

Transportation

fine example of Pickersgilliana he told us he was not trying to get the house to reverse itself at all. He said he understood that what the house did not like was the presumption in the legislation that this review should be made because the rates were perhaps not compensatory. I submit that the same fault still pertains. It is in the legislation that the companies can ask for a review. They do not need it in the bill to be able to ask for it. They have been asking for this sort of thing for months. Now, if this amendment is in order and should it go through this—

Mr. Woolliams: It is an invitation.

Mr. Knowles: It is an invitation, as the hon. member for Bow River says, for the companies to go before the transportation commission with the blessing of the act behind them and with the guarantee that they can get a hearing.

I submit that all the elements of presumption that were there before are there now. I do not know how anyone can argue that this is a different proposition and therefore that it can get under the wire. In the light of some of the things suggested by Bourinot and Beauchesne this is beyond my capacity to understand. To use the language of the authorities concerning the word "object", the object is the same. The companies wanted this. No doubt this is what they indicated to the government last fall when the railway strike was on. One of the things they wanted was a review of the Crowsnest pass rates. Section 329 was designed to give them that review; it was defeated. Clause 74 which is now before us is asking that that review be given. It is precisely the same thing. Furthermore, the element of presumption is there in that if this motion were to pass it would give to the actions the companies would take all the sanctity of an act of parliament. I submit that in effect the Minister of Transport who spent time in halls of the same institution of learning in which I learned a few—

Mr. Pickersgill: I taught, but I did not teach the hon. gentleman.

Mr. Douglas: That is the reason the hon. member learned a few things.

Mr. Knowles: I sometimes wonder what he learned there. I submit that the minister was teaching things secular while I was studying things theological. I think the wires got crossed a bit. I believe he learned a few

[Mr. Knowles.]

tricks. The minister found it possible yesterday to stand up in this house and to say with all the charm of which he is capable, to say in his suave convincing way, that he was not asking us to reverse our position. But that is precisely what he is doing. He cannot argue himself out of that. I submit, Your Honour, that you should find that this proposed amendment to clause 74 is substantially the same as the proposition that was negated when we took the vote on the amendment to clause 50 and that therefore it is in violation of the clearly stated rules which govern the procedures of this house.

Mr. Olson: Mr. Chairman, I think the hon. member for Bow River has raised a very important point of order and one that I mentioned briefly at the time the vote was taken. I believe that the Minister of Transport, the hon. member for Winnipeg South Centre who moved the amendment which deleted section 329, and some other members of the house including the member for Medicine Hat, have some explaining to do. I say that for this reason. In the debate led by the Minister of Transport many of the other members who were involved were led to believe immediately after the vote was taken that the definition of grain and other parts of subsection 2 of section 329 were in effect essential for the continued functioning and operation of the Crowsnest pass rates as they are applied today. Now, after much more careful examination of section 329 which was deleted I am led to believe—if I was somewhat led astray before perhaps it could happen again—that all of the subsequent subsections after subsection 1 are in fact the rules under which subsection 1 shall apply and relate to nothing else at all. It is unnecessary to have those other provisions in the bill for the continued operation of the Crowsnest pass rates. They cover all grain and grain products such as flour and so on.

Mr. Baldwin: Except rapeseed.

Mr. Olson: The hon. member says "except rapeseed". I would think they apply even to rapeseed. If one takes all these subsections together as I have done very carefully, it will be found that subsection 2 of the same section simply says that no action shall be taken under subsection 1 in respect of any railway company that has increased the level of rates prevailing on the 31st day of December, 1966. Then it goes on to spell out the products which can be hauled. It does not say and does