

THE SENATE

Thursday, May 18, 1933.

The Senate met at 3 p.m., the Speaker in the Chair.

Prayers and routine proceedings.

PRIVATE BILL

REPORT OF COMMITTEE

Hon. Mr. TANNER presented the report of the Standing Committee on Banking and Commerce on Bill F1, an Act to incorporate the Discount and Loan Corporation of Canada, and moved concurrence therein.

He said: This Bill has been amended by the Committee for the purpose of bringing it into conformity with existing statutes relating to similar corporations. As amended it meets with the approval of the Superintendent of Insurance. Under the circumstances, perhaps the House will be prepared to concur in the amendments now in order to facilitate the passage of the Bill.

The motion was agreed to.

THIRD READING

Hon. Mr. TANNER moved the third reading of the Bill.

The motion was agreed to, and the Bill was read the third time, and passed.

EXPENSES OF BEAUHARNOIS INQUIRY

Before the Orders of the Day:

Right Hon. Mr. MEIGHEN: Honourable members, on May 3, on the authority of the honourable senator from Manitou (Hon. Mr. Sharpe), Chairman of the Committee on Internal Economy, this House was informed that \$4,395.17 was all the expenditure chargeable to the Senate in respect of the Beauharnois Inquiry. He has since advised me that this expenditure relates to 1932 only. The accounts up to March 31, 1933, have not yet been audited. These contain a further expenditure of \$14,002.16, which will appear in the report of the Committee next session. It will be seen that the total expenditure is \$18,397.33.

PENSION BILL

MEMBERSHIP OF APPEAL COURT

Before the Orders of the Day:

Right Hon. Mr. MEIGHEN: Yesterday, on the third reading of the Pension Bill, the honourable senator from Lauzon (Hon. Mr. Bélard) moved in amendment to the section dealing with the Appeal Court that "one member of the Court shall be an experienced

The Hon. the SPEAKER.

medical graduate." I stated there was much to be said in favour of the selection of a doctor as one of the members of the Court, that consideration would be given to the honourable senator's proposal, and that, as no doubt the President of the Court, Judge Hyndman, would be consulted, I felt that if he agreed with the suggestion a medical man would be selected. Thereupon the honourable senator withdrew his amendment. At the time I made the statement I thought that while the Pension Act made it obligatory on the Government to appoint as President a judge, or a lawyer of ten years' standing, this obligation did not extend to the qualifications of the other members. I think the honourable senator opposite was under the same impression. I find, however, that the section dealing with these appointments reads:

A person appointed a member of the Court shall be a person who is or has been a judge of a Superior Court or of a County or District Court of any of the provinces of Canada, or a barrister or advocate of at least ten years' standing at the Bar of any of the said provinces.

Since having recourse to the exact wording of the statute, I have made inquiries and find the point was dealt with by the committee. The committee was unanimously of the opinion that, the duties of the Appeal Court being purely of a judicial character, its members should be qualified by training from that standpoint. Consequently the Act so reads.

Hon. Mr. BELAND: I was under the impression that only the Chairman of the Court had to be a judge or a barrister.

Right Hon. Mr. MEIGHEN: It was my impression, too.

Hon. Mr. BELAND: I beg to differ with the right honourable gentleman's statement that the matters which come before the Appeal Court are purely of a legal nature. Within the past four or five days I have read a judgment of the Appeal Court giving its reasons for confirming a decision of the lower court. These reasons are based on the nature, etiology and development of the applicant's disease. I was very much surprised to find that the Court had such an intimate knowledge of medical science. Of course, I may be told that it had the advantage of medical advisers. I am inclined to agree; otherwise I should think the court could not render such a decision. But this makes my point all the stronger.

Right Hon. Mr. MEIGHEN: I did not say the functions of the Appeal Court were purely judicial. I was rather impressed with the honourable senator's argument. But the Pen-