

Laws, McMahon, Massie, Master, Miller, Mowat, O'Donoghue, Pardee, Patterson, Paxton, Robinson, Ross, Sexton, Sinclair, Springer, Striker, Watterworth, Widdifield, Williams, Wilson, Wood—49.

The amendment was carried by a unanimous vote.

Mr. SCOTT moved that the said resolution be not now concurred in, but that it be referred back to the Committee of Supply with instructions to strike out the item \$400, salary of the Clerk of the Crown in Chancery.

Mr. McMAHON moved in amendment that the resolution be not now concurred in, but that it be referred back to the Committee of Supply with instructions to strike out the item \$400 for the Clerk of the Crown in Chancery, the opinion of this House being that the like duties might be performed by the Clerk Assistant of this House at an increase in salary of \$200.

Mr. SCOTT contended that the amendment to the amendment was out of order.

Mr. SPEAKER ruled that it was in order.

Mr. MOWAT said that if it were advisable that the duties of the office should be attached to those of some other official, it would be much better to attach them to those of the Clerk of the House or the Clerk of the Executive Council. Since, however, hon. gentlemen opposite had moved to abolish the office, and as his own opinion was not in favour of the retention of the official, he would have no hesitation in voting for the amendment.

Mr. CROOKS said that it appeared to him that the amendment to the amendment was out of order, as it proposed to increase the salary of an official.

Mr. SPEAKER ruled the amendment in order.

Mr. CLARKE (Norfolk) referred to the assumption by hon. gentlemen opposite of the economical role, and to the "disreputable" tactics (cries of "Order") they had adopted. Their conduct in proposing to reduce the salaries of tried and able officials was similar to that of some rural school trustees, who hired teachers on the principle of getting them for the smallest amount possible, and without reference to their competence.

Mr. CLARKE (Wellington) moved in amendment to the amendment, that whilst concurring in the said resolution this House is of opinion that the duties of the office of the Clerk of the Crown in Chancery might be attached to those of some other officer or officers, and thereby a saving be effected.

Mr. FRASER said it was not advisable to abolish the office of the Clerk of the Crown in Chancery hastily, and particularly at the present time, when the country was on the eve of an election, at which time the duties of that official were very important, and to some extent large.

Mr. MEREDITH pointed out that the effect of carrying the amendment to the amendment would be to preclude the possibility of making any further reductions under the head of Legislation, and asked hon. members on that side of the House to vote against it.

Mr. MOWAT did not see that there was any inconsistency in hon. members voting for the amendment proposed by his hon. friend from Wellington.

The amendment to the amendment was put and carried on the following division:—

YEAS.—Messrs. Appleby, Ballantyne, Baxter, Bethune, Bishop, Bonfield, Chisholm, Clarke (Norfolk), Clarke (Wellington), Cole, Crooks, Currie, Deroche, Ferris, Finlayson, Fraser, Gibson, Graham, Grant, Harcourt, Hardy, Hargraft, Hay, Hunter, Lane, Lyon (Algoma), Lyon (Halton), McCraney, McLaws, Massie, Master, Miller, Mowat, O'Donoghue, Pardee, Patterson, Paxton, Robinson, Ross, Sexton, Sinclair, Snetsinger, Striker, Watterworth, Williams, Wilson, Wood—47.

NAYS.—Messrs. Baker, Barr, Bell, Boulter, Broder, Brown, Calvin, Code, Coutts, Creighton, Deacon, Flesher, Grange, Harkin, Kean, Lauder, Long, McDougall, McGowan, McMahon, Meredith, Merrick, Monk, Morris, Mostyn, O'Sullivan, Parkhill, Preston, Richardson, Rosevear, Scott, Springer, Tooley, White, Widdifield, Wigle, Wills—37.

Mr. MEREDITH said that he had pointed out before the motion was put that the effect of its passage would be to shut off motions which they on that side of the House had intended to move in the direction of economy under this head, and he congratulated hon. gentlemen on the tactics they had adopted. (Hear, hear.)

Mr. CREIGHTON moved to add to the motion a clause condemnatory of the increase in the expenditure upon sessional writers, messengers, and pages.

