try and defeat the original motion as amended and leave it to the gods.

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

MR. GRAY: Yeas and Nays, Madam Speaker.

MADAM SPEAKER: Call in the members.

The question before the House is the main motion as amended.

A standing vote was taken with the following result:

YEAS: Messrs. Alexander, Barkman, Beard, Bilton, Bjornson, Campbell, Carroll, Cowan, Desjardins, Evans, Froese, Groves, Hamilton, Harrison, Hillhouse, Hryhorczuk, Jeannotte, Johnson, Johnston, Klym, Lissaman, Lyon, McDonald, McKellar, McLean, Martin, Mills, Moeller, Patrick, Roblin, Seaborn, Shewman, Shoemaker, Smellie, Smerchanski, Stanes, Steinkopf, Strickland, Tanchak, Vielfaure, Watt, Witney, and Mrs. Morrison.

NAYS: Messrs. Cherniack, Gray, Harris, Paulley, Peters, Schreyer, and Wright.

MR. CLERK: Yeas: 43; Nays: 7.

MADAM SPEAKER: I declare the motion carried.

The adjourned debate on the proposed motion of the Honourable the Leader of the New Democratic Party. The Honourable the Member for Swan River.

MR. J. H. BILTON (Swan River): Madam Speaker, I beg leave of the House to allow this matter to stand.

MADAM SPEAKER: Agreed? The adjourned debate on the proposed resolution of the Honourable the Member for St. Boniface and the proposed amendment of the Honourable the Minister of Education and the sub-amendment of the Honourable the Member for Emerson. The Honourable the Member for Kildonan.

MR. J. MILLS (Kildonan): Madam Speaker, on Friday last, when I adjourned this debate, I did so on the misunderstanding of the rules of this House. It is my wish to speak on the amendment proposed by the Honourable Minister of Education. I would therefore appreciate it if I might be excused from speaking at this time since my remarks will deal not with the further amendment proposed by the Honourable Member from Emerson. I would, however, like the privilege of speaking on the amendment proposed by the Honourable Minister of Education when that is again before the House, providing that it is in order for me to do so.

MADAM SPEAKER: Agreed.

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

MR. HRYHORCZUK: Yeas and nays, Madam Speaker.

MADAM SPEAKER: Call in the members. The question before the House is the proposed sub-amendment of the Honourable the Member for Emerson.

A standing vote was taken with the following result:

YEAS: Messrs. Barkman, Campbell, Cherniack, Desjardins, Gray, Harris, Hillhouse, Hryhorczuk, Johnston, Patrick, Paulley, Peters, Schreyer, Shoemaker, Smerchanski, Tanchak, Vielfaure and Wright.

NAYS: Messrs. Alexander, Beard, Bilton, Bjornson, Carroll, Cowan, Evans, Froese, Groves, Hamilton, Harrison, Hutton, Jeannotte, Johnson, Klym, Lissaman, Lyon, McDonald, McKellar, McLean, Martin, Mills, Moeller, Roblin, Seaborn, Shewman, Smellie, Stanes, Steinkopf, Strickland, Watt, Witney and Mrs. Morrison

MR. CLERK: Yeas - 18; nays - 33.

MADAM SPEAKER: I declare the motion lost.

The proposed amendment of the Honourable the Minister of Education.

MR. MILLS: I presume it is in order now for me to speak to the amendment? Speaking to the resolution of the Honourable Member for St. Boniface, I would support the amendment given by the Honourable Member of Education. I listened quite attentively to the Member from Lac du Bonnet, and as he quoted, he was not a qualified expert on this particular subject. I

(Mr. Mills, cont'd.) . . . also fall in this category, and if this amendment is accepted I, too, would like to feel that I had a small part in the passing of it. When this resolution was first introduced I had a discussion with Mr. Lorimer, Superintendent of the City of Winnipeg schools. He advised me that a Miss McCance was quite interested in this media, but I informed him that this had already been discussed, that I wanted his own personal opinion and feelings. He advised me emphatically that he was behind the idea of TV in schools but felt, however, that only certain subjects would be adaptable at the present time. These subjects, in his opinion, would be in the fields of science, drama, and possibly languages. Following up our discussion I secured several brochures from the Honourable Member from St. Boniface, which by the way was produced by R. C. A. Victor. According to their surveys which were conducted throughout colleges there was not too much stress on this media in elementary schools. I feel, however, this information could be related to these schools, as TV lessons are more carefully planned than conventional lessons. More material can be covered by TV than by a teacher in a conventional classroom. TV would bring to students educational experience far beyond the potential use of the conventional classroom. Places of interest and illustrated materials can be shown. The classroom teacher, far from being replaced to a minor role, will assume a new importance. TV for direct instruction should be introduced early in the lower grades to enable students to otherwise accustom themselves to this media later. Many students would like the idea of this presentation of the lessons as there would be little interruption. It may be also said that the cost would be prohibitive. But I understand lessons so taught could be used year in and year out for the same grades. Therefore, the most expensive part of this plan would be in the initial cost. I feel, in closing, that the old saying of the Chinese that a picture is worth a thousand words is very true in this new way of teaching, which I feel is a thing of the future and should be explored very, very thoroughly in the near future.

