

in a position to give him better advice than if they were absolutely his creatures.

The MINISTER OF THE INTERIOR. I quite admit the desirability of providing that permanent officers of the Government might be ex-officio members of the council, but the difficulty is that these officers are likely to be very busily engaged, and possibly might not be able to give any time, for the first little while at any rate, to the discharge of the duties of members of the council. There is also the difficulty of the extreme slowness of communication, which makes it necessary to have the members of the council stationed in the one place for a considerable length of time, so that they will be able to transact expeditiously the enormous amount of work they will have to do. There are about 40,000 people in the district now, and it is possible that there will be 50,000 or 60,000 there before the winter, and the amount of work which the council will have to do in preparing municipal and other regulations will be very great, and I thought it would be hardly fair to impose the necessity of attending the sessions of the council on officers engaged in very important judicial or administrative duties. I will go this far, however, in the way of meeting the hon. gentleman's suggestion. I will provide that judges of the court may be designated as ex-officio members of the council, but would not be prepared to include any other officers of the Government.

Mr. DAVIN. Does my hon. friend mean that there will be an enormous amount of work for the judicial and other officers of the Government or for the council?

The MINISTER OF THE INTERIOR. I think there will be an enormous amount of work for both just at the beginning. I have no doubt that the judge who is there now will be for the first year very much overworked. My information is that there was a very large number of cases waiting for trial when he got there, because there was some difficulty in having them proceeded with through there being no means of putting them in shape for trial. As to the duties of the council, practically everything has to be done. Municipal and sanitary regulations and all the other little things that will turn up in a totally new community, where everything has to be done in a hurry, will take up all their time, and members of the council will have their ability and energy taxed to the utmost.

Motion agreed to, Bill read the second time and the House resolved itself into committee.

(In the Committee.)

On section 5,

The MINISTER OF THE INTERIOR. I move that the following be inserted as subsection 2:—

Mr. DAVIN.

Each judge of the court shall be ex-officio a member of the council; but the total number of council, including the judge or judges, shall not exceed six.

Amendment agreed to.

On section 18,

Mr. FOSTER. What does the Minister mean by "policy" of the penitentiary in subsection 2?

The MINISTER OF THE INTERIOR. I followed exactly the provision of the old Act. I do not think it extends the meaning at all.

Bill, as amended, reported.

#### JUDGES OF PROVINCIAL COURTS.

The SOLICITOR GENERAL (Mr. Fitzpatrick) moved second reading of Bill (No. 150) further to amend the Act respecting the Judges of Provincial Courts.

Sir CHARLES HIBBERT TUPPER. If it would suit the convenience of the Government, I should be glad if they would take up some other order in the meantime. I have said all I wish to say on the subject myself, but the hon. member for Montmorancy (Mr. Casgrain) desires to speak on this subject. He happens to be out of the Chamber at this moment. Could this order be postponed until this afternoon? Or could this stage be taken now and the committee stage left until the afternoon?

Mr. DAVIN. Before the Bill is read the second time, I desire to say that there is no provision in it for ameliorating the condition of the judiciary in Manitoba and the North-west Territories.

The SOLICITOR GENERAL. There is a provision respecting the judge in Manitoba. I would refer the hon. member (Mr. Davin) to section 7.

Mr. DAVIN. I confess that I only judge by the resolutions, not having had an opportunity to read the Bill. We have five judges in the Territories. But, though the expense of living in that country is far higher than in any other part of Canada, these judges are paid only \$4,000 a year apiece. Long ago it was understood by the members coming from the Territories that provision would be made for a chief. It is very desirable, when you have five judges, that you should have a chief. We have a senior judge who has all the work of a chief thrown upon him, and yet he has neither the salary nor the dignity of a chief. I think it is not treating the Territories well, when a change like this is made to leave this bench without the dignity that belongs to the bench in other parts of Canada, and