

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Fourth Session — Thirteenth Legislature
40th Day

Wednesday, April 6, 1960

The House met at 2:30 o'clock p.m.

WELCOME TO STUDENTS

Mr. A.T. Stone (Saskatoon City): — Mr. Speaker, before the Orders of the Day, I wish to bring to the attention of the members a group of school children from the Parkdale school in Saskatoon, with their teacher, Mr. Cass-Beggs. I am sure all members are delighted to have them with us again, and hope their trip will be an enjoyable one.

STATEMENT RE QUESTION

Hon. Mr. Brockelbank (Minister of Mineral Resources): — Mr. Speaker, yesterday in Committee of Supply the hon. leader of the Opposition asked a question with regard to the application of the tax in production areas under the Mineral Taxation Act. The question was one of general interest, so I had Mr. Brazier, the director of this branch, prepare a summary of the details of the application of this tax, and I will ask the pageboy to distribute these copies to the members.

COMMENT RE ANSWER TO A RETURN

Mr. A. Lopton (Saltcoats): — Mr. Speaker, I wish to ask the Government when I might expect an answer to a return asked last March 11, during this Session. I assume the answer is not forthcoming, that the Government doesn't want to answer it. The No. is 68.

Premier Douglas: — Mr. Speaker, the Minister tells me that the officials of the Corporation, and also people in the Minister's offices are going through the correspondence. My hon. friend understands that these negotiations were carried on by the General Manager, and also by the Ministers who were chairmen of this Corporation at various times over the last 12 years, and they have been going through all this correspondence, both in the Minister's office, and the files of the former Ministers, and in the files of the General Manager, and haven't been able to go through all of them, and complete all this information.

Mr. A. Lopton: — Mr. Speaker, the records in another office are very clear. The first offer, I understand, was \$440,000 for utility, and they finally. . .

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Mr. Speaker: — Order! Order!

Premier Douglas: — Mr. Speaker, I just want to point out that I have a recollection of figures, too. But it is not enough, when you are producing an Order-in-Council, or producing an Order for Return. It is not just what is in your memory. You must be able to produce documentary evidence, and if the hon. member had limited his question to written proposals, this would have been comparatively easy, but there were a great many verbal discussion of which the only thing you have are the minutes of the meeting, so all the minutes have to be examined as well as the correspondence.

Mr. Lopton: — It is a letter which is on file in your office, as well as in the other fellow's office.

QUESTION RE RETURN NO. 5

Mr. J.W. Gardiner (Melville): — Mr. Speaker, before the Orders of the Day, I am not quite certain from listening to the Provincial Secretary whether Return No. 5, which was asked on Monday, February 15, was included in those handed down today.

Hon. Mr. Walker (Attorney General): — No, that wasn't one of them.

Premier Douglas: — Yes, I inquired about that one, and have been checking with the Provincial Secretary to see what ones still had not been filed. We are having a good deal of difficulty with the question. The first part is comparatively simple: the name, cost and purpose of each Royal Commission. This we have procured. However, we get on to "or independent inquiries authorized by the Government", and this is really taking a great deal of research. Had it been restricted to inquiries under The Public Inquiries' Act, we would have had no problem, as they are listed very easily, but there have been inquiries not under the Inquiries Act, set up from time to time that have set up by the Department or authorized by the Government, and to be absolutely sure that we are answering the question fully, it means a pretty exhaustive search of the records. The Royal Commission material is in, and some of the inquiries under The Inquiries' Act is in, but we are not sure that we have all the inquiries, and this material is not completed yet.

Bill No. 61 – An Act respecting Retailers

Hon. R.A. Walker (Attorney General): — Mr. Speaker, before the Bill is read a third time, I would like to address some remarks to the House, about the merits of this Bill, and I would like now to place on the record some of my observations with respect thereto. First of all, Mr. Speaker, this Bill was

passed as a result of some six or eight years of urging by the Retail Merchants' of Canada, Saskatchewan Section.

Last autumn, when it appeared as though the Criminal Code might be ineffective in preventing the spread of trading stamps in this province, repeated urgings came to the Government, both from the Retail Merchants' organization, and also from the Saskatchewan Chamber of Commerce, to do something more effective in this regard.

Having considered the matter fully, the Government came to the conclusion that some legislation might be necessary in order to fill in apparent gaps in the Criminal Code, insofar as this trading stamp matter was concerned. It was our desire to do this, and to protect the merchants of this province from the cost-price squeeze in which they find themselves as a result of higher costs of marketing on the one hand, and the prices which they can charge to their customers on the other hand. These higher costs result from increased prices by wholesalers, and increased costs of doing business, and are exerting a pincer-like action upon the margin, particularly of the small retailers of this province. It was to protect them from the higher costs which would be involved, if some new and expensive retail gimmick were to be released in the retail trade of Saskatchewan.

We have heard evidence, Mr. Speaker, that there is undoubtedly a higher cost to be borne by the retail trade, if they get involved in these trading stamp gimmicks. I quote from Vol. 2 of the Report of the Commission on Price Spreads, 1959, page 137, as follows:

“The expansion of competition into this particular form of promotional activity is viewed by the Commission as one of the causes of increase in marketing costs, and thereby a contribution to the widening of the spread – (that is, the price spread between producer and consumer).”

There is, of course, the other factor, that merchants who do not engage in these trading stamp gimmicks are also faced with certain elements of higher cost. In order to attract or retain the trade which is flocking to the store of the trading stamp operator, it is necessary for the other to promote sales by an increased advertising budget, by fliers, and other kinds of expensive promotion. So that the higher costs which we were anxious to protect our merchants from would not only apply to those dealing in trading stamps, but also to those who try to resist this trend.

We say that trading stamps represent an unfair type of competition. It is unfair because only two or three of the leading trading stamp companies find their stamps in keen demand among the buying public. These promoters of the more attractive stamp plans come to our communities,

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and select, naturally, the largest outlet, first for the franchise for the distribution of their particular trading stamps, leaving to the smaller merchant, the merchant with the smaller share of the market, only those stamp plans of secondary interest or of inferior quality. It flows from this, inevitably, that the larger stores have the first opportunity to take advantage of this kind of gimmick. The larger stores have the first opportunity, also, to get the more sought after trading stamp, leaving the less desirable stamps to their smaller competitors. This has an unfortunate effect, Mr. Speaker, in the distribution of volume as between retailers.

I ask you to consider what the average consumer would do, purchasing from 10 different retailers, one of whom enjoys 40 or 50 per cent of his patronage by reason of having a larger store, a store with a greater variety of lines. The customer is going to be faced with the prospect of collecting 10 different kinds of stamps, and maintaining 10 different kinds of books, and he is naturally going to discontinue, so far as possible, trading with those merchants where he is already doing the smallest volume of his purchasing. Naturally, then, he has demonstrated a trend to do more of his purchasing at the place where he is already doing the most of it. This would not only be deleterious to the interests of the small retailers in the fringe areas, and the outlying shopping areas of our cities, but would react especially unfavourably on the Retail Merchants of our rural areas, and would of course, proportionately benefit those large chain stores and department stores in the larger communities.

This contributes to the growth of a monopoly situation in the retail trade of this province, which happily has been blessed, up until now, with a competitive spirit.

Stamps are not only objectionable for the reasons I have given, but also because they add to the nuisance and the bother of serving the ordinary needs of mankind. They add a totally unproductive activity to the retail enterprise, which ought to be concerned only with serving the customer's needs with efficiency, and with as little inconvenience as possible.

This is not like an ordinary promotion stunt to the merchant. It is the kind of promotion stunt which the merchant may make a decision on only once, and having made that decision, he can abandon it only at his peril, having armed his customers with books partially filled with trading stamps, it will indeed be a serious decision for him to make to discontinue this kind of promotion.

I think a basic reason why we feel we should be anxious to prevent the encroachment of this gimmick in the retail trade of Saskatchewan, is that it undermines and destroys the freedom of the retailer to follow his own desires in connection with his retail operation. I will read just a sentence or two from the 'Consumers' Reports', a research bulletin put out by a consumers' research organization in the eastern United States, a non-profit and independent

organization, which in its October, 1956 number, states as follows:

“The reluctant food retailer has little choice once any big market in his community starts giving trading stamps. He must start a competing plan.”

Again, page 507 of that report:

“The majority of business is opposed to the whole idea, in principle, anyway – even those now giving and promoting stamps say they are doing so only to forestall or to meet stamp plan competition, and those who have not yet climbed on the band-wagon grow increasingly bitter.”

I say, Mr. Speaker, that when that is the kind of atmosphere that prevails with this kind of sales promotion device, it is not conducive to the freedom, or to preserving the democratic rights of the retailers of this province.

We were, of course, also interested in the consumer. The consumer has a stake in preventing the spread of trading stamps, because they result in higher prices. I need not belabour the House with evidence which has been presented to establish this fact, but the expert witnesses of the trading stamp companies who came to this province, acknowledged, in examination by the Committee, that trading stamp plans do increase the cost of merchandise to the consumer. Also, it was acknowledged that the cost of merchandise was increased in the none-trading stamp stores, as a result of the introduction of trading stamps in the area. But, for the record I wish to draw to the attention of the House, Mr. Speaker, Vol. 2 of the Royal Commission Report on Price Spreads, which the Commission found as follows:

“In many instances, promotional expenditures such as stamp plans are undertaken as an alternative to a reduction in price. That means, of course, that the trading stamp plan results in a higher cost to the consumer, or the loss of a price reduction which would be a reasonable alternative for a merchant seeking to increase his share of the market.”

Then, of course, there is the study made by the United States Department of Agriculture on this same subject. This survey of trading stamps, and their impact on food prices, made in 1958, reported as follows, page 22:

“The prices of Bureau of Labour Statistics items (that was foods) averaged 2.9 higher in those stores giving stamps than in the non-stamp stores.”

