

# LEGISLATIVE ASSEMBLY OF SASKATCHEWAN

## Fifth Session — Tenth Legislature

The House met at 3 o'clock p.m.

Friday, March 19, 1948

### On the Orders of the Day:

**Hon. C.C. Williams (Minister of Labour):** — Before the Orders of the Day are proceeded with, I would like to lay on the table a report, and with the leave of the House I would like to make a statement.

**Mr. Speaker:** — Has the hon. member leave to proceed?

(Agreed)

**Hon. Mr. Williams:** — The report I wish to place before you is the Conventions and Recommendations adopted by the International Labour Conference at its 30th session held in Geneva, June 19 to July 11, 1947, together with a certified copy of Order in Council P.C. 287 of the Governor General in Council, dated February 10, 1948, setting forth the opinion of the Minister of Justice of Canada as to whether these Conventions and Recommendations are in whole, or part, within the competence of the parliament of Canada, or of the legislatures of the provinces.

In that connection, Mr. Speaker, I would like to make a brief statement. The International Labour Organization, as you know, is worldwide, and almost all countries are members. It had its origin in France just after the First World War as part of the peace settlement, and later moved to permanent quarters in Geneva along with the League of Nations. They moved to Montreal during the last World War but have since returned to Geneva, where the annual conference was held last summer and, as a result, Recommendations and Conventions have been forwarded to all member countries, including Canada.

Being what is known as a federal state, the Dominion Government must refer such matters to the provinces for the necessary action. The documents which I am tabling today contain the authentic text of the Conventions and Recommendations, and these have been referred to the Provincial Government, together with a copy of P.C. 287, which sets forth the opinion of the Minister of Justice of Canada in regard to these matters. I will just take a moment and read part of that, and I think you will be quite clear as to just what is meant.

This is the committee of the Privy Council. They had before them a report of the Minister of Justice representing the I.L.O. Conference, at its 30th session, and so forth . . . I will skip the rest and get down to the last paragraph: "The Committee, on the recommendation of the Minister of Justice, advises that a copy hereof, together with a copy of the authentic text of Convention No. 81, and Recommendations Nos. 81 and 82, concerning labour inspection, be transmitted to

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the Lieutenant Governors of the respective provinces with a view to the enactment of legislation, or such action as each government may be advised to take with respect to such matters as fall within the competence of provincial legislatures. That is signed by A.M. Hill, Assistant Clerk of the Privy Council.

If I might take a moment, Mr. Speaker, to define a Convention as a document which sets forth what is considered to be fair standards in any particular labour field, and all member governments are expected to put these standards into effect although it is not necessarily compulsory. But if governments ratify these conventions they are obliged to put them into effect. In any case, they must be brought to the attention of legislative authorities. A Recommendation is less binding, merely being a suggestion as to how to improve labour standards, and no government is obliged to ratify these Recommendations.

I might say, Mr. Speaker, that our provincial legislation is as good, and frequently superior to many of these Conventions and Recommendations although there are, obviously, quite a number which have little relevance to conditions in Saskatchewan. It is a fact that Canada, for example, has one of the poorest records in the world in ratifying these Conventions; not so much because Canadian legislation is not reasonably good, but mainly because of the difficulties involved in the federal constitution which concerns nine other provinces, the governments of which may not consider it necessary, or advisable, to pass suggested legislation for various reasons.

At the 1946 Conference of the International Labour Organization, certain amendments to the constitution were adopted which were designed to meet the problem of federal states, of which Canada is one. Briefly, these amendments provide that the Federal Government will (a) make arrangements for the reference of such Conventions and Recommendations which come within provincial jurisdiction, to the provincial authorities, for the enactment of legislation, or other action as the case may be (This is exactly what we are doing here today, Mr. Speaker); (b) arrangement, subject to the concurrence of the provincial governments, for periodic consultations between the federal and provincial authorities, with a view to promoting co-ordinated action in such matters; (c) inform the International Labour Office of what has been done to bring these matters before the provincial authorities, and of the action taken. The authentic text of the Conventions and Recommendations adopted at the 1940 session of the I.L.O. were received by the Dominion Government a short time ago, and copies, together with the Order in Council referred to, have been forwarded to all provinces. The opinion of the Minister of Justice, in which we concur, is that the Convention and two other recommendations deal with subjects falling within provincial jurisdiction. The Convention referred to is No. 81 concerning labour inspections in industry and commerce and the Recommendations

referred to are No. 81 which concern labour inspections and 82 which concerns labour inspection in mining and transport undertakings. There seems to be some repetition there, Mr. Speaker, but I can assure you that they are different matters.

My Department has given some study to these matters and finds that the intent of the Convention is already largely in force in Saskatchewan through our existing laws. It would be necessary, however, to make one or two minor changes before we could say such a Convention is fully in force in the province. Either one of the Recommendations do not appear to be practical for the province, at the present time, although the other could probably be accepted. Unfortunately, however, the text which I am about to table was not received until after the current Session of this Legislature had commenced, and it was then too late for the Government to consider whether legislation should be recommended to the Legislature, which would have the effect of putting the Convention fully into force in this province. Moreover, there has been no opportunity for consultation with the Dominion and other provinces, and it would appear desirable, before definite action is contemplated, to consult with these other provinces to determine the exact obligations of each province in relation to the Conventions, and what action the other provinces may take.

At this time, therefore, I do not propose to do anything more than call the Conventions and Recommendations to the attention of the Legislature by tabling them in this House, together with the Order in Council setting forth the opinion of the Minister of Justice of Canada. I would suggest, in view of the fact the provinces have a greater role to play in the ratification of the Conventions, that it would be advisable to adopt, by standard practice, the procedure of tabling in this Legislature the authentic text of all Conventions and Recommendations adopted by the International Labour Organization.

### **SOCIAL SECURITY**

The House resumed from Wednesday, February 25, 1948, the adjourned debate on the proposed motion of Mrs. Trew (Maple Creek) urging the Dominion Government to implement Social Security proposals made to Dominion-Provincial Conference of August, 1945.

**Mr. W.J. Patterson (Leader of the Opposition):** — Mr. Speaker, the Motion on the Order Paper is one of very wide and general interest, and one in which you have allowed the Mover and Seconder, and those who have spoken on it, a considerable measure of latitude. I quite agree with your action in that matter because the motion does, probably, involve measures of considerably greater magnitude than the items specifically referred to in the Motion itself, and I only ask, Sir, that you will grant me a similar privilege.

While the Motion, as I say, refers to certain specific matters, it does, in effect, open up the whole question of Dominion-Provincial relations, and

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that, in one form or another, has been a live issue in Canada ever since Canada became a Dominion, or before Confederation came into operation. And it does involve the provisions of our constitution (the British North America Act), and that proper and requisite steps should be taken to make such changes, or alterations, in that constitution as the developments of the years have made necessary.

We must remember at the outset that Confederation, itself, was accomplished by compromise and agreement. It was something that was not done very hurriedly or overnight; it was as a result of conferences between the states, as they then were, that existed at that time, which extended over a period of years. Prior to Confederation that part of Canada which was then settled was composed of Upper and Lower Canada, which is now represented by the provinces of Ontario and Quebec, Nova Scotia, New Brunswick and Prince Edward Island. I must confess that my knowledge of history is not sufficient to definitely establish the position of British Columbia at that time, but these I have referred to, Canada, Upper and Lower, Nova Scotia, New Brunswick and Prince Edward Island, were each separate and sovereign jurisdictions, and had within their own power and authority all of the responsibility which Canada as a whole, possesses today. They were as completely in control of their own destinies as the Dominion of Canada is today. Now, it may be rather difficult for us, at this stage, to realize that, some 80 years ago, such a condition existed; but, accepting that fact (and it is a fact), it is rather a remarkable thing that the representatives of those separate and sovereign jurisdictions were finally able to effect an agreement, and to bring into operation the British North America Act, which resulted in the establishment of Canada as we have it today.

It is not necessary to analyze the motives that actuated the representatives of these sovereign states at that time — I think that probably the most important one was that they recognized that as small separate states they were particularly vulnerable, and there was, at that time, some threat of American invasion.

While we may criticize and find fault with the 'Fathers' of the Confederation for the job which they accomplished, I do not think that any true Canadian should ever cease to give them credit for a very valuable, and a very effective piece of work, in all respects, no matter how much fault we may find with details. The fact does remain that on the over-all picture they did a truly remarkable job.

During the first, I think probably, six years of Confederation there was such debate and much discussion of a rather different type than that which is taking place today. In the early years of Confederation the general tendency on the part of the provinces was not to seek to increase the power and authority of the central government, but rather to take away from it, and particularly in the province of Ontario. Over a long period of years repeated applications were made to the Privy Council, all of them in the direction of restricting and restraining authority and jurisdiction which the Government and Parliament of Canada had taken, or proposed to take. The whole direction of

public thought — maybe not the whole — but the major direction of public thought at that time was not to increase the authority and responsibility of the central government, but rather to confirm the responsibilities and authority of the provincial governments; and, of course, with the extension of authority the extension of responsibility.

I might say, generally speaking, the Privy Council decisions rather favoured that attitude, and many of their decisions tended to strengthen the power, jurisdiction and responsibility of the provinces, and to weaken the responsibility, jurisdiction and power of the Federal Government.

There may be some question today whether that was a wise or proper attitude for the provincial governments of that day to take, but the fact remains that that was the tendency over more than half the life of our present Dominion.

After the first Great War there was a change in this attitude, and, for the first time, some evidence began to accrue of a desire on the part of some, if not all, of the provinces, or a belief in the idea that perhaps certain things which, under the constitution, were the responsibility of the provinces might be better and more efficiently administered by the federal governments. But, in the first case, this discussion was more in the nature of an argument, or a desire, to find some method by which we could amend our constitution without taking the action which is now necessary — that is, to have an amendment passed by the British House of Commons.

