extending its jurisdiction. He mentioned that a Bill in this direction had been advanced to a second reading in 1884, and that a similar measure had been promised in the Speech from the Throne in 1885. He did not suppose that the Bill would be in the interests of the lawyers, but it was the duty of the lawyers in this House to consider the interests of the general public. The Bill provided that the jurisdiction in all personal actions should be extended from $200 to $500 in actions where the amount is liquidated from $400 to $1,000, and in actions of replevin from $200 to $500. It was also proposed to restore to the County Courts their equity jurisdiction, and to give them power of issuing writs of mandamus and injunctions.

Hon. O. MOWAT said that he was opposed to the Bill. At one time he was in favour of increase of the jurisdiction of the County Courts and contemplated introducing a measure on the subject. He believed it would be admitted that he had shown every disposition to decentralize, and had shown no disposition to refuse a law reform lest it should injure his own profession. His hon. friend (Mr. French) was entirely wrong in supposing that his opposition to this measure was due to any pressure from the legal profession. No member of that profession had spoken to him on that subject except in answer to his own enquiries. While his opinion had formerly been in favour of an extension of jurisdiction, he was bound to say that after conference with his colleagues and others he had concluded that no such extension was called for in the public interests. He had been unable to find that there was

ANY PRACTICAL GRIEVANCE

which such a measure would remove. He denied that the measure would, on the whole, increase the cost of litigation. In some cases it would increase the cost, in others there would be a nominal decrease; but pressure had been brought to have the costs in the county court cases increased, and if the jurisdiction were increased, that pressure would become irresistible. It was further to be observed that the County Courts once had a larger jurisdiction than they now have; and the reason why that jurisdiction was taken away was because no use was made of it because it was not found a useful thing, and that parties, when they had the choice between the County Courts and the Superior Courts, chey chose the latter. The jurisdiction of the Division Courts had been largely increased, and the proceedings in cases in the High Courts of Justice had been to a great extent localized, so that the greater part of the proceedings could be taken in the county where the parties resided. The Bill also proposed to give the County Courts a large equitable jurisdiction, embracing, some people said, nine-tenths of the whole business of that character. A very large share of what was called administrative business, partition suits, suits for

THE ADMINISTRATION OF ESTATES

would be by this Bill transferred to the County Courts. At present the business of these suits was transacted by officers who were thoroughly familiar with the work, and he proposed to transfer it to unpractised hands. He proposed also, to transfer it from the Superior Court judges to the judges of the County Courts. It must not be forgotten that a large part of the business was now done in the counties outside of Toronto, probably quite as much as would be done under this Bill, the only difference being that now it is transacted by the local Master under the supervision of a Superior Court Judge, while the Bill proposed that it should be transacted by the County Court Judge, with no supervision at all; and all lawyers were aware of the importance of careful supervision in these cases. The probability is that if the change were made the business would neither be so well or so cheaply done. The question of costs was not involved; because that administrative business was compensated by a commission on the value of the property involved; so that the solicitor could not make any more out of the suit than the prescribed commission would bear. It was very important that the distribution of moneys in partition suits should be made under the supervision of a Judge. If the money were scattered through the offices in the various counties no officer would have a sufficient amount of money under him to give him the requisite experience. He had heard of a case where a County Court Judge had received money belonging to an infant suitor which got mixed with his own, and the result was a considerable loss to the infant, which the Province felt itself bound in humanity to make good. Another Judge, with no bad intention, had followed the practice of receiving such money, and holding it until the time for distribution. He moved that the Bill be read a second time this day two months.

Mr. MEREDITH supported the Bill. He contended that the reason the old equity jurisdiction of the County Courts had been abolished, was that the practice was cumbersome, and the lawyers were not well acquainted with equity practice. The Attorney-General's remarks as to partition suits were irrelevant, because by the Bill he had introduced, nine-tenths of this class of business would be swept away.

