

right of this parliament to abrogate section 133 of the British North America Act, which authorizes the use of the French language, who will say that the province of Quebec would have entered into confederation?

Now let us hear what the honourable mover of the resolution said in his address:

We have gone to the very limit of making amendment easy. We do not even have to pass an act of parliament. All that is necessary is a resolution of the other house, endorsed by this chamber, and it will be rubber-stamped into the constitution by the British Parliament. That is not good enough for Canadians. We are without a constitution which guarantees to our people and our nation the essential and fundamental securities of a federal union. I can state the situation in one sentence: Canada, one of the great nations of the world, is drifting under a colonial constitution, without the securities that go with such a constitution when the Mother Country maintains it for a colony. Anyone who dreamed or thought that because our constitution was an act of the British Parliament, federal union was a guarantee of the rights of the provinces and of minorities, or of the integrity of the nation, must realize today that there is no such guarantee. It has gone. So if we are going to have those fundamental securities that are essential to stability, we must have a new constitution, and it must be written by Canadians and held in trust for the Canadian people by the Canadian Parliament.

In speaking about this method of securing amendments to our constitution, the honourable senator in his eloquent way said, "Shade of Henri Bourassa!" If we have come to the stage where the guarantees of certain rights given us by the Fathers of Confederation are guarantees no more, can we not say with much more force: Shade of Sir John A. Macdonald! Shades of Sir George Cartier and the other Fathers of Confederation.

This is one of the reasons that I support the resolution for forming a committee of the Senate to study this problem. The honourable senator has cited with well-deserved praise the work of Dr. Ollivier on our constitution and its problems. Read the report of the 1935 committee of the House of Commons and you will find there other memoranda and briefs of great merit. The argument of Mr. W. E. Edwards, the then Deputy Minister of Justice, is a memorable one. This witness was a firm believer in the British North America Act, in the flexibility of our constitution and in the present way of securing needed amendments. Would he be of the same opinion today, after the declarations lately made in the English House of Commons and the House of Lords? I do not think so.

Honourable senators, this is an occasion for the Senate to do a splendid and useful work for the benefit of our country. I am convinced that you will approve this resolution, and that

when the time comes for the study of this grave problem the Senate will give to it the same earnest attention which has earned the respect and praise of people who know of its work.

On motion of Hon. Mr. Howard, the debate was adjourned.

## NATIONAL EMERGENCY TRANSITIONAL POWERS BILL

### SECOND READING

On the Order:

Second reading of Bill 253, an Act to amend the National Emergency Transitional Powers Act, 1945.

Hon. Mr. ROBERTSON: Honourable senators, I have asked the honourable gentleman from Inkerman (Hon. Mr. Hugessen) to explain this bill.

Hon. A. K. HUGESSEN moved the second reading of the bill.

He said: Honourable senators will recall that parliament, at the second session of 1945, passed an act known as the National Emergency Transitional Powers Act, for the purpose of extending for a certain period beyond the termination of the war various special powers conferred upon the government under the War Measures Act. It is provided in the National Emergency Transitional Powers Act that it "shall expire on the 31st day of December, 1946, if parliament meets during November or December, 1946, but if parliament does not so meet it shall expire on the fifteenth day after parliament first meets during the year 1947." The bill now before us proposes to amend that legislation by extending the period to which I have referred from fifteen days to sixty days after parliament first meets in 1947, or to the 31st of March, 1947, whichever date is the earlier.

I have in my hand a statement relating to the large number of orders in council that have been passed from time to time, first of all under the War Measures Act, and subsequently under the National Emergency Transitional Powers Act. Honourable senators will be aware that on the 5th of July the Prime Minister stated in the other place that a committee of the Department of Justice and other departments had all the orders in council under close scrutiny, with a view to reducing to a minimum the number of such orders in actual operation.

A short history of what has happened to these orders in council may interest the house. The total number of orders passed under one or other of the emergency powers was 7,187. Of this number, 4,207 have been revoked or have expired; 26 are in process of