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ETHELBERT-PLAINS	M. N. Hryhorczuk, Q. C.	Ethelbert, Man.
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INKSTER	Morris A. Gray	406 - 365 Hargrave St., Winnipeg 2
KILDONAN	James T. Mills	142 Larchdale Crescent, Winnipeg 15
LAC DU BONNET	Oscar F. Bjornson	Lac du Bonnet, Man.
LAKESIDE	D. L. Campbell	326 Kelvin Blvd., Winnipeg 29
LA VERENDRYE	Albert Vielfaure	La Broquerie, Man.
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PEMBINA	Mrs. Carolyne Morrison	Manitou, Man.
PORTAGE LA PRAIRIE	Gordon E. Johnston	7 Massey Drive, Portage la Prairie
RADISSON	Russell Paulley	435 Yale Ave. W., Transcona 25, Man.
RHINELAND	J. M. Froese	Winkler, Man.
RIVER HEIGHTS	Hon. Maitland B. Steinkopf, Q. C.	Legislative Bldg., Winnipeg 1
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ST. BONIFACE	Laurent Desjardins	138 Dollard Blvd., St. Boniface 6, Man.
ST. GEORGE	Elman Guttormson	Lundar, Man.
ST. JAMES	D. M. Stanes	381 Guildford St., St. James, Winnipeg 12
ST. JOHN'S	Saul Cherniack, Q. C.	333 St. John's Ave., Winnipeg 4
ST. MATTHEWS	W. G. Martin	924 Palmerston Ave., Winnipeg 10
ST. VITAL	Fred Groves	3 Kingston Row, St. Vital, Winnipeg 8
STE. ROSE	Gildas Molgat	Room 250, Legislative Bldg., Winnipeg 1
SELKIRK	T. P. Hillhouse, Q. C.	Dominion Bank Bldg., Selkirk, Man.
SEVEN OAKS	Arthur E. Wright	168 Burrin Ave., Winnipeg 17
SOURIS-LANSDOWNE	M. E. McKellar	Nesbitt, Man.
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WINNIPEG CENTRE	James Cowan, Q. C.	412 Paris Bldg., Winnipeg 2
WOLSELEY	Hon. Duff Roblin	Legislative Bldg., Winnipeg 1



THE LEGISLATIVE ASSEMBLY OF MANITOBA  
2:30 o'clock, Monday, March 9th, 1964.

Opening Prayer by Madam Speaker.

MADAM SPEAKER: Presenting Petitions

Reading and Receiving Petitions

Presenting Reports by Standing and Special Committees

Notices of Motion

Introduction of Bills

MR. JAMES COWAN, Q. C. (Winnipeg Centre) introduced Bill No. 48, an Act to amend an Act to incorporate the Sinking Fund Trustees of The Winnipeg School Division No. 1.

MR. COWAN introduced Bill No. 74, an Act to incorporate The Jewish Foundation of Manitoba.

MR. D. M. STANES (St. James) introduced Bill No. 62, an Act to amend an Act to incorporate Trafalgar Savings Corporation.

MR. MORRIS A. GRAY (Inkster) introduced Bill No. 90, an Act to incorporate "The Winnipeg Hebrew Free School."

MADAM SPEAKER: Before the Orders of the Day I would like to attract your attention to the gallery where there are seated some 80 Grade XI and XII students from Neepawa Collegiate, under the direction of their teachers, Mr. Kendrick and Mr. MacDonald. This school is situated in the constituency of the Honourable the Member for Gladstone. There are some 12 Grade VI students from the The Lord Selkirk School, under the direction of their teacher, Mrs. Barton. This school is situated in the constituency of the Honourable the Member for Elmwood. There are some 26 Grade VII students from Britannia School under the direction of their teacher, Miss Dickin. This school is situated in the constituency of the Honourable the Member for St. James. We welcome you here this afternoon. We hope that all that you see and hear in this Legislative Assembly will be of help to you in your studies. May this visit be an inspiration to you and stimulate your interest in provincial affairs. Come back and visit us again.

Orders of the Day.

HON. CHARLES H. WITNEY (Minister of Health) (Flin Flon): Madam Speaker, I wish to lay on the table of the House the Annual Report of The Manitoba Hospital Commission. Madam Speaker while I'm on my feet I'd like to answer a question from the Honourable the Leader of the Opposition relative to Deer Lodge Hospital. In October the then Minister of Health proposed to the Minister of Veterans Affairs that negotiations be instituted with the department to determine if 120 to 125 beds of the Deer Lodge Hospital might be made available to serve community needs; and the Minister of Veterans Affairs replied later on that he would be quite happy to have such negotiations entered into. The negotiations have been underway at the present time between officials of the Department of Veterans' Affairs and the officials of the Manitoba Hospital Commission, but since the negotiations are still on I have received no recommendation one way or the other.

MR. GILDAS MOLGAT (Leader of the Opposition) (Ste. Rose): I wonder Madam Speaker, before the Orders of the Day if I may ask a further question of the Minister in the light of his statement? Is it the intention then to proceed in St. James with the presently approved plans for the Salvation Army Hospital as well.

MR. WITNEY: Yes.

MR. LAURENT DESJARDINS (St. Boniface): Madam Speaker, before the Orders of the Day may I suggest that a cable be sent to Her Majesty the Queen extending her an invitation to visit Manitoba during her proposed tour of Canada and assuring her that she will be most welcome by all Manitobans?

HON. DUFF ROBLIN (Premier and Provincial Treasurer) (Wolseley): I think in reply to that suggestion, Madam Speaker, I should say that Her Majesty the Queen requires no assurance whatsoever from the people of Manitoba that she would be welcome here, because no one ever thinks of any other way in which to greet Her Gracious Majesty. However, I have no objection at all in inquiring of the federal government through whom we deal in these matters as to whether it would be possible for Her Majesty to visit Manitoba. I think however,

(Mr. Roblin, cont'd)...in view of the specific nature of her visit, namely to commemorate the Centennial of the negotiations of 1864, that probably our request may be unlikely of acceptance under the circumstances.

MR. RUSSELL PAULLEY (Leader of the New Democratic Party) (Radisson): Madam Speaker, before the Orders of the Day I would like to direct a question or two to the Honourable the First Minister or to the Minister of Industry and Commerce. What progress has been made in obtaining copies of the first -- (Interjection) -- yes, it's Dickson-Speas -- but there's two reports, there's one consolidated report less a lot of information and then there's a second one even less informative. I'm referring, Madam Speaker, to the first report, the one that was tabled in three volumes I believe in the House of Commons -- what progress is being made in obtaining copies of that report for the Leaders of the Liberal Party and the New Democratic Party in this Legislature?

HON. GURNEY EVANS (Minister of Industry & Commerce) (Fort Rouge): Madam Speaker, I'm not aware that the full Dickson-Speas Report has been tabled in the House of Commons. Manitoba has been denied a copy of that report. We have received one only copy of the report whose title I read onto the record the other day. There are not sufficient copies for Manitoba to have any more than a very small number. I'm proceeding to have further copies made -- we have received one copy and I'm having further copies made to fulfill my undertaking the other day to make copies available to at least the parties and a reasonable number for other people to study.

MR. PAULLEY: I thank the Honourable Minister for giving me that information. Madam Speaker, I would like to direct a further question to the front benches opposite: what investigations are being carried on in respect of the report that my honourable friend just referred to?

MR. EVANS: My staff is at present studying it; I haven't had a chance to talk with them about it since the study has started -- it is a 200 page volume and will take some little time for us to find out even what is in it -- or more particularly what is not in it -- and after that we will have some plan of further study.

MR. PAULLEY: Madam Speaker, may I ask a subsequent question? Does the Minister intend to lay before this House the results of the studies that are being taken on by the investigating authorities that he has referred to at the present time?

MR. EVANS: I cannot undertake to give any indication of future government policy.

MR. PAULLEY: A further question regarding the question of TCA, Madam Speaker. Is the government contemplating consultation with the delegations that travelled to Ottawa in the interests of Manitoba respecting the domiciling or the continuous domiciling of TCA here in the Province of Manitoba?

MR. EVANS: Yes. At the moment I think that comes really under the same question that I answered a moment ago that until we have studied the report and determined what it contains, I can hardly indicate what our plans will be. We will do whatever is most effective in the interests of all of Manitoba to get this situation righted.

MR. PAULLEY: A further question then, Madam Speaker, if I may. Does not the Honourable the Minister of Industry and Commerce feel that representatives of the delegation -- and I'm thinking at the present time particularly of the Mayor of the City of Winnipeg who travelled to Ottawa -- does my Honourable Friend the Minister of Industry and Commerce not think that these individuals who travel to Ottawa in the interests of having this industry retained in the Province of Manitoba, have anything to add or substantiate the desirability, indeed the necessity, of having this corporation remain in the Province of Manitoba and therefore should be consulted as to the next action to be taken by the Province of Manitoba in conjunction with the delegation that went to Ottawa.

MR. EVANS: I think this question has been dealt with. My honourable friend will understand when I say that I am not in a position to announce what may grow out of a study of the Dickson-Speas report until we have studied it. We will not deny ourselves any advantage in the interests of Manitoba when we come either to make further study of the matter or make further representations.

MR. PAULLEY: My question to the Minister is -- (Interjection) -- What's the point of order? I'm asking questions, Madam Speaker, of the front bench -- if they wish to call me to

(Mr. Paulley, cont'd)...order because I'm asking questions, let them do it -- but I want to know what the point of order is -- (Interjection) -- It certainly is an embarrassing question. I want to know of the front bench: are they taking into consultation those members of the delegation that went to Ottawa?

MR. EVANS: I have no further comment.

MR. PAULLEY: No further comment . . . .

MR. ROBLIN: The Point of Order is that an honourable member is not allowed to repeat in substance the question already answered or to which an answer has been refused.

MR. PAULLEY: Madam Speaker, on the point of order to my Honourable Friend the First Minister the question was not answered. It is my opinion, and I'm entitled Madam Speaker, in this House, to my opinion, and if my Honourable Friend the First Minister wants to get a little pernickety about this, let him further consult Beausiesne and he will find that I'm perfectly in order and perfectly correct in asking these questions.

MADAM SPEAKER: Orders of the Day. Order for a Return standing in the name of the Honourable the Member for Brokenhead.

MR. E.R. SCHREYER (Brokenhead): Madam Speaker, I believe that I moved this Order and it was asked to stand. It's been moved -- I really shouldn't have risen. Sorry.

HON. GEORGE JOHNSON (Minister of Education) (Gimli): Madam Speaker, it was moved the other day and I stood the question until -- I hadn't had an opportunity to speak to the Deputy Minister of Education. The only material received by the Minister is that the High School Examination Board passes onto the Minister the pass rates of those students who write the Grade 11 and Grade 12 examinations. In making enquiries from the Deputy Minister I have not received, nor has I believe any Minister in his memory received, any other rates as referred to in (a) and (b) of this Order for Return; so I can only give the honourable member the failure rate in Grade 11 and Grade 12 for which examinations were written in the years mentioned. Of course, Madam Speaker, in the annual report on page 57 -- I'm sure the Honourable Member for Brokenhead is aware of this -- the percentage pass rates for the years mentioned is in that report but as I understand it in the Department of Education Act, the legislature sets out the duties and responsibilities and composition of the High School Examination Board. These are the only figures that are passed onto the Minister's office so I couldn't comply with (a) or (b) as he requests.

MR. SCHREYER: Madam Speaker it's true that the report does give in effect the answer to (b) of the Order but it certainly doesn't give (a). Now if I might be allowed Madam Speaker, I'd just point out to the Minister that it certainly could be that he is not given the information that I asked for in (a) but I'm asking whether his department has the information at some level; and if it does, I would like to have it.

MR. JOHNSON: Madam Speaker, I'm advised that these are the only figures that the department have. I cannot accept (a) of this Order for Return but I would speak to the department about this matter once further. This was the advice given to me in consultation with the department over the weekend and I am told that the High School Examination Board which is made up, as the Honourable Member from Brokenhead knows, of competent professional people from the university and the teaching fraternity and the department have been given the task by the House of supervising and controlling the entire process of setting the examinations and the nature of the exams. The specific information in here I have not got, so I couldn't accept that (a) part at this time.

