

**LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**  
**Fifth Session — Eleventh Legislature**  
**29th Day**

**Wednesday, March 19, 1952**

The House met at three o'clock p.m.  
On the Orders of the Day.

**Hon. J.T. Douglas (Minister of Highways):** — Mr. Speaker, last evening when I was speaking on the motion of the member from Hanley (Mr. R.A. Walker), two of the statements I made were challenged by the Leader of the Opposition (Mr. Tucker).

Now one statement was that he had made the statement, as reported by the Leader-Post, that the Hon. C.D. Howe, Minister of Reconstruction, had already assured the Government of Saskatchewan that consideration would be given to sharing the cost of Saskatchewan Landing Bridge. That statement was challenged and I have here the report of the Leader-Post, dated January 13, 1948.

The other statement which was challenged by the Leader of the Opposition was the one where I said he had made the statement, in Swift Current, at a meeting, that "the attitude toward the bridge was to get the dam and then the bridge." He challenged my statement last night and I have here today the press statements; and this one is from the Leader-Post issue of January 9, 1948.

**Mr. Tucker (Leader of the Opposition):** — Mr. Speaker, the hon. member said that I said "the first consideration was that consideration should be given to building the dam, and after that, the bridge." Now, I never said anything of the sort at all; and the hon. Minister has not read anything proving that I said that.

**Hon. J.T. Douglas:** — This is exactly what I said last night, because I quoted from this and the hon. member denied the statement at that time. I am, today, producing the evidence of what I read last night. "The attitude toward the bridge," he said, "was to get the dam and then the bridge;" and those are the exact words I used last night.

**Mr. Tucker:** — But I say, Mr. Speaker, that I never said that.

**Mr. Speaker:** — Order! The hon. Leader of the Opposition did challenge a statement and requested the authority and I understand the Minister of Highways (Hon. Mr. J.T. Douglas) is now giving the authority.

**Mr. Tucker:** — Where is the authority? I say I did not say it and the Minister has not shown that I did say it.

**Hon. Mr. J.T. Douglas:** — Mr. Speaker, I am reading from a newspaper

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notation and that is what I used last night and I am again putting it before the House, today. I am not responsible for what the Leader-Post or Star-Phoenix prints in their columns.

### **QUESTIONS PUT BY MEMBERS**

**Mr. Tucker:** — Will the Health Survey report be made available?

**Hon. T.J. Bentley (Minister of Public Health):** — The Minister of Health and Welfare at Ottawa called me on the phone and asked me if I would mind delaying the publication of the report until his Committee was set up.

I told him that I had no particular objection to holding it up myself, but the public here — newspapers and others — were rather anxious to obtain the report and to print the information which is in it, which is a very excellent report, I would like to point out. However, the Cabinet discussed the matter and it was finally decided that we should accede to the request of the Minister of National Health and Welfare. The result is that I wrote him shortly afterward — I have not got the dates of the letters — I could bring them here for anyone who wants them; but anyway, I wrote and told him we would withhold publication of the report, at his request, for a month or two.

Now, since that has happened, Mr. Speaker, Parliament has been opened and it has been announced by the Minister of National Health and Welfare that the Government does not consider the setting up of that parliamentary committee at this time. The result is that I wrote Mr. Martin last week and asked him — in the light of that information — if I had his release to allow me to release the Health Survey report to the public. I have not yet had a reply from him and so this morning I have wired him and advised him that, because of the intention of the Federal Government not to establish that committee this year, that I feel relieved of the obligation and I propose to table the report before this Legislature breaks up. However, I would like to get his reply before doing so. I feel a sort of personal obligation and feel that I should not table it until he knows about it. I am expecting a reply from him in the near future and as soon as that comes, then I will decide — in the light of his reply — what should be done.

**Mr. Tucker:** — I appreciate what the hon. Minister of Public Health (Hon. Mr. Bentley) has said and I would just suggest that consideration be given to putting the calling of the public health estimates back, to give us a chance to have a look at that report for a day or so before we have to take up his estimates.

**Hon. Mr. Fines (Provincial Treasurer):** — If it is agreeable to withhold my estimates until that can be done, I have no objection, provided, of course, I get clearance in time to table it in plenty of time before the end of the Session.

SECOND READING

THE LEGISLATIVE ASSEMBLY ACT

**Bill No. 64 — An Act to amend the Legislative Assembly Act.**

**Hon. C.M. Fines (Provincial Treasurer):** — This Bill is to amend The Legislative Assembly Act and it is divided into three main parts. The first purpose of this Bill is to amend the constituency boundaries where towns have been inadvertently placed in two constituencies. Last year, you will recall, I asked the hon. members to advise me of any towns in their own constituencies which were partly in their constituency and partly in another one.

Well, we find that there are still four towns that were missed last year — namely, McLean, Prudhomme, Smeaton and Battleford; consequently this amendment will place these towns completely within the one constituency.

The second purpose of this Bill is to raise from \$10 to \$25 per day the advance that may be made to members of the Legislature. At one time the indemnity was \$1,000; it is now double that amount. At one time the members used to be able to get a hotel room and live for \$5 or \$6 a day; whereas, today, it costs them considerably more than that; and some of the members have expressed the feeling that they should be able to get advances on that indemnity of a greater amount than the \$10 a day; consequently, we are raising that amount to \$25.

Then the third amendment which is being made is to repeal certain exceptions to the disqualification of members. Now, Mr. Speaker, I might explain that Section 14 of the Act provides, among other things, that if any member of the Assembly, either directly or indirectly, becomes interested in any Government contract, then his seat shall immediately become vacant. The next Section, namely 15, provides certain exceptions, which gives to the members of the Assembly the right to enter into certain contracts. For example, a member has always been able to have a contract or an agreement with the government, providing he is a shareholder or a director of an incorporated company which has such an agreement. Secondly, a member has always been able to purchase Government Bonds, providing they were obtained in the usual way. Thirdly, a member has always been able to enter into a contract with the government to purchase from it, electricity, or any other article sold by the government.

Then the fourth; a member of the legislature, who is also a medical doctor, may receive his fees for performing relief and certain other services for the government.

Fifthly, a member who is a dentist may also receive fees from the government for relief work.

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Sixthly, a member who is a lawyer may act as a counsel to an accused and receive his fees for such service from the Attorney-General's department. This section was placed in the Act in 1936 to protect Mr. A.T. Proctor, K.C., now Mr. Justice Proctor. Mr. Proctor had, while a member of this Legislature, defended a man charged with murder, under an arrangement whereby he was to be paid by the government of the day. When he rendered his bill, some question arose as to whether he had not already disqualified himself by entering into a contract of profit with the government; and as to whether payment to him would not be a further disqualification. The Liberal government of the day decided on a retroactive amendment to protect this learned member of the legislature.

Seventhly, a member who is a municipal official may perform services relating to municipalities and receive payment from the province for such services.

Now, Mr. Speaker, these exceptions were all provided prior to the election of the C.C.F. government in 1944. In the session of 1946 the Act was further amended to allow members who also collected education tax for the government to legally receive the remuneration which the Act provides. I see sitting opposite me several members to whom this government pays a commission for collecting the education tax, and what we did at that time was to make it legal for them to receive that remuneration.

It also made it possible for members to purchase or sell real or personal property from, or to, Crown Corporations.

Then, in 1949, the Act was further amended to give the members protection where there was any cancellation of seed grain or relief advances.

The next amendments to the Act were made in 1951 and this is what has caused all the furore. The Attorney-General's Department, from time to time, have received requests from members for opinions as to whether they could be disqualified for certain actions which might be construed as being contracts. For example, could a member get a timber permit — that is, a permit to cut timber? Or could a member bid on timber at a sale? Could a member get a miner's license to go out and stake claims? Could a member get a fishery license? Could a member purchase livestock and other goods, such as grasshopper bait from the Agricultural Department? Could a member accept payment for land required by the Department of Highways? Could a member have a grazing lease with the Provincial Government? Could a member have an agricultural or cultivation lease with the Provincial Government? Could a member accept payment of a claim with the Government Insurance Office?

