

profitable shipment of eggs back to Montreal. They have charged more than the traffic will bear and they have lost the business.

British Columbia appealed to the Board of Railway Commissioners on several occasions and, failing to obtain redress there because of reasons into which I will go later on, they took their appeal on more than one occasion to the Dominion government. I do not intend to throw stones at either the Conservative or the Liberal administrations, because they both seem to be guilty of having stalled things off. In 1931 a debate took place upon this matter, and the Prime Minister is on record on page 1794 of Hansard of that year. The Prime Minister stated that the Board of Railway Commissioners was a court and that he would hesitate to advise the cabinet to override or even investigate a decision made by that court. He stated that the law was such as to permit an appeal to be made to the cabinet but he used the expression that the cabinet were partisan and he did not think it a good thing to have an appeal taken from what was practically a court and put into the hands of partisan judges. Of course, a partisan judge is an anomaly in itself. I agreed with the Prime Minister upon that occasion and am so on record. In my opinion, such appeals should go to the supreme court rather than to the cabinet. As I say, the Prime Minister said that he believed the experts on the Board of Railway Commissioners were well qualified to deal with such a matter. I quite agree with him in that, but those men should at least be competent to deal with it. Perhaps I am using the wrong word; I do not mean that the members of the railway board are incompetent, but I think the legal expression is that they are not seized with the proper jurisdiction and therefore they cannot give a just decision. They have not the authority to do so, and that is what the bill proposes to give them. I am very sure, although if I were put to it, I could not prove it, that a former member of the Board of Railway Commissioners told me that we would not get justice in British Columbia in regard to that matter until the act was changed because it did not give the board authority to deal with the question. We also heard the hon. member for New Westminster (Mr. Reid), when he was speaking on this subject, quoting very freely from the report of the Duncan commission which was composed of able men. Not only did they say that this action should be taken, but they actually used the very language which the hon. member has largely introduced into his bill.

The Duncan report was considered to be and I suppose still is a valuable document. It was

called the magna charta of the maritimes. I well remember the emphasis with which the opposition of those days insisted that it should be put into effect, and I think it was to a large extent put into force by the government of that day with, I believe, satisfactory results to the provinces concerned. If those men were wise and capable and their recommendations carried weight as they apparently did, why stop at the maritimes? Why, when they came to recommend something of material advantage to British Columbia, was it ignored? There is no question as to their view, because the hon. member for New Westminster put it on Hansard the other night. This bill gives the railway board the power which the Duncan report says they ought to have, and that is all it does, that power which a former member of the board said they lacked and which the Duncan report said in set terms, giving the exact language, they ought to have.

I do not think anyone has really tried to justify these rates; they have not done so openly at any rate, although they may have done so in a covert sort of way. These rates are too unjust for anyone to attempt to justify them. At this point might I mention a danger that has not been put forward before in connection with this legislation. On page 20 of the report of the last imperial conference will be found the resolutions of a general character adopted by that conference as distinct from the specific agreements. The first resolution they passed—at least it is placed first in the summary—is one regretting and deploring any system past, present or future, that the participating dominions might put into effect in the way of a bonus on their exported goods. They deprecated such action. I have in mind the Patterson scheme of bonusing in Australia and other plans of that kind. They pledged themselves at the earliest opportunity to do away with any system of bonusing of that nature. The spirit of that resolution would certainly be entirely antagonistic to imposing any more bonuses. Our present system of railway rates in British Columbia is a clear and definite case of bonusing exported wheat at the cost of domestic wheat. That conclusion cannot be got away from when you charge twice as high a rate for the one as for the other. That regulation is working a wrong in Canada to British Columbia, but it is also liable to cause very serious troubles in Britain itself because the people there are touchy; they are already asking that a duty be put upon Canadian products and this is an argument ready to their hand.

So we have the situation over a number of years as I have briefly outlined it. The appeal