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As I have already pointed out, they are higher in the non-stamp stores, too, after the introduction of trading stamps, than before the introduction of trading stamps, in spite of the fact that a 2.9 difference occurs between the two classes. So, Mr. Speaker, there never was any serious argument as to the effect of trading stamps on the pocket book of the consumer. They filch from his pocket part of the money which he must spend to provide for himself and for his family.

We were also told that the realignment of business which resulted from the introduction of trading stamps by the larger stores in an area, resulted in the smaller and less efficient stores being squeezed out of business. This means, of course, there is then less competition in the retail field. Any lessening of the competition in the retail field. Any lessening of the competition in the retail field is bound to result in higher prices to the consumer.

In addition to this, there is, of course, the nuisance value of trading stamps. It means that the customer, in order to avoid unnecessarily enriching the treasuries of great eastern and foreign trading stamp companies, must save these little pieces of paper, and meticulously glue them into books, 1,500 to a book, and then stand in line to turn them in, and wait for a premium to come from a mail order house.

This is the most inefficient and cumbersome way imaginable of giving to the consumer a price reduction, if it is the desire of the merchant to give the consumer a price reduction on his goods. It, of course, seriously infringes upon the freedom of the consumer. It deprives him of the freedom to spend his money as he will; the money which he is compelled to lay aside for the purchase of these stamps can only be spent on the premiums which the stamp companies see fit to give.

It is, I believe, the opinion of this House, that it is more democratic, and contributes more to the freedom of the individual, to allow him to put in his own pocket the value of the stamps, and to spend that money as he will, or save it, as he will. The Royal Commission on Price Spreads drew attention to this very significant factor in the question of trading stamps on page 36, Vol. 1 of the Report, where they noted:

“The significant feature in the reduction of price is that a buyer can, if she chooses, reduce her expenditure on a particular item and turn the released expenditure to other things.”

Of course, if she received trading stamps instead of a reduction in price, or if she receives trading stamps instead of retaining a portion of her own money, then that freedom is denied to her, and any talk about giving people the right to choose in this matter, that fails to have regard to that fact, is, I submit, pure hokum.

There is, of course, another and important objection to the issuing of trading stamps, and that is that it tends to corrupt people's morality – and honesty. No one can pick up a newspaper and see across the top of the page, 'Free Trading Stamps' without coming to believe that the word of his fellow man is not worthy of belief.

Mr. Loptson (Saltcoats): — On a point of order, Mr. Speaker, The hon. Attorney General is talking about trading stamps. There is nowhere in Bill No. 61 where trading stamps are mentioned.

Mr. Danielson: — He doesn't know, anyway.

Hon. Mr. Walker: — I'll tie that in, Mr. Speaker, directly. I say it cannot be anything but a disrespect for truth, when people are brought up to see constant lies and misrepresentation, to the effect that these trading stamps and the premiums which flow from them are free. It ought to be objected to by any legislative body, that there should be a reward or an inducement to this kind of deception and fraud.

The Royal Commission on Price Spreads had something to say about this, when they said:

“The ultimate misconception to which people can be led is that anything in the market is free. To permit trading stamps is to foster a notion that something can be got for nothing in the market place.”

I see my hon. friend is interested in knowing how this relates to the Bill.

Premier Douglas: — The trading stamp companies thought it was related. They came and appeared before the Committee.

Hon. Mr. Walker: — As a matter of fact, that ought to be sufficient answer to my hon. friend. We referred Bill No. 61 to a Committee, and some trading stamp companies came all the way from the State of New York, in order to appear here, and apparently they were under the impression that the Bill affected trading stamps.

Mr. Cameron (Maple Creek): — That's a false impression – that's the press!

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Hon. Mr. Walker: — Now, Mr. Speaker, I would like to say something about the provisions of this Bill, and how it relates to the question of trading stamps. First of all, the Government was confronted, as I have said, with the demand to do something effective about trading stamps, and being aware that the Criminal Code was unlikely to be completely effective in this connection, it immediately commenced to investigate the possibilities of some kind of legislative enactment of this province, to be effective to either eliminate or control this evil. The most effective means of doing so consisted with the protection of the rights of the public, were embodied in Bill 61. We recognized that this legislature, and previous legislatures, had on many occasions passed legislation licensing trades and occupations. I am not going to trouble you, Mr. Speaker, by reciting all the precedents of licensing legislation passed by this Legislature since the province was erected — there were 25 or 30 of them, and I didn't make a precise count. I'm not referring to drivers' licenses, or marriage licenses, or licenses of that kind, nor am I referring to licenses which doctors, pharmacists and lawyers get from their various professional associations, nor am I referring to the licenses which cities, towns or other municipalities give to businesses within their municipalities. I am referring only to licenses granted by a Minister of the Crown, under the authority of a specific Act of the Legislature of this Province. Of these 25 or 30 all except two or three were passed prior to 1944. It is sometimes said that we, on this side of the House, boast that everything has been done since 1944. The fact is that all of these licensing Acts were passed prior to that time.

There is The Collection Agents' Act; The Electrical and Inspection Licensing Act; The Fuel Petroleum Products Act; The Saskatchewan Insurance Act; The Milk Control Act; The Securities Act; The Theatres and Cinematographs' Act; and many others which I don't propose to enumerate, all of which provide that the person carrying on the calling specified in that Act, must be licensed by a Minister of the Crown of the province of Saskatchewan.

None of these Acts, except for two that were passed by the present administration, makes any provision for advisory boards or for appeals against decisions of the Minister. I find on checking the acts of other provinces, and I haven't got a complete digest of them, but of the ones I was able to find, it is uncommon there, also, for any provision to be made, for boards of reference or advisory boards, or appeals to the Courts. It is a rarity. In this Act, however, because it affected a large number of people and affected people only because there was some danger of them engaging in trading stamps, or some equally pernicious activity, it was thought that the stringency and the rigours of this Act should be modified as much as possible. As a result, we put in this Bill No. 61 provision for an advisory board, and we also put in provision for an appeal to a Queen's Bench Judge from the decisions of the Provincial Secretary. When this Bill was presented

to the Legislature, it was the feeling of the Government that we wanted to be extremely wary of unjustly, or in any arbitrary way, trampling upon the rights of the retailers of this province. The proof of these words, of course, is in the Bill itself. These protections were provided in this Bill.

As a result of some question or criticism of two or three members of the Opposition who suggested they would like to see this Bill given further consideration, the Government, without any hesitation, welcomed an opportunity to refer this Bill to a Committee for hearing. Hon. members of this House will recall, Mr. Speaker, that two or three – the member for Gravelbourg (Mr. Coderre), the member for Humboldt (Mrs. Batten) and one other, mentioned that there were some objectionable features to the Bill, and they would like to see it given further consideration. The Government, without hesitation, moved to refer the Bill to a Standing Committee of this House for study. When the Bill was referred to the Committee on behalf of the Government, I said that the members of the Government who are on the Committee are prepared to take a realistic look at any suggestions for improvement in the terms of the Bill, and we hoped that those making submissions will direct their attention to this aspect.

I am pleased that the public did give consideration to this aspect of the matter, and did, in the course of their submissions, make what I consider to be very worthwhile suggestions for the improvement of this legislation. As a result, it was decided by the Government that we would provide some amendments, and the amendments provided for these six principles for all of which I must say we are indebted to the public, who made briefs to the Committee.

First of all, we limited the discretion of the Cabinet officer in granting or refusing to grant a license, and required that any refusal must be concurred in by a decision of the advisory board. Likewise, the suspension of licenses by the Cabinet required a concurring decision of the advisory board. It fixed the fee which I said on Second Reading, would be only a nominal fee. It fixed the fee at the nominal figure of \$2.00. It exempted grain elevators, drug stores; that is the prescription side of drug stores, from licensing. These two exemptions were required by people who came before the Committee. It provided for a sixty-day delay before suspensions went into effect to permit time for the licensee to take advantage of the appeal provisions that were in the Act. It also provided for a review by the Legislative Committee of any regulations, or Orders-in-Council passed during the previous year. I believe that all of these have resulted in substantial improvements to what was otherwise a very progressive piece of legislation.

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We were asked why we proceeded to licence retailers, instead of taking other legislative provisions. Well, we need only to remind you that we are dealing with a subject which could very well involve a dispute as to the jurisdiction of the Province and the Federal Government. We are indebted to the Canadian Retail Federation who, in their brief, pointed to an article by Bernard Schwartz, in the Canadian Bar Review, of the New York University School of Law, who stated on page 180, as follows:

“Where Parliament prescribes only the bare outline of the relevant statutory scheme, leaving by far the greater part to be filled in at the discretion of the executive, the doctrine of ultra vires is all but excluded.

Here we have to take advantage of the fact that this kind of enabling legislation gives the surest guarantee against ultra vires.

It has been suggested that we might have done as did British Columbia in passing a statute expressly prohibiting certain transactions with respect to trading stamps. I do not know whether British Columbia went as far as they thought they could lawfully go in this direction, but I think it is fair to presume that any Government, or any legislative committee, intent upon a certain objective, would go as far as they could to realize that objective. I think it is fair to assume that the British Columbia Legislature intended to make its prohibition against trading stamps as effective as possible, and yet they didn't apparently feel that they could prohibit trading stamp transactions between the retailer and the public, because they made no reference to such transactions. And so far as transactions between the retailer and the trading stamp company were concerned, they had to limit them to those transactions, which occurred within the province. So that their legislation made no reference to trading stamp transactions between the merchant and the public, and makes no pretence at stopping chain stores in that province from issuing their own trading stamps, nor does it make any pretence at preventing stores in that province from purchasing trading stamps outside the province, and issuing them in the province of British Columbia. Surely, I suggest, Mr. Speaker, if that is as far as a Legislature can go in providing a statutory prohibition against trading stamps, that is not good enough for the people of Saskatchewan.

Mr. Speaker, we had invited and on behalf of the Government, I did invite on the opening day of the Committee hearing, those who made briefs, to suggest an alternative effective way of dealing with this evil, if they took exception to the method selected by the Government. I must say that up to this very moment no other member of the Legislature, and no member of the Opposition, has made any specific proposal for dealing with trading stamps, to outlaw or prevent the issuing of trading stamps in this province. The Opposition have confined themselves to begin critical of the legislation which the Government put forward. Of the public who came before the Committee, only one or two made any suggestions.

