

petent. I know that there are in the province of Ontario many judges who ought to have been superannuated five years ago. I think this clause is a very good one, and I hope the Solicitor General will insist on carrying it through. I only regret that this section does not apply to all our judges. There are courts not more than a hundred miles from the city of Ottawa in which are judges who ought to have been retired five or ten years ago.

I think it is all nonsense to talk about men who are seventy-eight, eighty and eighty-two years of age and over, being able to sit and try the most important cases, cases that affect the welfare of the people of this country. I say it is absurd to argue that such men are competent to discharge the duties of that position. I think the provision is a wise one, and that there is no hardship, because these men will be retired with, I suppose, at least two-thirds of their salary for the rest of their life. It is time that they should retire then, and let somebody else take their places. Before I sit down, I want to refer to one statement that was made by the hon. member for Beauharnois (Mr. Bergeron), which, if correct, ought to receive the most careful attention of the Solicitor General. I am amazed that the hon. member for Beauharnois and the late Minister of Justice should have allowed such a state of affairs as that which existed for many years in this Dominion; I refer to his statement that when the present Lieutenant-Governor of Quebec took office there were over eighty records of the courts that had been adjudicated upon, and upon which no decision had been arrived.

Mr. BERGERON. Not adjudicated upon.

Mr. CAMPBELL. One of them, I understood him to say, had been argued as long ago as 1886, and when the present Lieutenant-Governor took his position, these cases had all to be tried over again, the witnesses to be called, and arguments to be reheard, at an enormous expense to the client. Such a state of affairs is simply disgraceful.

Mr. BERGERON. I want to correct my hon. friend. The witnesses had not to be called again, only the arguments had to be reheard.

Mr. CAMPBELL. Then, it is not quite so bad, but I say the late Minister of Justice, who now argues so strongly against this Bill, and condemns the Government for rectifying an injustice that he had allowed to prevail for many years, is very inconsistent, and ought to receive the censure of the people for having neglected the interests that were entrusted to his charge. Why did not the member for Beauharnois bring this matter up? He sat in this House for years, and allowed that state of affairs to exist, and never raised his voice in defence of the people of this country; and I

Mr. CAMPBELL.

venture to say that if there had not been a change of Government, he would have been silent to-day. I hope the Solicitor General will give this matter his serious consideration, and put a stop to such a scandalous state of affairs as has been disclosed in the province of Quebec. As for Ontario, I have no doubt that a little overhauling of the judges in that province will have a very wholesome effect upon them, as well as upon the people of this country.

Amendment (Sir Charles Hibbert Tupper) negatived: Nays, 28; yeas, 44.

Mr. POWELL. I made a suggestion to the Solicitor General, but I do not see that any notice has been taken of it. In the province of New Brunswick a county court judge is appointed, not for a judicial district comprising a number of counties, but for an individual county, and the wording of this Act speaks of the court of the united counties. It has no application to the province of New Brunswick at all. Strange to say, the Solicitor General is not responsible for it, by some means, it has been re-enacted two or three times.

The SOLICITOR GENERAL. So far as that portion of the section is concerned, I have not touched it at all. The law remains as it was in 1873 when the judges were appointed.

Mr. POWELL. But the Solicitor General will agree with me that the statute has been absurd.

The SOLICITOR GENERAL. Would my hon. friend suggest a remedy?

Mr. POWELL. By adding a few words like these: Resident in the same county for which the judge has been appointed.

Bill as amended reported.

CIVIL SERVICE SUPERANNUATIONS.

House again resolved itself into committee on Bill (No. 76) to provide for the abolition of the Civil Service Superannuation Act, and for the retirement of members of the civil service.

(In the Committee.)

On section 2,

The POSTMASTER GENERAL. Section 2 of the Bill was held over, and also section 5, section 2, subsection b. Many views were expressed by hon. gentlemen on both sides of the House as to whether it was a fair proposition to apply the means to any persons now in the service, and in order to do no injustice, the Government has decided to defer to the views presented by hon. gentlemen, and make the Bill wholly applicable to those hereafter appointed to the service. It is proposed to allow persons who have been more than ten years in the service up to 1st January, 1899, in which to elect to