

*Privilege—Mr. Adamson*

it is a different case from that of a ship belonging to a foreign power or a foreign company. I am willing to admit all that. But what I wish to know is why, when we have an action in rem authorized under the present practice of the exchequer court, this right of the subject has been taken away under the present statute. In the minister's comments so far I see no explanation.

**Mr. Garson:** If my hon. friend will read the section he will see that its wording is as follows, and the first four words in the section are extremely significant.

**Mr. Robichaud:** I have read it carefully.

**Mr. Garson:** The wording is:

Nothing in this act authorizes proceedings in rem . . .

It may be that we are indebted to my hon. friend for having pointed out this section in the exchequer court rules, and it may be that they should be repealed now; I do not know. We will have to look into that, but there is nothing in this act which authorizes proceedings in rem.

**Mr. Robichaud:** That is exactly my argument. I thought I would bring to the attention of the minister the existence of rule 4.

**Mr. Garson:** Could we revert to clause 4 and see if this would meet the objection?

**The Chairman:** Clause 4, subsection 4.

**Mr. Garson:** There would be subsection (5) to read as follows:

(5) In the case of the death of the person injured, failure to give the notice required by subsection (4) is not a bar to the proceedings, and, except where the injury was caused by snow or ice, failure to give or insufficiency of the notice is not a bar to the proceedings if reasonable excuse for the want or insufficiency of the notice is established and the court or judge before whom the proceedings are taken is of opinion that the crown in its defence was not prejudiced by the want or insufficiency of the notice and that to bar the proceedings would be an injustice.

**Mr. Green:** I suggest that the minister have this looked over again before we deal with the bill on another occasion. There is an exception in there, snow and ice. It so happens that I know of a case where a woman was quite badly injured because of the ice and snow not being removed from an immigration building at the boundary near Vancouver. She was taken to hospital quite badly hurt. I do not believe her husband came in for some days. Certainly in that kind of case the seven days might easily have gone by, yet the immigration officials were right there. They knew about the accident that had happened. They knew exactly the condition of the building, yet if the section is worded as the minister now proposes to word it there would be no chance to sue.

**The Chairman:** Shall clause 4 of subsection 4 stand?

Subsection stands.

**The Chairman:** Shall we agree to carry clause 7 which is the last clause of part I? Shall section 7 carry?

Section 7 agreed to.

**The Chairman:** On the next occasion we shall consider part II, clause 8. Shall I report progress?

Progress reported.

## PRIVILEGE

MR. ADAMSON—REFERENCE TO STATEMENT IN "FINANCIAL POST" OF MARCH 28

**Mr. Rodney Adamson (York West):** May I rise on a question of personal privilege? I do so at this late hour tonight in order to get it in today because the article which I find offensive appeared in Saturday's *Financial Post*, which came out today, and I wish to make this correction as a matter of personal privilege, Mr. Speaker. The article appears on the front page of the *Financial Post* under the heading "Opposition girds to fight all-Canada gas line plan." The paragraph I object to reads as follows:

The activity centred on a movement to oppose trade minister Howe's recent pronouncement of federal gas policy: An all-Canadian east-west route via northern Ontario.

I was the last to speak for the opposition, and what I said was the very antithesis of what the article suggests. I wish to protest against this suggestion as a matter of personal privilege. I advocated the greatest use of the natural gas, the quickest way to market the gas and the way which would give the greatest service to all Canada, particularly that part of Canada which is deficient in fuel at the present time. That is the purport of what I said, Mr. Speaker.

## BUSINESS OF THE HOUSE

**Mr. Fournier (Hull):** I move that the house do now adjourn. Tomorrow we shall take up first interim supply, further supplementary estimates; then Bill No. 105, respecting the liability of the crown for torts and civil salvage. Then another matter we should like to bring up is the resolution of the Minister of Fisheries providing for the approval and confirmation of the international convention for the high seas fisheries of the north Pacific ocean, signed by Canada, United States and Japan in Tokyo, and if we have time we will take up Bill No. 107, to amend the Post Office Act.

Motion agreed to and the house adjourned at 10.08 p.m.