Mr. Weber (Meadow Lake): — Mr. Speaker, on a point of order, I would like to draw the hon. Minister's attention to the fact that I did consult him and made a proposal which I figured should replace Bill No. 61.

Hon. Mr. Walker: — We had Mr. Hipperson's suggestion in the Committee, but in each case he expressed the hope that, or at least he expressed the view that his suggestion would probably make the legislation ultra vires. Then he wound up by saying that he was against any legislation of this kind, and he wouldn't feel sorry at all if the legislation turned out to be ultra vires. He said it would be better, Mr. Speaker, not to pass the Bill at all, but if the Bill was passed it would be better if it was ultra vires. He said that in so many words, and the members of this Committee will remember it very well.

Mr. Cameron: — Have you got the transcript there?

Hon. Mr. Walker: — Mr. Speaker, those who only come to scoff, ought to feel sufficiently ashamed of not having made a constructive proposal, that they would at least support the only other proposal which was put forward seriously by the Government. I suggest as a result of all of the enquiries we have had, and all the discussion we have had in this matter, that there is now facing this Legislature only two possible choices; either we can pass the legislation which is before us, and thus provide a reasonable assurance that trading stamps will not invade our province, or we can defeat the legislation and open the door to trading stamps to invade the province of Saskatchewan. I suggest that the vote of the members of the opposition on this question will show whether or not they favour trading stamps, or are opposed to them as they profess to be. If they had come forward with any other alternative means of dealing with this problem, then of course they would be entitled to say that they are opposed to trading stamps, but they have no other way of dealing with them. It is perfectly clear that the Federal Minister of Justice does not expect that the Federal Parliament can deal with this matter further than they now have.

Mr. Speaker, I would like to review some of the briefs which have been presented, because I think it is relevant that we know just who is for this legislation and who is not. It was going to take some little time to deal with the brief of the Canadian Retail Federation. . .

Mr. Cameron: — Take it as read, Mr. Speaker.

Mrs. Batten: — This whole thing, Mr. Speaker, has been threshed out before a Committee. The Committee has handed in the report; there was no objection made by the Attorney General to the report of the Committee. All these people who submitted briefs were cross-examined very thoroughly. They were there to defend themselves, to explain what they had to say. There is a real danger in taking these submissions, and reading

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them out and interpreting them in any way the hon. gentleman may see fit, when these people cannot possibly speak for themselves, or explain that they did mean in that brief. Surely the Government is going to stand on its own two feet on this Bill; they don't have to be supported by briefs which have already been thoroughly threshed out. What was the purpose, Mr. Speaker. . .

Premier Douglas: — Mr. Speaker, is this a point of order — is this speech a point of order?

Mrs. Batten: — Yes.

Premier Douglas: — Would the hon. member state her point of order?

Mrs. Batten: — I have stated it; what is the purpose of presenting this Bill to the Committee to hear these briefs to cross examine these witnesses if we're going to go through it again?

Premier Douglas: — That's not a point of order. Surely, the hon. lady doesn't expect the speaker to tell her why the Bill was sent to the Committee. This is third reading of a Bill in which the whole subject is open for discussion. . .

Mr. Cameron: — Are we going to have the whole Committee hearing over again?

Mrs. Batten: — It is obvious — it is not necessary. . .

Mr. McDonald: — Mr. Speaker, may I point out that the point of order is whether the reference the Attorney General has made is pertinent and ought to be studied at this time by the House. These people have no opportunity to explain their case here. This has been done in Committee, and that is the point of order. The lady member is suggesting that the Minister is about to get out of order for about the fourth time this evening.

Mr. Berezowsky (Cumberland): — Mr. Speaker, I submit that the hon. members have said the members of the Committee have heard these briefs. There are some members of us who are not on that committee, and we would like to hear from the Minister.

Premier Douglas: — Mr. Speaker, before you give your ruling, these briefs were presented in open Committee; they are a matter for the record, and any member of this House has the right to quote from them if they are germane to the Bill under discussion.

Hon. Mr. Brockelbank: — On a point of order, Mr. Speaker, I would like to point out that not all of the members of the House were on that committee, and it is quite right and proper that some of the members who were on that committee should say something about it, in reporting to the House, and on third reading.

Mr. Danielson: — Mr. Speaker, may I say a word. We have heard everything in the Committee, not only there but for sometime, about a half an hour ago this Bill went through the Committee on the floor of this House, section by section, and then it was reported. The Bill is through, Mr. Speaker, and now he's going to argue the evidence and the material which was presented to the Committee, after the Bill has passed the Committee. We have no right to debate this Bill any more.

Premier Douglas: — Who do you think third reading is for?

Hon. Mr. Brockelbank: — We have every right in the world, Mr. Speaker.

Mr. Danielson: — I know, but we have no right. . .

Mr. Cameron: — Mr. Speaker, I want to say this. if the Attorney General is going to bring in a report of the briefs submitted to the Committee, and if he is going to be unfair and impartial about it, and if his intention is pure rather than to hash them up, then I suggest you bring the Committee and all its reports into this Chamber, and let's hear it all over again. If the Minister of Mineral Resources wants to hear the report, and the hon. member for Cumberland wants to hear the report, bring them all back in and we'll hear them all in the Chamber, but I cannot see any purpose of going back over all those briefs, putting your interpretation on them, and come into the House to listen to it on third reading. I do submit, Mr. Speaker, that is he does that he is entirely out of order, and if he is going to do that then we're going to bring in all of the briefs and have them read all over once again, so that everyone in the House can hear them. If you want to sit here until June, that's the proper way to go about it.

Mr. Speaker: — I'm not quite sure that the hon. member is out of order, but I do feel that it would be superfluous to quote very extensively from the briefs. I think he can make reference to them, but to quote extensively from the briefs which have already been considered by the Committee would be considered by the House to be out of order.

Hon. Mr. Walker: — Mr. Speaker, I bow to your ruling. I have here the brief of the Canadian Retail Federation. I will not take the time to go into the details of this brief, except to say that the counsel who presented the report evidently was not aware that the procedure before the Committee is that you try to present as objective a view of the law as possible. It is perfectly all right in litigious matters for counsel to over-state a case, because there is opposing counsel who carries a brief on the other side. I had half a dozen matters here which I proposed to give to the House, to show defects in the reasoning and logic of this brief. However, it will suffice to point out that the prime function of this Legislature and the Committee, is to consider the representations from the people whom we represent. It is our duty as legislators to legislate on behalf of the people of Saskatchewan. This

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brief comes from a national organization with some scores of members, (and we heard the list read out) – I recognized three names that I had heard of in Saskatchewan: Kresges, Woolworths and Loblaws, and I have no doubt there were a few more. The fact of the matter is that this Association represents primarily the interests of people and organizations who have no home in Saskatchewan.

Mr. Cameron: — Why didn't you make those statements in the Committee, instead of making them here?

Hon. Mr. Bentley: — . . . told him he couldn't.

Mr. Cameron: — Why did he not object to it, there? He didn't open his mouth.

Hon. Mr. Walker: — I'm sure. Mr. Speaker, that my hon. friend knows that it is not the function of the Committee to argue with witnesses. We have here a brief which comes from an organization which has no stake or interest in Saskatchewan, except from the exploitive point of view.

Opposition Members: — Oh, no!

Mr. McDonald: — Mr. Chairman, on a point of order. Surely, Mr. Speaker, you are not going to allow this individual to come into this House and chastise a lawyer, or a solicitor who had a client in Committee. Surely, you are not going to allow this individual to chastise. . .

Mr. Speaker: — Order!

Hon. Mr. Walker: — Mr. Speaker, on a point of order. . .

Mr. Speaker: — Order! Order!

Mr. McDonald: — . . . to come into this House and chastise a lawyer or a solicitor, who had a client in Committee. surely, you are not going to allow any organization who has any right or position, to defend himself in this House, and if you are, I am not going to sit here and listen to it.

Hon. Mr. Brockelbank: — Mr. Speaker, on a point of order, I was not a member of that Committee. The hon. Attorney General is not chastising anybody, but he is reporting what he believes to be the facts in this House. I appreciate hearing them, and other members of the House who were not on that Committee, I am sure, would appreciate hearing them, too. This type of interruption.

Mr. Speaker: — Order! Order! Order!

Mr. Cameron: — Well, if you would appreciate hearing them, we'll bring them all in and hear them all over again, if you will appreciate that. Not this chastisement that is going on here in this House.

Mr. Speaker: — I would suggest to the hon. Attorney General that he refer to the contents of the brief, but be very brief in doing so. Of course it would not be very proper to deal with the entire briefs again; they were dealt with in Committee.

Hon. Mr. Walker: — I'm at a loss to know what the point of order is all about. Your Honour forbade me to quote from the brief. I have promptly turned to the other aspect of my argument. There were four or five legal arguments in this brief which can be torn to ribbons, if they are to be argued either in this House or any place else, but I turned from that phase of the matter, Mr. Speaker, on your direction, and said that I would not concern myself with the contents of the brief. All I am saying is that the brief comes from an outside organization whom I do not represent, as a member of this House, and whom no other member represents in this House. My duty is to the people that I represent, and not to the people of other provinces.

Then of course we have the brief of Sperry & Hutchinson, not only not a citizen of this province, but they don't even reside in the Dominion of Canada. Then we have a brief of the Western Grocers Limited, who do reside in Canada, in the province of Manitoba, but who again are a wholesale organization, interested in selling to retailers in this province and to the public through their own stores. Surely, I suggest, not a likely organization to represent the interests of consumers or the interests of retailers.

Mrs. Batten: — Mr. Speaker, on a point of order, are we going to have to listen to an attack on everybody who has presented a brief. . .

Mr. Speaker: — Order! The hon. Minister is not attacking individuals at all. He is stating the source of the briefs.

Mrs. Batten: — He is saying they have no interest in Saskatchewan. . .

