

# The Liberal



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## Canada's Expropriation System Most Arbitrary Ever

Canada's land expropriation system has been criticized by Hon. J. T. Thorson, President of the Exchequer Court of Canada, as being "the most arbitrary in the whole civilized world."

Justice Thorson's castigation of Canadian expropriation laws was contained in a judgment he has just delivered in a Federal Government expropriation case in Saskatchewan.

"I am not aware of any other country in the whole civilized world that exercises its right of eminent domain in the arbitrary manner that Canada does," Justice Thorson declared in his judgment.

The Federal Justice Department, it is understood, is preparing a streamlined Expropriation Act for submission to Parliament next session. How far the re-written act will go in meeting Justice Thorson's strictures against the present law remains to be seen.

Justice Thorson's official condemnation of the Expropriation Act carries special weight for several reasons. He has been president of the Exchequer Court since 1942 and he is widely recognized as an expert on constitutional law from the 1921-26 days when he served as dean of the Manitoba University Law School.

In his criticism of the arbitrary nature of the Expropriation Act, Justice Thorson made these points:

1 — A person's property can be taken from him without his leave, or even notice to him, merely by (the Crown) filing a plan and description of it in the proper land titles registry office.

2 — From the moment such plan and description are filed, the Crown becomes owner of the property and from that moment any and all rights of the owner, any mortgage, and any lien hol-

der are "extinguished."

3 — An owner whose property has been expropriated by the Crown "may be left dangling for years" before he actually gets his money.

"If a customer buys a pound of sugar off the shelves of a (chain) store, he has to pay cash for it before he carries it home," Justice Thorson commented. "Why, therefore, when the Crown considers it desirable and necessary in the public interest to expropriate a person's property, should not the Crown promptly pay adequate and fair compensation to the owner concerned?"

In the United Kingdom, Justice Thorson pointed out, there must be "notice to treat", whereby the government first serves notice of expropriation on the owner and indicates willingness to negotiate for the property's purchase.

In the United States, what are called "condemnation proceedings" must first be taken in the courts.

Justice Thorson remarked that, over the years, he has voiced criticism of the arbitrary nature of the Expropriation Act at different annual meetings of the Canadian Bar Association.

As recently as December 8, Justice Thorson, in a strong address at the Canadian-wide conference on human rights held in Ottawa, cited Canada's arbitrary Expropriation Act as an example of how this country is lagging behind in the field of human rights.

Now, Justice Thorson, by expressing his critical views in an Exchequer Court judgment, has taken the most direct, official action possible to register his dislike of and objection to Canada's land expropriation law. It is now up to the Federal Government to introduce appropriate legislation to rectify the situation.

## Over Hill, Over Dale

by Cicely Thomson

Breakfast, dishes, beds, dusting, vacuuming lunch, dishes, baby's nap time, baby's dress time, play time, supervising their play, answering the questions, ironing, dinner, dishes.

If you add a few "dress the children" and "tell the children" that can be about the sum total of a young mother's day from the time her commuting husband leaves at 7:30 or so in the morning until he returns at 6:30 at night. Very likely our young mother has a baby, a toddler and a just-in-school child whose rather hectic departure each morning does nothing to add to the serenity of the daily round, the common task.

In the city a Ladies' Day Out program was started for young service wives as early as 1940 to enable them to go shopping or see a show while their children were being looked after at the Y.W.C.A. They asked for recreational activities, especially physical education. In the nineteen fifties these programs nearly quadrupled in membership.

Scarboro was the first suburban community to experiment with a local version of ladies' day out . . . Here where there was no Y building the program came to the community and now there are seventeen groups of young women 'taking a break' a block or two from their homes once a week, while their children are in the capable hands of a staff of trained baby sitters.

They are not just sitting around having a cup of coffee (which seems to be the way the commuting husband pictures his wife as he battles traffic and work problems). The balanced program of something for the mind, something for the body is both a stimulation and a tonic, making the young woman more appreciative of her home and of her role in the community.

In order that the program does not slip into the cup of coffee and talk level, the Y, through its extensions service, sends skilled leaders to the home where the meeting is being held, so that all phases of the program may be on a stimulating level. It is considered important, and I am very much in agreement, that an alert young woman, aware of her environment beyond the property line of her home, aware of her community needs, of national and international problems, can contribute greatly through her understanding to her children's education, her own enrichment as well as to the working out of day to day problems.

