

charged travelling expenses when he is in Terrebonne but also in Montreal ?

The SOLICITOR GENERAL. With the knowledge I have of Judge Taschereau, I say that it is utterly impossible to imagine that he would do anything of the sort. I have not got the name of the hon. gentleman's informant, but I cannot conceive it possible that Judge Taschereau could do such a thing.

Mr. SPROULE. How do you account for the items in the Auditor General's Report ?

The SOLICITOR GENERAL. His residence being in Montreal, he gets his expenses when he goes to Terrebonne.

Mr. BERGERON. As far as Judge Taschereau is concerned the resolution is a very good one, and I think it will put matters in a better position. There can be no doubt that Judge Taschereau does a great deal of work in Montreal. He is one of the most laborious judges there, and his position was abnormal. He was first appointed to the district of Kamouraska and then transferred to Montreal for the district of Joliette, and resided in Montreal. What we are doing to-day should have been done long ago. He was residing in Montreal and doing the work in Montreal, and was transferred to Terrebonne when Judge Delormier was appointed to Joliette. To-day he will be purely and simply one more judge for the district of Montreal, and will have besides to attend to the district of Terrebonne, when, I suppose, he will be entitled to the \$6 a day granted judges who are travelling outside of their place of residence.

I wish to put a few questions to my hon. friend. Who has asked for a judge at Sherbrooke ? I admit that there should be two judges at Sherbrooke, but I wish to know if it is the Quebec Government that has asked for it. It is in the province of the Quebec Government to locate the different judges in the different districts, and, therefore, of course, we cannot do that here, but since we are called upon to pay for an additional judge, let me point out that in the distribution of judicial districts in Quebec there is a great deal of inequality. There are certainly four or five districts where there is hardly anything to do, and the judge required in Sherbrooke might easily have been taken from one of these districts. Take the district of St. John and St. Hyacinthe, surely one judge could perfectly well administer those two districts. I should say that one judge could administer St. Hyacinthe, St. John and Richelieu, because in those three districts the judges have a great deal of time at their disposal, and come and sit in Montreal where they do good service, if you like, but at the same time their districts could be amended. I understand that that would have to be done by the Quebec Government, but I do not see why this Government should not confer

Mr. DAVIN.

with the Quebec authorities and avoid the payment of an extra judge, if not needed.

Another thing I would call the hon. gentleman's attention to is this. There seems to be in the resolution brought down a discrepancy between the judges of the Court of Appeal and the judges of the Superior Court. There seems to be an idea of making the judges of the Superior Court of the province of Quebec district judges, while as a matter of fact, as my hon. friend will find in the Act which appoints them, they are appointed for the whole province of Quebec. Therefore, this Bill would have the effect of minimizing their position.

Now there is also a point in this resolution about the payment of judges who are sent out from their own districts. * The hon. gentleman (Mr. Fitzpatrick) in his resolution allows the judges of the Court of Appeal \$6 a day for every day they are called out of their own district either to sit in term or to render judgment, and so on. "Provided that three days' absence at least shall always be allowed." That is the old law which, I understand, is restricted to the judges of the Court of Appeal and does not apply to the judges of the Superior Court. Of course, this is a matter of policy, but I do not think that this change would be in the interest of justice. A judge is allowed to receive \$6 a day during his absence from his own district. The tendency will be for the judge to spend more time away from home, instead of spending many evenings, as he does now, in preparing judgments and working up cases. In the case of a judge residing outside of Montreal, say in Beauharnois, when he sits at Beauharnois he is not entitled to any travelling allowance, but if he goes to St. Martine he will be allowed \$6 a day.

The SOLICITOR GENERAL. That is a difficulty I have to meet. It arises from an oversight and I shall have to change my resolution to meet it.

Mr. BERGERON. It says here "Any court held at any other place than that at which he is directed to reside." That is one of the points I wanted to raise.

The SOLICITOR GENERAL. Yes, that is right.

Mr. BERGERON. Now, so far as the judge for the court of circuit in Montreal is concerned, the Solicitor General will understand how hard it is for any lawyer to say anything about the judges ; but I think that it becomes our duty here, and we are bound to do it. There is no doubt that two judges for the Circuit Court of Montreal would have been amply sufficient, if these two judges had been old judges—I do not mean old in years but old practitioners.

The PRIME MINISTER. Does my hon. friend mean to say that the appointments were not judicious ?