

"And it seems to me that I could not begin this letter more pertinent-ly than by citing the following words, pronounced by the illustrious and much regretted Sir George Cartier, in the House of Representatives of United Canada, when he proposed the second reading of the Bill for judiciary decentralization in Lower Canada in 1857; these extracts are taken from *La Minerve* of the 17th April, 1857.

"The cry that has resounded from one extremity of the Province to the other against the present system, must not be considered as a clamor, but, on the contrary, as the public expression of the necessity of a more extended judiciary decentralization.

"Now, that it is acknowledged that decentralization is a necessity, we must find out by what means we can obtain this object without burthening the consolidated fund with an expenditure larger than the present one.

"That Bill became law. It was nothing less than a system of judiciary decentralization with districts numerous enough to answer the wants of the large regions situate on the extremities of the country (and it is there only that the population in the Province of Quebec increases to a considerable extent, as proved by the Census) and resident judges, for that measure necessarily involved the residence of the judges, and all the judiciary personnel, at the chief towns of their respective districts. I took active proceedings with the Government on the occasion of the appointment of Judge Winter, in order that he would take his residence at Percé.

"I brought the matter before the House of Commons, and the Government led me to believe that Judge Winter would go and reside at Percé.

"But what happened? Judge Winter always resided at New Carlisle, until he was superannuated. Judge Caron resided at Quebec, and Judge Laframboise at Montreal.

"I am obliged to declare it—this system is condemned by all the population of Gaspesia, who finds that the judiciary decentralization promised, voted by the Legislature, and which was to have secured for Gaspesia a prompt and an effective system of justice, has not been put in practice for the last ten or twelve years, as regards the residence of the Judge at the chief town of the district, and that is one of the essential parts of the system of judiciary decentralization. Without that, this system is, so to speak, decapitated. Judiciary decentralization has always formed a part of the programme of the Conservative party, and also of the Liberal party.

"As for me, who have observed closely what has taken place in the county of Gaspé—I should say in all Gaspesia—since 1852, I must declare that justice is not administered there as it ought to be, to the great detriment of the interests of all classes of that region.

"Itinerant Judges do not suit that distant part of Canada, which, on the contrary, ought to have in its midst all the elements which constitute an important centre—I should say, a kind of autonomy.

"One might be tempted to say that, far from going ahead in the patriotic work of judiciary decentralization, we have retrograded.

"It is, however, the most powerful and fruitful factor in the work of colonization, and without active and efficacious colonization in the regions which form the outskirts of the Province of Quebec, where will the superabundant population of the old countries go? They must exile themselves in foreign lands.

"I pronounce myself now, as I have always done, in favor of a resident Judge in the judiciary district of Gaspé, and I beg you to be pleased to use your influence in the Privy Council so that the system of judiciary decentralization may be put in operation in the county of Gaspé in all its plenitude.

I have, etc., etc.,
(Signed) "P. FORTIN.

"Hon. Sir ALEX. CAMPBELL, K.C.M.G., C.B., Minister of Justice.

"P.S.—Population of the county of Gaspé in 1871, 18,729; in 1881, 25,001. Increase of the county of Gaspé during the last ten years, 34 per cent. Increase in the Province of Quebec during the same period, 14 per cent.

(Signed) "P. F."

That is the letter I addressed to the Minister of Justice, demanding redress for the people of the county of Gaspé. I know it has frequently been said, and especially by gentlemen connected with the legal profession: "What is the use of a Judge in those places? There are no cases to be tried." But when we find that the Judge, so far from remaining until the last day of the term, leaves before it is half through, after, perhaps, postponing indefinitely a number of cases, how can the merchants, the agriculturists, who may have occasion to go to law, get that justice which they have a right to expect? I wish to read a summary of a speech delivered in 1878 in the Legislative Assembly of Quebec, on the second reading of the Bill to remove one of the Judges of the district of Gaspé to Quebec. The Bill was conceived in that spirit of centralization, which we see, unfortunately for this country, so strongly manifested in our cities; but, fortunately for the administration of justice in Gaspé, the Government fell and the Bill fell with it. On the 30th March, 1868, I moved that an humble address be presented to His Excellency the Governor Gen-

eral for a statement of the number of sittings of the Court held at Amherst, Magdalen Islands. I had made that motion on account of the complaints made by the people of these Islands, because the Judge had often failed to go and hold Court there, to the detriment of the people of that place and to the injury of its commerce and fisheries. I also then complained that the Judge did not reside at the capital town of the district, but at New Carlisle, a distance of 65 miles away. But nothing was done. My complaints made in the name of a large county and of a suffering people were in vain, and I need scarcely add that this was a great disappointment to the Gaspesians—this is a matter easily perceived. On the 4th April, 1860, I made another motion in this House, on the occasion of the absence of the Judge, during several terms of the Circuit Court of the Magdalen Islands. At the same time I complained that Judge Thompson had never resided at Percé, the capital of the county, and that neither did Judge Winter reside at the chief town of the district. The Government promised to compel him to take up his residence there, but nothing came of it. After a time the Administration changed, and we naturally expected the Reform party would grant us the measure we had asked, but nothing in the way of the reform asked was done by them, nevertheless. In short, all the Governments have shown, for the judiciary interests of that county, a heedlessness, a carelessness and disdain, which I am utterly at a loss to explain. No solicitude, no benevolence, and no pity, I may say, for the population who are colonizing these distant regions, amid all the kinds of difficulties and hardships which they undergo in making this country rich, by their being great consumers of the products of the manufacturers. This I can explain in only one of two ways: either we are thought by the Government to be an inferior people inhabiting an inferior country, and that anything is good enough for us; or else, the Government is returning to the old ideas of centralization—ideas which, if carried out, will be fatal to this country, which increases its population, only in the vast regions which lie at its extremities on the north, south, east and west. No pity for them! They must be worked and have nothing. No railways, no general improvements, not even a good administration of justice. But, Sir, the measure is full, and it overflows. The people are discontented. I will here read extracts from letters written to me in 1878, by leading gentlemen in the county, which demonstrate that our grounds of complaint are not exaggerated. The first is as follows:—

"The Judge came here to hold the January term, which has been appointed by proclamation to last from the 23rd to the 29th, inclusive; but, although there were several cases fixed for to-day—the 25th—and witnesses summoned in these cases from Cape Rosier, Grinn Cove, and Newport, the Judge closed the term on the 24th, in spite of the objections of the lawyers, and went away immediately. The reasons given were, that the cases were not important enough—being suits for from \$20 to \$30—and that there were more important cases to judge, viz: Kamouraska election case, and the Quebec term, which he had to attend at Quebec. Now, I do not know what you will think of these reasons, but the people of Gaspé did not find them very satisfactory."

The second is as follows:—

"The Judge receives a salary to act as a Judge; he either neglects to fulfil his duties or the Government gives him instruction to neglect his duties as Judge at Gaspé, to transfer them to Quebec, and this causes an additional expense to the country, while it is a refusal of justice to the people of Gaspé. As for me, I have important cases connected with the settlement of a succession which I cannot enter into Court, because I can never be sure of the presence of the Judge at any term, and I do not like the unnecessary expenses to commence pleading before a Judge who is in such great haste to return to Quebec or Montreal, and is liable to be replaced at the next term by another Judge before whom I would have to begin my pleadings anew."

The third is as follows:—

"The term was fixed for the 23rd. The Judge sat for 29 days, and closed the proceedings on the 24th, without having done anything. Mr. St. Croix, from Jersey, Channel Islands, doing business at Fox River, had to remain in the county all winter to follow his case for this term, but his case has again been deferred. Witnesses had come from New-