These are all questions which have been asked in the last few years. In the spring of 1950 the Leader of the Opposition received a cheque from the Saskatchewan Government Insurance Office, covering damages caused to him by a man running over his dog. The Leader of the Opposition hesitated, quite correctly, I believe, to cash the cheque, as he felt that it might disqualify him, under the Legislative Assembly Act, on the grounds that he was indirectly benefiting from a contract

with the government. Consequently, he telephoned the Deputy Attorney-General to seek his opinion. No opinion was given, but the Leader of the Opposition did have certain sections pointed out to him and I think the results were that the Leader of the Opposition suggested that consideration should be given to amending the Act to remove any doubts and as a direct result of his proposal, the Government instructed the Attorney-General to prepare this amendment.

**Mr. Tucker:** — Mr. Speaker, on a question of privilege, I have already stated that I made no such suggestion of any amendment to be made to the Legislative Assembly Act. I just phoned to ask for his opinion on the matter and I made no suggestion of any amendment. The suggestion was made to me that maybe an amendment was in order and I said perhaps an amendment would be in order, in view of the fact that they were in the insurance business, but I did not suggest any amendment. The furthest I went may have been to acquiesce in the suggestion made by the Deputy Attorney-General.

**Hon. Mr. Fines:** — Well, Mr. Speaker, I must accept the Attorney-General's word for this — I am sorry, but I must accept his word — and I have here in my hand a memorandum which I received from the Deputy Attorney-General, addressed to me, as follows:

“Mr. Tucker suggested that consideration be given to amending the said section 24 and he stated that he intended to hold the cheque uncashed for the time being.”

**Mr. Tucker:** — And I say, Mr. Speaker, again, that I made no such suggestions. I had no intentions whatsoever at any time to make any suggestion along that line and I insist that my statement in that respect be accepted without any question. The Provincial Treasurer is trying to prove that I am wrong by submitting a memorandum submitted to him and that is not admissible in order to try to prove that I am wrong.

**Mr. Speaker:** — As I understood it, the Provincial Treasurer did accept your statements. He was just quoting from the authority on which he based his statement. He has accepted your statement.

**Hon. Mr. Fines:** — Now, Mr. Speaker, I have quoted from the memorandum which was submitted to me immediately after the Leader of the Opposition phoned the Deputy Attorney-General. I know it is not permissible to read from previous debates, but here in this House on Friday, February 22nd, the Leader of the Opposition at that time admitted the following. He said:

“I said I discussed it with the Deputy Attorney-General. The Provincial Treasurer has now proved exactly what I said. The Provincial Treasurer suggested consideration be given to permitting people to deal safely with the insurance office.

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“That suggestion came from the Deputy Attorney-General and I said, “If they are going to do business with the people of the province, perhaps it might not be a bad idea!”

**Mr. Tucker:** — Mr. Speaker, I just said that now, that when that suggestion was made by the Deputy Attorney-General the furthest I went, perhaps, was to acquiesce that it was a good idea.

**Mr. Speaker:** — Order! Order!

**Hon. Mr. Fines:** — All right, Mr. Speaker, the hon. member . . .

**Mr. Speaker:** — Order! Order! I understood that the Leader of the Opposition is not denying that he did acquiesce; that you did acquiesce that it might be necessary . . .

**Mr. Tucker:** — Well that is not suggesting it.

**Mr. Speaker:** — No., no.

**Hon. Mr. Fines:** — Mr. Speaker, may I point out that the Leader of the Opposition hesitated to cash that cheque. He hung on to it, because he felt he might be unseated if he cashed the cheque. Well now, as a direct result of that telephone call in which the hon. Leader of the Opposition acquiesced in the suggestion of the Deputy Attorney-General — as a direct result of that — the government instructed the Deputy Attorney-General to prepare this amendment and at the same time to see if other amendments were necessary to remove any of the doubts raised by the questions which I have already referred to.

The amendments introduced last year were the results of the recommendations made by the law officer and Mr. Runciman, after study of the corresponding acts in Ontario, Manitoba and Alberta and British Columbia. These amendments were consequently introduced into the legislature by myself. In moving second reading of this Bill on March 9th I said (Mr. Speaker, this can be found in Hansard, Vol. 27 on the very first page):

“In moving second reading of this Bill, I wish first to refer to certain minor changes not connected with the redistribution part of the Bill.

“Clause 3 of this Bill makes it possible for a member to do certain things and enter into certain types of dealings with agencies of the government, without vacating his seat as he would ordinarily do under Section 14 of the Legislative Assembly Act.

“Section 15 of this Act gives certain exemptions to the operation of Clause 14 and Clause 3 of this Bill gives certain additional exemptions to Clause 15;

for example, after these amendments are passed it will be possible for a member to receive benefits from the Saskatchewan Government Insurance Office; previously he was able to enter into a contract of insurance with the office, but was not able to receive benefits without risking the vacating of his seat.”

Then I went on, Mr. Speaker, to deal with the other clauses, all of which have to do with redistribution.

Now, Mr. Speaker, the next day the Leader of the Opposition (and may I, before I just leave that point, point out that the only one of these amendments that I made, the only one I mentioned, was the one dealing with insurance — which shows very clearly that that is the thing that was uppermost in our minds and which was the direct cause of the Section being amended at all); now, Mr. Speaker, the next day the Leader of the Opposition spoke at some length (not as long as yesterday, but for 18 pages, according to the official record). I have read those 18 pages through. I have re-read them and I cannot find one word spoken by the hon. gentleman, either supporting or opposing the sections pertaining to the qualifications of members.

Mr. Speaker, the hon. gentleman started out, when I finished the first day. He said:

“Mr. Speaker, as I have not yet had the opportunity of seeing the map giving the boundaries of the proposed new constituencies, I would not want to undertake to say very much.”

That is all he said the first day; a very short paragraph. Then the next day he went on and again there was not a single word mentioned pertaining to these qualifications.

Now, as hon. members will recall, the hon. Leader of the Opposition spent his whole time crying about how unfairly the redistribution of the constituencies was carried out. But not a word about the so-called viscous amendments and even the member for Saltcoats, who now says he was suspicious of the motives when the Bill was introduced, did not have one word to say at that time — not a single word.

**Mr. Loptson:** — I voted against it.

**Hon. Mr. Fines:** — Nor did any other member of the Opposition have one word to say about these amendments.

**Mr. Loptson:** — On the point of privilege, Mr. Speaker, I never said that I was suspicious of it; I may have said we were guilty of not having noticed the importance of it until somebody else drew it to my attention.

**Mr. Tucker:** — Hear! Hear!

**Hon. Mr. Fines:** — Mr. Speaker, I again want to quote from Page 60 to the hon. gentleman:

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“It is rather unfortunate that we should have to be suspicious that there might be somebody higher up included in that. (dealing, of course with these leases) And it is something that I did not have the slightest suspicion of until the Premier of this province brought in the Act amending the Legislative Assembly at the last session.”

There are his own words. As a matter of fact, the Premier did not bring in the Act. The hon. gentleman says he was suspicious when the amendments were brought in. If he was suspicious, he certainly did not say anything about it. He certainly did not state his suspicions.

Now, Mr. Speaker, this brings me to a radio address given by the Leader of the Opposition.

**Mr. Tucker:** — Mr. Speaker, before the hon. Provincial Treasurer leaves that, when he is purporting to put our position before this House and before the country, he has overlooked the fact that we, on three different occasions, voted against it.

**Hon. Mr. Fines:** — I will come to that, Mr. Speaker — I will come to that.

My hon. friend can make sure that I have not overlooked that very important point. I am going to deal with that quite fully later.

Now, Mr. Speaker, as I was saying, this brings me to the radio-address given by the Leader of the Opposition in the Provincial Affairs series on January 14. In this address the hon. gentleman said (and I am quoting now from an address given by the Leader of the Opposition):

“There is no provision under present regulations and practice for everyone having an equal chance to share in developing these resources. The government simply decides who will receive its favours, by getting permits and agreements which may turn out to be worth millions.

