

district where they are supposed to live to Montreal, as Judge DeLorimier did, who drew \$1,494 for travelling allowance during the very year the hon. gentleman was Minister of Justice. I find there are many who have done that. Mr. Ouimet—

Sir CHARLES HIBBERT TUPPER. I rise to a point of order. If the hon. gentleman desires to make a charge deliberately against a judge that he made a dishonest claim, I think he is out of order. There is only one way in which a matter of this kind can be dealt with by Parliament. I think the Solicitor General is bound in his official position to protect the judges. I may say that I never had the slightest intimation before me or brought to my notice that any judge was doing what is dishonourable, or an act which would render it necessary to ask Parliament to interfere in his case. But the hon. gentleman is entirely out of order if he attempts in this way and in committee to charge any Superior Court judge with rendering false accounts.

The SOLICITOR GENERAL. I am not specially called on to defend the judges who have been attacked, who are altogether judges in the province of Quebec. I intend to defend them all.

Sir CHARLES HIBBERT TUPPER. If the hon. gentleman makes an insinuation of this kind, and I take it that he makes a direct charge, that the judges were making dishonourable charges, and when he states that I must have known it, he is taking an unwarrantable liberty and making a reckless statement. That is, however, a trifling matter. The hon. gentleman has a right to asperse me, but my point is, that the hon. gentleman has no right to make a charge of dishonourable conduct against a judge in this manner.

Mr. McMULLEN. I will recite my charge, and leave the Deputy Speaker, after I have given the full facts, to say whether I am not justified in making the statement.

Sir CHARLES HIBBERT TUPPER. I insist on a ruling on my point of order. It is that the hon. gentleman (Mr. McMullen) has already made a serious charge against a judge, and he is now proceeding to make another serious charge against a judge. I ask your ruling, Mr. Chairman.

Mr. DEPUTY SPEAKER. I am very much afraid that the hon. gentleman (Mr. McMullen) has perhaps gone too far in charging the judges with being dishonest. It is permitted to a member of this House to criticise the judges to a certain extent, but I do not consider it would be parliamentary to charge them with being dishonest.

Mr. McMULLEN. I accept your ruling, Mr. Chairman. I will state a plain bald fact, and I do not think I can be prevented from doing that.

Mr. DEPUTY SPEAKER. I do not mean that the hon. gentleman (Mr. McMullen) has not the right to make a charge, but there is a certain procedure which must be adopted when a charge is made against a judge, and the hon. gentleman is not following that procedure.

Mr. McMULLEN. A certain number of judges live in the city of Montreal, and some of them are supposed by law to live within their judicial districts. Judge DeLorimier is supposed to live in the district of Joliette but he does not. If he did and if he were called to Montreal to discharge duties there he would be entitled to an allowance of \$6 per day, counting the day before he started for Montreal, the number of days he was engaged in Montreal, and the day he returned home; so that if he sat in Montreal only one day he would under the old rule be entitled to get \$18. Well, now, Judge DeLorimier lives in Montreal, but he is judge for the district of Joliette, and when he has been called upon to discharge duties in Montreal he has drawn \$6 a day for living allowance the same as if he came from Joliette into Montreal. By doing that he has put into his own pocket \$1,494 during the year 1895, \$2,040 in the year 1896, and \$1,644 in the year 1897. Take another judge who lives in Montreal. Take Judge Ouimet, who was once a member of this House.

The MINISTER OF PUBLIC WORKS.
No.

Mr. McMULLEN. Perhaps not. This Mr. Ouimet is judge for Richelieu district, and supposed to live there, and he has no right to live in Montreal. It is a violation of the law for him to live in Montreal, but he does so.

Sir CHARLES HIBBERT TUPPER. I again rise to a point of order. It is quite clear that the object of the hon. gentleman (Mr. McMullen) is to bring into contempt the judges of the land, and I have under my hand an authority which would, I think, warrant the members of the Government in protecting the judges from these aspersions and insinuations which I submit are not manly. The authority is this:

Bearing in mind the general responsibility of Ministers of the Crown for the due administration of justice throughout the Kingdom, and the obligations which they owe to the dispensers of justice to preserve them from injurious attacks or calumnious accusations, it is necessary that before consenting to any motion—

The hon. gentleman (Mr. McMullen) does not dare to make any motion—

—before consenting to any motion for a parliamentary inquiry into the conduct of a judge, or even for the reception of a petition complaining of the conduct of a judge, and not asking for his removal from office in accordance with the statute, or not alleging reasonable ground for such proceeding, Ministers should themselves have in-