

the decision. There may be, of course, some hardship in the distance that may have to be travelled to get this order. It may take some time. If the order is to be granted by a judge of any of our Superior Courts in Nova Scotia, for instance, the application would have to be made in Halifax. I do not see why an application of this kind might not be made to a county court judge. There are county court judges in Nova Scotia, and I think the other Provinces of the Dominion are similarly situated. Nova Scotia is divided into six districts, with a county court judge in each district, and application could be made to the county court judge in a short time. Take the instance cited by the hon. gentleman from Montreal of a ship going to Sydney, and gets into an altercation of this kind with a seaman, an order could be obtained there in forty-eight hours, and it is so with every other district in Nova Scotia. I do not know to what court the application is intended to be made, but I think it would be very desirable that the order could be obtained in county courts. If the hon. gentleman could make his amendment in that form it would be an improvement.

HON. MR. KAULBACH—I agree with everything the hon. gentleman from Richmond has said, with regard to *certiorari* being removed to the county court as being more expeditious, for the character of these cases should be as speedy as possible. The remedy proposed by the leader of the Government is a good one, and after a year's experience of it, if an amendment is required we can make it. I know that there has been a great deal of oppression in many cases, and the incompetency of the magistrates is noted in many cases—not only incompetency, but partiality, largely in the interests of the shipowners. Therefore, I think the proposal made by the hon. gentleman is as good a solution of the difficulty as can possibly be.

HON. MR. POIRIER—I concur in the remarks of the hon. gentleman, but if I understand the amendment, the words "Superior Court" would include both courts.

HON. MR. MILLER—No; a court of record would include the county courts, but by the term "Superior Court" we understand Supreme Court in the Province.

HON. MR. ABBOTT—I think the suggestion of my hon friend from Richmond is most important, but I am not prepared at the moment to say exactly what court it ought to be. Certainly, if there be a difficulty about the distance of the court at which application is to be made it ought to be remedied by taking the local judge. This law applies to the Maritime Provinces and Quebec, and we should have to take care in making provision for application to the nearest judge to make it in a way conformable to the different Provinces. I accept the suggestion of my hon. friend to give power to the local judge to grant the order of suspension. In the Province of Quebec it will be a Superior Court judge, because there are Superior Court judges in every district. In Nova Scotia and New Brunswick, and Prince Edward Island, it would be the county court judge. I accept the amendment, and if the House will pass this amendment through committee, on the third reading I will put in the name properly. In the meantime, I will ask the Minister of Justice to make a proper description of the local judge to whom the reference will be made for a special order.

HON. MR. READ—Not forgetting to put in British Columbia.

HON. MR. ABBOTT—British Columbia will have to be considered also.

HON. MR. POWER—There are cases where a Supreme Court judge can be more conveniently had than a county court judge. I take the same view of this question as the hon. gentleman from Kennebec does, and I should like to ask the leader of the House whether or not there is any provision in the English law respecting shipping and seamen which gives an appeal in a case of this sort?

HON. MR. ABBOTT—I could not answer that question as to the English law. We have been acting by what appears to be the demands of our own population in this matter. The law has been in force for some time, and complaint has been frequently made of the injustice done in depriving our seamen of the right of appeal in these cases, and representations to the Government have been of the strongest character—not only that, but similar representations have been made to leading members of the other House, and I have