

Department of Transport Act

spent all the money we have spent during the last year. That section is clear.

Let this be perfectly clear too; that there never was any suggestion raised prior to yesterday and today by anyone on the part of the government that the controller did not in fact have the power of designation. Let me add this. The minister says that the power rests in the wheat board. I do not have the letters before me at the moment, but on every occasion the replies I have received when communicating with the wheat board have been couched in the most co-operative language and have been followed by co-operative action, but have also made perfectly clear to me that the designation rests with the transport controller.

Indeed, as far as the Minister of Trade and Commerce is concerned, in the several replies he has made to questions that have been asked since the beginning of the session, and I referred to those replies yesterday, his stand on every occasion as I recall it was that the responsibility for the failure to supply cars and to designate the places where they were to be used rested not upon the wheat board but upon the transport controller.

I do say that wherever the responsibility lies the situation has been very serious and continues to be so. Whatever statistics may be furnished to indicate an improvement of the situation, the fact remains that there are numerous communities and marketing places in western Canada that have suffered discrimination, whether intentional or unintentional, and the farmers residing in those areas have found themselves unable to share in a reasonable marketing of a reasonable portion of what they had available for marketing.

If the regulations are not wide enough then, since the power is there, for goodness sake make them wide enough. I have never known civil servants when drawing up regulations to err on the side of restricting the ambit of the powers exercised under those regulations. I notice with interest that the Minister of Citizenship and Immigration raises his head. Some of the regulations passed by that department offer the strongest possible evidence in support of what I have said.

Mr. Pickersgill: Since the hon. gentleman has raised the point, I may say that I do not blame the civil servants. I take the full responsibility myself for what is done in my department in the way of recommending regulations and I think other members of the government do the same. Therefore I think it ill becomes the hon. gentleman to attack civil servants who cannot defend themselves.

[Mr. Diefenbaker.]

Mr. Diefenbaker: That, of course, Mr. Chairman, is just on a par with the usual amenities of the Minister of Citizenship and Immigration. There was no attack on civil servants. Civil servants draw the regulations under direction. The minister gives no lesson to the house as to the responsibility of ministers and, indeed—

An hon. Member: Let us get down to wheat.

Mr. Diefenbaker:—so far as regulations are concerned I may say that the Supreme Court of Canada paid its tribute to the kind of regulations the minister's department has brought into being by referring to them as inconsistent with justice and derogatory of the rights of individuals.

Mr. Marler: Let us get back to the Transport Act. The hon. member will need a transport controller himself.

Mr. Diefenbaker: We are on transport control, but I could not let the opportunity pass when there was such interest revealed by the Minister of Citizenship and Immigration in a subject in respect of which the courts have been so definite in their views.

Mr. Marler: Get your car off the siding.

Mr. Diefenbaker: I would ask the minister, following that little pleasurable interlude—

Mr. Marler: Your box car was spotted in the wrong place that time.

Mr. Argue: You will never get it unloaded. You will be paying demurrage.

Mr. Diefenbaker: There is the same practice in every department of the government when it comes to making regulations and denying the rights of parliament and individuals.

Mr. Pickersgill: Surely the hon. member is not suggesting more powers?

Mr. Diefenbaker: There is no question of granting more power. It is simply a matter of using the powers that parliament granted, and translating the regulations so they will give effect to the powers granted by the house under the statute. Certainly in all seriousness I say to the minister that he should give the fullest consideration to the requests—and they are legion—from western farmers that something be done to equalize their opportunities, wherever they may be located, by securing that measure of transportation which will result in a reasonable degree of credit being made available to them.

Mr. Nicholson: Mr. Chairman, I was not satisfied with the minister's reply to the hon. member for Yorkton. I gather that the minister expressed some doubt as to whether the transport controller had or had not the