Mr. Cameron: — He should never had the hearing at all.

Hon. Mr. Walker: — Then, Mr. Speaker, there is the brief of the Canadian Association of Stamp Companies, which I suggest again are not residents of this province. We are not, as legislators, answerable to them.

Then we have in a different class the brief of the North-West Line Elevators Association and the United Grain Growers. Both briefs took exception to only one thing, and that was that they were included under the Act, and felt they shouldn't be. They asked to be exempted from the Act, and that request was granted by the Committee and by this Committee of the Whole in the legislation.

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Then we have the brief of the Saskatchewan Chamber of Commerce, and the various member Boards of Trade and Chambers of Commerce of this province. This brief, I suggest deserves and merits the attention of the members of this House, and of the Committee, and I am pleased to say, Mr. Speaker, that the Bill in its final form, has adopted a great many of the suggestions contained in this particular brief.

Mr. Speaker, what about the other briefs.

Mr. Weber: — Mr. Speaker, on a point of order, I just want to ask the Hon. member a question. Would he say because some people are appealing to us from outside the province of Saskatchewan, that they wouldn't receive a hearing from the members of this Legislature? You are suggesting that in your statement.

Hon. Mr. Walker: — They received a hearing, and a courteous hearing. I am saying this, Mr. Speaker, that as legislators, our duty is to pay attention to the requests and demands of the people of this province. Now, for the sake of the record I want to quote one sentence from each of the briefs which supported the Bill. the Canadian Association of Consumers' brief closed on this tenor.

“The Canadian Association of Consumers has asked for legislation to prohibit the use of Trading Stamps, give-aways, gimmicks, dishonest advertising of merchandise, generally all unfair trading practices. If the Bill covers these, then we are in favour of it. It may be that the proposed Bill is wider in scope than necessary, but experience has shown that it is better that it be wide enough to do the job, than so limited as to leave loopholes as evidenced by the Federal Criminal Code.”

Then we have the Regina Council of Women who state quite simply:

“We would therefore urge the Government of the Province of Saskatchewan to enact legislation such as to make possible comprehensive and elastic controls over trading stamps and similar sales gimmicks for the protection of the public.”

Then, we have the brief of the Federated Co-operatives, who said:

“After due attention, after due consideration, and for the reasons stated in this brief, we urge adoption of Bill No. 61 of 1960 as proposed.”

Then we have the Co-operative Union of Saskatchewan:

“The Co-operative Union is of the opinion that provincial legislation is enacted solely to make the use of trading stamps an offence, would be held to be ultra vires of the province, and therefore the need for broader legislation is appreciated. the Union acknowledges the stated intention of the Government to not proclaim the Act, unless judicial authority holds that the Criminal code is not adequate to protect every situation.

After careful consideration of the matter, the Union has concluded that the legislation being proposed is desirable.”

The Saskatchewan Farmers’ Union briefs ends with this paragraph:

“In summary, we go on record as being in support of The Retailer’s Act as a means to prevent the introduction into Saskatchewan of this further contemptible type of premium promotion.”

The Saskatchewan Federation of Labour: their recommendation is contained in these words:

“The Federation is of the opinion that if there is to be an effective guarantee against trading stamp schemes generally, this can perhaps, under the above circumstances, best be provided through provision at provincial level, for licensing retail stores, with the object of denying licenses to any store which attempts a trading stamp scheme.”

They support the legislation unreservedly. They ask only that the Orders-in-Council and the regulations be tabled annually in the Legislature for review, and that request has been granted by an amendment to the Bill.

Then there are the people who first asked for the legislation – the Retail Merchants’ Association of Canada, Saskatchewan section. They say, in conclusion:

“It is the humble submission of the Retail Merchants’ Association, that the proposed legislation is absolutely essential to the continued well-being of its members, the retail trade in general and the public.

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It is noteworthy that this type of legislation is similar, and if anything, not as stringent as that which has been so successful in the province of Alberta, in Britain, Holland and Belgium.”

Then there is a supporting brief from the Saskatoon Retailers. The Saskatoon Association agreed with the principle of licensing retailers, because it is felt that the licensing will provide the means of curbing undesirable practices, and they go on and refer to trading stamps, and they also make six reservations for changes in the Bill, three of which the Legislature has found prudent to adopt.

Now, Mr. Speaker, you have the line-up. There you have the people who are opposed to this Bill; the stamp companies; the ‘Leader-Post’ and ‘Star-Phoenix’, the chain stores. Their brief was contained in every day’s news reports of the hearings of the Committee. The Liberal and Tory parties, and the Social Credit. They are the people. . .

Opposition Members: — Oh. . .

Mr. Weber: — Mr. Speaker, on a point of privilege, I don’t know where the hon. member gets his information from, but he is certainly making it up as he goes along. He has expressed opinions of some of us here that he has not even heard yet.

Hon. Mr. Walker: — Mr. Speaker, I am just going by what has appeared in the journals of the House in respect to this Bill. If the evidence that has been brought forward by the people who presented these briefs has enabled my hon. friends of the Social Credit to change their minds and vote for the Bill on third reading I would be more than happy.

Mr. Speaker, I say the Opposition – the Liberal Party has shown itself in favour of trading stamps. If my hon. friends were opposed to trading stamps, they would have come forward with some alternative. They enjoy and occupy rights as members of this Legislature, just the same as any other member, and if they were sincerely interested in preventing trading stamps, they might have come forward with an alternative proposal. I suggest, Mr. Speaker, that the true position of the Liberal Party in this matter is shown by the fact that, according to the Retail Merchants’ Association, their leader was in favour of the licensing of retailers, until it appeared as though this licensing was going to be used to prevent the spread of trading stamps.

Mr. Cameron: — Mr. Speaker, on a point of order. I didn’t hear the Retailers say that. Was that said in the Committee?

Mrs. Batten: — Nobody else heard it, either.

Mr. Cameron: — Who else heard it said? Quote from it, will you, at least substantiate one statement at any rate. We've let you go with all the rest.

Mr. Speaker: — Order! Order!

Hon. Mr. Walker: — Mr. Speaker, the Retail Merchants said this: (quoting from this unnamed political leader):

“As a merchant I have been particularly interested in the request of your association to the provincial Government, asking for a licensing Act that would license all retail businesses in this province.

It seems to me that such a request has real and genuine merit. Retailers cannot be expected to compete with their wholesalers” and so on. . .

Mr. Cameron: — I know all that, but who said it? Where did you get it?

Hon. Mr. Walker: — Well, I'm quoting from 'The Western Retailer' of June 1953, and the gentleman whose picture appears on the upper left-hand corner is Mr. W.R. Thatcher, present leader of the Liberal Party, and it purports to be a report of his address to the Retail Merchants Association Convention.

Mr. Cameron: — You're supposed to be dealing with the briefs.

Hon. Mr. Walker: — If you deny or repudiate the gentleman whose picture appears there, we would be interested to know it. What I say is, Mr. Speaker, that the leader of this Party was in favour of licensing legislation until it was discovered that this licensing legislation was going to be used to prevent trading stamps.

Now, Mr. Speaker, my hon. friends won't take my word for the position of the Liberal Party, and apparently they won't take the word of Mr. Thatcher, whose name and picture appears above that quotation which I just read. Then what about the statutes of this country enacted by their own party, when their own party was in power? Surely this will show where the Liberal Party stands in this matter. The Criminal Code of Canada is the only legislation which provides for a prohibition against trading stamps, outside the two western provinces. The Criminal Code of Canada, Section 322 used to read like this, Mr. Speaker:

“Trading stamps includes, besides trading stamps commonly so-called, any form of cash receipt, coupon, premium ticket or other device designed or intended to be given to the purchaser of goods by the vendor thereof,” and so on. . .”

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Following exactly the same words from that point as the present wording of the section but in 1955 a Liberal Government of this country altered the wording of Section 322, and before reading the new section I will just re-read the old section:

“Trading stamps includes besides trading stamps commonly so-called, any form. . .” and so on

to read as follows:

“Trading stamps includes any form of cash receipt, receipt coupon, etc.”

This meant, Mr. Speaker, that the Saskatchewan Court of Appeal has now been able to hold that trading stamps may exist in this province without contravening the Criminal Code of Canada. It is true, as the lawyers who argue in favour of trading stamps are accustomed to say, that this was obiter to the judgment of the Court of Appeal, but the fact of the matter is that in the province of Manitoba which has the same statute to enforce, the majority of the Court, in acquitting a store dealing in trading stamps, held that the law was exactly the same as the majority of the Saskatchewan Court of Appeal had held. In other words, three judges out of five in both Courts believe that trading stamps are now possible under the Criminal code.

I suggest, Mr. Speaker, that the Attorney General of Ontario is right when he says that the changing of this section in 1955 completely altered the situation. The old section stated quite clearly that trading stamps as defined in the criminal code are: ‘trading stamps, beside trading stamps commonly so-called’. Now if ‘trading stamps, commonly so-called’ doesn’t include all forms of trading stamps, then, Mr. Speaker, I don’t know what words could be used to effectively embrace that concept.

So Mr. Speaker, it does little good, in the face of the evidence, for my hon. friends opposite to try to pretend a spurious view on trading stamps which the record does not substantiate. I accept their word for it that they mean well and that they don’t really mean to favour trading stamps, but their course of conduct amounts to exactly the same thing as if they did favour this unwanted gimmick, in this province.

So, Mr. Speaker, anyone who votes against this Bill on third reading is voting against the clearly expressed wishes of the ‘grass-roots’ organizations of this province. To vote against the Bill is voting in favour of vested interests, a company or companies domiciled outside our province and interested only in exploiting the people of our province.

Mr. A.H. McDonald: — Mr. Speaker, I wonder if I could ask a question without foregoing my right to take part in the debate? I was wondering if the Attorney General would give this House assurance as to whether this legislation will be proclaimed or not, regardless of whether we find the Criminal Code is effective or not. In other words, will the legislation be proclaimed if it is found that the Criminal Code is effective in handling trading stamps?

