

S.O. 43

an RCMP contract with the provinces and the unlikelihood of a new contract being negotiated because of a deliberate attempt by some provinces to link the constitutional resolution to any such agreement, I move, seconded by the hon. member for London-Middlesex (Mr. Bloomfield):

That this House condemns the governments of those provinces seeking to play politics with the peace and security of their citizens.

Some hon. Members: Oh, oh!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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BUSINESS OF THE HOUSE

EXAMPLE TO YOUNG PEOPLE—MOTION UNDER S.O. 43

Mr. Gordon Taylor (Bow River): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43. Whereas example means more than talk to Canadian young people, I move, seconded by the hon. member for Hastings-Frontenac-Lennox and Addington (Mr. Vankoughnet):

That the Prime Minister and his Liberals cease asking the members of this House to pass items that are contrary to the law and thereby set an example to our young people to uphold and obey the law.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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THE CONSTITUTION

REFERRAL OF CONSTITUTIONAL RESOLUTION TO SUPREME COURT OF CANADA—MOTION UNDER S.O. 43

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, I rise under the provisions of Standing Order 43. In view of published reports that the Supreme Court of Canada has indicated its displeasure with the unilateral plan of the Prime Minister (Mr. Trudeau) to push through Parliament his constitutional resolution before the Manitoba appeal can be heard, and that the Supreme Court of Canada has indicated that the dignity of the Supreme Court of Canada is being affronted by the process the Liberal government has initiated, I move, seconded by the hon. member for Richmond-South Delta (Mr. Siddon):

That, since the Prime Minister has finally admitted that the constitutional resolution should be referred to the Supreme Court of Canada for a decision, this House affirm the dignity of both the Supreme Court of Canada and the Parliament of Canada by urging the Prime Minister to cease his political posturing by referring forthwith the constitutional resolution to the Supreme Court of Canada.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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INDIAN AFFAIRS

SALE OF LIQUOR AT MOHAWK INN ON TYENDINGAGA RESERVE IN ONTARIO—MOTION UNDER S.O. 43

Mr. Jim Manly (Cowichan-Malahat-The Islands): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Following several months of harassment, the Mohawk Inn on the Tyendingaga Reserve in Ontario has been raided by the Ontario Provincial Police and the Indian proprietor has been charged under an archaic section of the Indian Act which prohibits the sale of liquor on an Indian reserve. This is in spite of the fact that the inn has operated with the knowledge and consent of the band council. Considering the implications of this case for Indian business people right across the country, I move, seconded by the hon. member for Brant (Mr. Blackburn):

That the government recognize that the Mohawk Inn is a legitimate business, run by a responsible Indian businessman, and that the government treat this case as an important test and make the resources of the Department of Justice available for the defence.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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THE CONSTITUTION

SUGGESTED ADJOURNMENT OF DEBATE ON CONSTITUTIONAL RESOLUTION—MOTION UNDER S.O. 43

Mr. David Kilgour (Edmonton-Strathcona): Madam Speaker, I rise under the provisions of Standing Order 43. Noting that the Newfoundland Court of Appeal yesterday found the government's constitutional package to be illegal; acknowledging that by inviting this House to proceed with a proposal yesterday found illegal, the Prime Minister (Mr. Trudeau) is inviting hon. members to enact something which five out of eight appeal court justices have already found to be illegal and which the Supreme Court of Canada will hear on April 28; noting that many members of this House who are lawyers are bound by the Canadian Bar Association code of conduct, one

Oral Questions

provision of which requires lawyers to encourage public respect for the administration of justice, I move, seconded by the hon. member for Cambridge (Mr. Speyer):

That this House hereby adjourns the debate on the constitutional package until the highest court in the land can decide if it is legal.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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● (1415)

BUSINESS OF THE HOUSE**CONDEMNATION OF OFFICIAL OPPOSITION—MOTION UNDER S.O. 43**

Mr. John Campbell (LaSalle): Madam Speaker, I rise under the provisions of Standing Order 43. As you know, Madam Speaker, the business of governing Canada is grinding to a halt as a result of the petulance and pique of the Leader of the Opposition (Mr. Clark) and his colleagues preventing Parliament from doing its work. I therefore move, seconded by the hon. member for London-Middlesex (Mr. Bloomfield):

That this House condemns the tyranny of the minority in this House as exemplified by the Conservative party.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

the decision rendered yesterday by the court in Newfoundland and after learning, at the end of last week, that the Supreme Court of Canada had decided to hear the constitutional case before the end of this month, was to express the hope that these two cases would be brought before the Supreme Court of Canada, as well as the judgment of the Quebec Court of Appeal, if it is rendered in time. In other words, we would like to have the Supreme Court of Canada adjudicate all the cases which were brought before the courts by the provinces. How that will be done, I cannot say at this stage.

REQUEST FOR ADJOURNMENT OF DEBATE ON CONSTITUTIONAL RESOLUTION

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I am sure the Prime Minister would not want this Parliament to be put in the position of voting on an illegal matter.

Some hon. Members: Oh!

Mr. Clark: We on this side of the House certainly do not want this Parliament to be put in the position of voting on an illegal matter, which is the situation now.

Some hon. Members: Hear, hear!

Mr. Clark: In light of that, and in order to protect and respect the rule of law in the country, I wonder if the Prime Minister would consider adjourning debate on the constitutional resolution, which has been presented to the House of Commons and to the Senate, so that we can get on with the other important business of the country. Will he consider adjourning this debate until the Supreme Court of Canada has decided the legality of the government's position, and then bring the question back to Parliament for whatever limited debate would be necessary, after the Supreme Court of Canada had ruled what constitutional matters it is lawful for the federal Parliament to decide?

Some hon. Members: Hear, hear!

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the Leader of the Opposition makes the assumption that Parliament would be voting on an illegal matter. I do not recall him making the assumption that the matter was legal after the Court of Appeal in Manitoba had made a favourable decision.

Some hon. Members: Hear, hear!

Mr. Trudeau: I think that establishes, once again, that the opposition is not as interested in establishing the legality as it is in causing delay.

Some hon. Members: Hear, hear!

Mr. Trudeau: The point is that we on this side are interested in knowing whether the measure is legal or not. That is why I made the suggestion, my offer, yesterday. The whole point is

ORAL QUESTION PERIOD

[English]

THE CONSTITUTION**RULING BY SUPREME COURT OF NEWFOUNDLAND ON CONSTITUTIONAL RESOLUTION—POSSIBLE LAUNCHING OF APPEAL**

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, my question is for the Prime Minister. Can the Prime Minister tell the House of Commons whether he intends to instruct his officials to launch an appeal in the Supreme Court of Canada from the decision rendered yesterday by the Supreme Court of Newfoundland, a decision which finds the government's constitutional resolution illegal?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the position the government has taken after hearing