MADAM SPEAKER: Are you ready for the question?

MR. E. R. SCHREYER (Brokenhead): Madam Speaker, on behalf of the Member for Rhineland I'd like to adjourn the debate. I'll adjourn it in my name. I move, seconded by the Honourable Member for Seven Oaks, that the debate be adjourned.

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

MADAM SPEAKER: The adjourned debate on the proposed resolution of the Honourable the Member for Portage la Prairie, and the proposed motion of the Honourable Member for Dufferin in amendment thereto. The Honourable the Member for Portage la Prairie. The Honourable Member is closing the debate.

MR. G. E. JOHNSTON (Portage la Prairie): Thank you, Madam Speaker! I would like to refer this House to some of the wording of the amendment on the debate and after the first "whereas" it says towards the end of the paragraph that this "requires appropriate remedial measures." Now I would like to refer this House to a newspaper of December 6th, 1962, and there's a large headline and it says here: "Road Delineators Tested on No. 1 East of Portage with Attention Given to the Area near Elie," and we all know that the department recognizes that there is a problem here, and after much time they have come up with what they thought was the answer with these delineators that mark out the road and relieve the monotony. We know very well that the department is concerned with this problem and are doing their best to overcome it, but I think this House will agree that there is nothing else can be done in the way of safety measures. Already along this stretch of highway there is radar control; there is highway patrol cars; and still increasing traffic is so heavy that there is nothing else can be done but widen the highway and divide the highway. I would say further that if this was the total answer, of putting up a few sticks along the stretch of road with some reflectors on them, that I suggest that places like Chicago and Los Angeles and Windsor and Toronto, and places like this would have been satisfied to keep a good single lane highway going -- single lane in each direction that is -- and this would be their answer. But they know this is not the answer and they know that the increasing traffic demands that something be done, and be done in the near future, not as stated in this amendment "before long."

I would refer again, this House, to a jury recommendation, March 26, 1963, a very short time ago, that this jury felt that this last accident could have been averted with a divided highway -- two lanes each way.

I'd now like to refer to the Hansard of April 19th, 1963, where the Honourable Member

(Mr. Johnston, cont'd.) . . . from Roblin in defending the actions of his government states, and I quote: "I would like to deal with the period from 1959, '60 and '61, these three years, and we find that two fatal accidents in that period account for half the fatalities, and in both these two accidents liquor was the main contributing factor. I can assure the Honourable Member from Portage la Prairie that I, myself, am going to sleep quite easy in my bed if somebody gets an extra load and goes driving on the highway and has a fatal accident." Well, Madam Speaker, I took it upon myself to check those two accidents. I have some knowledge of the families involved, and part -- in one half of each accident, that is -- and I find that one of these families, I don't think -- well I know the Honourable Member from Roblin didn't quite mean the way it came out, but I'm going to suggest that in these particular accidents while there was liquor involved in one side of the accident, I don't think it would make those members left in these families feel very good to read this and think that some members of their family are now dead because of themselves partaking of liquor.

MR. K. ALEXANDER (Roblin): Madam Speaker, on a point of privilege, I'd just like to point out that I stated that alcohol was the major contributing factor to the accidents.

MR. JOHNSTON: Madam Speaker, if the House wishes, I'd read this again. It says here, "I can assure the Honourable Member from Portage la Prairie that I myself am going to sleep quite easy in my bed if somebody gets an extra load and goes driving on the highway and has a fatal accident." Now in this particular accident, there was a man and a woman, -- a husband and wife, and a child killed, and they were on their way home from church in Winnipeg. They had been visiting friends in Winnipeg that day. Now, as I say again, I know the Honourable Member from Roblin didn't mean it to come out that way, and we know that the other people involved, we know by the police reports that there was liquor involved, but at the same time when we're considering the safety of our highways, and traffic counts and so on, we must, I would suggest to this House, allow enough leeway for very minute mistakes, not have such a heavy traffic problem that the least driver error causes the death of someone. Now, while I myself am going to support this amendment because it in part admits -- the government of the day in part admits that there is a problem there and they are going to do something, as they say, "before long," I certainly hope that they will speed this up as the traffic counts are daily increasing on this stretch of road and something is needed and needed quickly.

MADAM SPEAKER: The Honourable Member in speaking was speaking on the amendment, which I overlooked. He was not closing the debate.

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

MADAM SPEAKER: The main motion as amended.

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

MADAM SPEAKER: The adjourned debate on the proposed resolution of the Honourable the Member for St. George, and the proposed motion of the Honourable the Member for Lac du Bonnet in amendment thereto.

