In The Local Legislature

New Fee Schedule for Clerks of the Circuit and County Courts---Bill Introduced to Provide for Settlement of Lands After the War

Fredericton, N. B., April 17th, 1916

The House opened at 9.15 p. m.

Mr. Speaker read a letter from Right Hon. Sir Robert Borden acknowledging receipt of the copy of resolution moved by Lieutenant Colonel Guthrie.

The House went into committee, Mr. Munro in the chair, and agreed to the bill Respecting Taxes on Life Insurance Agents with an amendment increasing the tax from two dollars to five dollars; and also to the bill to establish an Isolation Hospital in the City and County of St. John and for other purposes, with an addition providing for the assessment of a poll tax in the Parish of Lancaster in aid of the Patriotic Fund.

Fees in Circuit Court

The Bill to amend the Judicature Act was then taken up.

Hon. Mr. Baxter said that he thought most of the members would agree with him that Courts were necessary and if so, the clerk of a court was a necessary part of the machinery, as a record of proceedings had to be kept and other duties performed. These duties involved many important matters of detail, for which the Clerk was entitled to compensation for the time and trouble he was put to. As far as he (Baxter) had been able to ascertain there was no rule whatever anywhere to be found regulating the amount of fees to which the clerk should be entitled. Hitherto it had been the practice of the lerks to make out a bill, which was certified to by the presiding judge and then forwarded to the Attorney General for his approval, after which it was sent in to the County Treasurer who paid it. For lack of any recognized table of fees a system of charging had grown up and experimented on till now-a-days the bills were so amplified and distorted that they bore no resemblance whatever to those which were rendered years ago when the duties were first performed. One instance he might give—the fee for calling a Grand Jury was originally thirty cents, but the practice had now grown up of charging thirty cents for calling each juror's name, which resulted in the charge becoming $7.20 instead of the original thirty cents.

It would not be fair to assume that these men were deliberately charging fees to which they were not entitled, they were merely seeking to obtain compensation for their time and labor. In preparing the bill now before the Committee he had adopted the principle that the clerk should not expect to be paid a larger fee than that paid to the Counsel representing the Crown. It had been his practice since he had been Attorney-General to allow prosecuting counsel twenty-five dollars per day in the circuit courts and fifteen dollars in the County Courts, although he did not know any particular reason, beyond that of custom, why there should be any difference in the fee paid in the two courts as the labor involved in attending to a case in the County Court was often quite as much, and sometimes more, than in the Supreme Court. He had therefore prepared the bill on what he thought to be a reasonable basis and fair to both the County and the clerks. He desired to prevent overcharges on the part of the latter, but at the same time he wanted to see they got a fair remuneration for the work hey were called upon to do. In discussing the matter with some members of the Bench he obtained considerable information and his proposals m et with approval.

The following are the fees to be paid to Clerks of the Circuit Courts, under the Bill:

For services in opening Court, certifying jury fees, etc.	$25.00
Each day's attendance of more than three hours while criminal business only is before the Court, including all services	20.00
The like, less than three hours	10.00
Each letter necessarily written in connection with Criminal business	1.00
Such allowance for postage, etc. as the Judge shall certify is reasonably necessary	
Each day's attendance while civil business is before the court	10.00

Such other fees shall be certified to by the Judges and Attorney-General.

Mr. Perley inquired if while the matter of fees was being arranged for, would it not be possible to add a section giving the Municipalities the privilege of appointing the Clerks.

Hon. Mr. Baxter said of course that could be done, but he was not prepared to add such a section at the present time. The appointment had always been made by the Government, and he did not think the Municipalities could do much better in the matter of selecting gentlemen than the Government did. Part of the Clerk's duty was to keep a record of criminal business, which of course was a Crown affair, and herefore the appointment was properly in the Government's hands.

As he proposed to add another section to the bill dealing with advertising sales of property under order of the Court he moved that progress be reported.

Fees in County Courts

The Bill to amend the County Courts Act was then taken up.

