

Company and Attorney-General for Alberta, which are reported at volume 62 Dominion Law Reports at pages 67 and 68, and in volume 62 Supreme Court Reports, page 439. I will quote from the remarks made in this case by Mr. Justice Duff:

The phraseology adopted, when the context is considered in which this section 121 is found, shows, I think, that the real object of the clause is to prohibit the establishment of customs duties affecting interprovincial trade in the products of any province of the union.

Similar remarks were made by Mr. Justice Anglin and by Mr. Justice Mignault.

I come now to the merits of the matter. Because, in my opinion, the bill is *intra vires*, or constitutional, does not mean that it is good legislation. Some of my colleagues, of course, are in favour of it. That is their right; and I sincerely hope that every member of the Senate will continue to show toleration towards his colleagues. As a resident of Quebec I would not say that the good people of my province are unanimous on the question of margarine. I myself have always taken the position that the dairy industry was entitled to every reasonable measure of what I will term the defence of its legitimate interest. In the past I thought it my duty to vote against the bills introduced on the subject of margarine, because I believed that their consequences to agriculture would be harmful.

I represent the district of Chateaugay and Huntingdon, which certainly has some of the finest dairy farms in all of Canada. Let us review the dairy situation. I remember the days last winter when it was very difficult to secure even a half pound of butter in Montreal. I cannot possibly imagine that margarine caused this condition, because the sale of that product is still prohibited everywhere in my province. I do not jump to conclusions, therefore, when I hear conditions in the dairy industry described as being unsatisfactory. I think that during the next session we may very well make a specific inquiry into Canada's agricultural conditions, and our dairy industry in particular. I appreciate, just as much as any senator from the rural parts of Canada does, how absolutely vital our dairy industry is to the welfare of our people, particularly our children. But this is not a sufficient reason to ask us to adopt an important bill like this so late in the session.

I am aware that some of the provisions contained in this bill are already contained in existing legislation. I have carefully read every amendment in connection with the Dairy Industry Act, and I have come to the conclusion that the bill before us goes much further than anything embodied in that Act. I am in favour of establishing national

standards for dairy products in the matter of export. I also admit that the Canadian Parliament has jurisdiction over interprovincial trade, but I want to be sure that our country remains united and that we do not adopt any measure which would have the effect of disintegrating the Canadian confederation.

Honourable senators, I could not possibly accept section 6 of the bill unless it were proven to my satisfaction that these provisions which give extremely wide powers to the Governor in Council to make regulations concerning dairy product substitutes, are reasonable. I take the same position as my honourable colleague from Inkerman (Hon. Mr. Hugessen). I think his suggestion that the bill be given second reading on division and then be referred to committee is a reasonable one. If acceptable amendments were made in committee, the bill could then be returned to the house and be given third reading; but if the bill came back to us in its present form, I for one would consider it my duty to vote against it.

Some Hon. Senators: Question.

Hon. J. A. Godbout: Honourable senators, I have taken so little of the time of this house during this session that I think I should have the right to say a word about this vital question. It is important not only to the future of supposed pressure groups, but to the future of our country at large.

There are two question under discussion. One of them is this: Is this bill *ultra vires* or is it not? This question is not one for me to decide, but I know that most members of this honourable house have supported quite a number of measures which have been based on exactly the same principle. Be it only a question of constitutionality, I think it is well to do openly what the provinces would be compelled to do themselves. I happened to be the Minister of Agriculture in Quebec when it was thought to be absolutely necessary to create a dairy commission in every province of Canada. To protect the public generally, the consumer as well as the dairy interests, it was thought necessary to fix a price for milk that would satisfy both the producers and the consumers. I am not going to talk about Quebec, Ontario, British Columbia or any other province in particular. I am a Canadian and the interest of my country is foremost in my heart. As I say, every province thought it necessary to fix the price to the consumer and to the producer. But how could any province fix the price to be paid in another province? It was arranged that for milk delivered in Quebec, say, irrespective of where it was bought, the producer should be paid a price