MR. PAULLEY: Madam Speaker in connection with this Order for Return -- and this of course is a debatable question -- do I gather from the Honourable the Minister of Education in the Province of Manitoba that he or his department do not know the actual or raw failure rate of the students in Grades 11 and 12 in various subjects in the Province of Manitoba? And may I respectfully suggest Madam Speaker, to you and through you to him that if the Minister of Education is not aware of the failure rates in the various subjects in Grade 11 and 12 in the Province of Manitoba, that the whole educational system in our province is a farce; because I would suggest that my honourable friend should have this information, or if he hasn't got it, it should be readily obtainable. And is it on the basis that the Department of Education in the Province does not know what's going on in regard of education in Grades 11 and 12 that he is suggesting to my honourable friend the Member for Brokenhead that he has not got this

(Mr. Paulley, cont'd)...information?

MR. JOHNSON: Madam Speaker, I would advise the House according to the advice given to me by the department -- I have tried to point out that the Act under the Department of Education, the legislature sets out the duties and responsibilities and composition of the High School Examination Board -- that the Deputy Minister has advised me that in his memory of 20 years, no other rate has been passed onto the Minister of Education. But I will take it upon myself to have a statement made by the High School Examination Board in response to the question asked here this afternoon by the Leader of the New Democratic Party.

MR. SCHREYER: Madam Speaker, I thank the Minister for that undertaking.

MADAM SPEAKER: Order for Return standing in the name of the Honourable Member for Brokenhead.

MR. ROBLIN: Madam Speaker, this particular Order -- my friend -- I wonder if you would put the question on the first request for information which is accepted subject to the reservations made by the Minister.

MR. PAULLEY: Well the Minister has agreed to supply the information and he will go back to his Department to try and find out what the failure rate is in the Province of Manitoba -- which information is proper information to be transmitted to this legislature.

MR. ROBLIN: Madam Speaker, that's not what the Minister said. The debate on the item is closed, I'm asking that in order to comply with the Orders of the House we have a vote on this particular Order.

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

MADAM SPEAKER: Order for Return standing in the name of the Honourable the Member for Brokenhead.

MR. SCHREYER: Madam Speaker, in the absence of the Minister of Agriculture, I would ask it to stand, because he indicated to me he would like to have it stand last day and I presume he may still want to do so.

MADAM SPEAKER: Agreed? The adjourned debate on the second reading of the proposed motion of the Honourable the Minister of Public Utilities. The Honourable the Member for Gladstone.

MR. NELSON SHOEMAKER (Gladstone): Madam Speaker, I adjourned this debate the other day for the Honourable Member for Ethelbert Plains.

MADAM SPEAKER: The Honourable the Member for Ethelbert Plains.

MR. M. N. HRYHORCZUK, Q.C. (Ethelbert Plains): Madam Speaker, I spoke on the companion Bill to this one several days ago and nothing has been said since then to change my opinion. Probably I'm somewhat hard of convincing, but there are two or three little things that have popped up since then that just add to my conviction that this bill is not as innocent as it looks. With all due respect to my honourable colleague the Member for Lakeside, I feel that if the First Minister was right in saying that we now have the authority and the right to refer matters to the committee -- and I agree with him entirely that we have -- in fact, we have before us now a notice of a meeting of that committee which will take place this coming Thursday. Madam Speaker, I believe that any matter that this House wishes to discuss or to be brought before that committee can be brought before that committee without the passage of this particular bill. If such is the case, then why the bill? I think the answer to that lies in what the Honourable Minister of Public Utilities had to say when he introduced this Bill on second reading.

Why would he have come out with the statements that he did, if he did not believe that the bringing in of this bill would accomplish what he said it would. I can't understand a Minister of the Crown bringing in a bill telling us what he hopes that it will accomplish, and then have other members of the front bench get up, including the First Minister, and say that is not what it is intended to accomplish. Now that doesn't ring true to me Madam Speaker; that is one reason why I'm not convinced that this bill is quite as innocent as it looks. And once again I would like to refer to the fact that particular reference is to the report, not any of the mechanical operations of this corporation, that's not what is referred to in this particular bill, it's in most part the financial aspects, that is what appears in this report that the amendment refers to -- and we all know Madam Speaker that the financing of this corporation is done through the Provincial Treasurer; so why should matters over which the corporation

(Mr. Hryhorczuk, cont'd)...has no control, be referred to it permanently. I would like to have that question answered and I hope that when the Honourable Minister closes debate on this he will give us an answer to these questions. Maybe I am off base Madam Speaker, but from what has been said here, and from reading of the bill, I'm still convinced that this bill should be withdrawn; that it is improper to take away from members of this legislature the right to question the Minister, not only the Minister of Public Utilities, but the Honourable the Provincial Treasurer who is a very important part and parcel of our corporation. I'm sorry to say Madam Speaker, that I'm still opposed to this bill and I intend to vote against it.

MADAM SPEAKER: Are you ready for the question?

HON. ROBERT G. SMELLIE, Q.C. (Minister of Municipal Affairs) (Birtle-Russell): Madam Speaker, I move, seconded by the Honourable Minister of Public Works that the debate be adjourned.

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

MADAM SPEAKER: The adjourned debate on the second reading of the Proposed Motion of the Honourable the Minister of Public Utilities. The Honourable the Member for Rhineland.

MR. J.M. FROESE (Rhineland): Madam Speaker, Bills No. 37 and 38 have been discussed quite at length and since both of them involve a matter of Crown Corporations, it seems that crown corporations are causing trouble and concern to society, to individuals as well as to the members of this Assembly. Last year we had a real rabble rouser, if you could call it that, on Manitoba Hydro when we had the matter of excessive spending in connection with the water haul contract. It was gone into very deeply and it seems that we will have more frequent recurrences of such a nature. And we do have trouble in other similar crown corporations. We have the matter of the TCA hanging fire which is another crown agency where economics dictate the removal of the repair base here in Winnipeg, and the government because of the effects of public opinion, they naturally moved in another direction, although I feel that this was done in a very weak manner as indicated by the government not advising the head of the crown agency concerned of the decision made by the government.

Then last fall or early this winter we had another episode in connection with a federal crown agency, namely, the Canadian Wheat Board hauling people to court for infractions of the law because of powers given to a crown monopoly that should never have been delegated.

Under Section 91 and 92 of the British North America Act 1867 the powers are set out as to the distribution of legislative powers, both the powers of Parliament of Canada and those of the provinces. What is happening is that we are delegating powers conferred on this legislature to appointed boards of monopolistic crown agencies, thereby depriving individuals and society of their basic rights and of their right to appeal. As the members well know in this Assembly here that when you do appeal to a board that in the first place has caused trouble naturally they won't retract their decision but will stick to their original decision; and therefore what use is it to make appeals. And it is because of these losses that there is increased concern right here in this Assembly that we will now have our rights restricted as legislators through the passing of Bills 37 and 38 dealing with the Manitoba Telephone and the Manitoba Hydro respectively.

I think it should always be the right of this Assembly here to question the Minister on matters of policy and matters of interest in general from time to time in this House. I do welcome the opportunity to have discussion in committee with the heads of the commission as stated in Bills 37 and 38; but I feel that in order to dispel the fears of the Members of the Opposition in connection with these bills why not have them withdrawn or amended to spell out in definite terms in the bills to avoid any restrictions of this type -- the ones that I was referring to. I feel if this was done there would be no hesitancy on the part of any of the members to pass the bills.

In my opinion the whole matter of setting up public utilities, or crown commissions, or agencies; the creating of monopolies by law; the powers that we confer on them; and the powers that are delegated to these corporations; the responsibilities of the boards that are appointed under these agencies and are exercised sometimes to the detriment of society -- I think all these should be taken under review. Also the manner in which these agencies are answerable to the Minister of the department concerned, to the Legislative Assembly as a whole, so that we will know just where we stand and what actions can be taken so that we will not be deprived

(Mr. Froese, cont'd)...of our rights in connection with these agencies.

I feel that this whole area needs refining because we will be running into more and more of these same problems as time goes along as we see more of these corporations being established. The way they come about is rather amusing -- that for a while a department will -- like for instance the Hospital Commission, for a while it will be the business of the department, then once they get to a certain size they'll be cutoff and set adrift to sail on their own; and that's when the difficulties arise. Until such a point as they're cut off we know that the Minister is responsible and that we can ask for any information and get the necessary answers.

Under this new proposed legislation, once they're cutoff, once they're on their own, then we're supposed to get our information in committee. I don't think this is sufficient for the Members of this Assembly. We should have access to information at any and all times on matters concerning the various departments that have these agencies under their jurisdiction, if you could call it that.

So, Madam Speaker, I certainly cannot support the bill as it presently stands because I, too, fear that certain rights are going to be taken away from us because of what has happened in the past.

MADAM SPEAKER: Are you ready for the question?

MR. DESJARDINS: Madam Speaker, I move, seconded by the Honourable Member for St. George that the debate be adjourned.

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

MR. SMELLIE presented Bill No. 50, An Act to provide for Certain Exceptions to The Lord's Day Act (Canada) for second reading.

Madam Speaker put the question.

MR. SMELLIE: Madam Speaker, this Bill is introduced to allow other municipalities in the City of Winnipeg to pass by-laws to allow certain activities on Sunday which, but for this bill would be prohibited by The Lord's Day Act (Canada). It provides for similar machinery to that in The Liquor Control Act, providing for a petition to the Municipal Council and for the matter to be presented to the electors of the municipality before the by-law is passed.

MR. HRYHORCZUK: Madam Speaker, I'm going to be very, very brief, but in spite of the briefness I feel very strongly about this bill. Probably I'm old-fashioned, Madam Speaker, and maybe I'm one of the few that believes that things that were true centuries ago could be true today. I don't believe that all matters become out-moded or out-dated or become archaic. I feel, Madam Speaker, that when The Lord's Day Act was enacted by federal government it at that time received very serious consideration and no doubt found its basis in the fact that we consider ourselves a Christian nation who believes there is such a thing as a seventh day, the day of rest. I feel about the bill the same way that I feel about the "death of a thousand cuts," that I'm sure that most members have heard about; any one individual cut does not bring about any severe pain and far from bringing about death, but when you have enough of those cuts you eventually bring about death. And I cannot help but feel, Madam Speaker, that this could very easily be one of the thousand amendments that will eventually kill The Lord's Day Act. It may be insignificant in itself but is chipping away at the very foundation of Christianity. Take away the Lord's Day and what have you left? And I say, Madam Speaker, that whether we do it in piecemeal or whether we do it at one fell swoop does not make too much difference. In fact, probably if we feel that eventually The Lord's Day Act, as well as its meaning may disappear, why don't we have the courage just to ask for its repeal.

We have seen other times and other places where little bits were taken away from time to time until the whole structure toddled and fell over. Now I know that there are going to be arguments that this does not mean too much just giving the localities or the municipal corporations an opportunity to say what they want. But, Madam Speaker, are we passing on our responsibility? If we are to allow the municipalities to decide on matters as important as this one is, then why not let them look after the Criminal Code and everything else as they feel; why not let them legislate on morals within their own boundaries?

I said I was going to be brief and I am going to be brief. I'm just wondering, Madam



(Mr. Hryhorczuk, cont'd)...Speaker, whether this bill is one of those that was not only overlooked by the government caucus, or is it possible that the Minister brought it in without reference to the cabinet itself? We've had instances, we've had instances of bills coming before this House that made us wonder whether the cabinet ever saw them before when they got into the Law Amendments Committee. It wouldn't surprise me one bit if this bill probably falls into that category -- I don't know. But I think this is just as good an opportunity as any to stand up and be counted. And I think that on this one issue which does not seem to be very serious we'll be able to find out how many firm believers we have in our way of life, in our freedoms, and in the seventh day being Lord's Day, a day of rest.

MADAM SPEAKER: Are you ready for the question?

MR. W.G. MARTIN (St. Matthews): Madam Speaker, I would like to say a few things on this bill, perhaps one reason that we took such an active part in the discussions which transpired in this Chamber a year ago. I don't agree with those who suggested it was chaotic. I think that we had a very useful discussion of the whole question.

I want to say immediately as I get up to speak that I'm quite in favour of this bill going to the Law Amendments Committee to be thoroughly discussed and thrashed out in all its details. And likewise, I am in favour of the principle of the bill, namely, dealing with this whole question on a local option basis as the only fair and equitable way in which to deal with it. And in saying that, Madam Speaker, I'm just repeating the stand that I took in this debate, a similar debate, last year, when we felt that it wasn't fair that one municipality should enjoy certain privileges which were denied at the present time other municipalities. I know that we were severely criticized because we argued against the referendum of the City of Winnipeg and when it came before the House there was a very earnest discussion about it.

