

it has been pointed out to me that there is really one Chief Justice of the Superior Court of Quebec, and one Chief Justice of the Appeal Court. I have never attempted to resolve the question of precedence as between the two, and I do not know that the act has done so, either.

Hon. Mr. Flynn: I do not know. I have not had the time to examine the acts which could settle the problem. However, there is no doubt that in Quebec the chief justice of the province usually has been considered as being the Chief Justice of the Appeal Court. He is called the chief justice of the province. My colleague will remember that usually he is the one who acts as the administrator of the province, because he is considered as the senior member of the judiciary.

Hon. Mr. Connolly (Ottawa West): I would think, for what the remark is worth, that the language in the statute is used by design, because I understand that the office in each province is designated in the words that are used in section 6. Perhaps that might resolve the problem.

Hon. Mr. Flynn: I suppose the designation of "chief justice" will be found in the Judicature Act.

Hon. Mr. Connolly (Ottawa West): I think the language is precise.

Hon. Mr. Flynn: The way it is expressed in this bill leaves it open to interpretation.

Finally, honourable senators, as I have said, I am not fully convinced of the purport of paragraph (b) of section 13. I have no personal opinion as to whether or not the system of dual ridings is good. It may be that in large cities dual ridings might be a good thing, but if such is the case, why restrict the power of the commissions to the only two existing ridings? Would it not be a good idea to ask the commissions to recommend—

Hon. Mr. Isnor: The commissions may recommend dual ridings, or otherwise, but not that they must do so.

Hon. Mr. Flynn: I am sorry, but I think if we read the wording of the bill correctly, it will be found that it applies only to the continuation of the two existing dual ridings. The provision applies only to the commission for Prince Edward Island and to the commission for Nova Scotia.

Paragraph (b) states:

where, immediately before this Act was assented to, provision was made for any electoral district in the province to be represented by two members of the House of Commons, the commission may—

That applies only in these two cases. Therefore, if it were found to be a good thing to establish other dual ridings, commissions could not do it elsewhere than in Nova Scotia and Prince Edward Island, and only with respect to the continuation of the two presently existing dual ridings.

Those are two comments which I submit to the Senate, and possibly to the special attention of the Leader of the Government (Hon. Mr. Connolly, Ottawa West). I merely wish to say that we are all in agreement with the principles, and, as was said by my leader (Hon. Mr. Brooks), I thank the sponsor of the bill (Hon. Mr. Power) who certainly has shown his very wide experience in this field. He has explained the changes which would be brought into the system which has prevailed until now. A bill having the same principle was before the House of Commons in March 1962 and another early in 1963, sponsored by the former government, which shows clearly that we are all unanimous in wanting to apply definitely the principles of fairness which should govern the redistribution of our electoral ridings.

Hon. T. A. Crerar: Honourable senators, the first thing I wish to say is that we are indebted to Senator Power for a lucid explanation of this bill. Without any question, this measure is a march forward from the existing method of apportioning our federal constituencies, and a substantial step in advance of some of the methods which hitherto existed in arriving at constituency boundaries.

In the democratic system of representative government it is always open to us to make progress, and I think it is satisfying that as the years pass we appear to be arriving at sounder principles of establishing our federal constituencies.

There was a time in British history when they had what was known as the "rotten boroughs". The rotten borough was usually a territory that was under the control of some titled nobleman, and his selection for a candidate of Parliament at Westminster was always elected, or almost always. Occasionally his authority was challenged, but only occasionally. In this country we left the job to the Parliament of Canada. There have been occasions in the past, as I think Senator Power will agree, when both the old parties were tempted to indulge in unfair practices in drawing constituency boundaries, and they would endeavour to give the supporters of one party, if possible, in one constituency, and leave it open to another one or two constituencies, perhaps, to be favoured by the opposite party. That, of course, is scarcely