As a matter of fact, at the first Dominion-Provincial Conference, which I attended as Premier, late in 1935 or early in 1936, this was the major issue at that particular Conference — to try and work out some method or formula by which the people of Canada could amend their own constitution without having recourse to go to the Imperial Parliament. I may say that at that Conference that objective was very nearly reached. A formula was drafted, and was acceptable to all but one of the provinces. Had that been accepted at that time we would undoubtedly, by this time, have had some method or formula by which Canada could amend its own constitution without going outside the boundaries of our own Dominion.

It was not the province of Quebec that raised the objection at that time, it was the representatives of the province of New Brunswick. They had their own reasons for raising that objection — I did not think, at that time, and I do not think, they were very valid ones — but the fact remains that that objection prevailed, and the agreement which we so nearly reached did not come into operation. Personally, I think it is one of the most unfortunate lack of results of any Dominion-Provincial Conference, that at a time when this question of a method by which we might change our Dominion-Provincial relations, by some technique or practice which was agreed upon, I say, it was one of the major disappointments of all the history of Dominion-Provincial Conferences that that agreement was not reached at that time. And may I point out that it was regarded at that time, and it was accepted very generally, that until there was unanimous agreement on this matter no definite action could be taken.

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We are frequently told that the constitution under which we operate was developed in the 'horse and buggy' days, and, in one respect, that is probably true, Mr. Speaker. Personally, I do not think it is a very good term because, after all, our constitution includes certain general principles which are fundamental, whether applied to the ox-cart days, or the horse and buggy days, or the automobile days, or the aeroplane days. In fact, I would say that any constitution of any country should include certain fundamental principles which may, in detail, be varied from time to time, but there are certainly certain sound and definite principles involved.

Now, there are those, today, who criticize us because we operate under a federal system of government, and I do not care whether it is in Canada or in the United States, or in Australia, or in any other country where you have a federal system of government you are, at all times, going to have some conflict between those who support the jurisdiction of the central authorities and those who support the jurisdiction of the local authorities. There might be some advantages, as they have in Great Britain and France, in only having one government, but the fact does remain that only under a federal system of government could we have had the Dominion of Canada at all. Only under a combination of central jurisdiction and local, state or provincial jurisdiction would it ever have been possible to persuade the representatives of Prince Edward Island, New Brunswick, Nova Scotia and Canada to forgo some of the rights which were theirs, which they undoubtedly possessed, to relinquish them and turn them over to a central government. However, be that as it may, the fact remains that we have a federal system of government in Canada — it was the only system under which Canada, as a Dominion or Confederation, could have been established, and our present and continuing problem will be to adjust that system so as to best serve the needs, provide the requirements and carry out the functions for which governments are established. After all, the primary purpose of government is the protection and safety of the citizen, and while there may be some — as one of the speakers in this debate said — who would discard the Constitution and establish common sense in its place, the citizen under that form would be in a very unfortunate and awkward position.

Taking all of these factors into consideration the Fathers of Confederation should not be too seriously criticized. They did a much better job and accomplished a much greater purpose than perhaps many of the citizens of this country, of the present day, fully appreciate.

It is true that since Confederation the responsibilities of the provincial governments — and this applies to them all — have increased very much indeed, as compared with what the framers of the Constitution had in mind in 1867. It is equally true that the same statement would apply to the duties and responsibilities of the government of Canada. While we may complain and criticize that provision was not made for the province to carry on all of the services that are now expected of them, equally we might say that the Fathers of Confederation had not in their mind when they drafted the British North America Act, the fact that within 75 years Canada would be engaged as a major factor in two Great World Wars.

So that we can agree, equally, that the basis upon which Confederation was established has been very largely extended, and very widely increased, as compared with the basis upon which it was established in 1867. I repeat, it is very, very true that the duties and activities of provincial governments are very greatly increased since that time. We do not need to go back so far as 1867. In 1908 the Government of the Province of Saskatchewan carried out its activities of that day on a Budget of \$5,000,000; today we require \$60,000,000 to do the same job; but it is also true that the increase in expenditures, activities and responsibilities of the Federal Government have been increased in somewhat the same proportion. When I say that, please do not misunderstand me. It does not mean that I have accepted, or take the position, that no changes should be made, or that I have not, in my own way, with whatever opportunity I had, endeavoured to bring about the desirable changes and proper amendments. In fact, Sir, I think I might take the credit for being the first provincial Premier to raise the issue which resulted in the appointment of the Rowell-Sirois Commission, to suggest to the Government of Canada, following this unsuccessful Dominion-Provincial Conference, that I have referred to, that the time had come when there should be a complete, thorough and exhaustive study of the whole question of Dominion-Provincial relations, and of the financial responsibilities of the provinces in relation to their responsibilities for service.

As a result of the representations, which were very quickly supported by other provincial Premiers, the Federal Government did move, and appointed the Rowell-Sirois Commission, which made a very exhaustive and complete study of this whole question. In 1941 the representatives of the provinces — the Commission having completed its study and made its representations — were invited to Ottawa to study these proposals, and the Premier of the Province was good enough, the other day, to give me credit for having, at that conference, done my part and contributed my share to secure that study.

Now, I am not going to attempt to allocate the responsibility for the failure of that conference to accomplish anything worthwhile. There may be one or two factors which are sometimes disregarded in trying to say that this one or that one was to blame for nothing coming out of that gathering. The Rowell-Sirois Commission was appointed in 1937, and conditions in Canada at that time, due to economic depression and, particularly in this province, due to crop failure, was very serious. It was before the war and by the time the report was completed, and had been studied, and the representatives were brought together to deal with it, the war had been in progress for some two years. Possibly as a result of the problem of the war and the difficulties which it created, and all that sort of thing, the original need of the report and study was put somewhat in the background, at least by some of those who attended that conference. However, as I say, that is only a matter of history.

The fact does remain that as a result of the war, and the problems of reconstruction created following the war, an entirely new situation was created; and while the Federal Government, during the years of the war, was very much taken up with the problems of the immediate conduct and prosecution of the war, it did

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not overlook the fact that following the war new problems would arise, and during the war years it established certain reconstruction committees, engaged certain individuals, to study the probabilities and possibilities, and to make recommendations as to what might be done. So that very shortly after the war was over the Dominion Government was in a position to again call together the representatives of the provinces of Canada, and to submit to them certain proposals which, in the opinion of the Federal Government, if adopted by the provinces, would tend to meet, to a large extent at least, not only the general problems of Dominion-Provincial relations but also the special problems created by the war and its after-effects. That these were very complete and exhaustive is best evidenced by the fact that it took a book of that size to contain them.

As is, again, history, the representatives of the provinces met in the fall of 1945 when these proposals were submitted. No immediate results were secured, and the Conference was postponed until April, 1946. But again, unfortunately, as so often in the past, no conclusive results were obtained.

It is generally conceded, I think, by most reasonable men that the proposals made by the Government of Canada, at that time were not only very far-reaching but reasonably generous. They included the idea that the Government of Canada would accept responsibility for many services and activities that had never previously been suggested were the responsibility of the Dominion Government. But again there was disagreement as to the acceptance or rejection of these proposals in principle, by the representatives of the various provinces.

I pointed out a few moments ago that in the Conference of 1935 the very important question of some method of procedure, by which our Constitution could be amended by action within Canada, was not proceeded with because of the objection of one province — and not a very populous province. It had generally been accepted up until that time that any major change in Dominion-Provincial relations, or in our Constitution, should have a very nearly unanimous agreement of all the provinces of Canada. These proposals involve the further issue, outside of what you might call the directly constitutional one, of the fact that if the Government of Canada is going to establish rather costly services of one kind or another, everyone realizes that the cost of those services must be raised by taxation of one kind or another. And that probably introduced a new feature that is not only the constitutional relationship but also the financial relationship, and possibly that factor had a good deal to do with the failure to reach an agreement at the Conference of 1935, continued into 1946. In any event, the fact does remain that no agreement was reached, and two of the provinces, quite plainly, were definitely opposed to the proposals. I believe that the Premier of Ontario, towards the close of the Conference, proposed certain alternative proposals, but again, I think, that most fair-minded men would say that they were too lopsided for the Federal Government to accept.

Now, in the Budget of 1946, the Federal Minister of Finance regretted that the Conference did not come to any agreement. He expressed the idea that under the conditions of post-war problems certain provinces will have, in all



probability, certain financial difficulties. He, therefore, made an offer to the provinces — a purely financial offer — which was open to any province to accept or reject. He made it perfectly clear that his offer was not tied up in any way with the Conference of 1945, but was simply the outcome of the Federal Government's recognition of the fact that the provinces would likely have certain financial difficulties, and the Dominion Government, whether they had any financial responsibility or not, were prepared to take some steps to try and avoid the problems which would be created for those particular provinces. He anticipated that, if the Dominion did not take some action at this time some of the less favoured financially provinces might be forced into fields of taxation which would be arbitrary and discriminatory, and might be forced to take action that would be contrary not only to their well-being but to the advantage of all Canada.

But I say again — and I want to make this very clear — that his offer was not in any way tied up with the proposals made to the Dominion-Provincial Conference the previous fall, and there was no suggestion that the acceptance of that offer by the provinces involved any responsibility on the Government of Canada to proceed with its general proposals for that particular province. Each province had to decide for itself whether the offer made in the Budget speech of 1946 was to its advantage or otherwise, and seven of the provinces — Saskatchewan one of them — have accepted his offer. For Saskatchewan it provided a subsidy, as we know, of something over \$15,000,000, which would be easily \$7,000,000 more than this province could hope to collect from the normal subsidies and from the fields of taxation which we were required to forgo in lieu of this subsidy. The normal subsidy of the Province of Saskatchewan, under the terms of Confederation and the conditions under which Saskatchewan was created, are approximately \$2,000,000 a year, and our tax revenues would not be more than \$5,000,000 at the most. So there was every reason why this province should accept this offer, and, as a matter of fact, the Bill incorporating it passed this Legislature without any criticism. It is perfectly true that, in moving the Bill, the Provincial Treasurer said that he still looked for the Federal Government to carry out its original proposals, the ones that I have referred to. But he did not suggest in any way — and I do not think he intended to — that this offer was contingent upon the carrying out of the original proposals. I think he realized, as we did, and we give him credit for having accepted the offer, that it was good business on the part of this province, strictly from a financial point of view and for the reason that it avoided us resorting to double taxation, which I think most people, or nearly all people have an objection to. Ever since that time there has been a general campaign to inculcate the idea that the Federal Government has not given us what it promised, and I suggest to you that the record does not support that suggestion. The subsidy agreement, or whatever you like to call it, entered into between the province of Saskatchewan and the Government of Canada was entered into voluntarily by the province, on the conditions contained in the original offer by the Minister of Finance, and contained, of course, in the agreement itself.

