a stage:—

Mr. Hodgins—To authorize an addition to the capital of the Canada Landed Credit Company, and for other purposes therein mentioned.

Mr. Ferris—To provide for the payment by certain municipalities in the united counties of Northumberland and Durham in which certain gravelled roads have been constructed by the said united counties of an amount for the construction of such roads, and to vest the roads in the said municipalities.

Mr. Springer—To incorporate the town of Waterloo.

Mr. Ross—To authorize the county of Huron to issue debentures to redeem their outstanding debentures, for which no sinking fund has been provided.

Mr. Baxter—To enable the corporation of the village of Caledonia to issue debentures to redeem those now outstanding.

Mr. Patterson (York)—For the relief of the Vaughan Plank Road Company.

Mr. Meredith—To amend the Act to incorporate the Yorkville Loop Line Railway Company.

AMOUNTS PAID TO RETURNING-OFFICERS.

Mr. PAXTON moved for a return showing the amount paid to each returning-officer and his deputies for their services at the last general and any subsequent elections. Carried.

ADMINISTRATION OF JUSTICE.

Mr. HODGINS, in moving the second reading of the Bill to amend the Administration of Justice Acts, said the result of the present law had been to mix up jury and non jury cases, so as to detain jurors and witnesses unnecessarily while non-jury cases were being tried. He proposed to separate the criminal and jury cases from the non-jury cases and Chancery suits. He thought an equity judge could very well try cases where there was no jury. He proposed that a month should elapse between the commencement of the two sittings. At present the time varied between three and sixteen days, and one of the two Courts had to seek accommodation outside of the court-house in these cases, sometimes in the Town Hall, and once, he believed, in Cornwall, in a church. The present time of notice for trial at common law and hearing in Chancery differed, and he thought it would be advisable to make it uniform—say ten days, the time adopted in England under the Judicature Act. In the county of York there were always from thirty to eighty remanets at each Assize, and his Bill proposed to give power to the parties on application to have their cases tried without delay. He also proposed to give power to the Court of Chancery to decide applications for a new trial. There was at present a great waste of judicial strength in the Courts of Common Law, and he thought when the question did not depend on a misdirection of the judge, one judge might decide the matter alone. It was generally found that very little business was done during the first week of term, and he thought the rule which prevailed in the Court of Chancery, the Court of Appeal, and the Supreme Court of Canada—that the Court should not adjourn until the business was through—should be applied to the courts of Common Law. He also proposed that it should be no longer necessary to have a re-hearing before an appeal. There were several other provisions in the Bill which he need not enter into in detail, and there were other amendments which might well be made, which he had not felt at liberty to introduce. He proposed to give power to the Lieutenant-Governor to direct the advertising through any department without the form of an Order in Council. With regard to the provision of the Bill for the employment of shorthand reporters in the law Courts, a Committee of the Law Society had made a report which he believed was in the hands of most honourable members. It was found that in many of the leading States in the Union the system of shorthand reporting in the law Courts had been in operation for a number of years, and had resulted in reducing very largely the expenses of litigation. If the judge was a fast writer he might get through his case with comparative rapidity, but if he was a slow writer, or new to judicial work, the time occupied was very much longer, and besides he might have difficulty in disposing of questions affecting the admissibility or rejection of evidence. In the United States, and to some extent in England, the system of shorthand reporting of the evidence had been tried, the result being that the work of the Courts was accomplished in at least one-third of the time required by the ordinary plan, thus lessening the expense of witnesses and all others whose duty it was to attend the Court. He wished to ask the lay members of the House if it was not desirable to introduce such a system in Ontario when so very material a saving of time and expense could be effected, to say nothing of its advantages in enabling the judge, jurors, and counsel to give greater attention to the evidence, and to observe more closely the demeanour of the witnesses. He pointed out that the judge in hearing cases had a threefold duty to perform: the observing of the demeanour of the witnesses, the getting into his mind the substance of their evidence, and the writing down of the evidence as quickly as he could. This involved a large amount of labour, of which those who had acted as arbitrators would be able to form some idea. He quoted from a letter written by a Chief Justice in one of the Supreme Courts of New York expressing in strong terms his appreciation of the value of shorthand reporting in economizing the time and labour of all concerned in legal proceedings, and stating that so valuable had the system been found that an Act had been passed to authorize the employment of shorthand reporters in even magistrates' courts, those held by Justices of the Peace in the city of New York. Lord Penzance and one of the Lords of the Session in Scotland had expressed their favourable opinion of the system, and the experience of the judges and counsel in our Election Courts had confirmed such opinions. With regard to the expense attending the employment of shorthand writers, he would point out that the revenue from law stamps amounted to between $75,000 and $95,000, and that in collecting this revenue the members of the legal profession had been virtually acting as tax gatherers for the Province. The charges connected with Osgoode Hall, the payment of deputy clerks of the Crown, &c., being deducted, a surplus of from $25,000 to $45,000 would remain, and he thought that this balance should be applied towards defraying the expenses connected with the scheme.

Mr. BETHUNE objected to the first section, as practically the judges now had the power of arranging the circuits as sought in the Bill. With regard to the jury lists, he thought that the judges should also have the discretion of arranging the matter themselves. He also objected to the imposition of any further labour upon the Court of Chancery, which was already overburdened with work, no less than 523 cases having been disposed of by that Court last year. In 1869 there had been filed throughout the Province 1,335 bills in the Court of Chancery, while in 1875, without any increase of judicial power, the number had risen to 2,071. With regard to the clause respecting Trinity Term, he (Mr. Bethune) would be in favour of abolishing Trinity Term altogether. The matter of employing shorthand writers in the Courts was one of very great importance. His experience in election trials as well as in the Court of Chancery had convinced him that such a system would effect a very great saving in time. He pointed out the disadvantages of the present system to the parties in suits, as they could not obtain copies of the judge's notes unless at the discretion of the judge, and as a matter of favour. He thought they should be regarded as parts of the evidence in the cause, and therefore as public property, and that there should be a provision allowing parties in the suit to have copies.

Mr. MEREDITH said that there was no doubt but that the mixing of the jury and non jury cases was a great loss of time and energy. The provision by which the Court of Chancery was to have powers of the Courts of Law as to applications for new trial would, he thought, meet with a good deal of objection from the profession. He approved of the clause rendering it unnecessary to re-hear before appealing.

Mr. HARDY said he took objection to a large number of the provisions of the Bill. He thought the Acts of 1873 and 1874 had gone as far in certain directions as it was desirable to go; and he did not approve of another change being made just when the profession were becoming familiar with the two Acts now on the book. Unless they could improve in a very large degree upon the present Acts they should not interfere with them at all. It was rather remarkable that in nearly all these Bills introduced by Chancery lawyers the object was to reform the Common Law Courts, while the Augean Stables of the Court of Chancery were left uncleansed. He was not