

Inquiries of the Ministry

under the law to hear any appeal from the decision of the Board on matters of fact. There has been notice that there will be an appeal, and it is the intention of the government to hear any appeal or appeals that may be made as expeditiously as possible.

SHORTAGE OF BOX CARS ON C.P.R.
WESTERN LINES

On the orders of the day:

Mr. Eldon M. Woolliams (Bow River): May I ask the Minister of Transport a related question. Is the minister taking any steps to carry out the recommendation of the Minister of Agriculture with regard to the shortage of box cars on the Canadian Pacific lines in the province of Alberta?

Hon. J. W. Pickersgill (Minister of Transport): I understand that my hon. friend the Minister of Finance has arranged for a meeting with the president of the Canadian Pacific, I believe tomorrow, at which I am to be present and at which I believe the Minister of Agriculture is to be present also, to discuss this very important question.

ADMINISTRATION OF JUSTICE

INQUIRY RESPECTING ONTARIO SUPREME
COURT JUDGE

On the orders of the day:

Right Hon. J. G. Diefenbaker (Leader of the Opposition): I should like to ask a question concerning the statement made by the Minister of Justice with regard to Mr. Justice Landreville. He informed us that an inquiry has been set up under the law in that regard and that there would be a report made to him. Is it not a fact that, whatever that report may be, this matter would have to come before parliament and would have to be looked into either by a committee of the House of Commons or a joint committee? It does not seem clear, as a result of looking at the three previous cases, or attempts at cases, which method should be followed. Why was the method chosen of setting up an inquiry rather than having parliament act and thus bring finality to this matter one way or the other?

Hon. Lucien Cardin (Minister of Justice): Mr. Speaker, it was felt that in the case of a judge it would perhaps be far more suitable to have an inquiry under the Inquiries Act, whereby a commissioner might be able to report to the Governor in Council, rather than have the activities of a judge decided upon in parliament. Had it not been possible to follow this course under the Inquiries Act or had the

investigation under the Inquiries Act been unduly delayed, then we would have considered what was contemplated at one time, namely, a motion for an address to both houses. However, it has been possible to set up an inquiry under the Inquiries Act and I feel this is the proper and fair way to conduct this inquiry. Once the commissioner has completed his inquiry he will report to the government and the government will take whatever action is necessary at that time.

Mr. Diefenbaker: May I ask the Minister if there is one precedent in Canadian history for following the course that he has now placed before the house and the country?

Mr. Cardin: Mr. Speaker, I am not sure whether there is any precedent, but I am convinced that this is a proper course to take in these circumstances.

Mr. Erik Nielsen (Yukon): A supplementary question, Mr. Speaker. Will the Minister of Justice inform the house whether Mr. Justice Rand is empowered to hear witnesses and call for documents, and will these hearings be public?

Mr. Cardin: Mr. Speaker, he has all the usual powers, as the hon. member will see from the order in council.

[Later:]

Mr. Erik Nielsen (Yukon): Mr. Speaker, I have a question for the Minister of Justice. I do not think he intended to mislead the house on this matter but, as he knows, the Inquiries Act is silent on the question of whether inquiries must be public. They may be private. Second, the order in council is absolutely silent as to whether Mr. Justice Rand's inquiry should be public. Will the Minister assure the house that the hearings which Mr. Justice Rand will be holding will in fact be public and that his report, when completed and presented to the Governor in Council, will be tabled?

Mr. Cardin: Mr. Speaker, I think I can assure the hon. member that there was no intention on my part to mislead the house at this time or on any other occasion. However, so far as the question is concerned whether or not the inquiry should be made public, if the hon. member reads the second paragraph of the order in council—I understand he has a copy of it—he will see we leave the commissioner full discretion:

. . . to adopt such procedures and methods as he may from time to time deem expedient for the full, proper and fair conduct of the inquiry, including authority to sit at such times and at such places as he may decide from time to time.