I do not think there can be any suggestion that at this date the Government of Canada has, in any way either in the letter or spirit, failed to live up to the agreement which this province made with it, and which this Legislature concurred in by legislation.

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But, as I say, there is a very general campaign to create the impression that in some way or another the Government of Canada has not been fair to the Province of Saskatchewan, and there has been a general campaign, such as is evidenced by the motion before us, to call upon the Dominion of Canada to carry out certain measures, and to undertake certain activities, where it may not be so specifically stated, but the impression is left, at least, that the Dominion promised to do these things. One of the speakers who spoke on this motion suggested that the province, having tied up, or forfeited — I forget the exact term — its access to revenue, was suffering thereby. Well, if that is the case, we must accept a good deal of the blame ourselves because we accepted the proposal, confirmed it and generally agreed to it. But there is some question, and some argument, as to whether the Government of Canada should now proceed to carry out its original proposals and, if that is not possible by unanimous agreement, that, at least, it should do so with respect to those provinces which have entered into the financial agreement.

The Premier quoted to us a telegram from the Prime Minister of Canada saying, among other things, the proposals submitted last August remain an essential part of the Dominion Government's program, as soon as there is sufficient acceptance of the proposed tax agreements, and so on. That raises the question, of course, in a Dominion such as ours with nine provinces, and with some provinces with a population of two or three hundred thousand, and others with a population of two or three million people, what can be regarded as a sufficient acceptance. They argue that seven provinces out of nine should prevail. Another might argue that 60 per cent of the people, living in the two provinces, should prevail as against the 40 per cent of the people living in the seven provinces. A dictatorial government, of course, would have no hesitation in making a decision in a matter of this kind. That is, if they decided to follow a certain policy it would not matter whether two or four or seven or nine provinces agreed, or disagreed, they would proceed with their policy. However, in a Democratic government I think there should be some consideration given not only to the matter of the number of provinces but of the percentage of the total population that those provinces represent. And I doubt very much whether the Premier of this province, if he were in the position of being Prime Minister of Canada, would be prepared to quite go to the extremes or extent suggested so long as even only two provinces were not in agreement, provided those two provinces represented considerably more than half of the total population.

As I said near the beginning of my address, Sir., there are certain fundamental principles which apply to constitutions whether they were created in the ox-cart days, or even in these modern days — certain basic principles which we should all agree upon, and I think one of these which we could all agree upon is that a government should carry out its promises. If the Dominion Government has promised to do certain things then we may properly call upon it to carry out its promises. Whether the Dominion Government has made these promises or not I leave to the House and to the public to decide. I have tried to give an accurate, if rather sketchy, outline of the development of the proposals — how they came about, when they were made and what action has been taken, or has not been taken, with regard to them.

Now, there is no suggestion, and nobody can contend, that the financial agreement entered into by the seven provinces was in any way tied up with the proposals made by the Federal Government, or that there was any contingent liability in respect to them; that there were any conditions attached to it. Personally, I would very much like to see all the provinces of Canada agree to a discussion and acceptance of these proposals, not perhaps in detail but as a basis upon which to rearrange Dominion-Provincial relations, and a basis upon which the Federal Government would undertake to provide certain services, and the provincial governments would undertake to provide certain services.

By the way, Sir, to emphasize my point about the change in the responsibilities of Canada — the Dominion of Canada today, compared with 1867, a very substantial part of these proposals relates to the Dominion Government's plans for the re-establishment, and rehabilitation of our returned men. Now, that was a duty and responsibility that I am sure the Fathers of Confederation did not have in their minds; and, as a matter of fact, those proposals are, in a very large measure, if not completely, being carried out by the Dominion Government today, notwithstanding the fact that the provinces did not agree to the entire program. However, that is only by the way.

I am quite in agreement, and I would be very glad to give every assistance in my power to promote the acceptance of these proposals — as I say I am not committing myself to the support of every detail, but in general principles — and I am entirely in agreement with the request that the Dominion Provincial Conference should be held at an early date. Unfortunately, I cannot see at the moment any change in the situation, or any development in those provinces which prevented their acceptance in 1945, which makes it appear at all likely that a conference held today will be any more successful than was the unsuccessful one held in November, 1945, and April, 1946. But, as I say, anything that I say I do not want to be misinterpreted. I am still a firm believer in the general proposal that the time has come where there should be material readjustment of our Dominion-Provincial relations, when the provinces of Canada should be prepared to get together and come to some agreement; and I would like to see these proposals, in the main, carried out as far as is humanly possible, but I do not believe that the Government of Canada can accept a dictatorial attitude and say that because seven of the provinces have accepted financial agreements, which are undoubtedly very favourable to them from a financial point of view, that it is thereby committed to enforce upon all of Canada any proposal, or all of the proposals, which have been rejected by provinces representing considerably more than 50 per cent of our population.

So far as the province of Saskatchewan is concerned there is another factor which enters into this picture. I said that governments should carry out their promises to the people, and that applies to governments in the horse and buggy days, or ox-cart days, and I believe that applies also to Opposition Parties who make promises to do certain things and who, as a result of those promises, are elected to government, then I say that the people of that jurisdiction may equally expect from them the carrying out of their promises. That fact, if it is accepted as a principle, and I doubt if anyone in this House will object to it, creates a rather different position in the province of Saskatchewan than in any other province in Canada. And it might be that a resolution of this kind might

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come with more force and more effectiveness from some other province than it will come from the province of Saskatchewan.

The hon. member for Maple Creek (Mrs. Trew), and the hon. member for Pelly (Mr. Daniels), in moving the Resolution, very conveniently forgot the services that they had promised the people of the province of Saskatchewan, even before the Dominion-Provincial Conference was held in the fall of 1945. These promises were rather wide-reaching — I am not referring now to the promises made by those two particular representatives of the Party, but by the Party as a whole, through its campaign literature, through its advertisements in the press, through its radio broadcasts, and through its statements from the public platform. Now, I do not know to what extent the present Government should be held responsible for some of these statements because they imported what I would call a good many 'carpet-baggers'. One of these, a very prominent lady in Canadian politics, addressed a couple of meetings down in my constituency, Miss Agnes MacPhail, and the major burden of her address in both of those meetings was her sympathy with the people of those towns because they lacked bathtubs, and the good ladies who attended the meetings — and they attended in considerable numbers — were greatly impressed by the promises made by Miss MacPhail that if the C.C.F. government was elected the bathtub situation in Windthorst and Kennedy would be repaired. I would say, it is rather a joke now, Mr. Speaker, but, as a matter of fact, I am speaking seriously, and that was the major topic of the good lady's address, and some of the people in those towns who happened to have bathtubs may a little resent the suggestion that they were not in the habit of taking baths, and that they were not quite so dependent on that facility as Miss MacPhail would have them believe. However, those who were not so fortunate as to have bathtubs were, no doubt, impressed by her promise that a C.C.F. government would provide bathtubs in the towns of Windthorst and Kennedy.

Now, I want to remind you at this time, Sir, that the provincial election campaign in 1944, started in 1943, and was carried on long before there was any suggestion from the Government of Canada as to its plans for post-war rehabilitation or reconstruction. There was no relationship between what a C.C.F. government in Saskatchewan would do with what a Dominion Government might do, or might be asked to do. I have a very large mass of literature, distributed by the C.C.F. during that campaign — different pamphlets and booklets, including the Manifesto, and also a book called 'The Book of Promises' which contains clippings and extracts from various reports in the newspapers of statements and public speeches made by the Leader and the candidates, and by these imported political 'carpet-baggers', as to what the people of Saskatchewan could expect from a C.C.F. government if it was returned to office. Throughout the whole thing, Sir, there is only one reference to the Government of Canada; all the rest of the promises — and I am going to quote some of them in a minute or two — were to be made, not by the Government of Canada, not as a result of increased Federal subsidies, they were going to be made by a C.C.F. government in Saskatchewan, with the sources (and I will tell you what they were to be; that would be available to such a government. And the only reference throughout all of this campaign literature, these broadcasts, these statements and public addresses, to the Dominion Government brought into the picture was where they would seek the co-operation of the Government of Canada in reducing the Old Age Pension age limit from 70 years to 65. All the rest of the things I am going to quote to you, Sir, were not contingent upon the Government of Canada giving

the province even an increased subsidy, let alone the Federal Government taking on these activities itself.

I say, if it is their principle of government that government should carry out its promises to the people; if it is a proper principle the Opposition Party should carry out their promises while in opposition when subsequently elected to government, then probably this Legislature might very properly concern itself not so much with what Ottawa has done or has not done but with what this Legislature has done or has not done in relation to what it promised. You see, under our constitution, as I have already explained, while we have a federal parliament and a provincial parliament, that is the only condition upon which the Dominion of Canada could possibly have been established; but under that federal system we have a Dominion Parliament elected to carry out the duties assigned to it, and we have a Provincial Legislature elected to carry out the duties assigned to it. Each has its own field, its own authority, its own jurisdiction and its own responsibility. Sometimes I have thought that all of these Resolutions which we pass here asking the Federal Government to do this and that indicate, perhaps, some lack of confidence on the part of the provincial legislative members in their representatives because, if those things are proper things for the Government of Canada to do, then they should be advocated on the Floor of the House of Commons at Ottawa by those who believe in them. However, if this Legislature is prepared, so far as its provincial responsibilities are concerned, to pass them over to the Economic Advisory and Planning Board, and devote most of its attention to telling the Federal Government the things that it should do, then I suppose we will have to accept that as a proper function of a provincial legislature.