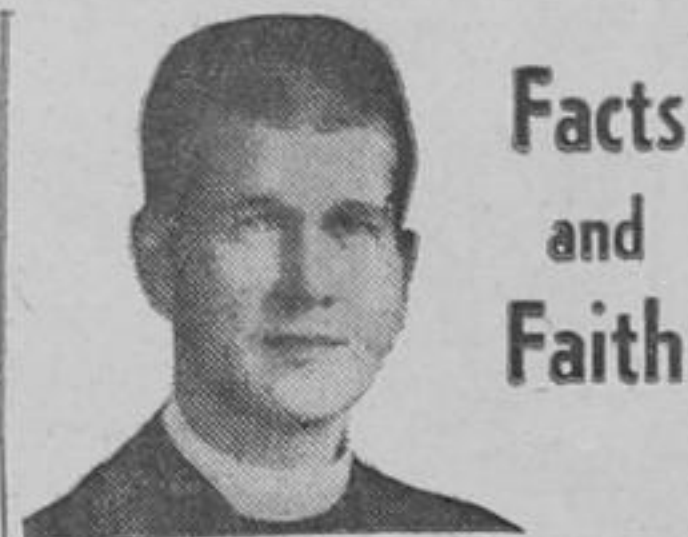
Before you say "all this high mindedness is all very well but . . ." let me say that in Scarboro there are now 17 groups meeting! Let me add that recently in Richmond Hill twenty women within a three block area met together and over a half of them did not know each other! Let me cite a recently started pilot group in Newmarket which is rapidly outgrowing its first stage of meeting in one house because of its increasing size!

Mrs. Edwige Benes, national program director for the Y.W.C.A. carefully emphasizes the importance of keeping the groups small (about 15) so that home meetings and discussion periods do not get "crowded". She is also careful to state that the activity woman needs a personal time to be just herself . . . a time for herself to find herself . . . as much as the young woman in the home needs a personal time to be just herself . . . a time for herself

Through fun and relaxation, fellowship and new friends, through development of social skills and broadening of interests these thousands of young women have been justifying the support given them by these Y.W.C.A. programs.

We dismissed the children of the Taking a Break Mothers early in this article, but we'll come back to them now. As the groups of women are kept small, so will the groups of children be small. With a trained leader supervising the play of three and four year olds they too begin to make progress in their 'social skills'. The shy one can be gently encouraged to participate and the 'self-expression' of another can be re-directed to a less aggressive path, and both mother and child can meet refreshed at the end of the two hour break.

For young adults in the business world the evening becomes the best time for these meetings, and indeed some joint husband and wife meetings are on the program as well. The important thing about them is that the meeting is for the person attending it. It is not called to get canvassers, to enlist volunteers to transport a boys' team or to arrange a bazaar, bake sale, rummage sale, etc., etc., that most meetings seem to come round to early or late on the agenda. It is to stimulate the young women, to enrich them, to give them that sense of physical well-being that comes after good exercise. It is fun. It is recreation in its most all-round form planned for what is being termed the forgotten woman.



## Facts and Faith

### POVERTY STRICKEN RELIGION

In Acts 3, a dramatic story is told of a poor, crippled man who had sat begging in the streets for over forty years. He had taken as his begging post, a corner near the temple, and there under the shadow of this great religious institution, he held out his cup. The treasury of the temple was bursting with silver and gold, and yet we read nothing of any assistance offered to this unfortunate man. Year after year he was compelled to stretch out his hand and rely upon the generosity of others.

This was a tragic situation, not only for the lame man, but also for those inside the temple confines. The religion of Israel had lost touch with the people. It had become absorbed in the outward aspects of worship, and had forgotten the essential elements in true religious faith. It had become so occupied with the visible aspects of religion, that it had become insensitive to the needs of men. It had become poverty stricken religion in spite of all its money. Its concern for the beautiful forms of religion had blinded it to the value of men.

The natural man loves the outward forms of religious beauty, but so often overlooks the weightier matters of the law. How often have the religions of this world forgotten the vital needs of men. Like the priest and the Levite in the story of the Good Samaritan, the world finds it so easy to pass by the needy on the other side.

We think of the Greeks as an example of this fact. The temples which they built were beautiful beyond compare to anything we have today. Immeasurable toil, energy, wealth were spent to make them beautiful and lovely. Everything was done to preserve them from decay, while the great mass of men were left to grope in spiritual darkness, animism and shame, unconscious of the power and the love of God.

