

Mr. CARVELL. Before this resolution passes, I would like to call the attention of the right hon. Prime Minister (Mr. Borden) to the fact that there is no provision here for dealing with the case of the county court judges of the maritime provinces. I would ask him to bring the matter to the attention of the Minister of Justice. Would it not be well to take into consideration the possibility of making some provision to increase the salaries of the county court judges in the maritime provinces? The reason that I mention the maritime provinces especially is, that, as I understand it, there is a great difference between the position occupied by county court judges in the maritime provinces and that occupied by county court judges in Ontario. In Ontario there are two judges in very many counties, and in a few instances only one. One judge who looks after the more important business while the other takes the district court business. In the province of Quebec the district court judge, as I understand it, has about the same jurisdiction and powers as the county court judges in the maritime provinces, and the only difference is that while in the maritime provinces the county court judge receives a salary of \$3,000, in Quebec a man doing the same work gets \$5,000 a year, and to-day we have a proposition here to give one of them \$7,000. I do not say that the judges in the maritime provinces are overworked. I think that perhaps, with the exception of the judges in Halifax and St. John, they could do twice as much work as they are doing to-day. It is not reasonable to expect a man, who occupies a high position at the bar of his native province, to take a county court judgeship at the small salary of \$3,000 a year. It seems to me that a man who is sufficiently competent to discharge the duties of a county court judge in the maritime provinces is entitled to a good deal more than that salary. You can hardly find an official in Ottawa, in the ordinary civil service, doing merely clerical duties of any importance who is not receiving \$3,000 a year. The county court judge is excluded from taking part in any of the ordinary affairs of life; he is not supposed to augment his income from any commercial or professional pursuit and so he has practically to live on \$3,000 a year unless he happens to have a private income. I do not think any of the county court judges would object to have additional duties imposed upon them, and while I do not expect the Prime Minister to give any promise today, I would ask him to bring the matter to the attention of the Minister of Justice in the hope that the county court judges may obtain that increase in salary to which they are entitled.

Mr. McKENZIE. I have much pleasure in supporting the suggestions made by the

hon. member (Mr. Carvell). I trust that the Prime Minister, when he is considering the claims of the county court judges of the maritime provinces, will remember that the jurisdiction of the county court is very much wider now than it was in 1876 when these courts were created. In 1876 the county court judges, in Nova Scotia at all events, had no criminal jurisdiction except appeals from magistrates, but at the present day every criminal offence except the high crimes such as murder, can, with the consent of the accused, be tried in the county courts, and thousands of such cases are so tried. Then, when the county courts were created, the jurisdiction was only limited to \$400 in civil cases, but it has now been extended in Nova Scotia to \$800 so that a very large civil business is conducted in these courts. In Nova Scotia, the Lien Act has been extended and the county court judge has exclusive jurisdiction under it, no matter how large the amount that may be involved, which goes further to show that the county court judge is expected to have a good grasp of the law and of business matters. Then again, as an evidence of the extended jurisdiction of the county court, when that court was created we had no Judicature Act and the passage of that Act has involved a very large extension of the jurisdiction on the county court judges. In the city of Sydney a large volume of civil business is conducted before the county court judge as master of the Supreme Court, and so his work is very much greater than it was when the court was constituted. Again, a few years ago, the Railway Act was amended, to extend the jurisdiction of the county courts along the Intercolonial Railway to deal with cases arising between the government and individuals respecting damages caused on the I.C.R. As was pointed out by the hon. member for Carleton, the business as to law and fact dealt with in a county court requires from the judge as good talent as it is to be found in the (legal) profession anywhere. Speaking with more definite knowledge of the county of Cape Breton I can say to the Prime Minister with positive certainty that the judge of the county court is engaged every single day in the year, except Sunday, with criminal cases, civil cases, and Supreme Court cases. Last summer there was some unfortunate litigation arising out of the strike, and in connection with it three or four thousand ejectments had to be tried before him, which kept him continuously at work. Of course, we hope that a circumstance of that kind will not arise again. But, even without that, the population is large and the litigation is increasing every day. We have a competent county court judge there in whom the people have confidence, and they find it convenient to go to his court rather