

legislation which comes before this body. No harm could be done by delaying the matter at least until we get the opinion of Senate Counsel.

Hon. Mr. Roebuck: Will the honourable senator tell us what he fears in some interpretation of this clause?

Hon. Mr. Euler: That the rates will be extended to the west. It is not the intention that the Maritime rates shall be extended all the way through Ontario, to the disadvantage of Ontario shippers. I take it that that never was the intention.

Hon. Mr. Haig: Living, as I do, in Manitoba, I am not specially interested in this debate. The question now under discussion occupied a good deal of the attention of the committee. It may be simply stated in this way. The minister said that what he wanted to do was to preserve all the rights which under the present law the Maritimes hold as far as Montreal. The question was put to him by myself and some others. It was also asked of lawyers appearing for various interests. Counsel for the Senate said it was capable of the interpretation which I said could be put upon it, namely that manufactured goods could be shipped, say, from Truro to Montreal as at present, and also that under this legislation the rate now in effect from Montreal to Regina would stand, and could not be changed. Of the other counsel, some were of this opinion; and some thought the section was capable of another interpretation. I then asked the minister, "What do you intend by this section?" He said, "We intend to give the Maritimes all the rights, arbitraries and so on that are now in effect to Montreal, but not west of Montreal."

Hon. Mr. Roebuck: What is the effect of the Maritime Freight Rates Act?

Hon. Mr. Haig: My honourable friend from Inkerman (Hon. Mr. Hugessen) said, and I agree with him, that certain rights had grown up through judgments and otherwise in favour of the Maritimes, and learned counsel for the Maritime Provinces told us that he was trying to maintain these conditions. According to my recollection, what the honourable member from Toronto (Hon. Mr. Campbell) has said is correct. I would suggest to him, however, with just a trace of bitterness, that for the past six or seven years the provinces of Quebec and Ontario have not taken sufficient interest in this freight rates question. In fact, they have absolutely ignored it, and while we in the West and the Maritime representatives in the East have been fighting the battle, the central provinces have left us entirely alone to carry it on. I am therefore not altogether sorry to see

Ontario and Quebec being "put up against the gun" because it means that they will have to take more interest in rate problems than they have done hitherto. To my mind the clause as it stands gives to merchants in the Maritime Provinces the right to ship goods to any place in Canada on the same basis as they have shipped heretofore. I also believe, as do the majority of counsel engaged in this matter, that that right will not be interfered with by the present legislation. I asked counsel for the Maritime Provinces, "Why will you not consent to an attempt to draw a bill which will give the shipping rights to Montreal, and no more?" He said "I am satisfied with the present legislation". Had I been a judge, that answer would have been proof positive to me that he thought the bill could be interpreted as covering shipments from Montreal west.

I suggest to the honourable senator that he should not press his amendment. I think that is the view of other honourable senators, although in committee only one member, namely the honourable senator from Halifax (Hon. Mr. Hawkins) who represents a port city that will be affected by the one-and-one-third provision, supported my stand. I recognize that the Maritime Provinces are in a difficult position in regard to freight rates, and if the benefit of the doubt is to be given to anybody I would give it to them. In my opinion it would be as well to delay this matter until tomorrow. I think the honourable senator from Toronto (Hon. Mr. Campbell) should have moved to refer the questions back to committee with instructions to consider the amendment. The committee will sit tomorrow morning in any event. I do not want to be misunderstood. I believe the honourable member has made a case. The leader of the government wants to bring the matter to a vote tonight, and to that I shall not object; but I do not approve of passing legislation as to the meaning of which there is a violent difference of opinion and that, in fact, is what we are asked to do. The issue in committee was decided against us by the casting vote of the chairman. I remember this because I was sitting there, watching the proceedings. He is a very fair-minded chairman, and he was much disturbed about the matter. Finally he announced that he would vote against the amendment. Candidly speaking, I think he was wrong, but that was his judgment.

Hon. Mr. Campbell: May I correct the honourable senator? The vote was against the motion to have the matter considered by the Parliamentary Counsel.