MR. HRYHORCZUK: Madam Speaker, may I have the indulgence of the House to let this matter stand.

MADAM SPEAKER: Agreed.

The adjourned debate on the proposed resolution of the Honourable the Leader of the New Democratic Party as amended. The Honourable the Member for Lakeside.

MR. CAMPBELL: Madam Speaker, I appreciate the courtesy of the House in allowing this matter to rest the other evening, and I promised that I would try and reward that courtesy by speaking an even briefer time than I had previously intended to, and subsequent events have rather confirmed me in that decision.

Needless to say, I'm in favour of the resolution. I always have found that such committee meetings are of benefit to all the members who take part in them. No matter how familiar we may think that we are with the Election Act -- and we should be reasonably familiar with it because we've been having elections pretty regularly lately -- we still find, I think, that there are some things that would benefit by full and frank discussion. In that connection I'd like to compliment the Honourable Member for St. Vital for the thoughtful address that he made in connection with this matter. He had evidently been doing some homework on it and he came up with what I thought were some valuable suggestions. I would suggest to the House, however, Madam Speaker, that having regard to the stage of our Session -- I hope it's the late stages of

(Mr. Campbell, cont'd.) . . . the Session -- when this matter is coming toward a conclusion, that it might be well for the mover or the Leader of the House to amend this motion to allow the Committee to sit during the recess, because I fear that with the amount of work that we have to do in such a short time, that we would not give to this Committee sitting the attention that it would deserve if we tried to carry it on while the House is in session. All of us know, particularly with some important legislation still to come down, in view of the fact that we will likely soon start sitting mornings, evenings, afternoons, and holding ourselves nimble enough to go on short notice from Committee to the House, and House to the Committee, and such necessary adjustments as have to be made at the end of the Session, that the work of this Committee, in my opinion, would suffer if we tried to hold committee sittings under these circumstances. Therefore I would suggest that we would agree that this Committee would hold its sessions during the recess.

I'm not particularly concerned with the interest that's been shown between the alleged violations that took place -- although certainly that is something that should be looked into, if, as and when the Committee meets -- but what I am concerned about, and why I took the opportunity to speak briefly on this subject, is because I think that just following an election -- actually just following two elections because we've had a federal one since we had our provincial one -- just following two elections, I think is a good time for us to give an intensive study to the Election Act itself and various situations that have arisen out of either or both of those elections, because Madam Speaker, I think it's only trite to say that the free vote and complete freedom of choice in voting and respect for that freedom of choice, and the greatest possible degree of implementation of that freedom of choice, are basic to the proper working of our democratic system.

We want to encourage electors to take an interest and to vote. We hold some considerable differences of opinion as to how we think they should vote, but we want them to vote, and I think we can say that for all the parties in the House that we really are unanimous in encouraging the people to exercise their franchise. And, Madam Speaker, it is not exercised as fully as it should be in my opinion. I took the trouble to look up the vote in the constituency that has been greatly in the public eye, Kildonan, and I find that even there, in spite of the close contest they certainly had, which would indicate that there was a pretty close feeling as between the two top candidates in that riding, that even there with that closeness prevailing, there was still less than a 57 percent of the total vote cast. I think it's unfortunate that we should have such a small percentage of our people voting, and I think it's worthy of notice, at least, that the record through the years, if my observations are correct -- the record through the years of the urban part of our electorate is worse than the record in the rural part. Now it should be the other way around, because it's certainly more easy for the people in the urban constituencies to poll their vote than it is for those out in the rural ones, where sometimes the polls are some distance from the elector, and some -- at least some -- inconvenience results from an attempt to cast a ballot. Be that as it may, and my own observation is that generally the urban vote is a smaller percentage of the total than the rural, and in that connection I looked up the vote that you'd expect me to be rather interested in, namely Lakeside constituency, and I found that in that constituency 69 percent of the people exercised their franchise, as differentiated from 57 percent in the constituency of Kildonan. Incidentally, the provincial average lies just between the two; the provincial average is 61 percent. The only point that I make here is that I think that we should, all of us, continue to do all that we can to encourage people to exercise their franchise. They're not doing it to the extent that they should, but that of course is their privilege. I don't think any of us have suggested in this country that we should have compulsory voting, or that there should be penalties attached to not voting, but I think on the other hand we should remind the folks that this is a privilege and it's also a responsibility. They should exercise that privilege and discharge that responsibility.

