

Inquiries of the Ministry

observations with regard to the legal aspect of the matter. The point made by the hon. member for the Yukon is quite correct. So much for the law.

As to the question of equity—

An hon. Member: Come on, now.

Mr. Baldwin: I know the hon. member does not understand equity. It does not belong in the Liberal party. The fact remains that the Acting Prime Minister must be aware of this document because it is six weeks, I am told, since it was placed in the hands of the people who have used it. They knew where it was. In the circumstances, equity demands that the document be tabled in the House so that hon. members may know what it contains.

Some hon. Members: Hear, hear!

Mr. Turner (Ottawa-Carleton): Mr. Speaker, the authorities—

Some hon. Members: Oh, oh!

Mr. Speaker: Order, please. I should bring to the attention of hon. members the desirability of trying to resolve this point as quickly as we can. We have spent a good deal of time on it, and I think we should now try to resolve it as expeditiously as possible.

Mr. Turner (Ottawa-Carleton): The citations referred to by the hon. member for Yukon are quite precise.

Some hon. Members: Hear, hear!

Mr. Turner (Ottawa-Carleton): They are citations 159, paragraphs 2 and 3. Citation 159(2) refers to the earlier citation in May to which the hon. member for the Yukon also alluded. The terms of these citations are very narrow in scope. They are equivalent to the rules of evidence applied by a court, to which the hon. member for the Yukon also referred.

A minister of the Crown is not at liberty to read or quote from a despatch or other state paper not before the House—

It has been admitted that a document which has been cited ought to be laid before the House—

As the government House leader has pointed out, the most the Acting Prime Minister did was to refer, indirectly or directly, to a document. There was no citation. There was no quotation. If the argument advanced by the hon. member for Yukon were to be accepted, the mere fact that a document was referred to would make it producible, and obviously that is well beyond anything May or Beauchesne had in mind when they placed these paragraphs in their books. I refer also to citation 159(3) which says:

It has been admitted that a document which has been cited ought to be laid upon the table of the House if it can be done without injury to the public interest.

That is another point I should like to bring to Your Honour's attention, that you should consider whether it is normally in the public interest to require the production of a cabinet document.

Mr. Baldwin: Or the Liberal interest.

Mr. Turner (Ottawa-Carleton): If Your Honour were to hold that despite the narrow construction placed upon

[Mr. Baldwin.]

this rule by May and Beauchesne, who limit it to citation and quotation, not a reference, if you were to go beyond the protection given to the public interest and require the production of the document, then I submit that production should be limited to the article in the *Montreal Gazette*.

Mr. Speaker: Order, please. I see the hon. member for Yukon seeking the floor. He knows he has already spoken to the question. It would be somewhat irregular to allow all four hon. members who have taken part in the debate to speak a second time. Perhaps the hon. member has an explanation to indicate why he should be allowed to speak a second time on the same point.

Mr. Nielsen: Yes, Mr. Speaker. In all fairness, and having regard to parliamentary justice, there ought to be an opportunity for rebuttal of the new points which have been raised.

Mr. Speaker: The hon. member might indicate the precedents. There may be such precedents of which I am not aware. I do not wish to be unfair to him. I appreciate the importance of the matter which has been raised, and there is no reason why we should not debate it. It is one of interest from a procedural standpoint. The Chair is always happy to hear arguments in relation to procedural points, so I certainly do not intend to limit the discussion in any way. The hon. member says he is entitled to make a rebuttal. Perhaps the argument will come from the government side that they are entitled to offer a rebuttal of the hon. member's rebuttal. The hon. member for Yukon is perhaps confusing court proceedings with proceedings of the House of Commons. It is certainly not the practice of the House to allow a member to speak a second time to the same question. I submit this view to the hon. member with all respect.

Mr. Nielsen: In all modesty, I have been around here long enough not to confuse proceedings in this House with court proceedings, My Lord. But I think that in all fairness, in view of the importance of this question, a rebuttal should be made in response to what the Minister of Justice has stated.

Mr. Speaker: Order, please. I have no objection to allowing the hon. member to state briefly what his point is. If he thinks he has a point of order he would be entitled to raise one in any event. We shall see where we go from there. We may be spending the whole day on rebuttals, and I am wondering whether this will lead to the orderly conduct of our business.

Mr. Nielsen: My point will be very briefly made if the braying donkeys over there will be quiet. The point is that, contrary to what the Minister of Justice has urged you to accept, the Acting Prime Minister has used his knowledge of this document to argue his case in reply to a question by the Leader of the Opposition.

An hon. Member: The same argument.

Mr. Nielsen: It is not the same argument at all. The Acting Prime Minister said a decision on foreign ownership had not been made. He described the document as a study, a working paper. He asserted that the words "Gray