Again let me repeat that the promises which were made to the people of the province of Saskatchewan in the years 1943 and 1944 were made, first of all, long before the Dominion Government entered into the picture insofar as the proposals contained in this Resolution are concerned. Most of these requests were promised to the people of this province in 1943-44 by the present Government and its representatives, without any regard, application or need for assistance from the Government of Canada. One of those was that education would be made a provincial responsibility. The C.C.F., on Education in Saskatchewan — this pamphlet was broadcast up and down the length and breadth of the land — “recognition of provincial responsibility for the educational welfare of all children. Reorganization of educational finance, and so on”. Now, of course, that is phrased in general terms. The average voter who read that thought it meant that the provincial government, if it was a C.C.F. government, would assume the financial responsibility for education. Well, certainly, while the grants from the province to educational organizations have been increased, the local responsibility has increased to an even greater extent. Maybe it was not intended; maybe it was worded so that the impression would be created which perhaps cannot be read into the words, but certainly, so far as the people of Saskatchewan were concerned, that is what they expected.

Then, in this same pamphlet — “The implementation of permissive legislation on the Larger School Unit of Administration.” Well, our C.C.F. friends

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may say that the Larger School Unit of Administration, as it is now on the Statute Books, is permissive. Well, you would have to accept a very, very wide definition of that term to say that the Larger School Unit of Administration legislation on the Statute Books of this province is permissive. It is permissive to the Minister, and, in fact, the first 14 Units which were established were established by dictatorial decree of the Minister.

Then the second promise I am going to refer to has to do with health, and there is a little pamphlet here, "Let there be no black-out of health". And what does it promise the people of Saskatchewan? "The C.C.F. will provide every resident of Saskatchewan with all necessary medical and hospital care regardless of his or her ability to pay". And after we have just put through an Act that says if you do not pay your \$5 tax you will not get hospital services, and you can be sued, or your employer can deduct it from your wages — if he does not do it then he is liable, and that is the extent to which this Government has carried out its promise to the people of the province of Saskatchewan, made in 1944. And, I had forgotten, the fine of \$25.

Then we had a promise that the Province of Saskatchewan would increase the Old Age Pension, and I will admit that the estimates for this year propose to carry that out to the extent that it goes; only after a very heated and bitter criticism of the Federal Government for not doing something that this Government had promised to do itself.

Another promise was to provide pensions not only for the aged but for all who were unable to care for themselves — the crippled, the deaf and others who are physically handicapped. Well, that has been carried out to the extent, as we were told the other day. I think on the estimates, that a crippled or physically disabled person can go to his municipal council and get social aid, as it is called today, and this Government will contribute 25 per cent of the cost.

**Hon. O.W. Valleau (Minister of Social Welfare):** — 50 per cent.

**Mr. Patterson:** — I beg pardon — 50 per cent.

I had a letter the other day from a man — I do not know the man personally — who claims to be totally disabled. He had written to his member for assistance in getting a pension, as he expected to get under this promise — I think from his letter he had voted for this Government in the election of 1944 — and he had received a letter in reply from his member representing him, which said he was to go to his town council and receive social aid. That hon. member, by the way, had his time in the House to give us a long dissertation on the evils of the aluminium plant at Arvida, in the province of Quebec!

Then we were to have rural electrification, and bathtubs and water supply and home improvements. Now those were not quite so definitely announced in the various pamphlets and formal radio broadcasts — the promises along that line depended a good deal on the ingenuity and resourcefulness of the speaker making the promise. As I said, the lady who spoke in my town concentrated on bathtubs. Some other speakers more or less concentrated on water supply, and some of them spoke of the terrible condition of the farm houses and the efforts the C.C.F. were going to make to improve that condition. Well, I am glad to

be able to tell you, Sir, that in that respect some progress has been made. In the year 1946-47, the hon. Minister of Reconstruction (Hon. J.H. Sturdy) spent \$35,000 on spray painting. His revenue from that source was some \$4,000, and the net cost to the province was \$31,000. In answer to a question in Votes and Proceedings, a very few days ago, he advised us that during that year he had spray painted five farm units; that would be at an average cost of \$6,000 per unit, and, at that rate it will take something like 18,000 years for the Government to carry out their promise.

**Hon. C.M. Fines (Provincial Treasurer):** — Sounds something like Liberal promises.

**Mr. Patterson:** — But again I repeat, Sir, that all of these promises — and many more, if time permitted, I could quote, because I have a book here of excerpts from newspaper reports, statements and all the rest of it, and the index may give you some idea of the promises with regard to agriculture: bonds to be guaranteed at par; the size of the Cabinet would not be greater than the previous government; the civil servants will be so and so; debt adjustment would be so and so; we were going to treat delinquents in a certain way; the expenses of Ministers would be reduced; the C.C.F. program would be financed in this way and that way; about 15 items on health services; housing relief; social services and what have you; industries, liquor; marketing boards, Metis, Moose Jaw bonds, pensions and, all the rest of it. I am not going to go further into that except to deal with another phase of the program presented to the people of the province and that is how they were going to finance these promises. And let me repeat the statement I made, a few moments ago, that throughout the whole book of promises, all the pamphlets and leaflets, there isn't a single reference to the assistance — they were too proud, I presume — from the Federal Government. They could do these things themselves, and the Premier, and others, spoke of the way the expenditures — because at that time, as now, there was some question in the public mind, could these things be done. (At one time when Mr. Woodsworth was addressing an audience, and he had explained all the C.C.F. could do, he asked himself the question "Can these things be done?", and his answer was well, it has been done in Russia — the presumption was, of course, if it was done in Russia it could be done in Canada.) But in Saskatchewan the question, naturally, was raised, in that election, as to how a C.C.F. government would finance the program and promises they had made. Here I am going to tell you how they proposed, in 1944, in distinction to what they now expect; how they were going to finance these services:

Saving considerable money by economy in government; taking civil service out of politics; raising of revenue by government engaging in revenue producing business; setting up commodity boards to sell goods now being sold by monopolies; cement suggested as a possible commodity, and, I think, on another occasion, gas and oil was one of the things to be sold by a government commodity board; the taxing of interest payments to corporations outside the province, between 35 and 40 millions of dollars were going out of Saskatchewan in interest payments; sponsoring the development of natural resources by public or co-operative ownership; the establishment of secondary industries such as grain alcohol, protein feed cakes, wheat starch, wheat syrup synthetic rubber, plastics, glycol, anti-freeze and linseed oil. Now, there were some other suggestions but they were generally along that line. Now, they are all still available to the Government of the Province of Saskatchewan, with one exception. In the financial agreement which the Government

has made with the Government of Canada, the Provincial Government agreed to withdraw from the corporation taxation field. Consequently, the taxing of interest payments is no longer accessible to this Government as a source of revenue; but it can still exercise economy in government; it can engage in revenue producing business; it can set up commodity boards to sell cement and gasoline and oil and these other products; it can sponsor the development of natural resources by public or co-operative ownership; it can still establish grain alcohol, wheat cake, wheat starch, wheat syrup or synthetic rubber or plastic, glycol, anti-freeze or linseed oil industries; it can still go into the pulp industry, or the soap or paint industry.

I think, in another place, reference was made to increased liquor profits as one source from which these services would be financed. Well, that has been available to the Government.

We hear a great deal about what this Government has to pay in connection with seed grain. Well, that is something they brought on themselves. If you go up and down the length and breadth of the country and tell people who owe a substantial amount of money to the government 'put us in and you won't have to pay', naturally they are not going to pay it. And that is what the Government has brought on itself and it has some responsibility for any claims made upon it, in a financial way, for carrying out its promises.

**Mr. Speaker:** — The hon. member will agree with me that the Seed Grain has nothing at all to do with this motion. The Seed Grain is a little too far afield.

**Mr. Patterson:** — It would be a very happy thing for this Government, Sir, if by reason of a motion of this kind it could distract the attention and the memory of the people of the province of Saskatchewan from its own promises of 1944, whether it is with regard to seed grain, or anything else, and attempt to lay a certain alleged responsibility on the Government of Canada for not doing something that it never promised to do. I say, it would be a very happy result, and that, no doubt, is part of the intention of this motion because it is only part of a general campaign to try and create the impression in the mind of the public that the Government of Canada is not doing something that it promised to do. I hope I have made it perfectly clear — the Government of Canada presented certain proposals which were not accepted at that time. Subsequently an alternative proposal was made which was open to each province to accept — certain of the provinces have accepted, Saskatchewan one of them — an entirely separate and distinct agreement. I am not going to oppose this motion because I have already said I would like to see a new conference arranged as soon as there is some possibility of its being successful. Sometimes, if these matters are at issue, to force the question postpones rather than accelerates the reaching of a settlement. However, if the time is ripe to call the provinces together again or not I am not in a position to say. Unfortunately, it does not appear to me that the two largest provinces of Canada are yet prepared to



sit down and discuss these proposals, or any other of a similar nature, but if there is any hope or expectation that that can be done with any measure of success, I am all for it. But I am not going to go on record in this House as criticizing, or implying criticism, of the Government of Canada for not carrying out its alleged promises without also expressing my opinion of the complete failure of the present Government to carry out its complete promises. And I propose to move, seconded by Mr. Danielson, that there be added to the Motion: ‘That this Assembly urge upon the Provincial Government to give immediate consideration to implementing its pre-election promises to (a) make education a provincial responsibility; (b) to provide medical and hospital services without regard to ability to pay; (c) to provide pensions for cripples and others permanently disabled; d) to remove the civil services from political influence; (e) to raise the condition of farm homes.’ I so move, Mr. Speaker.

