

and about the transfer of property, and various things of that kind. Apparently it is not only a question of the road and the terminal, but I understand there is to be a change in the lines. However, there is absolutely nothing with regard to the employees, with one little exception, that in paragraph 30 of the memorandum, it is stated:

...the Commission shall in no instance be liable hereunder where such injury or damage results from negligence on the part of one or more of the railway companies, their employees, servants or agents.

So, apparently the railroad is not to run itself, and there are to be employees. Other than that, there is nothing suggested in either the bill or the Memorandum of Understanding with regard to the men who must run this road, the running trades, the non-ops and so on.

My mind goes back a long way in this matter, not quite so far as this in detail, but I have before me an act entitled Canadian National-Canadian Pacific Act, passed in 1932-33. It had a number of purposes. There is the organization to some extent of the Canadian Pacific Railway, and something about the Canadian National Railway. The real purpose of the act, as I see it, the core of the act, is to provide for co-operation between the Canadian National and the Canadian Pacific.

Somewhat later on during the war, when it was most necessary to conserve both our material resources and our manpower, there were proposals made for the running of pool trains. The late C. D. Howe was in charge at that time. Under Part II of that act, under the heading, "Co-operation between National Railways and Pacific Railways," in section 17, paragraph 1, I find it speaks about authorizing the parties to agree

...upon such co-operative measures, plans and arrangements as are fair and reasonable and best adapted (with due regard to equitable distribution of burden and advantage as between them) to effect such purposes...

That is to say, these parties were to agree, if possible, on a fair deal. I think that is pointed particularly at the pool trains. The paragraph goes on to say:

...and they are further directed that whenever they shall so agree they shall endeavour to provide through negotiations with the representatives of the

employees affected, as part of such measure, plan or arrangement or otherwise, for a fair and reasonable apportionment as between the employees of National Railways and Pacific Railways, respectively, of such employment as may be incident to the operation of such measure, plan or arrangement.

Nothing of that kind appears in this bill with regard to the welfare of the employees. Not only that, but over many years gone by, agreements have been entered into between the employees and the employers, and the agreements have developed over the years with a good deal of discussion and wisdom applied. So far as this bill is concerned, however, all those agreements go by the board. The railway is to be transferred to independent parties, but so far as this proposed act is concerned, the new managers are to be free from any obligations or benefits that may be derived from these agreements developed over the years.

In the Canadian National-Canadian Pacific Act, which is before me, where co-operation of the kind that is envisaged in this bill was under consideration, you will find in section 17(3), the following paragraph:

The National Company and the Pacific Company for and on behalf as aforesaid are directed to endeavour to provide that any new company, created as in subsection (2) referred to, shall give preference for work to employees in any services or any works taken over by such new company.

That is to say that the employees in the original companies now taken over by another company shall have a preference. There is nothing of that kind in this act.

Another provision, too, is important in a much better considered act than the bill that is before us. It says:

29.(1) The rates of pay, hours of work and other terms and conditions of employment of employees, of National Railways or Pacific Railways, engaged in the construction, operation or maintenance of National Railways or Pacific Railways shall be such as are set out in any agreements in writing respecting such employees made from time to time between National Railways or Pacific Railways, as the case may be—

That is to say, if there is a combination of the two railroads for the operation of a branch