This is a highly controversial question and it bristles with difficulties and perplexities. Everyone will agree with that. But I don't think that there is anyone in this Chamber who would stand up and deny that The Lord's Day Act has been a sheet anchor holding the Ship of State on an even keel. When we pick up our papers or we listen to the radio, watch the television, we have grim and dramatic presentations of political upheavals in many parts of the earth, reducing life for millions of men and women and little children to a condition of abject despair. When we come to the end of our drama, I'm sure each one of us thanks God that we live in a land of freedom, well-being and justice, fair play, and we must acknowledge that one of the factors bringing us to that goal is the observance of the sanctity of the Lord's Day and our allegiance to the principles and ideals which it represents. That is the answer I would give to those who would suggest that it is obsolete, out-moded and has out-lived its purpose. I say otherwise. I consider, Madam Speaker, that this Lord's Day Act should remain to impress the minds of the people that there is a day set apart to give special and particular consideration to values other than the material things of life -- values, Madam Speaker, which we recognize at the beginning of every sitting of this legislature. Madam Speaker, I believe that the prayer that you offer as the Speaker of this Assembly is not just an exercise of idle words; it's intimately and vitally related to the processes of good government.

I am aware of something else, though; and that is that we are living in a rapidly changing age. I believe it was the Honourable Member for Dufferin the other day who said, "This is the jet age." It's an age wherein there is a newer approach -- sometimes radical and sometimes a revolutionary approach to the problems and enterprises of life. Hence we are not surprised that there should from time to time come demands for changes in The Lord's Day Act.

Across the years we have liberalized the Sunday laws. It is a far cry from the day of the straight-laced rules and regulations which characterized Puritan Sunday and the Blue Sunday laws, regulations which were the subject of many jokes and much hilarious ridicule. And also I would like to say has been a burden, an intolerable burden, to all men and women and children in that age.

The story is told of John Ruskin who said once that he would have been a clergyman had it not been for the fact that when he was a boy he had to eat cold mutton on Sundays. I did hear of a bachelor preacher who refused to baptize a child because it was born on Sunday; and for the man who had been away on a long journey and came back and was greeted at the door by his wife, greeted with a kiss, and he was put in the stocks for two hours as a penalty for his

(Mr. Martin, cont'd)...misdemeanor; and for the farmer who sowed a field of potatoes thinking it was Saturday and someone reminded him it was Sunday so he went out and gathered them all up again. The time when it was wrong to whistle on Sunday; to shine your shoes, and not to read the newspaper -- although Madam Speaker, I think that prohibition may be a valuable contribution to an orderly day of rest.

But within the life of this government we have brought in several amendments. In 1959 we brought in a Bill dealing with amateur sports; and we made so much of the fact that this was "amateur" sport and not professional sport. We were seeking to get the confidence of the legislature by making that distinction. In 1963 came the amendment of The City of Winnipeg Act and that was discussed in committee, some sections of the bill were thrown out and the bill was watered down, suffered a defeat in the Committee of the Whole, sent back to the Law Amendments Committee, and when it returned to the House it just squeaked through by a couple of votes -- rather indicating, I think, that this House considered that we had gone far enough in liberalizing our Sunday laws.

Now we have the amendment of the Lord's Day Act on the local option basis. I don't agree with the Member for Ethelbert that we are passing by our responsibility in this matter by bringing this thing before the municipal corporations. We did that in The Liquor Control Act. These are corporations who know their own local situations, whether they want a thing or whether they don't want it. We are not saying you must and we are not saying you must not. We are saying to the municipalities, here is an amendment to The Lord's Day Act; if you think that it is advisable to implement this by a by-law or referendum that is entirely your business; it is not ours. I fear, Madam-Speaker, that if we had not approached it in this way, then perhaps the City of Winnipeg would have been before us again seeking something which I consider would have been an unfair basis, to give something as I said before, to one municipality.

Now if this bill becomes law -- and I'd like to be optimistic, but I think it will become law, much as I may think the otherwise. I haven't had any pressure of letters as come to us sometimes on certain issues -- that has rather surprised me that some groups of Ministers have been very loath to pass much of an opinion about this matter. But I am still wondering, Madam Speaker, how many municipalities will take advantage of the provisions of this Act. I feel quite sure that some will be stoutly against it and others will move slowly. I think that's the careful way to approach this question; to study minutely everything that is involved whether it is coming before them as a municipal by-law or as a referendum. Study everything that's involved, the commercial aspect of it, the giving of the green light to commercial enterprises -- for that is what it means; the movie houses aren't in it for the good of their health and they are not in it to entertain or edify the people -- I'm afraid sometimes movies do very little by way of edifying the people -- but they are in it for financial gain, and unless the box-office returns warranted it they would shut up shop. The green light to commercial enterprises and business for profit on the Lord's Day -- I think that is something to which they should give very careful consideration. And I think in studying this thing, realizing the rights of the municipalities and so forth under this Act -- and I think it is a very just right -- the peril of a wide-open Sunday. There will of course be demands from other forms of Sunday operation and activities. That may come. I don't think these people are dead, asleep, to what may be the possibilities; the dance hall or the pool room; the race tracks, which are not included now; stock car racing, wrestling and boxing. If they say yes to one it is difficult for them to say no to the other. I think that is something they should keep in mind.

Then I think they should keep in mind the fact that the beverage rooms may one day be open on Sunday; and the stores be open. A letter appeared in the paper the other night where a lady said, "Isn't it possible for me to go to the store and buy goods, if they are going to open places of entertainment on Sundays." And the supermarkets -- I've no doubt but what they will come along with their request; and the factories with the smoke belching from the factory chimneys and the construction work with the diamond drills chugging away on our thoroughfares. I think that the municipalities in their study of this whole thing when the opportunity is placed before them, should give very careful consideration to these aspects of it. And then also the fact that it will deprive many of the Sunday day of rest -- I mean it is the employees of the movie house that will have to bear the brunt of this legislation. You see

(Mr. Martin, cont'd) . . . the people that work in offices finish at 5:00 on Friday and they are off until Monday, that is a five day week. Labour has its 40-hour week. The stores close Saturday and open Monday, but they have their Sunday in addition to some other day in the week to which they are entitled. But the people who will work in the motion picture theatres are on a seven day a week operation; they have surrendered their claim to this one day of rest as their own, and they can never say from henceforth "Never on Sunday." I don't want it to appear -- last year some one said that they thought the Member for St. Matthews was sermonizing. Well, I was rather pleased to find there was somebody who knew a sermon when they saw it or read it. I think there are some people that wouldn't know much difference between a sermon and a lullaby by the Beatles quartet -- but they thought the Minister was sermonizing.

Now, Madam Speaker, my only purpose in standing here and saying that I believe in the principle of the Bill being dealt with on the local option basis is the sincere hope that City Councils, if they are going to pass a by-law, or municipalities or citizens generally, should keep ever before them the importance of maintaining the dignity of a day which has been the brightest gem in the diadem of our religious values; to see that nothing happens that will molest its sovereignty, that they shall hand it on to those who follow after, is a rich legacy. Tragic commentary on what prevails in communist countries where anti-God, anti-religion, anti-church crusades are going on unabated, comes in Reuters Dispatch which appeared in our Saturday paper. It's very very important: "An institute of scientific atheism" -- scientific atheism -- "will be set up in Russia to help speed the task of completely eliminating religious prejudices the Communist party newspaper Pravda reported. Pravda said religious prejudices could not be overcome at one stroke by administrative measures. It called for an ideological campaign "to deliver the consciences of devout people from spiritual drags." The central committee of the Communist party decided to set up the institute of scientific atheism to intensify the atheistic indoctrination of the population. At humanities faculties of the institutes and universities some of the students will specialize in scientific atheism, and a program for the atheistic indoctrination of school children has been set up. Pravda said as a result of the immense educational work by the party an "overwhelming number of Soviet people have broken with religion," but the task of the complete elimination of religious prejudices was still to be faced." And on another page, was this dispatch from Moscow: "The City of Leningrad will soon have a "palace of baptism: to combat church christenings which many Soviet parents still prefer, it was announced here recently. Writing in the Trade Union Organ, the party secretary of Leningrad Industrial Area said "a wonderful palace" would soon be built for the ceremony.

Now Madam Speaker, that wonderful "Palace of Christening" to my mind is symbolic of the purpose of Russia to completely immerse the population in the waters of atheistic indoctrination. I hope that Russia may turn the pages of French history and read that the national convention at the time of the French revolution voted to abolish Sunday, but the experiment was tried and it failed and after a few years the penitent nation picked up the discarded day. Madam Speaker, I can imagine members present saying, "That couldn't happen here, not with our democratic way of life." Let us make sure. One way to make sure is to guard with jealous care the Lord's Day, the Sabbath, as one of humanity's indispensable possessions -- the very core of our civilization.

MR. ELMAN GUTTORMSON (St. George): Madam Speaker, would the honourable member permit a question? Would you tell me whether you are for the bill or against it?

MR. MARTIN: I'm certainly for the bill when it says that it should be amended to be based upon local option method of dealing with this question -- giving the municipalities. That's what I'm in favour of. That is the right and the privilege. If one municipality has been able to do it, let them all have the privilege to do it and leave it to their good judgment to decide.

MADAM SPEAKER: Are you ready for the question?

MR. GUTTORMSON: Madam Speaker, I move, seconded by the Honourable Member for Emerson that the debate be adjourned.

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

MADAM SPEAKER: The second reading of Bill No. 58. The Honourable the Minister of Labour.

MR. SMELLIE: Madam Speaker, in the absence of the Honourable Minister of Labour, could this matter stand?

MADAM SPEAKER: Agreed?

HON. J. B. CARROLL (Minister of Welfare) (The Pas) presented Bill No. 70, an Act to amend the Child Welfare Act for second reading.

Madam Speaker put the question.

MR. CARROLL: Madam Speaker, the explanation was given at resolution stage. It just makes it possible to pass retroactive regulations with respect to this particular Act and clears up a few minor typographical errors in the original Statute.

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

MADAM SPEAKER: Second reading of Bill No. 40, the Honourable the Minister of Public Utilities.

HON. MAITLAND B. STEINKOPF, Q.C. (Minister of Public Utilities) (River Heights): Madam Speaker, in view of the fact that there will be some companion bills to No. 40 presented to this House within the next few days, I wonder if I could have the indulgence of the House to let this matter stand.

MADAM SPEAKER: Agreed?

MR. ROBLIN: Madam Speaker, I'm going to suggest now that you call the resolution standing in the name of the Honourable Minister of Health with respect to Dental Policy. We can introduce that resolution and initiate the debate on a highly interesting subject. And after that has been adjourned, as I suppose it will be, we could then take the Committee of Ways and Means and hear from the Honourable Member from Rhineland, and any others who wish to speak on that interesting subject. And after that I would propose to bring in a message from His Honour, bringing in the supplementary estimates and interim supply, and if it met with the wish of the legislature they could be referred at once to the Committee of Supply, dealt with, put through the Committee of Ways and Means and perhaps first and second reading of the bills that follow could then be put. Members will recognize that these are relatively routine items. Then when that was done we would then go back to Committee of Supply to consider the main estimates in the name of the Minister the Honourable Attorney-General.

MADAM SPEAKER: The proposed resolution standing in the name of the Honourable the Minister of Health.

MR. WITNEY: Madam Speaker I move, seconded by the Honourable the Minister of Education, that whereas Dental Health policy is a matter of important concern to the people of Manitoba; and whereas substantial improvements in dental services have been put in train through the School of Dentistry, the Departments of Health and of Welfare and the Manitoba Denture Clinic; and whereas wide public interest has been evidenced as to the correct role of dental technicians and denturists in the dental service field; and whereas it is desirable to provide for a full investigation of this latter question; therefore be it resolved that a Special Committee of the House consisting of nine members be appointed to examine, investigate, inquire into, study and report on all matters relating to the determination of the proper role to be filled by dental technicians and denturists in the provision of dental services consistent with sound public health policy and to make such findings and recommendations as are deemed advisable with respect thereto.

Madam Speaker put the question.

MR. WITNEY: Madam Speaker, the resolution that is before the House today is one that I am sure the honourable members will be able to get their teeth into or me. It's another resolution that calls for a special committee; it's a resolution that calls for a study; and in my consideration of this matter I have had some rather interesting facts and information come to my attention which led me to believe that this House should have a special committee and should have a special study.

