

the appointment of three trustees for the C.N.R. The chairman was to hold office for five years and the others for terms of less than five years, and each of them was to be eligible for re-appointment. I believe the honourable senator from Waterloo (Hon. Mr. Euler) was a member of the cabinet when the King government introduced a bill to do away with the Board of Trustees and to put back in the hands of the directors the responsibility of endeavouring to make the railway pay. The bill came to this house, where there were at the time 62 Conservatives. Actually there were 63 appointees of the Borden and Bennett governments, but one of them was a Unionist Liberal, and he voted Liberal. To this chamber which at that time had 62 senators appointed by Conservative Prime Ministers—32 of them by Mr. Bennett—came the legislation to do away with the Bennett commission. Now, anyone unfamiliar with the fact will say to me, "Then the bill was killed." But it was not killed. And why was it not killed? Well, the railway problem had been an issue in the election, and the government of the day had a mandate to try to solve it.

I had no special knowledge about railroads but, like everybody else, I knew that at that time the Canadian National Railways' annual deficit was a terrible drain on this country, and it seemed to me, as no doubt it did to the other Conservative senators, that if Mr. King had a policy which might solve the problem it was our duty to pass legislation to carry out that policy. So this house did pass the legislation. Now, if there had been the reverse situation—if Mr. Bennett had appointed some political partisans to run the railroad and Mr. King had decided to substitute a railway commission—it could have been said that we voted for Mr. King's bill because we believed in the commission form of management. But it was the very reverse. It was Mr. Bennett who appointed a commission and Mr. King who brought down a bill to kill that commission. Yet, realizing the immensity of the problem then facing Canada, we voted to pass that bill.

At the beginning I outlined what I deemed to be the purpose of the Senate. I liked what my honourable friend from Toronto-Trinity (Hon. Mr. Roebuck) said the other day. In reality we sit here not as politicians, but as arbitrators or judges of legislation, and it is our duty to say whether we think—rightly or wrongly—that the legislation before us is in the interest of Canada. And we feel—rightly or wrongly—that if we do not protect Canada, it cannot be protected.

Remember this, honourable senators: no government will willingly bring down in the House of Commons any legislation which during its consideration in the Senate might

receive publicity that would make the government very unpopular. And any piece of legislation that the Senate felt was really detrimental to the public interest would certainly be dealt with here in a way that would attract publicity. Now, that is one way in which the Senate has served through the years. There is no evidence on it that I can quote by reference to any specific case, but I know enough about human nature to realize that no administration wants to submit to the Senate any measure which is likely to be revealed here as being contrary to public interest, and therefore almost certain—not all at once perhaps, but sooner or later—to become unpopular. Discussion of such a measure in the Senate would be bad for an administration. I say that that factor has had and has a restraining influence upon those responsible for the introduction of government legislation into the other house.

If you look back over the last 83 years—I do not care what period you take—you will not find that any government ever made the Senate's rejection of government legislation an election issue. Take the period of Sir Wilfrid Laurier. When he came into power, in 1896, his supporters in the Senate comprised only a small minority of this chamber's membership. I was old enough then to read about and take an interest in politics, for I was a teacher instructing children in my own province, and I cannot remember that in any single instance the Senate's rejection of a piece of his legislation was so important to him that he had the House of Commons dissolved and went before the people to show that the Senate was wrong.

Hon. Mr. Euler: How about the Yukon Railway Bill?

Hon. Mr. Haig: The Senate killed that bill and several others.

Hon. Mr. Euler: I understood you to say that it did not reject any government legislation at that time.

Hon. Mr. Haig: No, I did not say that. I said that during Sir Wilfrid Laurier's term of office no rejection of a bill by the Senate resulted in the dissolution of parliament and an appeal to the country on the issue that the Senate had acted wrongly.

Hon. Mr. Euler: I am sorry, I misunderstood you.

Hon. Mr. Haig: The same thing was true while Sir Robert Borden was Prime Minister. When he came into power there was a strong Liberal majority in this house, but so far as I know he never threatened to call an election because the Senate changed some of his legislation. There was the famous instance