Hon. Mr. Walker: — I would like to repeat it in exactly the same words that I used before, so you will pardon me just for a moment and I will quote from myself. This is the undertaking I made on behalf of the Government to the Committee and I make exactly the same undertaking here:

“The Premier and myself have both given emphatic assurance on behalf of the government, that this legislation would not be proclaimed except as a means of preventing trading stamps within the ordinary meaning of that term. The Government is convinced that trading stamp companies will bypass this province if we have effective legislation and make clear our determination to use it if necessary.”

This is the statement I made.

Mrs. Mary J. Batten (Humboldt): — Mr. Speaker, I hardly know where to start after the hon. Attorney General has finished, because he said so many things that should be corrected for the record, although, even on the face of the words themselves, they are so ridiculous that surely nobody is going to take him too seriously.

It isn't very often, Mr. Speaker, that one has to be as harsh with an individual as I feel I should be with the Attorney General. I don't think that I have ever before been ashamed of being a lawyer until tonight, and I am thoroughly ashamed of belonging to a profession which houses the Attorney General.

This Government didn't have the courage to pass the Bill that it brought it; it wanted to hide behind some commission, committee, or something else, as it usually does, in order to blame somebody else, so they sent this to Committee. Surely, Mr. Speaker, ordinary decency would have given this Government the dignity not to take these briefs or statements of witnesses who appeared before that committee in good faith, and attack them and their intentions. When this Government speaks about any one of those people appearing, as being in Saskatchewan in order only to exploit us, as having no interest in Saskatchewan, as having questionable motives, I don't see how this Government can have the face to ask anyone again to present a brief to any committee of this Government. There was

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all the time in the world in that committee to make these suggestions or insinuations; there were a lot of insinuations made, Mr. Speaker, which I certainly considered to be in very poor taste, to say the least. But the attack on these people in this House, when they have absolutely no status here and no way of answering, no way of clearing up this question is in even poorer taste.

Government Member: — They've got their lawyer.

Mrs. Batten: — I don't know what that remark means, "they've got their lawyer" but their lawyer doesn't happen to be here. There is no lawyer representing any group that presented a brief, in this House, and if there is an insinuation that I am being hired by a particular group I would like to have that insinuation withdrawn.

Mr. J.W. Gardiner (Melville): — Big Mouth Kramer!

Mrs. Batten: — Now, there was a murmur to that effect. I suppose he is sufficiently ashamed now to keep quiet.

Now it's a sad case; it's the 'swan song' of the Attorney General, and I hope for the good of this province that it is his 'swan song' and the last one that he will sing in this House. It is going to be such a pitiful one, Mr. Speaker, this is the man who came into this House four years ago as a 'noble knight of yore', going to reform the entire British system of law. That was a truly noble intention, and he voiced it in grandiose language. It was really beautiful; now he is going out, punched out by a stamp, a little petty trading stamp. This is what all these noble dreams have come to; he is going to knock himself out battling with a little tiny stamp.

This is the history, not only of the Attorney General, but the history of this Government. When this Government has the colossal gall to speak about morality and say it is one of the basic reasons why they so hate these trading stamps, is because they are immoral, and they say they are immoral because they are giving something for free. Those words sound ill on the lips of those who were elected to power because they said, free, free, free – free education, free medical care; everything was going to be free. Just because people discovered the double-cross that was perpetrated on them, just because they felt that this wasn't freedom and have now smartened up and don't get anything for free, this thing now becomes immoral; but when a political party, such as the one which sits on your right, Mr. Speaker, has the gall to go out on the highways and the byways of every province and promise everything free, that was moral, that was good, and that was the reason they get elected, on those terms.

I would say, Mr. Speaker, that basically this legislation, this Bill, is bad. I don't want to exaggerate this because I have been taken very severely to task by the 'Star-Phoenix', who at that time I

suppose was being retained by the Attorney General if he should be believed that they take sides on every issue, for dreaming or talking about the evil faced of the Premier and the Attorney General. I won't dispute their evil faces, but I will dispute the fact that I said they were planning anything in my dungeon. This was certainly not factual; it was an editorial report and it was used in one of the briefs. But I am not going to condemn those people who made that representation. If they wanted to make it, they are quite welcome to do so and use any argument they want; certainly I am not going to argue with them here in this House, even though they left the Committee without having their cross-examination completed, as we had requested them to do.

Now, I want to say that there has been misrepresentation made by this Government, and the most severe and despicable type of misrepresentation. I want to quote what the hon. Attorney General said when he was introducing this Bill. He said:

“The Bill deems as preventing or prohibiting any unethical or dishonest practices on the part of retailers. I might say that this was not asked by the public because of any propensity of retailers in this province to be dishonest or unethical; this Bill, as a matter of fact, is asked for by the retail trade, by retail organizations representing the retailers of the province.”

Now, Mr. Speaker, we asked the hon. Premier and the hon. Attorney General, to file with the Committee, the brief that asked for this Bill, and we were informed, and I don't doubt the words of the hon. members, that quite likely the report for this brief had been destroyed because the Cabinet does not keep these various representations. . .

Premier Douglas: — Mr. Speaker, on a question of privilege. The hon. member didn't ask for the brief. Briefs are kept on file, but the hon. member asked for a petition which had been signed by several hundred. . .

Mrs. Batten: — We asked for those.

Premier Douglas: — But the Committee had no authority to ask for them. The place to ask for them is a motion in the House for correspondence, and the hon. member knows that.

Mrs. Batten: — It may not have been the place, but it was certainly refused us on that ground.

Premier Douglas: — As I said: it was not refused and has never been refused. As a matter of fact, it was not the Government that was asked for the brief, but the retail merchants, and I believe they sent it to the Clerk of the Assembly. Now, the hon. member can make as poor

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a case as she likes, but she is not going to make it by twisting facts. I'll take all the abuse she likes, but I am not taking prevarication in any shape or form.

Mrs. Batten: — You won't have to take it. . .

Mr. Cameron: — I don't know how we got into that, but you can say that to me, not to her. I'll answer him later on, when he'll take it back.

Mrs. Batten: — The facts are that we made two motions, and we had them written. They were made by the hon. member for Maple Creek, and one was for the petition and the other was for the brief and we couldn't get them from the Government. Now, if the Premier says we only spoke about one, of course I have to take his word for it. The point is this: we did not get that brief from the Cabinet, nor did we get it from the Attorney General or the Premier, but we had requested it of the Retail Merchants Association and it was mailed in and it did come in this morning and it was with the secretary and I had the opportunity to peruse it. Amazingly enough, there was not one word in the brief about trading stamps. This is the type of honesty that we are listening to by the hon. Attorney General.

How, the Retail Merchants Association asked that the government enact legislation providing for the licensing of all retailers in the province of Saskatchewan. They were asking for licensing; they were not asking for the stamping out of trading stamps, and they gave us their main reasons for asking: first for the protection of retailers who are opposed in their own districts by unscrupulous operators who do not pay taxes of any kind and for the protection of the consumer who is being victimized to the extent of thousands of dollars by these unethical practices. They asked the following things: first annual licensing with the provision that it be granted only to vendors in actual business carrying stock for resale; secondly, they asked that wholesalers and distributors be restricted from selling and delivering merchandise except to vendors who hold retail licenses, and thirdly, they ask that licences be issued only to vendors having a fixed licensed business, and so on, with technical details about this licensing. Then they said that wholesalers be entitled to sell at wholesale price only to holders of such retail licences.

Then, Mr. Speaker, and this is really the irony of the situation, they asked that a penalty be put in this Act to deal with any wholesaler or supplier who doesn't comply with the Act. In reply to this the Attorney General and this Government licenses them and gives them a penalty if they carry on as retailers without an Act, but doesn't put in one word, or one restriction, or one limitation on any wholesaler or supplier, or any unscrupulous person carrying on business without a place of business, or any discount house, or anything of the type that was mentioned in their brief. And still they have the colossal gall to say to us that they are passing this Bill in answer to this brief; in answer to the request of the Retail Merchants Association.

Hon. Mr. Walker: — Read the brief.

Mrs. Batten: — Mr. Speaker, I don't think there was ever a dictator in the history of this world, who came to the people and said, "I'm going to enslave you." He always said, "I'm going to give you something, I going to do something for you," and quite often, Mr. Speaker, he had noble motives, and I think no doubt the hon. Attorney General had convinced at least himself that he has very noble motives in this Bill. But certainly he didn't do what the Retail Merchants Association had been asking, and certainly he can't honestly say that he is complying with their request in bringing in this Bill. I have gone through the pages which introduced this legislation and the place where he mentioned stamps is very, very mild. This is what he said:

"Mr. Speaker, the principle immediate effect which this legislation will have is to deal with trading stamps and other like promotional gimmicks."

Not only trading stamps, Mr. Speaker. I would not be surprised if during the next six months or a year, until the next time the Legislature meets, if this would be the only legislative effect of this Bill, if passed by this Legislature. This was the very least that this Bill was going to do.

Now, he says:

"I am convinced that this Bill will result in the establishment in the retail trade of a desire to evolve a code of ethics which will protect the retailers and which will protect the public. It will establish an atmosphere which will encourage voluntary organizations in our communities to want to act as watchdogs or protective associations to help us to police the provisions of the Act."

Now he goes on to say:

"I am convinced that if these things are done, if these expensive sales gimmicks are outlawed and are prevented, that this will result in a lower cost of doing business in the province of Saskatchewan. I am sure that every one of these sales gimmicks add to the cost of doing business. No one can convince me that it is cheaper to do business by giving a Cadillac care every Saturday night by raffling tickets of the purchasers, and awarding a car. This, of course, adds to the cost of doing business."

Now, that isn't talking about trading stamps, Mr. Speaker.

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“I am convinced that the people of Saskatchewan will save substantial sums of money if these wasteful and inefficient practices can be eliminated. This is the purpose of this legislation.”