**Hon. Mr. Valleau:** — Before you put the amendment, I wonder if we could see it. I question its validity.

**Premier Douglas:** — Mr. Speaker, before your honour reads the amendment, I would ask your Honour to give some consideration to whether or not the amendment is in order. It certainly has no relationship, insofar as I can see, to the Motion; a motion which has to do with Dominion-Provincial relations and the need for calling together in conference all the provinces who have agreed with the Federal Government regarding taxation agreements. This is an amendment which is purely a political diatribe and has no relationship whatsoever to the Motion under discussion, at least it was under discussion until the Leader of the Opposition started to speak.

**Mr. Speaker:** — My ruling is: I cannot accept this as an amendment. It is a complete motion in itself. It does not provide any alternative to the motion before us, and does not propose to change any portion of it — and I rule that this amendment is not in order.

**Mr. Patterson:** — I accept your ruling, of course. I might point out that if the matters contained in my amendment were carried out by the Provincial Government it would very materially change the questions which would have to be dealt with at a Dominion-Provincial Conference so far as Saskatchewan is concerned.

**Mr. Speaker:** — No, I cannot see it. If you wish to debate my ruling I think I can find quotations to cover it. I rule the amendment out of order.

**Hon. Mr. Valleau:** — I beg leave to adjourn the debate.

**Mr. Speaker:** — I recognize the member for Qu’Appelle-Wolseley.

**Mr. Warden Burgess (Qu'Appelle-Wolseley):** — Mr. Speaker, I just want to speak for a few moments on the Resolution. It occurs to me, in discussing this Resolution, or in discussing the question of Dominion-Provincial Conferences, and the things they hope to attain at those conferences, the constitutional question does loom fairly large, and I notice that the Leader of the Opposition, in the earlier part of his speech, dealt with that question, and dealt with what was in the minds of the Fathers of Confederation. Now, it seems to as that there can be no question but that the Fathers of Confederation in their day and generation were a very forward-looking group of men, and it is not my purpose to in any way take from them any honour or respect that is due to them or their memory; but it is only reasonable to see that they were dealing with a situation which was somewhat different. It will soon be 100 years since the Fathers of Confederation met, and when they were meeting, the people of Canada lived largely in self-contained communities. Almost any of us here, whose fathers lived in Canada, will have heard the older people talk of the days when in a village of say 1,500 people all kinds of local industries would be carried on. There would be a tannery for the hides from the farm animals, where the hides would be tanned into leather; the same leather would be made into boots by shoemakers who actually measured your foot, and made the boots to fit your foot. These communities had their own weavers, their own tailors, their own handicraft men of all kinds. And so, up until that time, it was never thought of seriously but that the question of unemployment or relief would be, or should properly be, the responsibility of the parish, or as we call it the local municipality.

These things that are troubling us today were not dealt with in the British North America Act — not because the Fathers of Confederation would not have had progressive ideas about them, but because those problems had not, up until that time, presented themselves. I do not think there is any question in the mind of any member who looks at this question dispassionately, and without any particular political bias, but that this problem is one that has grown to the point where something must, of necessity, be done about it. It was aggravated and brought to our attention very forcibly in the days of the hungry thirties — in the days when we found that whole sections of the community became what might be termed indigent; and when whole communities found it impossible to provide for themselves. Now, this was not the result of idleness on their part, it was the result of a change in the whole system of living. The operation of trade and commerce in 1947 has an importance in the lives of the people that was not even dreamed of in 1867. It is not a theory of government, or it is not a constitutional issue exactly, that we are faced with. We are faced with a problem of making our constitution and our government fit the times in which we live. I am satisfied that if the Fathers of Confederation were alive today they would be the people who would be agitating for a change, and many changes, in the responsibility of government.

This thing did not exactly arise at the time of these conferences; it has been growing gradually for years. It showed itself very plainly in the time of the depression when we had the situation where a person would become indigent and would go to his municipal council and ask for assistance. They would tell him he needed assistance, but that they just could not handle it, and would send him to the province. The province said, 'Well, this thing has got too big for us and we cannot handle it,' and so they would send him to the Federal

Government, and the Federal Government said, 'we would like to do something about it, but the British North America says that relief is the responsibility of the parish, and we haven't the constitutional power to do anything'. Now, that big run-around was given to the people of Canada for a considerable period. Conditions got too serious for that, and so the governments, willy-nilly, had to try to find some means of meeting the situation or else people were going to starve to death. And so they set up all kinds of strange and wonderful machinery to try and go around the constitutional difficulty. We had arrangements whereby the Federal Government paid one-third; the Provincial Governments paid one-third; the municipalities paid one-third; the municipalities administered it and looked it over, and the province sent an inspector to guard their share; and the Federal Government sent an inspector to inspect the provincial inspector's share. And we had three sets of bookkeepers and we had notes and bills and all the rest of it, trying to meet the situation. Now, Mr. Speaker, I am not actually condemning the previous governments that were caught in this trap - to some extent they were to be sympathized with rather than criticized — I am merely pointing out that this situation affected all of us, and that some constitutional amendments were necessary to provide for difficulties of this kind when they came up.

But even before that, the responsibility of the Federal Government in connection with some of these things was recognized in Canada as long ago as 1919, when the Liberal Party were holding their convention, in Ottawa, at which the Rt. Hon. Wm. Lyon Mackenzie King was elected as their leader; they said they would, if elected, institute some form of a national health insurance scheme. That is not a new idea. I would suggest to the Leader of the Opposition, if he were present, that one of the reasons for a C.C.F. Government in Saskatchewan is that the Liberals between 1919 and 1944 had not done very much about that plank in their platform. There were a number of planks in that same platform dealing with similar questions, and I say that it was recognized by federal politicians and political parties that some of these things could only be handled through the national government.

The conferences came up. It was, to my mind, a reasonably good proposal which was put before the provinces of Canada by the Liberal Government of Canada. And I say, to the credit of the Government of Saskatchewan, that when they went to that conference they went, according to all the reports, in a very reasonable frame of mind. There wasn't any Socialist 'chip on their shoulders' — at least I haven't heard of any. They didn't say, if you don't do it the way we think it ought to be done in Saskatchewan we will have no part of it. They decided an agreement or arrangement was necessary and long overdue. There are those who say that we must wait until every province in Canada agrees to an acceptance of this before anything can be done. It seems to me, Mr. Speaker, that anyone who would argue that we must wait until every province in Canada agrees to it, whether they mean it or not, are actually arguing to never do it, because the total unanimity of the provinces of Canada is something that we will wait for a long time before we get it. In the first place, the politicians will always be able to go out in certain provinces and persuade the people of those provinces that they would be losing something, and they might actually be gaining something. But it is usually very easy to persuade people that they are not getting as fair

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a share of the arrangement as the others. It is usually easy to persuade the people of even Southern Saskatchewan that Northern Saskatchewan is getting too many roads, or the people of Northern Saskatchewan that the Southern people are getting too great a share of government expenditures. It is usually easy to persuade people that this constituency, or that constituency, gets special favours. We are too prone, Mr. Speaker, to accept without too much examination the statement of the 'demagogues' that somebody is trying to take something from us which should rightfully be ours. And that political battle would be fought in almost every province of Canada.

It has been recognized several times that Dominion responsibility cannot be avoided on the excuse that the provinces do not all agree. For instance, the Old Age Pensions were brought in as a Dominion Government measure without all of the provinces agreeing; without anything like that. They said the province could pass concurrent legislation, or whatever they call it, and if they do that the Dominion will do the same. If the provinces do not want Old Age Pensions for their people they do not have to. And so we have the situation where one province after another recognizing, as they recognized, the benefit of the Old Age Pension legislation, took advantage of it and finally we got unanimity; but I say, Mr. Speaker, that if the Old Age Pension Act had to depend on an absolute unanimous acceptance by all the provinces of Canada, we would not have Old Age Pensions to this day.

We have to face the proposition that some of these things need to be done for the sake of the welfare of the people of Canada, and I think it is perfectly fair to argue that the Dominion Government not be prepared to accept the responsibility which properly falls on a Dominion Government, and do, at least, some of the things which must be done even without the unanimous agreement of all provinces. If I were going to talk politics I might possibly suggest that they were moving to hide behind the refusal of the provinces to agree and thereby find an excuse for failing to accept what they themselves, even in their platform of 1919, agreed was a proper responsibility of a Federal Government.

The argument was advanced by the Leader of the Opposition that these Dominion-Provincial proposals were somehow or another trying to specially favour Saskatchewan and some of the other provinces. I was surprised, and a little disappointed, to hear him advance that argument. Perhaps I did not understand him — perhaps he did not mean that — maybe I took the wrong meaning from his words. If he were here I would be glad to be corrected on it. It did seem to me as though his remarks implied that the Dominion-Provincial Conference had offered Saskatchewan some sort of a very good deal, perhaps favouritism and, therefore, it was more or less to be expected that Ontario and Quebec would turn it down because we were taking something from them to give to Saskatchewan. I think that the submission made by his own government — certainly it was a Liberal government — to the Rowell-Sirois Commission would be the best answer to the argument that this was an especially good offer made to Saskatchewan. I am sure the hon. gentleman has read that submission, and I do not think that anything I could say would be better than to suggest to him that he read it again before he suggests that the offer to the Saskatchewan government was, in any sense, too favourable. As a matter of

fact it was not anything in the nature of a favour to Saskatchewan at all, it was more in the nature of bringing things somewhere more towards a situation of equity. I think we could make a perfectly good case for saying that the proposals were not favourable enough to Saskatchewan. On the other hand, as I said at the beginning, I congratulate the Government that they did not take that attitude, and that they said 'after all, it is a fair and reasonable proposal and we are going to accept it for the time being, and as the circumstances alter, and the revolutionary process of the country goes on, these things will have to be given further consideration'. These earnings of corporation taxes, income taxes, tariffs and all the rest of it, it is possibly impossible for any person, Dominion Government, or anyone else, to exactly assess the amount paid directly and indirectly by any particular province. I do not think it is necessary.