I would like first of all Madam Speaker, to take the members of the House back into history a bit -- not as far back as we have been taken during some of the debates in this House -- but I would like to take you back to the middle of the 1950's, back to the time when Elvis Presley was beginning and back to the time when a northern delegation came down to a special committee on power and said that the Nelson River should be developed and to advise you of what took place at that time. For I am sure that there are many in this House who can remember the numbers of people who were saying we need more dentists; the number of people who were saying we need better dental health for the people of this province -- labour bodies,

(Mr. Witney, cont'd)...Chambers of Commerce, Home and School, and other interested organizations all were putting pressure on the Government and the MLA's at that time to do something about dental health and the fact that we have a shortage of dentists. And what resulted was a study concerning the establishment of a School of Dentistry in Manitoba. That study was made by a Dr. Paynter and Dr. Paynter brought down various recommendations and he came to some conclusions; and I think that it would be advisable at this stage, Madam Speaker, just to review them, so that we can start this resolution off right from the beginning.

Dr. Paynter said: "(1) He said a serious dental health problem exists in Manitoba." And then in his recommendation he said, "it is recommended that a School of Dentistry be established in the Province of Manitoba as a Faculty of the University of Manitoba and that it be located close to the existing medical school. The Dental College should be capable of graduating 30 dentists per year. Dr. Paynter said that a School of Dental Hygiene should be established within the Dental School capable of graduating 15 dental hygienists per year. And then he said that planning should begin as soon as possible to organize training programs for further types of ancillary personnel for dentistry in the fields of both operative and prosthetic dentistry; and he called for a staff training program for a dental school." These were the major recommendations that he made and since that time there has been progress made Madam Speaker. There is a School of Dentistry that is associated with the University of Manitoba annexed to the Dental College -- and perhaps some of the figures that I have here will be of interest to the Members of the House. That School of Dentistry was established at a cost of about \$2-1/2 million. The annual operating budget of the School of Dentistry is \$400,000 and in Dental Research there is some \$100,000, or a total of roughly half a million dollars a year. And what has it accomplished? In 1962 there were 15 graduate dentists come from the School of Dentistry -- in 1962 15 graduate dentists; in 1963 there were 22. That was for a total of 37. And what happened to these men when they graduated in '62 and '63? Approximately 71 percent of them went into the field of dentistry in the Province of Manitoba; 49 percent of them went in Metro Winnipeg; eight percent in rural Manitoba; three percent in the Department of Health; three percent in City Health; and eight percent of them went back into the Faculty of Dentistry here in Manitoba; and the other 29 percent went to such places as the Canadian Army, Ontario, Saskatchewan and British Columbia.

At the present time in the School of Dentistry in the first year there are some 30; in the second year some 25; in the third year 27; and the fourth year graduation class will be 19; and there are four post-graduate students and twelve first year hygienists on the first year of a two-year course. So these figures, I suggest to the House, indicate that progress has been made; and that progress is not easy, for when you consider what a dentist has to study in order to become a dentist, it is rather, to me, startling to see the degree of professionalism that is called for. In the first year they are called upon to study anatomy, biochemistry, physiology, oral histology, psychiatry, dental anatomy, dental materials, complete denture prosthesis and professional conduct. And so on until you come down to the fourth year, the graduating year, when they are called upon to study dental science, denticle nutrition, operative dentistry, pedantics, endodontology, six partial denture prosthesis, complete denture prosthesis, removable partial denture prosthesis, periodontology, radiology, oral diagnosis and oral medicine, oral surgery, anesthesiology, orthodontics, dental public health and professional conduct. So dentistry is not an easy course. I suggest to you that there has been progress made since the public said to the legislatures of that time through their various bodies, that we need more dentists and we need better dental health for the people of Manitoba. And I suggest to you in this House that we cannot take any action that would cause an erosion on that progress. We must remember \$2-1/2 million in a college at the present time and half a million dollars operating expenses.

And now we come to another section that Dr. Paynter recommended, and it was an auxiliary arm to dentistry. And this is what he had to say: "It also seems reasonable to assume that an auxiliary arm of dentistry could be trained to serve the public in the prosthetic field." Again under supervision. "There is no reason why the technique for taking impressions of the mouth, jaw registrations, etc., and sufficient biological background for an understanding of the principles involved could not be taught to a similar training period to that of the hygienist. After all men with no known training at all except possibly that obtained in a commercial

(Mr. Witney, cont'd)...dental laboratory are presently engaged in performing all the procedures connected with the construction of artificial dentures for the public, and in considerable numbers. Regardless of the legality of their operation their numbers have increased so much and they have become so well organized that governments are faced with the prospect of having to legalize their operation, in spite of the objections of the dental profession -- and sometimes in spite of the better judgment of the Legislature. Nowhere is this more eminent than in Manitoba today."

And then Dr. Paynter went on -- a statement you might be interested in, "It is obvious that in spite of mistakes which may be made, sufficient of the Manitoba public are satisfied with the services they are getting from the so-called elicit practitioners otherwise they would not remain in business, or increase in number and prestige."

Now I've wondered as I contemplated this problem of the false teeth whether or not we could find a means whereby the dental technicians and the dentist could actually aid the progress that has been made in dentistry in this province over the past few years. I came to the conclusion because I was in the dental laboratory and I saw what the dental technicians had to do; I saw that they were craftsmen; and then I had in the office the denturists themselves, and the denturists who now call themselves the Association of Dental Technicians indicated that they were quite ready to have improved standards and to go to school at times if necessary to improve their own craft. And it came to my thinking that if we were to take time and to study we might actually be able to resolve this most difficult problem to the benefit of dental health of the people of Manitoba.

As I went on in these studies I was interested to learn that Manitoba is far from being alone in this problem. This problem has not only faced other jurisdictions in Canada; it's faced them in the United States and it has faced them in other parts of the world. I have here a book that was written on dentistry, "An Agency of Dental Health," written by an English dentist and possibly some of the things that this man is saying will be of interest to the committee. He says, "In discussing the responsibility of the dentist and the dental laboratory technician, it is imperative to consider the value of dental prosthesis as a health service. Prosthetic dentistry has too often been thought of as an art or craft, rather than as health care equal in importance to any other branch of health service. A well made dental prosthesis not only restores oral health and oral function; it is an important factor contributing to general health. A poorly planned or poorly made prosthesis not only may contribute to limited mastication, oral disease, premature loss of remaining teeth or supporting tissues, but also may be the direct cause of general ill health through malnutrition. Continued oral discomfort may induce neurosis and general organic disfunction. Dental prosthetic service poorly rendered may contribute to impaired hearing, . . . . ., vertigo, neuralgia, malignancy, etc. A dental prosthesis is a special health service equal in importance to other specialties of dentistry or medicine. Its practice requires thorough knowledge of all the basic sciences. In the interest of public health and welfare its practice can never be delegated to any group with substandard dental training. On the contrary the importance of dental prosthesis as health service should be more universally recognized by dental and medical educators and greater emphasis should be placed upon it in the curricula of dental schools so that dentists may be better qualified to render that service."

And then again this man says, "That improved dental prosthetic service is in the interest of public health and welfare. To permit complete prosthetic service to be rendered by technicians with substandard education would be a serious retrogressive step in the quality of dental prosthetic health care. Dentistry must look forward and ever forward. Its slogan must be: "Better Dentistry for More People." Dental prosthetics present one of the most complicated problems in the field. Advances in prosthetics during the past 25 years have been a great credit to the profession. The necessity for continually improved prosthetic service is recognized."

I remember when the denturists were in the office, this question of the health of people came up and the denturists asked for some definite figures as to whether poor fitting dentures do actually cause poor health, and those figures cannot really be given. But I remember one fellow in the office, too, who had a set of dentures, who said to me, "That all this business about dentures causing poor health is more or less a lot of nonsense." When I began to reply,

(Mr. Witney, cont'd)...the fellow said, "Would you please speak up, I've become hard of hearing lately."

So I figured again with information such as this before me, and with the progress that has been made to date, that it would be unwise to take any overt action at this particular time. And I felt that since this problem has been wrestled with by many jurisdictions all over the world that there was no reason why we could not take one more year to see whether we could not turn it to our advantage in providing better dental health.

I also noted as I travelled around the country -- I went to Saskatchewan to inquire into Saskatchewan why they took certain action -- that there is a great deal of concern about allowing people to work directly with the mouth without any form of prescription, and when I had some legislation analyzed for me, this is what I learned: that in Saskatchewan in 1959 they had a bill which permitted anyone to engage in the practice of dentistry subject only to a person having a certificate of oral health from a dentist or a physician; but in 1960 Saskatchewan rescinded that legislation and a new draft was prepared which allowed only repairs when an impression was not needed. I went to Saskatchewan to ask, "Why did you take that particular action? Why after one year did you rescind your legislation?" One of the answers that came to me was: "That we need more dentists in Saskatchewan. We had received a brief from the dentists themselves that was very strong and it was decided to rescind this legislation and to use a set of bursaries in order to encourage more dentists, particularly into the rural areas of Saskatchewan."

In Alberta they have legislation that was passed in 1961 which says that The Dental Mechanic Act provides that a dental mechanic can fabricate complete dentures and a certificate of oral health is required. But when you began to look into the matters surrounding that particular legislation, as a Health Minister I was rather surprised to learn that the Department of Health in Alberta will not administer, that it is administered by the Department of Labour. When you look a little deeper, you find that the Minister in Alberta is a professional man; he is a doctor; when you delve even deeper, you find that not everybody in the Department of Health in Alberta is a doctor. The denturists say that it is working in Alberta; the Department of Health in Alberta indicates that it is not, and there is the evidence of confusion, or at least what one might call chaos.

When you go to British Columbia they have legislation which says dental mechanics can make full upper or lower dentures on patient presentation of a certificate of oral health and within a time limit of seven days. Then they have dental technicians who work under prescription from a dentist -- no work in the mouth but they can do clean break repairs. But again, on the information that I was able to glean in the short time that I have been the Minister of Health, some said it was working and some said it was not working, and there appeared to be confusion and chaos over there.

And then I was interested in another matter which was drawn to my attention and that was the results of a technical committee of the World Health Organization. And this said: "The World Health Organization Technical Report Series No. 163, 1959. It was also emphasized by the expert committee that the dental technician should not take impressions of the mouth and he should not have contact with the patient." When you review the legislation that is prevalent in other countries, in Denmark and in certain cantons in Switzerland, these are the only western countries allowing denturists to work directly on the patient. And in Germany it was once permitted but it is now prohibited by stringent amending laws. In the United States, the United Kingdom and in Canada, what the denturists have been asking for is not permitted. In Norway it has not been permitted since 1935; in Sweden it has not been permitted and now there are severe penalties, and in Finland they allow only the repairing of dentures. In South Africa and Australia they do not allow what the denturists have been asking over the past period of years.

Now I must say when the denturists came into my office they appeared to me to be quite reasonable people. I asked them many questions. I asked them, for instance, the question of the price that they charge for dentures and one fellow said to me, "We charge \$80 for a complete set of dentures." The other fellow said, "\$80." The third fellow said, "Well, I charge \$80 and sometimes more than \$80 -- sometimes perhaps up to \$100" and the other two came along and said at that time, "Well, we too, at times, charge more than

(Mr. Witney, cont'd)...\$80.00." They agreed that they could do with some standards. When I say "do with standards" they agreed that they would be prepared to improve their standards and they drew to my attention the program that is operated in Alberta, the dental mechanic program in the school of the Northern Alberta Institute of Technology which is a two-year course. There is a 10-month course for dental assistants program and a two-year course for the dental mechanic program. But the indication that we have from Alberta is that no one at the present time, except for a few, and just how many that few are I don't know, are taking advantage of it. But the final thing which made me feel that perhaps we should study this matter a little closer, particularly in view of the progress that had been made at the University, was what took place in New Zealand.

In New Zealand they are considered to have one of the best dentist programs or dental health programs, particularly for children, in the world; and in 1962 they set up a similar study to that being called for in this Legislature. And they found that it was necessary to examine the present organization and operation of the dental technician industry, the conditions of employment in the dental technician industry, the recruitment and training of dental technicians, and the effect of legislation permitting dental technicians to provide dentures direct to the public upon (a) the general public, (b) the practice of dentistry and, (c) the dental technician industry, and I think it's interesting at this juncture to reveal some of the recommendations which they made. They pointed out that the commission on the survey of dentistry in the United States, recommends that dentists required by law to provide dental technicians with written prescriptions for the fabrication of dental appliances. It's the law in 33 states. And they made this recommendation, that legislation should be introduced to govern the dental technicians' industry. It should provide for the registration of all persons engaged in the industry and for the setting up of a dental technicians' board responsible for the registration, standards of qualification and for the orderly control of the industry as a whole. The dentists should be required to provide dental technicians with written prescriptions for the fabrication of dental appliances and that this requirement should be strictly observed.

