

Great persons such as George Brown were associated with him in that endeavour. I am sure that historians in this House, including the hon. member for Hillsborough, will agree that if Sir John A. had not set the course for confederation it would not have been accomplished, or would have come about in a vastly different form. Such was his ability to deal with people. Above all, he was a master at dealing with people. Long nights spent sitting around tables with the conversation flowing as freely as the wine may have been responsible; I do not know. Sir John A. was not a great orator. I understand that his speaking technique was to stand, more or less turn his back on the opposition and speak in somewhat confidential voice to his followers, urging them to support some sensible measure which he was introducing.

I hope we will not be waylaid into choosing heroes of the various parties, laudable though that may be. What we are now discussing is paying tribute to the one person who created confederation.

Mr. Jack Cullen (Sarnia-Lambton): Mr. Speaker, in light of the Conservatives' singular lack of success in recent elections, I suppose it is appropriate that the day which they celebrate each year should take place in a graveyard. I in part support the principle of this bill, but I would have been happier if it had been founded upon the premise of a Prime Minister's Day rather than a Sir John A. Macdonald Day.

I have done some reading and research concerning Sir John A. Macdonald. I feel if this suggestion had been made to him personally, his answer would have been decisive, abrupt, eloquent, clear, rude and it probably would have been "No". I think Sir John A. Macdonald would be more pleased that we have seen fit to name an icebreaker after him, in keeping with the independent and pioneering spirit of this man.

If this bill had suggested a Prime Minister's Day, tribute could have been paid to the former member for Lambton West, the Hon. Alexander Mackenzie. We recognize that a politician who beats another politician deserves some credit and it should not be forgotten that Sir Alexander Mackenzie did, in fact, defeat Sir John A. Macdonald.

Mr. Deputy Speaker: Order, please. The hour appointed for the consideration of private members' business having expired, I do now leave the chair until eight o'clock.

At six o'clock the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

GOVERNMENT ORDERS

PUBLIC ORDER (TEMPORARY MEASURES) ACT, 1970 PROVISION OF EMERGENCY POWERS FOR PRESERVATION OF PUBLIC ORDER

The House resumed consideration of the motion of Mr. Turner (Ottawa-Carleton) that Bill C-181, to provide tem-

porary emergency powers for the preservation of public order in Canada, be read the third time and do pass.

And the amendment thereto of Mr. Douglas (Nanaimo-Cowichan-The Islands).

Mr. Steven Otto (York East): Mr. Speaker, before five o'clock I was indicating to the House that the bill we are discussing is not, in a sense, a new bill or some strange measure introduced for the first time, but a bill to replace the War Measures Act presently in force. I was dealing with the question of possible abuse raised by the hon. member for Nanaimo-Cowichan-The Islands (Mr. Douglas). It is true there are bound to be abuses and that some people will be arrested who should not have been arrested. The question we have to decide is what type of abuse there is to be. In the absence of a bill of this type there will be abuses by the FLQ, because this is what Bill C-181 is about: it is not legislation in a vacuum; it deals with a specific problem. I am sure there is a problem in Quebec, and it is one which arises because of the FLQ. The hon. member for Egmont (Mr. MacDonald) and the other hon. member who spoke from the Conservative side of the House made certain remarks about the merging of separatists with the FLQ. Let me remind hon. members that the aim is still separatism; what we object to are the means by which to bring about separatism.

The amendment seeks the provision of some sort of safeguard, one which would amount, I suggest, to a pre-trial trial. Hon. members with legal training on both sides of the House will know that one thing the common law does not tolerate in criminal matters is a trial before a trial. The speeches made before the amendment was moved indicated there should be some body, some committee, which would investigate not only the condition of prisoners, whether they had been given an opportunity to get in touch with their relatives and solicitors, but also to find out whether or not they should have been arrested. But how would the committee, or commission, find this out? By guesswork? Prisoners do not wear labels on their coats.

The only way to find out would be by investigation and getting evidence. However, evidence obtained in this way would not be in the purview of a court. Let us say the committee decided that a person under detention had been properly arrested. What bearing would this have on his subsequent trial? A committee would already have reached the conclusion that he ought to have been arrested and, as I say, it is one of the principles of our law that a person to be tried should be tried in the courts where he has an opportunity to examine witnesses and bring forward evidence. I should like the hon. member for Nanaimo-Cowichan-The Islands to tell me how this committee or board would do its work without getting into a pre-trial trial which is obnoxious to our system of law.

Mr. Lewis: It is obvious, when you think about it.

Mr. Otto: The hon. member for York South (Mr. Lewis) will have an opportunity to let us know how this is to be done. I have heard these points of view expressed over and over again. There are some, Mr. Speaker, who