

pliable to similar institutions in the provinces I have named.

Motion agreed to, and Bill read the first time.

#### LIVE STOCK RECORD ASSOCIATIONS.

Hon. MARTIN BURRELL (Minister of Agriculture) moved for leave to introduce Bill (No. 167) respecting the incorporation of Live Stock Record Associations. He said: This Bill is practically to repeal chap. 131 of the Revised Statutes of 1906 in order to meet the wishes of the various associations to make the old Act more workable. It will not, I think, be found to involve any new departure or arouse any controversy.

Mr. GRAHAM. I suppose we shall be able to get more information—get some information—when the Bill comes down.

Motion agreed to, and Bill read the first time.

#### EXCHEQUER COURT ACT AMENDMENT.

Hon. C. J. DOHERTY (Minister of Justice) moved for leave to introduce Bill (No. 168) to amend the Exchequer Court Act. He said: The purpose of this Bill is to provide for the appointment of an assistant judge in the Exchequer Court. It is represented that the business of the court is increasing considerably. I will be in a position to give some statistics in that regard on the later stages of the Bill. But I wish to say quite frankly that I do not think this is, perhaps, the most important reason, the most serious reason, that justifies this measure. Other considerations may be invoked in support of it. In the first place, we have in this country, as everybody knows, two distinct systems of law, both of which systems have to be administered by the Exchequer Court of Canada. Of course, I have not the slightest idea of reflecting on the gentleman who occupies the position of judge of that court. But it is under those circumstances desirable that, if these two systems are to prevail, the court should be so arranged that it would be possible to have men specially trained in each system to preside over that court. There has been some strong feeling upon that subject; furthermore, there has been a considerable desire that the courts should be so arranged that it would be at all times convenient that the proceedings should be carried on in either one of the official languages.

Mr. LEMIEUX. Having listened to many complaints from some of my fellow members of the bar, I think this legislation will be welcomed especially in the province of Quebec. But I hasten to say

that the present incumbent, Mr. Justice Cassels, is a credit to the judiciary of this country, and no fault has been found with him in his capacity as judge of the Exchequer Court. But as my hon. friend the Minister of Justice states, when his court happens to sit in the province of Quebec, he meets with a legion of witnesses who do not happen to speak the language of the judge, and difficulties arise. But I would like to point out to my hon. friend that this assistant judge need not be confined in his work to the province of Quebec. I think he will find in the very personnel of the court as at present constituted the man who, if he is appointed to that position, could serve equally in any of the other provinces of the Dominion. I refer to Mr. Audette, the present Registrar, who for the last 25 years has practically acted as assistant judge. We know that the Registrar of the Exchequer Court has de facto, if not de jure, the same powers as the presiding judge, that is to say, he hears evidence, he summons witnesses, and he presides over the court; he acts as the referee in the case. I think if Mr. Audette, who has acted practically as assistant judge, were appointed, the people would be satisfied, because he could be called to serve in any province of the Dominion, and has had a very wide experience which qualifies him eminently.

Mr. CARVELL. I just want to emphasize strongly the suggestion made by the hon. member for Rouville (Mr. Lemieux), that in filling this position it should be given to the present registrar of the Exchequer Court. It has been my privilege during the past year to practice before Mr. Audette in quite a number of expropriation cases. I suppose there is no man in Canada who is better qualified to perform the duties of a judge in that particular branch of law than is Mr. Audette. He has also the other qualifications of being thoroughly acquainted with the practice of the court, and of understanding the two languages perfectly; he also understands the civil law as well as the common law. But beyond all that, this gentleman has had such a long training in the principles governing the particular branch of cases coming before the Exchequer Court, which has enabled him to attain a certain kind of information almost invaluable. I doubt if there can be found a man in Canada to-day who can take his place in five years, simply because of his immense training in that kind of business. We all know that nine-tenths of all the business of the Exchequer Court is in connection with expropriation proceedings, and it will take any other man many years to acquire the attainments of Mr. Audette which will enable him to preside as satisfactorily over that particular branch of jurisprudence.