

years more experience than we have had, I find that the trend of opinion is all the same way. While the judges there were serving outside of their regular judicial positions during the war, now that the war is over the leading papers say they should get back to the old rule. The Law Times gave some instances of men who were as fine judges as ever sat on the Bench, but who, because they left the Bench and served on one or two commissions, lost their influence and the confidence of the public as a whole.

The administration of justice is the first thing in every civilized country. That is the difference between a civilized and an uncivilized country; and the only thing that will save us from Bolshevism and all the wild things which are floating around to-day will be to keep these men in such a position that everyone will have confidence that the poorest man as well as the richest, or the richest as well as the poorest, can go into court and get fair and honest treatment.

Hon. Mr. BELCOURT: There was a time in Canada when the judges from one end of the country to the other enjoyed the universal respect and admiration of the people. But that time has passed. I have often heard Americans, in times past, express their great respect and admiration for the Canadian judiciary, but they do not to-day entertain quite as high an opinion of them as they did in the days of which I speak;—and certainly there is not the same high regard for them in Canada—why? Largely because of this abuse that has been resorted to by the Governments in the Dominion and the provinces. I make no distinction between one party and another. It has been practised by both. It is largely because these gentlemen have been appointed to hold the balance between the public and the Government in such important matters, for instance, as the Canadian Northern railway deal and the Grand Trunk railway transaction. I dare say that 50 per cent of the people of Canada are not going to be satisfied with the judgment that will be rendered in either of those cases. No matter how just or how fair it may be, there will be a strong suspicion that will not down that some members of the Commission acted under some influence or other in arriving at the conclusion that they have reached. I cannot understand why this practice of appointing judges should be persisted in and should be on

Hon. Mr. ROSS.

the increase. To-day there is no commission of any sort to which a judge is not appointed. I have felt warmly on this question for a long time, and I am glad to have this opportunity of giving expression to my feeling.

Hon. Mr. PROUDFOOT: I have just a word to say. I do not agree with my honourable friend who has just spoken, that the judges do not stand as high in public estimation now as they formerly did.

Hon. Mr. BELCOURT: Well, everybody else does.

Hon. Mr. PROUDFOOT: Probably my honourable friend has some reason for feeling sore towards the judges and has made his remarks accordingly.

Hon. Mr. BELCOURT: I have no feeling of that sort.

Hon. Mr. PROUDFOOT: I do not know how that may be, but his statement is not in keeping with the universal experience in that portion of the province from which I come. There is a good deal to be said, however, in favour of the contention that judges should not act as arbitrators. We have at present in Ontario an illustration of how public business fails to be attended to owing to the judges accepting arbitrations. At the present time we have two judges sitting as arbitrators for the Ontario Government. They have been engaged in that arbitration now for something like three weeks, and I do not know how much longer it is going to be continued. The result is that other judges are obliged to do their work. Unfortunately there is a vacancy on the Bench, and another judge is ill. Consequently the ordinary duties of four judges are not being attended to, and business is congested. The Court of Appeal failed to sit from the 15th of June to the end of the month. At the close of the sitting there were some sixty cases not disposed of, and these must stand over until September. One can readily see that if it requires a certain number of judges to do a given amount of work, and if two of them are transferred to arbitrations and two are ill, or otherwise incapacitated, the work is not going to be carried on.

Now, just a word as to the payment of \$1,000 a year to the judges of Ontario. The judges of the Supreme Court of the province of Ontario each receive the Ontario Government \$1,000, which is paid to them for services they are supposed to perform.