

*Exchequer Court Act*

there has been some question as to their right to do so. The purpose of the present amendment is to remove any doubt in that regard.

**Mr. J. G. Diefenbaker (Lake Centre):** Mr. Speaker, this bill raises not only the question of the jurisdiction of the exchequer court but the nature of proceedings taken against the crown. It affords hon. members an opportunity to discuss whether in the interests of Canadians as a whole the idea based upon the principle that the king can do no wrong, and therefore the necessity of a petition of right in any proceedings taken against the crown, should not now be voided and entirely done away with. Section 1 provides for exclusive jurisdiction in all cases in which the land, goods or money of the subject are in the possession of the crown, or in which the claim arises out of a contract entered into by or on behalf of the crown. On previous occasions the question has been raised whether the time has not come in this country to do away with the archaic procedure of petition of

right. It has been done away with in the United Kingdom by legislation introduced in 1946 with the result that today a citizen of the United Kingdom may at any time take proceedings against the crown in the same manner as he would take proceedings against another individual.

Another question that arises in connection with this bill is whether some provision should not be made whereby the individual who is wronged as a result of the application of administrative principles and law should have the right of appeal to the exchequer court.

On motion of Mr. Diefenbaker the debate was adjourned.

**BUSINESS OF THE HOUSE**

**Mr. Fournier (Hull):** Tomorrow will be private members' day.

At ten-thirty the house adjourned, without question put, pursuant to the order of the house passed on March 14, 1949.

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