“This policy may be very satisfactory to the government and its friends, but can the people of the province be satisfied with it? This becomes a particularly vital question when it is associated with an amendment to the Legislative Assembly Act passed at the last session. The passing of this Act was oppose by the Liberals, but carried by the C.C.F. majority.”

**Mr. Tucker:** — Hear! Hear!

**Hon. Mr. Fines:** — Mr. Speaker, I want to say here today that this is one of the most serious charges ever levelled at the members of any legislature, in any country, at any time and it is without a doubt the most dishonest statement I have ever heard.



**Mr. Tucker:** — Mr. Speaker, on a question of privilege. There is nothing dishonest about that statement at all. Everything in it is absolutely true and the Provincial Treasurer knows it.

**Hon. Mr. Fines:** — Mr. Speaker, I repeat! This is without a doubt the most dishonest statement that I have ever heard. The hon. Leader of the Opposition says it was opposed by the Liberals, but carried by the C.C.F. Can the Leader of the Opposition quote one word of opposition to these sections of the Bill?

**Mr. Tucker:** — We voted against it.

**Hon. Mr. Fines:** — Can he quote one single word in the whole debate where the members of the Opposition at any time said anything against any of these particular sections? He claims they voted to send it to a committee. Yes, they voted to send it to a committee. What for? I shall read it, Mr. Speaker, and I am sure that not only the members of the House, but the people all over Saskatchewan, will remember the debate on this question last year when we were discussing this redistribution. Here is what the hon. gentleman said:

“He moved that the order for second reading be discharged and the new Bill be introduced during this present session of the legislature, which bill (and listen to this now) shall not include, as introduced, a detailed schedule of constituency boundaries, in order that said new Bill may be referred to a select, special committee for the purpose of adding such a schedule of boundaries to the said Bill.”

And the Leader of the Opposition tries to point out (to prove his case) that every member of this side voted against that. What has that to do with the qualifications or disqualifications of the members of the legislative assembly, Mr. Speaker? Nothing whatsoever! Dishonesty — I say it is dishonesty!

**Mr. Tucker:** — Mr. Speaker, let the Provincial Treasurer put the whole case. We voted against that Bill on second reading and on third reading.

**Hon. Mr. Fines:** — Will the hon. gentleman sit down in his seat!

**Mr. Tucker:** — Well, don't misrepresent the facts then.

**Hon. Mr. Fines:** — If he will just sit down and keep himself cool, I will come to everything that he wants and a little bit more besides.

Now, Mr. Speaker, they claim they voted to send it to a committee, to consider constituency boundaries. He says they voted against second reading. Yes, but why? Why did they vote against second reading? Well, again, Mr. Speaker, I have here the two volumes where the entire debate on the second reading of this Bill took place. Now, to get the answer to that question as to why they voted against second reading, all one needs to do is to recall this debate and the Leader, and most of his

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followers talked of nothing but gerrymander and unfair redistribution. Mr. Speaker, I challenge anyone in this House, or anyone outside this House who listened to the debate to quote me one single line with reference to any of these amendments which I am discussing today.

Then we got into Committee of the whole on April 3rd. Now there, Mr. Speaker, the members had a chance to consider every clause separately, but did they object to these sections which they are now trying to use to slander the good names of the members of this House? Never was there one single word of objection, or one word of criticism. Now, the records do show that the hon. member for Melfort (Mr. Egnatoff) on two occasions and the hon. member for Turtleford (Mr. Trippe) and the hon. member for Saltcoats (Mr. Loptson) all moved amendments concerning constituency boundaries, but never one about these treasonous, infamous, treacherous acts of the government. Members have said that these conditions could not be found in other provinces. Now, before I leave that, Mr. Speaker, may I say that the hon. Leader of the Opposition has made the statement that they voted against this in second reading, that they voted to send it to a special committee and that they introduced an amendment in committee as a whole and they voted against reporting the Bill out; they voted against third reading. Yes, Mr. Speaker, they voted against the Bill, but surely no member in this House is going to be taken in by that kind of a story.

But it is true they voted against it. What were they voting against? As the debate all through those days shows they voted against it because they did not believe in what we were doing with the constituency boundaries. It had nothing to do with this question, and yet the Leader of the Opposition will get up and say over the radio, that this becomes a particularly vital question when it is associated with an amendment to the Legislative Assembly Act, passed in the last session. "The passing of this Act was opposed by the Liberals, but carried by the C.C.F. majority."

**Mr. Tucker:** — Hear! Hear! That is correct.

**Hon. Mr. Fines:** — Mr. Speaker, that is not even a half truth.

**Opposition Members:** — It is the whole truth.

**Hon. Mr. Fines:** — At any time they could have protested against it on second reading, or in committee as a whole, they could have spoken against it. They could have moved an amendment. Did they do anything? Not even expressed one word of disapproval. Not one word, and I challenge any member opposite to get up in his place during this debate and say otherwise. They cannot do it. They cannot do it, Mr. Speaker.

**Mr. Tucker:** — In view of the fact that a challenge has been made, Mr. Speaker . . .

**Mr. Speaker:** — Order! Order!

**Mr. Tucker:** — Well, the challenge has been made to me.

**Mr. Speaker:** — The hon. member will have an opportunity to reply.

**Mr. Tucker:** — No, but he challenged me to say it. He challenged me over the aid, and I am ready to answer the challenge right now. Of course, he challenged over the air, and it is not answered, and he says, “Well, they did not answer the challenge.”

**Mr. Speaker:** — Order! Order! The hon. member will have an opportunity to reply.

**Hon. Mr. Fines:** — Mr. Speaker, the hon. gentleman knows there are certain rules of debate and may I say that the Liberal party of this province — even if he does not get a chance to answer it on the air — the Liberal party of this province is spending lots of money in broadcasting and he can produce his evidence on the air.

**Mr. Tucker:** — We are not spending provincial money either.

**Hon. Mr. Fines:** — No, I know, Mr. Speaker, that if the hon. members opposite had had their way, the radio would have been disconnected years ago. We know that.

**Mr. Tucker:** — We are not spending taxpayers’ money, either.

**Premier Douglas:** — It would be interesting to know whose money they are spending.

**Hon. Mr. Fines:** — Members opposite have said that these same conditions could not be found in any other province of Canada. The Leader of the Opposition has made certain references to this on the radio and in this House. Yet, what did I find when I look over the Bills of other provinces? I find in Manitoba, for example, it says among other things:

“Nothing shall disqualify a member by reason of a person being the holder of a mining license or lease.”

While in Ontario, what does it say? There it says:

“No person shall be ineligible as a member by reason of his being the holder of a mining license or having a contract, or an agreement with His Majesty or with any public officer, or department, with respect to the same, or to mines or to mining rights.”

That, Mr. Speaker, is quoted directly from the Act in Ontario. The other one which I quoted was quoted directly from the Act in Manitoba and yet the Leader of the Opposition again makes false statements over the radio on this same broadcast, referring to a statement made by the Premier, in which the Leader of the Opposition says:

“Premier Douglas intimated that he understands it is similar to legislation in Manitoba; to call it ‘similar’ is rather amazing.”

**Mr. Tucker:** — Mr. Speaker, on a question of privilege, the hon. Provincial

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Treasurer has said I made a false statement. Now, then, in regard to this matter; in Manitoba it provides that the person himself must hold his lease; this legislation provides that the person can hold it through a trustee. The legislation is not the same at all and when the Provincial Treasurer said I quote falsely in saying it is not the same, he is saying himself what is not true.

**Hon. Mr. Fines:** — Mr. Speaker, the hon. gentleman evidently did not hear it, so I am going to read it again, for his benefit and for the benefit of others. The hon. gentleman says:

“That the legislation is not similar to that in Manitoba.”

