

us to do that, or to criticise our judges in this respect, unless their conduct should be really open to criticism, or be such as to amount to a public scandal. I am happy to feel that no such thing exists in any part of this country; I am glad to know that the impression does not exist in this House that the conduct of our judges in any case could be considered a matter of public scandal. Therefore, I do not see the necessity of making the distinction which is made by the resolution introduced by the Solicitor General, between the judges of the Superior Court and the judges of the Court of Queen's Bench.

Speaking of the judges of the Circuit Court, I have no hesitation in saying that the two gentlemen who occupy the positions in Montreal are eminently fitted for that post. They are men both possessing wide experience. While I do not altogether approve of the system which removes the trial of Circuit Court cases from the judges of the Superior Court, I do not think that a better selection could have been made than that of those two gentlemen who occupy the position of judges of the Circuit Court in Montreal. As I have said, I do not believe in the system existing at the present time. I think it is not beneficial to our judges of the Superior Court, and is not conducive to the speedy administration of justice in the Circuit Court to have special judges appointed to that court. The cases tried in the Circuit Court may be what are considered small cases, but they are entitled to the same consideration as cases tried in the Superior Court are entitled to. There is no better field for studying practice under the code of procedure and the practice of the courts than that furnished by the Circuit Court in Montreal. I do not say our judges require to receive instruction in procedure; but every professional man within the sound of my voice knows exactly what I mean when I say that the Circuit Court has been the training school for the judges of the Superior Court in matters of procedure for a number of years. Besides, it deprives our judges of the opportunity for coming together frequently in order to consider the judgments that are to be rendered; and I think lastly, and probably it is the most important reason of all, it destroys uniformity, or rather it does not conduce to uniformity, in the judgment of the court that we should like to see, and which exists in the Superior Court. I again draw the attention of the Solicitor General to the question of the Admiralty Court in Montreal. I should like to see a conference had between the Government and the Government of the province of Quebec with the object of devising some means of giving our judges all the work they can do, and with the object eventually of making their salaries such as they would be entitled to as judges of the Superior Court. My own idea is that our province should be divided

Mr. QUINN.

into two principal districts, Montreal and Quebec; that all the judges of the province should reside in one or other of those cities and follow circuit through their districts; that from Montreal and Quebec they should travel through the outlying country, but they should reside in the city of Quebec or the city of Montreal, and receive proper salaries that would enable them to live in comfort in those cities.

Mr. McMULLEN. I desire to say a few words on this question. In looking over the travelling expenses of the judges of the province of Quebec for the last three years, I must express my amazement that hon. gentlemen opposite, when in power, permitted this condition of things to go on from year to year. Money has evidently been improperly withdrawn, to use mild language, from the Dominion treasury from year to year, and the ex-Minister of Justice and those who discharged the duties before have permitted it to go on for years, and the sum has increased, till last year no less than \$21,000 were drawn, and in many cases improperly drawn, dishonestly drawn, from the Dominion treasury. I congratulate my hon. friend the Solicitor General on the introduction of this Bill. If there is one thing relating to the judiciary of the Dominion that requires immediate and prompt action it is the course that has been adopted by the judges in the province of Quebec with respect to drawing mileage. I notice that Judge DeLorimier, who is supposed to reside in the district of Joliette, has drawn \$1,494. For what? For allowance for travelling as judge from Joliette to Montreal to discharge his duties as judge. He does not live in Joliette, but in Montreal, and he has lived there continuously, notwithstanding the fact that he is supposed by the law to reside in his district. He, however, violates the law and resides in Montreal, but when he comes to charge an allowance for travelling expenses, he actually charges it from Joliette to Montreal every time, and by that means pockets \$1,494. I am amazed to think that any man undertaking the onerous duties of a judge should dare to risk the disgrace of being placed in this position, and in an indirect way, by fraud, he having no right to the money, but under a technical interpretation of the law, takes advantage of it, puts \$1,494 in his own pocket. I am glad to see the ex-Minister of Justice (Sir Charles Hibbert Tupper) in his place. He must have known that this thing was practised during late years.

Sir CHARLES HIBBERT TUPPER. What is that?

Mr. McMULLEN. Judges in Quebec who live in Montreal, in violation of the law, who should live in the districts to which they were appointed, when they serve as judges, actually charge for coming from the