

know what he based that suggestion on if there is no further letter from Dr. Mohler.

Mr. MOTHERWELL: If the hon. member will wait—he asked me for my files—he shall have everything in consecutive order. The next letter I have that I think will be of interest deals with the question raised by the hon. member for Vancouver South (Mr. Ladner). He took the ground that he did not think Dr. Torrance had been quite fairly dealt with in the matter of his annuity, in that he had been led to believe that he would get \$1,500 based upon seventeen or eighteen years' service, whereas he was allowed only \$900 based on eleven years' service. I think it is quite obvious that we could not make any such arrangement inasmuch as the amount of annuity is governed by statute, and I believe I can show that I made this quite plain to Dr. Torrance in my correspondence. Here is my letter in reply to Dr. Torrance, which I think clearly indicates the nature of his letter to me, and therefore in order to expedite matters I will not read his letter unless the committee so request. I have all the orders in council that were passed in connection with this matter, but I do not want to clutter up Hansard with all these documents. On August 29, 1923, I wrote to Dr. Torrance as follows:

Dear Doctor,—

On my return to the city this morning I find your favour of the 22nd instant awaiting my attention. Replying, I note what you say with respect to the decision of those having authority in such matters, that your retiring annuity under the terms of the Calder Act would be approximately \$900 instead of \$1,500 as anticipated.

When you decided to retire under the terms of the Calder Act you and I could not possibly come to any agreement as to the definite amount of the annuity, as that was, as I understood it, determined by the act itself which I had not then consulted.

What I did agree to was that I would recommend to my colleagues that, in addition to any annuity you might be entitled to, you would also receive six months' leave of absence (including the legal two months) with pay, and that I have done. This was subsequently authorized and is now being paid. But this recommendation was discretionary on my part, while the Calder Act, like most other legislation, was mandatory and therefore obviously beyond my power to change or depart from.

Regretting any misunderstanding you may have experienced respecting the amount of annuity connected with your retirement, I am,

Yours very truly.

Then later Dr. Grisdale had some correspondence with him. On January 8, Dr. Grisdale wrote to Dr. Torrance as follows:

Dear Dr. Torrance,—

I have your letter of the 5th instant, in regard to your retirement, and as you will note if you read the order in council, a copy of which was sent to you—the minister did recommend that your period of ser-

vice should be counted from 1906, and his report to council along these lines was signed and submitted, but representations were made to the Treasury Board by the Auditor General, and it was upon these representations that the period of service, and, consequently the amount of the annuity was reduced. I can assure you that as far as the minister, the department and the Civil Service Commission were concerned, all possible steps were taken to have your annuity based on the seventeen years service, but in view of the criticisms of the Auditor General, the Treasury Board saw fit to modify the recommendation.

Yours very truly,

To that Dr. Torrance replied from Guelph on January 14, as follows:

Dear Dr. Grisdale,—

I beg to acknowledge the receipt of your letter of the 8th inst. and am glad to know that both the minister and yourself did what you could to have my annuity based on seventeen years' service as I was led to expect.

I regret that your efforts and those of the minister were unsuccessful.

Yours sincerely,

Now, that is the end of the correspondence.

Mr. STEVENS: Is there a letter in the file dated January 5?

Mr. MOTHERWELL: Yes, from Dr. Torrance to Dr. Grisdale. Does my hon. friend wish me to read that?

Mr. STEVENS: Yes.

Mr. MOTHERWELL: It is as follows:

Dear Dr. Grisdale,—

I beg to acknowledge the receipt of your letter of the 2nd inst. enclosing cheque for a gratuity of two months' salary and a copy of the order in council respecting my retirement.

I regret that the government has not seen fit to carry out the terms of my retirement as stated to me by Hon. Mr. Motherwell as it appears to me to be a distinct breach of faith not to have done so. I was induced to retire on certain statements of his in regard to the matter and I had no doubt that they would be honourably carried out.

Yours sincerely,

I have already quoted the letter from Dr. Grisdale indicating to Dr. Torrance that my recommendation in the matter had corresponded with Dr. Torrance's expectations but that the Audit Board would not let it go through. Now what information had the Audit Board on which to base their decision? This is information, I may say, that I had not at the beginning, neither had I the Calder Act before me to make a computation, even had I known the number of years that Dr. Torrance claimed his retirement should have been based upon. Here is a letter written by Mr. Jarvis to the secretary of the Civil Service Commission, dated August 21, 1914, on the question of the length of time the Audit Board and the Auditor General thought should be counted as continuous service on the part of Dr. Torrance. The letter reads: