

ing his opinion that that practice should cease. Of course, it should not cease without provision being made for commuting the fees which they had been accustomed to receive, and increasing their salaries by the amount of the commutation. That letter was written, and the judges were glad that it was written; for it is not a pleasant thing for judges to sit in chambers and have their clerks collect fees from them. Lately the provincial government of Prince Edward Island brought to the attention of this Government the fact that those fees belonged to the province, and that the provincial exchequer had been improperly deprived of them, and when the matter was argued before Council, it was acknowledged that their claim was absolutely good. I have no doubt that a claim will be made for the fees which had been collected by those judges ever since the province came into confederation. These gentlemen said, "It is your duty to provide proper salaries for these judges, and not attempt in a surreptitious way to make the province pay a part of their salaries." I was in hopes, when my hon. friend the Minister of Justice introduced this Bill, that he would have in it a clause to remove this anomaly. My absence from the capital prevented that being done, which I believe would otherwise have been done. The Minister of Justice told me that he intended to take that matter up. I rose for the purpose of making this explanation why this anomaly is continued, which Government after Government have acknowledged to be indefensible; and I hope that the first moment any legislative action is taken with respect to the salaries of any of the Superior Court judges of the Dominion, that anomaly will be removed, and the salaries of the judges of Prince Edward Island placed on the same footing as those of the judges of the adjoining provinces.

Sir CHARLES HIBBERT TUPPER. I wish to set the matter right as between the hon. gentleman and myself. The hon. gentleman did not accept the quotation from my own speech in 1896; but I find in "Hansard" his own speech when he read the papers and showed that the Executive had decided to act. There being then no dispute between us, he said:

We have the intention of the Government expressed clearly as to the judicial district they propose to create, and the reason why.

The hon. gentleman will now perhaps accept the statement I made that no judicial district had been created for Judge Pendergast; but the Solicitor General said that it was intended to create one.

Mr. CASGRAIN. I desire to make a few remarks only on this subject, especially so far as the Bill concerns the province of Quebec. The Minister of Marine and Fisheries (Sir Louis Davies) said the discussion was almost academic. This is not quite

Sir LOUIS DAVIES.

correct, for I am sincerely of the opinion that there is no call whatever for the increase in the number of the judges of the Superior Court of the province of Quebec. There are some provisions of the Bill with which I am in accord. For instance, I think the Solicitor General is quite right in giving an additional \$1,000 to Mr. Justice Taschereau, who exercises his functions in the city of Montreal, like the other Montreal judges, and also in the district of Terrebonne. I think he is also quite right in providing a salary for another judge of the Circuit Court of Montreal. We who practice in Montreal know that the arrears of the Circuit Court are enormous. When a case comes on in that court, it is almost impossible to find the witnesses, and in some cases the parties are dead, so long a time has elapsed since the case was instituted. With regard to the other provisions of the Bill referring to the province of Quebec, I take the stand which I have always taken, that the system in that province is wrong; and this Government should do something, either by conference with their friends in the provincial government or otherwise, to bring about a complete reform in the system. Something has been said—I am sorry I was not here at the time—about the reforms I endeavoured to introduce while I had the honour of being Attorney General of the province of Quebec. I brought the measure to which allusion has been made, twice before the local legislature—first, in 1893, and again in 1894. My hon. friend the Solicitor General was mistaken when he stated that it was because the reforms were unpopular that I had to withdraw the Bill without its being read the second time. In all the endeavours I made to bring about those changes, I had the very valuable assistance of my hon. friend the Solicitor General. He was with me from the start, and encouraged me, and if he could at that time have led more of his supporters in the House, the Bill would have been carried.

The SOLICITOR GENERAL. I would say to my hon. friend that I am still of the same opinion.

Mr. CASGRAIN. In 1893 the Bill was read the second time and referred to the Committee of the Whole. The reason why the Bill did not then pass was because I was asked by a great number of the members of the bar of the province of Quebec to allow the measure to stand over for a year so that it might be studied by the bench and bar and others most interested. To that request, I acceded, and therefore the Bill was not passed that session; but when I introduced it, I knew very well that I would not have the support of lawyers from the rural districts, and that was the reason why I approached my hon. friend, the Solicitor General, and some leading lawyers in the House, and asked them if they would make