But then we have another something that I think all of us want to guarantee, and that is to guarantee that the freely expressed choice of the elector will not be thwarted, and that, I think, is where we can perhaps make some contribution in the committee that we are considering setting up. The right of a choice should not be thwarted either by a technicality or even by some mild mistake or omission, always provided, of course, and I make this general provision, that there is no fraud of any kind. We go to a lot of trouble, Madam Speaker, and the taxpayer

(Mr. Campbell, cont'd.) . . . is put to a considerable expense to make sure that the electors are apprised of the fact that a vote is going to take place; amazing how many don't remember about it -- but the Act requires that great notice be given, and then we go to a lot of trouble and the taxpayer is put to expense in order to be sure that in individual constituencies that first the Returning Officer posts proclamations there, and then he appoints enumerators, and the enumerators put the names on the list, and even when the voter gets to the point, after all these notices, of where he actually arrives at the polling place, we still have -- the Act requires that there shall be conspicuously posted instructions for him as to how to vote, as to who the candidates are and material, to be sure that that free choice that we're so anxious to encourage is implemented in the way that he intends to do it, and we also provide that we don't take advantage of any technicality or even such minor mistakes that I spoke of. If he happens to -- although he's instructed very carefully to mark with an "X" -- if it happens that he marks with some other figure or character or letter which, without any apparent intention of fraud, indicates the candidate for whom he intends to vote, his vote is still counted.

So we go to a lot of trouble to be sure that this is done, and I'd like to ask the members of the House at the moment, Madam Speaker, because I'm sure that the most of them took the opportunity to vote in the Federal election and that's quite recent, I wonder how many of those of us who voted noticed the form of the ballot. Well I wouldn't have likely; I don't think I'd have paid much attention. Like the most of people I'm just interested in making sure that the candidate that's on the side of the angels gets my vote in my particular constituency, and get out of there as quickly as possible, but this time on account of the interest that the constituency of Kildonan has aroused, I took a particular look at the ballot. How many of the rest of you did? Did you notice the difference in their ballot and ours? Theirs is much better. It would have guarded against the thing that happened in Kildonan, in my opinion. I'll tell you why in a moment. But how many have noticed our own ballot? How many have looked at our own ballot? I must confess, and this is a terrible confession, that I wasn't even aware that we printed all those instructions at the top of our ballot. When you get a hold of a ballot you just look at the name and put the mark in the right place and away you go again, and you know where it right printed on the ballot, we have those instructions about voting. That's what I wanted to say a word about now.

These are some of the things that I think when we meet in committee we ought to take a look at. Here's what's placed right on our ballot. All of this -- all of this that's outlined here: "Vote by placing the symbol X in the space opposite the name of the candidate for whom you vote and after his name" -- several lines put right on the ballot form, to make sure that even after he gets into the compartment there, he's got the voting instructions. And then in one of these places in -- to show you how we can go wrong -- after all the attention that we've given to an Election Act in our time, we're told in Form 37 -- I notice that the Clerk of the House, who is the Chief Returning Officer, is watching me pretty closely here -- but we're told to mark with an "X" in the oblong space, and the space that's shown isn't oblong, it's square; but that's the kind of thing that we do and it's skipped by and I don't suppose it makes much difference in an election, but some of these things, I think, as the Honourable Member for St. Vital mentioned, should be checked, and this brings me to the fact of the two X's in the constituency of my honourable friend the Member for Kildonan, and goodness knows, when I'm talking about this I have no concern as to whether my honourable friend or the other high man in that constituency sits in this House. I can afford, as I mentioned earlier, to be completely objective under these circumstances, because our man was not in the final heat, so that -- (Interjection) -- pardon? so that -- no, not too bad -- but at least as between the two finalists I could be completely objective.

This in turn brings me to the point that I would like to see considered when we get to the committee stage, because I honestly believe that we should make provision for one more appeal than we have in our Act at the present time. When this matter was being discussed in the House on another occasion during this session, I -- whether I made the suggestion and the Honourable the Attorney-General interjected, or whether I asked the Honourable the Attorney-General a question, I don't remember -- but his answer to me as to whether there was provision for an appeal and if the government would appeal in this particular Kildonan case, I understood him to say that the government would not appeal because they were not a party to the

(Mr. Campbell, cont'd.) . . . action. Well I think that's probably a correct answer as it stands at the present time, but I think we should place in our Act, or an Act, a provision for an appeal under circumstances such as obtained this time. I certainly do not suggest that we should do anything to interfere with the situation as it exists now, but for future occasions, because I like to see things brought to a conclusion that is just as acceptable as possible to all concerned, and I must confess that I have a frustrated feeling when I find that the Appeal Court, that the Appeal Court with five justices sitting, split on the decision three to two. Now surely to goodness we can write an Act that is plain enough that our Appeal Court can be more closely unanimous than that. But if we can't, and if that situation arises, then I think we should have a standing order in another Act under which that appeal would automatically go to the Supreme Court of Canada, because I'd like to know what the Supreme Court of Canada would say about this. I'm not asking -- I'm not intending to criticize the courts. I have the greatest faith in the courts and I depend upon them; but I can't for the life of me see why under our Act this matter wasn't reasonably clear, and I can't see why the Appeal Court couldn't come to a closer decision than that. And so I would suggest that in case this arises again, or something similar to it, that we should have provision made for a further appeal to the Supreme Court, because here's what we're trying to do -- and I emphasize the fact again that I think in this House that we're unanimous in the fact that we would like to see the electors exercise their franchise. We would like to see that that free choice is freely made. We would like to be sure, and our Act goes to great lengths to try and provide that no technicality, or no mere omission, will militate against the clear intention of a voter to be -- his clear intention to be given effect to. And so I would like to see provision that if we haven't been able to do that in the Act, that at least the Supreme Court as well as our own Appeal Court gets an opportunity to pass on it.

