

MINISTERS SUBPOENAED TO APPEAR IN
QUEBEC SUPERIOR COURT ACTION

On the orders of the day:

Mr. Erik Nielsen (Yukon): Mr. Speaker, I have a question for the Minister of Transport. Has the minister received a subpoena to appear in the superior court of Quebec today on the hearing of a petition of Autair Helicopters Limited against Atlantic Helicopters Limited as respondent and the Minister of Industry as *mis-en-cause*?

Hon. J. W. Pickersgill (Minister of Transport): Yes, sir.

Mr. Nielsen: Does the minister intend to appear today to give testimony in those proceedings?

Mr. Pickersgill: Mr. Speaker, the minister and certain other members of the government are represented there by counsel, and as this is a matter before the courts I am sure we would not wish to debate it here.

Some hon. Members: Oh, oh.

Mr. Bell: You don't like that subject, eh?

Mr. Nielsen: A supplementary question, Mr. Speaker. Has the President of the Privy Council received such a subpoena to appear in the same proceedings today in Montreal?

Hon. G. J. McIlraith (President of the Privy Council): Yes, Mr. Speaker.

Mr. Nielsen: Is it the intention of the President of the Privy Council to appear today—

Some hon. Members: Order.

Mr. Nielsen:—in compliance with the lawful order issued by that court?

Mr. MacEwan: They are above the courts; they have shown that.

Mr. McIlraith: Mr. Speaker, I and other members of the government are represented by counsel in that case, and the matter is before the courts and should not be discussed in the house.

Mr. Nielsen: Mr. Speaker, may I ask a supplementary question of the Prime Minister. Is it his intention or the intention of any member of the government to introduce a motion in this house to allow the three ministers concerned to appear; and if he does not wish to take this responsibility, would he prefer the opposition to introduce such a motion?

Right Hon. L. B. Pearson (Prime Minister): Mr. Speaker, I do not think it is necessary for me to take that responsibility. If the

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opposition wish to do so, that is their responsibility.

[Later:]

Mr. Nielsen: I have a further question for the President of the Privy Council, supplementary to the one I asked of him and the Minister of Transport. Is the President of the Privy Council aware that subpoenas in the same proceedings referred to previously have been served upon George Davidson, secretary of the treasury board, Mr. Brekelmans, director of the contracts division of the treasury board—

Mr. Speaker: Order, please. Surely this question is not in order. I will not say it is not a matter of public knowledge, but it is not so pressing, and I do not see how it particularly concerns the chamber at the present time. I do not see the purpose in the hon. member asking that type of question. With regard to ministers it may be in order, but with regard to other people surely it is outside the direct concern of the house.

Mr. Nielsen: The purpose is to establish whether or not the government is co-operating with the courts of Quebec in looking into this matter.

Mr. Speaker: Order. I now understand the purpose, but it seems to me the purpose as expressed is an allegation, not a question.

Mr. Nielsen: It is no allegation whatsoever.

Some hon. Members: Order.

Mr. Nielsen: With due deference to Your Honour—

Mr. Speaker: Order. I think this matter has been discussed sufficiently this afternoon.

Mr. Nielsen: Mr. Speaker, if you are ruling my question out of order on the grounds of urgency I give notice that I wish to raise the matter at ten o'clock this evening.

NATIONAL DEFENCE

**INQUIRY AS TO PROCUREMENT OF NEW
TACTICAL AIRCRAFT**

On the orders of the day:

Hon. Marcel Lambert (Edmonton West): I have a question for the Minister of National Defence. Last week the minister made a statement in Edmonton with regard to the replacement of a major aircraft used by the armed forces of Canada. He indicated at that time that it would be a very few days before a decision would be reached. Has