

Supply—Justice

Mr. Fulton: I am not dealing with the question of contractual obligation. I am dealing with the accusation made by the hon. member that in refusing to send reinforcements, and giving our reasons for not doing so, we were infringing provincial sovereignty, and it is, as I say, inconceivable to me that any hon. gentleman who has had previous experience in government should suggest that a government, in taking a decision it is bound to take in the exercise of its responsibility, is guilty of invading the sovereignty of another government. Yet that is the charge which the hon. gentleman has made.

We gave our reasons on an earlier occasion for the refusal to send reinforcements. I do not think that any argument which the hon. gentleman has advanced here today contains anything which would cause a reasonable person to change the view to which we then came. It is, however, a fact that in discussing the basic reasons why we reached that decision both the hon. gentleman and I must have regard to the fact that this involves an issue which is now before the court—an issue, I would point out, which was placed before the court by the premier of Newfoundland and not by us—the question of whether our interpretation of the contract was right or not. Since I cannot discuss further the reasons why I came to our decision without discussing the contract, I do not think I should go any further at this time.

Mr. Pickersgill: There are one or two comments I should like to make on what the minister said. The hon. gentleman stated—and I asked him then if he would permit a question, but he declined—that the fact was that there were no further disorders after March 10. That statement is incorrect. On the day that the body of this unfortunate policeman was taken to the train there was, as the minister knows, a very unfortunate incident in which the lives of certain people were, in fact, in danger and in which certain property was destroyed or at least seriously damaged. So that statement of the minister's is not correct and it is only by good fortune which, I am sure, the minister would not claim to have had the prescience to have foreseen, that that incident was not very much more serious than it was. Not only that, it is a fact that, because of the minister's refusal to send these reinforcements, the city of St. John's was practically denuded of its police. I suggest that if this had happened in Ontario and if the government of Ontario, because of the action of the minister, had had to denude the city of Toronto of police in order to deal with a situation in northern Ontario a different view of this matter would be taken by some of the hon. members from

Toronto. That sufficiently disposes of the minister's point that reinforcements were not needed.

The minister said that this was not the first request for reinforcements, but that it was a renewal of a request. I have never heard of this before. It is something entirely new, and I think perhaps that later on the minister might document that—

Mr. Fulton: I can do that right now. I thought the hon. gentleman would have read the material on this matter, but I find he has not. I placed the full facts on record in *Hansard* on March 16—

Mr. Pickersgill: Perhaps, since I have the floor, the minister would be good enough to let me go on. There is no evidence on the record that I have been able to discover, but the minister, in his own time, can correct me if he wishes. There is no evidence that I can discover of any previous request having been made by the attorney general of Newfoundland for actual reinforcements in addition to any that might have been sent. If the minister can show me that I am wrong, I shall be glad to admit that I am mistaken after I have completed what I want to say now.

But the minister said this matter was all decided on March 11. When I asked him on March 12—but I will read the question:

Mr. Pickersgill: May I ask a supplementary question. In view of the language of section 13 which says that Canada shall, at the request of the attorney general of the province addressed to the commissioner increase the strength of the division as requested if, in the opinion of the attorney general of Canada, having regard to other responsibilities and duties of the force such increase is possible, would the minister say whether it is because the members of the force were not available that this request was not complied with.

To which the minister replied:

The matter is still under consideration, and I am not able to answer the hon. gentleman's question at this time.

Now the minister tells us it was decided the day before. But it seems that parliament was not entitled to be told. We were told that this matter was still under consideration. We were told nothing until Monday, although parliament sat the following day and questions were raised, and if this is not obvious evidence of dithering I do not understand the meaning of the word, and I ask if it was not in the minister's own phrase, fiddling about with the matter; mincing up to it and then backing away from it. That is what happened, and that is the impression the public had. The minister says the reason for this dithering was that he was trying to persuade the commissioner to withdraw his