

knows nothing about it until it is presented by the applicant who seeks to redress a grievance. I have given this matter some attention and I purpose bringing it up in another way, but it was interjected into the discussion by my hon. friend from Lincoln and Niagara (Mr. Lancaster) and I thought it might very well be taken up in connection with the item which was up for discussion this afternoon. Even though the layman employs a skilful lawyer he cannot possibly contend with the lawyers who make a specialty of railway cases. It would be in the interests of the country generally and of applicants particularly to have a counsel appointed as part of the machinery of the Railway Commission to appear on behalf of the agriculturist, the shipper, the manufacturer, paid out of the funds of the country and to be known as the public council. Not only could he appear on behalf of shippers, manufacturers, and agriculturists, but he could also represent the municipalities. A lot of the rural municipalities have no solicitors. The large cities have their counsel and solicitors and they are protected. The appointment of a public prosecutor would not preclude the right of a man to employ his own counsel if he saw fit. He could still have his own council to assist the public counsel, but I think it would not only be in the interests of the country but in the interests of the commission to have a public counsel who would be skilled and learned in the work of the court and who would protect the interests of the public generally. I therefore make an appeal to the minister to consider that question and I think he would earn the gratitude of the people from the Atlantic to the Pacific if he would agree to the appointment of a public counsel.

Mr. MARSHALL. I cannot agree with my hon. friend (Mr. S. Sharpe) who has just taken his seat. I think we would have too much machinery attached at the court. The practical man, the man who understands his business, is the man to meet the commission. I have had some little experience as a manufacturer in meeting with this commission. While I do not profess to know every thing, still I think that I put my case quite as well as a lawyer for the reason that I was familiar with it. I think that applies also to the farmer. It strikes me that there is no person who can put his case as well as the practical man. I have met the commission at different times. We have not got all we asked, but we have had no trouble in putting our cases in such a way as to make the commission understand it. I think we have all the machinery we want and that the practical man is in a better position to put his case than the man who is not acquainted with business.

Mr. J. A. CURRIE. I heartily endorse the remarks of my hon. friend from East Elgin (Mr. Marshall) and I do so as a business man. I think that instead of putting more counsel on that commission there ought to be an amendment to the Act precluding counsel from appearing at all.

Mr. LANCASTER. That would keep the railway specialists out.

Mr. J. A. CURRIE. Yes. The Manufacturers Association have matters to submit to the Railway Commission as they have matters to submit to other courts. They did not select counsel at \$10,000 a year to do their business for them. They took a man out of the Customs Department, one of the ablest men possibly in the service, and he knows every thing practically about their business. The great struggle in the Railway Commission has been to prevent it from becoming a court of record hedged in with so many rules of evidence that the ordinary individual cannot get his evidence in sideways. It should be open like a coroner's court and the less red tape there is in connection with it the better. It is said that the public do not get a fair show unless they are represented by counsel. From what I can understand the man who has the least to say, who is the most ignorant and the least qualified to present his case, has his case taken in hand by the chairman and as a general rule he gets what he wants much easier than if he were armed with a \$10,000 counsel.

Mr. LANCASTER. And much cheaper.

Mr. J. A. CURRIE. Yes, and much cheaper. Small shippers, lumbermen, merchants and manufacturers cannot afford to go to great expense or to pay large counsel fees. All they want is a plain, ordinary everyday layman's court where they can go in, tell their tale of woe, and be sure that there is no rule or technicality in connection with the court that is going to bowl them out and prevent them from stating their case whether it is in accordance with the rules of evidence or not. The Minister of Railways and Canals should very seriously consider whether any person should be allowed to be represented by counsel before the Railway Commission.

Mr. LANCASTER. I think that my hon. friend from North Simcoe (Mr. Currie) has the right idea, but he is in error in supposing that that is the idea that is being carried out. Personally, I think this should be absolutely the layman's court, but the difficulty is that the railways—and I do not see that you can prevent them—employ the ablest, most expert railway lawyers, and any man, lawyer or layman, who goes there is up against the most astute and able counsel who are ready to resort to every technicality of the four