

Transport and Communications

the committee is expected to prepare a report without having the evidence.

I want to emphasize to the house that this committee has been one of the hardest working committees with one of the most outstanding and hardest working chairmen in the house. The house leader has affronted the chairman and the committee by refusing to allow concurrence in the fifth report and by his despicable action this afternoon in not permitting the hon. member for LaSalle to defend his own report.

The hon. member for Notre-Dame-de-Grâce, in his haste to put both feet into it, neglected to mention a number of very important facts concerning the recommendation in relation to the Canadian Transport Commission. The Newfoundland House of Assembly on February 28 unanimously passed a motion calling upon the Canadian Transport Commission, the Canadian National Railways and the government of Canada not to implement its decision for at least two years.

This fact seems to have gone by unnoticed. It is strange that the cabinet minister from Newfoundland did not think it worth while to sit in on the debate this afternoon. I refer to the Minister of Supply and Services (Mr. Jamieson). He too has adopted the patronizing attitude toward the Atlantic provinces that symbolizes this government. This is much to his own shame because he is a product of the Atlantic provinces.

I regret that the minister from Newfoundland is not in the house today to state what he said to the Canadian Transport Commission when he was a member of this house in 1967. At that time he felt it incumbent upon himself, in the company of other colleagues who then sat on that side of the house, to appear before the commission and ask them to delay taking off the passenger trains for at least five years. That is what the hon. member for Burin-Burgeo said when he appeared before the commission. I am sorry he is not here to defend the very worth-while stand he took before the Canadian Transport Commission and perhaps to influence his colleagues.

Why did the Newfoundland legislature, which is dominated by the same party that shares the philosophy of the government, feel obliged to pass a resolution to this effect? They did so because they knew this was the wish of all the people of Newfoundland. They knew that to truly represent the people of Newfoundland in their sovereign legislature they had no alternative but to pass such a resolution. The federal government's action

was a vindictive political affront to the people of Newfoundland because they did not support the Liberals in the last federal election. That is the only conclusion one can come to.

• (5:10 p.m.)

Mr. Allmand: May I ask the hon. member a question?

Mr. McGrath: My time is limited.

Mr. Allmand: Would the hon. member tell the house whether the government or the legislature of Newfoundland lodged an appeal with the Governor in Council in accordance with the Railway Act, in the same manner as was done by several of the western provinces when the old Board of Transport Commissioners allowed the Dominion train to be discontinued in 1966?

Mr. McGrath: Mr. Speaker, I am surprised at the hon. member who is so learned in the law. The parliament of Newfoundland is a sovereign parliament and it does not have to appeal to any court. It passed a resolution; presumably that resolution would be passed on to the Clerk of the House of Commons or the Secretary of the Privy Council, but we have not been able to draw that fact from the government. I might add that the resolution which was passed concerned the jurisdiction of the federal government.

One can only conclude that a resolution passed by the sovereign parliament of Newfoundland would, in the normal course of events and through the normal channels, be passed on to the government of Canada. But just to safeguard the situation the six Newfoundland Members of Parliament sitting on this side of the house drafted an appeal under the provisions of section 53 of the Railway Act and sent it to the Prime Minister (Mr. Trudeau) on March 27. We did so because there seemed to be some doubt about the sovereignty of the Newfoundland parliament and its ability to pass a resolution recommending something to the government of Canada. There seemed to be some doubt whether or not that constituted an appeal, just as the hon. member for Notre-Dame-de-Grâce questioned an official of the railway union when he produced a letter to the effect that he had appealed the decision by writing to the Prime Minister. The hon. member for Notre-Dame-de-Grâce said that that gentleman did not consult with legal counsel as to the proper way to lodge an appeal.

I am not a lawyer, Mr. Speaker, but section 53 of the Railway Act is very clear to me. It