**Mr. Tucker:** — Hear! Hear! It is not.

**Hon. Mr. Fines:** — What does it say in Manitoba?

“Nothing shall disqualify a member by reason of a person being the holder of a mining license or lease.”

**Mr. Tucker:** — And in Saskatchewan it says.

“Nothing shall disqualify him, even if he holds a secret interest in a right held by trustees.”

That is quite a bit different, Mr. Speaker.

**Mr. Speaker:** — Order! Order!

**Hon. Mr. Fines:** — Mr. Speaker, I do not know if there is a great deal of difference, after all.

**Mr. Tucker:** — Oh, there is all the difference . . .

**Hon. Mr. Fines:** — I do not know if there is a great deal of difference. Why would a person want to hold it through a trustee, if they can do it without?

**Mr. Tucker:** — That is what we would like to know!

**Hon. Mr. Fines:** — Now, then, the Leader of the Opposition, in his usual suspicious frame of mind, asked why the government made the amendment passed last year retroactive, if it was not desired to cover past transactions?

**Mr. Tucker:** — Hear! Hear! Why?

**Hon. Mr. Fines:** — Well, there is one very good reason, Mr. Speaker. It is that every amendment which has ever been made to this section has always provided that this section shall be deemed to have always been in force. It is on every one of the previous amendments. I have pointed out that throughout the last four years

amendments have been made, and they have always been retroactive — they have always had this provision.

Now, Mr. Speaker, the hon. gentleman says: “Why was it made retroactive?” Frankly, I did not know if he had cashed his cheque or not, and I am sure that none of us would have wanted to see the Leader of the Opposition unseated because he had cashed a Government Insurance cheque, compensating him for this very tragic accident which he had.

Mr. Speaker, because of the doubts that may have been raised in the minds of some of our decent citizens of this province, we decided to answer this mud-slinging, character-assassination propaganda of the Liberal party and their friend, Mr. Keyes, who is sitting back waiting to again get his snout in the Liberal Natural Resources trough. We feel that this Bill which is before us is the best answer to that. No one on this side of the House has, at any time, in any way, been interested in any mining or timber leases, or permits, either directly or indirectly.

As evidence of this, Mr. Speaker, I am authorized by the members of the C.C.F. group in this Assembly to table affidavits individually signed by the members and I now hold these in my hand and I am going to table them at this time.

Mr. Speaker, these affidavits which I have just tabled, and are now on the table in front of the clerk, read as follows:

“I, Clarence M. Fines, of the City of Regina, in the Province of Saskatchewan, make oath and say:

(1) that I have been a member of the Legislative Assembly of Saskatchewan since A.D. 1944.

(2) That I am not now, nor have I at any time, since I have been a member of the Legislative Assembly of Saskatchewan, been a holder of any lease, permit, licence, grant, or other disposition, or contract with Her Majesty, or with any public office, or department of the Government of Saskatchewan, or any corporation thereof with respect to any mines, mineral rights, timber, or timber rights, either in my own name or by the interposition of any trustee.”

That, Mr. Speaker, has been sworn to before a Commissioner of Oaths for the Province of Saskatchewan by each of the members of the C.C.F. group in this Assembly.

**Mr. Deshaye (Melville):** — Will the hon. member permit a question?

**Hon. Mr. Fines:** — Afterwards, I will take all the questions you might have.

**Mr. Deshaye:** — I would like to ask it now, if you will, while you are on this subject.

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**Hon. Mr. Fines:** — Mr. Speaker, we are therefore proposing to repeal completely the amendments made by this House last year, affecting mining permits or timber permits. Thus, members of the Assembly in this province will be in exactly the same position in regard to such contracts with the government, as they were in the days gone by.

We have also decided to rescind the section which was placed in the Act to benefit Mr. Justice Proctor. We do not think it is necessary to engage members of the Assembly to act; there are lots of other good lawyers running around the country that we could get for that job.

I might add here, Mr. Speaker, that the government would have no objection to repealing the sections giving special immunity to doctors, dentists or municipal officials. Personally, I feel that the need for these special provisions is no longer necessary, and if in committee that feeling is general, I should be very glad to see that they are repealed, also.

Members will have noticed that we are leaving in the provisions such as were asked for — I am sorry, Mr. Speaker, — such as were ‘acquiesced’ in by the Leader of the Opposition at the time of the death of his little dog. We are also leaving in the section, allowing members to be the holder of a fishery license, although we again have no strong feelings on it and if the members feel that the members of the legislature should not have fishery licenses, then we have no strong feelings on that, Mr. Speaker.

We are also leaving in a section allowing members to have a permit to cut hay, or to hold grazing leases. There has been some doubt as to the legality of members holding these leases, although for over 20 years members of all parties, Liberal, Conservative and C.C.F. alike have done so. There has been some good-natured joshing of the Minister of Agriculture for holding some grazing leases. Mr. Speaker, I would like to point out that these leases were held by his late father from the Dominion Government, ever since 1922, and then later after the province took over the Natural Resources from the Federal Government, right up until the time of his death, when they were administered by the estate.

Now, Mr. Speaker, I might point out that there were others. Take, for example, Mr. Tom Waddell, Moose Jaw county, Liberal member from 1926 to 1938, who has had grazing leases during this time. Mr. Neil McVicar, Liberal member for Rosetown 1934-1944 had grazing leases. Mr. Alex Brandt of Notukeu from 1926-1934, had grazing leases. Mr. George Spence, who was in the Cabinet, Mr. Speaker, had grazing leases from 1925 to 1938. Mr. R.P. Haslam, Liberal member for Biggar, 1925 to 1938; Mr. Donald McDonald of Meadow Lake in 1934-1944 had grazing leases.

Now, Mr. Speaker, there were others as well; as I say, Conservatives; men like Mr. Horner, of Francis, from 1929 to 1934; Mr. Warren of Bengough 1934 to 1944; Mr. Phelps, and the present Minister of Agriculture, so that it is not something that has been connected with any one party. These leases have been held over long periods of years

and may I say, Mr. Speaker, that this list is probably not complete, but these are the only ones that I have been able to find up to this time. There could be considerably more.

Now, Mr. Speaker, I am in agreement that members of the legislature should not obtain leases on any property which they did not operate prior to their election. I feel that all members will agree that they should not be required to give up such leases on their election, as members of the Assembly. The Act provides that no member shall obtain a loan from the Saskatchewan Farm Loan Board, but in case any member has obtained a loan from the Board when not a member of the Assembly, such loan shall not disqualify him from being subsequently elected as a member, or from sitting, or voting therein.

Such a section, Mr. Speaker, would perhaps be better than what we have in the Act now, as it would safe-guard the rights of an elected member, but would remove any suspicion that he had used his position to get any special favour. Consequently, when we get this into committee, if members of the Assembly feel that we should make provision that grazing leases, or agricultural leases shall be only held by members of the Legislative Assembly, who had them prior to the time of their being elected, I want to say on behalf of the government that we are quite prepared to accept that proposal.

Now, Mr. Speaker, we are also adding a new provision to this Bill. We are adding a provision to the Bill which will make it legally possible for a person with a cultivation lease to become a member of the Assembly.

Mr. Speaker, we have over 2,000 veteran farmers established on Crown lands. Is there anyone in this Assembly who would deny to them the right to serve their community, if called on to do so? We believe that these men who were willing to give their lives for their country, should also be given the right to serve the people of this province, without being in danger of being unseated because they have a contract with the government. So, in this Bill, we have made provision for this.

Now, Mr. Speaker, I think hon. members will agree that this Bill which we have before us will go a long way towards answering the silly charges that have been made by members sitting opposite. It will also go a long way towards assuring again the people of this province that there has been nothing going on that should not have been. I am sure that this Bill being introduced today, Mr. Speaker, will give to the members of the legislature, protection where they need protection, but at the same time it will remove from them any possibility of getting any special privilege.

