

Mr. LANGLOIS (*Gaspé*): May I suggest, Mr. Chairman, that the counsel of the board try to explain this again.

Mr. GREEN: I wonder if we can hear from Mr. Brisset, who is representing the people who will be hurt.

Mr. CAVERS: He has already appeared as a witness.

Mr. DECORE: Supposing that the actions of the agent are such that they contributed directly or indirectly to the damage, why should the agent not be liable?

Mr. GREEN: He should. I am not quarrelling about the agent being liable for his own actions for the moment, but I am quarrelling with the fact that the vessel can be seized for the agent's actions. If the agent is negligent on the dock, the vessel can be seized.

Mr. DUMAS: He is representing the owner.

Mr. GREEN: The agent is not responsible for the ship doing damage to the dock.

Mr. DECORE: He is acting as agent for the ship, a foreign ship. If that agent has been negligent in something, why should not the company be responsible?

Mr. CAVERS: Certainly they should.

Mr. GREEN: It is a fundamental law of this country, this right against a ship. You are from the prairies and do not know the shipping law. It is a right against a ship for damages done by a ship. When the law goes further and gives anybody the right to seize a ship for things done by somebody else, that is an entirely new departure in Canadian law.

Mr. DECORE: I admit that I come from the prairies and do not know much about shipping, but this is a matter of common sense, whether it is in shipping or anything else. If an agent has done a certain thing acting for the ship owner, the ship owner should be responsible for the actions.

Mr. GREEN: If the board could get a judgment against a ship owner for an action done by the agent, that is all right, but that is not the question. We are questioning the right to seize a ship before the harbours board has even gone to court. They are given here the right to seize that vessel without even commencing any action.

Mr. LANGLOIS (*Gaspé*): May I add this? I suggest that we are now turning around in circles. In this exchange between Mr. Green and Mr. Decore we are coming back to the point that has already been met. Mr. Brisset has admitted that it has already been met by one of the proposed amendments. If this amendment is accepted by the committee, in such a case as the one Mr. Green gives us, the ship would not be seizable under the amended act for something done by the agent, because in the new (b) and (c) we are going to eliminate that objection, and I think that Mr. Brisset has agreed that he was satisfied. We are going around in circles.

Mr. BELL: It seems to me that some of the points that Mr. Brisset brought to our attention last week still have not been cleared up. Could we not hear from him now? We have had a good deal of discussion. The lawyers on our committee apparently cannot agree. Could we have one more lawyer?

An Hon. MEMBER: To disagree?

Mr. LANGLOIS (*Gaspé*): When I was talking before the division, I was trying to explain the three points made by Mr. Brisset. The first one was the point Mr. Green was making a while ago, that the ship should not be seized for damage done by the agent. This point is met by the proposed amendment. The second point was that he did not want us to make the agent responsible for the doings of the ship owners. In answer to that, we say that it is in the Act, it has