Certainly he didn't limit it, no matter how you read his words, to trading stamps. Therefore, why should we believe his words when he suddenly changes his mind. We believed him the first time, we can't believe him the second time. He was going to really reform the retail trade, he was going to establish standards for consumers, he was going to get rid of all these costly gimmicks, then he turns around and says he is only going to look after trading stamps. But worse than that, Mr. Speaker, every single member in this House represents a constituency and people in that constituency; nobody is going to remove that responsibility from us; not the consumers' associations, the co-operative associations, federations, or any other league or voluntary group. That responsibility is ours, and it is our responsibility to govern this province; to make the laws by which people do business and conduct every day affairs and live in this province. And we whittle away at the freedoms and the rights of those people every time we put into the hands of a Minister of the Crown or the Cabinet, the rights of legislating laws, and that is exactly what this form of Act is doing. This is the type of Act that this Government has asked us to pass over and over again; an Act which expresses no intention, and an Act which on the face of it gives you nothing, gives no court any instructions on which they can find someone guilty or innocent, on which they can find the regulations either intra or ultra vires.

It is all right to say you have the right of appeal. That doesn't mean anything. When you are giving to the Minister, you are giving to the Cabinet all the rights to make regulations that they see fit consistent with the intent of the Act, when the Act itself gives you no intent. Now, all the fine words of the Attorney General won't remove this fact, and it is a fact every one of us is responsible for when we pass legislation of this kind.

Now, I want to say this: no matter how the Attorney General may weep about stamps, the point is that there is no stamp menace in Saskatchewan today. There are no stamps, that I know of or I'm sure that the Attorney General knows of, being sold or bartered or given away, today, because the Attorney General has stamped out this terrible practice, and he said so. The newspaper articles that were published made a lot of this courage and his determination. We were told by the president, Mr. Kinneard, I think it was – the Canadian Stamp Association wouldn't think of coming into Saskatchewan. They made it quite clear why they wouldn't come into Saskatchewan. The Attorney General promised that he would have a policeman at the door of any store that sold stamps. They were going to interview every customer and haul them in as witnesses. Well, Mr. Speaker,

what is this great menace? What is this cancer, that the hon. Premier spoke of in Committee? Well, Mr. Speaker, there is a cancer; the cancer of socialism. It's not the little cancer of stamps. And this province, of all provinces, should be careful in any legislation that it passes, because these are the people, Mr. Speaker, who have said, over and over again publicly, that they believe in price control; they believe in standardization. They have gone further, Mr. Speaker, and they have put it down in black and white in their own handbook, that they believe in state stores, because they believe that is the best way to give service.

Premier Douglas: — State stores? I would ask the hon. member to read that.

Mrs. Batten: —Well, I can find the book for you. I don't think it will take very long. This was part of the platform of the C.C.F. party and, therefore, it can well be the people are going to be very wary about coming into a province to do business where this type of stuff goes on all the time. And we are, Mr. Speaker, being made a laughing stock right across Canada, because we surely have some faith in our Federal Government and our constitution, and if there are criminal offences to be dealt with in this country, surely the Federal Government is quite capable of dealing with them.

The law, at this point, has not been finally decided because the cases have not gone to the Supreme Court of Canada, and until they do get there, there is certainly no reason for legislation of this type to be presented, by which we are going to sign away all the freedoms and all the rights of every retailer in this province, and put them in the hands of an irresponsible attorney general, so that he can go ahead and do as he likes in order to protect us from the trading stamps. Surely, it doesn't even make sense on the very face of the argument that he himself gave us.

Now, again, Mr. Speaker, those of us who believe in the rule of law, believe that the law should be a definite thing, that it should be a static thing, that it shouldn't be something to be changed at the whim of any member of the Government. The law should be something that we know whether we are breaking or not. But what are we told by this Government? That nobody needs to be licensed until they do something that the Government thinks is unethical or undesirable, and then become licensed and be told they mustn't do this or their licence will be cancelled if they continue to do so. This is legislation of law, and finding somebody guilty after they have committed something at a time when there was no law against it. It is contrary to any law of British justice that has been enunciated in this or any other British country, and yet this is the type of thing that you and I, Mr. Speaker, and the members of this House, are going to give wholesale endorsement to, by passing a Bill of this calibre for a little trading stamp.

Now, as I have said, there was another law in another province very similar to this, and that was Mr. Duplessis' law. Well Mr. Duplessis didn't say he wanted to licence anybody, he didn't say he wanted to take

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anybody's rights away, but he said there's Communism and the terrible threat of Communism hanging over us, so I am introducing the padlock law. Now, surely, Mr. Speaker, no one is going to dispute seriously, except perhaps the Attorney General, that the stamp is a more serious menace than Communism, and yet we are asking for exactly the same type of legislation, in order to fight a little thing. . .

Hon. Mr. Walker: — This is not a 'padlock law'; it is a different thing altogether.

Mrs. Batten: — This is 'Walker's Padlock Law' and it was well named by whoever wrote about it. This is licensing for the purpose not of licensing, of keeping track of how many retailers there are, but this is licensing for the purpose of being able to threaten those licence holders and take away their licences if they step out of line with what the Government thinks they should be doing.

Hon. Mr. Walker: — The Quebec Act had nothing to do with licensing.

Mrs. Batten: — There isn't any doubt about it at all because it has been proven, and it can be proven by the Act itself. Worst of all, and I think this is the most terrible part of this Bill: this Bill is a lie on the face of it; this Bill says it's for the purpose of licensing retailers and yet the very people who introduced it say that it is not for the purpose of licensing retailers, it is for the purpose of stamping out trading stamps. Yet when this Government goes to court, if it has to, to uphold this law, it is going to give a direct lie to everything that has been said by itself in this legislature, in order to show that this law is valid, they are going to have to show that the intent was to license not to meddle with trading stamps.

Now, talk about public morality. Where are we going to look for it? Surely when the Government takes upon itself to lie deliberately to the courts of this land, and that is exactly what they are promising us they are going to do in order to uphold this legislation, that is about the worst type of public immorality there can be.

This is the way we are trying to set an example. This is the way we are trying to teach the people of our province to have ethical business standards, where our ethics should be beyond reproach. In this Government, our ethics are certainly questionable when we pass laws of this kind.

Now, I don't want to go through the Bill clause by clause as we have already done that. The Attorney General was very fortunate that there were very good lawyers who were able to appear before him and give him advice about it, and certainly he learned a lot more law than he knew before this Committee started. I know that I did, and he was able to profit from the advice that was given. Unfortunately, a student who doesn't get the spirit of the teacher and doesn't get the spirit of what

is being taught him and merely picks up a few words here and there, is apt to be even worse off, as I think he was after he introduced these amendments because he was, I suppose, emotionally incapable of understanding the desires that prompted these submissions and these recommendations; the desires to protect the freedom of individuals who might be found guilty, and who might lose their livelihood under this Bill.

It is quite all right, Mr. Speaker, to say that there is going to be the right of appeal to the courts, but what is going to happen in the meantime before that appeal is heard, before the decision is rendered? A man is going to be out of business. Of course he is! I don't know who can say any differently. He is given 60 days notice so he is going to wait the 60 days or go crawling back to the Provincial Secretary and ask for reconsideration. I suppose that could happen, but otherwise he has notice so I suppose he can sell out or get somebody to take over his business, and after that decision is made he can go ahead and appeal to the courts. It might take months before the appeal is heard and, again, months, before the decision is rendered. There is no provision in the Act that he can carry on business until that final decision. Who is going to go to the cost of looking after these appeals, and what is that appeal going to be? It's going to be an appeal from the decision of the Lieutenant-Governor-in-Council, and it means absolutely nothing, because there is no guide in this legislation for that decision. That decision is purely a discretionary one and no matter what the advisory board does, the court cannot review the bias or lack of proper hearing by that advisory board, because it merely is an advisory board. This is one of the most unfair types of legislation that can be perpetrated on the retailers.

The discipline of these retailers is not by fellow retailers, not by people who understand their business, but by consumers. It is just like asking a group of clients to discipline lawyers, or a group of patients to tell the doctors how they should run their association. This is exactly the same type of thinking. There is going to be a representative of the retailers on this board, and there is going to be a representative or an appointee of the Chamber of Commerce, and one of the co-operative associations, which will represent one type of business and that is the city business. They are going to have absolutely no information and knowledge of the things that go on in the country or go on in different businesses. And these are the people who are going to advise the Lieutenant-Governor-in-Council, what to do. In addition to this, Mr. Speaker, under this Act, the Provincial Secretary has the power to classify retailers. If he doesn't like one group of retailers he can legislate against it, because every regulation has the full force and effect of legislation. This could be the most discriminatory type of vehicle that has ever been passed in this province.

Now, I am not going to say that the Attorney General or the

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Lieutenant Governor is going to do this, but it's not necessary, as the hon. Premier pointed out, for them to do anything. All they have to do is hold this over the heads of every retail merchant in this province. In act, they can call the tune, and these people are either going to dance their way or they are going to find that there is going to be an Order-in-Council and their licence will be subject to certain limitation and certain restrictions, and that they themselves might find themselves out of business, and before they can appeal to the courts, which will have very little power to do anything for them, by the time that decision comes down, they will be out of business, because they will be bankrupt.

I agree with the hon. Premier, that it might never be necessary to enforce this Act, because I think that fear is quite sufficient. Mr. Speaker, we are in no position morally, ethically, legally or even as a matter of pure economics, to put the kind of legislation on our books which will encourage people to stay out of this province without perpetrating this as a further threat.

I want to end with a note of hope, that the Government opposite will not be in power after June and all this worry will go for naught.

Premier T.C. Douglas: — Mr. Speaker, I can always tell when the hon. member for Humboldt has caught herself on the ‘horns of a dilemma’, and is trying to take herself out of a very awkward situation. Two things always happen: the first is that she starts to use very extravagant language about either the legislation or the people who are proposing it. I noted some of them, terms like ‘double cross’, ‘the Attorney General is incapable of understanding’, ‘evil faces of the Attorney General and the Premier’, ‘despicable misrepresentation’, ‘the legislation is a lie’, ‘an example of public immorality’. You know, Mr. Speaker, for anyone who is so sensitive about anything anyone says on the other side, it seems to me that it is quite an array of vituperative language.

