

The by-election victory of the first all Western Candidate in Alberta has made Eastern Canadians realize there is something besides wheat and oil in the vast area west of the Great Lakes. That something is people. Independent people who are now clearly politically enraged concerning the extensions by the Federal government of oppressive controls. People who are now refusing to be governed by a Constitution that deprives them of what they regard as their right to their own property.

The Western by-election also has at last flushed out a statement from the Prime Minister's office regarding property rights. The Liberals now state, despite the deliberate omission of property rights from the Constitution's Charter that Canadians still get ample protection from Section 26. That statement has as much validity as Trudeau's pre-election promise to Ontario that they would get gas 17 cents a gallon cheaper if he were elected.

Now the Liberals have decided to calm seriously troubled waters. After all there is nothing that can stop Trudeau's Constitution now. They admitted for the first time, on February 23rd, to the press, the omission of property rights from the Constitution. At the same time they reassured Canadians that their property rights were amply protected by Section 26 and since the Western Party's election was based on this, their victory is insignificant and based on falsehoods.

## Existence

To find out how you can enforce your property rights the court would have to consider Section 51 which says "The Constitution of Canada is the supreme law of Canada, and any law that is inconsistent with the provisions of the Constitution is, to the extent of the inconsistency, of no force or effect." Note it refers to any law that is inconsistent. Property laws are not in the Charter and therefore are inconsistent laws. What does it say about that type of law. It clearly says they are of no force or effect (if not in the Charter) they are not enforceable.

Section 51 follows the section where the mere existence of your past law is recognized. Being a following section, it limits the one before it. For example, in a traffic act, Section 1 might say, all cars in Alberta can travel up to 60 miles an hour, but if Section 4 says cars in a hospital zone can travel 40 miles an hour, we all know what happens to you if you dare travel 60 miles an hour in a hospital zone. The following clause has limited the one before it. Clause 53(1) limits the past individual property rights that exist in Canada today. It limits them as to being of no force and effect. They are recognized by a court but not effective or enforceable by a court against anyone who has a better claim on the property. So there could be no doubt of this removal of force and effect will have to be enforced by a judge. The section is headed up "The Constitution is the supreme law of Canada -