

we will endeavor to insist on having a resident Judge for Gaspé.

Mr. MACKENZIE. My recollection is that when the late Judge was appointed, he was appointed on the distinct understanding that he would reside there. I also recollect that he at first declined the appointment on those terms, but afterwards accepted. I was not aware until very lately that he was not residing in the district. It is unfortunate that such is the case, but I am quite sure the late Government did everything in their power.

Sir JOHN A. MACDONALD. I am quite sure also.

Mr. MACKENZIE. I am sorry that, after the hon. gentleman has shown what the products of Gaspé are, there should be any desire manifested to live out of a district where men grow so stout and strong as its representative in this House.

Mr. LAURIER. The answer of the First Minister to the hon. member is very satisfactory, as regards the wants of the district of Gaspé, but I propose to call the attention of the Premier to the fact that there are many other districts in the Province of Quebec which have suffered just as severely as Gaspé. There are districts which have had Judges appointed to serve in the locality, and yet who reside in Quebec and Montreal. I do not want to specially blame the Governments any more than the Judges, because I know the tendency of centralization, to which the hon. member for Gaspé has referred, exists very generally in those cities, and persistent efforts are made to retain the Judges, who should reside in outside districts, to remain in Quebec and Montreal, in order that the Bench there may avail themselves of their services. I understand, from the language of the Premier, that he agrees with the proposition laid down by the member for Gaspé, that Judges who are appointed to administer justice in particular districts, shall reside in those districts. I would particularly call the attention of the Government to the fact that the law is not enforced in this respect, and this with the tolerance of the Government. It cannot be questioned that the rural districts largely suffer from the absence of the Judges. The duties of Judges are not confined simply to the Court House, and it is a serious grievance on outside districts that, when a Judge is required to administer the law at any time, he should be absent. I have no intention to criticize the Government, because I know that pressure has been brought on it to allow this state of things to exist, but I simply call the attention of the Government to it.

Sir JOHN A. MACDONALD. We have heard no complaints from any other portion except Gaspé.

Mr. LAURIER. I do not file any complaint with the Government, but simply call their attention to a state of things which exist.

Mr. HUNTINGTON. Not only does the state of things which exist stand in the way of that perfect decentralization that Sir George Cartier had in view, but there is a disposition among a certain section in Lower Canada to abolish the present system altogether, and bring about a system of centralization by having all the Judges reside in cities. Sir George Cartier was only induced to take the step he took in establishing the present system after a great deal of agitation in Lower Canada. The system of decentralization was one imposed on him almost unanimously by the people of Lower Canada, and there is danger now of our taking the retrograde step of centralizing judicial influences in the cities. The matter is in the hands of the people, and unless they make their opinion felt to-day they may find themselves deprived of this great boon, which was regarded as one of the most important reforms, and be again obliged to resort to agitation in order to secure its renewal. Whatever may be the

views of some of the eminent members of the Bar, the system is a credit to the Province of Quebec, and ought to be preserved; but the people will require to keep their eyes open, or it may ultimately be taken from them.

Mr. MOUSSEAU. Last Session we had a very long debate on this same question, in which the hon. leader of the Opposition made a very long and effective speech against the system of administration of justice in our Province. One of his great points was, that the country Judges were becoming useless and ought to be transferred to the cities. I strongly protested against that at the time, and am glad that the hon. member for Quebec East, and the hon. member for Shefford, came to my support against the policy of their hon. leader.

Mr. LAURIER. I am aware that the hon. member for West Durham was opposed to having courts without Judges, and referred to the system of Ontario, where there are no courts without resident Judges, who are called County Court Judges.

Mr. MOUSSEAU. I recollect well what took place. The hon. leader of the Opposition made a regular indictment against our Judges in Quebec, but to-day our cause is vindicated by the hon. members who have just spoken.

Mr. HUNTINGTON. I remember quite well the sense of the hon. member for Durham's remarks, and felt that they had been misunderstood by the hon. Minister at the time he made his reply.

Motion agreed to.

#### FERRIES BETWEEN CANADA AND UNITED STATES.

Mr. PATTERSON (Essex), in moving for a return of all Orders in Council regulating ferries between points in Canada and the United States, together with all correspondence as to the regulations affecting such ferries, said: The legislation with regard to the ferries on the frontier, to which my attention has been called, seems to be very confused. By 20 Victoria, chapter 7, it is enacted: that in order to encourage international ferries and in the interest of commerce, it is essential to place the control and management of these ferries in the hands of the municipalities interested; and it was with this object, apparently, that by the same statute the license is directed to be, in all cases affecting the international ferries, granted to the municipality. But, both before and subsequent to the passing of this statute, the power to regulate was given to the Governor in Council; so we have one authority managing and another regulating. Under these circumstances, it is difficult to settle what each was intended to do. By the Confederation Act this power was retained exclusively for the Dominion Government, but no action appears to have been taken. We find Orders in Council affecting inter-provincial ferries published with the Dominion Statutes of 1877-78-79, but I can find no Order in Council affecting international ferries. By the Dominion Act 33 Victoria, chapter 35, all such international ferries are made exclusively subject to the Parliament of Canada, and the 5th section of that Act authorizes the Governor in Council to make such regulations as he may deem expedient for various purposes connected with such ferries, such as establishing their extent and limit, defining the conditions under which licenses may be granted, determining the size and description of the vessels to be used, fixing the tolls which should be charged, the times and hours of crossing, and imposing penalties for the breach of such regulations. It would appear from this that all such ferries, since Confederation, are subject to regulations to be approved by the Dominion Government, and that the municipalities shall stand in the position of lessees, whose leases have not expired and are only empowered to sublet, being deprived of all authority for enforcing regulations for