

*Emergency Powers Act***EMERGENCY POWERS ACT**

PROVISION FOR CONTINUATION OF ACT FROM
MAY 31, 1953 TO MAY 31, 1954

The house resumed, from Tuesday, March 24, consideration in committee of the following resolution—Mr. St. Laurent—Mr. Robinson in the chair:

That it is expedient to introduce a measure to amend the Emergency Powers Act to provide for the continuation of the act for a further period of one year, that is from the thirty-first day of May, 1953, to the thirty-first day of May, 1954.

Mr. Drew: Mr. Chairman, I know that it will bring some measure of satisfaction to the leader of the house when I tell him that it is not our intention to extend this discussion at this stage. We have presented the arguments which have been put forward in the hope that the government might reconsider its decision. That has not been done. There will be an opportunity to have a recorded vote when the bill comes forward for second reading. We intend to defer the vote until that time as there is no procedure by which a recorded vote can be taken earlier. I only hope that there will be no suggestion that, when we permit this measure to pass on this occasion, on division, it is to be taken in any way as qualified approval.

The Chairman: Shall the resolution carry?

Mr. Drew: On division.

The Chairman: Shall I report the resolution?

Mr. Graydon: On division. Do not forget that.

Resolution reported and read the first time.

Mr. Garson moved that the resolution be now read a second time and concurred in.

The Acting Speaker (Mr. Robinson): Is it the pleasure of the house to adopt the motion?

Some hon. Members: Agreed.

Mr. Drew: On division.

Motion agreed to on division and resolution read the second time and concurred in.

Mr. Garson (for Mr. St. Laurent) thereupon moved for leave to introduce Bill No. 279, to amend the Emergency Powers Act.

The Acting Speaker (Mr. Robinson): Is it the pleasure of the house to adopt the motion?

Some hon. Members: Carried.

Mr. Drew: On division.

Motion agreed to on division.

Mr. Garson (for Mr. St. Laurent) moved that the bill be now read the first time.

[Mr. Lesage.]

The Acting Speaker (Mr. Robinson): Is it the pleasure of the house to adopt the motion?

Some hon. Members: Agreed.

Mr. Drew: On division.

Motion agreed to on division and bill read the first time.

The Acting Speaker (Mr. Robinson): When shall the bill be read a second time?

Some hon. Members: Next sitting.

The Acting Speaker (Mr. Robinson): Next sitting of the house.

Mr. Graydon: On division.

CROWN LIABILITY

TORTS AND CIVIL SALVAGE

The house resumed, from Thursday, January 29, consideration of the motion of Mr. Garson for the second reading of Bill No. 105, respecting the liability of the crown for torts and civil salvage.

Mr. J. G. Diefenbaker (Lake Centre): Mr. Speaker, this bill is one respecting the liability of the crown for torts and civil salvage and represents another step in the removal of anomalies that go back to the thirteenth century in that it was a principle of British law and tradition that the Queen could not be compelled to answer in her own courts. That same protection was extended as well to petty lords who presided over petty manors. This bill is one that follows more or less the lead of the United Kingdom which in 1947 removed this anomalous condition, one no longer applicable to the present-day conditions for the reason that not only are the Queen and her subjects equals but that as well Her Majesty, through her council, not only engages in business but also creates emanations of the crown which engage in competitive business ordinarily responsible only to private enterprisers.

I join with the minister in commending this step. It is one that is necessary, and has been necessary for a number of years. Indeed, since 1940 I have been advocating in the house the need for this change. Many other hon. members have done the same thing, because the principle that is being changed has no place in modern times. The fact that the United Kingdom gave the lead in this direction rather gives the answer to those who say that Britain is falling behind.

In 1947, when the legislation was introduced in the British house, there were still some who feared that the effect of the introduction of this legislation would be a