

*National Harbours Board*

have found that the farm loan board, so far as I could ascertain, was not empowered by any of these acts to sue in its own name; therefore I could understand that for the purposes of suit on behalf of the farm loan board it might be deemed expedient to make a declaration that the farm loan board was the agent of His Majesty the King acting in the right of the dominion. I could understand that in that particular case such an innovation—I think it was an innovation—should be declared by statute; but I can see no analogy or relationship between the two bills which would render it necessary to insert in this bill, in section 3, subsection 2, that:

The board shall be a body corporate and politic—

With that I agree, but it goes on:

—and be and be deemed to be, for all the purposes of this act, the agent of His Majesty the King in his right of the Dominion of Canada.

I cannot think that that novel declaration should now be inserted in a bill of this kind constituting a commission which is empowered to sue and be sued in its own name.

Mr. HOWE: Would it be satisfactory to my hon. friend if there were obtained from the department and laid on the table an opinion with respect to the point he has raised?

Mr. CAHAN: Certainly, that is all I ask; I do not wish to embarrass the hon. gentleman.

Sir GEORGE PERLEY: Has the minister had time to consider the point we discussed a good while yesterday in regard to the best way of appointing the staff of the harbour board? I may say again that the only object we had in mind was to endeavour to have this board, which is really going to be a large new department, started in the best way, so that those who are employed might consider themselves permanent. In that way we should get better service than if they were subject to dismissal whenever there was a change of government. Has the hon. gentleman had time to consider this question further?

Mr. HOWE: I have thought the matter over carefully and I cannot agree with my hon. friend that we are making this board a department of government. There is no change in the administration of the harbour commissions except for the substitution, at the port, for a board of three, of a manager who is an expert in port management, and the creation of a link between the minister and these managers in the shape of a board

[Mr. Cahan.]

of three experts who will supervise the work of the seven commissioners. As I pointed out before, the set-up was indicated in Sir Alexander Gibb's report, which is word for word as we have it here. Sir Alexander was firmly of the opinion that the board should be free to make its own appointments and to control its own staff. I have before me a bill which I found on my desk entitled "An Act respecting the National Harbours Commission," dated March, 1933. This I believe was not presented to parliament in 1933 but it no doubt embodies the views of the government of that day, and there again I find that the provision is exactly the same as the provision in the present bill. I must say I am unable—

Sir GEORGE PERLEY: If the hon. gentleman will allow me to interrupt him, I would point out that, as he will find as he goes through the years, draft bills are brought in for the consideration of the government, and a draft bill does not necessarily embody at all the wishes or the ideas of the government. It is my own opinion that it is unreasonable for the minister to bring draft bills into the house and quote from them; it is a highly improper thing for him to refer to a draft bill which had no official existence and certainly cannot be said to embody the opinions of the government.

Mr. HOWE: I did not intend to make any improper reference to the bill in question; we were simply looking for all the information we could find bearing on the subject and I was hoping that the draft bill might contain some further information. I am unable to improve on the present wording of the bill.

Mr. BENNETT: There is involved in this a question of far-reaching importance.

Mr. FINN: Louder.

Mr. BENNETT: I am going to refer in a moment to the harbour of Halifax and I will speak loud enough for the hon. gentleman to hear me. The question is this: Is the port manager to appoint anybody he is told by the sitting member to appoint? That is the real issue. There have come to me during the last two weeks from various parts of the country reports indicating that members of parliament sitting on the government side have told port managers that they must appoint given people and dismiss given people in connection with the work of the ports, and I will give the names of the ports if it is thought desirable. These communications are supported by a wealth of testimony and are unquestionably sound so far as the facts are concerned. I have no desire to embarrass the minister or to