

*Oral Questions*SUPREME COURT DECISION IN NISHGA LAND CASE—
SUGGESTED RE-ARGUMENT BEFORE FULL COURT

Right Hon. J. G. Diefenbaker (Prince Albert): Mr. Speaker, I wish to ask the Minister of Justice whether consideration has been given to the suggestion I made which, incidentally, has received pretty general support across the country—

Some hon. Members: Oh, oh!

Mr. Diefenbaker: Not from members opposite who do not know what we are talking about.

Some hon. Members: Hear, hear!

Mr. Diefenbaker: Has any consideration been given to discussing with the Chief Justice of Canada a re-argument of the question so that a final determination can be made, instead of the present uncertainty with three judges on one side and three on the other?

Hon. Otto E. Lang (Minister of Justice): Mr. Speaker, it is certainly my view that it would not be the role of the government or myself to make such a request in regard to this situation when we are not directly involved. I am sure the parties to the litigation heard the suggestion of the right hon. gentleman, and it might have been open to them to raise the matter in this fashion with the court. I do not know at this stage whether either party has done so.

Mr. Diefenbaker: Was there not a case in the province of Quebec some years ago in which a decision respecting civil liberties had been given by the Supreme Court and am I not right that the Department of Justice then got in touch with the Supreme Court of Canada with a view to having a re-argument of that particular matter? Indeed, on the re-argument the Supreme Court decided quite differently from what the court had decided earlier.

Mr. Lang: Mr. Speaker, I rather think the situation would still be unusual in a case like the present one. Here we have a situation where the government of Canada has not been involved in the argument of the case in any way.

Mr. Diefenbaker: That answer shows the interest the government has in the Indians.

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INCOME TAX

POSSIBLE ALLOWANCE OF COST OF CERTAIN
ADVERTISING BY DOMINION STORES AS DEDUCTION

Mrs. Grace MacInnis (Vancouver-Kingsway): Mr. Speaker, my question is for the Minister of National Revenue. In view of the fact that during the past few days Dominion Stores has spent huge sums of money advertising in the press, can the minister advise whether this cost is allowed as a tax deduction, which means that the people of Canada are paying for it, or are we paying for it through increased prices of food?

[Mr. MacEachen.]

• (1430)

Mr. Speaker: Order, please. Will hon. members kindly resume their seats? I always have some doubt whether it is in order to ask a supplementary to a question which is out of order. Perhaps the hon. member for Vancouver-Kingsway would like to rephrase her question.

Mrs. MacInnis (Vancouver-Kingsway): Yes Mr. Speaker. Very simply, can the minister determine whether we are paying for it both ways?

An hon. Member: Explain.

Mr. Speaker: Order, please.

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NATIONAL DEFENCE

INCREASE IN 1973-74 BUDGET

Hon. George Hees (Prince Edward-Hastings): Mr. Speaker, I have a question for the Minister of National Defence. As the defence budget has, with the exception of provision for a small pre-election pay raise, been frozen for the past five years, is it the intention of the government in the very near future to unfreeze the budget to make possible necessary upgrading of capital equipment to the required standards and allow for an improvement in the effectiveness of the training of our armed forces?

Hon. James Richardson (Minister of National Defence): Mr. Speaker, it is correct that the defence budget has been frozen. It is now the government's intention to unfreeze the defence budget for the fiscal year 1973-74.

Some hon. Members: Hear, hear!

Mr. Richardson: It is true that this is in part to meet capital requirements.

Mr. Hees: We are naturally very glad to get that news. I will ask a further question. Since our defence forces cannot remain effective unless their annual budget is increased every year in proportion at least to the increase in inflation in this country, would the minister bring this important fact to the attention of his colleagues and ask them to stop, in the future, trying to starve our armed forces as has been the Prime Minister's policy for the last five years?

Mr. Speaker: The hon. member for Annapolis Valley.

DECISION ON REPLACEMENT FOR ARGUS AIRCRAFT

Mr. J. P. Nowlan (Annapolis Valley): Mr. Speaker, I have a supplementary for the Minister of National Defence. Can the hon. gentleman tell the House when a decision will be reached concerning the replacement for the Argus aircraft which is long overdue in terms of lead time?

Hon. James Richardson (Minister of National Defence): The government has decided to replace the Argus but we have not yet made a decision as to the type of aircraft to be ordered. We have sent out letters to five airplane manu-