

Justice, is only about twenty-five. The province of Manitoba has five judges on the Court of Appeal and six in the trial division, the Court of King's Bench. Saskatchewan and British Columbia each have, I think, five judges on the Court of Appeal and seven trial judges. I know that in the provinces other than Quebec there are county or district courts as well as the higher courts; but can the honourable gentleman explain to me why Quebec has on its Superior Court Bench three or four times as many judges as any other province?

**Hon. Mr. Gouin:** I have not had an opportunity to study the system in other provinces, but in Quebec even very small cases are brought before the Superior Court. Some people have the idea that the tribunal known as the Superior Court of Quebec is an appeal court. This is not so; it is a court of original jurisdiction. Generally speaking, in districts other than Montreal all cases involving an amount over \$200 come before the Superior Court. Indeed, when I began to practise law the Superior Court had jurisdiction over all cases involving \$100 or more. If we had other courts to deal with claims up to \$500 there would be a great reduction in the work of the Superior Court. The only explanation I can offer to the honourable leader of the opposition is that our Superior Court is required to decide many cases of less importance than those dealt with by corresponding courts in the other provinces.

**Hon. Mr. Leger:** Have you the County Court system in the province of Quebec?

**Hon. Mr. Gouin:** Our system in Quebec is entirely different from that in any of the other provinces. Minor cases, involving amounts below \$200, come before the District Magistrate's Court.

**Hon. Mr. Leger:** In New Brunswick and the other provinces we have what are known as County Courts.

**Hon. Mr. Nicol:** We have no such courts in Quebec.

**Hon. Mr. Haig:** I do not think that a judge drawing \$12,000 a year is required to deal with cases up to \$500. County Court judges, who are appointed in all the provinces other than Quebec, are now paid a basic salary of \$6,600 a year, and I have often wondered why someone in Quebec did not suggest the appointment of County Court judges for that province. In Manitoba we have eleven such judges, with jurisdiction in cases up to \$800. It costs Canada an awful lot of money to have Superior Court judges doing work that could be done by judges of lower rank. The County Court system not only saves money to the public treasury, but as the courts are scattered throughout the province litigants do not have

to travel long distances from their homes. That system is much less expensive and more satisfactory to litigants. In Manitoba we have the Magistrate's Court, and what we call the Small Debts Court, with jurisdiction up to, I think, \$200. Those courts are presided over by magistrates appointed by the province. The four western provinces have District Courts which are close to the people.

As a lawyer, perhaps I should not speak against this measure, but I do not honestly believe that a man who hears cases involving claims of \$500 should be paid \$12,000 a year. That is not in keeping with the system in other provinces. My friend from New Brunswick (Hon. Mr. Leger) and the others, will agree with that. I take this opportunity to ask why the province of Quebec does not attempt to remedy conditions and prevent a jamming of business in its courts. Honourable senators know that because of witnesses being sick, and for many other reasons there are sometimes long delays in getting cases on for trial in a big city.

In the province of Manitoba we have six trial judges and five on the Court of Appeal. We could get along with three appeal judges, but with five we get better judgments and prevent many appeals being taken to the Supreme Court of Canada. Our six trial judges, while they are busy enough with divorce cases and other business, are not overworked. We have about one-fifth the population of the province of Quebec, which would mean that in proportion that province would have thirty trial judges.

I wonder why Quebec cannot adopt the system of county or district courts. As I have said, it brings the courts nearer the people, and is much more satisfactory. My suggestion is made with a view to reform and not to changing the law. When a poor man has to travel a long distance to the city to have his case heard, he is scared out. Under the system in Manitoba no one is scared out. We have eleven districts, four in Winnipeg, and one each in St. Boniface, Brandon, Morden and other places around the province. Saskatchewan has the same system, but with eighteen district courts. All of the people have not the fighting spirit of my friend from Blaine Lake (Hon. Mr. Horner). The people in Saskatchewan do not fight very often, and there are too many courts. That province could get along very well with nine districts.

I think the Minister of Justice should be asked to approach the Attorney-General of Quebec when the general election is over—though the honourable leader of the government has not told us that there will be an election—

**Hon. Mr. Howard:** You told us.