

generally the Government have good officials in that particular line. It was not a political appointment, because the man I speak of held for many years the position of secretary of the Liberal Association in the county of Haldimand. He lost his son and son-in-law, both officers, overseas, and he deserved the appointment. He was formerly in the registry office, he is a first-class official, and I want to take this opportunity of complimenting the Government upon appointing such a man.

I believe there should be such a man in every district of the country. As the member for East Hastings (Mr. T. H. Thompson) has stated, the idea is that people should get this information in order that they may be instructed as to what the law is, and how the tax should be paid, and that they should get the proper forms and fill them out correctly.

Mr. T. H. THOMPSON: Perhaps my remarks were misunderstood. The officer in charge, in the case referred to, is a competent man and I believe is trying to do his duty. I was speaking in the public interest, and dealing with the distance that people will have to travel in order to get in touch with the officer.

Mr. ROBB: Before the clause carries, I would point out that owing to the discussion which has taken place I have not received a reply from the Minister of Finance.

Sir THOMAS WHITE: My hon. friend from Maisonneuve has raised the question of the principle that is involved in the exemption of judges from the provisions of the Income Tax Act. The point is that a bargain was made with the judges when they accepted office that they would receive their compensation, including their pension, free of any deduction whatsoever made by, or under the authority of, the Parliament of Canada. Now let us regard the situation for a moment. Take the case of an eminent lawyer who is making twenty-five, thirty, or forty thousand dollars a year, or not so much for that matter. Say he goes upon the bench. He accepts a salary of \$8,000, let us say, or \$10,000, with provision for a retiring allowance. Now, the terms of his engagement are governed by the Judges Act, which expressly provides that he is to receive the whole of that amount without reduction. That is the bargain that is made between him and the Government, and Parliament, for that matter, when he accepts office, and I submit that the question before the committee is as to whether the Government would be justified in imposing

income taxation upon those judges who have accepted their appointment on a definite, positive understanding governed by legislation. I have no hesitation in saying for myself that I think it would be inadvisable for the Dominion Government to enact legislation of that kind. I understand, I think, fully, the views of hon. members who feel that the judges should be assessed. They proceed upon the assumption that as everybody else receiving an income beyond the exemption is liable for income tax so should the judges be. I submit the distinction lies in the bargain to which I have referred between the judges on the one hand and the Parliament and the people of Canada on the other. It is a question of whether we are going to follow a contract or not. In the amendment which we suggest we propose that income taxation shall apply to those who are appointed from the date of this legislation. In other words we are not adopting retroactive legislation, which would have the effect of breaking contracts entered into by the judges with the Government and people of Canada, but it will apply to future appointments. The justification of the amendment which we propose is this: that although we have the Judges Act, no lawyer accepting appointment as a judge hereafter can allege that he should not be liable to assessment under the income tax by reason of the provisions of that Act because he will be aware, as all citizens are deemed to be aware, of the provisions in the legislation which we are now enacting. It is undoubtedly a question of whether the Government should break its contract with the judiciary. The judiciary has always been regarded as being in a peculiar position, and rightly so, under the constitution, a position of great independence so far as the Government of the day is concerned; and I believe it is in the national interest that any contract or agreement that we have with the Judiciary enacted in a law by this Parliament, as it is in the case in question, should be scrupulously observed. It may be that no untoward results would ensue if we were to make all judges, who are exempt under the Judges Act, liable to income taxation, but I submit that the preservation of the principle is important and should be respected by the Government and by Parliament.

Mr. McKENZIE: I fully agree with what the Minister of Finance says that the statute governing the appointment of judges and their responsibilities, as far as contribution to municipal and other taxes are