

MUNICIPAL ACT AMENDMENT.

Mr. WILLS moved the second reading of the Bill to amend the Municipal Act. He explained that the first amendment provided for the reduction of the number of wards in the towns and cities by vote of the ratepayers, and a reduction of the number of Council representatives of each ward. Also to appoint a Deputy-Treasurer in each county, to place in the hands of Municipal Councils the number of police officers, and other changes.

Mr. MEREDITH said that in many of the cities in the Province there had been an agitation for a reduction in the number of wards, and considerable dissatisfaction had been felt concerning the action of the Police Commissioners. He hardly wished to go so far as the proposer of the Bill as to the remedy, but he thought the matter should be well considered.

The Bill was read a second time, and referred to a Special Committee.

Mr. ROSS proposed a Bill to amend the Municipal Act, the change he desired being with regard to the time between the day of nomination and that of election, allowing each County Council to extend that time to two-weeks when they deemed it advisable, and also to provide against unlicensed peddlers selling other than their own manufactures in any country.

The Bill was read a second time and referred to the same Committee.

Mr. GRAHAM proposed a Bill to amend the Municipal Act to alter the provisions concerning statute labour, which was read a second time and referred to the same Committee.

SUPPLY.

On motion of Mr. WOOD the House went into Committee of Supply, and the following items were voted after some explanations had been given:—

Court of Chancery, \$20,545.

Court of Queen's Bench, \$19,520.

Court of Common Pleas, \$5,360.

With regard to the item for Superior Judges and Court of Appeal, \$15,850,

Mr. MERRICK thought that the amount \$13,000 allowances granted by 33 Vic., chap. 5, Ontario Statutes, was too high, considering that the salaries paid the judges by the Dominion Government had been increased. This allowance had been made when they were receiving \$4,000 and \$5,000, but had been continued even now that \$1,000 had been added to these amounts. If there were any argument to be urged why the judges should be paid increased salaries it should be urged before the Dominion of Canada. It was a matter for which the Province was not at all responsible. He claimed that Hon. Edward Blake had urged this view upon the country as against the Sandfield Macdonald Government.

Mr. BETHUNE stated that all the gentlemen at present occupying positions on the Bench had given up good positions to serve the country, upon the understanding that their present salary and the allowance from the Province of Ontario would be continued. If it were taken away, some of them would probably leave the Bench. There was a complaint at the present time that it was difficult to get men who were leaders at the Bar to accept a judgeship. Sir John A. Macdonald, while Minister of Justice of Canada, had allowed the extra allowance, so that gentlemen opposite could hardly find their objection upon the constitutional point. If, on representations from this Province, the salaries were increased, all the other Provinces would require an increase of the same nature, so that on account of the large proportion of the Dominion revenue paid by Ontario the increase would really cost her more than the present allowance. He compared the salaries paid to judges in Ontario with those of England and other places, to show that they were not nearly so large. Further, the judges took upon themselves a great deal of work in their reports to this House upon estate Bills which was really in no way a part of their duty. He claimed that it would be a piece of bad policy and a positive breach of faith to effect the reduction suggested.

Mr. DEACON said that the salaries of the judges being already fixed by statute, a vote to reduce the estimates in that respect

would not have the effect of decreasing them.

Mr. MOWAT concurred in the remark of the hon. gentleman who had sat down that, the salaries of the judges being fixed by statute, they could not be reduced by a vote of the Committee. Some of the judges recently appointed had accepted seats on the Bench with the understanding that they would be paid the \$1,000 additional.

Mr. BELL was in favour of continuing the item, but would vote for it with greater pleasure if the judges paid taxes upon their salaries. He thought the judges were not overpaid.

Mr. WILSON thought the Province had experienced no difficulty in getting able lawyers to accept judgeships, and would like to see the item struck out.

Mr. MILLER would, if he voted for the continuation of the item in the estimates, do so under protest, and would in future vote against it. (Hear, hear.) The argument of the hon. member for Stormont, that lawyers would not accept judgeships on a reduced salary because they were in receipt of a larger income from their profession, was a good one from the lawyers' point of view, but he (Mr. Miller) contended that the lawyers' fees were excessive. The Superior Courts' judges were all able and highly-educated men, but some of the County Court judges were simply a disgrace to the Bench. He himself had been interested in a case in the county of Kent where a judge had refused to sit upon the Bench during the hearing of the case, and he had consequently been unable to obtain justice.

Mr. FERRIS said that there seemed to be no chance of a layman in the House obtaining a reduction where judges or lawyers were concerned. Hon. gentlemen on the front seats opposite and hon. gentlemen on the Treasury bench united either in silence or defence when gentlemen of the legal profession were concerned. The judges fixed the fees of the lawyers, and the lawyers in the House fixed the salaries of the judges, and so it was a sort of mutual arrangement between the two classes under which the laymen suffered. He would like to see the House fix a tariff of fees beyond which lawyers should not be allowed to charge. He was in favour of paying judges ample salaries, but would like to see their powers in the way of allowing liberal fees to lawyers curtailed by an enactment of the House.

Mr. MOWAT defended the County Court judges from the charges made against them by the hon. member for Muskoka. They were as a general rule competent and able men, and in some instances would grace a Superior Court. (Hear, hear.) He had never heard that the gentleman to whom the hon. member had referred had been anything but an able and competent man. It was not true that lawyers as a rule received large incomes, but it was from amongst those who did receive such incomes that the appointments to the Bench were made, and their salaries as judges ought to bear some proportion to their former incomes. It was also to be borne in mind that there were many officials in the Province who were in receipt of much larger salaries than judges, and if they wanted good men for judges they must be prepared to pay for them.

Mr. WHITE agreed with the remarks of the hon. Attorney-General as to County Court judges. He thought there was a disproportion in their salaries as compared with the Superior Court judges, and advocated the abolition of the Court of Appeal.

Mr. MEREDITH was surprised that the suggestion that a fixed tariff as to lawyers' fees would affect the judges had not been rebuked by the hon. the Attorney-General. The attack on the County Court judges was undeserved. He did not think the salaries of the Superior Court judges too large, but objected to the basis upon which it was paid, as they were now paid for services which they did not in reality perform.

Mr. MILLER said that his remarks as to the County Court judges did not refer to them as a whole, but merely to the gentleman he had mentioned.

It being six o'clock the Committee rose and reported, and the Speaker left the Chair.

After recess,

The House again went into Committee