So when we come to the committee stage I'm going to propose to the Committee that we make some provision, if the law officers of the Crown and the Attorney-General and his staff would agree, I would suggest that it could be put right in our Election Act. If that is not the right place for it perhaps a special Act; or perhaps we could put it in with the other matters that we now by statute refer to the Supreme Court of Canada, so that when something like this happens we can at least have the finality, the greatest finality that we can have so far as a court case is concerned.

I was sorry to hear from my honourable friend the Leader of the New Democratic Party that they had not been allowed -- if that is the correct term; I don't know that it is -- but in any case, that they have not been able to proceed with their appeal. I had hoped that that appeal would have been carried through. I would like to have seen what the Supreme Court of Canada would have said about our Appeal Court's judgment. I'm a great believer in seeing these matters carried through to their final conclusion. And again I must reiterate that this is not in any way actuated by any dislike of the presence in this House of the present Honourable Member for Kildonan.

So when we get to the Committee I shall be mentioning some of these discrepancies that I notice in the Act. I shall attempt to point out -- and I believe this was mentioned in the paper in discussing the Kildonan case -- that our instructions that are printed right on the ballot seem to me to make the double X on the ballot not only valid, but to be almost encouraged by our instructions, because what we say is: "Vote by placing the symbol X in the space opposite the name of the candidate for whom you vote and after his name." That's exactly what the two-X people did. They placed it in the little box that we provide -- which the Act says is oblong and we show as being square -- they placed it in the little box and then these Xers put it after his name as well. Now the place that the federal people have guarded against that -- and I'd be interested in knowing how many of you noticed it -- is that they didn't provide any little box. They just have an open space after the candidate's name, and I really think in view of what has happened here that it's an improvement.

Well, now, it's quite right to say that this has not happened often, and when it has happened there has, of course, been variations in the way that it has happened, but when it does happen it's a great frustration to individuals, and I think it's a certain amount of frustration to we folk who sit here and honestly try -- and I think I can put everybody in the same category of honestly trying to make an Election Act that will carry out the intent of giving everybody his free choice, and providing his intention is clear and without any apparent fraud in any way, the right to make his decision.

(Mr. Campbell, cont'd.) . . .

So I close where I began by saying that I'm heartily in favour of the Committee sitting. To me the improvement of the Election Act, trying to guard against a recurrence of what happened in this last provincial election, is more important than the other matters that have been discussed, but -- I, of course, have no objection in the world to those matters coming before us and if they're serious and if they entail some untoward action, then, of course, they should come before us. So I shall look forward with interest and pleasure to sitting on the Committee, and I trust that my suggestion about holding a sitting in the recess rather than trying to convene the Committee during these rather hectic closing days of the House, will be considered.

MR. SCHREYER: Madam Speaker, I'd like to ask the last speaker a question. It might seem like a triviality but since the Appeal Court split three-two on it, I suppose it's not so trivial. Wouldn't the Member from Lakeside agree that common sense would almost force one to conclude that the word "and" in the context there should be deleted, in which case then it would be clear? This way from a grammarian's point of view and from the point of view of common sense, it seems absurd.

MR. CAMPBELL: I would certainly agree, Madam Chairman, that we should make sure that we relieve any ambiguity that there is in the present instruction, and it would seem to me that that would do it. But I think that this is a rather remarkable thing that so many of us, for so long -- a lot of us considering that we were pretty familiar with the Act -- that so many of us for so long just don't notice that kind of thing until something of this sort happens. But I'd be in favour of something being done to remove that ambiguity.

MADAM SPEAKER: Are you ready for the question?

MR. FROESE: I beg to move, seconded by the Honourable Member for Kildonan

MR. ROBLIN: Madam Speaker, I doubt that we would be disposed to allow an adjournment at the moment unless for the Leader of the NDP who made a specific reservation about it, and would urge my honourable friend to speak now if he possibly can.

MR. FROESE: Madam Speaker, I'm not prepared to speak at any length and I haven't got the material with me. However, I should probably make one or two observations then and let it go at that.

