

Mr. Lynch-Staunton refuted by Justice Department.

We have Mr. Atkinson and Mr. Newcombe agreeing that the eastern division, the shops at Transcona, and their equipment, were a part of the construction and should be built by the commission and by the Dominion of Canada.

Mr. Lynch-Staunton had at this date taken charge as investigator. He placed on record very strong views against the contention of the Deputy Minister of Justice and against the contention of Mr. Atkinson, head of the law department. He stated at some length in the correspondence, which I will not read, that in his opinion the Transcontinental Commission was not empowered under the statute to build any of those shops, and he held that view very tenaciously. The Justice Department and Mr. Atkinson, however, being against him, the commission decided, undoubtedly on his advice, that the law as interpreted by the Justice Department and by Mr. Atkinson being against Mr. Staunton's contention, an application for arbitration would be made with a view to directing an inquiry both as to the law and as to the railway practice. The commission did not appoint the arbitrator in this case. The Minister of Railways himself took a hand in the matter at this point; he selected as arbitrator, with the consent of Mr. Chamberlin, of the Grand Trunk Pacific Railway Company, Sir William Whyte of Winnipeg.

In passing, I may say that there is not a man in this House who would not prefer the opinion of Sir William Whyte to that of the majority of railway men in Canada so far as this question is concerned. A man of large experience, of unimpeachable integrity, of great ability and marked success, no person could raise any question as to his ability to decide the matters that might be put before him, in regard to railway practice at least. It was agreed that this question among others should be referred to Sir William Whyte:

Are the shops at Transcona and repair shops at divisional points or any of them to be regarded as a portion of the eastern division, within the intent and meaning of the agreements of July 29, 1903, and of February 18, 1904, and Acts confirming the same?

There could be no mistake as to what the Minister of Railways and Mr. Chamberlin wanted to find out. They asked Sir William Whyte to tell them whether the shops at Transcona—and other divisional points, mark you, including Quebec—should have been constructed by the Transcontinental Commission for the Government, or by the Grand Trunk Pacific Railway Company. I want to point out what I consider to be a very strong confirmation of what I said in the beginning of my remarks, namely that Mr. Staunton never seemed to realize the grave responsibility placed upon him as commissioner. Every person who did not agree with his views was considered as representing some opposite party. He did not take the ground that he was to find out absolutely everything in connection with this matter, to give credit where credit was due and criticism where criticism should be given, but he acted solely as solicitor for one side of the case.