Then we come to this other section about the general public. They say, "In assessing the overall effect on the general public of permitting dental technicians to make dentures for persons in the community without reference to a dentist, the committee found it advisable to think in terms of both the individual and the community as a whole. From the point of view of time and effort, the construction of an artificial denture is predominantly a mechanical operation. It is however, an operation which is based on biological principles and the completed denture is an appliance which becomes an integral part of the delicate physiological mechanisms of mastication, swallowing and expression. While recognizing the serious results to the individual denture wearer of inadequate denture services, the committee is aware that, although certain people may suffer, the health of the general public need not necessarily suffer to the same extent. On the other hand, the consequences of permitting dental technicians to provide dentures direct to the public could have far-reaching results. It would be extremely detrimental to the future of professional dentistry in this country and the ultimate effect of this upon the general public health would be very serious indeed. The risk to the health of the individual of allowing denture services to be provided by an unqualified person is only one aspect of the matter. It is perhaps more readily appreciated than the risk to the health of the community as a whole but considered in a wider sense the latter risk is very real."

And then this committee had this to say about the practice of dentistry: "The effect on the practice of dentistry of the introduction of legislation permitting dental technicians to provide dentures direct to the public has been mentioned. If young men and women are to regard dentistry as a career with a future and security the profession must be soundly based." And I refer your attention again to the qualifications that these people must have in order to come a dentist. And the report shows this, "That educational requirements have become progressively more stringent as knowledge of dental diseases has increased and their treatment become more specialized. In order to meet these advances in dental science, no less than five years of university education is considered necessary by almost all dental schools in the world to produce a dentist. While most people now realize the



(Mr. Witney, cont'd)... value of dental health and the important part the dentist plays in maintaining it, the attitude still persists that some phases of dentistry are entirely mechanical and quite within the compass of a technician. Relegation of denture work to dental technicians would upset the balance of dental practice which is at present maintained between the exacting eye-straining occupation of drilling and restoring teeth and the less physically demanding services of providing dentures. Imbalance in the direction of the more arduous branches of dentistry would render a professional career less attractive and would adversely affect recruitment to the dental school which has been built to meet the whole dental needs of the people of New Zealand. Even now, insufficient recruits are coming forward to render the school wholly operative."

In other words, this committee found that in New Zealand, where they too had established a school of dentistry, that there was danger that the expenditure that was made for that dental school would be seriously affected if legislation was passed to permit people to work directly with the mouth, such as the denturists.

So these are the things which came to my attention as I tried to grapple with this problem of the denturists and the dentists. And finally, "The committee recommends that legislation should not be introduced to permit dental technicians to provide artificial dentures direct to the public. It considers that such legislation would not be in the interest of the general public, dental practice or the dental technicians' industry. In the interests of the general public, the committee recommends that consideration be given to the establishment of low-cost denture clinics, organized and operated by registered dentists under the aegis of the New Zealand Dental Association and/or alternatively by way of hospital board dental service."

And so I felt that when I considered the legislation that was present in countries apart from Canada, legislation that is present in provinces of Canada at the present time, that before we took any action one way or the other, that we should thoroughly canvass this situation and endeavour to find a method whereby we could use the denturist or the dental technician as another means of augmenting the progress that has been made and the dental health of the people of this province.

And I think it is interesting to note that when most of this information was relayed to the denturists, they have an answer for it and it's an answer which I believe that a committee must hear. They say that in Alberta and in British Columbia that they are in the vanguard of progress of what will eventually come, so I believe that they too should have their day in court apart from the publicity campaign which they have developed over the years. And I believe that this committee, when it sits, should examine facts, that it should hear from the dentists, it should hear from the denturists and it should hear from this other group that is often forgotten or neglected in this field and that is the dental technician, the man who operates with a craft, the man -- I believe there are some 100 in this province at the present time -- the men who I can see being interested in improving their present situation; and I believe that the committee must also hear from the public, not under the pressure of a public relations campaign, but must hear from the public directly and honestly in submission before them. I think this committee must also look to the legislation and the articles that I have presented to you, and in the interests of dental health of this province, which the people called for in the early 1950's, to say to themselves, "What action should we take?" and to come back to the Legislature with a proper proposal and one which will have heard all of the pros and cons, outside of the emotional field but in the field of fact. I can't quite see that this committee would have to travel as has been suggested, or hinted at at any rate, that we would have to go to Europe. I do think that perhaps this committee should go to Saskatchewan as I did and to ask Saskatchewan, "Why did you rescind that legislation after one year" and not listen to the Minister of Health and his explanations today, but to find out for themselves after talking to dentists, technicians, government and the denturists that are operating there at the present time. I think this committee should also go to Alberta and determine why the Department of Health in Alberta does not want to administer this legislation. And that perhaps it should go to B.C. to see why this legislation appears, at any rate, to be rather chaotic.

I think, Madam Speaker, that we have time to do this. We do have the Manitoba Denture Clinic which is operating at the present time and its acceptance is growing. They are producing dentures at \$85.00. I'm not sure what it is for the lowers or for the uppers. And the numbers

(Mr. Witney, cont'd)...of people that have been going there have been increasing.

And I also suggest to this committee finally, in considering dental health, that they cannot consider just the immediate problem relating to dental health, that we cannot consider just ourselves but we must consider our children. And going back again to the middle of the 1950's when the people of the province were calling for more dentists, were calling for a School of Dentistry, they were calling for more dentists and School of Dentistry, not necessarily for themselves but for their children. We must be prepared to see that we do have, when our children are ready as some of them are now, to have proper dental facilities and help for them.

So, Madam Speaker, I propose this resolution and will look forward to an active objective committee that at the next legislature will bring down a policy, which even though I may be naive, will provide a satisfactory solution; will continue to provide progress for the school of dentistry; and will bring the dental technician and the denturist into their proper scheme of dentistry in the whole of the province.

..... Continued on next page.

MR. GRAY: Madam Speaker, I am speaking on behalf of myself and not on behalf of my party, also not on behalf of my constituency because after all although I represent the party and I represent the constituency, I think it is expected of me to use my own judgment rightly or wrongly. I'm going to oppose this resolution and my first main reason is I do not like to fool the denturists. They know well by now that a deal to use denturists without the supervision of the dentist will not be accepted by this House. I think they know it very well -- and not by the public, I know the shortage of dentists all over, particularly in the rural districts. Everyone remembers quite well for years I've advocated a Dental College here and finally it was established. It was one of the greatest things in the world because as far as Winnipeg or Manitoba is concerned, it helps to create more dentists, because before they had to go to Edmonton or Toronto and the costs amounted to nearly \$1,500 more than it costs here. The parents couldn't afford it and the parents are anxious to give a profession and a vocation to their children. Finally, it was the happiest moment, for me at least, and everybody here that we have a dental college, because there was a great shortage -- a great shortage -- and particularly as the Honourable Minister mentioned the children, and unfortunately, I don't know why, there are so few going to the academy but probably they will in time.

Now they say don't ask the doctor but ask the patient if you want to find out something about the disease. If you need a doctor, you are not calling an electrician, and what right have mechanics, no matter how good they are, no matter how able they are, without training in dentistry, which is recognized now, particularly now when we have our own dental college, the dentist is important and necessary. What right have we got to have their hands in my mouth and anything should happen? They don't know what to do at the moment. Maybe the dentists are making mistakes too -- O.K. -- but at least they are trained people. Here's a medical man lately left an instrument inside when operating on a person. These accidents do happen, but in general -- in general I say that the people wanted a trained mechanic to look after their teeth and their gums and their digestion, which is very important.

We have already discussed this for years and years and years and even now the Minister does not recommend that the idea be accepted. This is left to a committee. What will the committee do? They'll do the same thing as they did a year ago, and two years ago. We know all this argument. If you would have suggested now that they be authorized to go ahead and proceed, I wouldn't agree to it, but that may be a little bit of common sense, but calling a committee for them to wait a year, and if they are starving now they cannot starve another year. There's plenty of work for them to work with the dentists so I don't see any reason of wasting the time of the committee and go to New Zealand and go to British Columbia and go to Saskatchewan for part of their investigation.

I think that they should be told right now. We have a dental college; we must keep up that college. We have students; we must train the students. The only thing that I can see here is that those students, if they are trained here at the expense partly or wholly of the province, should remain in the province at least for a certain amount of time. We can't chain them down here but at least this could be tried.

So I feel, Madam Speaker, that the suggestion is not necessary; it won't bring any results. I do wish the Honourable Minister of Health, to thank him for all the information he has given us, and the longer he talks the more he believes in his own mind that giving more power and more freedom to the denturists at the present time are not necessary. So far as I am concerned personally, I'm going to vote against the Resolution. Would it have been a Bill perhaps I would have voted to go to second reading, but this being a Resolution, I must register my opposition now.

MR. GILDAS MOLGAT (Leader of the Opposition) (Ste. Rose): Madam Speaker, I beg to move, seconded by the Member for Ethelbert Plains, that the debate be adjourned.

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

MADAM SPEAKER: The adjourned debate on the Proposed Motion of the Honourable the First Minister and the Proposed Amendment of the Honourable the Leader of the Opposition and the Proposed Amendment to the Amendment by the Honourable Member for Brokenhead. The Honourable the Member for Rhineland.

MR. ROBLIN: Madam Speaker, I enquired of the honourable member just a few minutes ago and he informed me that he would not be ready to proceed on this sub-amendment today,

(Mr. Roblin cont'd) . . . . . and I think we would be glad to accord him the courtesy of allowing the matter to stand once again. I would just enquire, however, if any other member, such as the Honourable Member for Radisson, might feel disposed to speak on this sub-amendment at the moment. I'm certain the Honourable Member for Rhineland would not object to his intervening in the debate. I don't press him if he doesn't care to speak, but I am anxious to get the people who want to discuss the sub-amendment, to give them the opportunity to do so.

MR. PAULLEY: Madam Speaker, the Honourable Member for Radisson would be most glad to speak, providing the Honourable Member for Wolseley spoke first.

MR. ROBLIN: Yes, it's a bit of a saw-off isn't it? Well in that case, Madam Speaker, I suppose the matter should stand.

MADAM SPEAKER: Agreed.

MR. ROBLIN: In which case, . . . . .

MR. MOLGAT: . . . . . prefer having them both speak and I might have some comments to make after that.

MR. ROBLIN: I have a message from His Honour the Administrator of the Government of the Province of Manitoba.

MADAM SPEAKER: The Administrator of the Government of the Province of Manitoba transmits to the Legislative Assembly of Manitoba Estimates of further sums required for the services of the Province for the fiscal year ending the 31st day of March 1964, and recommends these Estimates to the Legislative Assembly.

MR. ROBLIN: Madam Speaker, I move, seconded by the Honourable Minister of Industry and Commerce, that the message of His Honour the Lieutenant-Governor and the Estimates accompanying the same, be referred to the Committee of Supply.

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

MR. ROBLIN: Madam Speaker, I move, seconded by the Honourable Minister of Mines and Natural Resources, that Madam Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

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

MR. ROBLIN: Mr. Chairman, I'll just wait a minute or two until the attendants have had an opportunity to distribute these items.

MR. CHAIRMAN: Item 2 (a) passed, (b) passed, (c) passed, (d) . . . .

MR. PAULLEY: Mr. Chairman, I presume that this item on Legislation, 2 (d) that we are at now, Mr. Chairman -- the \$9,700.00?

MR. ROBLIN: Is there a question about that?

MR. PAULLEY: Yes, I just want to ask a question on it. I presume this is to give to the members of the staff who are working long hours, who do work long hours because of the fact that we are here for long hours, and I'm thinking of the ushers and those who attend on us in the Legislature, are to receive an extra emolument for their services. Is this the reason for the \$9,700.00?

MR. ROBLIN: Yes, Mr. Chairman. It's really for last year as the member will recognize, and it's owing to the fact that last year's session was longer than anticipated and extended into the 1964 season. There wasn't enough 1964 money to pay for that but, in substance, I think he has the right point.

MR. PAULLEY: If this was for last year, has there been any general increase in the level of the amounts given to the people concerned with this estimate?

MR. ROBLIN: Only just the general increases that are given in last year's estimate, as my honourable friend will recall.

MR. PAULLEY: Do I understand then that there has been an increase which will be applicable to this year as well, over what they were previously getting?

MR. ROBLIN: I'd have to check that to be certain. I think that should have been dealt with on the main estimates. I haven't, unfortunately, got the information here, but subject to correction, I believe my honourable friend is right.

MR. MOLGAT: Mr. Chairman, when we're talking about salaries, really it's (c) that we're referring to isn't it and not (d)?

