

No. 6.

By the Honourable Mr. Landry:—

November 16—That he will draw the attention of the Senate to the following facts:—

The constitution of the Superior Court of the Province of Quebec is regulated by the laws of that Province.

The Revised Statutes of the Province of Quebec, as in force to-day, enact as follows:—

“2315. The Superior Court, which is a court of record, consists of thirty judges, that is to say, of a chief justice and twenty-nine puisn judges.”

In view of the considerable extent of the Province of Quebec and in order to facilitate therein the more speedy administration of justice, especially from the point of view of the appointment, at each term of the Court of Review, of the judges who are to compose that court, the Legislature of Quebec passed, in 1884, the following enactment, which forms Chapter 7, 47th Victoria:—

“1. The following section is added after Section 9 of Chapter 78 of the Consolidated Statutes for Lower Canada, as amended by the Act 46 Victoria, Chapter 13, Section 1:

“9a. Whenever the chief justice shall reside in the city of Quebec, the senior of the judges residing in the city of Montreal shall perform the duties of the chief justice of the said superior court in the district of Montreal as it is comprised and defined for the purposes of the court of review; and

“Whenever the chief justice shall reside in the city of Montreal, the senior of the judges residing in the city of Quebec shall perform the duties of the chief justice of the said superior court in the district of Quebec as it is comprised and defined for the purposes of the court of review;

“Provided always that nothing in this section shall be interpreted so as in any manner to diminish the rights and powers now possessed by the chief justice of the superior court, or so as to interfere therewith.”

“2. This Act shall come into force on the day of its sanction.”

As a matter of fact this Act was assented to on the 10th June 1884.

Three years later, on the 18th May, 1887, the Lieutenant Governor of the Province of Quebec assented to the following Bill, which is chapter 12 of 50 Victoria, and reads as follows:—

“CAP. XII.

“*An Act to amend the Law respecting the Constitution of the Superior Court.*

(Assented to 18th May, 1887.)

“Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:—

“1. Section 9a, added by the Act, Victoria, chapter 7 after section 9 of chapter 78 of the Consolidated Statutes for Lower Canada, is replaced by the following:—

“9a. Whenever the chief justice shall reside in the city of Quebec, the judge, appointed by competent authority to perform the duties of the chief justice of the said superior court, shall perform such duties in the district of Montreal, as it is comprised and defined for the court of review, and he shall reside in the city of Montreal.

“Whenever the chief justice shall reside in the city of Montreal, the judge, appointed by competent authority to perform the duties of the chief justice of the said superior court, shall perform such duties in the district of Quebec, as is comprised and defined for the court of review, and he shall reside in the city of Quebec.