

[Translation]

INQUIRY RESPECTING JAMES CROSS

**Mr. André Fortin (Loisbinière):** Mr. Speaker, I have a supplementary question for the Prime Minister.

Can he tell us today if, according to the information he has, Mr. Cross, Great Britain's commercial attaché in Montreal, is still alive?

**Right Hon. P. E. Trudeau (Prime Minister):** I cannot answer that question, Mr. Speaker.

[English]

WAR MEASURES ACT—STATEMENT BY MINISTER OF JUSTICE TO PROVINCIAL ATTORNEYS GENERAL ON PURPOSE AND INTENT

**Mr. Eldon M. Woolliams (Calgary North):** Mr. Speaker, in view of the answer of the Minister of Justice to the Leader of the Opposition to the effect that no charges have been laid, could the Minister of Justice advise the House what the terms are of the warning he mentioned he has given the Attorneys General of the various provinces and whether his law officers are instructed to interpret the legislation for those Attorneys General?

**Hon. John N. Turner (Minister of Justice):** No, Mr. Speaker. The Attorneys General of the provinces are charged with administering the regulations under the War Measures Act just as they are charged with administering the criminal law under the Criminal Code, and they rely on their own officers for that type of advice.

**Mr. Woolliams:** Mr. Speaker, may I follow up this question for a moment? As I understood the Minister of Justice, he mentioned that he had warned the Attorneys General of the various provinces concerning the interpretation of the legislation. What kind of warning did he give them?

**Mr. Turner (Ottawa-Carleton):** I have already stated that in the House. I suggested that the purpose and intent, as I interpret the resolution of the House, is that the emergency to which the War Measures Act and its proclamation related had to do with the FLQ in Quebec and that any use of this proclamation or the regulations beyond that purpose might well be harmful. Those are the words I conveyed to the Attorneys General across the country.

**Right Hon. J. G. Diefenbaker (Prince Albert):** Mr. Speaker, may I ask the Minister of Justice whether the communications with the various provinces were in writing and, if so, would he table the letter setting out this most unusual course of interpreting a resolution on the basis of a discussion in the House of Commons? I would like to see the letter in question that he wrote because it would be a modern example of an unusual nature.

**Mr. Turner (Ottawa-Carleton):** Mr. Speaker, whenever I can see someone personally or arrange that one of my senior officials see someone personally I choose to do that rather than send a letter. Mr. D. H. Christie, Deputy Attorney General of Canada, on my instructions visited

#### *Inquiries of the Ministry*

the four western provinces and visited the Deputy Attorney General of each of these four western provinces. He met personally the Attorney General of the right hon. gentleman's province of Saskatchewan and the Attorney General of the province of Alberta. On his return he went to the four Atlantic provinces where he was able to communicate our feelings about the War Measures Act and ascertain their feelings about the type of legislation we should introduce in the House to replace the proclamation by some type of permanent legislation. We have been in touch in the same way personally with Attorneys General of Ontario and Quebec. I know the right hon. gentleman believes in this type of personal communication and this is the type that I have used.

**Mr. Diefenbaker:** Personal communication is designed to cover up the government's position.

**Mr. Speaker:** Order, please. Has the right hon. gentleman a supplementary question?

**Mr. Diefenbaker:** Mr. Speaker, I again mention that these general observations made by ministers are bound to result in answers being made.

**Some hon. Members:** Question!

**Mr. Diefenbaker:** When there are general observations made such as we have just witnessed, I ask Your Honour to call some of the ministers of the Crown to order.

**Mr. Speaker:** Order, please. I again have to ask the right hon. gentleman whether he wishes to ask a supplementary question.

**Mr. Diefenbaker:** Mr. Speaker, I am pressing that point, with great respect to you. These ministers are following the course from time to time of making gratuitous observations and then Your Honour says that we cannot answer them. I am simply raising my objection thereto. Now I will ask my question—

**Mr. Speaker:** Order, please. I have to bring to the attention of hon. members that there are limitations to the question period and that we should try to get on. I have invited the right hon. gentleman to ask his supplementary question and I have noted his comments with attention, care and sympathy.

**Mr. Diefenbaker:** Mr. Speaker, thank you very much. Now, I ask the minister, is it not a fact—

**Some hon. Members:** Oh, oh!

**Mr. Diefenbaker:** These hon. gentlemen object to anything being discussed as a fact in this House. Is it not a fact that in the regulations that have been drawn up there is not one line or one word that indicates that the Attorneys General of the several provinces shall have other than perfect freedom in interpreting the meaning of what has been drawn up by the minister and those associated with him?

**Mr. Turner (Ottawa-Carleton):** Mr. Speaker, I have never contested that freedom. I suggested to the Attorneys General what the view of the government was with