MR. ROBLIN: Mr. Chairman, (c) and (d) are the same, namely, the extension of last year's session into the fiscal year.

MR. MOLGAT: Well now, Mr. Chairman, last year we were asked to appropriate for supplies, expenses and renewals some \$6,000.00. This year we're being asked -- I'm speaking of the regular estimates at the moment -- we're being asked for \$6,700, yet last year we ran over by \$9,700.00. In other words, the appropriation was 150 percent over-spent. Now how does this tie in with our regular estimates then? Surely we're going to be short in our regular estimates this year if merely by the extension of the session by one month we ended up by spending 150 percent over, then we're going to be short in our regular estimates.

MR. ROBLIN: Well that may be if honourable members wish to sit as long as we did -- to the length of time necessary, there may well be an over-expenditure this year. I can't tell about that. I'm one of these optimists; I think we'll probably manage to do a little better than that.

MR. MOLGAT: Well, Mr. Chairman, the point is this. When the government puts in regular estimates the figure of some \$6,700, or \$6,000 say for a normal session -- let's say the regular session in Manitoba is something in the order of eight or nine weeks -- let's say the session goes over by two or three or four weeks, then surely the expenditure shouldn't go over by 150 percent. Something's wrong somewhere. Either we have under-estimated to begin with, because even if we extended it for double the length, it shouldn't any more than double the expenditure.

MR. ROBLIN: It's not quite as simple as that. It's not only the length of time, it's in which fiscal year we are sitting. Because as soon as March 31st rolls around in this fiscal year, any of the money that's appropriated for the sitting of the House lapses, and when you -- do you get the point? -- (Interjection) -- Right. I won't beat it to death.

MR. DOUGLAS L. CAMPBELL (Lakeside): Mr. Chairman, I have a question on (b). I'm sorry I was out of the House for a moment. I understand that the \$2,500 in (b) and then in (c), the \$250, is to put the matter back in proper perspective that we were discussing here a while ago. Now this will look after the fiscal year that we are now in. Then the one that we're coming in to, there's no question that the estimates that we have passed is going to look after that. Is that correct?

MR. ROBLIN: It goes further back than that, Mr. Chairman. What we're doing here is, we're not changing the amounts that the House voted for this '64 session--or the '65 session is being provided in these estimates we are studying. We are really going back to '63 and post-dating the cheque -- no, ante-dating the cheque as it were so that the two gentlemen concerned will get their -- this will be actually taking them right back to '63 and giving it as of that time. So that puts everything in the right order, so we hopefully will not come across this problem again.

MR. CAMPBELL: Mr. Chairman, we're giving it as of the session of '63, that is, as of the fiscal year. That is, finishing in a two to three weeks time.

MR. ROBLIN: It's the year before that I think.

MR. CAMPBELL: I simply can't understand how it could be the year before that because -- (interjection) -- anyway, we'll be clear about one thing and I'm certainly clear about this, that if the estimates that we're passing now are okay for the session that we're in now, then I can't understand why the estimates that we passed last year were not okay for the session we were in last year. That seems to me to be the position. But we did get one thing clear. This rehabilitates the situation for last session when the Opposition Leader and the Chairman of Committees didn't get the increase that was voted, and then the Comptroller-General is willing to say for the session that we're in now that the present estimates are okay inasmuch as we will undoubtedly get into April. Is that the situation?

MR. ROBLIN: At the risk of being wrong, I'll say that my honourable friend is right.

MR. CAMPBELL: We'll never be wrong if he takes that as his yardstick.

MR. ROBLIN: I'm afraid that hasn't been my experience to date.

MR. CAMPBELL: I'm afraid that it's my honourable friend's interpretation that's at fault.

MR. MOLGAT: Mr. Chairman, in any case I suppose I can speak for you and I in this matter. You are somewhat circumscribed in your present position from so doing. I suppose that you're probably as confused as I am on the state of affairs. However I think I can say that both

(Mr. Molgat cont'd) . . . . . of us will say to the House that we are extremely thankful and will look forward to this matter being cleared up.

MR. CHAIRMAN: (d) -- passed. Item 2 -- passed. 3 -- passed. No. II - Executive Council, No. 6 --

MR. PAULLEY: Mr. Chairman, just one question in connection with this. It's \$35,000.00. I noted in the estimates of last year there was an item of \$25,000.00. This makes \$60,000.00. As I understand it, it dealt with one or two commissions. I wonder if we could have a breakdown -- not necessarily at the moment -- but a breakdown as to the expenditure between the various commissions.

MR. ROBLIN: Yes. I think I should tell my honourable friend that as of the present date, by far the major proportion of this has been spent on the Royal Commission on Local Government Organization and Finance. There may be some relatively small expenditures on the other Royal Commission mentioned, but basically I think they're for the local government organization . . .

MR. PAULLEY: I don't have to have them right now but I would appreciate it sometime.

MR. ROBLIN: Yes.

MR. FROESE: Mr. Chairman, will there be further amounts coming forward into next year's supply estimates on this item, or is this the final amount that is going to be paid out?

MR. ROBLIN: This is to provide the money for the expenses we anticipate will be incurred up until the end of the present fiscal year.

MR. PAULLEY: According to that, we can presume, Mr. Chairman, that we will be receiving a complete report of the committee, particularly that on local government prior to March 31st of this year.

MR. ROBLIN: I would hope so, but I can offer no real assurance.

MR. CHAIRMAN: Executive Council, Item 6 -- passed. III - Treasury, Item 2 -- passed. No. 6 -- passed. IV - Provincial Secretary, No. 5 -- passed; 6 -- passed. VI - Agriculture and Conservation, No. 1 -- passed. VII -- Attorney-General, (a) -- passed; (b) (1) -- passed; (2) --

MR. MOLGAT: Mr. Chairman, on (2) there's a very sizeable increase there. Could the Minister explain what was the reason for that change?

MR. ROBLIN: The reason was increased jail population and increased costs of food, clothing and medical services for those incarcerated in prison.

MR. CHAIRMAN: (2) -- passed; (c) -- passed. Department VIII, 2 (b) (3) (e) (4) -- passed, Item (4) (c) -- passed. IX - Mines and Natural Resources, 1 (a) -- passed; 5 (b) --

MR. MOLGAT: Mr. Chairman, under 5 (b) there's a fairly substantial item there. I haven't related it to the original estimate; I haven't had time. Could the Minister explain why that one . . . . .

MR. ROBLIN: The recoveries from Canada were over-estimated. We found we were a little optimistic in what we expected them to pay for and they wouldn't do it, so we had to put up the \$20,000 ourselves.

MR. PAULLEY: It isn't the first time you've been over-optimistic.

MR. CHAIRMAN: 5 -- passed. XI - Public Works, 1 (a) -- passed, (b) --

MR. PAULLEY: Mr. Chairman, in connection with Public Works, I noticed a news report the other day where our dear friends down at Ottawa are considering the likelihood of increasing the postal rates so far as first class mail is concerned. I wonder if the Honourable Minister of Public Works has taken that into due note and maybe during the time we're dealing with his estimates on the post office, instead of increasing the rates by supplemental a year hence, that he might take it into consideration and increase it now. Again, as I say, Mr. Chairman, due to the activities of our dear friends to the right.

MR. CHAIRMAN: XI - Public Works, 1 (a) -- passed; (b) -- passed; (c) -- passed. XV - Welfare, 2 (a) -- passed; (b) -- passed; (c) -- passed, (d) -- passed; (e) -- passed, (f) --

MR. PAULLEY: The \$700,000, Mr. Chairman, that was due to the \$10.00 a month increase that some didn't get and some did get. Was that the reason for the \$700,000.00?

MR. ROBLIN: The reason for this is the increased rates of some 30 or 40 institutions where we have some responsibility for carrying the cost.

MR. PAULLEY: This is the Social Allowances, \$700,000.00. Is that it?

MR. ROBLIN: Yes, part of it.

MR. PAULLEY: Just part of it.

MR. MOLGAT: On (d) the Ward Maintenance, is what?

MR. ROBLIN: The rates to the Children's Aid Society were increased substantially in July of last year and we required more money to pay them.

MR. PAULLEY: Has this also to do, Mr. Chairman, with the resolutions we have before us making retroactive the payments in respect of disability and . . . .

MR. ROBLIN: Yes, some of them are in connection with that.

MR. CHAIRMAN: Appropriation 3 (c) -- passed; (d) -- passed (e) -- passed.

MR. ROBLIN: Mr. Chairman, now that we have completed Supplementaries, may I suggest we now have the resolution on interim. I think we asked for one tenth of the -- one-sixth of the 1964-65 estimates in case we should be sitting beyond the 31st of March. If we don't do this we have no authority to pay our bills. This is a relatively routine item although it comes to many millions of dollars. It's merely a bookkeeping authorization. --(Interjection) -- One-sixth, you're quite right.

MR. HRYHORCZUK: Mr. Chairman, if I may, I'd just like to go back to the total shown here in the Supplementary. Would this amount, the total amount shown in these Supplementary Estimates have to be taken away from the surplus that was announced to us by the First Minister in order to arrive at the correct figure?

MR. ROBLIN: I can assure my friend that it does not affect the surplus position declared in the budget.

MR. HRYHORCZUK: Well where does this money come from if it doesn't affect our position? It comes out of the Consolidated Revenue.

MR. ROBLIN: They're all taken into calculation before that figure is struck. I give my friend my word for it.

MR. CHAIRMAN: Committee of Supply -- Interim Estimates.

Resolved that a sum not exceeding \$23,323,421.33, being one-sixth of the amount of the several items to be voted for the departments as set forth in the main estimates for the fiscal year ending the 31st day of March, 1965, laid before the House at the present Session of the Legislature, be granted to Her Majesty for the fiscal year ending the 31st day of March, 1965.

MR. ROBLIN: Mr. Chairman, just so the Committee will be quite clear, I want to repeat what I said before and that is I will now move the committee rise so that we can deal with concurrence of these items. We will then go into Ways and Means to provide the money; we will then ask for concurrence; the committee of Ways and Means will rise and we will ask for concurrence in that respect; and then we will proceed, I should suggest, to the second reading of both those bills and leave them at second reading so the members can look them over in case there is anything further they want to say. Then we will go back to our regular Committee of Supply to deal with the current estimates under study. All very clear, I trust. I move the Committee rise.

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

Madam Speaker the Committee of Supply has adopted certain resolutions, directed me to report the same and ask leave to sit again.

MR. MARTIN: Madam Speaker, I beg to move, seconded by the Honourable Member for Springfield, that the report of the committee be received.

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

MR. ROBLIN: Madam Speaker, I move, seconded by the Honourable the Attorney-General, that the resolutions reported from the Committee of Supply be now read a second time and concurred in.

Madam Speaker presented the motion.

MR. CLERK: Supplementary Supply. I. Resolved there be granted to Her Majesty a sum not exceeding \$32,850 for legislation for the fiscal year ending 31st day of March 1965. II. Resolved there be granted to Her Majesty a sum not exceeding \$35,000 for Executive Council for the fiscal year ending 31st day of March, 1965. III. Resolved there be granted to Her Majesty a sum not exceeding \$47,725 for the fiscal year ending 31st day of March, 1965. IV. Resolved there be granted to Her Majesty a sum not exceeding \$12,400 for the fiscal year ending 31st day of March, 1965. V. Resolved there be granted to Her Majesty a sum not exceeding \$2,400 for Agriculture and Conservation for the fiscal year ending 31st day of March, 1965. VI. Resolved

(Mr. Clerk cont'd) . . . . there be granted to Her Majesty a sum not exceeding \$96,500 for Attorney-General for the fiscal year ending 31st day of March, 1965. VII. Resolved there be granted to Her Majesty a sum not exceeding \$76,500 for Health for the fiscal year ending 31st day of March, 1965. VIII. Resolved there be granted to Her Majesty a sum not exceeding \$24,500 for Mines and Natural Resources for the fiscal year ending 31st day of March, 1965. IX. Resolved there be granted to Her Majesty a sum not exceeding \$13,500 for Public Works for the fiscal year ending 31st day of March, 1965. X. Resolved there be granted to Her Majesty a sum not exceeding \$1,408,500 for Welfare for the fiscal year ending 31st day of March, 1965.

Committee of Supply Interim Estimates. Resolved that a sum not exceeding \$26,323,421.33, being one-sixth of the amount of the several items to be voted for departments as set forth in the main estimates for the fiscal year ending 31st day of March, 1965, laid before the House at the present Session of the Legislature, be granted to Her Majesty for the fiscal year ending 31st day of March, 1965.

