

—has said, "Consistency, thou art a jewel." For years we have had on the Statute Book a law which prohibits a member of the Board of Railway Commissioners from continuing in office after he is seventy-five years of age. Not long ago a very distinguished member of the Railway Commission was removed because he had reached that age.

Let us come nearer home and consider what happens to employees of the various departments of the Government service. For some years past the rule has been, and so far as I know it still is, that if a Minister desires to retain the services of a particularly valuable employee who has reached the age of seventy years, he must go through a certain procedure, including the making of a requisition, and even when this is effective the employment is extended only one year; so the same procedure has to be gone through year by year so long as the Minister wishes to retain that employee. And employees of both the great railway systems of Canada are usually retired automatically at the age of sixty-five years. There are some exceptions to this rule, extensions being sometimes granted for one year or, if an employee is particularly efficient mentally and physically, for two or three years.

From both sides of the House this afternoon we have heard eloquent pleas on behalf of a few brilliant and capable gentlemen who were chosen to adorn the Bench of Canada and who, after serving for fifteen, twenty or more years with credit to themselves and the country, have now reached the age of seventy-five. This is five years more than the allotted span of life as set out in Holy Writ. We are told that it is a deplorable thing to take these men out of service merely because of their age and say to them—to use a railroad term: "Go on spot for the rest of your life. You will have five, six or seven thousand dollars a year coming to you because of the regard of the people for the worth and ability that you have displayed in the service of Canada." How terrible, how cruel, is such a proposal as we have heard it described on both sides of this Chamber!

My good friend who sits directly opposite me (Hon. Mr. Beaubien) states that this Bill is unnecessary, because, if a judge is alleged to be physically or mentally incapacitated, a Royal Commission or some other investigating body can be set up and can decide whether the allegation is well founded. But what a cruel procedure that would be, to take a distinguished judge who has served his country well for many years, and who believes himself to be as competent as ever, and subject him to an inquiry into his fitness.

Some people believe that certain other persons, who have not reached anything like the age of seventy-five, are incapable of carrying on the work they are doing. It is often a question of the point of view. Any judge who was subjected to such an inquiry as provided for by the present law would be regarded from one end of Canada to the other as incompetent.

The honourable senator from North York (Hon. Sir Allen Aylesworth) contended that this measure would result in the violation of contracts. But does not the passing of time bring about different conditions and necessitate the changing of arrangements? In this age of technocracy there are, it is said, approximately one million persons unemployed in Canada. A number of them who, as I happen to know, have spent a good many years and a great deal of money in the acquirement of legal knowledge and experience, are not doing very well to-day, some being almost as badly off as many of our railroad men and other citizens are.

The provisions of the Bill are logical and consistent, and, I think, in line with all comparable regulations of which we have knowledge, in Canada or elsewhere. The proposal is simply that judges who have served their country well and have attained to the age of seventy-five years will be "placed on spot" with a substantial salary for the remainder of their lives. It seems to me, though I may be entirely wrong, that some of the objections that have been raised to the measure here have their root in the thought that if we agree to this proposal concerning the judges we shall be compelled later on, for the sake of consistency, to take a similar stand with respect to members of the Senate. I am willing to vote right now for a similar provision applicable to all who have become members of this Chamber since the 1st of March, 1930. I believe the people of Canada would approve of such a measure. In saying this I am not opposing in any way the remarks of the distinguished senator from North York as to honourable members on both sides of the House who have reached or passed the age of seventy-five years. I believe that as surely as I am standing on my feet just now the time is coming when we shall have a regulation, similar to the one proposed in this Bill, applicable to members of the Senate. I repeat that I am ready to vote right now for such a regulation, applicable to all who have become senators since the 1st of March, 1930—the others, we should hope, being spared to reach a good old age in the service of the public.