

seems to me that when the relations between the local and federal Governments are of such a friendly character, it would be possible to bring about that change, and the Solicitor General would confer a great favour on the province of Quebec if he brought all his efforts to bear in the direction of such a desirable modification of the organization of our tribunals.

Mr. QUINN. The difficulty at the moment is to decide whether, on the demand of a local legislature, the number of judges is to be increased indefinitely by this Parliament. It has been abundantly shown that the work of the district of Sherbrooke has been performed by calling into that district judges from outlying districts and asking them to attend to the duties on the payment of the regular allowance. If this Parliament is going to appoint a judge every time a provincial legislature declares that one is necessary in some portion of the province, it will be impossible for us to control the number of judges existing in the Dominion. The hon. member for Pictou (Sir Charles Hibbert Tupper) expressed the opinion of many hon. members of this House, who are members of the bar of the province of Quebec, when he suggested what I have reiterated, namely, the calling in of a judge from an outlying district to the city of Sherbrooke to do the work required.

There is another question to which I might refer, that of the Circuit Court judges in Montreal. I cannot agree that the work of the Circuit Court in Montreal is being performed as efficiently as it was under the old system. It has not only the disadvantage of keeping two or three judges in the one court for the trial of unimportant cases during the whole year, but it keeps the judges of the Superior Court altogether in the Superior Court, and does not give them the experience in our procedure and the hearing of cases that they had under the old system, when they sat alternately in the Circuit Court of Montreal. There was another advantage in the old system as compared with the present one. A judge of the Superior Court having sat for a certain number of terms in that court, and then presiding in the Circuit Court in the trials of small cases, would be better able to decide when a sufficient amount of evidence was adduced than a judge who was confined altogether to the Circuit Court. There is another point. A judge of the Circuit Court, in a very short time, realizes the fact that there is no appeal from his decision, while a judge of the Superior Court, always knowing that there is an appeal from his decisions in that court, is more careful in trying cases in the Circuit Court, being under the impression that there might be possibly an appeal. I believe that the impression now existing in Montreal is that the old system of trial by judges of the

Superior Court instead of by the judges of the Circuit Court, as at present, would be preferable. At the same time I am perfectly willing that a trial should be given to the present system, and that we should appoint another judge for the Circuit Court. I think I am safe in saying that there are 20,000 cases instituted before the Circuit Court in Montreal every year. Anybody who will pause and think for a moment and who will estimate the number of cases which each one of these judges have to try in a day, will at once see that it would be impossible for any two judges to keep up the work of the Circuit Court, so that another judge is absolutely necessary even if we are going to give the system a trial for a little while longer. I think the time will come when the Government will find it necessary to return to the old system of having the Superior Court judges sit in turn in the Circuit Court.

There is another question to which I would like to draw the attention of the Solicitor General, and that is the representation made by the Montreal Board of Trade concerning the establishment of an admiralty court in the city of Montreal. I think the earliest opportunity ought to be taken by the Government to have a consultation with the Quebec Government on these different points, including the one I am now referring to, in order that the affairs of the province may be better administered in the Department of Justice. I have here a communication which I have received from the secretary of the Board of Trade in Montreal, enclosing copies of letters addressed to the Deputy Minister of Justice, Ottawa, dated 31st of January, 1896, and replied thereto, and then the answer of the secretary of the Board of Trade, which I shall read to the House :

Office, Board of Trade,
Montreal, 31st January, 1898.

Deputy Minister of Justice, Ottawa.

Sir,—Having reference to the former correspondence by the Council of the Montreal Board of Trade, pressing that steps might be taken to establish a Maritime Court in the city of Montreal, I am desired now, on behalf of the Council, to earnestly press upon the Minister of Justice the necessity for favourable action at the coming session of Parliament. It is a standing injustice to the city of Montreal that we should have no Maritime Court here. We have no facilities for dealing with maritime matters other than the ordinary courts of law, involving almost prohibitory delay and expense. The only option we have is to proceed to Quebec with our lawyers and witnesses, again making it a most expensive matter.

We venture to suggest, as a practicable mode of dealing with the subject, that the present judge of the Vice Admiralty Court in Quebec might hold occasional sittings in Montreal from time to time as necessity arises.

I am, sir,

Yours obediently,
GEO. HADRILL,
Secretary.