The other tendency I always notice in my hon. friend, when she is trying to get out of a situation, is that she creates a good many ‘bogeymen’ and tries to arouse a great many fears by indulging in wild exaggeration. I sat here tonight and thought I was listening all over again to the debate on the breathalyzer. I remember listening to exactly the same kind of language. Every car driver in Saskatchewan was going to have to have a lawyer in the back seat with a syringe or something to make sure somebody didn’t try to make a blood test without them noticing it, or make them blow up a balloon at a most inopportune moment. She talked of the embarrassment that some of the ladies were going to be caused because they would be asked to take certain tests. We listened to all the horrible things that could happen, including a good deal of free advice as to what would happen when the legislation got to the courts. None of these evil things happened and the legislation was sustained by the courts.

Now, a number of things have been said about this legislation. The hon. member started out by saying that the Government hadn’t the courage to put it through and that we were trying to hide behind the Committee. If we had refused the suggestion that this be considered further and had refused to send it to a Committee, we would have been told that we were dictators, that we were ramming it down their throats. We agreed to send it to a Committee, we listened to representations from both sides of the question. . .

Mr. Danielson: — Who agreed. . .

Premier Douglas: — Some of the members opposite. this should be given further consideration, they said, in second reading of the Bill. They said they wanted to give it further consideration, but when it was sent to the Committee, then they didn’t want it given further consideration.

Now, an attempt has been made to say that the Retail Merchants’ Association did not ask for this. We have read in Committee some of the briefs of the Retail Merchants’ Association. They have asked for something to be done about trading stamps year after year. Here is the resolution which they passed in November:

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“Whereas the Retail Merchants’ Association has taken a positive stand against the introduction of trading stamps into this province;

Whereas the Association has contacted the Provincial Government and the Attorney General, requesting them to do all in their power to keep such stamps out of the province;

Now, therefore, be it resolved that this Association continue its efforts in this regard, and, further, that a letter of appreciation to be forwarded to the Attorney General for his action to be taken in this matter.”

There is no need for the Attorney General or myself to argue that the Retail Merchants asked for this legislation, and I shall have something to say about that later. The hon. lady knows what was contained in the briefs they presented, and she listened to them, but in their brief this is what they say, and I am quoting from page 5, for those who have copies of the brief:

“As early as 1952 the Association has been actively agitating both Dominion and Provincial Governments for remedial and protective legislation such as the Act in question here. First an attempt was made to amend the Saskatchewan Education Tax Act so that it might be used as the vehicle for this purpose. This, however, proved impractical since the act was merely a taxing statute creating tax collectors of holders of licenses issued under the Act, and neither restricted to members of the retail trade, nor embodying the machinery necessary to effect the desired remedies.

The association then concentrated its efforts toward obtaining special legislation such as Bill No. 61, the Retailers Bill, 1960. It is submitted that there exists an absolute need for such legislation among the retailers of the province, because of the many practices which have developed under the drive of modern conditions which are unhealthy and unsatisfactory insofar as the economy of the province of Saskatchewan is concerned. These practices are deplored by most individuals but as individuals they are powerless to control them. Under existing conditions the retail trade, particularly with respect to the independent merchants, has no voice or effect on policies adopted by manufacturers, manufacturers’ agents and wholesale distributors, while they are, in their capacity as retailers, subjected to the approbation and criticism of the consumer.”

There is no doubt who asked for the legislation. The Retail Merchants say that they asked for it and the Federated Co-ops and other groups as well; let there be no argument about that.

The hon. member for Humboldt has just said that we are making ourselves the laughing stock of Canada. Well if it is making us the laughing stock of Canada, then the province of Alberta must have been the laughing stock of Canada for over 20 years, because they passed similar legislation back in 1937. Now, what are the reasons she gives for saying that we are making ourselves the laughing stock of Canada? "Because", she said, "the Federal Government (I think I got her words down correctly) is quite capable of taking care of this situation."

Mrs. Batten: — On a point of privilege, Mr. Speaker. I did not say the word 'because'. It was another sentence that had nothing to do with the fact that I said we were the laughing stock of Canada.

Premier Douglas: — If that is an important point, I will let my friend have it. What she said was (as I took it down) that: "The Federal Government was quite capable of taking care of the situation." Under the law of Canada, under the Criminal code, trading stamps, as defined in the Criminal Code, are illegal. How capable has the Criminal Code been to prevent handling trading stamps? The 'Financial Post' says there are now 30,000 retail outlets in seven provinces of Canada, handling trading stamps. This is how capable the Federal Government has been in handling them, and as a matter of fact, as the Attorney General pointed out a few moments ago, if the Criminal code was ever effective in handling trading stamps, the amendment made by a Liberal Government in 1955 ended that, once and for all.

Government Members: — Hear! Hear!

Premier Douglas: — These people who are not the friends of a trading stamp company certainly made sure that the trading stamp companies got a field day, which they are having at the present time in seven provinces of Canada. The member for Humboldt castigates the Government, saying that the representatives for the trading stamp companies said they wouldn't think of coming into the province the way this Government is treating them, and she infers that the Attorney General should be looked down upon because the trading stamp companies don't like him. Do you know why they don't like him? They don't like him because he has enforced the laws of Canada. When he tries to enforce the Criminal Code, the lady opposite castigates him.

Mrs. Batten: — On a point of privilege, Mr. Speaker. I wasn't castigating or criticizing the hon. Attorney General. In fact, I was complimenting him on the fact that he was able to look after the situation, and didn't need any legislative assistance.

Premier Douglas: — If that's a point of order, I think it's mainly an

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argument.

Mrs. Batten: — It's a point of privilege, because you misrepresented what he said.

Premier Douglas: — Nor is it a point of privilege, but I will proceed.

The real attitude of the Official Opposition is shown by the member for Humboldt when she said the Attorney General has made all this fuss, and he is going to be put out of office because of a little trading stamp — a little stamp. So unimportant! Well, if the members opposite think it is unimportant, I am prepared to leave that to the retailers and the consumers of this province, as to whether or not it is unimportant.

Government Members: — Hear! Hear!

Premier Douglas: — But this Government thinks it is important. We think it is important, first of all, because where trading stamps have become prevalent in the United States, and in seven provinces of Canada, they have had a most harmful effect on both the retailer and the consumer. Mr. Speaker, I want to remind you that they were started in Saskatchewan, and only because of the action taken by the Attorney General, and by the fact that this legislation was being mooted, did they decide temporarily to discontinue their operations. But they were on their way through Saskatchewan; they would have had to skip Alberta and go into British Columbia, but British Columbia has tried to offset that by passing legislation which may, or may not be effective. A little trading stamp! Just look at what these 'little' trading stamps have done. In the United States, the 'little' trading stamps amounted last year to \$700 million, according to the evidence given before the Congressional Committee. \$700 million, added to the food bill and to the consumers of the United States, and about 10 to 15 per cent of these stamps were never redeemed, and the stamp companies themselves before our Committee, admitted they made between four and six per cent on redeemed stamps, plus 5 per cent on their turnover. \$105 million went into the pockets of the stamp companies from these 'little' stamps, in one year!

What has been the effect of this multimillion-dollar industry? Well, they move into a community. As they admitted before our Committee, they work on a franchise system. The service which they give is not available to every merchant. They come into a community, and if there are five merchants, they go to the largest one, and say: "This is your chance. Take it now, or leave it, if you want to handle our stamps." If he says no, they pass him by and go to the next one. But the moment one of them accepts, the others cannot have this service, so this man who gets the stamps at an additional cost of 2 1/2 or 3 per cent of his turnover on his business, he, of course, attracts more customers. Then his competitors have to go to another stamp company, and they admit when they get down to the second rate and third-rate stamp companies, the premiums are so poor they cannot compete with those who have contracts with the No. 1 stamp companies. They tell us that they can

absorb the increased cost of the trading stamps, which runs to 2 1/2 to 3 per cent, if they get an increase of 13 or 15 per cent in their volume of business, and the Price Spreads Commission says a 20 per cent increase – but it is evident that they can only get this in the initial stages, because they are taking it away from their competitors, and then the competitors get into some kind of gimmick, and get it back. Eventually there is only one place for this increased cost of 2 or 3 per cent to go, and that is on the consumer.

What happens to these retail merchants? This increased volume, Dr. Vredenburg said, would more than offset the increased cost. The next group, the increased volume of business just about offset the increased cost. The third 25 per cent, the increased volume of business didn't quite meet the increased cost so they had to take it out of their profits and reduce their profit margin. Then we asked them what happened to the last 25 per cent. He said, "They become consumers", which is an economist's term for saying they go broke!

This is the kind of freedom that we are to give the retail merchants. Don't forget. Let the chain stores, let the big supermarkets come in; let the stamp companies come in, set up the gimmicks, and put the little fellow out of business. The bottom 25 per cent, they can become consumers. This is the 'little' harmless trading stamp the member for Humboldt says is going to destroy the Government. What does it do to the consumer? Well, the figures have already been given, so I don't need to belabour them. The Department of Agriculture in the United States made a survey, and what did they find? They found in their survey that over the main 21 largest cities, the increase in prices for non-stamp stores was 1.1 per cent; for stamp stores, 1.7 per cent. Six-tenths of 1 per cent more for the prices in the stamp stores than in the non-stamp stores.

In five of the cities surveyed, they found that on basic food costs stamp store prices were 2.9 per cent higher than other stores, and on all prices, 2.2 per cent higher than in non-stamp stores. There is no place else for the merchant to put this increased cost, except on the consumer and once the consumer gets into this, and starts saving stamps, there is only store he can go to unless he wants to throw all his stamps away, and this becomes a racket. Of course, this is why a good many stamps are never redeemed, and every time stamps are not redeemed, the stamp company simply puts that money in its pocket.