May I say that we have not gone nearly as far as in the Province of Ontario. We have not gone nearly as far as they have done. Nevertheless, I feel that if there are any other points that have been missed, that we can deal with this when we get into committee, on a non-political basis, Mr. Speaker, and if there is anything which meets with the general approval of the members, I am sure that the government would be only too happy to support it.

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Now, Mr. Speaker, may I say that I regret the Leader of the Opposition (Mr. Tucker) stooped as low as he did in his broadcast in January. I am sure that he will now want to get up and express his apologies to all the members sitting on this side of the House for the aspersion which he has cast on the character of each and every one. I am sure, Mr. Speaker, that if the Hon. Leader of the Opposition is as big a man as we think he is, as he appears to be when you look at him, then I am sure that he will apologize to the members of the House for that aspersion which he has cast on the character of each and every one.

Mr. Speaker, I move the Second Reading of this Bill.

**Mr. Tucker (Leader of the Opposition):** — Mr. Speaker, my first thought in regard to the introduction of this Bill under the present circumstances, was that the attempt made to fasten responsibility for it on me, is rather an amazing piece of business. I do not think it will convince anybody.

The circumstances in this province, as everybody knows, are that people have to carry insurance from this government; it was quite natural that when people had to carry insurance as a result of the law of the province, it was quite natural that members of the legislature, who are subject to that law, should have the protection of it. As a matter of fact, in my particular case, the situation was even further removed than that. My claim was against the driver of the truck. I had a right of action against him and the reason why the government entered into the picture was because they had insured this man, under their government insurance. When I had a claim against this man, he called on his insurer to protect himself, as he had a right to do, and the representative of the Government Insurance came to me, on behalf of the man who had run over my dog. So, the settlement was made, not between me and the government; it was, in effect, a settlement between me and another gentleman altogether.

Now then, if there can be anything made of that, and if there is such an attempt to make something of it, it just shows how desperate the Government is. If they are trying to make something of an issue like that, how much more reason we have to look upon some of the transactions that have taken place under this government in regard to mineral rights. How much more right have we got to question?

The Provincial Treasurer, after doing his best to try and blacken me up and make out that I had done something wrong, then turns around and says that because we drew the attention of the public to some of these actions of the members of the present Government, and pointed out that this legislation had been passed, that somehow we had committed some dastardly act. It is our duty as members of the Opposition to call to public attention these dealings in our Natural Resources, these unexplained grants of rights in respect to our oil; grants of admittedly 10 million acres to one man for one-tenth of a cent an acre to explore and have rights in regard to that oil, if oil is found; and our attempt to find out who the 'undisclosed' associates of that man,



Rhubbra, was, and to this day we have never received that information.

Those are not lies, Mr. Speaker. Those are not lies, but are the facts. They have been admitted. The only question is that some of the questions that were asked of this government indicated that it was not 9 million acres, it was 14 million acres. But, after all, what difference in principle is there? They get a man with no drilling equipment, no reason to get this tremendous grant, and whether they give him 9 million acres or 14 million acres, they give him this grant, this agreement which he is able to turn over inside of a matter of days and under which he has an over-riding royalty of 2½ per cent and under which he could become a millionaire, if oil is discovered in this province in the quantities in which we think it exists.

We have asked the members of the Government over and over again, Mr. Speaker, who were the undisclosed associates of this man, Rhubbra. We still do not know. They profess not to know. Why did they deal with him if they did not know who was associated with him in this transaction? And why did they give him that grant for a tenth of a cent an acre, which he was able to turn over and under which he could become wealthy? We have a right to ask that. We are here to defend the rights of the people in this province in the natural resources and it is not right, or proper, Mr. Speaker, that when we bring forward these questions and ask for explanations, ask why these things were done, that we should be savagely attacked as we have had done to us by the Premier and the Provincial Treasurer.

Well, of course as the people of the province are listening to these things, they are seeing that if we dare to question any of the actions of this Government that thinks it is so all-powerful that it cannot be beaten; that we are then attacked in a most violent way, as has been the case this afternoon. Well, the people of the province are going to be the judges of these things. They are going to wonder, they are going to wonder as we did, why was this transaction made with Mr. Rhubbra, who comes to us from another province, with no drilling equipment. Why is he given this vast block of rights? Why? Why? That question is still unanswered. The people of this province are going to judge as to whether that was a proper transaction or not, when the time comes; they are going to have to judge in the light of the fact that we have had no answers. We have had no answers as to who his associates were.

Then, in my broadcast speech, I said this: "That when these rights are, without any reason, given to this one man in regard to 10 million acres; when we see coupled with that an amendment to the Legislative Assembly Act," which I will read to you, Mr. Speaker, — and which is not the same as the amendment in Manitoba, as intimated by the Premier. Here is what it says: (and as intimated by the Provincial Treasurer, too).

"A person is not to lose his seat by reason of his being a holder of a mining lease, permit, license, grant, or other disposition, or having a contractor agreement with His Majesty, or with any public office or department of the Government, or any corporation placed under the Crown Corporation Act, 1947, with

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respect to the same; or to mining rights, or being interested in any such lease, permit, license, grant, disposition, contract or agreement.”

And note these words, Mr. Speaker:

“directly or indirectly, alone or with another, by himself, or by the interposition of a trustee or third person.”

Now, Mr. Speaker, in Manitoba, if a person takes the mining lease in his own name, it does not vacate his seat, but this government introduced this amendment under which any member of the government could be secretly interested in a grant to anyone else and if it were found out that they had a secret interest in an agreement made with somebody else, it would not vacate their seat. Well, there is no Act like that in Manitoba and if what the Provincial Treasurer read about the Ontario Act is true, the Ontario Act takes this attitude; that if a member of the legislature is willing to take a lease in his own name and his constituents and the people of the province know about it, well that does not make it a secret. But this Government introduced a bill under which if vast rights are given to an individual, that even a member of the government could be secretly interested in those rights, that man could be acting as trustee for a member of this Government; and if they were found out, it would not make any difference.

Now then, is it any wonder that when I realized the significance of this section that I drew it to public attention? There is some question made as to why we did not make more of it at the time. Well, Mr. Speaker, if there was any intention of having this section dealt with, when it might be overlooked, it could not have been better arranged than to make it part of the Redistribution Bill, coupled with the gerrymandering of the seats of this Province. Naturally, that attracted the attention. I must say that I tried to scrutinize; I worked very hard and tried to follow all the legislation put before this House, but I must say that I never realized the extent to which the government had had us go in introducing this Bill, and having it passed, until after the session was over. But that does not excuse the Government. The Government carefully considers all this legislation and must introduce it with some object in mind and if the Opposition does not manage to cover every single matter, are we to get the blame for it?

But I would recall this, Mr. Speaker, that we introduced amendments to this Bill and they were turned down, one after the other, by the Government, by the Government supporters.

**Hon. Mr. Fines:** — Not to that section.

**Mr. Tucker:** — I did not say to this section. I said to this Bill; and the time came when it was said by somebody on this side: “There is no use introducing any other amendments.”

**Hon. Member (Opposition):** — That is right — I said it.

**Mr. Speaker:** — Order!

**Hon. Mr. Fines:** — We have gone past that point.

**Mr. Tucker:** — No, I think these sections came after the schedule.

**Hon. Mr. Fines:** — No, they came first.

**Mr. Tucker:** — Well, that is my recollection. But I am not pretending, Mr. Speaker, that I realized the significance of this section, when it went through this legislature, because I assure you, Mr. Speaker, that if I had realized how far this section went, I would have fought it right from the drop of the hat.

All that the Provincial Treasurer (Hon. Mr. Fines) has succeeded in doing this afternoon is proving that they brought in an amendment; an amendment that never should have been passed in this legislature; never should have been introduced into it. They meant to introduce it as part of the gerrymandering bill, and in the general discussion of the re-drawing of the boundaries of the province, the Opposition failed to detect the extent to which this section went.