MR. ROBLIN: Madam Speaker, before you ask for concurrence, I point out that I suppose, by clerical error, the resolutions from the supplementary budget were called as 1965. Members will recognize it should be 1964.

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

MR. ROBLIN: Madam Speaker, I beg to move, seconded by the Honourable Minister of Education, that Madam Speaker do now leave the Chair and the House resolve itself into a committee to consider of ways and means of raising the supply to be granted to Her Majesty.

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

MR. CHAIRMAN: Resolved that towards making good the supply granted to Her Majesty on account of certain expenses of the public service for the fiscal year ending the 31st day of March, 1965, the sum of \$23,323,421.33, being one-sixth of the amount of the several items voted for departments as set forth in the main estimates for the fiscal year ending the 31st day of March 1965, laid before the House at the present Session of the Legislature, be granted out of the Consolidated Fund.

MR. PAULLEY: . . . . . a technicality. The wording of that says "for sums voted for Her Majesty" and of course we haven't voted some sums for Her Majesty. I guess it is just merely a technicality is it not that I'm raising? Actually we are a little ahead -- I don't know how this comes in with the conduct of the House this year, but previously we used to get through the estimates and this used to come down, if I recall correctly, under Budget Supply. Maybe it is just a moot point that I'm raising. I guess it doesn't mean a thing, but it is just a thought that I had as I was sitting here and I do like to know the correctness of . . . .

MR. ROBLIN: I hope I can satisfy my honourable friend. This motion before the committee calls for one-sixth of the total in the estimates. When one reflects that far more than one-sixth has already been voted in the Committee of Supply, I think one sees that it is really all right the way it is.

MR. PAULLEY: This wouldn't prevent you from spending any one-sixth of monies that we haven't voted or haven't passed in the estimates at the present time.

MR. ROBLIN: This is a general provision. It can be spent on any item which the government spends money on.

MR. CHAIRMAN: Supplementary Supply, Ways and Means. Resolved that towards making good certain further sums of money granted to Her Majesty for the public service of the province for the fiscal year ending the 31st day of March, 1964, the sum of \$1,749,875 be granted out of the Consolidated Fund.

Committee rise and report. Call in the Speaker.

Madam Speaker, the Committee of Ways and Means have adopted certain resolutions, directed me to report the same and ask leave to sit again.

MR. MARTIN: Madam Speaker, I beg to move, seconded by the Honourable Member for Springfield, that the report of the committee be received.

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

MR. ROBLIN: Madam Speaker, I beg to move, seconded by the Honourable Minister of Welfare, that the resolutions reported from the Committee of Ways and Means be now read a



(Mr. Roblin cont'd) . . . . . second time and concurred in.

Madam Speaker presented the motion.

MR. CLERK: Supplementary Supply. Resolved that towards making good certain further sums of money granted to Her Majesty for the public service of the province for the fiscal year ending the 31st day of March, 1964, the sum of \$1, 749, 875 be granted out of the Consolidated Fund.

Interim supply. Resolved that towards making good the supply granted to Her Majesty on account of certain expenses of the public service for the fiscal year ending 31st day of March, 1965, the sum of \$23, 323, 421. 33, being one-sixth of the amount of the several items voted for departments as set forth in the main estimates for the fiscal year ending 31st day of March, 1965, laid before the House at the present Session of the Legislature, be granted out of the Consolidated Fund.

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

MR. ROBLIN introduced Bill No. 46, an Act for granting to Her Majesty certain further sums of money for the public service of the province for the fiscal year ending the 31st day of March, 1964; and Bill No. 86, an Act for granting to Her Majesty certain sums of money for the public service of the province for the fiscal year ending the 31st day of March, 1965.

MR. ROBLIN presented Bill No. 46, an Act for granting to Her Majesty certain further sums of money for the public service of the province for the fiscal year ending the 31st day of March, 1964, for second reading.

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

MR. ROBLIN presented Bill No. 86, an Act for granting to Her Majesty certain sums of money for the public service of the province for the fiscal year ending the 31st day of March, 1965, for second reading.

Madam Speaker presented the motion.

MR. HRYHORCZUK: Madam Speaker, I have a couple of questions. In Section 2 of this Bill, the one clause reads "towards defraying the several charges and expenses of the public service of the province not otherwise provided for." I would like an explanation of what that just means, "not otherwise provided for", because I think it is provided for elsewhere.

MR. ROBLIN: This is Bill 46?

MR. HRYHORCZUK: 86. The one under consideration right now.

MR. ROBLIN: The second reading of 86, that's right.

MR. HRYHORCZUK: It appears in the second section there. It says "not otherwise provided for". If my memory serves me right, I believe that we never went into this type of legislation until pretty close to the end of March. We are still a long way from the fiscal year 1964-65. Is there any particular reason why we should be passing this legislation this early in March?

MR. ROBLIN: If there are no further questions, I'll close the debate on this Bill. I can tell my honourable friend that the phrase "not otherwise provided for" means that after this has been voted, we are also voting the full estimates for the coming fiscal year, and unless that was in there we would have voted not only the full estimates but an additional one-sixth. Now that we do not wish to do, therefore we use the words "not otherwise provided for" so that when the full budget is passed, we do not have authority to spend any more than the complete regular estimates call for. My honourable friend has, well I noticed this of him -- I don't know whether -- I don't say this in any critical sense as I suppose it's natural, but he has lately developed a rather suspicious turn of mind, or perhaps it's only me that has a suspicious turn of mind, because. . . .

MR. HRYHORCZUK: My mind was that way all the time, Madam Speaker.

MR. ROBLIN: Well my honourable friend has cleared that point up for me, but I assure him that as far as I am aware, the House will take its normal course. This is nothing more nor less than the normal procedure.

I might just enquire, Madam Speaker, seeing we have come this far, is there any objection to going today to Committee of the Whole House to examine it in Committee and then give Third Reading to these Bills? If there is no objection to that, then I will change the procedure and proceed to that extent.

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

MR. ROBLIN: Madam Speaker, I move that you do now leave the Chair and the House

(Mr. Roblin cont'd) . . . . . resolve itself into a Committee of the Whole to consider Bills 46 and 86. My seconder is the Attorney-General.

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

Bills No. 46 and 86 were read section by section and passed.

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

Madam Speaker, the Committee of the Whole has considered certain Bills, directed me to report the same without amendments and ask leave to sit again.

MR. MARTIN: Madam Speaker, I beg to move, seconded by the Honourable Member for Brandon, that the report of the Committee be received.

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

Bills No. 46 and 86 were each read a third time and passed.

MR. ROBLIN: Madam Speaker, I beg to move, seconded by the Honourable the Attorney-General, that Madam Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

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

MR. ROBLIN: Mr. Chairman, before you commence your labours this afternoon, I undertook to tell the House if there would be any change in the order in which the estimates would be called apart from that registered in the Estimate book. I now advise that the Department of Mines and Natural Resources will not be called in its accustomed order but will be called somewhere close to the end of the estimates. I also say that I am afraid some Ministers may feel obliged to make statements on their salaries as well.

MR. CHAIRMAN: Item 5 (a) ---

MR. GUTTORMSON: Mr. Chairman, a matter that is causing me a lot of concern and a great deal of others in the province is the matter of how justice is handled in this province. During the last six months we have seen in this province and in this particular judicial district where the Attorney-General has seen fit to make deals and to set pleas on charges against persons who are charged with capital murder.

At the outset of my remarks, I wish to make it clear that I have no objection, my criticism is not levelled at the sentence that was imposed in any of these cases, it's the method of how the cases were tried, or I should say dealt with. During the last six months, four out of five persons charged with capital murder had these charges reduced by the Attorney-General. Mr. Chairman, the Attorney-General has taken it upon himself to see fit to decide what charge should face these persons and has virtually taken the matter out of the hands of the jury.

One case I would like to deal with is the Kozaruk murder trial, or the charge against a man called Kozaruk. This man was brought to Manitoba to face a charge of capital murder following the strangling of a woman in a local hotel. Subsequently, a preliminary hearing was held and this man was committed to stand trial on the charge of capital murder. On Friday, I asked the Attorney-General why this man had been so long in getting before the Courts. I haven't got Hansard to repeat him verbatim but he replied that the charge of murder had been traversed to the spring assizes because the man wanted the Attorney-General to set the charge of manslaughter and they were not prepared to accept this.

HON. STEWART E. McLEAN (Attorney-General) (Dauphin): Mr. Chairman, that was not my answer.

MR. GUTTORMSON: Well I'm sorry, Mr. Chairman, that was my interpretation of his remarks. If I have misquoted him, I am sorry. This fellow Kozaruk was committed to stand trial. I know that negotiations were held between his counsel and the Attorney-General's Department. At one point the counsel for the accused Kozaruk was anxious to get a commitment from the Attorney-General's Department to find out whether they would look after the expenses incurred to bring necessary witnesses to the trial, and the answer given to him by the Attorney-General's Department was they would decide after the man had been brought to trial whether or not they would pay the expenses of the witness. They would give him no commitment in the first instance whether or not these expenses would be paid.

(Mr. Guttormson cont'd) . . . . .

Subsequently, because the defence counsel for Kozaruk was unhappy with the situation and indicated that he would not defend this man unless he could bring witnesses to the trial, he was told that the Attorney-General would accept a plea of manslaughter if the counsel for the accused could guarantee him that the accused Kozaruk would plead guilty when he appeared in court. Subsequently, on the assurance given him by the Attorney-General's Department, the counsel for Kozaruk went to the penitentiary and advised his client that the Attorney-General would accept a plea of "guilty to manslaughter" -- and one can understand he was overjoyed by the word he had received from his counsel.

A short time later the Attorney-General's Department advised the counsel for the accused Kozaruk that the Attorney-General had changed his mind and would not accept a plea of "guilty of manslaughter". Then it was the duty of the defence counsel to go to the penitentiary and advise his client, who he had been appointed by the Law Society to defend, that the Attorney-General would not accept this plea. Mr. Chairman, you can understand the situation of a man who faces a charge on which the maximum penalty is death if he is convicted, to be told that the Attorney-General will accept a plea of guilty to a much lesser charge then all of a sudden he is told the Attorney-General has changed his mind and he must stand trial for capital murder.

So the man came to trial. At this time he told the court that he wanted a change of counsel and the Law Society told the Attorney-General's Department that they would not provide, and could not provide legal counsel for the accused Kozaruk on such short notice. It was at this point when the Attorney-General's Department was notified that the Manitoba Law Society could not provide counsel in such a short time, that the trial was traversed to the next assize. When the matter came up at this assize the Attorney-General apparently had another change of heart and agreed to accept plea of guilty to non-capital murder, and the man was subsequently sentenced for this offence.

And another case -- we have the More case. A man was charged with capital murder; . brought to trial and convicted by a jury. His case was appealed by his counsel to the Manitoba Court of Appeal, who dismissed it. The matter was further taken to the Supreme Court of Canada. It's interesting, Mr. Chairman, to read the decisions of the judges of the Supreme Court of Canada. Here I have a judgment given by Mr. Justice Fauteaux . . . and concurred in by Chief Justice Taschereau. I'm going to take an excerpt out of it and if anyone wishes me to read it, any more of it, I'll be happy to do so. He says in part: "Subject to the considerations of matters raised for the appellants on this evidence, it was manifestly open to the jury to conclude that the killing of Mrs. More was intended, planned and deliberate. That it was intended was found by the jury and all the members of the Court of Appeal. It was also by necessary implication, if not expressly, admitted by the appellant who did ask this court to reduce the verdict of capital murder to one of murder simpliciter." It states in other portions of his judgment that "the murder was planned, as found by the jury and the majority of Court of Appeal is, in my respectful view, uncontrovertible on the above evidence accepted by the jury." He says a bit later: "To dispose of the merits of this appeal, this court in my respectful view must unavoidably determine the meaning of the word "deliberate" under these provisions in the Criminal Code and their legal effect in this case." "The factual" -- this is another portion of his judgment -- "The factual and opinion evidence in this case does not show that the ability of the appellant to think, reason and decide was abolished but impaired." Both men say, "I would dismiss the appeal."

In the majority decision handed down by Mr. Justice Cartwright . . . . .

MR. PAULLEY: Mr. Chairman, I wonder if the honourable member would table the document that he has just read from.

MR. GUTTORMSON: I have no objection, Mr. Chairman.

