

Some Hon. Senators: Content.

The Hon. the Speaker: Those opposed to the amendment will please say "non-content".

Some Hon. Senators: Non-content.

The Hon. the Speaker: In my opinion the "non-contents" have it.

Honourable senators, the question is now on the motion of Honourable Senator Robertson for the third reading of this bill. Is it your pleasure to carry the motion?

The motion was agreed to, and the bill was read the third time, and passed.

CANADA DAIRY PRODUCTS BILL

THIRD READING

Hon. Mr. Robertson moved the third reading of Bill 403, an Act to establish national standards for dairy products and to regulate interprovincial and international trade in dairy products.

Hon. J. H. King: Honourable senators, I have a motion that I would like to move. It is as follows:

That the said bill be not now read a third time, but that it be further amended as follows:

1. Pages 3 and 4, being lines 22 to 45, both inclusive, of page 3, lines 1 to 6, both inclusive, of page 4: Strike out clause 6, and renumber the subsequent clauses accordingly.

Honourable senators, I do not propose to delay the house very long. We seem to be in a great hurry. I was late for prayers, Mr. Speaker, and was not here when the order for consideration of the committee's report was called. I greatly appreciate, therefore, the gracious action of my leader (Hon. Mr. Robertson) in asking that the order be not proceeded with at once.

I am not a consumer of margarine or any other butter substitute, but I do not think it is expedient that the Government of Canada—I say the government, not parliament—should at this time give to the executive the right to prohibit the transportation of various commodities between the provinces of this country. It is true that under arrangements with the various provinces certain federal legislation has been passed—the Food and Drugs Act, for instance—for the purpose of ensuring that only non-injurious foods, drugs, and other such commodities, should be offered for sale to the public.

I am not a member of the Standing Committee on Natural Resources, which considered this bill yesterday afternoon, but I attended the committee's meeting, and the Minister of Justice satisfied me that constitutionally the government had the right to present this bill to parliament.

Hon. Mr. Golding: Hear, hear.

Hon. Mr. King: We representatives of the people are practical men and women, and we know that undoubtedly an effort has been made to circumvent the law, as it was understood, and as it has been declared by the courts not only by the courts of Canada but by the Privy Council. However, I do not wish to develop that phase.

The provinces of Quebec and Prince Edward Island have passed prohibitory laws applying to certain products. In doing so they were within their rights. The question is whether it is expedient that at this time we should interfere with what has been considered the proper exercise of a provincial right. I think it inexpedient that we at this time should give power, not to parliament but to the executive, to prohibit the transportation of numerous products from one province to another. Power has been given, under the Act as we understand it, to prohibit marketing of products which are not of the class and kind that people should trade in. But section 6 of the bill goes far beyond that, and I do not think the Senate of Canada, with its relatively small attendance this morning, should consent to delegate to the executive of this government—or any other governments that may follow—the right to prohibit by order in council the conveyance of products from one province to another. I contend, and I emphasize this, honourable senators, that there should be no hurry in passing this bill. I note from the Official Report of Debates of the other place, that there was very little discussion of this section in that house. Why then should we not delay its consideration so that the elected representatives of the people may have another opportunity of expressing themselves upon it? It has been indicated that parliament will adjourn today and reassemble on October 9 next. That is only three months away.

Hon. Mr. Reid: They have not won yet.

Hon. Mr. King: Surely honourable senators will see fit to adopt my motion to delete section 6 from the bill, so as to allow a fuller consideration of it when parliament reconvenes in October.

Hon. Gustave Lacasse: Honourable senators, I should like to say briefly that I wholeheartedly support the amendment proposed by the senator from Kootenay East (Hon. Mr. King.) I would also point out at this time that I am paired with an honourable senator from Quebec, and shall therefore have to refrain from voting. Had I been able to vote, I should have voted against the passage of the bill and for the amendment.

I am not a member of the committee which considered this measure, but I attended its