

North-west Territories. It does not seem to me that his position is quite logical.

Mr. FOSTER. That is like your protection position.

Mr. DAVIN. No, I repudiate that. My position is perfectly logical.

The SOLICITOR GENERAL. I have no doubt it is quite logical, but it does not appear so to the ordinary mind.

Mr. FOSTER. That is the fault of the ordinary mind.

Mr. DAVIN. The ordinary judicial mind.

The SOLICITOR GENERAL. I am very much pleased indeed that there has been some discussion in this House on this question of judges, because I have to go before the judges every day of my life when away from here, and therefore have to be a little careful in what I say about them. Still, I feel that it is proper—speaking now entirely of my own province, for I know little about administration of justice in other provinces—that the judges should understand that those who pay them expect to receive a fair return for their money, and it is proper they should know that the eyes of Parliament are upon them, and that they who are called upon to administer justice do not stand aloof from this Dominion and are not above criticism and may expect in the future to be criticised as they have been this session. Honest, just and fair criticism is as necessary to the proper administration of justice as to anything else.

The total expenditure resulting from this legislation will amount to \$26,900.

Additional judges in Court of Appeal.	\$5,000
Increase to one judge in the province of Quebec (Judge Taschereau).....	1,000
Additional puisné judge for the St. Francis district, province of Quebec.	4,000
Additional judge, Circuit Court, Montreal	3,000
Judge of the Yukon district.....	4,000
Junior judges, Ontario, 18 at \$400....	7,200
County Court judge for Halifax.....	600
County Court judge, Queen's, P.E.I....	600

Mr. FOSTER. What is the salary of the Halifax and Charlottetown judges?

The SOLICITOR GENERAL. It was \$2,400, and will now be \$3,000, and that will make their salary the same as that of the county court judge of St. John, N.B.

District judges, Ontario, additional amount for travelling expenses.... \$500

They used to be allowed but \$100.

Five additional judges at \$300 each.. \$1,500

Mr. FOSTER. Is the jurisdiction of that county court in Prince Edward Island over the island?

The MINISTER OF MARINE AND FISHERIES (Sir Louis Davies). Over the county and city.

Mr. FITZPATRICK.

Mr. MONTAGUE. Has the Solicitor General had recently any correspondence with the Attorney General of Ontario as regards the question of junior judges? He is perhaps aware that some time ago an Act was passed by the Ontario legislature asking that the appointments of these judges should be restricted very much, and the hon. gentleman knows that afterwards, when his right hon. leader formed his Government, that Act was repealed, just adding to the convenience of hon. gentlemen in power.

The SOLICITOR GENERAL. I do not quite appreciate the force of my hon. friend's remark, but I would draw attention to this fact, that there are only twenty county civil judges in Ontario, and that two vacancies were not filled there—in Ontario and Waterloo—because the requirements of the statute as to population are not met in those counties. This shows that we are endeavouring to stick as close to the law as we can. So far as the judge of the Court of Appeals of Ontario is concerned, the Act 60 Victoria, chapter 13, passed the session before last, provides that the Court of Appeal of Ontario shall consist of the chief justice and four other justices; and that appeals from the decisions of the divisional courts on matters affecting controverted elections shall be brought before five judges, so that the court was absolutely blocked by the additional judge not being appointed.

Sir CHARLES HIBBERT TUPPER. The same legislature which made the block has the appointment of the judge.

The SOLICITOR GENERAL. I do not mean to say that that is the case, but to a perverted mind it would appear so.

Sir CHARLES HIBBERT TUPPER. It is not a charitable suspicion.

The SOLICITOR GENERAL. I might point out to the hon. gentleman, now that he has come back to the fold, and become again one of us, that a court of appeal consisting of four judges is very unsatisfactory.

Sir CHARLES HIBBERT TUPPER. That court has worked well, and I understand is a very satisfactory court.

The SOLICITOR GENERAL. No doubt; but a case recently came before them, in which there were two judges against two, and that is not satisfactory. As a rule, the judges of the Court of Appeal of Ontario are men of the highest standing, and it is one of the courts which is held in the highest respect, but I do not know of any other country in which a court of appeal consisting of four judges is satisfactory.

Sir CHARLES HIBBERT TUPPER. One or two subjects have excited considerable interest. For instance, the hon. Soli-