In a decision handed by the majority, written by Mr. Justice Cartwright, he says in part: "The recital of the facts and the evidence of the appellant as to what occurred at the moment of the discharge of the rifle, set out the reasons in my . . . . ., show that it was open to the jury to take the view that the act of the appellant in pulling the trigger was impulsive rather than considered and therefore it was not deliberate." He says later on, "This question is one of fact and its solution involves an inquiry as to the thinking of the accused at the moment. If the jury accepted the evidence of the doctors, it, in conjunction with the accused's own evidence,

(Mr. Guttormson cont'd) . . . . . might well cause them to regard it as more probable than the accused's final act was prompted by sudden impulse rather than by consideration. On this question, the accused was entitled to have the verdict of a properly instructed jury."

It says in another portion of a judgment -- this is by Justice Judson, and he said, "I agree with Freedman, J.A., that in these circumstances the court cannot hold there was no substantial wrong or miscarriage of justice. I would, however, not substitute a verdict of non-capital murder. This case has never really been considered by the jury on evidence which should have been before it."

In other words, Mr. Chairman, the Supreme Court of Canada feels this is such a very important point of law that they themselves who have the right to reduce this charge to non-capital would not take it upon themselves to do so. They said: "This charge should go back to a jury and let the jury decide." What has happened? The Attorney-General has taken it upon himself to decide the fate of this man; whereas the seven judges in the Supreme Court of Canada would not do so themselves. They said, and I will repeat it, it is most important: "I would not, however, substitute a verdict of non-capital murder. This case has never really been considered by the jury on evidence which should have been before it."

Mr. Chairman, this matter of premeditation and deliberate action and charges of capital and non-capital murder is a very important point of law, and I suggest the Supreme Court of Canada was most anxious to get a decision from a jury on this matter. Now what happened after the Supreme Court decision? The Attorney-General in agreement with the counsel for the accused agreed to accept a plea of guilty to non-capital murder, which they accepted and the man was sentenced and there was no trial.

There are two other cases in the last five months where the persons have been charged with this serious type of offence and they never appeared for trial. They were committed for trial by the trial judge and the matter was never dealt with by a judge and jury. In one instance they brought a charge against a woman for -- it was reduced from capital murder to manslaughter. In another case a man charged with capital murder, who had faced a charge of murder a few years ago, a plea of guilty to a non-capital charge was accepted and the man never went to trial before a jury.

Now as I want to stress, Mr. Chairman, I have no quarrel with any of these cases about the sentence that was handed down. My quarrel is the method of handling these cases. I say that the jury should have dealt with these matters. If we're going to abolish the jury system, then I think the Attorney-General should stand up and tell this court he's not in favour of them because he has virtually abolished them anyway by taking it upon himself to decide the fate of these accused persons.

I did some further checking in years gone by and rarely, if ever, when a person was charged with a serious offence such as this did the Crown take it upon themselves to decide, to agree with a defence counsel what charge they should accept a guilty plea to. I know in many cases the Crown has felt that they would not win the case because the evidence was not strong enough, but they let the jury decide the matter and I think this is the proper method, not for one man to determine the fate of an accused in such a matter. It is for this reason, Mr. Chairman, I have brought this matter to the attention of the House. It disturbed me no end to see justice handled in this manner, and I can assure you that the matter has been brought to my attention by many others, some of them learned in law who are very upset over the handling of such cases. It's for this reason I would like to hear the Attorney-General's reason for handling justice in the province in this manner.

HON. STERLING R. LYON Q.C. (Minister of Mines and Natural Resources) (Fort Garry): Mr. Chairman, because one of the instances at least to which my honourable friend makes reference arose during the time that I was Attorney-General, I think I should make some comment with respect to it, although I do it without the benefit of any notes or files in front of me and going strictly on memory.

I should say first of all that I am indebted to an extent to the Honourable Member for raising this subject, because from time to time there is enquiry as to why the Crown, regardless of the offense, should accept a lesser plea than that indicated by the charge, and although it's obviously unknown to my honourable friend even though I would have thought that he might have known this, the Crown does and has for years accepted pleas on many many different kinds of

(Mr. Lyon cont'd) . . . . offenses whether they be serious or of a less serious nature.

Of course when he speaks of the offense of capital murder today, in the very terms he is speaking of an offense which only three or four years was murder by itself. There was the offense of murder and nothing else. There were no degrees of murder or no ameliorations of that charge that could be made other than the offense of manslaughter which was an included offense, and hence when a man was charged with murder there was no non-capital murder that he could plead to or anything of that nature at all. The penalty for murder was death by hanging and, as I mentioned, manslaughter which was the much lesser offense than murder was provided with a penalty of, I believe, life imprisonment. Some three to four years ago the Parliament of Canada altered the substance of sections of the Criminal Code dealing with the offense of murder and they created the offense first of all of capital murder, the offense of non-capital murder, and the third offense of manslaughter.

Now I'm not going to endeavour at this time to go into a long dissertation about what is required today to prove capital murder because the judicial bodies are only at this time beginning to develop a code of decision, or a common law surrounding these new statutory offenses. I think it's safe to say that at this stage, the definition of capital murder has not yet clearly been established by judicial decision, that is, other than what appears in the Statutes. Capital murder must have certain constituent elements to it now such as premeditation, an opportunity to prepare for the event and so on and so forth. Non-capital murder connotes something different from manslaughter in the old days, connotes a lack of -- perhaps a lack of mens rea or intention that was not present in earlier definitions and, all in all, it has made the judicial job of interpreting the offense of capital or non-capital murder much more difficult than ever it was before.

The result has been that -- I believe since these new sections came into force -- a relatively small number of accused right across the country who have been charged with capital murder have actually been found guilty of capital murder, and as honourable members will appreciate, even a very much fewer number of that group who have been found guilty of capital murder have ever suffered the maximum penalty which is provided for, that is the penalty of hanging. In most cases, if there is no plea for mercy on behalf of the jury, why then the Governor-in-General at Ottawa interjects himself and commutes the penalty of hanging to one of life imprisonment, which, by the way, is the only penalty provided for non-capital murder. Life imprisonment is the penalty for non-capital murder, no period of a year or two or anything like that at all. If it is non-capital murder, life imprisonment.

I don't have the statistics in front of me but I am sure that my successor could get them to show you the relatively few cases in Canada since these new sections came in where findings of guilty on capital murder have taken place. There have been many many pleas of non-capital murder and manslaughter accepted, not only in this jurisdiction but in all jurisdictions across Canada as this new jurisprudence is developing around the new statutory provisions relating to murder in Canada.

And may I say as an aside that these new provisions that were adopted by the Parliament of Canada I think went a long way toward improving the rather archaic system that we had before whereby you charged a man with murder or nothing else, and it was getting to the point even under the old sections where it was extremely difficult, if not impossible, to get juries to convict of the pure offense of murder as it formerly was defined in the Criminal Code of Canada.

Well now he comes down to a particular case and, as I say, I don't have the memoranda or the files in front of me. He talks about the case of Kozaruk, I had something to do with discussions within the department on that particular case. I want to tell the committee, Mr. Chairman, that approximately half of what my honourable friend said verges on being accurate and for him that is something of a record. I can tell the House as well that 50 percent of what he said to the House today is, as usual, pure and errant nonsense.

MR. GUTTORMSON: Mr. Chairman, on a point of privilege, he said I have not told the truth, I wish he would tell me where I didn't tell the truth.

MR. LYON: Verges on being accurate, I said. My honourable friend. . . .

MR. GUTTORMSON: Come on. If I'm supposed to have not told the truth, I want you to tell me where I didn't tell the truth.

MR. LYON: My honourable friend seems to be very sensitive about the subject.

MR. GUTTORMSON: Not nearly as sensitive as you are.

MR. LYON: I merely want to tell the committee, Mr. Chairman, that, as I mentioned, about half of what he says has some semblance of accuracy to it. If my honourable friend would be good enough to give us perhaps the source of his information, it would be most interesting to hear it, because he speaks apparently of conversations that took place between -- when I wasn't present -- took place between a representative of the Crown and a representative of the defense counsel. I'd like to know where he got that information. It would be most interesting to hear because then it would be easier for anybody to comment upon it.

He says that there was a definite arrangement made between the Crown and the defense on a plea of manslaughter. I can completely and absolutely deny that, Mr. Chairman. There was no such arrangement made. The Attorney-General speaking the other evening gave the explanation as to why this case was traversed from one assize to another. The accused stood up in Court and said that he wished other counsel. What is true and what my honourable friend mentioned, what the Attorney-General mentioned the other night, the Law Society of the Indigent Committee asked the department if they could have the case traversed to the next assize because they couldn't, in the short time that was available to them, obtain other counsel.

When the case appeared at the assize that was just completed, so I understand the accused pleaded to non-capital murder, a plea which the Crown accepted and, as I understand, he was acted for by the same counsel who acted for him at the time the case first appeared before the assize in the fall. But I can tell him categorically that insofar as the Attorney-General was concerned at that time, there was no undertaking or agreement by the then Attorney-General to accept a plea of manslaughter. I can tell him as well that -- and I am sure he will need something more to bear that out -- if he needs something more to bear it out, all we need do is look at the plea that was accepted subsequently by the department, and that was the plea of non-capital murder which carried with it the sentence that I have mentioned, the sentence of life imprisonment.

He mentioned the other case from Transcona. That was the case where a finding of capital murder had been made by the jury -- the More case. It was appealed to the Court of Appeal where the conviction was upheld and then went to the Supreme Court. I wasn't listening too closely to what he read but as I recall, the essence of the Judgment of the Supreme Court was that they ordered a new trial, because they said the jury had been improperly charged. On this new trial the counsel for the defense dealt with the Crown Attorney, spoke to the Crown Attorney at the time of the new trial and suggested that his client was willing to plead to non-capital murder. That plea was accepted on the advice of the department and he was sentenced then to life imprisonment. Unless I am mistaken on that particular case, Mr. Chairman, when the jury found the accused guilty of capital murder, I believe there was a recommendation for mercy attached to that finding which would have the effect, if acted upon by the Governor-in-Council, of commuting the sentence to one of life imprisonment, so the end result is exactly the same as it would be.

He mentions two other cases. Without the names of the cases I couldn't make any comment upon them, but he makes the point -- he quarrels with this method of handling cases. I can only say in answer to that, Mr. Chairman, that he will have to continue to quarrel with this method of handling cases because it has gone on in this province and in every other province of Canada since they became provinces, with the Attorney-General acting on the advice of his department as to whether or not pleas will or will not be accepted in certain charges, and notwithstanding my honourable friend's objection to it, this will continue to go on because the Attorney-General from time to time does have to talk to defense counsel and determine on the basis of the evidence whether or not he should accept a lesser plea to a charge that has been laid.

And so I am afraid that neither myself nor my successor could offer him any hope in that regard because I know this system will continue as it has in the past. He mentions that rarely, if ever, does the Crown agree to lower charges in years gone by. Well that, Mr. Chairman, is complete nonsense because I have acted for the Crown as a Crown Attorney without the authority of the Attorney-General who was my honourable friend from Ethelbert Plains. I have accepted charges, reduced charges -- reduced pleas on behalf of the accused without the then

(Mr. Lyon cont'd) . . . . Attorney-General ever knowing it, and I think he accepted my judgment at the time as I, when I was Attorney-General, accepted the judgment of other Crown Attorneys who accepted a lower plea, to lesser offenses usually, but in the case of murder of course these matters are always discussed with the Attorney-General.

MR. HRYHORCZUK: Mr. Chairman, I just want to ask the Honourable Minister a question. During that term of office of mine, was he ever instructed to reduce the charge?

MR. LYON: Well I'm not saying my honourable friend instructed anybody to reduce the charge. I'm merely saying that Crown Attorneys, acting on their own in lesser offenses, will accept the pleas without the Attorney-General even knowing. In the case of murder, certainly the Attorney-General will hear about it -- certainly he will hear about it. The Attorney-General will be consulted. This system has operated for many many years, as long as I know of, and it will continue to operate for many many years, as I am sure my friend from Ethelbert Plains and any of the other lawyers in the House know.

So there is little else I can say to my honourable friend except to pat him on the head to try to placate his normally suspicious mind. -- (Interjection) -- I don't know. I'm open to suggestions -- to try to placate his normally suspicious mind to assure him that the lawyers in the department of the Attorney-General are operating properly as they always have to my experience regardless of administration; that they do accept pleas to lesser offenses on murder charges and other charges from time to time; that they will continue to do that notwithstanding my honourable friend's concern; but that if he wishes to leave these matters to those who know something about them, why then he would probably be doing himself and the House a good service.

MR. CHAIRMAN: I call it 5:30 and leave the Chair until 8:00 o'clock.