Is that any credit to the Government that they managed to put it over this legislature, Mr. Speaker? I gathered from what the Provincial Treasurer said he seemed to think that was a great credit, that they got this Bill by us. Well, as I say, we work hard. We try to do our best, but at times I must admit we cannot scrutinize every single thing that is done by this Government. This is one case where they managed to get a section by, without us realizing the full significance of it.

Again, I would say to you, Mr. Speaker, that if our vote had had effect, this Bill would have been killed on second reading. It would have been killed on third reading. Now then, is it not going rather far, Mr. Speaker, to suggest that, because we were not able to kill this Bill on second reading, and third reading, we are to blame for it?

Well, Mr. Speaker, it again shows how far the Provincial Treasurer is trying to go, to excuse the Government.

There is another angle about this. The attempt has been made to draw in to this debate a man who is a judge of our Appeal Court. One of the most highly respected gentlemen in this Province — Mr. Justice Proctor. When the Provincial Treasurer, with quavers in his voice, begins to talk about how he has, in some way been maligned, and only by virtue of the actions they have taken themselves, has there ever been any attempt made to prove that some of the things we said were untrue? Their actions have spoken for themselves in the eyes of the people. But when he gets so emotional about the way in which they have been misjudged, he does not hesitate to get up and try to put in a very false light, Mr. Justice Proctor.

Now, if I am not mistaken, Mr. Speaker, I do not think he put that situation exactly right. It was the custom, when a person

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was charged with murder and unable to retain counsel and pay counsel for himself, for the court, the judge, the presiding judge, to designate somebody to act as his counsel. That man was no employee of the Government. He was not appointed by the government; he was appointed as an officer of the court to defend that man. And then, having acted, he then came under the order-in-council which provided, in those cases, of capital offences, that the defending officer could be paid. He was not appointed by the government of the day. He was designated by the court, and if he got paid the small amount allowed to cover those defences, there was nothing there so wrong that warranted the Provincial Treasurer (Hon. Mr. Fines) dragging his name out at this time; attempting to make out that, in some way, he had done something that required action by this Assembly.

Now then, the same thing applies, as I say, to dragging me into it, and the dog that I had which was killed. Well, there was a real desperate attempt made by the Provincial Treasurer, who tried to make out that I had even written a letter asking for this amendment when that failed to hold up, then he resorted to saying that I had asked for the amendment. I want to say to you, Mr. Speaker, I did not ask for the amendment. I told the Deputy Attorney-General that I thought it was perfectly safe to cash this cheque, but I wanted to have his opinion; and if there was the slightest doubt in it, I had it in mind not to cash it. Then the suggestion was made that perhaps something should be done about it. Well, I said, in view of the fact that this Government forces members of the legislature to be covered by government insurance, perhaps an amendment whereby, if they take the benefits of what they pay for by virtue of the compulsion of the law, perhaps that should be covered. I acquiesced in it, but I certainly never asked for it; and I am absolutely amazed that when a member of this legislature calls the Deputy Attorney-General for his opinion in regard to a matter like that, that it immediately should be dragged on to the floor of this House, in an attempt to make political capital out of it.

There is another thing, Mr. Speaker, this question of people benefitting by government insurance and this question of government insurance. I want to tell you this; that after my experience over this case, I would not deal with the representatives of the Government at all. I would say to the gentleman that was responsible for killing my dog: "You are the man who did it, you settle with me. If you can get covered by the government who insured you, that is your business." That is what I could have done. That is what I will do in the future.

And, furthermore, if anytime anybody gets any benefit from government insurance, if it is going to be bandied about on the floor of this House here and made a matter of political comment by the Minister in charge of the Insurance Office, then I wonder if that is any commendation of government insurance, Mr. Speaker.

Then, if one considers trying to explain a provision whereby a government — members of government — could be secretly interested in a big mining agreement, to try to say that, is in the same category that that amendment was brought about because it was felt that people that were covered by government insurance should get the benefit of their agreement, to try to pretend that this amendment in regard to mining

agreements and agreements in regard to our natural resources, to try to pretend that that amendment was brought about by the question of protection — people who got the benefit of the government insurance protection — well, I wonder if anybody would be impressed with that argument.

**Hon. Member (Government):** — You're a bum!

**Mr. Tucker:** — Does anybody ever believe . . .

**Government Member:** — You should know.

**Mr. Tucker:** — Does anybody ever believe for a single minute, Mr. Speaker, that because it was thought reasonable to say that if a person took a settlement from the government insurance, who had insured another person in regard to a claim, that that justifies putting through an amendment whereby a member of the government could have a secret interest in a mining claim and if they are found out, it would not unseat him? Why, they are not to be mentioned in the same breath. These are two different sections altogether — nothing to do with one another — and yet, in an attempt to cover themselves, the Provincial Treasurer (Hon. Mr. Fines) says this is the reason for this far-reaching amendment.

There is another thing, Mr. Speaker, that should not be overlooked, and that is this: that there is a great difference between a member of the legislature being interested in a deal like that and a member of the government not being subject to any discipline, who may have taken part in granting that very trust under which he, himself, might benefit. Now, that was the effect of this amendment, whereby if it were found out that a member of this Government were benefitting under some of these deals, by them being a secret trustee for him, even though the government and members of the government took part in making that deal, if it were found out under this amendment of the Legislative Assembly Act, it would not vacate his seat, even if those were the circumstances.

Now, think of it, Mr. Speaker — trying to justify the passage of an amendment like that by trying to say that it was in reference to a settlement of \$60 in regard to a dog killed, owned by myself. Well, I do not think that anybody will be impressed by that argument.

Now, then, I think that I have dealt with the part that the Opposition has played in this matter and I want to say that while we try to follow these different Bills introduced by the Government, after all the government is the one that decides the form that the legislation shall take. They decide when the legislation should be brought in. They take the responsibility of bringing it in the House. We certainly try to do our duty in scrutinizing it, but the main responsibility of legislation must rest with the government. And when there is an attempt made to put the blame for this on the Opposition, why, of course, it just shows the state of mind of the members of the Government.

In regard to the matter — the implied threat of the

Provincial Treasurer (Hon. Mr. Fines) — it might be made to affect people who are engaged in doing professional services for the Government — I again say that there is no reason for that. The thing that the people are interested in is that the members of the legislature should not be able to use their position by being able to bring influence to bear on people under them and granting themselves right or benefits at the expense of the people of the province, at the expense of the natural resources of the province, under which they will personally benefit, using their position in the government or in the legislature to benefit themselves at the expense of the people whom they should serve as members of the legislature or members of the government.

Now that, of course, does not apply to people giving professional services, especially if they are only members of the legislature. It does not apply to a person who may hold an ordinary fishery license; it does not apply to a great many of the items mentioned by the Provincial Treasurer. But what certainly is necessary to be done — and I said it as soon as I realized how far this section had gone — I do not think a member of the government, who decides on the paying out of public money, who has got control of the civil servants in the operation of their work — I do not think that he should be involved in any contracts, directly or indirectly with the Government. A member of the legislature is not in quite the same position because he has not got direct control over the civil servants. But a member of the Government, in my opinion, should be treated in an entirely — put in a different category — from members of the legislature. I agree that in regard to important matters like mineral grants, the right to hold secret interest in mineral grants, I do not think it should be provided for a single minute that any member of the legislature can do that sort of thing and if it is found out, keep his seat. But, when you get to a member of the Government, who is in charge of handing out these things, and say that he can do it and still hold his seat in the legislature, then that is even worse.

And in regard to all these other contracts and rights, the grants of public land and so on, there is a difference between those grants being made to an ordinary member of the legislature and being made to a member of the Government itself, because after all, the member of the legislature has not got any direct control in these matters, while a member of the government has. And if members of the Government are going to deal around in public moneys and be indirectly connected with deals involving public moneys, they do not need to think that there is not going to be a very great amount of questioning when those things are found out; and when it is found out that the government, who have had deals like this occur during their time of administration, have introduced into this legislature and passed an amendment under which, if it were found out, that even if they benefitted by these things secretly, they still could not be unseated. What right has the Provincial Treasurer (Hon. Mr. Fines) got to attack me or abuse me — well, he did this afternoon — what right has he got to do that? Because I bring that to public attention and because I say that legislation like that should not remain on our statute books. I think that every person would say that legislation such as I have mentioned in this sub-section 1 of Section 3, ever for a single moment should have been introduced by any government into this legislature — never! When we say that we voted

against it when an attempt was made to say that we are responsible for it. Well, that was the attempt made by the Provincial Treasurer (Hon. Mr. Fines). We introduced amendments — every one of them turned down . . .