Sometimes the churches have been guilty of the same thing. We often forget the social implications of the Gospel we profess to believe. It is little wonder that the Salvation Army holds a place of respect in the hearts of many people who would never darken a church door. Their concern for the whole man, body, soul, and spirit, has led them to care for people, no matter what their need.

The world loves its pomp and show. It revels in the outward beauty of things lovely. While we should not minimize for one minute the importance of beautiful things, how we need to have a right judgment and proper sense of values. A Church which forgets the meaning of its existence, will always turn to less important matters. When we forget that our role is to introduce men to the love of God in Christ, and to display that love not in word only, but in deed, we will always be concerned for superficial things. The humble little chapel on a back street, faithfully proclaiming the Gospel of Jesus Christ, and seeking to offer help to men, whatever their need, is far more vital in the economy of God, than a church which dotes over its beautiful church building, and its dignified services, and yet is indifferent to the real meaning of its existence.

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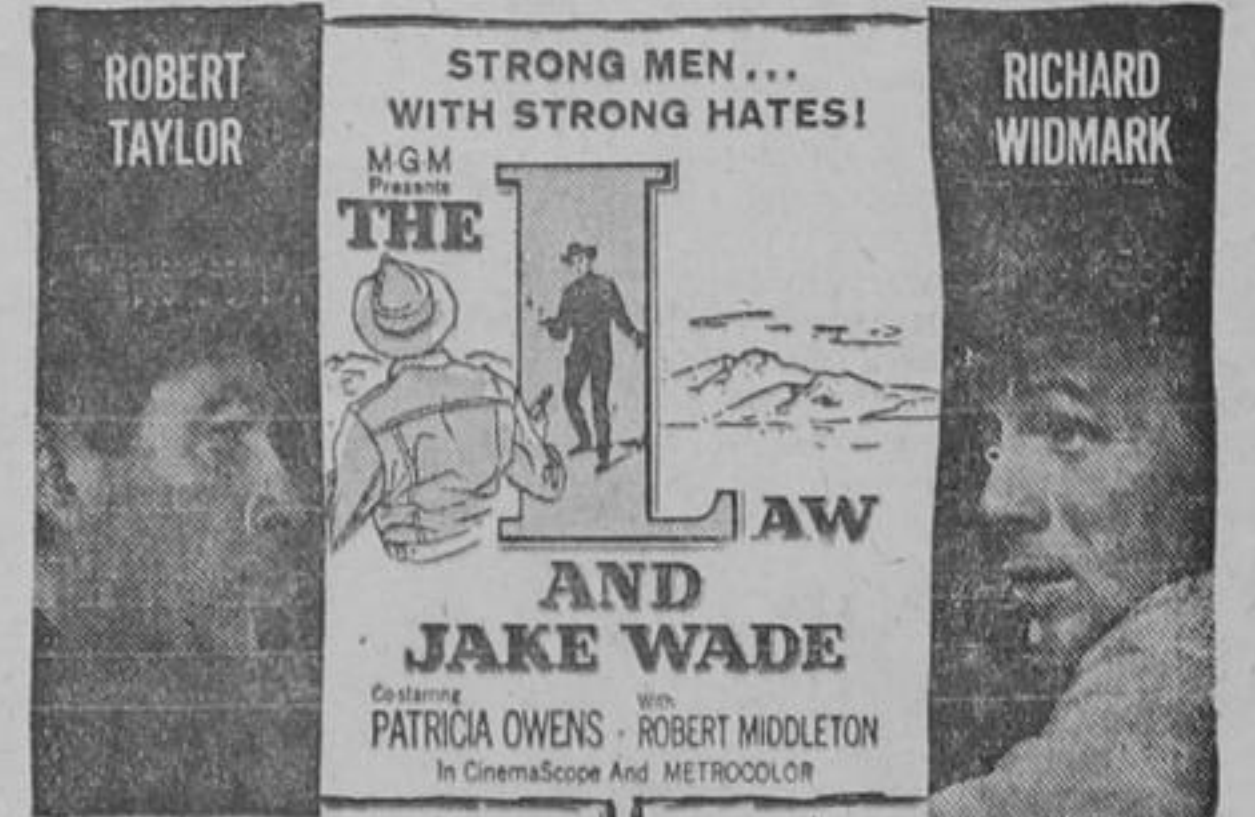
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