case as it is presented to it, and I do not know that it would be fair to either of the parties to bring in anybody else to sit on the bench and to take evidence which might have been given to the court below. The point is not a very practical one after all, because there are very few cases which go to the Supreme Court from the Admiralty Court. I do not know whether the necessities of the case justify this legislation, but if my hon. friend thinks it ought to pass I have no objection, although I have my doubts as to the wisdom of it.

Mr. DOHERTY: The judges think it desirable. This is making our procedure conform to the procedure of the admiralty courts in England. Our admiralty jurisdiction is derived from the English practice and if, in the experience of the courts there, it has been found desirable that the courts of appeal should be allowed to have assessors, I think we might safely follow their example. Otherwise, we might have the anomalous condition which was present in the case I mentioned. This case, although an admiralty case, was tried in the Superior Court and we might have the anomalous position, that whereas our courts would have no such rights with regard to the calling in of an assessor, the judgment might be set aside by a court in England which had this advantage.

Mr. PARDEE. Does it not strike the hon. Minister of Justice that the experts in the final court of appeal may in a great many cases, differ from the experts who have been called in the court of first instance? You may call in assessors when the case comes to the Supreme Court who will differ from the assessors who have been called in the court below. I think the hon. Minister of Justice will agree that in an ordinary trial case it is very easy to get experts who will differ. If they think it is well for them to do so, the chances are that when you come to the appeal court they will disagree with the assessors in the court below. It appears to me that this is only an enlargement of a practice which the courts, notably in Ontario, have been endeavouring to cut out for a number of years. This is a matter that it might almost be better to leave alone and let us continue taking simply the evidence of the assessors in the court of first instance, and let the judges pass upon that.

Mr. DOHERTY: The remarks of my hon. friend are entirely without application to the case here dealt with. This has reference to admiralty cases. The advice which the assessors give is in the nature of expert information and it is something that the parties do not hear at all. They do not know what it is that the assessors say and these assessors are the advisors of the court of first instance. If the court of first instance by reason of the peculiar nature of the case, finds it necessary to be advised and to have some of the matters in question explained to it, not in the way of evidence, but in the way of explanation, by people thoroughly versed in and understanding such matters, it would seem to me that the appeal court might be afforded the same assistance. In view of the fact that under our system there may ultimately be an appeal in these cases to a court of final appeal, which is absolutely free to call assessors, and assessors selected really in another country, people not accustomed to our conditions, I think it would be well that the final judgment of our ultimate court, going over to the Privy Council for review, should bear on the face of it evidence that it has been rendered by a court which had all the advantages of the scientific advice which is at the disposal of their lordships of the Privy Council.

On section 4—sessions of Supreme Court:

Sir WILFRID LAURIER: What is the object of that?

Mr. DOHERTY: The reason of this provision is that it is found that the interval between the fall session and the winter session is too long. The fall session now begins on the first Tuesday in October, and the winter session on the third Tuesday in February. The proposal is that the winter session should begin on the first Tuesday in February. That would cut off two weeks of the interval between the two sessions. It is considered that at present the time elapsing between two sessions is unduly long. The other provision is that the date for the beginning of each session may be changed by the Governor in Council or by the court, provided that notice shall be given in the Canada Gazette not less than four weeks before the date that may be fixed for the beginning of any session. The justices of the Supreme Court have considered that it would be an advantage that the court should not be absolutely bound down to a fixed date because the condition of business may make it desirable to begin at an earlier or other date than that fixed, if there be a great deal of work to do. It is suggested that while the power may conduce to the advantageous disposal of business there is nothing in it that could bring about any injustice to anybody.

Sir WILFRID LAURIER: I am very sorry the Minister of Justice has agreed to that change. It is of the greatest importance to the legal profession and to litigants that they should know, as they do now, the exact dates at which they are to expect sittings of the Supreme Court. Under the present system the members of the legal profession who have to appear before the Supreme Court know it will sit on a