**Hon. Mr. Fines:** — Not on this.

**Mr. Tucker:** — Well, I have already said, Mr. Speaker, and I would not try to pretend anything else, that under the stress of public business towards the end of the last session, trying to cover the work that I was trying to do, I did not realize how far this subsection had gone. I was absolutely astonished, Mr. Speaker, when I had time at the end of the session to pick up this statute and read what had gone through this legislature and realize that I had not put up a fight against it — that I would have done certainly, if I had realized the significance of it. But the Government introduced it into the legislature. They must have known that it was different from that of Manitoba. They must have known what they were doing. Do they say to us that they introduce legislation to us that they do not know what is in it? That they do not intend to do what it clearly does? Well, I think that with all the expert advisers that this Government has, if they are not able to be sure what kind of legislation they are bringing into this House, their expert advisers should be able to tell them that. I was rather disappointed that when this was brought to the Premier's attention, that he made an attempt to indicate that this was similar to Manitoba's legislation . . .

**Premier Douglas:** — A question of privilege, I said Manitoba and Ontario. The amalgamation of the amendments contained in both those Acts and the Provincial Treasurer (Hon. Mr. fines) has quoted from both the Acts and they are taken from those two Acts.

**Mr. Tucker:** — Well, they are not taken from those two Acts, because, in Manitoba, quite clearly there is no provision for a member of the legislature of the government having a secret interest.

**Premier Douglas:** — In the Ontario Act there is.

**Mr. Tucker:** — Well, not as read by the Provincial Treasurer.

**Premier Douglas:** — Oh, yes.

**Mr. Tucker:** — Not as read by him and when the Premier suggested it was the same as the Manitoba Act I got hold of the Manitoba legislation. I did not look at the Ontario legislation; but I do say this, that I doubt very much that there is provision in Ontario for giving the right to a member of the government to have a secret interest in any mining agreement — or any agreement in regard to natural resources. That is the worst feature of this thing, Mr. Speaker — that is the worst feature of it — the feature whereby right can be given to a man like Rhubbra where he does not disclose who is associated with him and then, if it is found out that a member of the Government — or a member of the legislature — is benefitted by that agreement, that he is acting for him as a secret trustee, nothing can be done about it. Such provisos in the law I am satisfied do not exist in Ontario, — I am sure they do not exist in Manitoba — and when the Provincial Treasurer attacks me when I said

that they were not similar to Manitoba, he must know — and I was saying what was only the truth . . .

**Hon. Mr. Fines:** — Mr. Speaker, we are off the air now — I wonder if the Hon. Leader of the Opposition (Mr. Tucker) would explain why a man, if he is a holder of a mining lease, or license, — that is, if he is, under the Manitoba Act — I am quoting from it now. It says:

“Nothing shall render any person ineligible nor disqualify him from sitting or voting by reason only the person, being the holder of a mining license or lease, permit, or license” and so and so . . .

If he could hold the mining lease openly, why could he not hold it through a trustee? What is there to stop him?

**Mr. Tucker:** — That is what I have been trying to indicate to you, Mr. Speaker, the very, very improper nature of this legislation. If a man is willing to openly take a lease in the eyes of his constituents, in the eyes of his province, and undertakes to say “Yes, this is what I am doing; this is why I am doing it” and he does it openly; yes, and is even prepared to defend himself, he has to be ready to explain why he has done it.

**Hon. Mr. Fines:** — Well, it probably does, but it does not say that he cannot hold it secretly.

**Mr. Tucker:** — Oh, well, of course, in giving the interpretation of that, it only protects as far as it actually says, and if it were brought out that he was not the holder of the lease, but he has secretly interested in it, no court in this country would exempt him from the operation of the Legislative Assembly Act. And that is the thing we find most fault with. I say this, Mr. Speaker; that no member of the Government, who wants to remain in the Government, should be in a position to hand out to himself interests in mining leases, interests in natural resources and so on. I do not think that that right should exist. But I do think that it is going much further and much worse and arouses all kinds of doubts and suspicions if it is part of the law that if a person is secretly interested — can be secretly interested — in some vast grant of the public domain and still, even if he is ultimately found out, can say, “what of it, what of it, I am protected by the law”. Why such a state of affairs, Mr. Speaker, as I pointed out as soon as I realized how far this legislation went, creates an outrageous situation.

Now then, I find it hard to understand how the Government could feel that legislation like this was justifiable to be introduced into this Assembly, especially in the light of all the questioning that has been going on about some of these deals with Rhubbra and Shumiatcher and all these people who have been so closely identified with the Government, and then pass legislation like this. Well, how can anyone be surprised that ordinary average citizens wonder why they found it necessary to pass legislation like this and make it retroactive? It



is an ordinary question to ask and there is nothing wrong about it. I do say, Mr. Speaker, that while the Provincial Treasurer (Hon. Mr. Fines) has seen fit to make such a violent attack upon me over the air, I realize that perhaps he has been very upset about all these things and perhaps he feels justified in attempting to raise anything he possibly can against me, but as I told him before, none of us are perfect; many of us have things that we at times have done, that we hate to have bandied about in public and talked about; but I want to tell the Provincial Treasurer this, that no amount of threats or attacks like that will stop me. I made up my mind long ago, when I undertook to enter provincial affairs here — I took into account just exactly what I might be up against — and I made up my mind, Mr. Speaker, that come what may I was going to do my duty to the people who placed me here and rely on me as Leader of the Opposition in this legislature to bring to attention the things I thought should be brought to attention and no amount of threats and no amount of abuse is going to deter me from doing my duty as I see it in that regard, Mr. Speaker. I am glad the Government has seen fit to bring forward this legislation to undo an Act that the very bringing it into this House and getting it passed will ever be a black spot on the record of this Government.

(Closing Debate)

**Hon. Mr. Fines (Provincial Treasurer):** — Mr. Speaker, I would like to thank the Leader of the Opposition (Mr. Tucker) for dealing with this matter as reasonably as he has done. I think that if he had said today, or if he had said over the radio a few weeks ago what he said today, that a lot of this damage would not have been done. Today, for example, he said “I never realized what was in the Bill or I would have fought against it” and yet, on the radio he stated the passing of this Act was opposed by the Liberals that were carrying one . . .

**Mr. Danielson (Arm River):** — We did oppose them.

**Mr. Speaker:** — Order! Order!

**Hon. Mr. Fines:** — Mr. Speaker, we are just not going to get anywhere if people like the hon. member for Arm River (Mr. Danielson) are going to continue with such dishonest statements. It is absolutely dishonest to go out and say that they opposed these particular clauses, when they did not even know they were there by the admission of the hon. Leader of the Opposition himself . . .

**Hon. Mr. Fines:** — Mr. Speaker, we are just not going to get anywhere if people like the hon. member for Arm River (Mr. Danielson) are going to continue with such dishonest statements. It is absolutely dishonest to go out and say that they opposed these particular clauses, when they did not even know they were there by the admission of the hon. Leader of the Opposition himself . . .

**Mr. Tucker:** — Mr. Speaker, I said I did not realize it went as far as it did. That is all I said.

**Mr. Danielson:** — Mr. Speaker . . .

**Hon. Mr. Fines:** — Mr. Speaker . . .

**Mr. Speaker:** — Order! Order! Are you rising to a point of privilege?

**Mr. Danielson:** — On a point of privilege, I want to tell the Provincial Treasurer that I knew what I was voting against when I

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voted against that bill and he is persisting in standing there and telling and repeating falsehoods to this House that we did not vote against it. It is in the debate. The various clauses that we are debating this afternoon were in that Bill . . .

