

HOUSE OF COMMONS

Thursday, April 2, 1964

The house met at 2.30 p.m.

CRIMINAL CODE

COMMUTATION OF DEATH SENTENCE IF CONVIC- TION NOT UNANIMOUSLY CONFIRMED ON APPEAL

Mr. Robert Temple (Hastings South) moved for leave to introduce Bill No. C-85, to amend the Criminal Code (commutation of death sentence).

Some hon. Members: Explain.

Mr. Temple: Mr. Speaker, the purpose of this bill is to provide that in the case of an appeal from a death sentence to the court of appeal, the death sentence shall be commuted to life imprisonment where the court has not been unanimous in confirming the conviction.

Motion agreed to and bill read the first time.

TRANSPORT

RAILWAY BRANCH LINES—GOVERNMENT POLICY RESPECTING ABANDONMENT

On the orders of the day:

Right Hon. J. G. Diefenbaker (Leader of the Opposition): Mr. Speaker, I want to say to the Minister of Transport that I am sorry I did not give him notice of this question, but it has to do with an article appearing in the western press entitled—

Mr. Pickersgill: I am afraid I did not catch the name of the periodical.

Mr. Diefenbaker:—"Pickersgill to outline rail abandonment stand". Mr. Thatcher announced this the other evening in Saskatchewan. I would like the minister to confirm or deny that the position of the government is that there will be no abandonment allowed either to the C.N.R. or the C.P.R. until the federal government has fully examined all the circumstances and made a thorough study of all the problems involved.

Hon. J. W. Pickersgill (Minister of Transport): Of course, Mr. Speaker, the right hon. gentleman, being an old and experienced member of the house, knows perfectly well that his question is totally out of order because he is asking me to confirm or deny

a newspaper report, which our standing orders forbid us to do. But since the right hon. gentleman has given me a very welcome opportunity to say something about this subject, I am very happy to make a brief statement about it.

My statement is this. The policy of this government in this matter is well known. It was iterated and reiterated a dozen times by my predecessor at the last session of parliament, and it is a policy that was instituted by the right hon. gentleman's government, which he seems to have forgotten. It is that the railways were invited to indicate to the board of transport commissioners all the lines that they were even considering abandoning, on the understanding that no abandonments would take place and no hearings would be held until the new legislation had been disposed of.

That, we thought, was one of the good things done by the previous administration. We still think this is a good idea, and I am happy to say that was the position the railways agreed to take. I do not know that we could have imposed it on the railways, or at least on one of them, but they accepted it.

My hon. friend the President of the Privy Council gave notice in the last session of parliament of a resolution to precede a bill which was set out in detail in *Votes and Proceedings*, I think on December 6, and it is the intention of the government to recommend to parliament, if the house approves the appropriate resolution, a bill to set up a railway branch line rationalization authority which, if parliament also approves, would be under the jurisdiction of my hon. friend from Calgary South, the Minister of Agriculture, who naturally would have at heart the interests of the most important of all users of the railways, namely the wheat farmers.

It was not by accident that my right hon. friend the Prime Minister chose the Minister of Agriculture for this responsibility, because he felt that this would be a tangible way of indicating to the farmers of western Canada that the interests of the producers would be put first and the balance sheets of the railways, as I said the other day, would have to take second place in this matter.

That is the policy of the government. I think it is a wise and sound policy. I think it is wiser and sounder because of the great