The motion was lost on the following division:—

YEAS.—Messrs. Baker, Barr, Bell, Boulter, Broder, Brown, Calvin, Code, Coutts, Creighton, Currie, Deacon, Flesher, Grange, Harkin, Kean, Lauder, Long, McDougall, McGowan, Meredith, Merrick, Monk, Morris, Mostyn, O'Sullivan, Parkhill, Preston, Richardson, Rosevear, Scott, Snetsinger, Tooley, White, Wigle, Wills—36.

NAYS.—Messrs. Appleby, Ballantyne, Baxter, Bethune, Bishop, Bonfield, Chisholm, Clarke (Norfolk), Clarke (Wellington), Cole, Crooks, Deroche, Ferris, Finlayson, Fraser, Gibson, Graham, Grant, Harcourt, Hardy, Hargraft, Hay, Hunter, Lane, Lyon (Algoma), Lyon (Halton), McCraney, McLaws, McMahon, Massie, Master, Miller, Mowat, O'Donoghue, Pardee, Patterson, Paxton, Robinson, Ross, Sexton, Sinclair, Springer, Striker, Watterworth, Widdifield, Williams, Wilson, Wood—48.

Mr. CURRIE said that he did not think the Government should take any special ground in the matter as the appointment of the sessional officers lay with the speaker, and the motion or the hon. member for North Grey was a condemnation of him. (Hear, hear.)

The amendment was lost on a division of 36 to 48.

The original resolution was then concurred in.

Upon the item, \$20,545 for the Court of Chancery.

Mr. DEACON moved a reduction of 10 per cent. on all salaries over \$800; no salary to be reduced below that amount.

The motion was lost on the following division:—

YEAS.—Messrs. Baker, Barr, Bell, Boulter, Broder, Brown, Calvin, Code, Coutts, Creighton, Deacon, Flesher, Grange, Harkin, Kean, Lauder, Long, McDougall, McGowan, Meredith, Merrick, Monk, Morris, Mostyn, Parkhill, Paxton, Preston, Richardson, Rosevear, Scott, Tooley, White, Wigle, Wills—34.

NAYS.—Messrs. Appleby, Ballantyne, Baxter, Bishop, Bonfield, Chisholm, Clarke (Norfolk), Clarke (Wellington), Cole, Crooks, Currie, Deroche, Ferris, Finlayson, Fraser, Gibson, Graham, Grant, Harcourt, Hardy, Hargraft, Hay, Hunter, Lane, Lyon (Algoma), Lyon (Halton), McCraney, McLaws, Mc-

Mahon, Massie, Master, Miller, Mowat, O'Donoghue, Pardee, Patterson, Robinson, Ross, Sexton, Sinclair, Snetsinger, Springer, Striker, Watterworth, Widdifield, Williams, Wilson, Wood—49.

The resolution was carried.

With regard to the item of \$8,520, Court of Queen's Bench,

Mr. LAUDER moved in amendment that the sum of \$700 be struck out, being the amount of salary of Assisrant Clerk of Process, and that a reduction of 10 per cent. be made in all salaries over \$800, none to be reduced below that amount.

The amendment was lost on the following division:—

YEAS.—Messrs. Baker, Barr, Bell, Boulter, Broder, Brown, Calvin, Code, Coutts, Creighton, Deacon, Flesher, Grange, Harkin, Kean, Lauder, Long, McDougall, McGowan, Meredith, Merrick, Monk, Morris, Mostyn, Parkhill, Paxton, Preston, Richardson, Rosevear, Scott, Tooley, White, Wigle, Wills—34.

NAYS.—Messrs. Appleby, Ballantyne, Baxter, Bishop, Bonfield, Chisholm, Clarke (Norfolk), Clarke (Wellington), Cole, Crooks, Currie, Deroche, Ferris, Finlayson, Fraser, Gibson, Graham, Grant, Harcourt, Hardy, Hargraft, Hay, Hunter, Lane, Lyon (Algoma), Lyon (Halton), McCraney, McLaws, McRae, Massie, Master, Miller, Mowat, O'Donoghue, Pardee, Patterson, Robinson, Ross, Sexton, Sinclair, Snetsinger, Springer, Striker, Watterworth, Widdifield, Williams, Wilson, Wood—47.

