

success of the free grant system, and thought if the license system were amended, it would be a great benefit to the settler.

After a few words from Mr. Lauder, the motion was agreed to.

LAW STAMPS.

Mr. HARDY, who had given notice of a motion for an address regarding law stamps, withdrew his motion, its purport being covered by a measure to be introduced by the Government.

CIVIL AND CRIMINAL CASES.

Mr. HODGINS moved for a return showing the number of civil and criminal cases entered for trial, and the several Assizes throughout Ontario since 1870, and showing the number of cases tried and the number of remanets and criminal causes left over at each such Assize. He said he made this motion in consequence of the statement to the effect that a large number of cases at the late sittings of the Assizes had been left over because of the inability of the Judges to perform the necessary work. He understood that at the Toronto Assizes last fall no less than eighty-two cases were left over, and at the winter Assizes, which had just closed, seventy-two were so left over. So far as the last referred to assizes were concerned, he believed the two learned judges who presided were only able to get through the remainder of the business left over from the previous assizes. He understood that the same difficulty had occurred to a greater or less extent throughout the whole Province. In Hamilton, London, Ottawa, and Belleville this had been the state of affairs, and he pointed out that it must necessarily result in a great loss to the litigants. He had no hesitation in putting down the loss incurred to each of the parties concerned in the cases recently left over at the Toronto Assizes at \$100 each, taking into account the fees to witnesses, Court fees, and the like. The present system was established in 1849, when the population of the Province was estimated at 760,000; and now, seeing that the population had increased by about a million, and was calculated to be about 1,760,000, it was not surprising that the provisions made for the administration of justice fell considerably short of its requirements. Besides the increase in the population, there was of course the consequent increase in the number of business transactions, which made the number of litigations proportionately large. Another and perhaps more substantial reason for this increased business in the Courts, was the number of assize towns that had been established since 1849. Then there were only nineteen assize towns; now they have increased to thirty-six, and several applications had recently been made for the establishment of new ones. He asked for this return in order to bring the matter before the attention of the House, and in order, if possible, that a remedy might be provided.

Hon. Mr. MOWAT acknowledged the importance of the subject to which his hon. friend had drawn attention, and considered the Government would not be doing their duty if they did not endeavour to find some means to decrease the delays which presently occurred. Protraction of litigation was a very serious evil, and slow justice was very frequently positive injustice. A year ago, when he was preparing a measure upon this same subject—a measure adopted by the House, and which had since become operative—the opinion of those who ought to be able to form a correct estimate was that an additional Assize at Toronto and Hamilton would prevent the evil pointed out by his hon. friend. That opinion appeared to be entirely incorrect. So far as he could learn, the present machinery appeared to be entirely inadequate to the performance of the work, and he promised that a measure now under his consideration dealing with the subject would be submitted to the House in the course of a few days.

Mr. CAMERON said in his early days the judges had as many cases to dispose of as they had now. They then considered it absolutely necessary that they should consume all the day, and the night if necessary, in the discharge of their duties. Lately, a different course had been pursued; it was thought that no man should work to the injury of his health; an hour was taken for luncheon, and the Court adjourned at six o'clock, or as near it as possible. Time was now spent in these ways which used to be consumed in the discharge of judicial functions, and somehow or another cases lasted longer than in the olden time. Some cases which used to be disposed of in

one day now occupied two days. He did not know well how to account for this, unless it were that the judges of the present day were slower in taking down evidence, and, perhaps, more particular. Perhaps under the new order of things, initiated at the first of January by his hon. friend the Attorney-General, some of the business might be disposed of out of the Assizes that heretofore had been so disposed of, and thus some time might be saved. He thoroughly agreed that it was desirable to prevent, as much as possible, unnecessary delays, but he did not believe that it followed, because for one or two Courts there was a pressure of business, therefore it should be so always. The Government should hesitate before taking any steps that would tend to increase the cost of the administration of justice—at least until it was clear that such increase was absolutely necessary, which he contended did not yet appear.

Mr. DEACON said the great difficulty arose from the number of County Court cases which were tried at the Assizes. He advocated the re-establishment of other two County Courts to which juries should come. He preferred himself to have his cases, especially if they were intricate, tried in the Superior Court, but if the Superior Courts were overburdened, it would be well that some of the work should be removed from them and disposed of in the County Court. He suggested an amendment in the law to that effect.

Mr. PRINCE thought that any suggestion for Reform in our Law Courts would be most laudable. He could endorse the observations that had been made with regard to the great length of time taken in the trial of crimes as compared with the time taken previously. The system inaugurated some years ago, and now carried out to the most extraordinary extent, that of allowing juries to separate on the most frivolous pretexts, and thereby give them an opportunity of talking with people interested in the cases, was most prejudicial to the interests of justice and to the interests of the public. The whole matter required investigation, and if the Attorney-General could devise any means by which common law cases could be tried more speedily, a great boon would be conferred upon the people. (Hear, hear.)

Mr. BETHUNE was sure a great many legal gentlemen and others were greatly interested in this matter. It was a scandal and disgrace to see how slowly cases proceeded. While there were not so many cases now as formerly tried in the Court, there was a different class of business which occupied the attention of the Court. He did not think any money had been saved by the reduction of the number of the sittings of the County Courts and the limiting of the jurisdiction of those Courts, and he was sure the pressure upon the higher courts was greatly increased by that legislation. He considered that a great many cases were now tried in Toronto which might be tried nearer to the suitors' doors, at the County Court in the vicinity. He thought it would be better to have the County Court constantly in session.

Mr. HARDY thought it very desirable that means should be devised for facilitating the business at assizes. One means by which this might be done, he believed, would be the appointment of short-hand writers to accompany judges on their circuits. This would materially reduce the time taken up in hearing causes. He was not prepared to say whether judges were slower than hitherto. Any attempt to facilitate business in the Courts was worthy of the consideration of the Government.

Mr. McCALL was in favour of increasing the jurisdiction of County and Division Courts, and the Common Pleas would thereby be relieved.

The motion was carried.

Mr. McCALL moved for a return with copies of the new rules and tariff of fees recently established by the judges to sheriffs and other officers of the superior and inferior courts in Ontario. He said he understood that an increase had taken place in these fees, and he thought it important that information on the subject should be given to the House.

Hon. Mr. MOWAT said his hon. friend could get the information he sought for ten cents at any bookseller's (laughter), but if he desired it to be brought down, he had not the slightest objection to do so.

Amidst much laughter, Mr. McCALL withdrew the motion.

THE PUBLIC ACCOUNTS.

Mr. CAMERON, in the absence of the Treasurer, desired the leader of the Government to inform them when it was likely the