

they cannot do it at all, and are obliged to call to their assistance the judges of the surrounding country districts, and even to call the judges of country districts lower down in the river than Quebec, and the obstruction is such in the Court of Appeals at Montreal that, as I said a moment ago, that if you to-day inscribe a case at the Court of Appeals at Montreal you would be obliged to wait two years before being able to plead it.

Later he said :

I repeat that at least in a dozen districts there are judges who have not more than three months' work a year, while in the district of Montreal, Quebec and Sherbrooke the judges have more to do than they can accomplish.

That is a specific statement.

The SOLICITOR GENERAL. I have a very vivid recollection of this statement. It was made by Hon. Mr. Casgrain, as Attorney General, at the time he introduced his Bill, and although he was bolstered up by one of the strongest governments that ever held power in the province, he was compelled to withdraw the Bill. That indicates the force of his statement.

Sir CHARLES HIBBERT TUPPER. Does the hon. gentleman impugn the statement made ?

The SOLICITOR GENERAL. When any gentleman makes the statement that a judge in the province of Quebec has only one month's work in the year, I impugn it.

Sir CHARLES HIBBERT TUPPER. Three months in the year.

The SOLICITOR GENERAL. The statement, is one, two or three months.

Sir CHARLES HIBBERT TUPPER. Is the hon. gentleman prepared to impugn the statistics ?

The SOLICITOR GENERAL. I impugn any such statement made.

Sir CHARLES HIBBERT TUPPER. One statement bears out the other.

Mr. BERGERON. I want to call the attention of the Solicitor General, before he brings in his Bill, founded on this part of the resolution, which speaks about the Court of Review, to the following portion of the resolution :—

But no travelling allowance shall be granted to any judge requested to sit in review under the first section of the Act of the Legislature of Quebec, 61 Victoria, chap. 20, unless it is certified by the chief justice or the judge discharging the duties of chief justice in the district that the attendance of such judge was necessary by reason of illness, incapacity or absence of one of the judges resident at Montreal or Quebec, as the case may be.

I call attention to a statute passed by the legislature of Quebec during its last session, in which I find the following :—

1. Article 2321 of the Revised Statutes is amended by adding thereto the following :—

Sir CHARLES HIBBERT TUPPER.

“ The three judges of the Court of Review are, however, taken from all the judges of the Superior Court of the province, at the discretion of the chief justice or acting chief justice, as the case may be.”

I believe under this Quebec statute we would be doing an act which would be unconstitutional by providing that country judges should be allowed to sit in review only when city judges could not act as judges in review.

Mr. McMULLEN. I want to say a word in reply to the hon. member for Montreal Centre (Mr. Quinn). The hon. gentleman stated in the calculation he gave from the Auditor General's Report that the salaries of the judges of the province of Quebec amounted to \$186,000. That may be quite correct, but the hon. gentleman did not add the travelling expenses, which brought up the amount to \$207,000. Then the hon. gentleman calculated the salaries of judges in Ontario, but he gave the salaries and the travelling expenses together.

Mr. QUINN. I did not.

Mr. McMULLEN. I challenge the hon. gentleman's statement. He said the salaries were \$247,000, and he added the travelling expenses as well as the salaries.

Mr. QUINN. I did in the other case.

Mr. McMULLEN. If the hon. gentleman will go over the figures, he will find I am right. I am not challenging the expenses paid in Ontario, nor am I challenging those paid in Quebec, if honestly and properly drawn ; but I wish to point out that when a judge in Toronto is called to discharge his duties, and he draws a per diem allowance of \$6 for coming in from an outside section where he was supposed to be located as a judge, while at the same time he was living in Toronto—if a judge drew money in that way, I would find fault with him. The hon. gentleman is trying to draw a herring across the track, in order to show that the judges of Ontario and the judges of Quebec were in the same category with respect to the expenses, which I contend they are not. The judges in Ontario are allowed by the Act of the provincial legislature and by a provision of the Act of this Parliament to the amount they draw ; there is an understanding and clearly defined arrangement, while in the case of the Quebec judges they draw this allowance by means of a side wind. The hon. gentleman said it would be better for hon. members from Ontario to criticise matters relating to Ontario, and allow members from Quebec to discharge the same duties with regard to matters relating to Quebec. Will the hon. gentleman pretend to say that we are simply here to attend to matters for the several provinces we represent ?

Mr. QUINN. No.