First of all, not being a member of the Committee that is going to deal with this matter, I will not have the privilege of putting forward amendments or any proposals in Committee, and that these will have to come up when the report comes up for consideration. Then, I feel that a number of improvements could be made. I notice from some of the matters that have come up in our local polls back home in the last two elections, and one matter I feel quite strongly about is that I feel the money that has to be put up, the \$200.00, is too much. I think this figure should be reduced and cut by at least half, and set it at \$100.00. After all, I don't think we should deny any man who probably hasn't got the means from running, and putting his name forward if he so desires, and I think this is what we do. After all, it costs a considerable amount of money if you want to have a full-fledged campaign and cover your constituency, so that in addition to this \$200.00 he also has to expend considerable other moneys. Therefore I think we should at least consider this matter and do something about it and reduce the figure that it presently stands at.

I listened with a great deal of interest to the Member for St. Vital and also to the Honourable Member from Lakeside in discussing the matter, and I feel that most of the other matters have been covered. I haven't got the material that I would like to have had in order to take part in this debate here this afternoon, and if possible I'll bring some of the matters to the attention of other members of the Committee that are going to deal with this, and do it in that form.

Madam Speaker put the question.

MR. PAULLEY: Madam Speaker, if nobody else wishes to speak I'm prepared to close the debate.

Madam Speaker, before dealing with the remarks made by other honourable members in this debate, I would like first of all to inform the House that I have received from competent counsel a letter regarding the possibilities of an appeal to the Supreme Court of Canada regarding the matter of the election in Kildonan constituency. You may recall, Madam Speaker, that I said at the time of the introduction of this resolution that I was going to explore the possibility

(Mr. Paulley, cont'd.) . . . of having the matter of the double X's in Kildonan referred to the highest authority in Canada. I now find that it appears that this is not possible and that it is not within the jurisdiction of the Supreme Court to rule in matters of this nature, and I would like, Madam Speaker, to make one or two references to the legal opinions which have been given to me from counsel, and I will read a paragraph or two from a letter which I have in my hand which states as follows: "You have requested me to state my opinion with respect to the right of Mr. Reid, who was the New Democratic candidate in Kildonan, to appeal from the judgment of the Manitoba Court of Appeal, dismissing the appeal from Judge Solomon's recount in which he found that James Thomas Mills received the majority of votes cast in the constituency of Kildonan, in the provincial general election of December 14th, 1962." The first quotation of legal source that follows, Madam Speaker, in quotations in this letter reads as follows: "The Supreme Court of Canada has no jurisdiction in election matters save that expressly conferred by statute (re: Gloucester Dominion, *Como vs Burns* 1883, 8 CSR-204)" The letter goes on that "there does not appear to be any inherent jurisdiction in the courts to try election issues, and that jurisdiction derives solely from the statutory enactments of the respective legislatures. See the judgment of Pendgrast J, re: *Prince Albert, Provincial, Strachan - Lamont* 1906, 3 - WLR 571." And then, Madam Speaker, there are a few other cases; if any of the legal fraternity in the House wishes to obtain these citations I would be more than pleased to give them. -- (Interjection) -- Pardon? Yes, I'm prepared to table it, but I would like a copy from the . . . of the letter.

Then the letter goes on in its second page, Madam Speaker, to say that "in the light of the above, there can be no jurisdiction to entertain an appeal, except that found within the limits of the Election Act. This Act -- dealing with our own Election Act --" in sections 118 to 122 provides only two steps of appeal from the result announced by the Returning Officer, (a) an appeal to a judge of the County Court. (b) an appeal from the certificate of the judge of the County Court to the Court of Appeal for Manitoba. The authority closest in point was *Cross vs Carstairs* of 1918, ; 4 WWR, page 412. This was an appeal to the Supreme Court of Canada in the matter arising under the controverted Elections Act to the Province of Alberta, which statutes provided for an appeal to the Supreme Court . . . , but was silent on any further appeal. Mr. Justice Davis of the Supreme Court of Canada, at page 413 said, "In order to give us jurisdiction to hear appeals and decisions, or provincial courts under provincial controverts its Election Act, it seems to me that such Acts must either expressly or bey necessary implication, contemplate and provide for such appeals, and that, in addition, parliament must have clearly confirmed upon us, jurisdictions to hear them."

It is my opinion from the authorities I have consulted that there is no appeal in this matter to the Supreme Court of Canada, and far be it, Madam Speaker, for the Leader of the New Democratic Party to reject the legal counsel and the advice of my confreres in this regard, and I have no objection, Madam Speaker, to tabling this, on the understanding as I expressed.

It might be, Madam Speaker, that in the review of the Election Act, the Committee would suggest making it possible for appeals of this nature to be made to the Supreme Court of Canada in the future, and this was the tenor of the remarks of the Honourable Member for Lakeside. Although I do think, Madam Speaker, that a better alternative might be to remove the ambiguity that exists in the section of our Act dealing with the marking of ballots.

