

no more political rate structures in this country. The report of the royal commission of 1917 said that any such proposals should be submitted to the board of transport commissioners. Yesterday we had a discussion on the Canadian National Railways. If you ask me, this is another measure bringing closer the time when there will be no regulation whatever of the steam railways in this country. If this is the only measure of the kind that we are to have during the present session, we shall have no regulation of the steam roads in this country, particularly if we permit a political rate structure to be made by changes in three statutes. If that comes about we shall have one province against another. If that is done you might just as well abolish the board of transport commissioners.

I only hope that the action being taken now will not prevent the present board from presiding over the cases to be heard a week from today in Toronto. In the accident which took place last Sunday, four freight cars might have fallen on top of streetcars, and might have produced pain and suffering and loss. If we create a board of four judges for this exchequer court I do not see how they are going to carry out their duties. Here we are at the 106th day of the session. The rate structure has been before the country for over a year. We are now changing the whole set-up of the board at this late date in the session. All we are doing now is to provide that, in the future, railway rates shall be left very largely to political influence. We shall have a political rate structure. Under the present Railway Act the onus is on the government of the day so long as they are the government of the day, because if the rate structure proposed by the transport board two or three months ago was wrong, there is the right of appeal by the seven provinces to the governor in council.

I fail to see the necessity for the appointment of a judge of the exchequer court as head of the board of transport commissioners. If that is done he will not have any time to attend to his duties on the exchequer court. If you ask me, the present exchequer court, with its travelling expenses around the country, is just spending money like water.

These are my objections to the measure. In my opinion the present minister, who is the attorney general, has done a great deal of good work since he has been Minister of Justice and Attorney General. I exempt him from any criticism when I deal with this proposed measure. I am sorry to see that at this

late date changes are being made in all these acts. It is not in the public interest that it should be done, either now or in the future.

Mr. FLEMING: There are some views I should like to express on this resolution. Is it the intention of the minister to make an explanatory statement now? If so, I shall be glad to wait until he has done so.

Mr. ILSLEY: Yes, I will make a statement. I hoped that the resolution would pass and that the discussion would take place on the bill, but I am quite prepared to make a brief statement on the resolution.

As the Prime Minister announced to the house a few days ago, a change is being made, in the acts referred to in the resolution, as the result of the prospective early retirement of the present chairman of the board of transport commissioners. The work of the board of transport commissioners will be extremely important for some time to come. A reference of large dimensions has been made to the board with respect to equalization of freight rates in Canada and possible changes in the freight rate structure. The position of chief commissioner of the board of transport commissioners will be of very great importance.

In surveying the scene, we thought that Mr. Justice Archibald, who is a judge of the supreme court of Nova Scotia, had in large measure the qualifications for chief commissioner. He was chairman of the national war labour board for some years during the war, and discharged his duties there with great acceptability to the public. He has a capacity for hard work, and he has the judicial temperament. It is unreasonable to ask a judge of one of the superior courts to resign his position and become the head of the board of transport commissioners, forfeiting as he would, in the absence of some change in the legislation, important pension privileges as well as life tenure of office. To overcome these difficulties we thought it would be appropriate to provide for the appointment of Mr. Justice Archibald to the Exchequer Court of Canada. His tenure of office is shortened somewhat. The limit there is seventy-five years of age, as against life tenure in the superior courts. That, however, is perhaps not a serious feature from the standpoint of the judge who is appointed, but his appointment to the Exchequer Court of Canada enables him to retain his present pension privileges, which I think he should be allowed to retain if he is to assume the arduous duties of this important position.

The salary of \$15,000 for the position is not excessive when the salaries of comparable positions, indeed of some less important positions,