

what amalgamation means in particular cases, but there is no definition in this bill, and I suggest that all you desire to accomplish is accomplished by a transfer of all the properties and effects of the seven boards, which are soon to go out of existence, to his majesty in the right of the Dominion of Canada, and a provision that all works and properties so transferred to his majesty shall be operated and controlled by the new harbour board, letting the old harbour boards and the old corporations go out of existence just as rapidly as you can get them out of existence. If you do that, you will be saved a great deal of anxiety in the future. I am making that suggestion which, I think, should be considered.

Mr. HOWE: We are just as anxious as is my hon. friend to put these old liabilities out of existence, but nevertheless the bonds are issued under a trust deed which specifies clearly the corporation that issues the bonds, and I do not think even the government of Canada without the consent of the trustees could wipe out those bonds.

Mr. CAHAN: I am suggesting not that they should be wiped out, but that a simple clause should be inserted stating that the new harbour board assumes all the liabilities, liens and charges outstanding; then you would provide for them as simply as if you were changing the name of the corporation to a new name. There is no difficulty about that. I am suggesting that the old corporations should be wiped out by this statute when it comes into force by proclamation, and that on that day the new board should stand in the shoes of each of the old corporations, assuming their liabilities and proceeding to operate the whole undertakings as contemplated by this bill. I am leaving that as a suggestion merely.

Amendment (Mr. Ilsley) agreed to.

Section 10 as amended agreed to.

On section 11, subsection 1—Acquisition of lands, etc.

Mr. RYAN: I would suggest to the minister that, if possible, instead of lands being acquired exclusively by expropriation under the Expropriation Act, the provision adopted in the Saint John Harbour Commissioners Act be inserted here. Section 13 of the Saint John Harbour Commissioners Act reads:

Whenever the corporation desires to acquire any lands for any of the purposes of this act; should the corporation be unable to agree with the owner of such lands as to the price to be paid therefor, the corporation shall have the right to acquire such lands without the consent

of the owner, and the provisions of the Railway Act, 1919, relating to the taking of land by railway companies shall, *mutatis mutandis*, be applicable to the acquisition of such lands by the corporation—

In many cases the lands to be expropriated are not of very great value, and if the Railway Act is applied proceedings can be carried on much cheaper, more speedily and much more satisfactorily to the parties concerned. Under the Railway Act it is simply a matter of taking out a summons and going before a county court judge; without any waste of time whatever a decision is arrived at. Hon. members know that the exchequer court, which has jurisdiction under this section, is a court which travels all over Canada. Dates of sittings are set far apart and matters are left in abeyance. Those who come before this court are put to considerable expense. It may be that large transactions should be brought before the exchequer court, but I think it would be in the interests of the small land owners to have the provisions of the Railway Act apply. This would serve a useful purpose and assist in the more expeditious carrying out of expropriation proceedings.

As I read the present bill, it does not give the new board an opportunity of negotiating with an owner to see whether an amicable settlement can be arrived at without court proceedings. Under the provision in the Saint John Harbour Commissioners Act the parties could negotiate and probably come to a friendly settlement without any trouble. If a settlement could not be arrived at, they could go to the county court, or, if necessary, to the supreme court where the judge could deal with the matter in as informal a way as it could be dealt with before a court. The judge would be sitting more or less in a ministerial capacity. From my experience I can say that this procedure would be more satisfactory to the land owner. When the Saint John harbour was taken over, it was necessary to acquire considerable property, and in every case the Railway Act was applied and settlements arrived at through negotiation or without any great trouble or expense.

Mr. ISNOR: Much the same provision is in the Halifax Harbour Commissioners Act.

Mr. HOWE: This matter was considered. It has been suggested that the land in our harbours is not very valuable, but I think experience has shown that the most valuable property we have in Canada is located in these harbours. It was felt that in a matter of this kind the Expropriation Act was a proper act to apply, under which a judge of