I appreciate very much, Madam Speaker, the interest and the general level of debate on this important subject. From remarks made by members who have taken part in this debate, it appears to me that it is essential that considerable revision should take place in our Act. When the Act was last considered three years ago, many points which I raised at that time were rejected by the committee, and they might be worthy of reconsideration at this time. At the time of that consideration of our Act, I raised two points, which in the light of evidence obtained in the last election may be worthy of reconsideration and adopted now. One of these points was the necessity of having two enumerators rather than only one, as provided for in our present Act. Most of the members who have spoken in this debate have complained of the considerable number of voters who were left off of the list. I suspect, Madam Speaker, that a number of our enumerators do not thoroughly canvass the polling areas as they should do, and it appears to me in some instances that they have obtained the names of the voters simply by copying old lists. If there were two enumerators, similar to the Federal system, a more thorough job might be

(Mr. Paulley, cont'd.) . . . done. I appreciate that this might be a little more costly, but at the same time, I feel that a more thorough job would result and the complaints of not being listed would be reduced.

Another point that I raised at the meetings in 1960 was that the Returning Officer should be appointed for life by the Legislature, or until removed by the Legislature for just cause. This was not done, but I do think that if the Returning Officers were not changed as often as they are at the present time, that they would become more thoroughly conversant with the provisions of the Election Act and would be in a better position to instruct Deputy Returning Officers, Poll Clerks, etcetera as to their duties.

I might point out, Madam Speaker, that in the City of Winnipeg, the City Clerk conducts the election for the whole of the City of Winnipeg. I would suggest that it would be possible for us under our Manitoba Election Act, that over most of the province at least, where we have municipal clerks, that it might be possible to have them assist to a greater degree than they do in the conduct of an election, and that they are more or less of a permanent nature, and I would suggest also that they are more conversant with local conditions and would be able to conduct the election accordingly.

Another suggestion I would like to make at this time for the consideration of the Committee, is the question of recommending that the voting age be reduced to one below that of 21 years. I believe that this recommendation has been made in some other jurisdictions recently, and I think we might take another look at it in the committee.

I would suggest too, Madam Speaker, that the government have one of its staff go over the copies of Hansard recording the participation in this debate, and list the points made in connection with the Election Act which have been raised by the various members, in order that none of the points that have been raised by the members participating in this debate might be overlooked. It might be that the Committee on Elections and Privileges may wish to recommend that the committee be given authority to sit after the House has completed its business, in order that the provisions of the Election Act could be more thoroughly studied. This was a point, Madam Speaker, raised by my friend from Lakeside this afternoon, and I join in this suggestion to the government and to the House. He suggested that the resolution might be amended in order to achieve this. The resolution as it presently stands does not make provision for this. It's not an abstract resolution calling upon the government to consider the advisability of expenditures of money, but I do believe, Madam Speaker, that after the committee has met that if it brings this recommendation -- as I hope that they will -- into the House, then it can be adopted following the report and would not be necessary to amend this particular resolution of mine.

By and large, Madam Speaker, I think the debate has been most worthwhile, and if the Committee on Elections and Privileges does a thorough job, many of the complaints resulting from the last election will be eliminated. I cannot, however, take my seat before I make reference to the remarks made in this debate by the Honourable Member for Wellington. When I introduced this resolution I submitted certain evidence which was available to me dealing with the conduct of the election in Wellington. I did so because it appeared to me that this was a matter which should receive the consideration of this House. It did appear to me from this evidence that this whole matter should be aired. I want to say to my honourable friend, the Member for Wellington, that I did not do this in any spirit of animosity toward my honourable friend. I do not agree with him that "this is just a bunch of sour grapes" as stated by him. My honourable friend accuses me of trying to find evil where none exists, as recorded in Hansard -- on page 669 of Hansard of March 26th. I want to assure my honourable friend that I am not trying to find, and I do not attempt to find evil in any sphere. On the other hand, I am very much concerned with what, in my opinion, were unethical practices in an election. Reference has been made in this debate to the question of the lists submitted by the honourable member to the Returning Officer. I think that the remarks made by the honourable member in this debate substantiate the fact that the lists were not carefully gone over before they were submitted to the Appeal Judge, and I quote the remarks of my honourable friend, again on page 669 of Hansard. He states, "The fact that there were a few names outside the constituency I learned later was due to some inaccuracy in the directory we were using." Does this not substantiate the point that I raised, that the list itself had not been carefully gone over?

MR. R. SEABORN (Wellington): Madam Speaker, on the contrary, the lists were checked very thoroughly by the committee in my election.

MR. PAULLEY: Madam Speaker, I am quoting from my honourable friend, if I am saying anything in error, I'm only quoting from what the Honourable Member for Wellington said in this debate -- (Interjection) -- and I suggest Madam Speaker

MR. SEABORN: On a point of order, Madam Speaker, I have a carbon copy of the list that's presumably in the hands of the Member from Radisson. For two days we rechecked this list and to my knowledge at this moment, all the addresses are within the confines of my constituency; I cannot find

MR. HRYHORCZUK: Madam Speaker, the honourable gentleman is out of order.

