

Electoral Boundaries Commission

person performing for the time being the duties of chief justice thereof;"

And that clause 2 of said amendment be deleted.

Mr. Woolliams: I wonder if the minister would care to explain what he means by that amendment?

An hon. Member: Do you want it in four letter words?

Mr. Favreau: If I had somewhat less confidence in myself, especially after the speech I made a few minutes ago, I would really work up an inferiority complex after the question put by the hon. member for Bow River. I thought I had explained that the first subparagraph of the amendment to the amendment means that henceforth the chief justice of the province, who normally and in most provinces is the chief justice of the court of appeal, will not in his choice of a chairman be limited to the members of his own court, which is always rather a limited one in number. He will be able, after consultation with the chief justice of any court of superior jurisdiction rendering justice within the territorial boundaries of the province, to choose from among the members of that superior court, whose numbers are always greater than that of a court of appeal.

The third subparagraph of the amendment to the amendment provides that in the absence of the chief justice himself, either the person appointed as acting chief justice or the person acting in the name of the chief justice, will be able to perform the same duties.

The last paragraph of the amendment deletes the second clause of the original amendment because there is no longer any requirement to renumber the paragraphs. Now, we have paragraphs 1, 2, 3 and 4 as we had before.

Mr. Woolliams: That was clear.

Mr. More: I do not believe the subamendment improves the situation at all. I think it passing strange that all of a sudden, instead of having the Minister of Transport piloting this bill through the house, his duties seem to have been taken over by the Minister of Justice. Perhaps the reason is that the Minister of Justice has a little more courage now than the Minister of Transport has, because the Minister of Justice was frank enough to state in clear terms his position on the amendment. We have not had any such statement from the Minister of Transport. It would be very interesting to all of us to have a statement as to just what his position is now with regard to the amendment and the subamendment.

The bundling which is evident between the C.C.F. or N.D.P. and the Liberal party is passing strange. I have not a suspicious nature at all but after observing what is happening during this debate there would seem to be some substance to the suggestion made earlier by the hon. member for Bow River. During this debate we had two members of the Liberal party speaking against the amendment. I noticed that when they sat down they both received a round of applause from the other members of their party for the views they had expressed. It seems to me they must be just as confused about the stand the minister is going to take as we are in the official opposition.

As I say, the bundling between these two parties is passing strange.

Mr. Winch: What is wrong if it is right?

Mr. More: Let us bring it out in the open, instead of having all this nonsense. Let the house leader get up and say that after consultation with the hon. member for Winnipeg North Centre this deal was made. Then we would know exactly where we are. I am talking about the Minister of Transport.

I say this bundling is quite strange and quite interesting because the leader of the C.C.F.-N.D.P. has just returned from Saskatchewan. I am sure he was not out there bundling with Ross Thatcher. If there was any bundling between these two parties, I do not know whether it was with the C.C.F. part of the Saskatchewan group or the N.D.P. part, because there are two groups. In fact, practically speaking, there are three groups. It is a very interesting situation.

In some earlier remarks I made I expressed confidence in the courts of this country and in the personnel of those courts. However, I am quite frank to admit that I believe possibly 100 per cent of these men had an active political background and were appointed under their respective governments not only as a result of their political activity but because of their ability at the bar. However, they have been appointed and have been impartial. In my opinion, the amendment is going to place many of these judges in an awkward position. Even if they fulfil their duties as earnestly as they possibly can and as impartially as they can, they may still be judged for political activity. To me, this is very bad.

Mr. Knowles: Will the hon. member permit a question?

Mr. More: When I have finished. This is a very bad precedent for us to set at this time.