

Mr. CAHAN: Any of them may initiate an expropriation.

Sir GEORGE PERLEY: We are not suggesting that they cannot initiate it. What we are suggesting is that the minister would be protecting himself if he made section 11 begin in the same way as section 10. It does not even say that the minister has to agree to an expropriation or to sanction it before it is done; it does not even say that. We are only suggesting, for the protection of the crown, that the words with which section 10 begins should introduce section 11, and personally I cannot see any reason why the two sections should not begin in the same way.

Mr. CAHAN: The words in section 10, subsection 1, are, "When previously authorized by the governor in council." The right hon. member for Argenteuil suggests that those words should be inserted in section 11, subsection 1.

Mr. HOWE: I do not see that it makes any practical difference. The idea was that the board might need to deal with an emergent situation. I think the danger is more real than apparent, but there is no serious reason why we should not comply with the suggestion.

Mr. CAHAN: Why not do so then?

Mr. ILSLEY: I move that before the word "the" in the first line of section 11 there be inserted the words "When previously authorized by the governor in council."

Amendment agreed to.

Section 11, subsection 1, as amended, agreed to.

Section 11, subsection 2, agreed to.

On section 11, subsection 3—Ascertainment of compensation.

Mr. CAHAN: I can see no reason why the provisions of the Expropriation Act should not apply. The last sentence reads:

The amount of any judgment upon each such proceeding shall be payable out of any unappropriated moneys forming part of the consolidated revenue fund of Canada.

I can see no reason for the insertion of these words here when section 34 of the Expropriation Act is excluded by the insertion of this clause. Section 34 of the Expropriation Act provides that:

The Minister of Finance may pay to any person, out of any unappropriated moneys forming part of the consolidated revenue fund of Canada, any sum to which, under the judgment of the court, in virtue of the provisions of this act, he is entitled as compensation money or costs.

Why not make the Expropriation Act apply to the entire proceedings taken under the authority of the order in council authorizing the board to apply it?

Mr. HOWE: I am told that it does not make any difference whether we accept this suggestion or not; the effect is the same. But inasmuch as we have accepted one of the suggestions of my hon. friend he might let our view prevail on the second question.

Mr. CAHAN: I am trying to get this bill into some form which I myself approve, so that another branch of this legislature might not treat our efforts with ridicule, to say the least. Let us make provisions which we can stand by when this bill leaves this house for the consideration of another branch of parliament.

Mr. ILSLEY: The hon. gentleman's point is that the words are unnecessary.

Sir GEORGE PERLEY: That is all.

Mr. ILSLEY: I move that all the words from the word "the," after the word "Act" in line 34, to the end be struck out.

Amendment agreed to.

Mr. CAMERON (Cape Breton): If these words are to be struck out you might as well strike out the whole subsection and allow the matter to go under the Expropriation Act altogether.

Mr. CAHAN: Unless that is done, there should be a change in line 3, of subsection 3 to provide that the compensation payable in respect to the taking of any lands so vested in his majesty, or of any interest therein, shall be "ascertained and paid" in accordance with the provisions of the Expropriation Act.

Mr. ILSLEY: We are going very far to meet the hon. gentleman. It does not make any difference, but we desire to get ahead. I move that the words "and paid" be inserted after the word "ascertained."

Mr. CAHAN: It makes a great deal of difference whether you adhere to the general terms of the Expropriation Act and the provisions for payment under it, or whether you provide a new method in every special act. This parliament should set its face against making any specific changes of that kind and should allow the genera' acts to apply.