

a party which, when in power, is not forgetful of the promises it makes in Opposition. We never intended to decrease the salaries of the Judges or of anybody else. We are of the opinion of the electors expressed on the 17th of September, 1878, that the hon. gentlemen on the other side of the House, when they occupied the Government Benches, failed entirely in operating those economies and retrenchments which they had been promising to effect during the twenty-five or thirty years of their Opposition life. These resolutions are forced upon us by the requirements of the public interest in the Province of Quebec. That Province wants more Judges, and because she wants them well paid, other resolutions will have to be submitted with regard to the salaries of County Judges. The leader of the Opposition seems to have forgotten that there is a law passed by the Quebec Legislature to meet the very difficulty pointed out by that hon. gentleman, and which provided that assistance should be given by the country Judges to those sitting in Montreal. In 1877-78 the Quebec Legislature passed a law providing that when the judicial business of Quebec, Montreal, or any other centre, required additional judicial assistance it should be rendered by other Judges sitting in the country districts. I believe that that has operated very well, and has already remedied some of the inconveniences complained of. At one time I have seen as many as five Judges who came from the country districts to assist their brethren in Montreal. It was in carrying out that scheme that the Judge of Beauharnois was made a Judge of the district of Terrebonne. The hon. gentleman quoted this instance with much glee, supposing that the change had the effect of depriving Montreal of the judicial assistance which was available in the person of that hon. Judge. The fact is that before going into the district of Terrebonne, Mr. Justice Belanger spent a great deal of his time in rendering help to the Montreal Judges. The hon. gentleman has drawn very incorrect inferences from the superannuation of the Judges. This provision was made at a time when there were many young Judges, specially in Ontario. In Ontario there are sixty-one Judges, while in Quebec there is only one-half that number, thirty-three or thirty-four. In ten or fifteen years hence, when the young Judges of to-day will have grown old and become fatigued, they will be superannuated, and then the balance will be against Quebec. The hon. member for West Durham made a number of quotations which do not affect the case at issue. The number of litigants and of cases in the Province of Quebec at any period does not explain their increase or their decrease. The state of business, whether prosperous or depressed, generally has a controlling influence in deciding the extent of judicial business. For instance, during the existence of the Insolvency Law a great number of cases arose under the operation, but they gave but little trouble to the Judges, and took but little time in proportion to their number. That class of cases has now disappeared, but it may be followed by other cases of a civil nature, or arising under the old French law, which give vastly more occupation to the Judges. It may not be out of place for me, as many of the members of this House are unacquainted with the system of judiciary in the Province of Quebec, to give some account of the functions of our Judges. Formerly we had what were called Circuit Court Judges, but in 1857 these were made Judges of the Superior Court. Now, Circuit Court cases are adjudicated upon and disposed of by the Superior Court Judges. In Montreal there are six in number, and the Circuit Court cases they have to dispose of amount in some years to 12,000 or 15,000, and even to 18,000. That Court sits every juridical day during the month, and every month in the year except during the legal holidays from the 9th of July until the 31st of August. The business in this Court is so great that Judges from the rural districts have to come to Montreal to assist Montreal Judges. Among these

Mr. MOUSSEAU.

I may mention Judges Laframboise (who spends most of his time in Montreal), Caron, Plamondon, Sicotte, Bélanger, and sometimes Chagnon from St. Johns. In fact, there are ten or twelve Judges that come from rural districts monthly to help the Montreal Judges. Then there are the Superior Court cases, which average from 4,000 to 6,000, according to circumstances, arising from commercial conditions and other circumstances. The extent and importance of the business which come under their jurisdiction is something startling. First, there are debts which vary according to the thousands of circumstances which give rise to them. Then they have the probate of wills, inventories, tutorships, and sales of minor estates which sometimes take place in Chambers and give them a great deal of trouble.

Mr. CASGRAIN. Not to the Judges.

Mr. MOUSSEAU. Yes; to the Judges in Montreal. Those cases require much time and study. In those cases it is a question usually of selling large estates of minors, under the pretence of paying off debts, or of improving the estates. Municipal matters also come before the Judges and often occupy much time. They have also before them motions to quash writs of *habeas corpus*. We also go before them with contestations in respect to voters lists. School matters in various forms come before them. They have the election cases, which are not only troublesome, but lengthy, sometimes throwing the Judges into a state of exhaustion, which compels them to give up work and take two or three months rest. There have been also special cases, in Montreal especially, which have occupied much time. There have also been cases in connection with the expropriation of property for street purposes, by the Montreal municipal authorities. Then there were cases between private parties and the railway companies, some of which were so hotly contested they occupied not months, but sometimes years. Those were some of the important matters which were dealt with by the Judges of Montreal. An opinion prevailed in some quarters, that in the increase of the number of the Judges of Queen's Bench, the six Judges would have to preside in the Court of Appeal; but, as I said before recess, the sixth Judge of Queen's Bench would be to help the other five; but the Court of Appeal, which took the most important cases, would stand as before. I have read very carefully the letter written by Mr. Justice Torrance to the Minister of Justice, a short time ago. He suggests some changes; he said an increase would be necessary, but not an increase of one Judge, but of two, three or four, if we cannot secure the assistance of the country judges. All parties agree on this point, which is the important one, that the number of Judges sitting in Montreal should be increased. It had been suggested that Judges should be brought in from the rural districts to sit in Montreal. The hon. member for West Durham (Mr. Blake) has thought himself sufficiently wise to give advice, and to tell the Quebec Bar, Government and people what they should do. One Government has, however, anticipated him, and have declared there is no effective remedy except that of appointing two additional Judges, one to the Superior Court and the other to the Court of Appeal. The hon. leader of the Opposition has sought to discuss the question from a Quebec standpoint; but he may calm his patriotic zeal with the reflection that other people more conversant with the object are already at work; that the Judges are endeavoring to find a remedy, and the Government of Quebec have already applied a remedy. With all these persons there is combined sufficient talent to bring about a proper remedy. Some other parties hold that the number of Judges is sufficient, but that they should be compelled to reside in Montreal—that 18 or 20 should reside in that city—and that they should be sent out every three or four months into the rural districts. That remedy, I am afraid, is entirely impossible, because the