

During the whole of the term this case has stopped all the others because it was the first on the list, and that the parties were going on with the *enquête*. I will appeal to my hon. *confrères* of the Bar. They know how long an *enquête* lasts, when there is a number of witnesses; they know that six, or even twelve, days do not represent much time, for they know that an *enquête* sometimes takes twenty-four and even thirty days before it is closed. Here is, therefore, a single case, which may have taken up the time of the Court for two years, and during all that time, all contested cases are standing over; at each term witnesses have to be called, so that the case shall not go by default, and the term is closed without there having been any possibility of going on with the proceedings. That is the kind of justice we have at Chicoutimi. Once more, this is not the fault of the Judge; he does his duty; it is the fault of the system. There should be a Judge at Chicoutimi, and a Judge at La Beauce; they are now the only two districts that do not possess a resident Judge. I will now, Mr. Speaker, apologize to the House for having taken the liberty of addressing it for so long a time. I beg its pardon, I, from the country, a poorly-educated, not very intelligent man, whose intelligence has grown somewhat rusty after but nine years of practice, for having dared to address an assembly composed of men as intelligent and as educated as those who constitute the present House.

Mr. CASGRAIN. Before this motion is passed, I should like to make a few remarks. It may seem presumptuous on my part, after the speech that has just been delivered by the hon. member for West Durham, to make these remarks, but I am encouraged after hearing the speech of the hon. President of the Council—

Mr. MOUSSEAU. The Archbishop of Saragossa.

Mr. CASGRAIN. Yes, I think the Archbishop of Saragossa is beginning to spin out his homilies, and it is time Gil Blas should be behind him to make him cut them shorter. To come back to the question before us, I say that it simply amounts to this: Is it urgent to appoint a Judge in Montreal on the request that has been made us by the Quebec Legislature? I am given to understand that the lists have for some time past been more than full, but I see to-day that these lists are far less so, especially since we sent to Montreal Judge Caron, who has despatched business with a promptitude unknown until then, and I think we could dispense with appointing another Judge. There is no doubt but that the judicial system of the Province of Quebec, *i.e.*, the form of procedure in vogue is excessively long, that it is the cause of delays detrimental to the interests of the public; under it there are cases pending before the tribunals for years and years, and I could mention a number of such. I do not wish to take up the time of the House in naming any particular cases, but I assert as a fact that there is to-day, spread throughout the whole Province of Quebec, a desire, a wish, a feeling that it is necessary to adopt a Code of Procedure entirely different from our present one, and I think we should have had it a long time ago, had we but taken pains to give satisfaction to the wants and wishes of the population. I must tell the House that about two years ago a new system, likely to abridge the length and shorten the delays of the present Procedure was prepared, but the Attorney-General of the day, Mr. David Ross, went out of office, and was thus unable to accomplish the task he had set himself. I hear that to day the Attorney-General for the Province of Quebec has expressed his intention of substituting a system for this one, and it is even said that he would wish to adopt for the Province of Quebec the Code of Procedure in use in the State of New York. That would be making a grand move in the right direction. For a number of years we have been floundering about in our old system of Procedure, which goes back two hundred years -- to that of Pigeau. In these days

Mr. CIMON,

we do not live as we did two hundred years ago; now that we have such rapid means of transit, we live in a year what we formerly lived in twelve. We wish to expedite business considerably; we want to go into a court of justice as into a bank and say: "There is so much coming to me and I want it." It is all very well to laugh about it, but in the Province of Quebec we have fallen even behind the old French Procedure. In those days, one said to one's debtor: "Pay me what thou owest," and one could get out one's execution in a moment. Nowadays, in the case of a debt for a determined amount, one has to ask the Clerk of the Court for a summons enjoining upon the party to appear at such a date; then there are eight days to file a plea, another eight days to appear, two days to inscribe for *enquête*, and when, after all this a judgment has been obtained, one has to wait another fifteen days before taking out an execution. As a consequence, persons having claims dare not press them before the tribunals, but prefer making large sacrifices. Such a system is defective. In holding Circuits, the facility there is of approaching the places where they are held should be taken into consideration. The Clerk of the Court of Louisiana explained to me once the manner adopted in that State for following circuits and administering justice; it was by following the line of railways. There is another great disadvantage in allowing Judges to reside in the country. It is said, with some show of reason; that the Judges get "rusty" in the country; no one will deny it. There is a very good reason for this, and it is that Judges and lawyers cannot in the country enjoy the advantages which they derive from libraries to be found in cities. What a lawyer residing in the country earns for three, four, or even ten years will not suffice to build up a library. Young men living in the country have not the means of buying books, and this is an important point if one does not wish to get absolutely "rusty." In order to give another idea of the judicial system such as it exists to-day in the Province of Quebec, I desire to call attention to the number of jurisdictions within the Province of Quebec, and I would ask the hon. President of the Council if he can point out to me the number of jurisdictions in the Province of Quebec; meanwhile, in order to edify him and the Bar, I will proceed to enumerate those tribunals whose decisions are final and executory. There is, in the first place, the Court of Commissioners, Justices of the Peace for rural wants, Stipendiary Magistrates in certain localities, Circuit, Superior, Revision, Appeal and Supreme Courts, and the Privy Council. There are the various stages of appeal in these courts; so that one may, so to speak, start on a round from the Circuit Court and reach the Privy Council, or, in other words, pass through seven or eight different courts. Is that the judicial system of a civilized country? In criminal jurisdiction, there are the Quarter Sessions, the Criminal Court, presided over by a Judge of the Superior Court, the Court of Queen's Bench in ordinary session, the Court of Queen's Bench sitting in Error, the Police Court, the Recorder's Court, in Quebec the Admiralty Court, the Trinity Board in Quebec for the harbor trade; Commissioners who tax property for the erection of churches and the priests' houses, and whose judgments are executory; official Arbitrators for the Dominion; one has also an appeal from the whole of the Arbitrators, an Election Court, a Court of Exchequer, and, lastly, you are going to have a Railway Commission. Well, this makes twenty-three jurisdictions for the Province of Quebec. Is this not an enormous abuse? One would imagine that three or four jurisdictions would suffice for any civilized country. If I make these remarks, it is to show that it is of the most absolute and immediate necessity that some reform should be introduced in the system of the procedure of the Province of Quebec, and to point out that because a system is bad, one ought not to make the Dominion bear a burden easily avoided if one would but reform existing abuses. The President of the