

000 in 1864 to over half a million, and after crediting all the parties with the amounts to which they were entitled with the interest, there was a large surplus arising from small sums of interest of \$2 and \$3 which had not been claimed by parties, and had accumulated during the last eleven or twelve years. The Government proposed to appropriate \$25,000 out of that surplus, according to the practice in England, towards providing increased accommodation. It was proposed to provide that any claims which now existed should still remain. The third clause related to the printing of lists of convictions, and accorded with the practice of the Government ever since the clause had been introduced into the Administration of Justice Act which authorized the Government to name the official paper in which sheriffs' advertisements and other legal and official advertisements should be placed. The principal interest was felt in regard to lists of convictions, which had not been thought of when the Act was passed. The Government proposed to declare that the printing of these lists and any other printing paid for by the county should not be considered as coming within the terms of that enactment, but should be left by the counties to let by contract and to call for tenders as they might see fit. He moved the first reading of the

MACDOUGALL (Simcoe) said he would be taken not to interfere with the Governor's office. The Governor would withhold his signature if he intended to make the change any more than it was now, he thought it would be a mistake. It was important that important documents should come under the eye of the Lieutenant-Governor. It was probable that the people would compel the Government of this Province to decentralize the administration of justice, as in the State of New York and in Lower Canada. If such a change were made he fancied the proposed additions to Osgoode Hall would not be needed. If a claimant still had a right to the money included in this surplus it would amount practically to paying it out of the consolidated fund.

Mr. MOWAT explained that the amount accumulated consisted almost altogether of small sums under \$4 of interest which the parties did not claim. If the system which the hon. gentleman advocated in again "looking to Washington," were adopted, a much larger amount of building would be required. The system of New York, however, had not been adopted in many States of the Union. The signature of the Lieut-Governor to marriage licenses and documents of that kind was purely formal. The clause was put in the same form as the provision in the Governor-General's Commission.

The Bill was then read the first time.

SURETIES FOR PUBLIC OFFICERS.

Mr. MOWAT moved the third reading of the Bill respecting sureties for public officers of Ontario.

Mr. MACDOUGALL (Simcoe) moved the addition of a clause providing that no surety should be liable for the default of a deputy for longer than one month after the vacancy had occurred. He complained of the long vacancy which had occurred in the registrarship of Prince Edward county. There must be some private or political reasons for this delay, and he thought such conduct had a tendency to bring the Government into contempt with the people. A precedent so likely to be abused should not be established.

Mr. MOWAT thought there was no occasion for a motion which if it had been moved by any other member he (Mr. Mowat) would have said was an absurd one. The effect of such an amendment would be that there would be periods during which there would be no surety for the discharge of the duties of the office. He might say that there had not been a single word of complaint from the sureties about whom the hon. member was so anxious, or from the public. In cases of this kind the best guarantee they had was that after the death of an officer the profits of the office went to his estate until a new one was appointed, so that the sureties were the sureties for the estate. In the case of Prince Edward, the gentleman who was now doing the work of the office had done it for several years before the late Registrar's death. He might say, too, that the surety in one of the two cases mentioned was the son of the Registrar, and in the other the son-in-law. With regard to the delays in the appointment of the new officers, such delays

were in many cases unavoidable by any Government, and no one had made himself so notorious for such delays than Sir John Macdonald, of whose policy the member for South Simcoe was a very strong supporter.

Mr. LAUDER thought the Government had a political aim to serve in delaying the appointment of a Registrar for Prince Edward. He moved, in amendment to the amendment, that the words "One month" in the proposed amendment be struck out, and the words "Three months" substituted therefor.

Mr. BETHUNE claimed that under the law the sureties were just as liable for the acts of a Deputy Registrar after the death of a principal and until the appointment of his successor as for those of the Registrar during his life. He thought as there was no complaint there was no necessity for the amendment proposed. It was utterly indefensible for any Government to delay appointments of the kind merely for political purposes, and if hon. gentlemen opposite could establish that such purposes had influenced the Government in the case mentioned, he for one would not support them in it. He did not believe, however, that these considerations were influencing the Government.

Mr. SCOTT thought that the time during which a surety was liable should be definitely fixed. He thought, too, that appointments to vacant offices should be made as early as possible after the vacancy occurring.

Mr. MACDOUGALL thought that the law did not hold a surety liable only for a reasonable length of time after the death of the incumbent. His view of the Act was that it intended that the Government should as soon as possible fill such vacancies. He contended that the framers of our Constitution intended that whenever the discretion of the Executive could be curtailed it should be done so by law. He (Mr. Macdougall) and others of Sir John Macdonald's colleagues had complained of the delays which had taken place during his Government in filling offices, but they had found that the requisite information for making the appointments was not in his possession. He had always held the opinion—and it was an opinion he would practice if he ever had the good fortune to sit on the other side of the House—that the Government should have a man ready so as to fill vacancies whenever they occurred, instead of waiting until disputes and trouble arose. He was not bound to justify the acts of either Sir John Macdonald or Mr. Sandfield Macdonald, and he thought no Government should attempt to justify themselves by appealing to the practice of either of these.

Mr. MEREDITH thought that the law should fix the time during which sureties were liable, and that the liability should not continue at the mere will of the Government.

Mr. BETHUNE agreed with the hon. member for South Simcoe that no Government should attempt to justify itself on the mere ground that previous Governments had done the same thing. He thought, however, that the present was a case in which the discretion of the Executive should not be interfered with, but that the matter should be left in the hands of the Government as in England, especially as there had been no complaints from the sureties.

Mr. MOWAT said that he had no intention of justifying the present Government in any of their acts by citing similar practice on the part of other Governments, but he thought it was rather bold for the hon. member for South Simcoe to pretend there was some great wrong involved in this solitary case, when the Government of which he (Mr. Macdougall) had been a member had been in the constant practice of doing the very same thing. (Hear.) There could not be the slightest doubt that the law held the sureties liable for the work of the office after the death of the Registrar. The Government accepted the full responsibility for the manner in which the duties of the office were being performed, and he might say that there had not been the slightest hint that the interests of the public were suffering under the management of the Deputy-Registrar of Prince Edward county, who was a most efficient officer.

Mr. MERRICK said the difficulty in filling up these offices was mainly caused by political exigencies, and the Government should act upon higher considerations than political motives in making these appointments. Why did not the Government, in the case of Prince Edward county, appoint the present deputy to the office, if he was so good an officer? He thought the time should be fixed during which such an office should remain vacant.

Mr. HARDY said the Opposition did not