

Railway Act

I need not of course say to this house that the services of the Auditor General's department are at your command, because the Auditor General is not a branch of the Department of Finance but is a servant of the members of the House of Commons.

Mr. Deputy Speaker: Is it the pleasure of the house to adopt the motion?

Mr. Macdonnell (Greenwood): I should like to ask one further question. I was not clear as to the exact position regarding what we have described as legislation by estimates. I do recall that on one occasion the Prime Minister indicated that he was opposed to it, and I got the impression that he hoped it would be done away with. I am not clear as to whether there is anything in the bill to deal with that situation, and if not whether any other measure is in prospect.

Mr. Sinclair: Under the treasury board section of the bill there is one section which contains the power to frame estimates, and it is in the estimates themselves where some of these continuing votes are actually listed as statutory. There will be an opportunity to raise the matter in committee, and to check it. The other point raised by the Prime Minister (Mr. St. Laurent) and by the Minister of Finance (Mr. Abbott) was that as other bills in which changes should be made come before parliament, for other reasons, it was hoped to make these changes at that time. That was my recollection of the understanding given at that time to the hon. member for Winnipeg North Centre.

Motion agreed to, bill read the second time and referred to the committee on public accounts.

RAILWAY ACT**AMENDMENT TO INCREASE SALARIES OF CHIEF COMMISSIONER AND OTHER COMMISSIONERS OF TRANSPORT BOARD, ETC.**

Hon. Lionel Chevrier (Minister of Transport) moved that the house go into committee to consider the following resolution:

That it is expedient to provide in the proposed measure to amend the Railway Act, Bill 12 now before the house, that the salaries of the chief commissioner of the transport board and of the other commissioners be increased and that the present chief commissioner be now, and that any subsequent appointee to that office become, on retirement therefrom, an additional puisne judge of the exchequer court.

He said: The object of this resolution is twofold. It seeks, first of all, to increase the salary of the chief commissioner of the board of transport commissioners, and of the other commissioners; and, secondly, to make the chief commissioner a puisne judge of the Exchequer Court of Canada.

[Mr. Sinclair.]

The bill which will follow the resolution contains a provision for an increase in salary of the chief commissioner so that his salary will be equal to that of the president of the Exchequer Court of Canada. The committee on railway legislation did have before it a motion recommending an increase in the salaries of the other commissioners, but the chairman in his report to the house indicated that that motion could not pass because of a constitutional point, unless and until the government had given its approval. The government has done so, and the resolution now before the house is indicative of that fact. So the bill to be founded on the resolution will also have a section providing for increases in the salaries of the other members of the board of transport commissioners.

In so far as the second part of the resolution is concerned, namely that which also makes the chief commissioner a puisne judge of the exchequer court upon his retirement from the position of chief commissioner, I might point out that this is a provision which already existed, in effect, and that the former chief commissioner was also a member of the Exchequer Court of Canada.

With these observations I recommend the resolution to the house.

Mr. Howard C. Green (Vancouver-Quadra): Mr. Speaker, this resolution has a somewhat unusual background. In view of that, and in view of what the resolution seeks, members of the official opposition intend to oppose it.

I must give Your Honour and the house something of the history of the measure. Some weeks ago Bill No. 12 was introduced, designed to amend the Railway Act. In one of the sections provision was made for increasing the salary of the chief commissioner of the board of transport commissioners to equal the salary paid to the president of the exchequer court. In due course Bill No. 12 was referred to the special committee on railway legislation; and when that committee came to consider the sections of the bill one of the private members on the government side rose in his place and proposed an amendment to the effect that, in addition to the increase for the chief commissioner, there would be increases for the assistant chief commissioner, for the deputy chief commissioner and for all the other commissioners.

The minister was a member of the committee and tried to look unconcerned and surprised. However, I do not think there is any question that it was very well known that this subject was to be taken up. In effect the minister said, "Well, I must consult my colleagues to see whether these increases are all right." After a day or so he came back and said that everything was fine with the