The resolution was then concurred in.

On the motion to concur in the appropriation \$5,360, Court of Common Pleas,

Mr. PARKHILL moved a ten per cent. reduction of all salaries in excess of \$800, none to be reduced below that amount.

The amendment was declared lost on the same division.

Upon the item \$15,850, Superior Court Judges and Court of Appeal,

Mr. MILLER moved that the item be referred back to Committee of Supply with instructions to strike out the sum of \$13,000, being an allowance from the Province of Ontario of \$1,000 to each of the Judges of the Superior Courts, under authority of 33 Vic., cap. 5, Ont. statutes. He moved this trusting it would be carried, and that hon. gentlemen opposite would affirm the principle of economy which they had been advocating. This was not a question of money, but of principle. The B. N. A. Act really took away from Ontario the power of appointing judges or paying them. The Ontario Government had no right whatever to make this payment, and he believed the legal gentlemen on the floor of the House felt that there was reason to believe this to be the case. He trusted the Attorney-General would allow the amount to be struck out. He was not finding fault with the amount of the judges' salaries, but treated this purely as a matter of principle.

Mr. BAXTER moved in amendment to the amendment, that while concurring in the said resolution, this House desires to express its opinion that there is no good reason to warrant a present discontinuance of the allowance granted under this Act.

Mr. MEREDITH regretted that the amendment was not more particularly drawn. It had been his intention to move that no further appointments on this basis should be made, while the faith which he considered to have been pledged to the present occupants of the Bench should be kept by the continued payment to them of the allowance. He would suggest to the mover of the amendment to the amendment that his resolution be withdrawn to allow of such a motion. He did not think the judges were paid too much, but thought the Province had no right to pay any part of their salaries, as that properly belonged to the Dominion.

Mr. MOWAT said it was plain that the spirit of Mr. Sandfield Macdonald no longer rested with that side of the House, for he had first begun the system of making this grant, and now his successor was making a constitutional objection to its continuance. The opinion of the judges and that of Sandfield Macdonald were in favour of the constitutionality of the grant. Able lawyers in the Dominion Parliament must also have been in favour of this view when the Act was passed. They might therefore well take it as proven that the payment was within the jurisdiction of the House. All agreed that the salaries were not too large, and it was not likely the Dominion Government would increase them if the grant were taken away. He thought the amendment should not be allowed to pass.

Mr. McMAHON urged the constitutional objection against this grant. He thought it was not very consistent in the leader of the Opposition to uphold this payment when he desired the reduction of other salaries.

Mr. SCOTT was sorry the amendment to the amendment had been moved, as it prevented an expression of opinion in the direction suggested by the hon. member for London, and upon the Government must rest the responsibility of preventing the introduction of such a motion. He did not believe this amount should have to be paid by the Province, but he felt that the credit of the Province was pledged to the gentleman now on the bench. The hon. Attorney-General spoke of the mantle of Sandfield Macdonald not resting on the present leader of the Opposition. The present Attorney-General did not follow closely in the steps of his predecessor, Mr. Blake, for that gentleman had, in 1869, in concurrence, cast his vote against this very item. (Opposition cheers.)

Mr. CURRIE was in favour of the amendment, giving as his reason the fact that when this grant was made it was because it was thought the salaries of the judges were too low, being \$4,000 and \$4,000; since then they had been raised to \$6, and \$7,000 by the Dominion Government, so that the Province was not called upon to continue the payment. He thought if the \$13,000 could be saved it might be apportioned among the County Judges whose duties were very arduous and their salaries not at all proportionately high.

Mr. ROSS was in accord with the opinions expressed by the hon. member who had just sat down. He contrasted the course which the Opposition had pursued in regard to the Judges with that which they pursued in regard to the members of the Civil Service, and said that they seemed desirous of playing a political game of battledore and shuttlecock with the latter.

Mr. SINCLAIR said that the increases in the Judges' salaries had been made by Mr. John Sandfield Macdonald against the wishes of the Reform