

by the board? Probably not. No one has been satisfied. Why? Because the board has not done the work that it should have done—that is, to compare freight rates throughout the country and iron out all discriminations.

I said to the house before that these gentlemen have some leisure. Is it necessary to cut their meat and put it in their mouths in a spoon so that they can eat? They must be older than babies; they must know what to do without being instructed all the time by the Minister of Transport. As soon as the ruling was given it was declared to be unsatisfactory, and we as members said, "We will call for a judge; a judge is supreme; we will have a judge". But very often a judge is used as a screen to cover political sins.

Why should we have a judge come into this business? Why should we change the whole board because a ruling is not satisfactory? Are we going to change the board every time a ruling is unsatisfactory to the Liberals, to the Tories, to the C.C.F., or to the Social Credit party? Will each party in turn ask for a change in the board, to have a judge replace the chairman? I know Colonel Cross quite well, and he does not deserve the criticism that has been made on so many occasions. He is a good man and he does well. I do not think I can pay the same compliment to the other commissioners. One of the former commissioners was Colonel Vien. He was acting chief commissioner of the old railway board, where he did exceptionally good work. Why do we not have the same results now from the transport board, the new name for the former railway board?

I do not see why we should have a change now. I do not see why we should have to discuss this with the judiciary. We might ask the present chairman of the transport board to make in another sphere the same sacrifices that Mr. Justice Davis has made by going to China. The board should start to reconsider the mass of evidence it has before them. These men must know something of the transportation problem, because they are supposed to have studied it for a long time. They must have acquired some knowledge. They should be told that with the mass of evidence they have before them they should try to iron out all the discrimination with regard to freight rates. They have the personnel, they have the evidence, they have the personal information; they are the right body to do this work. They are paid for their knowledge. Why should that all be put aside because the C.C.F. have suggested a royal commission?

Would the work of a royal commission be more satisfactory than the work of the transport board? I do not believe it would. I ask

[Mr. Pouliot.]

you, and I ask my colleagues to consider this matter and not ask for a change in personnel when it is not absolutely necessary. It is the duty of this board to do this work. They have been assigned to do it. Suppose a stenographer or a messenger happens to make a mistake. Is it necessary to fire that person and replace him with another? If that were done we would have a perpetual migration from every office. Many times a thing is done wrongly without any wilful intent, but the person can be shown the proper way to do it. That is the way we should deal with the transport board.

Perhaps there was a misunderstanding. I am ready to give them the benefit of the doubt. But I suggest that it is not proper to change the personnel of the board. They should be told to make their own examination and study and to report on existing discriminations in freight rates. Then when a report is made we will decide whether it is good or not, whether they are competent or not. But that would be after they had been instructed to do this according to the expectations of the Canadian people. We would then have an opportunity to reconsider the matter ourselves.

I say one last thing. If this suggestion is accepted we will have a report on freight rates in a much shorter time than if we appoint a judge or if we appoint any other body than the board of transport commissioners.

Mr. McIVOR: Mr. Chairman, I see another side to this big question perhaps because I am not a lawyer. One side is the honour of the judiciary and the public respect for it. The other side is made up of the groups of people who get into trouble. Whom would you prefer to have preside, an independent judge, a distinguished businessman, a cabinet minister, an outstanding member of the opposition, or someone else? If I were a member of one of those groups, whether employer or employee, I would certainly choose a judge. Is it not the lifetime work of a judge to settle difficulties between individuals? What bigger job is there in a court than to settle difficulties which come before a commission such as this?

The DEPUTY CHAIRMAN: Shall the resolution carry?

Mr. MACDONNELL (Muskoka-Ontario): No. I wish to add a word. I think we can all accept what has been said by the Minister of Justice as to the requirement of independence. I listened with great interest to what he said—and by the way, I think the judges before whom he appears when he gets back to the practice of law will have to fortify themselves, so as not too readily to be carried away.