Hon. A. S. HARDY said, speaking for himself, if he were a practitioner in country towns, he would advocate the raising of the jurisdiction of the courts, provided he wished to increase his income. It would have the effect of stripping Osgoode Hall of its business—courts in which the country has a thousand times expressed its confidence, courts of high standing—and placing in inferior courts. The Bill proposed to practically revolutionize the procedure and jurisdiction of the courts. In his estimation the figures to which the Bill proposed to raise the jurisdiction were too high, and the House was not, therefore, called upon to discuss the question as to whether a moderate increase of jurisdiction were advantageous to the country. He proceeded to show that it proposed largely to take the estates of infants from the care of one control and safe guardianship to forty new and untried places. He pointed out that the Bill proposed to go back to the long exploded and costly system of issuing commissions for the examination of witnesses.

Mr. WHITE supported the Bill.

Hon. C. F. FRASER said that the opinion of the Attorney-General should have great weight in a case of this kind. It was not enough to say that because the jurisdiction of the Division Court had been increased, and something thereby taken from the County Court, that therefore the jurisdiction of the County Court should be increased. When the jurisdiction of the County Courts was increased the business was still to a large extent left in the hands of the same person; the County Court Judge in many cases was also the Division Court Judge, and the only difference was that justice was in a measure taken to every man's door. He thought it quite a reasonable proposition that where the jurisdiction of a court was increased, the judges who had to deal with the tariff would consider that the costs should also be increased. Another question was, would the County Court Judges be able to attend to the business proposed to be placed in their hands. And here, it seemed to him, was a good reason why hon. gentlemen opposite were so eagerly advocating this measure. In latter years many junior and deputy County judges had been appointed, and no doubt if such a measure as this were passed there would be so great an increase of the business of the County Courts, there would not be a county in the Province without its junior or Deputy Judge. (Applause.) More than this, the County Judges had in many cases been

APPOINTED REVISING-BARRISTERS,

and thus a great deal of work had been placed on their shoulders. Now, perhaps, hon. gentlemen opposite didn't like the Revising-barristers to be Judges; and if the County Court jurisdiction was increased, and the work of the County Judges also increased how natural it would be to say, "Oh, the County Judges have too much to do, we must relieve them from the duties of Revising-barristers, we must appoint other Revising-barristers." (Applause and laughter.)

Mr. CREIGHTON favoured the Bill.

The House divided on the Attorney-General's motion for the two months hoist, which was carried on the following division:—

YEAS.—Messrs. Awrey, Badgerow, Balfour, Ballantyne, Baxter, Bishop, Blezard, Caldwell, Cascaden, Chisholm, Conmee, Dowling, Ferguson, Ferris, Fraser, Freeman, Gibson (Hamilton), Gibson (Huron), Gillies, Gould, Graham, Hagar, Harcourt, Hardy, Hart, Hawley, Lyon, McIntyre, MacKenzie, McMahon, Morin, Mowat, Murray, Pardee, Phelps, Ross (Huron). Ross (Middlesex), Waters—38.

NAYS.—Messrs. Baskerville, Broder, Carnegie, Clancy, Creighton, Denison, French, Gray, Hammell, Hudson, Kerns, Kerr, Lees, McColman, McGhee, Meredith, Merrick, Metcalfe, Monk, Morgan, Mulholland, Preston, Robillard, Ross (Cornwall)), White—25.

The House adjourned at 6:30 p.m.

NOTICES OF MOTION.

Mr. Harcourt—Address to His Honour the Lieutenant-Governor praying that His Honour will, in his capacity as visitor of the Western University of London, Ontario, call upon the Senate of said University to furnish a full and accurate account of the property of the University, and the income arrived therefrom, in order that the same may be laid before this Legislature as directed by Section 5 of 41 Vic., Chap. 70.

Mr. Monk—Order of the House—for a copy of the report of a Commission appointed in October, 1881, to enquire into matters connected with the license fund in the County of Carleton, with all applications (if any) by any municipal authorities for the appointment of such Commission; also all correspondence respecting the report of said Commission, or the subsequent dealing with the license fund of the County of Carleton in consequence thereof.