

of the government assisting agriculture a little more liberally than in the past.

Amendment (Mr. Pugsley) negatived, on division.

Motion agreed to, and Bill read the third time and passed.

YUKON ACT AMENDMENT.

House went again into committee on Bill (No. 123) to amend the Yukon Act.—Mr. Doherty.

On section 4—Court of Appeal.

Mr. LEMIEUX. The hon. Minister of Justice (Mr. Doherty) was not here yesterday when this Bill was under consideration. I made the suggestion then that he should consider the appointment of Mr. Justice Dugas to the proposed new judgeship in the province of Quebec. The hon. minister knows Mr. Justice Dugas better than I do, because he practised at the bar at the same time as Mr. Dugas did, practically before I was born. As I stated yesterday, Mr. Dugas was prominent at the bar in our province, he has been a judge in that province, and for many years has been the head of the judiciary of the Yukon greatly to the satisfaction of litigants there. He is now relieved of his duties in the Yukon and will be in receipt of an allowance of \$5,000 a year, which is equal to the salary of a Superior Court judge in the rural section of the province of Quebec. If the health of Mr. Dugas permits, could not my hon. friend (Mr. Doherty) inquire if Mr. Dugas will accept the seat in the new judicial district to be created? This arrangement, if the health of Mr. Dugas permits it to be carried out, will mean a saving to the Dominion Exchequer of \$5,000 a year. I do not know if Mr. Justice Craig belongs to the bar of the province of Ontario, but if so I make the same suggestion in his case. He might very well be appointed to one of the positions to be created in the High Court of Ontario. I merely throw out the suggestion to my hon. friend, in order to make a saving on the proposed expenditure. I understood the hon. gentleman to say the other day that he would inquire whether the two judges Mr. Justice Craig and Mr. Justice Dugas, were fit to exercise their talents in other parts of the Dominion. The case of Mr. Justice Dugas is in point. There is a new judgeship to be created not far from Ottawa, in the province of Quebec, in the district of Montcalm. I understand Mr. Justice Dugas' family comes from that district, where he is well known and highly respected. Why should not his services be utilized immediately, and prevent people from criticising the fact that two judges, in spite of themselves, are being paid a

Mr. BURRELL.

large income for their lifetime because it happens that there is no work for them to do in the Yukon district?. Of course, I make this suggestion assuming that Mr. Justice Dugas is in good health; if he were not, I would say that he is entitled to his pension.

Mr. DOHERTY. I must point out to the hon. gentleman that these two judges are at perfect liberty to determine whether they will accept an appointment of that kind or not. These gentlemen are in a position to say: 'We will remain in the Yukon and draw our \$10,000 a year for all our lives.' But I understand they are willing to accept the terms laid down in this Bill and to retire on those conditions. If the conditions were so altered as not to be acceptable to them, we have no means of compelling them to retire, and the result would be that if we imposed conditions unacceptable to them, in our endeavour to save \$5,000 a year, we might be compelled to go on paying \$10,000 a year.

Mr. GRAHAM. Has my hon. friend any amendment to make to the original Bill? I ask this, because there has been some discussion among the friends of some of those judges in reference, I think, to their returning to the bench, or in connection with the amount they receive, and I was informed that the minister was going to make an amendment to meet those views. If that is the case, I have nothing to say.

Mr. DOHERTY. One of the learned judges about to retire seemed to entertain some doubt, since the Bill was drafted, whether providing for an annuity of \$5,000 a year meant a life annuity. I thought it did, but I said I would ask the House to amend this Bill by calling this a life annuity. Another thing suggested is that the obligation imposed upon these judges, in the event of their being recalled to service or their being re-appointed, to accept such re-appointment and failing their doing so to forfeit their annuity, might be used in conditions where either one of them would be physically incapable of accepting re-appointment. I confess that it did not strike me there was any danger that any government would want to adhere to the strict letter of the law to that extent. But I propose to amend the section so as to provide that the forfeiture will only be incurred on the refusal of the gentleman to accept re-appointment, he being in a fit physical condition.

Mr. THOMPSON (Yukon). I may say in reply to the remarks of the hon. member for Rouville (Mr. Lemieux) that Judge Dugas' health is in anything but a satisfactory condition at the present time. Judge Dugas has not been a well man for many years, and he has been seeking to