

Transportation

but an act of parliament. So this kind of situation does not arise with railways. The appeals are in respect of disputes between shippers and carriers and they are still made to the governor in council.

Mr. Baldwin: What I meant was that under the bill the transport commission is put in the same position as the Board of Transport Commissioners. There are appeals on questions of law to the Supreme Court and appeals on other questions to the governor in council. If clause 18 was not here there would be no question but that any appeal could be taken from the transport commission. However, in view of the fact that the people concerned who appeared before the transport commission are given the right to appeal to either body, this is an additional remedy and I wonder whether it is cumulative.

Mr. Pickersgill: I do not think so. I think the hon. gentleman will find that the appeals are under the Railway Act and that the only appeals to the governor in council are those provided for under the Railway Act. They are not being disturbed, but they would not apply to other aspects of the work of the transport commission.

Mr. Nugent: Mr. Chairman, I wanted to say something about this, especially in connection with clause 16 which has been allowed to stand, and my remarks are made on the alternative rather than the appeals. Perhaps we should call it ten o'clock.

Mr. Pickersgill: I wonder whether we have not exhausted the discussion on clause 18. If so perhaps we could pass it. If the hon. gentleman wishes to make a speech on clause 17 he will not be stopped from doing that by our passage of clause 18.

Mr. Nugent: The point I am making is that if we broaden clause 17 so as to make better use of the review procedure it could entail a curtailment of the appeal procedure, or some necessary change in it. Therefore I think that so long as clause 17 is undecided in its final form, clause 18 should stand with it. Since it is ten o'clock and I would like to make some remarks on the appeal procedure in clause 18, I think we should stop now. Perhaps tomorrow the minister would have some better ideas concerning clause 17.

● (10:00 p.m.)

Mr. Pickersgill: As a matter of fact, I was just going to make an appeal to the committee to continue a little longer this evening and try

[Mr. Pickersgill.]

to get a little more done. There are still many clauses in this bill. As hon. members know, this is not the only piece of legislation we are going to have before us before this session can be concluded.

Mr. Horner (Acadia): I know the minister has found me very co-operative with regard to this legislation. I would be the first to say the minister, himself, has been very co-operative in accepting suggestions for changes in the bill. However, I believe we have made real progress today. Perhaps we should agree with the remarks made by the hon. member for Edmonton-Strathcona with regard to broadening the review provisions, so that less use would have to be made of the appeal procedure.

In the light of these remarks, and in the light of the fact that clause 17 is being allowed to stand, perhaps it is a good suggestion to at least hear more argument with regard to clause 18. If the minister is not agreeable to allowing clause 18 to stand with clause 17, then I think we should call it ten o'clock in the hope that we can make equally good progress tomorrow.

Mr. Pickersgill: We cannot make any progress tomorrow because the house is going to take other business. I would be quite prepared to stand clause 18 if we could deal with clause 19 and reach clause 20 by ten o'clock. I am not suggesting we should pass clause 20.

If I might add one word, I may say that I know one hon. member wishes to move an amendment to clause 20. I think it would be desirable to have that amendment before the committee for consideration over the two-day period. If there were any disposition to deal with clause 19 and call clause 20, I would not ask to have clause 20 passed. We could just have it called so this amendment could be before the committee. It would be quite a convenience to me and, I believe, to the committee.

Mr. Horner (Acadia): Ten o'clock has been called.

Mr. Bell (Saint John-Albert): I think what the minister has proposed meets with some approval here. We would like to see this amendment to clause 20 so that we can consider it tomorrow. This proposal looks all right so far as I am concerned.

Mr. Pickersgill: Could we agree to stand clause 18, pass clause 19 and call clause 20?