

him adequately to perform the duties assigned to him. Then, take the district of Montreal. I venture to make this statement, that there is more business done in Montreal than there is in the whole province of Ontario. If my hon. friends will look at the list of cases before the Supreme Court, they will find that in the last three terms of that court there have been more cases from the province of Quebec than from all the other provinces put together.

Mr. BORDEN (Halifax). I think that is only latterly, not usually.

The SOLICITOR GENERAL. I say for the last three terms, notwithstanding the fact that from the province of New Brunswick any case may be brought involving \$200 and from the province of Ontario any case involving \$1,000, while from the province of Quebec only cases involving over \$2,000 may be brought. The whole difficulty in the province of Quebec arises out of the unfortunate habit contracted by our judges of charging travelling expenses to which they were not fairly entitled.

Mr. FOSTER. How does that affect the distribution?

The SOLICITOR GENERAL. In this way, that if our judicial system were carried out in the spirit as well as in the letter, each judge would reside in his own district, and he would not have any travelling expenses.

Mr. BERGERON. Suppose he has nothing to do?

The SOLICITOR GENERAL. Then the district should be abolished. The hon. member for Beauharnois (Mr. Bergeron) knows that one of the strongest governments we ever had in Quebec—I mean strong in its majority—tried to change the system, and they could not get their Bill beyond the second reading. They dare not submit it to the test of the House.

Mr. BERGERON. My hon. friend knows why.

The SOLICITOR GENERAL. Because our people are so thoroughly imbued with the idea that they must have the paraphernalia of justice under their eyes.

Mr. FOSTER. But you take away from them the paraphernalia of justice by not keeping the judge in his district.

The SOLICITOR GENERAL. That is what we want to provide against by this Bill. We say that the judge shall not leave his district at his own sweet will or without the consent of the chief justice.

Mr. FOSTER. It is awfully hard on the judges.

The SOLICITOR GENERAL. It may be, but it is absolutely necessary.

Sir CHARLES HIBBERT TUPPER. It is destroying their usefulness.

The SOLICITOR GENERAL. It is not, because the chief justice of the court should have control over his puisne judges, and should know what they are doing. The chief justice is responsible for the proper administration of justice by his court in the province; and we say that he shall determine when a judge shall leave one district and go to another, and the judges will not be free to do so at their own sweet will. We have expended in the province annually about \$21,000 for circuit allowances; this year we ask for only \$16,000, and we hope to keep well within that mark; and as an additional expenditure there will be \$4,000 for the district judge in Sherbrooke and \$3,000 for the circuit court judge in Montreal. The additional judge for the Sherbrooke district is a necessity to which my hon. friends are committed, for they went as far as they could to make the appointment. We say that we shall so control the expenditure for circuit allowances that the public exchequer will not suffer from the appointment of these two additional judges for the province of Quebec. We have also to deal with certain judges of the province of Ontario, and it is very strange that with the exception of the remarks of the hon. member for York (Mr. Foster), we have not heard a word against the increase in that province, although it amounts to \$7,200 as against \$7,000 for the province of Quebec. I do not make any complaint that we are not blamed for that increase, but I want to explain the reason of it. In the province of Ontario, the county court judges and the junior judges must have the same qualifications; yet the county court judge, after I think three years service, is entitled to \$2,400, in addition to which he has all the surrogate fees and the other emoluments attaching to his office. The junior judge, on the other hand, though required to have the same qualifications and to perform the same duties, is required, in addition to the duties assigned to the county court judge, to attend the division court. What is the result? In the province of Ontario last year only 357 cases were tried in the county courts, whereas in the division courts, presided over by the junior judges, 52,204 cases were tried. The junior judge has to do all the travelling, and to incur an expenditure far in excess of the amount allowed him, and gets \$2,000 a year, whereas the county court judge gets \$2,400, and the fees I have mentioned. It seems to me that there is no justification for continuing that state of things. The hon. member for West Assiniboia (Mr. Davin) seemed to take rather a curious stand when he referred to the increased expenditure involved by this Bill in the province of Quebec, and at the same time asked that there should be an increased expenditure for Manitoba and the