

LEGALISTS' DAY IN LOCAL HOUSE

Legislature Discusses Appointment and Control of Magistrates

RANEY'S BILL UNDER FIRE

Legal members of the Legislature had a field day yesterday, when the House went into committee on the Attorney-General's bill to provide for the appointment of Magistrates with extended spheres of jurisdiction.

Following a debate, in which Opposition members predominated, because of the absence of legal luminaries to the right of Mr. Speaker, the principle of the bill was endorsed, Hon. Mr. Raney assuring the House that the Government had no intention of "turning things loose" in respect of Magisterial appointments.

Criticism of the measure centred chiefly upon the clauses providing for the appointment in any municipality of a Magistrate with "extended jurisdiction," who might supersede, or act in conjunction with, Magistrates already allotted to that area.

"Indignity of Dismissal."

"There is no superannuation in connection with Magistrates," explained the Attorney-General. "Some Magistrates are inactive because of age; some are inactive because of incompetency. In either case we do not want to put upon these men, many of whom have served long years and to the extent of their capacity, the indignity of dismissal." The bill, he went on, would meet the situation, especially in exceptional cases, by permitting the employment of specially-appointed officials.

H. H. Dewart expressed strong objection to the "over-riding" powers of the secondary appointee. The original appointee, he said, would be in an anomalous position. Some persons would choose one Magistrate and some the other, and the measure in general, he felt, was such that "the further it is looked into the worse it gets."

Hon. G. H. Ferguson described the bill as "drastic legislation," without which, he thought, the problems of the Magistracy might be solved. Magistrates expressing unwillingness to enforce the law, he said, should be dismissed; those inactive because of age or infirmity could easily be dealt with without such legislation.

Favors Impeachment.

"I don't think this Legislature should give to any Minister or any Government the authority to go the limit this measure contemplates," he said. He was inclined, he said, to favor legislation that would render Police Magistrates immune from summary dismissal; such officers, in view of their present wide powers and responsibilities, should, he thought, be removed from office solely by the method of impeachment, as were County Judges.

This suggestion was concurred in by J. Walter Curry, Southeast Toronto, who thought that occupants of the Magisterial Bench should be upon the same plane, in every way, as County Judges.

Several minor amendments to the bill were reported.*