

sites the government had under consideration? Is it not a strange thing—and this is part of my *prima facie* case—that the only tape it would appear was made, and the only package that was disseminated to various places, was in relation to the decision that the cabinet finally arrived at. It is said it was arrived at, if you accept the Prime Minister's word, in the morning or the afternoon, depending whether you read *Hansard* or the newspapers.

The pre-taping and the using of the advertising agency in Montreal were solely to give publicity to the ministers and not to disseminate the message. Commentators can flash this over radio and television instantly, and the words need not flow from the mouths of ministers. A minister can have a silent picture, while the man trained and skilled in the field can give the message after an announcement such as that regarding the \$645 million airport is made. This defence—

Mr. Speaker: Order, please. I apologize to the hon. member for interrupting him. I suggested he might be allowed to make further comments, but only on the procedural point. It seems to me we are now debating the issue itself. It seems to me that we have to this point received arguments from the hon. member for Calgary North and arguments in opposition from ministers, and we should not go into the substance of the situation. In my view we should at this time direct ourselves to the consideration of purely procedural matters. I assure the hon. member for Calgary North and all hon. members that I intend to make my decision strictly upon procedural considerations and not in respect of allegations of fact on this question.

Mr. Woolliams: Thank you very much, Mr. Speaker; but the minister raised this defence. That was the first defence. I am merely answering it. I assume it was the minister's answer to the *prima facie* case. To say now that the Expropriation Act of 1896 is a protection in the tuned-in-turned-on age is, in my respectful submission, perfectly ridiculous. I know of no law that *de facto* freezes land values. Let us for a few moments consider—

Some hon. Members: Order.

Mr. Woolliams: I hear hon. members opposite saying "Order". I know you are most fair in these matters, Mr. Speaker; you are always fair. If his argument is admissible in the chamber, the argument with reference to expropriation must also be admissible.

Alleged Leak re New Airport Site

● (2:30 p.m.)

Mr. Speaker: Order, please. Perhaps I can allow the hon. member to make his argument because he has already started. I am sure he realizes that what he is doing now is to reply to the minister's answer. The hon. member said that I am fair. If that is the case, it means I will have to allow the minister to reply to the hon. member's reply, and I wonder where this is all going to end. In any event I recognize that he has already started making the argument. I will hear him; but after this argument is made I suggest to all hon. members that the only thing that can be taken into account by the Chair is the procedural aspect, and not the facts of the matter.

Mr. Woolliams: I appreciate that, Mr. Speaker, and also I appreciate the fact that you have given me the opportunity to answer the minister. He said that the law with reference to expropriation—and I know where he gets that from—may take account of the sales spread over a period of time to arrive at land values.

What does the Supreme Court of Canada have to say about this? The answer may be that this is one method that is used by appraisers. In the last case which I had, *Lake Louise Ski Lodge v. The Crown*, that was the method used by our appraisers. I say, with great respect to the minister, that the method used by the Crown appraisers in that case was an economic formula which was arrived at by certain organizations which could have made money from the use of the land. What does the law say in this regard?

This is what it said in the case of *Fraser v. The Crown*:

The effective date for valuation of this property was the date of expropriation and the reality of the matter was that the Crown was expropriating tons of rock in the ground rather than acres of land in the rough. So that the value of the special adaptability of these lands was to be determined on the basis of the value that a willing vendor might reasonably expect to obtain from a willing but not anxious purchaser for the rock *in situ* at the date of expropriation.

But they come back to the formula and say that the land is valued at the time of taking. The fact is that if someone comes in and buys up land, there is a great deal of litigation and it costs the Crown much money to hire lawyers. If the land is not properly valued, the Crown has to pay the costs of the claimant. All this comes out of the pocket of the taxpayer. The fact is that there is land speculation, and various formulas can be used to