

there was no resident magistrate. It was necessary, therefore, to also reform our system of justices of the peace. In the past that ancient and honourable title had been sought by many people, because it gave them the right to swear affidavits and the right to add to their letterhead the rather high-sounding initials "J.P.". I found records of the appointment in Ontario of no less than 10,000 justices of the peace. It was not known whether they were alive or dead, and there was no record of what they had done. Therefore, by order in council, I discharged from office some seventy-nine magistrates and 10,000 justices of the peace at one sitting. I was reminded of the King of France who wished that all his enemies had just one neck, so that he could sever their heads with one blow. We then proceeded to appoint itinerant magistrates from the best men available. We abolished the fee system, and put the magistrates on a stipendiary basis. In each one of these localities we appointed the best non-legal men we could get. They were to act as justices of the peace, hear complaints, issue summonses, subpoena witnesses and, if necessary, prepare cases for trial on the approval of the magistrate. That system has done almost untold good in the province of Ontario.

These humble magistrates' courts are the most important ones in our communities. They do not deal with important matters of finance and property, but they enter into the homes and lives of our people as do no other courts. In the past it was thought *infra dig* for a lawyer of standing to appear in police court, but that is not the case today. The courts have taken on a fuller appreciation of their own dignity, and today's system is much the same as the one which I devised in 1934. The Ontario magistrates of today are well-informed men, and I think each of them is quite capable of carrying out Part XVI of the Code as enacted some time ago. Probably the magistrates in such provinces as Manitoba are not so well educated as those in Ontario—

Hon. Mr. Haig: Ontario did not ask for any delay.

Hon. Mr. Roebuck: No; but if delay is required in other provinces, I suppose we should pass this section. However, it should only be accepted on the understanding given by the honourable senator from Toronto (Hon. Mr. Hayden), that this is not an indefinite delay, and that the subject matter will come before us again.

Hon. Mr. Horner: What arrangement did you make for paying the representatives of the Crown? I refer to those men who prosecute cases for the Crown throughout the districts.

Hon. Mr. Roebuck: In Ontario most of them were paid on a fee basis. Had I remained Attorney-General for a longer period, I think we would have abolished the fee system completely so far as they were concerned too. I think it is high time that this reform took place in Ontario and other provinces as well. I do not like an official of the court being interested in the decision as to whether or not a man is guilty.

Hon. Mr. Aseltine: That is not what the honourable senator from Blaine Lake (Hon. Mr. Horner) meant. He was referring to cases in Western Canada that were tried by the agents for the Attorney-General. They probably attended preliminary hearings and got paid when they took cases on. In many instances the cases should not have been tried at all. The representatives got paid for each case they took to the higher court.

Hon. Mr. Roebuck: I do not think we have that trouble in Ontario. We still pay Crown-Attorneys by fees.

Hon. Mr. Aseltine: For each case they handle?

Hon. Mr. Roebuck: In some of the outlying districts we still pay by fees, but most Ontario Crown-Attorneys are paid stipends. We are at least working in that direction, and I think we have made some progress in recent years. I hope that the time will come when the fee system will be abolished completely as regards Crown-Attorneys as well as magistrates.

Hon. Mr. Horner: I think that in every province they should be paid a salary. The reason I asked my question was that I recalled a case that completely shocked me. A neighbour of mine was working for a certain company in our village. Each director of that company was accused of illegally taking company funds. It seems that they had not consulted the shareholders of the company, and there was a shortage of funds. This neighbour of mine, the father of six little girls, was subsequently arrested. I went bail for him, and while awaiting trial, which was set over for six months, he received an opportunity to get work on Vancouver Island. He came to me and asked me if he might take the job. I said, "Certainly, I am not watching you. If you can get work, as far as I am concerned, you can go to Mexico." I helped him to get away, and then I spoke to the officials. I said, "Now, this man is really not guilty. Why bring him back?" As the result of my conversations I learned that if this man returned to stand trial it would mean \$50 to the representative of the Crown. And I was told that he needed the money. I was shocked