

Railway Act

adopted. All we are saying is that if that is adopted, then for a long period of time there will be complaints from other provinces. Complaints that are now being satisfied in respect of one province will be replaced by those of another province. I think a more moderate solution to this problem could have been devised. I have sympathy with the problem in Alberta. I am not blind at all to the difficulties under which they have been labouring.

Then, with regard to the salaries of the commissioners, the suggestion was thrown out that we opposed the increase because we are generally dissatisfied with the bill, and things of that nature. Well, it struck me as rather odd that in this House of Commons, where on some occasions it is so difficult to get support for people who are in actual need, we can quite easily and quickly hand out thousands of dollars to people who are not in any particular economic distress. I was not impressed by the argument that another two or three thousand dollars given to certain individuals would result in better work on the part of the board, or would necessarily result in obtaining more valuable people later on. Surely there are people in Canada who, as a public service, will accept positions on boards as important as this without necessarily worrying as to whether the salary is \$10,000, \$12,000 or \$25,000.

Generally I approve of the bill. My opposition to it will be expressed chiefly with regard to section 332B, and I shall reserve my right to have something to say when that section is before us. I do, however, reject the suggestion that there is afoot a campaign to do harm to Alberta. On the contrary, I suggest that so far as Manitoba is concerned some better solution for this problem is desirable. It could very well be a compromise, and could be achieved in a peaceful manner.

Mr. Green: Will the minister explain the provision for the chief commissioner? I refer particularly to the terms of the bill which make him a supernumerary judge of the exchequer court upon his retirement. As I read the Railway Act, as it stood before the introduction of Bill No. 12, the provision with respect to the exchequer court was almost the opposite of the provision in the new bill. That is, it dealt with the case of a judge of the exchequer court becoming chief commissioner, and not losing his rights as an exchequer court judge by reason of the transfer.

I may be wrong in that, because there are only certain sections of the Railway Act appearing in Bill No. 12. It would appear to me, however, that the approach in the present

[Mr. Churchill.]

instance is just the opposite, in that the chairman can be brought in from the outside and then, after he resigns or is retired, he automatically goes to the exchequer court, whether that court requires judges or not. He continues to receive the salary of an exchequer court judge until he reaches the age of 75 years. Am I right in my contention that there is an entirely different approach under the bill?

Mr. Chevrier: No, there is not an entirely different approach, because the former chief commissioner also held the position of judge of the exchequer court. He was first appointed judge of the exchequer court, and thereafter became chief commissioner.

In this instance subsection 2 of the amendment clearly sets out that the salary of the chief commissioner will be paid, under the Judges Act, from the appropriation the Minister of Justice brings down. He will be paid as a puisne judge of the exchequer court, and for all purposes he will be a puisne judge of the exchequer court. But the difference between his salary as chief commissioner and his salary as a puisne judge will be paid through the appropriation of the Department of Transport. I would draw to the attention of the hon. member the fact that the former chief commissioner held both positions, just as the present chief commissioner holds both positions.

Mr. Green: The minister is referring to Mr. Justice Archibald?

Mr. Chevrier: Yes. All subsection 2 does is clarify the position. It is not a new approach. Both the former chief commissioner and the present chief commissioner were chief commissioner and puisne judges of the exchequer court at the same time.

Mr. Green: Is Mr. Justice Archibald now a judge of the exchequer court?

Mr. Chevrier: He has resigned as chief commissioner and is now a judge of the exchequer court.

Mr. Green: Could we be in the position of there being several former chief commissioners of the board of transport commissioners all of whom would be entitled under this legislation to be judges of the exchequer court?

Mr. Chevrier: No, there can be only one chief commissioner of the board of transport commissioners.

Mr. Green: If the present chief commissioner resigns in five years he will automatically become a judge of the exchequer court and remain as such until he reaches the age of 75 years. His successor could do