

Transportation

make no apology for asking this committee to put this classification back in. All I meant was that these are really essential. I know that the Chair and nobody else takes seriously this baby and the bath water argument. The sense in which it should be taken seriously is with respect to what I said about grain and grain products.

Mr. Woolliams: It does not say that at all.

Mr. Pickersgill: The hon. gentleman will agree with me that I know what I meant even if I did not say it very well. Perhaps I had better get away from the baby and the bath water.

Mr. Woolliams: The minister made mistakes about babies in Vancouver before.

e (5:30 p.m.)

Mr. Pickersgill: That was Victoria. The hon. gentleman reminds me of my past. I think it would be well to draw a veil over that. I now come to the argument of the hon. member for Winnipeg North Centre, and particularly to one observation he made. He said, if I did not mistake his meaning, that the railways could ask for a review at any time. If this is the case, of course, the only real substance in the proposed amendment is the provision that the railways cannot ask for a review until two years after the bill is passed in the case of statutory rates and until two years after a substituted rate may have been put into effect. So what we are doing in this amendment is abridging the general power of review.

The argument put forward by the hon. member for Acadia was, I thought, in some ways, the most ingenious of all. Despite its ingenuity, I still think it is wrong. The weakness of the argument, it seems to me, is this: he suggested that what we voted against was a review of the Crowsnest rates.

Mr. Horner (Acadia): That is right.

Mr. Pickersgill: That is not so, of course.

Mr. Horner (Acadia): It is.

Mr. Pickersgill: Perhaps the hon. member would allow me to finish my argument. It is not so if the hon. member for York South was correct in his interpretation.

Mr. Horner (Acadia): If "ifs and ands were pots and pans."

Mr. Pickersgill: Perhaps I could be allowed to continue. The hon. member for York South

[Mr. Pickersgill.]

said that under clause 25 the governor in council could direct this review anyhow.

Mr. Woolliams: He might have been worried about the labour vote.

Mr. Pickersgill: Whatever his motives were, he is a pretty good lawyer, as the hon. member for Bow River will admit, and he is a good judge of good lawyers. The hon. member for York South argued strongly that section 329 was not necessary because the governor in council could ask the commission to make a review at any time. I said I would not like to rely on that kind of power. Moreover, I did not think there should be any review for two years. I did not think that was a satisfactory way in which to proceed.

To come back to the point, I do not contest all these citations. Indeed, I sometimes wonder whether we could not abridge all these discussions on procedure by simply leaving out reference to the things on which both sides are agreed and confining our arguments to those matters which are in dispute.

I admit that if the amendment moved by my colleague the Minister of Fisheries is the same as the one which was defeated, it is out of order. But I contend that it is not. I contend that it does not deal with precisely the same subject matter inasmuch as it deals with all statutory rates, and all substituted rates which there may be in the future. I contend that it is different because it does not require the commission to carry out a review of a particular set of rates but that instead it gives the commission the faculty of doing so if an application is made to it by the railways. I contend that this is the most important difference of all. Instead of parliament saying that something should be reviewed, a railway company has to apply. Whether or not it will apply is a matter of opinion, though the right hon. gentleman made a lot of that point. Whatever the presumptions in that area may be, they have nothing to do with the pith and substance of an amendment of this kind.

I say there is all the difference in the world between establishing a tribunal before which one party may ask to be heard and establishing a commission which is ordered by parliament to carry out a review. This, I maintain, amounts to a substantial difference of principle between the two amendments and for this reason I suggest that my hon. friend the Minister of Fisheries was quite within the rules in moving the amendment.