

reference to Judge Morson in York county. No one can be found to do the work he did, with the result that four or five men are now trying to do it, and still they cannot do it as well as he did. Six hundred members of the Toronto bar presented a petition to the late minister of justice, and he said that so long as Judge Morson wished to stay he would not be retired. And yet the party which appointed him, the last appointee of Sir John A. Macdonald, never gave him any notice of his retirement. He was going down King street one day on his way to the Woodbine, and upon buying a newspaper he found that he had been retired by a Conservative government.

I believe there should be a principle of law reform in connection with this matter. We have never had any sort of reform in the Department of Justice, and I hope the minister will consider it.

Mr. MACDONALD (Brantford City): From the discussion which has taken place thus far it might appear that parliament is conferring a great favour upon the chief justice by keeping him in office another year. The facts however are to the contrary. The chief justice is conferring a favour upon the people of Canada by remaining in office for another year. As has already been pointed out—and this should be emphasized—if the chief justice retired at the present time he would for the remainder of his life receive an amount equal to his salary at the time of his retirement. As the Minister of Justice has said, his salary is \$15,000 a year; therefore by remaining in office he actually saves the country that amount each year. If he were to retire he would continue to receive that sum, and the man appointed in his place would receive a like amount.

In this time of war many men who ordinarily would retire from active life are continuing in their work. Younger men are entering the armed forces, and those who are older feel they should do their utmost as long as they can. I am sure the present chief justice would be happy to retire from his task, a most arduous one, and enjoy the things he would like to do when freed from his office duties. But with his keen sense of patriotism he feels he should remain in office as long as he can serve his country. Instead of taking the attitude that we are conferring a favour upon him, we should be indebted to him for his willingness to remain in office another year.

Mr. FRASER (Peterborough West): May I inquire just how much of a favour the chief justice is doing us by remaining in

[Mr. Church.]

office? On what basis does the chief justice pay income tax on the \$15,000? And, answering the hon. member for Brantford City, if the chief justice made even one mistake it might cost the country more than \$15,000. I do not feel it is a favour to the country to keep a man in office if he is over age. Perhaps the hon. member for Brantford City could fill his shoes.

Mr. MACDONALD (Brantford City): Oh no, I am sure I could not.

Mr. FRASER (Peterborough West): I feel that there are other hon. members in the house and other persons throughout Canada who could fill the job. Does the chief justice pay a special rate on his income, or does he pay as you and I?

Mr. ST. LAURENT: The Chief Justice of Canada, like every other citizen in Canada, follows the laws of Canada and pays on the same basis as other citizens.

Mr. HANSON (York-Sunbury): Is the minister quite sure of that? I thought there was a special provision; that is my recollection.

Mr. ST. LAURENT: If the hon. member had received the letters I received from judges since the last budget was adopted, he would be under no misapprehension in that regard.

Mr. HANSON (York-Sunbury): There is a special provision, though.

Mr. COLDWELL: Generally speaking how is the work of the judges evaluated?

Mr. ST. LAURENT: Judges in the provincial courts are appointed and paid by the federal government. The administration of justice in the provinces is a matter of provincial jurisdiction. In two instances since I assumed office a little over a year ago attorneys general from two provinces made representations to the effect that certain gentlemen were no longer capable of carrying out the duties of their office. After making some discreet investigations—and these cannot be public investigations, of course—I took advantage of the provisions of a statute which has been on the books for some years, and wrote to the gentlemen concerned pointing out that representations had been made that they were no longer in a fit state of health to discharge the responsibilities of their office. Of course they were under no obligation to take my opinion, which had been formed from the information I had received, but it was indicated that if they were not disposed to accept my opinion I should feel compelled to appoint a commission under the statute to inquire into their