It seem to me, Mr. Speaker, that there is one thing we have to decide pretty soon and that is whether we intend to make a country out of Canada or whether we intend it shall be a sort of 'balkanized' community with one province quarrelling with another, and possibly ending up by the country actually being split because of conditions of inequity and inequality, which certainly the Fathers of Confederation did not intend, but which may be caused because their 'children' have not had vision enough, and responsibility enough, to tackle the problems that are on our doorstep, and have been lying there for years, and which our politicians will find excuses to avoid settling year after year, from 1919 to 1949 and still say 'well, Quebec or Ontario or somebody does not agree, therefore nothing can be done'. That has been the curse of Canadian politics ever since I can remember. I say we should have a conference but even if the conference fails, which it will probably do because of the politicians, the responsibility still rests on our Government of Canada to give the people of Canada some proper legislation.

**Mr. O.W. Valleau (Provincial Secretary):** — It has been demonstrated clearly, so far as I am concerned, that if one waits in this House long enough someone else will likely say the things that one had intended to say. I must confess that I had proposed to follow the line taken by the hon. member for Qu'Appelle-Wolseley (Mr. W. Burgess), when I started to, inadvertently, interrupt him to adjourn the debate. I would like to add just a word or two in amplification of some of the remarks which have just now been made.

We have in Canada, as has been pointed out, this afternoon, by the Leader of the Opposition (Mr. Patterson), a Federal Government which has some advantages and some disadvantages over a single government such as they have in England, France and many other countries. There is a certain amount of organization of society, the passing of laws, the meeting of the demand of the public, which falls within rather more rigid rules in a federal state than it does in one with a single government. At the same time there are some advantages, and those advantages are these: that we have in Canada today, as an example, nine different provincial governments which have the responsibility of doing those things which, after all, are closest to the lives of the people: education, health, social welfare and so on; nine provincial governments each closer to their own people than a federal government can be, and each of them making progress along certain lines; and each having the opportunity of comparing

their own program with that of the other eight provinces; determining whether we are too far behind, too far ahead; whether the procedures or what we are doing are as efficient, as economic, or doing a good job, as some of the other provinces are doing.

In the Dominion of Canada we have, as has been pointed out, a nation stretching from the Atlantic to the Pacific. We have a very considerable variation among the people of this Dominion but, in my opinion, that variation is not to be stressed on the grounds of racial differences, or religious differences; it is, largely, a difference of economic and social thinking. And if, as has been pointed out by the member for Qu'Appelle-Wolseley, the entire Dominion has to wait until the people, and in particular the governments, of some of the provinces come along, we will wait a long time to have any development in any of these fields of education, health or welfare.

I have, Sir, in this House, I think, in every Session for the past ten years — I may have missed one or two — stated my conception for example, of social welfare that every person who by reason of health, age, or physical or mental disabilities, is unable to provide a living for himself is entitled to an adequate standard of living. I recall one occasion, about three years ago, when I was discussing social welfare with a Minister in another province, I told him that I had made this statement in the House. He remarked to me — “Oh, you would not dare say a thing like that in my province!” I asked him if he had ever tried — I don't think he ever has. On another occasion I had the opportunity of talking to another Minister of Welfare who, in that connection, made remarks which were more reactionary, so far as welfare is concerned, than I have ever heard anyone make in this House or, indeed, in any public assembly anywhere in the province of Saskatchewan. They do not appear to have the motivating urge to do something better for the common, ordinary people who cannot help themselves, and doing something better for all of ourselves at the same time, that we have here in the province of Saskatchewan.

Yet, at the same time, we find ourselves unable financially to carry out and do the things we should do because, today, we are trying to do things in this province which are not financially possible for us to do — things that were never thought of at the time of Confederation when the respective fields of revenue were set out; and so we do require assistance from the Dominion Government. Frankly, I feel it is going to be a tragedy if we are going to have to wait until all of the provinces come along — and if the progress which is going to be made in these fields in Canada is to be geared to the slowest of the provinces, it will be a tragedy indeed.

I do not know what the hon. Leader of the Opposition had in mind when he mentioned — ‘If we only had a dictatorial government, oh, we would get all of these things done’. I gathered from his remarks, or one could gather from his remarks — I think I know the hon. member well enough to know he did not mean it that way — that a true democratic government should do absolutely nothing at all until it is actually forced to do something. That is not my conception of democracy at all. May I say that, in my opinion, the

democratic government which sits back and waits before it will do anything, until it is absolutely forced to do something, is simply making the way easy for dictatorship.

A good deal has been said, this afternoon about the promises of the C.C.F. Party before we were elected as the Government of the Province of Saskatchewan. Had I adjourned the debate I would have liked to have dug up some material on that — I cannot say from memory — a little of the difference in the Department of Social Welfare. In 1943, the Province of Saskatchewan spent on social welfare, including all those branches now included in the Department of Social Welfare, a little over \$5,500,000. This year we are spending in the province a little over \$11,100,000 — in four years. I am not suggesting for one moment that that should have been done 15, 20 or 30 years ago in this province — I do not think public opinion was ready for it; but public opinion is ready today, and is pressing us along that line.

I appreciate, as I am sure very member of the Government does . . .

**Mr. D. Valleau (A.S.V.R.):** — I would like to ask a question. You said we are spending \$11,000,000 in four years. Did you not mean \$11,000,000 this year?

**Hon. Mr. Valleau:** — \$11,100,000 this year. Four years ago, for the same services, we were spending in this province just over \$5,500,000.

I appreciate the remarks made by the member for Qu'Appelle-Wolseley in regard to the attitude of this Government toward the Dominion-Provincial Conference. I think that I can assure the House — I do not know whether any other Minister or the Premier expects to speak on this or not — that we did go to that conference determined to do the very best we possibly could for the people of the province of Saskatchewan, and for the people of the Dominion of Canada. We had rather hoped something would come out of that conference, but I am not pessimistic at all about holding another one. I believe that these conferences are good things. I believe that in those conferences we learn something of what is being thought and talked about in the rest of Canada, and they learn something of what we, in the province of Saskatchewan, are thinking and talking. So conferences, even they do nothing more than acquaint the different parts of the Dominion with the trend of public thinking, are of very considerable value. I do think that it would be possible to work out some program which would enable us, here in the province of Saskatchewan at least, to do some of the things which our people in this province are so vitally interested in, and for which they have such very, very definite desires. I propose, Mr. Speaker, to support the Motion.

## SECOND READINGS

### **Bill No. 20: An Act to amend The Provincial Lands Act.**

**Hon. I.C. Nollet (Minister of Agriculture):** — The principle and purpose of this particular Bill No. 20, An Act to amend The Provincial Lands Act, is known and obvious to every member of the House. It is merely to make retroactive legislation passed at the last Session of the House, and to validate all Veterans' Lease Agreements under the provision of the 33-year lease.

With this very brief explanation, Mr. Speaker, I move second reading of the Bill.

**Mr. A.W. Embury (A.S.V.R.):** — I would like to say a word or two upon this Bill. It is one, Sir, which I understand is devised for the purpose of doing something which I am sure that the whole House will be willing to see done; indeed, I should say anxious to see done.

The position in respect to veterans who are settled under the scheme for provincial lands at the moment, and who find themselves on portions of provincial lands which are school lands, has been found, in a recent judgment of our courts, to be not as extensive as the Minister intended the veterans should have, when carrying out his negotiations with those veterans.

That then made necessary the proposals in Bill No. 20 as we find them. Perhaps a House amendment may have to be brought down, and perhaps the Minister has one in mind, but I am going to suggest to him that the Bill, as it presently stands, does not go quite far enough to give the security to the benefit which, I am sure we all desire the veteran to have.

Now, Sir, it is quite a long story — I think more usefully discussed on second reading than it will be in committee because it will give the House the opportunity to consider the full ramifications in respect to it when the matter is dealt with by close examination of the wording of the one Amendment which is proposed.

I may say, Sir, that in making the comments I propose to make in respect to this Bill, I wish to pay a very genuine tribute to the hon. Minister of Reconstruction and Rehabilitation (Hon. J.H. Sturdy), in the efforts he made in the spring of 1946 to get the veterans on the land as quickly as possible; and I am entirely satisfied in my own mind, Sir, that that was his paramount consideration in the negotiations which took place with respect to a number of veterans — there is no question about that at all.

Indeed, Sir, that was a time when a great many young men had received their discharges, particularly as the spring approached, in the month of April, 1946, and in order to avoid those young men having to wait a full 12 months before gaining some permanent re-establishment upon our lands, the hon. Minister did conclude a number of contracts in a manner, no doubt, more hasty than he would have done had there been more time for him to consider his position fully.



There are, upon the Statute Books of this Province — namely, in The Provincial Lands Act — certain statutory restrictions upon the disposition of Crown lands. In particular, Sir, the restrictions are very severe in respect to those Crown lands which are school lands, because, as the House will know, the Natural Resources coming to this province by Dominion-Provincial agreement in 1930, which you will find ratified, by Statute in Volume four of our existing Statutes, page 4,600 I think, from memory, and you will find that the Provincial Government is committed by that contract, binding upon us to this day according to my understanding of it, to continue to administer the Crown lands of the province in the same way as they had been administered while they were owned and controlled by the Federal Government; exempting thereout, as of 1930, those lands which were owned and controlled by the Soldiers' Settlement Board, so that the veterans' affairs of that day were not handed over to the provincial government.

Those restrictions, insofar as they related to school lands are these - they are found in the sections to our Provincial Lands Act starting at approximately section 27, I think, from memory, and continuing through 28, 29, 30 and so on; and they call for the allocation of funds accruing to the Government as a result of the sale of school lands so that such funds would go to the credit of education, and they also provide, for example, that where school lands were to be sold, it must be done by public auction, and there are a number of restrictions of that character which the Provincial Government is and, I suggest, still is, required to honour. Now, there is that feature of the matter.

However, as I have said, in April of 1946, the Minister having the matter in charge, the hon. Minister of Reconstruction and Rehabilitation, decided that he would enter into negotiations, and I suggest he should have had regard to his responsibilities, and the Government's responsibilities, in respect to their commitments arising under the Dominion-Provincial agreement; and should have seen to it that there was no question but that he, as a Minister, and this Government, as a Government, were in a position to actually bind the Government and make the disposition required.

Beyond that difficulty, also, Sir, it is the law — and I am quite sure it will be appreciated by all members — that, in order for a Minister of the Crown to convey lands, he must have a statutory authority to do so. No person acting for, and on behalf, of His Majesty can make a disposition of Crown lands except by a statutory authority. As I understand it, the hon. Minister of Reconstruction and Rehabilitation, whose duties are defined in the Act under which he is empowered to carry on his Department, assumed the duties of seeking out the appropriate veteran to whom the land would be allocated, in those early days of 1946 — in April, and probably for some weeks immediately prior to that. He did carry out those duties by setting up a series of allocation boards — the number does not matter — but those allocation boards, who were entirely independent men of good will, as the hon. Minister knows as well as I do, and I am sure you will agree with me, and they endeavoured as best they could to find which of several applications for a piece of Crown land, coming under the scheme, was the man to whom the Government preferred to make its allocation; and the boards were asked to make their decision in the light of certain factors applicable to the various veterans involved. I think the scale upon which

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he based his decision was a very fair one. Certainly it was not one on which I would be prepared to quarrel with him at all. He had a sort of marking system — he tried to tie it down as closely as he could, and he tried to find out which of the applicants had the longest service, the greatest need in the light of his dependants, his residence and proximity to the land, and any other factor that the allocation board might think had a bearing upon it. That, Sir, was the job of that Minister.

As I understand it, then, the hon. Minister made a recommendation to the Department of Natural Resources, which then had under its administration the matter of making the disposition, and, I think, probably in the mind of the hon. Minister he felt that they were the persons having the statutory authority under The Provincial Lands Act to make the actual disposition binding upon the Crown. However, in carrying out his duties of making that allocation he did, working through a man who had the title of Supervisor of Rehabilitation, Provincial Lands, upon receiving the recommendation of the allocation committee, write a letter to the veteran who had been recommended to him as being the successful applicant. I suggest to the House that probably, in writing the letter in the form that it was written, he probably went too far. Indeed, in the light of subsequent events he went farther than he intended to go. I have one such form letter before me now, Sir, and this was the form letter that he wrote to the veterans. He said: “Dear Sir”, addressing himself to the veteran in question, “The minister, the Hon. J.H. Sturdy, Department of Reconstruction and Rehabilitation, has instructed me to inform you that your application for the lease of certain land”, and he describes it, “has been approved. It is the minister’s sincere hope that the use of this land will be instrumental in your successful rehabilitation into civilian life. The Administration of this land remains with the Department of Natural Resources and, in the normal course of events, you will be dealing with that department. I would point out, however, that in view of the fact you are a veteran, the Department of Reconstruction and Rehabilitation remains concerned with your success, and in case of any major difficulty you are invited to get in touch with the same.” Then he goes on to say — “you will receive a letter from the Department of Natural Resources relative to the procedure of occupancy of the above land in the course of a day or so”. That particular letter is addressed to a veteran whose name I do not wish to introduce in a political matter — in fact I do not raise the issue as a political matter. If the gentlemen want his name I will give it to them.

The next day, to the same veteran, a further letter was written, and the heading says: “Re this particular piece of land”, It was signed by Mr. Toole, Provincial Supervisor of Rehabilitation, Provincial lands, the same man who had written the letter the day before. He said: “I am to advise that your application for the above described land has been accepted, conditional upon settlement being made to, or arranged with, the owner of any improvements on this land. Compensation has been guaranteed the former lessees of provincial lands covering any improvements, including summerfallow

which they may own on land made available for veterans". The next paragraph is a little bit lengthy but it indicates a general appraisal of the value of summerfallow, and indicates in the following paragraph after that: "According to information, there are the following improvements on this land, the property of the parties listed below, for which compensation will be required". And then filled in are the particulars in respect to that. I do not think the remainder of the letter is of particular importance, Sir. I will read it to the House if they are interested in it; but for purposes of my argument the important part of the letter is in the first paragraph, where he says: "I am to advise that your application for the above described land has been accepted, conditional only upon paying for the summerfallow" . . .

**Mr. Speaker:** — Will the hon. member intimate to the House what he is discussing, whether he is discussing the principle of the Bill, or any clause of the Bill?

**Mr. Embury:** — It has a bearing on it, Sir, in this way: there is only one clause in the Bill as your Honour knows. I am going to suggest that the amendments to the Bill are not broad enough to give security of tenure, for the reasons that I am endeavouring to explain, and I am going to suggest that it should go further than it does. The reasons for it are far broader than will meet the eye by perusing it immediately. What I am going to indicate here, Sir, is that there has been a contract made with this man and the statutory additions, I suggest, should be made to this Bill in order to cure those defects. Now, I cannot explain the difficulties in a word — I do not want to weary the House with a lot of unnecessary facts in connection with it, but it is technical and a somewhat lengthy matter.

**Mr. Speaker:** — Does the hon. member propose to oppose the second reading or concur in it?

**Mr. Embury:** — What I want to do, Sir, is concur in it, but I do want to suggest that it go further than it does.

**Mr. Speaker:** — I think the hon. member would be out of order here to bring in any amendment to one portion of the Bill. I think that is the function of the Committee of the Whole, and that is when, if you wish the Bill to be altered in any way, and you think there is a weakness in the Bill, it could be properly brought up. If you want to give the House some previous information on the particular clause which you think should be amended, that would be in order.

**Mr. Embury:** — If I could explain it . . .

**Premier:** — On a point of order, Mr. Speaker. The member is suggesting, I take it, that when the Bill is in committee there might be some amendment; and I believe, as a matter of fact, that the Minister has prepared some amendments. The hon. member has had considerable experience, as all the hon. members know, on this particular question, and I think the House would probably be interested in any suggestions he has to make. Probably it would be better to have those suggestions now, in second reading, in order that any amendments which should be

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prepared in the light of those discussions could be prepared before we go into Committee of the Whole. I think, therefore, the widest possible latitude should be given if your Honour sees fit to give it.

**Mr. Speaker:** — I am prepared to give him all the latitude that I think the House will tolerate, but I do not think any particular instances should be brought up.

**Mr. Embury:** — Correspondence of this nature was passed, I believe, between a number of veterans. I am not talking about this case in particular, Sir. It is only one of several — I rather hope not very many — but one of several, anyway.

If I may proceed, Sir. You see, both of the letters I read to the House were written in answer to the veteran who had applied in writing to the hon. Minister. Actually, I think the first application went to the Department of Natural Resources. In effect it was an offer to go upon the land and to enter into the agreement which the Government had publicized by a notice published in a conspicuous place. So that you have here, in law, and in the other cases too, an offer in writing based upon a contract the general terms of which were sufficiently described, and then, Sir, you had this acceptance in writing. That constituted a contract, particularly in the light of the Minister's letter and, as I say, I do not attribute any bad motives or political motives of that kind to the Minister; but when he writes to say that he (the Minister) has accepted the application he binds himself in law to the honouring of the terms of the correspondence — the notice, the application and the letters which were available to all concerned.

In a number of cases the veteran did go on the land; he did pay for his seed; he did pay for the summerfallow; he went into effective possession of the land, and he even partly performed that contract, existing as it did by virtue of the written documents which I have mentioned.

This was in the early days of the scheme, Sir. It would be found that, in a number of the parcels of land, there had been several applications, perhaps as many as six, seven, or eight or more, for the same parcel of land. Those who had lost out before the allocation committee sometimes complained, as men will; and the Minister thought that, in fairness to them, the initial allocation may have been arbitrary and he decided that, in fairness, there should be a reallocation board to consider the decision of the first board. That was done, Sir, in a number of cases, and it was done in respect to veterans who already were holding what was unquestionably a contract if it had taken place between you and me. It was a legal contract. So that, at that point, the Minister in taking his decision to reallocate the land, I suggest, should not have considered those parcels to which he was already committed as coming within the new schemes because . . .

**Hon. J.H. Sturdy (Minister of Reconstruction and Rehabilitation):** — Does the hon. member know that these cases, even the one he is referring to, where a man actually went on the land and performed any duties on that land and made any improvements on that land — even in this case to which he is referring, I would like to inform the House that the man had not actually entered into occupancy of the land, but he was given permission to retain his lease for a period of one year after the appeal board had sat on the case and decided to allot it to another man.

**Mr. Embury:** — I do not wish to argue. I gather that the hon. Minister is not quarrelling with anything I said. I certainly do not wish to misrepresent any of the facts at all.

I was at this point, Sir: with respect to those parcels of land, in which such correspondence as this had passed, I suggest that the Government did not then find itself in a position in which it could reallocate those parcels. However, it was done — I think erroneously, in good faith and good heart without any politics involved at all that I could see — and they did have the reallocation board sit, and they did, in a number of cases, decide to change the initial allocation.

As a consequence of that, Sir, there arose a litigation, recently reported in the press. The House may recall, last year, that the cases were something of a ‘political football’ in the Morse by-election and I undertook in the debates in this House to make a full enquiry into them, and that if I found any politics or any abuse of the veteran that I would do what I could to assert the rights of that veteran. I did so when I was consulted by one of these men and came to the conclusion that that contract I have told the House about existed and, accordingly, proceeded by way of petition of right to have the matter tried out. Now, I may say, Sir, that the contractual rights in law, arising upon correspondence of this character, would amount to a lease binding upon both parties for 33 years; 33 years having been the general term described in the notices, and I suggest to you that between man and man, private individuals, or subject and subject, nobody, on the basis of that correspondence which I have read, could have come to any other conclusion.

However, in proceeding to substantiate the rights of that individual, the Minister was good enough to recommend to the Lieutenant-Governor in Council that a fiat be granted, and there was nothing placed in the way of this veteran in bringing himself to court. He came to court and he pleaded that he had a contract for 33 years, and that is the point at which we run into all of the difficulties which this amendment, I take it, is designed to cure.

First of all, it was alleged by the Government that they did not make the contract, and quite properly so, as that was a proper issue for them to raise. In a legal way that was quite all right. But they also came down and pleaded that no Minister of the Crown, not even the Minister of Natural Resources, had the power to give a lease on school lands which were for cultivation purposes, for any period in excess of five years. That plea of the Crown in that litigation was much wider than the issues involved in this particular case, because, you see, it applied to all the veterans — I think the Throne Speech indicated that there are 1,280 in this province who are upon school lands holding what they think and believe to be 33-year leases. Of that 1,280 I am not able to say what percentage are on school lands, but the argument revolves around the question of those upon school lands, and I think the hon. Minister of Agriculture (Hon. I.C. Nollet) and I will agree that by far the majority of them are upon school lands: they are on either section 11 or section 29 in every township, and if one looks down the listings you will find a very substantial proportion, 75 or 80 per cent, I would suggest, quite safely I think, are on school lands. So that when the

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Minister came into court and urged that no Minister, including the Minister of Natural Resources, had any power to give a lease in excess of five years, he was, indeed, in a position in which he was exciting (to say the least) the curiosity of all the veterans who were holding these leases on school lands; because the argument applied just as broadly to them as it did to the ones holding a contract by virtue of the correspondence, quite as much as one who held a formal lease, signed by the Minister himself, under The Provincial Lands Act.

That was the issue that was tried out, Sir, and in the fullness of time judgment was handed down last month, in connection with it. That judgment, in effect, holds that indeed the existing leases are only valid for five years. It raises the question of the provincial commitments under the old Natural Resources Act of 1930, which was ratified by Statute, and you will find it in volume 4 of our Statutes as revised in 1940. It raises the question as to whether or not the province has the power to go into this scheme without clearing themselves from their responsibilities under their covenants, clause (7), of that agreement, which weds them to the commitments I have mentioned, under the old Dominion Lands Act. There is superimposed upon that old agreement the agreement ratified in this House, last year, in respect to the settlement of veterans on provincial Crown lands, and that is an agreement made between the Federal Government and the Provincial Government; but nowhere does it expressly provide for veterans on school lands. One will find special permission in relation to that subject for veterans going on school lands in Alberta, but I suggest that a very careful study of that question should be given by the law officers of the Crown, to make quite sure that the veterans do get the security of tenure, which I am sure the Hon. Minister, and everybody on both sides of the House is most anxious that they should have, to put it that way.

The amendment now proposed, Sir, I would suggest, is certainly right as far as it goes, but I would suggest that there are a number of veterans who may have rights other than the ones who are holding lessee signed by the Minister. There are people who may have rights such as I have described. Nothing should be done to prejudice their position. I do not know how many there are, but I have been consulted by some of them though I am not in a position to say what their claims may be. Those people should not be interfered with in the legislation in any way.

Then I think, too, that the Minister has indicated that he proposes to carry on in making some allocations in the year 1948. It will not be simply sufficient to ratify all contracts made up to say the 5th day of March, 1947, without looking forward to those which, first of all, may have been made since March, 1947, until today, and must look to the position of those with whom contracts are to be made in the future. One will have to look to the position of all the veterans coming under the scheme. There should be a clause, as there is here, with respect thereof to "approved, ratified and confirmed". That must be done, but, also, I would suggest that we may have to consider our position in the light of the agreement of 1930.

Those are the considerations which give rise to some anxiety as far as the veteran is concerned, and I feel very strongly that we should have a very close scrutiny, by the law officers of the Crown, of the Bill; and probably we may have to negotiate with Ottawa in order to fulfill the Bill.

**Hon. J.H. Sturdy (Minister of Reconstruction and Rehabilitation):** — Mr. Speaker, it is recognized, of course, unanimously in the House, that there is every intention, and it has always been the intention, that any agreement, any lease held by any veteran in the province of Saskatchewan will be a bona fide lease. I do not know a single veteran in the entire province of Saskatchewan who has shown very such concern over this matter. If there are technical or legal difficulties, or questions of law that are not entirely clear, they are confident as we are confident, that those matters will be entirely cleared up.

I was given the authority to negotiate with the Federal Government in this matter of the Dominion-Provincial agreement with respect to the settlement of veterans on Crown lands. Naturally, I did so with the intent of its being thoroughly legal in every respect. Naturally, too, I consulted with the Director of The Veterans' Land Act — a man who had held that position either under V.L.A., or under the Soldiers' Settlement Board, ever since the termination of the First Great War.

We entered into the agreement. There was never a question as to the province's right to dispose of school lands, to lease school lands and dispose of school lands, in the interests of veteran settlers. The Federal Government had had that experience over a long period of time. Subsequent to the First Great War school lands had been disposed of to veteran settlers. There may be, and there appears to be, certain little technicalities which must be cleared up, and it is the intention of this amendment to clear those matters up.

Since the hon. member mentioned a specific case, in the Eston area, he was good enough to state, during a very short time in a period of 1946, we were confronted with this problem, Mr. Speaker. There were many men who had already arrived home from overseas, and who had been discharged, who were very anxious to go on the land in order to take advantage of the crop season of 1946. On the other hand, there were still very many veterans overseas during that winter, and we were requested by their parents, and very often in writing from the men themselves who were overseas, to be given an opportunity to apply for this land, in order that, by virtue of their services, and so on, they might be successful candidates. So that we were on the horns of a dilemma here — getting men settled on the land in time for the 1946 crop season, and yet delaying making the allocation just as long as we possibly could in order to give the men who had the longest term of service overseas an opportunity of applying for that land.

The allocation of the land was to be decided by allocation committees. On these allocation committees were veterans; usually veterans with farming experience. Secondly, the allocation was to be based on a chart in which the hon. members opposite had the opportunity, and did assist, (I mean the members of the Armed Services) in the formulation of that chart. And, as the hon.

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member said, he considered that to be a very fair system of allocation.

The allocation committees were specifically instructed to adhere to the findings on that chart.

**Mr. Speaker:** — Order. You have made this explanation before, and we are now concerned with the Bill, an Act to amend The Provincial Lands Act. If you have anything to say in regard to the Bill you will be in order, but I do not think I can allow you to go into a general discussion of something which does not appertain to the Bill at all.

**Hon. Mr. Sturdy:** — Well, Mr. Speaker, we heard this explained by the hon. member for the Mediterranean (Mr. A.W. Embury), and it is merely the request that I be given the privilege of making an explanation.

**Mr. Speaker:** — The hon. member for the Mediterranean was explaining the points of law with regard to the proposed amendments to the Bill, and brought in the specific case to ‘point up’ what he thought was necessary to be done. I do not think we can allow a discussion, or a reply, to anything that does not pertain to the Bill.

**Mr. Embury:** — On a point of order, Sir, I do not believe there are any differences between my hon. friend and I in connection with the matter at all. On the point that he is describing we both feel the same way about it, I believe.

**Hon. Mr. Sturdy:** — Well, Mr. Speaker, I will drop that matter.

I merely wish to emphasize this point: that if there are any small legal difficulties, or legislative difficulties, then certainly it has always been the intention, as it is now, to have them entirely cleared up, and they will be at this Session, I trust.

**Hon. I.C. Nollet (Minister of Agriculture):** — The hon. member for the Mediterranean expressed that there was some doubt as to the legal right of the province to sell school lands other than by auction. He made reference to section (7) in the Natural Resources Agreement between the provinces and the Dominion. Although I am not an authority on constitutional law, and not learned in constitutional law, nevertheless, I am advised that the authority for the province issuing 33 year leases, with option to purchase, in this case . . .

**Mr. Speaker:** — Order. I cannot allow any general debate to take place on the second reading of this Bill. The hon. member was giving what I consider advance information, for the benefit of the members to study the Bill, and have a more complete study than they would otherwise have had, because of the danger that the amendment would not provide what it was intended to provide. I cannot allow a general discussion, rebuttal and things like that.

**Hon. Mr. Nollet:** — Mr. Speaker, I merely wish to point out that, insofar as the opinions we have had expressed, they are to the effect that the province has the right to sell school lands other than by auction; and I was merely trying to point out the provisions under which that opinion was given, and I would like to make reference to paragraph (1) of the agreement between the province and the Dominion Government made with respect to resources in 1930. I am trying to, Mr. Speaker, clear up these points for the benefit of the hon. member, and



the members of the Legislature, generally, which I believe is my privilege on second reading of this Bill.

Section (7) of that agreement, I am advised, has to do, and has reference to, the administration of the lands between the period when the Dominion were handing the resources over and until such time as the Provincial Government has had an opportunity to pass a Provincial Land Act by the Provincial Legislature; and section (7) has to do with that. It provides for that in-between period. The other provision, in section (1) of the Resources Agreement, because of this and other factors, the hon. Minister of Reconstruction and Rehabilitation has mentioned one, the Dominion Government, itself, did sell school lands other than by auction; and it is felt, by the best opinion that we have, that the province has every right to sell school lands in any manner, or dispose of or administer land, in any manner provided for under provincial legislation. In other words, we have full jurisdiction over the land resources, and the administration of land, within the province.

The general intent and purpose of the Bill, Mr. Speaker, is, therefore, to validate all lease agreements with veterans in the past, and also to provide validity in the agreements in the future.

The motion for second reading was then agreed to.

The House adjourned at 6 o'clock p.m.