

**Hon. Mr. Haig:** But my friend has not confirmed it. I suggest that some attempt be made to get something similar to what we have in the western provinces. I think the County Court system would be much more satisfactory to the ordinary people of the province of Quebec.

**Hon. Lucien Moraud:** Honourable senators, I wish to say to my honourable friend that while the court in Manitoba may be very good, we are proud of our Quebec courts. Our system is not as bad as my honourable friend may think. We have the Magistrate's Court, the jurisdiction of which has been recently increased to, I think, \$400. Our Superior Court does not sit only in the cities of Montreal and Quebec. Our province, like Manitoba, is divided into districts, and there is a Superior Court judge for each district.

**Hon. Mr. Leger:** How many districts are there in Quebec?

**Hon. Mr. Bouffard:** There are eleven Bar Associations, but there are more than that number of districts.

**Hon. Mr. Moraud:** We have enough districts for the sound administration of justice. Those districts were established years ago, when travel was more difficult than it is now. Some of the districts which are close to large cities could be abolished. For instance, Montmagny was at one time a very prosperous district for lawyers, but today there are only two there, because litigants would rather go into the city of Quebec to have their cases heard. For each district there is a Superior Court judge who visits the district once a month, twice a month, or as often as is necessary.

**Hon. Mr. Leger:** It is what the other provinces call the Circuit Court.

**Hon. Mr. Moraud:** No, we abolished the Circuit Court. This is our great court of first jurisdiction. It was established by provincial statute, under the British North America Act, and the judges were at one time named as judges of the Superior Court for a designated district, such as Montmagny or Rimouski. That system has been varied somewhat because of the feeling that a judge sitting in the same place over a period of time might be inclined to show partiality. Now the judges are appointed to the Superior Court of the Province of Quebec, and at the beginning of each year the Chief Justice of that court assigns one judge to each district.

**Hon. Mr. Leger:** That is the same system as is followed in New Brunswick.

**Hon. Mr. Moraud:** These judges of the Superior Court administer justice in the various districts, and there are no complaints.

**Hon. Mr. Horner:** Why are the courts so far behind in their work?

**Hon. Mr. Moraud:** Well, the city of Montreal, for instance, is a much larger centre than Prince Albert, and of course there are a great many cases to be heard.

I do not approve of the policy of appointing judges as heads of commissions, with the result that they are removed from their Superior Court duties for months and sometimes years. I think the Superior Court judges should remain to preside over their courts.

**Hon. Mr. Haig:** Hear, hear.

**Hon. Mr. Moraud:** The practice of giving them other duties may be the cause of delay in the hearing of cases in cities like Montreal. I do not believe, however, that the delays in the other districts of the province of Quebec are serious. I think this law is intended mainly for the District of Montreal. On the whole, I believe, our system is not a bad one. We have a Superior Court and also a Magistrate's Court which has civil jurisdiction up to \$400, as well as criminal jurisdiction; and each magistrate has to preside in the district for which he is appointed, so justice is always available in that district.

**Hon. P. H. Bouffard:** As the Batonnier of the Province of Quebec, I think I should say a word about this bill. The measure is one upon which the government should be warmly congratulated. For over a year the various Bar Associations of Quebec have been pressing the provincial and dominion governments for the appointment of more judges. The situation in Montreal is critical: there is now a backlog of over 4,500 cases in that district. If you begin a suit in the Superior Court of Montreal, after the case is inscribed for hearing it is more than two and a half years before it can come to trial. If a defendant enters a plea merely for the purpose of delay, under present conditions he is assured that it will be two and a half years before the case can be heard. The situation is so bad that the people of Montreal are trying to find other ways of getting justice. A client who goes to the office of a lawyer to start an action, when he hears that it will not come to trial before two years and a half, is not likely to proceed with it unless he is absolutely obliged to do so. So the Bar Associations, the Boards of Trade and other organizations interested in justice in the Province of Quebec have made representations through their officers for the appointment of more judges. These representations were made not only to the Canadian Government but to the provin-