

**Hon. Mr. Roebuck:** Yes, but you are including here a justice of the peace. He is already able to take an affidavit.

**Hon. Mr. Brunt:** Yes. I do not think those words are at all necessary.

**Hon. Mr. Macdonald:** This is distinctly limiting, I should think.

**Hon. Mr. Brunt:** No. If it were limiting, the clause would say "shall" instead of "may".

**Hon. Mr. Macdonald:** As the honourable senator from Toronto-Trinity (Hon. Mr. Roebuck) has said, a justice of the peace can take an affidavit. A commissioner also can take one.

**Hon. Mr. Brunt:** "Commissioner" refers to a harbour commissioner, not the ordinary commissioner who takes oaths.

**Hon. Mr. Macdonald:** I presume "commissioner" means a commissioner of the Supreme Court.

**Hon. Mr. Roebuck:** I would think it means a commissioner under the act.

**Hon. Mr. Macdonald:** All right. Then affidavits could be sworn before only those who are mentioned in the section.

**Hon. Mr. Brunt:** The clause could not possibly be limited to that interpretation.

**Hon. Mr. Macdonald:** Well, as the senator from Toronto-Trinity pointed out, it includes a justice of the peace.

**Hon. Mr. Brunt:** If the clause was intended to have a limiting effect, the word "shall" would have been used instead of "may".

**Hon. Mr. Macdonald:** Not at all. That is not necessarily the correct interpretation. Why does the section not say a justice of the peace and a notary public?

**Hon. Mr. Roebuck:** Or a commissioner for taking affidavits.

**Hon. Mr. Macdonald:** I agree with the honourable senator from Toronto-Trinity that the matter should be cleared up in committee.

**Hon. Mr. Brunt:** We will have to have someone from the Department of Justice to clear up that particular point.

**Hon. Mr. Roebuck:** Who ever drew up the bill?

**Hon. Mr. Croll:** Be sure you bring a lawyer to explain it.

**Hon. Mr. Brunt:** Why not just make it read "a barrister or solicitor"?

**Hon. Mr. Wall:** Honourable senators, may I ask a question arising out of the one that I already asked, also connected with what

the sponsor of the bill said concerning pressure from modernized facilities. Some of this came from Manitoba I know, resulting in an investigation by departmental engineers and economists, and I have asked for a report so that I could see what has been looked into. Although this is not stated in the bill, the sponsor mentioned that there is going to be a new modern terminal, complete with wharves and other appurtenances, and built at public expense. Is that then to be turned over to the Harbour Commissioners, so that they will begin operations with a modern port equal to the kind of demands that are going to be made on it in a harbour which is going to be a rather unique one because it is going to funnel so much trade into the west? The reason I asked earlier why it was decided to set up an independent board of harbour commissioners instead of placing this harbour under the National Harbours Board was that I think this port is going to be unique. Is it the intention of the Government to have this commission begin its operations with a modern port which in effect has been gifted to it by the federal Government?

**Hon. Mr. Brunt:** Honourable senators will remember that at the last session I sponsored a bill which dealt with harbour facilities in the city of Hamilton. That bill gave the Harbour Commissioners there power to borrow \$4 million to improve their facilities. Under the present bill it will be necessary for the Lakehead commissioners, as I understand it, to issue debentures and borrow money to create the harbour facilities. They are not going to be built by the dominion Government and then presented as a gift to the Harbour Commission.

**Hon. Mr. Wall:** That modern terminal, to be built at a cost of around \$3 or \$4 million, is to be then purchased by the Harbour Commission?

**Hon. Mr. Brunt:** No. The land will be conveyed to the Harbour Commission and it will proceed to have this terminal built and will issue bonds to pay the cost of this terminal harbour.

**Hon. Mr. Wall:** I see.

**Hon. Mr. Hayden:** Can the honourable senator tell us why it is that pecuniary dealings only between the corporation and the members are prohibited? Why is there a limitation to things that can be bought and sold?

**Hon. Mr. Brunt:** Are there any other kind of deals?

**Hon. Mr. Hayden:** I would think so.