

Mr. LEMIEUX. Does that meet the objection of the hon. member for Nanaimo?

Mr. PARDEE. The hon. member for Nanaimo seemed to think the other day that my suggestion involved compulsion. There can be no compulsion if the parties themselves agree that the terms of their agreement shall be a recommendation of the board.

Mr. RALPH SMITH. That is satisfactory.

Amendment agreed to, and section as amended agreed to.

On section 25—where settlement not effected, board to make report with recommendations.

Mr. LEMIEUX. This section is quite easy to understand. It will give the public an unbiased and unprejudiced report, instead of a report coming through the press, which may take sides with one party or the other. The report, when published, will be published as sent to the minister and signed by the arbitrators.

Section agreed to.

On section 26—form in which recommendation shall be made.

Mr. LEMIEUX. This is taken verbatim from the New Zealand legislation.

Section agreed to.

On section 27—report and recommendation to be made to the minister in writing.

Mr. GALLIHER. It seems to me that it would be advisable that the minority report should also be filed. Suppose that the arbitrator representing the company and the third arbitrator agree, but there is a dissenting member of the board. As the section stands, we would only receive the report of the two who agreed, and the public would have no idea of the views of the dissenting member. Therefore I would suggest that the following words be added to this section; 'and in the same manner a minority report may be made by any dissenting member of the board.'

Mr. LEMIEUX. When this clause was drafted I had in my mind the idea that, if there was a minority report, the report of the board would always contain both; but, as my hon. friend suggests, it might be just as well to have it clearly stated in the Act, so that all parties will have the advantage of having their views published. Besides, in any report made to parliament, I think it is the custom, when there is a minority report, to publish it alongside with the majority report.

Amendment agreed to, and section as amended agreed to.

Mr. PARDEE.

On section 28—filing and distribution of report.

Mr. GALLIHER. It will be necessary to amend this section in the same way, by adding after the word 'report' in the sixth line, the words 'and any minority report.'

Mr. LEMIEUX. I agree to that. I think it is sound policy. In connection with legislation of this nature, which relies on public opinion it is wise that the report should be distributed broadcast, especially amongst the unions. The minister should have that discretionary power, whenever a demand is made upon him.

Section agreed to.

On section 29—publication of report,

Mr. GALLIHER. The same amendment will have to be inserted there. Insert after the word 'board,' in line seventeen, the words 'and any minority report as well.'

Section, as amended, agreed to.

On section 30—powers of board to summon witnesses, etc.,

Mr. LEMIEUX. The first part is taken word for word from the Railway Labour Disputes Act. I think we ought to give the board as much power as possible, and not allow any technical or legal objection to hinder its action. It should have as much power as any court.

On section 31—form of summons,

Mr. LEMIEUX. This is taken from the Railway Labour Disputes Act.

On section 32—documents not to be made public,

Mr. CONMEE. The wording of this section would confine the right of examination to the parties themselves, but they might require an expert accountant. That might be remedied by inserting after the word 'parties' the words 'or their agents.'

Mr. LEMIEUX. The better way would be to strike out the words 'of the' before the word 'parties.'

Section, as amended, agreed to.

On section 34—allowance to witnesses,

Mr. BOYCE. This provides that witnesses shall be paid according to the scale for the time being in force with respect to witnesses in civil suits. But there is one scale for the division court and another for the superior court. Better make it according to the superior court.

Mr. LEMIEUX. I would like to have the advice of the Minister of Justice (Mr. Aylesworth) on this point. We can bring up that question later on.

On section 35—witnesses in railway disputes,