

March 6

The former Attorney - General brought out new ammunition by asking Mr. Roebuck for a report of a meeting in Gaby's office in April of 1929. He was credibly informed, he said, that several Hydro engineers had been present and backed up the report made by the Commission to the Government. They had calculated the future power demand, Colonel Price said, and arrived at a figure which Mr. Roebuck had given as Gaby's.

Says Contracts Legal.

Flat disagreement with the view of the Attorney-General that the three Quebec power contracts were illegal and unenforceable was expressed by Colonel Price.

"I say they are legal and can be sustained in the courts," he declared.

"Has the late Government considered the legality of the contracts?" asked J. J. Glass, Liberal, St. Andrew.

"The late Government always considered them legal." Colonel Price replied, and added: "My honorable friend the Attorney-General talked what I thought was a lot of nonsense. The flimsy grounds for illegality which the Honorable the Attorney-General put in were ridiculous. If there had been some grounds to his contention, I would have listened to them."

Colonel Price maintained that the "secret agreements" were no different from the main agreements.

"Did you know about the five secret agreements?" asked Hon. Harry C. Nixon.

"I knew there were minor agreements," answered Mr. Price. "I have it on good legal authority they were minor agreements."

"Not minor agreements at all," put in the Attorney-General.

"Forget," Colonel Price urged, "that you ever made political speeches. You are in a position of responsibility now. You've got control of Hydro—and in my opinion Hydro is more political than ever now."

People Want to Know.

"I am not attacking the Government now," continued Colonel Price, "but want to know what they are going to do. The people of the country want to know."

Colonel Price referred to some "alarming headlines" in newspapers concerning the Attorney-General's address.

"What object was there in those headlines?" he asked. "What object was there in the speech delivered?"

"These headlines reveal the situation the Attorney-General created," he continued.

"I had nothing to do with the creation of the situation—the late Government created it," declared the Attorney-General.

"You say you want to save Hydro from bankruptcy," Mr. Price continued.

"Save it from your bankruptcy," Mr. Roebuck interjected.

Conflict of Opinion

It is a serious thing, Mr. Heighington declared, to express an opinion on the legality of the Quebec contracts on the floor of the House when the Government has not yet decided on a course of action.

In the opinion of the speaker there exists a conflict of opinion in respect to the recommendations of Hydro engineers on the power purchases. This matter, he said, was dealt with in the Hydro Commission on May 20, 1929.

"There is conflict of opinion at this minute," Mr. Heighington said, "and I maintain that a committee of the House should be summoned to straighten the matter out. The engineers should be summoned here to give their opinions."

The alleged secrecy of the agreements was discounted by Mr. Heighington, and he quoted a letter written by former Premier Ferguson to former Prime Minister King setting out the power situation in Ontario. If there was so much secrecy, he declared, why should a Conservative Premier write to a Liberal Prime Minister in connection with the power problems of Ontario?

Mr. Heighington disputed the claim that Liberals were the parents of Hydro.

"If, however, they are the parents of Hydro—and considering the way they have attempted to undermine the undertaking by their accusations—it looks as though they have tried to leave their offspring with a face that only a mother could love."

The whole question, Mr. Heighington declared, cannot be settled in the Legislature.

"Surely," he said, "this matter must be settled by arbitration or by judicial reference. It is up to the Government to decide their course."

Affirms Legality of Contracts.

There was no doubt in the mind of Mr. Heighington that the Quebec contracts were perfectly legal, and he revealed considerable legal research to support his contention.

"The suggested prohibition against the Gatineau and other companies within Ontario simply does not exist,"

he maintained, and was applauded by Opposition benchers.

"All that we have done," he continued, "is to authorize by the Power Commission Act our Commission to purchase power or energy from a person or corporation authorized to do business within Ontario."

Mr. Heighington then referred to the legal opinion expressed by Aime Geoffrion of Quebec to the effect that the Quebec power contracts were legal.

"Whom does the honorable member from St. David rely on for legal authority? The honorable member mentioned Geoffrion. Is not he (Geoffrion) a solicitor for one of the companies?" asked the Attorney-General.

Mr. Heighington admitted that this was correct, and then referred to his research in connection with cases on constitutional law participated in by Lewis Duncan, K.C.

He declared that out of 46 cases on constitutional matter in Ontario law reports, and 126 cases in Dominion law reports on Constitution, the name of Lewis Duncan had appeared only once; and in the instance before the Privy Council this appeal to the highest court in the Empire had been lost.