

Hon. Mr. FOSTER: Honourable gentlemen, I am not going to take any exception to the item under consideration, or move any amendment to this Bill; but because I hope it will come up in the future, I want to put myself on record in opposition to the clause just referred to by the honourable leader of the House. I have in mind three instances of grave injustice being done to worthy members of the bench of the province from which I come. One is the acting Chief Justice of the Superior Court; the others are judges of the Superior Court who have served the full term of 25 years, and are entitled to retire. During that time these men, at small or inadequate salaries, have served the public faithfully and well, and have looked forward to an increase in their salaries, which has been promised them by different Governments and by different law societies which have been interested in this question. Those gentlemen—the acting Chief Justice of the Superior Court at Montreal, another judge in Montreal, and one in Quebec city—have been entitled to retire; but, because they were able to discharge their duties faithfully and well, and because their services were needed in their judicial districts, they have continued to exercise their functions. They now find themselves, according to the statement which the honourable leader gives, in this position. If the Chief Justice, for instance, retired to-morrow or in six months, instead of getting \$10,000 as a retiring allowance, he would receive an allowance of only \$8,000. In other words, the man who has borne the brunt of the troubles of the bench in that district, does not get the benefit of one single cent by reason of this increase. It seems to me that in a measure of this kind, which is broad and sweeping and is intended to do justice to everybody, it is wrong to make an exception in cases such as this. I do not think that the public interest would have been injured, and on the contrary I think that a very wise example would have been set if these exceptions had not been made—if these men who served 26 and 28 years at the miserable salary of \$7,000 were enabled to retire with the full benefit of this increase. So far as I am concerned, I am never going to be satisfied that this law has done full justice to the Bench. It is an injustice to those men. While on the last day and in the closing hours of the session I do not intend to speak further on the matter, I hope to live till next year when we can see justice done

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to these men and others who will suffer grave injustice under the Bill that is being passed to-day.

Hon. Mr. FOWLER: You will not find the people weeping many sad tears over their fate.

Hon. Mr. FOSTER: Notwithstanding my honourable friend's sarcasm there are many who will resent this action, among the public as well as on the bench and at the bar.

Section 13 was agreed to.

Section 14 was agreed to.

The preamble and the title were agreed to.

The Bill was reported without amendment.

### THIRD READING.

On motion of Hon. Sir James Lougheed, the Bill was read the third time and passed.

## PUBLIC SERVANTS RETIREMENT BILL.

### FIRST READING.

A message was received from the House of Commons, with Bill 120, an Act to provide for the retirement of certain members of the public service.

The Bill was read the first time.

### SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of the Bill.

The motion was agreed to, and the Bill was read the second time.

### CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into Committee on the Bill. Hon. Mr. Gordon in the Chair.

Hon. Mr. BOSTOCK: I desire to call the attention of the House to this Bill, because I think there is in it a matter with which we should deal. The definition clause provides that "deputy head" includes the Clerk of the Senate and the Clerk of the House of Commons. Section 2 of the Bill says:

The Civil Service Commission shall, immediately after the passing of this Act and after consultation with the deputy heads,—

That is, in the case of the Senate, with the Clerk of the Senate—

—prepare and submit to the Governor in Council...

In the Act which we are amending, namely, chapter 17 of the Revised Statutes, there is this exception in the interpretation clause, section 2, paragraph c: