

the hon. member for Lake Centre thought I was on the other side of the question, that there is some argument on the other side. I ask the government to recognize that we still have parliamentary democracy, and that more attention should be paid to the rights, and the courtesies, if you will, due to private members in this house.

I should like to make a comment on the substance of the legislation. I do not share the objection that is sometimes made to the use of judges for functions other than those restricted to the court room. I believe there is something to be said for the use of men holding the objective position that judges hold in handling matters which are outside of our courts and quasi-judicial. Organized labour is most grateful for the contribution that has been made to the building up of labour jurisprudence through the use of judges in that field. I believe there is merit in the government's suggestion that the matter of freight rates is so close to being judicial that it would be a good idea to have a judge as chairman of that board.

I felt that the best that could be said for the minister's presentation of the case this morning was to note his frankness in admitting that this legislation is an arrangement to make it possible to get a judge for this position.

Mr. ILSLEY: That is right.

Mr. KNOWLES: Perhaps the minister is trying to steal the thunder of some of the opposition. Perhaps the minister was afraid that somebody would call it a device, but at any rate he stated frankly that the purpose of this legislation was to make it possible to induce a judge to leave the bench and take on this job, which is limited to a period of ten years. The device is ingenious and novel, but there is one suggestion I should like to make to the minister. Having admitted, first of all, that is was a special arrangement, the minister then said that it seemed to the government that there was a relationship between the duties of the exchequer court and the duties of the board of transport commissioners. I gathered the minister felt that a judge who had had exchequer court experience would be better qualified for this work than judges of other courts. It may be that under present circumstances Mr. Justice Archibald strikes the government as the man best suited for the position. But in future—and I should hope this might be incorporated in the legislation—if the basis of this legislation is that there is some relationship between exchequer court work and the work of the board of transport commissioners, should it not be arranged that the chairman of that board be chosen from among the judges

of the exchequer court who have had some experience in that court?

As the legislation now stands the door is left open for the hon. member for Eglinton to make the kind of remarks he did make this morning, that the proposed bill permits the appointment of a judge from some other court to the exchequer court for the express purpose of going immediately to the chairmanship of the board of transport commissioners. I wonder if the minister gave any thought to the suggestion that the choice be made from among those who have first served two, three or five years, if you will, in the exchequer court. That, I believe, would remove some of the element of this being a device, and would carry out the suggestion the minister made, namely, that there is a relationship between the kind of work dealt with in the exchequer court and the work done here. I say the idea itself seems to have merit but, the minister himself having admitted that it is an arrangement, perhaps he would consider this latter point a little further.

Mr. MACDONNELL (Muskoka-Ontario): I rise not for the purpose of making a speech on behalf of the Minister of Justice, but to make one or two comments as to what was said by the hon. member for Macleod, as well as one or two on my own behalf.

It seems to me that however good an answer there may be, in the actual words used by the Prime Minister, to the criticism made by the hon. member for Macleod, in substance it is sound and just. It seems to me that we are choosing the very worst time to lessen the dignity and authority of parliamentary institutions, and by that I mean a time when people, from our point of view wicked people, are trying in almost every way to undermine them.

I shall not labour the point. But I repeat what has been said so often, that it seems inevitable that when people have held power many years, certain things happen to them. Apparently they find it impossible to act in the way they would have acted when power was not so important to them. In some ways they become above themselves.

The other thing I wish to say is this. It seems to me there is an incidental disadvantage in what has been done in that we have the name of a certain gentleman announced as the person who is to be appointed if this legislation is passed. Therefore we cannot discuss the matter in as detached a manner, on its merits, as we should be able to do; because we already have the name of that man injected into the situation.