

STANDS FIRM FOR TWO NEW JUDGES

Government Declines to Consider Repeal of Act.

MR ROWELL'S BILL LOST.

Prime Minister Upholds Recommendation of Judges.

Opposition Leader Argues That Enlarged Jurisdiction of County Courts Makes Additional Judges Unnecessary.

After the Speaker's ruling on Thursday, Mr. N. W. Rowell, Opposition leader, secured an opportunity in the Legislature yesterday for the discussion of his bill to amend the judicature act, which was designed to repeal the act of 1910 appointing two additional High Court Judges. The Opposition leader stated that the request which the Government had received asking for the appointment of additional Judges was not representative of the general opinion of the Judges of the Supreme Court of the Province. He understood that of the seventeen Judges constituting the High Court Bench only one was really in favor of the appointment. The Judges themselves were fully satisfied with existing conditions, and there was no more work to do than could readily be accomplished.

Continuing, Mr. Rowell pointed out that since the passage of the law reform act two years ago, when the jurisdiction of the County Courts had been increased, there had been a great decrease in High Court litigation, and a corresponding increase in the number of writs issued for County Court cases. The number of County Judges in the Province was greatly in excess of the number actually needed.

Government Opposed.

"The Government is opposed to the second reading of this bill," said Hon. J. J. Foy, "and I ask for its rejection. My hon. friend tells us very properly that the Judges, when this act was passed two years ago, asked for the appointment of two additional Judges." As a matter of fact, Mr. Foy pointed out, they asked for three, in order that the work of the courts "might be efficiently, satisfactorily and speedily disposed of." He had heard of many complaints over delay in getting judgment.

Hon. A. G. MacKay said that the request of the Judges had only a prospect. He was now able to speak from actual experience. This appointment was in anticipation of inaugurating Part II. of the law reform act. Over 95 per cent. of the profession were opposed to the proposed division of the Court of Appeal and hoped it would never come into force. The Court of Appeal as at present constituted was a far better institution than a perambulating court with no continuity of personnel. They must not be carried away with all this respect for the Judges. If a Judge could take commissions, work at statute law revision and attend to his official duties, there was no need of further appointments.

Are Judges Joking?

"Is it to be supposed that the en-

tire Superior Court of this Province is joking?" said Sir James Whitney when commenting upon the statement of Mr. Rowell that only one of the Judges wanted the increase in their number. Was it reasonable to suppose that the Government of the Province was to be kept in the dark if the Judges of the Superior Court had changed their minds? The Prime Minister took exception to the references to the Chief Justice taking time to sit on commissions, and declared that Sir William Meredith had not enjoyed one hour's leave of absence in eighteen years. Under these circumstances a proper system of judicature would insist on a sufficient number of Judges, so that one or more of them may be incapacitated from time to time.

The Prime Minister suggested that Sir Allen Aylesworth owing to the importunities of his own party friends had found it difficult to appoint suitable men to fill judicial positions.

Mr. Rowell replied that no doubt the recommendation of the Judges made two years ago was based on their view of the situation then, but intimated that the Attorney-General had not answered his argument that since that date there had been an actual diminishment of High Court work, and there was no need whatever for the extra appointments.

SIX MONTHS' HOIST FOR EIGHT-HOUR BILL

Prime Minister Balks on His Own Measure.

THE INVESTIGATION FIRST.

Opposition Leader Urges Adoption of Short Day for Miners.

Contents That Regulation of Hours Would Mean Increased Tonnage and Conserve Health of Underground Workers.

Notwithstanding that Sir James Whitney and Mr. Rowell both had introduced bills in the Legislature providing for an eight-hour day for miners engaged in underground work, the Government refused to affirm the principle of either yesterday, and when the Opposition leader pressed for a second reading of his measure it was given the six months' hoist.

Mr. Rowell asked if the bills might be taken up together and the principle affirmed. The matter of detail might then be left over until another session, when an investigation could be had.

"The difficulty with that is," said Sir James Whitney, "suppose the investigation resulted in our being informed against the principle, where would we be then? The principle would depend entirely upon the investigation. The subject is one that requires most careful treatment."

Mr. Rowell assumed that when the Prime Minister introduced the bill he had considered the principle, and in that event they might present the matter to the House for a second reading.

"The hon. gentleman is quite right," replied the Prime Minister. "When I introduced the bill I had decided in my mind in favor of the eight-hour day. It is very difficult to convince me now without investigation that the bill should go through. The interest of no class will be served by