

istration of the law courts. They are asked to leave their judicial duties and take appointments to consider many matters under sections 91 and 92 of the British North America Act. In the province of Ontario this practice has seriously interfered with the administration of justice. As we know, there are twelve high court judges on circuit in that province, some of whom at times have been ill, with the result that the bulk of the work has had to be done by the others, and with the judges absent on commissions the work is delayed.

Then we come to the county court judges in Canada, the appointments of whom are controlled by the Minister of Justice. I could mention one able judge in the county of York, Judge Morson, who, although over the age limit when he was retired trained thirty or forty hon. members I see in the house to-day as students at law. It takes five or six men to do his work now, and even then they cannot do it. I ask the hon. member for Peel (Mr. Graydon) if that is not right; he knows it. In these days some members of the county court bench are serving on rent commissions, and blackouts and various other commissions. Some of them in Ontario do nothing else but serve on commissions about blackouts. Others are out on food and rent control, with the result that some of them have scarcely ever tried a case.

We should follow the law of England, and make it clear that once judges are appointed they shall act continuously as judicial officers. Under section 91 of the British North America Act they have certain powers in the federal law courts. Then, in addition, powers are given them under section 92 of the British North America Act. Some of these learned gentlemen are away from their judicial duties for long periods of time, and this condition at times seriously interferes with the proper administration of justice in the courts in Canada. Only recently in Ontario on two or three occasions courts have had to adjourn because of the condition I have described. I ask the minister to consider these points in connection with the whole question of law reform.

I have no particular objection to the bill. I have known the chief justice of this court for a long time, but I believe the principle I have enunciated is a wise one, namely that once judges leave political life and legal practice they should be placed in their positions with good salaries, and that careful provision should be made for them by the government so that we may have a proper judicial service, as we have had in the past. I do not agree with part of what the hon. member for Rosetown-Biggart (Mr. Coldwell)

has to say on the point as to the United States. He was referring to the United States, of course. Everybody in the United States who becomes a lawyer is called judge—because if he is not a judge to-day, certainly he hopes to be a judge to-morrow on a change of government. We in Canada are also becoming a nation of judges.

I do ask the Minister of Justice to consider these points in connection with law reform and any appointments he may make. I can tell him this, that some of the younger men who have been appointed to the bench cannot stand the pace of attending the circuit courts throughout the country; they find particularly trying the heavy assize lists in Ontario. Some of them have not the physical strength to stand it as did some of the older judges of a few years ago, such as Judge Morson and others I could mention.

Mr. A. R. ADAMSON (York West): Mr. Speaker, as an official witness on the Hong Kong inquiry and having read in some detail the evidence there given, I regret that I cannot reconcile that with the official report; and I am therefore forced to oppose the bill.

Hon. L. S. ST. LAURENT (Minister of Justice): Mr. Speaker, may I express my appreciation of the remarks of the hon. member for York-Sunbury (Mr. Hanson) with respect to the bill. I can assure him that with all the general principles he has enunciated I am in entire agreement. As he himself has said, there are occasions which call for some exceptions to even the best of rules.

The hon. member inquired whether this legislation was introduced with the consent of the right hon. the Chief Justice of Canada, and whether or not there was any ulterior purpose to be served by extending his term of office for another year. I give him my assurance that there is no ulterior purpose whatsoever. The only reason for the introduction of the bill is that it was found that the health of the right hon. the chief justice was remarkably good, and at the end of the last calendar year he was asked if in the event of parliament agreeing to the extension of the term, he would consent to perform for a further period the duties connected with the chief-justiceship.

As hon. members are aware, three years ago the right hon. the chief justice was entitled by law to retire with a retiring allowance equal to his full salary—to all indemnity whatsoever he received from the crown in his capacity of chief justice.