It seems to me that any person who wants to talk about freedom, and freedom of choice, ought not to be talking in favour of trading stamps. The only true freedom of choice, Mr. Speaker, is that if the merchant is making more money than he needs to do business, then let him cut his prices by two or three per cent, and give the customer that much more money which they can spend where they like. Or, let them do what the co-operatives do, and that is at the end of the year, give to each person a cash refund that will enable them to take that money and go and spend it where they like. I thought the Co-operative Union put the case very well, when they pointed out that in the Gold Star stamp, if a person had 14,400 stamps which represent \$3,600 of purchases, they got a \$54 electric blanket, which probably cost the

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stamp company about \$30 when they buy straight from the manufacturer. But the person making the same number of purchases in the Regina Co-operative last year, would have got not a \$54 electric blanket, but \$108 in cash to spend where they like, and how they like.

Let us not talk about these 'little' stamps. These little stamps have become a very serious gimmick in our mercantile life, and I think we have to make up our minds whether we are serious about stopping them, or whether we are not. To say that we can sit back and see whether or not the Criminal Code works seems to me not good enough. Alberta passed legislation years ago. British Columbia has passed legislation just at their last Session. We could leave this matter, and see what happens, but if, by the time another Legislature meets in this city, the sale of trading stamps has become widespread so that thousands of people have books partly filled with stamps, and hundreds of retail merchants have signed contracts, I am telling you that the economic repercussions then of trying to stop trading stamps will be very serious, indeed.

That is why the Government is determined that we ought to do what we can, and we are not trying to tell the Legislature that we are absolutely sure that we can stop trading stamps. The whole question of jurisdiction comes up. We have said, "Here is an Act that has worked in principle in Alberta and British Columbia. Here is an Act which we have no intention of proclaiming, unless it becomes necessary because we discovered that the Criminal Code is not effective in stopping the sale of trading stamps in this province." We say that if the Legislation has to be proclaimed, that legislation will be directed only at those stores where it is necessary to direct the legislation, in order to stop the use of trading stamps.

The member for Humboldt says that this is holding a threat over people's heads. Well, the law of Canada says that trading stamps are illegal. All we are saying is that if the Criminal Code cannot stop something which is illegal, this Government is going to stop something which is illegal.

Government Members: — Hear! Hear!

Premier Douglas: — Is this a threat? We are serving notice on the trading stamp companies that we do not want them in here, because the customers of the province have told us they don't want them in here; the Retail Merchants have told us they don't want them in here; the labour unions have said they don't want them in here; the women's organizations; the Consumers' Association; the Farmers' organizations; the Co-operatives — they have all told us they don't want them in here. The member for Humboldt says, "Each member must search his own conscience; the responsibility is ours." I agree with her. Each member must decide whether or not we will sit idly by and do nothing, which the Liberal Party has always done so well, and with such unfortunate success.

Mrs. Batten: — We've had quite a good country under the Liberal Party.

Premier Douglas: — That's why they have been defeated in every province of Canada and driven out of office federally, because they did nothing. . .

Mrs. Batten: — What have you done in the Dominion of Canada.

Premier Douglas: — I say the responsibility is ours. Members of this Legislature must decide whether or not they want to take the chance that trading stamps will become a widespread, cancerous growth in this province, or whether we want to take this legislation in the hope that it will stop trading stamps. I don't like arbitrary powers. I don't like board, sweeping legislation. Not at all. But if I have to choose between trusting whatever Government sits here next year; if I have to choose between trusting a Government of Saskatchewan people, or trusting multi-million dollar stamp corporations in the United States and Canada, I will trust the Government of Saskatchewan. At least they are subject to the will of the people of Saskatchewan.

Mr. Gardiner: — We'll find out!

Premier Douglas: — We'll certainly find out, because I think the people of this province do not want a Government merely to sit back and say, "We haven't got the constitutional authority. It's up to the Federal Government to do something." I would like to see the Federal Government do something, and I think they ought to do something, but so far they have refused to clarify the situation with respect to the Criminal code, since a Liberal Government down there confused the situation so badly.

So the members have a responsibility. Their responsibility was either to come up with a better alternative than this Act, which nobody has come up with yet, or their responsibility, Mr. Speaker, is to vote for this legislation, or accept the responsibility that turning it down might mean trading stamps and all the evils that that might bring.

I will support the motion.

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Mr. Alex Cameron (Maple Creek): — Mr. Speaker, about two hours ago I had hoped to be out of here about ten o'clock, but the Attorney General had to have his last fling with biting sarcasm and attack everyone who had a different opinion to his own. The Premier had to take the occasion to get in a little warm-up for the coming campaign, to see whether or not he was in trim. Because of all of that, he has taken up all the time, so I am afraid we will be here tomorrow, whether we like it or not, because I did have a few words to say on this Bill, and I am sure some other people have also.

I was surprised at the Attorney General, and at some of the statements which he made. I am not going to give a big long harangue, or try to work myself into a froth like some we observed tonight did, but I want to take a few of the statements that he made.

He says this Bill is to protect the merchant from the cost prices squeeze. That's a new one. We have heard of protecting the farmer from the cost-price squeeze, but this Bill is to protect the merchants from the cost-price squeeze. And he said: "This Government is acting just to protect the merchants", and, he said, "stamps as such are not conducive to the freedom of the dealer and, therefore, since it curtails the freedom of the dealer we are not in favour of it." And, he said, "stamp companies, on the other hand, force the small dealer out of business because he can't compete with the chain stores or the big operator who handles stamps; therefore, the little dealer is going to fold up. Thus, when the little dealer folds up there will be a lessening of competition in this whole competitive field, and when you have less competition you ultimately have higher prices."

Now I am surprised at the Attorney General, sitting as he does so close to the Minister of Agriculture (Hon. Mr. Nollet) who said, "We want to protect the farmers." so they licensed the machine dealers. He wasn't interested in the machine dealer, he didn't take the stand the Attorney General did; he said, "We want to protect the farmers." The Attorney General said, any lessening of competition ultimately results in higher prices. Well I wish he could have got that thought across to the Minister of Agriculture, because under his licensing Bill he has put 129 businesses out of business.

Mr. Speaker: — Order! Order!

Hon. Mr. Nollet: — On a point of privilege, Mr. Speaker. The hon. member says that this was the Government legislation: he voted for it. He voted for that legislation.

Opposition Members: — That's no point of order.

Mr. McDonald: — What's the point?

Mr. Speaker: — Order! Order!

Mr. Cameron: — Once stung, twice shy! That's why we are afraid of this one, Mr. Minister. We don't fall a second time for those platitudes and those great intentions. One hundred and twenty-nine machine dealers of out business, and the farmers having to go 60, 70, to a 100 miles to get repairs. We were to protect the farmers so we licensed the dealers.

Hon. Mr. Nollet: — Mr. Speaker, on a point of privilege. Is the hon. member speaking to this Bill, or is he speaking to the Dealer's Farm Machinery Bill?

Mr. Cameron: — You know, I can't speak to what the Attorney General spoke on.

Mr. Speaker: — The hon. members must confine himself to the Bill.

Mr. Cameron: — That's an amazing point of order, Mr. Speaker, because I am answering the Attorney General, and if I was to answer the Attorney General, I'd have to go out of the House all the way along, because he wasn't in order once on giving third reading to this Bill. Not once did he speak of licensing of dealers. Not once! He talked about trading stamps, and the Premier talks about the great evils of trading stamps and if the Dominion Government won't do anything for us, we will. I challenge any one of you people who care to take me up to come into my constituency and base the campaign on whether or not the dealers and the people in my constituency are in favour of this licensing bill. Mind you, the hon. member for Humboldt (Mrs. Batten) was correct. We as representatives of the people just represent them.

Hon. Mr. Nollet: — Yes, not the stamp companies.

Mr. Cameron: — He said that it was a suggestion of the Opposition that the Bill was taken back into Committee. Well, I wish I had the Hansard here, because there were only two spoke on it and they spoke very briefly, and they said, we object to this Bill in principle because you approve or object on second reading in principle. And the Attorney General says, "well, in view of the opposition by the Opposition I am going to move that we refer it back to a Committee." The Attorney General felt that here was a case by which he could 'hang' the Opposition; here was a case where everybody was going to flood in and support this great Bill 61. Whether they flooded in to support it or flooded in to oppose it, we took our stand as responsible representatives in this Legislature on second reading by opposing the principle of the Bill, and we stuck to that opposition on the principle of this Bill. We must have been right at least part of the way down the line because it was a result of these briefs that the Attorney General, coached by the Premier, backed away as far as he could possibly back away by their intention of this Bill.

Opposition Members: — Hear! Hear!

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Mr. Cameron: — And brought in amendment after amendment and some of them were suggested by the very men the Attorney General was abusing so badly here tonight.

Mr. McDonald: — There were pages of them.

Mr. Cameron: — They tried to make this Bill more respectable; they tried to make it more acceptable to the dealers of this province. That's why those amendments were brought in, but it doesn't change the principle of the Bill, and it's amazing. It caught like a prairie fire when the press began to report the proceedings of the Committee, and then you began to see where the people stood and where the merchants stood on this whole issue. When you get wires and 'phone calls' and every member in the Legislature has a group of wires, that high, and you know where the people stand. . .

Mr. Speaker: — Order! Order!

Mr. Cameron: — That's why you attacked the press so bitterly, because they informed the people through the Committee.

Mr. Speaker: — Order! I want to draw the hon. members attention to the time. Do you wish to call it ten o'clock and continue tomorrow at 2:30?

Premier Douglas: — It depends upon what the members want to do. I certainly have no strong feelings on the matter. If there are a number of speakers, I think it would be wise to call it 10:00 o'clock. If my hon. friend is going to conclude the debate, then the members may want, by unanimous consent, to extend the time. It is entirely in the hands of the House.

Mr. McDonald: — Mr. Speaker, we have no way of knowing how many people on the Government side of the House intend to take part in the debate. I certainly have every intention of taking part in the debate because I think the record has to be set straight, and I think we had better call it 10:00 o'clock.

The Assembly then adjourned at 10:00 o'clock p.m., without question put.