

*Department of Transport Act*

power to allocate the stations to which cars should be sent, and the numbers of cars to be sent to the elevators. The hon. member for Peace River drew to our attention paragraph (g) of the order. I might say that we have paragraphs (a), (b), (c), (d), (e), (f), (g) and (h), and they are all preceded by the words "the transport controller may". I am always at a bit of a loss to know whether "may" means may or shall.

**Mr. Marler:** It usually means may.

**Mr. Nicholson:** I am not sure whether "may" means that the transport controller may or may not.

**Mr. Marler:** It means may.

**Mr. Nicholson:** I think generally the judges, in dealing with these problems, would give the transport controller the right to perform the various duties enumerated in this particular order. I do not think it good enough for the minister to say that this responsibility is a responsibility for the wheat board. As far as I know the wheat board has no instructions from this parliament to take action in connection with a field such as that which has been definitely assigned to the transport controller. I believe that a good deal of confusion has been caused as a result of the failure of the Minister of Trade and Commerce and the Minister of Transport to get together and decide whether it is the wheat board or the transport controller which must make the decision, and which must accept the blame for failure to act.

At the point where we deliver our grain it so happens that we have three elevators. One of the elevators is the wheat pool elevator to which we have always delivered all our grain. I have nothing against the other elevator companies. The other elevators are operated by highly respected citizens who do an excellent job. But I think a farmer who has never delivered a bushel of grain to one of these other elevators would be in the same sort of position as that in which Donald Gordon would be placed if every time he came to Ottawa he travelled on the C.P.R. instead of on the C.N.R. If he did that a great many people would be asking why the president refused to travel on his own railway.

I think farmers who have never delivered a bushel of grain to an elevator which they do not own are in an embarrassing position, when storage is in such short supply, if they take grain away from their own elevator and take it to an elevator which is owned and operated by their competitors. I therefore believe that at some point the Minister of Transport must make up his mind that

this subsection (g) means exactly what it says; that the transport controller must accept the responsibility of carrying out the letter of the law, and that he must not place the alleged responsibility on the wheat board which is not instructed by law to make this sort of decision.

**Mr. Jutras:** On this last point of the allocation of box cars at a given point, I should like to say this. I do not think the situation is confused at all throughout the country at this time. It is probably better understood now than it has been at any other time. Last year in the committee on agriculture we studied that point extensively and, as the committee recalls, we made a recommendation to the government that owing to the fact that naturally, as was the case all last fall and all last year—and the same situation still prevails—all grain movements are effected on wheat board shipping order and only on wheat board shipping order. Surely there is no point in blaming the controller or anyone at that point. That situation is quite clear.

**Mr. Nicholson:** I wonder whether my hon. friend would permit a question at this time?

**Mr. Marler:** Oh, don't interrupt him.

**Mr. Jutras:** It is all right.

**Mr. Nicholson:** Would the hon. member explain how the wheat board decides that, when three box cars are sent to Sturgis, each elevator gets one when two of the elevators have a good deal of space available and one elevator needs the three cars?

**Mr. Jutras:** I am coming to that point in just a moment. Let us start at the beginning. To begin with, movement can take place only on the instruction of the wheat board through a shipping order. That being the basis, we recommended last year that the box cars be stopped at a given point. I want to make that point clear. This afternoon there has been some discussion back and forth with regard to allocation generally. There is allocation of box cars as between points and there is allocation of box cars at a given point. Those are two entirely different things. There is no difficulty about allocation as between given points.

**Mr. Argue:** There surely is difficulty.

**Mr. Jutras:** Some hon. members contend that there is difficulty, but generally speaking that is not too contentious a point. Today the most contentious point I think is the one raised by the hon. member for Yorkton with respect to the allocation at a given point. As I said, owing to the fact that grain is moved only on shipping orders, we recommended that the box cars at a given