

and I am not sure whether, of the two Judges to remain on the island, one was not to be stationed at some other point than Victoria. I observe by the *Gazette* that at a very late period, within a few days of the opening of this Session, the appointment of two Judges was made to the Bench in British Columbia, and I should like to obtain the papers referred to in the motion.

Motion agreed to.

#### JUDICIAL WORK IN QUEBEC.

Mr. BLAKE, in moving for copies of all statements, or representations, or correspondence on the subject of the distribution of the judicial work of the Province of Quebec, said: I observe that there is a proposition to add to our judicial staff by appointing a judge or judges in the Province of Quebec. This subject was under discussion during the time I held the office of Minister of Justice, and it came up in more than one shape—upon representations made at one time by the bar, at another time by some of the judges, and, I think, at another time by the Local Government. Considerable attention was given to the subject, and I certainly came to the conclusion that a re-distribution of judicial work amongst the staff of judges in the Province of Quebec would render it entirely unnecessary to make any accession to their numbers. I believe that there was, at one time, in the district of Montreal, a very considerable pressure upon the judges. That pressure ought, to some extent, to have been since relieved, because it was very largely caused by the operation of the Insolvency Act, and one proposal before us—which I did not feel at liberty to adopt—was, that we should invite legislation for the appointment of a special insolvency judge for the city of Montreal, in order to relieve the judges of a share of their judicial duties. That difficulty has been got rid of by the repeal of the Insolvency Act, and the administration of the estates of debtors, under the law of Lower Canada, is, I understand, managed through the Sheriff. Well, it seemed to me then—and I have heard nothing to induce me to depart from that view—that there ought to be a reconsideration of the whole question of the distribution of the judicial work of the Province, before proposals were made to the Legislature for an increase in the staff of judges at the expense of the country; and I believe the hon. Minister of Justice will find on record in his office—and if he has not got it, I hope he will obtain it—information of the fact, that in several districts, the judges have, I might say, almost literally, nothing to do—that there are districts in which the work is almost nominal, and in which it will be extremely easy to arrange the work so as to obtain all the advantages of a local judge, and yet to utilize his services for a considerable period in other places. I remembered to have read in the public prints—where this question has been for some time agitated, not long ago, a letter from a very acute judge, Judge Ramsay, upon the subject. I think it will be found this letter states distinctly—I speak only from a distant memory of it—the opinion that there is, upon a proper re-organization of the judicial work, quite sufficient judicial strength to discharge the whole of that work. It is material, in view of the proposed legislation, that we should have before us all the information possible on this subject, because I think the public mind may well view with alarm the increases which are taking place, year after year, in the cost of the administration of justice. As I have observed more than once, we have to be unusually jealous with regard to this expenditure, because the fact is that it is not the authority which pays that creates the office. If the provinces had to pay the salaries of the judges whom they legislate into existence, there would be, of course, that check upon their creating the offices; but so long as a province believes that all that it has got to do is to create a judgeship, and it will

Mr. BLAKE.

be, by courtesy, the duty of the Dominion to provide the salary, so long will you have a tolerably lavish creation of judgeships by the province and an intolerably onerous expenditure by the Dominion. I repeat the argument that I have formerly advanced, and it seems to me conclusive in favor of our being entitled and of its being our duty, on any occasion of this description, to investigate into the necessity of the creation of the office, and not to take it as a matter of course, that the funds of the Dominion are to be burdened with the payment of a large salary, because any particular province chooses to create a fresh judgeship. I do not desire to anticipate the discussion which will take place on the hon. gentleman's measure, but to lay a basis for an intelligent discussion of that subject by obtaining the information necessary for that discussion.

Mr. McDONALD (Pictou). Of course, it is obviously better in every way, that the discussion to which the hon. gentleman referred should take place, on the resolution of which I have given notice. I am not aware whether there is any correspondence of the character referred to in the hon. gentleman's notice, but whatever correspondence there is will be brought down.

Motion agreed to.

#### SURVEYS OF THE RIVER THAMES.

Mr. STEPHENSON moved for copies of any reports or surveys made since last Session, of the river Thames, from Chatham to the city of London, with the view to the improvement of the navigation of that river.

Motion agreed to.

#### RONDEAU HARBOR OF REFUGE.

Mr. STEPHENSON moved for returns showing the names of parties who tendered to perform the work advertised during the present year in connection with the improvement of the Harbor of Refuge at Rondeau, together with the prices named by said tenderers for the performance of said work.

Motion agreed to; and (at 10:40 o'clock, p.m.) the House adjourned.

### HOUSE OF COMMONS,

FRIDAY, 17th December, 1880.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### PERSONAL EXPLANATION.

Mr. COURSOL. Before the Orders of the Day are called, I desire to bring before the House a matter personal to myself. I call attention to the report of Mr. McDougall, the Auditor-General, which has just been distributed to hon. members. In that report I find a letter signed by him and addressed to the Speaker of the House, under the date of 24th November last, in which it is stated that three members of this House, Messrs. Coursol, Mongenais and Ferguson, had received their full indemnity, although they had been absent during a portion of the Session. Another inaccuracy on the part of the Auditor-General is, that Mr. Ferguson's name is mentioned in his letter instead of that of Mr. Ryan, showing that this official was not well informed in regard to the hon. members who had been absent. If I left this letter unchallenged it would evidently imply that I had received, from the Treasurer of this House, an official cheque to which I had no right; and those who read the Public Accounts only might be under the impression that