

On section 1—Term of office extended.

Mr. HANSON (York-Sunbury): I should like to make it clear, if I did not do so in my remarks on the second reading of the bill, that when I intimated that in my opinion this court should be strengthened I had no idea of suggesting that it would be strengthened by the retirement of His Lordship the Chief Justice. The Minister of Justice has correctly interpreted my position in that respect, and I have given effect to my view by voting for the second reading. At the moment I felt somewhat at a loss as to what should be done, but I have no doubt about what my course ought to be having regard to the esteem in which I hold the chief justice. On the general principle of this bill, however, I think I am just as right as any man can possibly be on any question about which there may be more than one opinion, and I do think that we ought to have an undertaking from the government, while the house is still in committee, that this will be the last time of asking as a matter of precedent. It should not go any further. The court should be recuperated and built up by a system of promotion, if possible by promotion from the lower appellate court. I wanted to make that explanation because what I meant might be open to misinterpretation. I do say that this court can be immeasurably strengthened by the addition of new blood from the younger members of the bench and bar. With that I shall be content.

Mr. ST. LAURENT: I can assure my hon. friend that whenever the time comes for recommendations to the bench of the Supreme Court of Canada, if I am in the office of minister of justice, I will endeavour to make the best possible recommendations in the interests of the Canadian public. I appreciate, as does my hon. friend, how important it is to the Canadian public that the supreme court should be a strong court.

Mr. HANSON (York-Sunbury): What about a possible recurrence of this legislation? I should like to make it plain that while I should be embarrassed in having to vote against a repetition of this measure, on account of the personality involved, with respect to the principle I shall have no doubt. This should not be repeated another year. I should like to have some assurance now from the Minister of Justice that it will not be repeated. Three years ago when the original bill was passed I was not in the house. I should probably have voted for that bill. I have voted for this bill. I serve notice on the government, however, that it ought not to

[Mr. St. Laurent.]

repeat this another year. There are men on the bench of the Supreme Court of Canada who have a right to aspire to the position of chief justice before they too are ready to retire.

Mr. CHURCH: Law reform is one of the most important matters which Britain has had before it for the last twenty years, but I have yet to see any measure of law reform brought down in this house since I have been a member. My objection to the bill is to judges serving on commissions, away from their judicial duties. I would ask the Minister of Justice to take up this matter. It is not proper. We have one judge who had been trying cases and who is now in Australia making speeches. I may tell the Minister of Justice that this country wants a vast measure of law reform all along the line, and it has been a long time coming. The minister has been in office about a year and I hope he will bring down some general measure of law reform. I suggest that judges should be kept from serving on commissions and there should be a measure of general law reform in the interests of the working classes. We have had no such reform. That was a live question in England for years before the war started and they adopted vast measures of reform to bring the law up to date in many respects. I urge upon the minister the consideration of this question.

Mr. GRAYDON: Following what the hon. member for Broadview (Mr. Church) has said, I should like to add a few words with respect to law reform. I shall not say much because I do not intend making any lengthy address at this stage of the proceedings. What the hon. member says is quite true, but there is something further to be said, and I bring the matter up at this early stage of the session so that the Minister of Justice will have ample notice with a view to having it considered by the house at some appropriate time.

A good many complaints have been made with respect to a practice of some of our judges in certain sections, and this is not confined entirely to county court judges or supreme court or appellate judges. The complaint is that in many parts of Canada there have been extraordinary delays in the handing down of judgments. We might well ask the Minister of Justice to make a survey across Canada if it is within his jurisdiction to do so. I know he will shake his head and say it is not. But the government has assumed extensive powers and jurisdiction over many things in this wartime period and I ask the minister to consider a survey across the country to find out what judges are handing