**Mr. Speaker:** — Order! Order!

**Hon. Mr. Fines:** — Mr. Speaker, we have heard this before.

**Mr. Danielson:** — And you still persist in repeating a falsehood.

**Hon. Mr. Fines:** — The hon. gentleman did take some part in the debate, but I cannot find one single word he said about any of those clauses and when he can produce me even one single sentence that he uttered against that Bill, against that portion of the Bill, I am prepared to accept his statement.

**Mr. Speaker:** — Was this done in Committee of the Whole?

**Hon. Mr. Fines:** — In Committee of the Whole, Mr. Speaker, it was the first thing dealt with; it was passed unanimously — passed unanimously — and we went on to consider the redistribution features and there is not one shred of evidence to show that there was anything done in Committee of the Whole to condemn those particular sections.

But now it is quite evident why. Mr. Speaker, I want to say on behalf of the group here if we had realized the implications there were in it, we would never have introduced it, nor would we have ever supported it, if it had ever been brought to our attention.

**Mr. Tucker:** — Why did you introduce it then?

**Hon. Mr. Fines:** — The reason it was introduced, Mr. Speaker, I have given, because the Leader of the Opposition wanted this particular section pertaining to the insurance office introduced, but at the time . . .

**Hon. Members (Opposition):** — Humph! Oh, Oh!

**Hon. Mr. Fines:** — They ask me why we introduced it and then they sit there and “humph, humph” . . .

**Mr. Speaker:** — Order! Order!

**Mr. McCormack (Souris-Estevan):** — May I ask the Minister a question?

**Hon. Mr. Fines:** — You sit down; I am going to answer the last of Section M and N.

**Mr. McCormack:** — What have they got to do with the Insurance Office?

**Hon. Mr. Fines:** — The hon. gentleman wanted to know why we introduced these other sections. I will tell you why. When the Leader of the Opposition raised this question and we were going to amend the

Legislative Assembly Act there were a number of questions that had been raised with the Attorney-General's Department over the last two or three years, questions which I have given to the House this afternoon; so, instructions were given to the Deputy Attorney-General to study the Acts in the other provinces and to take whatever steps were necessary to give the members of the legislature protection. This is not to give the members of the government protection, Mr. Speaker, but the members of the legislature. May I say that these were largely based on Ontario. Now the Leader of the Opposition said that in Ontario you could hold a mining license if you did it in the open, but you cannot have it through a trustee. May I say that the language we used here is the language which was taken from the Ontario Act. What does it say?

"No person shall be ineligible as a member of the assembly by reason of his holding a licence, permit or permission for cutting timber, or being interested in any such license, permit or permission directly or indirectly, alone or with another, by himself or by the interposition of a trustee or third person or by reason of there being money due or payable to His Majesty in respect of timber cut, but no such persons shall vote on any question affecting such license, permit or permission or in which he is interested by reason thereof."

Now, Mr. Speaker, those words were applied to mining in Saskatchewan; the identical words that the Province of Ontario has in relation to the timber was applied to Saskatchewan. That is where we got it.

**Mr. Tucker:** — Mr. Speaker, I said it did not apply to the grants of mining rights and rights in regard to oil and so on.

**Hon. Mr. Fines:** — Mr. Speaker, I am quite prepared to accept the statement that it is not identical, but I am saying that the law officers got the legislation from the other provinces and drafted our legislation along the same lines. May I say that when Mr. Keyes raised this question in the Leader-Post on the editorial page and the editor saw fit to write an editorial, frankly I was just as surprised as the Leader of the Opposition. I did not realize the tremendous implications that there were in this thing either. I might freely confess here, Mr. Speaker, this afternoon, that while I introduced the Bill and must accept the responsibility, that my mind too was largely on the redistribution features. It took a lot of hard work to bring in such an equitable Bill . . .

**Hon. Members (Opposition):** — Oh, yeah? Ha!

**Hon. Mr. Fines:** — I devoted my efforts unceasingly to try to bring in a Bill which would appeal to all hon. gentlemen opposite as being a very fair, honest Bill. Mr. Speaker, I think we should be quitting this business of trying to impute motives to one another. I want to assure the members of this House — and I do it most sincerely — that there were no motives whatsoever on the part of any member of the Government when these amendments were introduced last year. I think we

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have now proven our good faith by tabling our affidavits to show that we have not benefitted from this and whatever the weaknesses may have been — and even though we may have gone too far, as the Hon. Leader of the Opposition suggests, which I am prepared to admit in view of the controversy this has aroused and the suspicions they have been able to create — I agree that it would have been far better to have never introduced this. I do want to say in conclusion that this was done honestly and whether it was right or whether it was wrong, if the hon. members will support this Bill it will all be wiped out and we will go back to where we were before.

**Mr. Deshaye (Melville):** — May I ask a question?

**Hon. Mr. Fines:** — Sure.

**Mr. Deshaye:** — You said that you had some queries other than the Leader of the Opposition's queries. Would you tell us from whom those queries came?

**Hon. Mr. Fines:** — I do not know. These are queries that came from the Attorney-General's Department, I have no idea.

**Mr. Tucker:** — You only told me about mine. Is that right?

**Hon. Mr. Fines:** — Well, Mr. Speaker, may I just say in answer to that, that the Leader of the Opposition regrets that the Deputy Attorney-General's opinion has been dragged on the floor of the House; but may I say that I had a memo from the Deputy Attorney-General on the 6th of May, bringing to my attention this and suggesting an amendment to the Insurance Act, not to the Legislative Assembly Act, but to the Insurance Act. But when the Attorney-General saw it he thought it should be dealt with through the Legislative Assembly Act, which is, of course, the one dealing with the members of the legislature.

**Mr. Deshaye:** — Well, then, you have no other memos or anything concerning the other people?

**Hon. Mr. Fines:** — There may be, but I have not got them. That is the only one I got. But I do know that there were many individual members — the hon. member for Notukeu-Willowbunch raised the question a few years ago about the collection of the gasoline tax — which I pointed out a while ago, we made provision so that today the hon. member for Turtleford (Mr. Trippe), the hon. member for Qu'Appelle-Wolseley (Mr. Dundas), the hon. member for Maple Creek (Mr. Cameron) — all the merchants would have been, could have been unseated — had we not put that amendment through in 1946.

Now, they went along from 1938 to 1946 without it, but we think it was a violation of the Act. There have been many cases . . .

**Mr. Deshaye:** — Well, how many? Have you got any information with respect to people who were interested in mining claims?

**Hon. Mr. Fines:** — No, none whatever. May I say, Mr. Speaker, that the

question of mining leases was never discussed, even in Cabinet. We read these amendments, that justified the law officers, through and there was absolutely no discussion, even in Cabinet, on it.

**Mr. Loptson (Saltcoats):** — Might I ask my hon. friend what prompted you to bring that amendment in regarding mining claims, then?

**Hon. Mr. Fines:** — This was brought in, Mr. Speaker, by the law officers, when they were asked to study the Manitoba, the Ontario, the British Columbia and Alberta Acts and to bring in anything which they felt might be necessary, either now or in the future, to protect members of the legislature. However, I think the old Liberal policy is probably best. To get yourself into the trouble and then bring your legislation out and make it retroactive.

**Mr. Deshaye:** — I understood the Provincial Treasurer (Hon. Mr. Fines) to say that this came as a complete surprise to him. Now, who gives the law officers instructions to prepare these Bills? How did this section find itself into this Bill, Mr. Minister, without your instructions?

**Mr. Speaker:** — That is not a proper question.

**Hon. Mr. Fines:** — We do have questions brought to our attention from time to time, things like lawyers charging excessive fees to people collecting insurance, for example. We do have these things brought to our attention from time to time and we have to deal with them. We have to deal with them when these things come up.

The question being put, it was agreed to unanimously.

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