

I see no other way of having a proper debate on this important subject than by delaying it until we know better the progress of the bill on this subject now before the other place. It seems to me that to have a debate on this matter running concurrently in both houses would be most chaotic, and conducive only to a poor result on the rather clear proposition embodied in this order. If we do not wait until the other place has dealt more fully with this subject, we will get into a situation where honourable senators will be forced to take a position for or against abolition, for partial abolition or for partial retention, which would be most confusing for them and would only be an obstacle to our obtaining in the law the result we desire, whatever that may be.

It seems to me that to have two debates on this subject running concurrently would be a quite wrong usage of our rights in Parliament. For that reason, I ask that the order stand, and I expect to ask the forbearance of honourable senators when it is called again to have it stand until we know better what is happening with the bill before the other place.

Hon. Mr. Flynn: Do you not think we can make up our minds on a subject such as this before it is dealt with in the other place?

Hon. Mr. McLraith: Yes, I am sure we can. However, I do not think any useful purpose would be served in so doing. I do not see any sense in the Senate making a decision on this bill, and the other place making a decision on the bill before it. I think that would result in a situation that would be most harmful to the best determination of this whole matter.

Order stands.

NATIONAL PARKS ACT

BILL TO AMEND—REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the report of the Standing Senate Committee on Banking, Trade and Commerce on Bill S-4, to amend the National Parks Act, which was presented on Thursday, June 28, 1973.

Hon. John J. Connolly, Acting Chairman of the Standing Senate Committee on Banking, Trade and Commerce, moved that the report be adopted.

Hon. Mr. Macdonald: Honourable senators, before the report is adopted I wonder if I might ask the sponsor whether any consideration has been given to having the notice of intention to issue a proclamation published in a local newspaper as well as in the *Canada Gazette*? The *Canada Gazette* is not a publication which is widely read by the general public.

Hon. Mr. Connolly (Ottawa West): Honourable senators, I am not the sponsor of this bill, but perhaps, as acting chairman of the committee I can say to Senator Macdonald that that is certainly not included in the amendment. Senator Macdonald is aware that the amendment originated in the fertile mind of the Leader of the Opposition and was, for that reason, considered to be a fairly thoroughgoing amendment. Publication of the notice is restricted to the *Canada Gazette*.

Report adopted.

[Hon. Mr. McLraith.]

The Hon. the Speaker: Honourable senators, when shall this bill be read the third time?

Hon. Mr. Connolly (Ottawa West) moved that the bill be placed on the Orders of the Day for third reading at the next sitting.

Motion agreed to.

● (2010)

THE CONSTITUTION

FEDERAL DISALLOWANCE OF PROVINCIAL STATUTES— DEBATE CONCLUDED

The Senate resumed from Wednesday, June 27, the adjourned debate on the inquiry of Senator van Roggen, calling the attention of the Senate to an urgent constitutional matter.

Hon. H. Carl Goldenberg: Honourable senators, the constitutional matter raised by Senator van Roggen last week is one of major significance. I listened to his presentation with great interest. As a good lawyer—and I am sorry he is not here to hear me say what I want to say—he quoted from precedents and cited authorities, many of whom I know or have known personally. I make exception, of course, of the barons who signed Magna Carta.

Senator van Roggen was followed by Senator Manning, to whom we must pay heed in these matters, because his long experience with the issues involved is almost unequalled. Then we heard Senator Forsey who, notwithstanding his humility and the deference he shows to others, remains one of our great and, fortunately, articulate constitutional authorities. His contributions in this area make him a national asset.

Hon. Senators: Hear, hear.

Hon. Mr. Goldenberg: Senator van Roggen drew the attention of the Senate to Bill 103 of the last session of the British Columbia Legislature, and, more particularly, to clause 14 of that bill, which declares void and unenforceable leases or other agreements entered into by the board of the Pacific National Exhibition unless these leases or agreements expire before December 31, 1975, subject, however, to approval and ratification or amendment by a new board. There is apparently no provision in the bill for compensation. The bill received third reading on April 18 of this year, but, according to Senator van Roggen, has not yet been presented to the Lieutenant-Governor for royal assent.

Honourable senators, that is all we have been told about the measure and nothing more. I for one am therefore not in any position to judge it. I know nothing about the leases or agreements affected by the bill or the considerations that led the Government of British Columbia to act as it did. As Senator Manning reminded us:

... in issues of this kind the argument is never wholly one-sided. No government, provincial or federal, introduces legislation without some reason which, rightly or wrongly, it considers a valid reason for so doing.

I agree with Senator Manning. Accordingly, while in principle I object to what may be expropriation without just compensation, I take no stand on the measure in the