MADAM SPEAKER: the leader of the New Democratic Party continue.

MR. PAULLEY: While I think Madam Speaker, that I submitted the evidence that I had in a reasoned manner, such cannot be said by the rebuttal of my honourable friend. He intimates in his statements without being precise that the New Democratic Party forged his signature on election documents respecting scrutineers. I think this is most ridiculous and if my honourable friend has any substantiation for this claim, then I ask him why he did not support the amendment submitted by the Honourable Member for Selkirk which would have referred this matter to a judicial enquiry. I think the fact is that my honourable friend was chasing after moonbeams when he made these remarks. I might say to him that quite frequently we of the New Democratic Party have difficulty in finding sufficient scrutineers ourselves without supplying them to him or to any other candidate. I also ask him what purpose would be served if in fact he was correct in his accusations? Does he mean by this that scrutineers can influence the result of the ballot? Does he imply by this that having scrutineers at the poll who are opposition scrutineers can prejudice the conduct of an election? From his remarks he implies that this is so; and if it were so, Madam Speaker, then I would suggest that in this field as well, the proper conduct of an election is being thwarted.

But Madam Speaker my honourable friend makes a far more serious charge, when he states that the ballot box or a ballot box was in the New Democratic Party committee rooms from the time the polls closed until sometime after 11 o'clock. This is a most serious accusation and I call upon the honourable member to substantiate this statement. I have made enquiries regarding this matter, Madam Speaker, and haven't found any evidence to substantiate this. I would say to my honourable friend that the Election Act in Section 152 makes it an offence punishable by imprisonment for any person who is unlawfully in possession of a ballot box. Also in Section 107, subsection 5 of the Election Act, a person who fails to deliver a ballot box forthwith to a Returning Officer is also subject to imprisonment. Does my honourable friend by making this statement imply that the ballot box was tampered with? He states in Hansard, on page 670, that this ballot box was discovered by workers of another candidate. He states he does not know how it got there. "We knew it was there." Again I ask my honourable friend to prove this charge. He accuses me of attempting and trying to find evil where none exists. I say to him that if he suspects or if he can prove that this ballot box was in the illegal possession of anyone, then it is his duty as a citizen or as a member of this Legislature to see that the full facts are revealed and that the Election Act referring to this matter is upheld. It is his duty as a member of this Legislature to see that the law is upheld and that any variation of it is subject to the penalties listed within the Act. I think, Madam Speaker, that the accusation of "sour grapes" directed toward my party in connection with this election in Wellington has resulted in bitter wine imbibed by my honourable friend.

Now Madam Speaker I wish to conclude my participation in this debate, and I sincerely trust and hope that the many points raised by members in this House will be seriously considered and that our Election Act will be revised as is required. It might be that the committee might further recommend that the whole Election Act could be referred to an independent or Royal Commission for consideration and revision. I sometimes wonder, Madam Speaker, whether or not in legislation pertaining to elections and the Elections Act, those who are elected under its provisions should be the individuals who consider the provisions thereof, and I sometimes wonder if it might not be better, instead of another committee of this House taking a look at the Election Act, if it was taken outside of this House to a commission for impartial consideration. I also suggest that while the subject matter is not included in the resolution I

(Mr. Paulley, cont'd.) . . . have opposed, the committee should consider The Electoral Divisions Act and the questions of representations in this House. I appreciate the fact that the Statutes at the present time call for a revision in a few years time, but due to the rapid explosion of population in the urban areas in particular, I wonder whether the time for this consideration should be advanced. At the present time the imbalance in representation in this House is almost as much out of balance population-wise as it was prior to the setting up of the Statutes at present on the books.

And in closing Madam Speaker it has been the indication from the participants in this debate that this resolution is going to be accepted and that the committee will meet. I sincerely trust and hope that it will meet; that it will have the time and the opportunity to consider all aspects of The Election Act and I recommend to the government that if the committee makes a recommendation that it should consider the matters during recess, that this be done. Again Madam Speaker, I want to thank all that have taken part in this very important resolution and my only hope and desire is that we will take a look at our Election Act and come out with a model of election procedures in this Province of Manitoba.

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

MADAM SPEAKER: The adjourned debate on the proposed resolution of the Honourable the Member for Wellington and the proposed amendment of the Honourable the Member for Assiniboia and the proposed motion, or the proposed sub-amendment of the Honourable the Member for Seven Oaks.

On Tuesday, April the 9th the Honourable Member for Seven Oaks moved a sub-amendment which I took under advisement. After due consideration I am of the opinion that the motion of the honourable gentleman is in order and anyone wishing to speak on the motion may proceed.

MR. PETERS: Could we now call it 5:30 and deal with this after Madam Speaker.

MR. ROBLIN: Madam Speaker that might be a good suggestion.

MADAM SPEAKER: I call it 5:30 and leave the chair until 8 o'clock.