

Transportation

However, before we decide whether we do want to take a vote on it I should like to point out one or two things which might have some influence on whether hon. members wish to press the matter to a vote. May I point out that the amendment could affect the following matters. The proposed section 314D (1) at page 29 reads:

In the exercise of its duties under section 314C the commission may recommend to railway companies the exchange of branch lines between companies by lease, purchase or otherwise, the giving or exchanging between companies of operating rights or running rights over branch lines or other lines of railway, the connecting of branch lines thereof with other lines of the company or another company, and the abandonment of operation of branch lines in respect of which no applications for abandonment have been filed with the commission.

• (8:20 p.m.)

I think I indicated in a general way that I believed most of these directions could already be made by the Board of Transport Commissioners. I now find that I was right and that under section 196 of the Railway Act there is a provision for the exchange of running rights, subject to the direction of the board. There is no need to give the commission the power a second time to direct the exchange of running rights. Sections 315 and 316 provide for the interconnection of lines and the exchange of traffic, and permit the board right now to direct that these things be done. The only new things the commission can recommend to the railway companies under the new legislation are the exchange of branch lines—that is, the transfer of property from one railway to another by lease, by purchase and sale—and abandonment, when no application has been made.

If this amendment were accepted its net effect would be to enable the commission to direct that one railway lease a line from another railway, or sell a line to or purchase a line from another railway, or abandon a line the railway did not want to abandon. These are the only new things which could be directed.

It is obvious to every hon. member that a direction in any of these respects would have some monetary significance. It is also clear from the rest of the clause that the only respect in which that monetary significance could be compensated for by the crown would be under part III, where there was power merely to recommend certain things to the governor in council. He might or might not do something, as he saw fit, in the matter.

It seems to me it is better to leave subclause 1 as it is. I also want to say a word about the

[Mr. Pickersgill.]

alternate suggestion made by the hon. member for Springfield, who has suggested a way—it is not dictatorial or directional, and I do not want to use language in any way offensive—to draw the greatest possible attention to this recommendation the commission might make, that one railway should lease its line to another or purchase a line from another, or abandon a line it did not want to abandon. The last of these three contingencies is not apt to happen often, but it might happen. I would be dubious about the enthusiasm there would be for having it happen.

I am not prepared to accept the amendment in the precise wording moved by the hon. member for Springfield. I do not expect he believed I would accept it like that, because obviously he had not had much time to reflect on it. But I should be prepared, if it would make it easier for hon. gentleman opposite not to press the other amendment, or if the committee thought it was a good idea, as I do, to amend subclause 3 by striking out lines 27 to 35 inclusive and substituting the following:

Where a recommendation is made by the commission under subsection (1), the commission shall report its recommendation to the governor in council; and, if the recommendation involves one or more railway companies in cost or losses not recoverable under section 314E or is for that or any other reason not acceptable to one or more of such companies, the governor in council may take such legislative or other action as he considers necessary in the public interest.

That, I think, goes a long way. It says that if the commission recommends any of these drastic things affecting the property of one or other of the railways, and the railways do not accept that recommendation, the commission must send it to the governor in council for such action, legislative, or otherwise, as he considers necessary in the public interest. There will be a powerful sanction there, if the commission is the kind of commission which commends itself to hon. members, and I would think there would not be much doubt that its recommendations would be accepted. This would accomplish practically everything the hon. member for Qu'Appelle had in mind in his amendment, without being open to those objections that I, in all conscience, could not accept.

Mr. Bell (Saint John-Albert): May I ask a question? I understood that the request of the hon. gentleman from Springfield for this amendment was predicated on the wording in the amendment of the hon. member for Qu'Appelle, that there be a direction to the board. The minister has said that this would be a financial involvement. What is the sense