

have seven county Court Judges, all of whom are very fairly familiar with the practice in the Admiralty Court, and would be excellent judges to preside over the local Admiralty Courts. I think it would be a very excellent provision to insert in this Act that the County Court judges, in their respective districts, should have jurisdiction by which immediate relief could be given to parties seeking it in those courts. For instance, if we take the wide coast of Cape Breton and suppose a collision took place on any part of that coast, the only point at which relief can be obtained is Halifax, where the party has to go and file an affidavit and get a warrant to arrest that ship, and in the meantime she is off beyond the jurisdiction of the court. But if the County Court judge of that district had jurisdiction, the party desiring relief could go to him, lay his complaint, make his affidavit, get a warrant, and have the ship arrested right away. I think, therefore, that the County Court judges should have jurisdiction on matters of this kind, and that they should not be confined entirely to the chief justice, whose residence is at Halifax. This idea is somewhat borne out by the 5th section of the Act, because it gives power to the Governor in Council, from time to time, to constitute any part of Canada a district; and, to my mind, it appears only reasonable that these districts should be created right away, and be made coterminous with the jurisdiction of the County Court judges in the several provinces. Now, a word as to the method prescribed for appeal. I entirely concur with the views of the hon. member for Queen's, P.E.I. (Mr. Davies) in that respect, and, in saying this, I do not wish to be considered as reflecting in the most remote manner upon the learned and excellent judge of the Exchequer Court. My opinion of him is too well known, and no one can suppose me of holding any but the highest opinion of his learning and his character. But in the Maritime Provinces we have judges who are pre-eminently qualified to sit as Admiralty Court judges, and it is, therefore, no disrespect to him whatever when I say that I do not think his training is essentially of that character which is required for this position. I, therefore, think I am right when I say that the County Court judges will, to say the very least, be fully as qualified to sit and adjudicate upon the claims that may be made before them in the Admiralty Court, as any Exchequer Court judge sitting at Ottawa. I do hope, therefore, that the Minister of Justice will see that such provisions are introduced as will make this court more immediately available to persons seeking relief, than it is at present.

Mr. MILLS (Annapolis). I quite agree with the remarks of the hon. member for Richmond (Mr. Gillies), regarding the circumstances in Nova Scotia with respect to this question. What obtains in the eastern portion of Nova Scotia, as stated by my hon. friend, obtains largely in the western portion of that province. In Nova Scotia we have a great deal of admiralty business to do, and it is a great inconvenience to have to go to Halifax when any of these cases occur. On one occasion I had the experience that the hon. gentleman refers to, in a case where it was only by means of securing the services of a tug that we stopped a vessel from getting beyond the jurisdiction of the court, whereas

Mr. GILLIES.

if the regular means of communication had been taken, the vessel would have escaped proceedings entirely. Now, if it could be so arranged that our County Court judges would have the same jurisdiction in the western portion of Nova Scotia in admiralty matters, I think it would satisfy the members from that part of the province and the public generally, besides being a great convenience to the parties interested

Sir JOHN THOMPSON. I propose, before the Bill is finished, to take power for the Governor in Council, as I indicated in my remarks a few moments ago, to change, from time to time, the limits of any Admiralty Court district, so as to provide for the cases referred to by my two hon. friends from Richmond (Mr. Gillies) and from Annapolis (Mr. Mills). As respects the present admiralty districts, the provision of the Bill is temporary, in view of the necessity for making provisions for existing officers.

Mr. MILLS (Bothwell). I would ask the hon. gentleman how this Act affects the compensation of the admiralty judge, if you enlarge his district or diminish it?

Sir JOHN THOMPSON. I say this is temporary, in view of the fact that we cannot change the limits of his jurisdiction without changing the compensation; therefore, I would not propose to alter the limits of the jurisdiction until a vacancy occurs in his office, and after that, I think a new distribution of the admiralty districts would be very desirable. Now, I think the hon. member from Ontario misapprehended, in that respect also, the provisions of section 20. He seemed to be apprehensive concerning the extent of the provisions in section 20, on the ground that they conferred very high jurisdiction upon the officers who are now performing those functions. It is to be remembered that at the present moment all these officers have the full extent of the jurisdiction possessed by Vice-Admiralty judges in Canada, and they are judges of as high rank as the principal judge of the Maritime Court of Ontario. They are all County Court judges; and looking at the extent of the business which is done throughout that country, and the amounts involved, I do not think it is unsafe to give judges that jurisdiction. I would say, also, that that section of the Bill keeps in view the fact that these gentlemen are in office, and that we cannot enlarge their jurisdiction without compensating them, and we propose under the provisions of this Bill that their jurisdiction in such Admiralty Courts shall from time to time be fixed by the Governor in Council.

Mr. MILLS (Bothwell). The Local Legislatures may give this jurisdiction to any court.

Sir JOHN THOMPSON. That has been the hon. gentleman's argument, I am aware; but I am hardly prepared to agree with it at the present moment. No doubt we have power, both by the provisions of the British North America Act and of the Admiralty Act of 1890.

Mr. DAVIES (P.E.I.) If I understand the criticisms of some hon. gentlemen opposite, notably the hon. members for Cape Breton and Annapolis, they amount to this: that to ensure speedy and cheap decisions of the Admiralty Court, it is essential to vest the jurisdiction in County Court judges; but, under the operation of the Imperial