This is a bill on similar lines to the last bill, and deals with the fees to be paid to the Clerks of County Courts. The following is the schedule of fees provided:

In lieu of all costs at present accustomed to be taken by any Clerk of the County Court, except from parties litigant, the clerk shall receive in respect of all services performed by him in connection with the grand jury the sum of	$15.00
For all services rendered by him under section 102, of the County Court Act, the sum of	5.00
With an additional five dollars if the Judge shall certify that an unusual amount of labour was involved.	
For acting as proescuting counsel for each day of more than four hours	20.00
Less than four hours, but more than two	10.00
Less than two hours, or if the prisoner pleads guilty or the indictment is quashed the sum of	5.00
For acting as Clerk only and not as prosecuting counsel for each day when criminal prosecutions are actually proceeding	10.00
For each day when civil cases are being heard, for at least one hour, but not to include the first day if there is a grand jury, the sum of	10.00

Progress was then reported on this bill also

The General Mining Act

The House again went into committee, Mr. Munro in the chair, and took up the consideration of the bill to amend the General Mining Act.

Hon. Mr. Baxter said the bill was what he considered a successful attempt to amply safeguard the miners' rights and his property which might have to be virtually invaded to carry on the mineral development of the country, and at the same time to give him the privileges which it was necessary for him to have to carry on his occupation successfully.

Dr. Price asked as to the provision that in the event of an arbitrators award being less than the original offer to the owner the latter should pay all the costs of the arbitration. He wanted to know if the provision was a new one, and if some fairer provision for the payment of costs in favor of the property owners could not be made.

Hon. Mr. Baxter said the provision seemed as fair to him as it could be made, being that generally adhered to in such cases and moreover he could assure his honorable friend that it would be only in very rare instances that farmers cases would come under that provision which would be largely for Crown Lands.

The Committee then agreed to the bill with certain amendments

The House adjourned at 11.25.

Fredericton, April 18.—The House met at three o'clock.

Hon. Mr. Murray laid on the table the report of Commissioner M. G. Teed on investigation recently held by him.

The House in committee, Mr. Glasier in the chair, took up the bill relating to Southwest Boom Company.

Mr. Smith saw no justification for the tolls increase from 55 to 65 cents per thousand asked for.

Hon. Mr. Morrissy said although he introduced the bill he had no retainer for the company but could speak from his own personal knowledge of the situation. Lumbermen interested were willing to pay the increase.

A lively debate developed, in the course of which Dr. Price stated that small operators, who at first opposed the increase after adjournment were in favor of it and the Frasers also changed their attitude. Mr. Slipp felt that some things said reflected on his integrity and entered a vigorous protest. Finally an amendment, moved by Mr. Smith, seconded by Mr. Munro, that the proposed increase of 5 cents tolls be struck out was lost. Yeas, 11; Nays, 21. The section to increase the capital stock passed without division and the bill was agreed to with amendments.

Hon. Mr Baxter introduced a bill respecting juries. The object was to reduce the number of grand jurors from 24 to 12. Notification by registered letter to a party's post office address will be sufficient notice for jury duty.

Hon. Mr. Baxter introduced a bill to provide for daylight saving. He explained that it was permissive legislation and enabled the governor-in-council to bring the plan into effect if it was found that there was sufficient public opinion in its favor. Personally he believed the idea was an excellent one.

Fredericton, April 19—House met at three o'clock. Hon. Mr. Murray introduced a bill to provide for settlement of lands after the war. The bill which he was introducing recites that it would be advisable to provide a system for settling large influx of population which was expected after the war and provides that the Farm Settlement Board shall carry out the scheme which has been devised for dealing with the matter under the direction of an advisory board to consist of gentlemen to be appointed by the Lieut.-Governor in Council and who would act in an honorary capacity. The board would be empowered to purchase such lands within the province as would be suitable for the purpose in view and also to acquire such private lands as might be found necessary. For this purpose the government should have power to borrow such sums of money as might be required upon such terms and conditions as might be deemed advisable. Lands when acquired were to be sold or leased or otherwise disposed of to settlers on easy terms. The board would have authority to build houses on lands and provide settlers with such farming implements as were deemed necessary. The idea was not an original on with the government as it had already been adopted in several other countries. The C. P. R. also had had a very similar system in operation for some time which had proven highly satisfactory. The problem is one of such magnitude that it must be faced and solved by the Dominion Government but the Provincial Governments and large Canadian corporations must also do their part. The C. P. R. has decided to establish in Western Canada colonies which for the moment we are calling returned veterans colonies where men who wish to go in for farming can obtain improved farms on terms which will in time create homes for themselves and families. These will receive distinctive names and contain a sufficient number of families in each to insure social, school and church facilities and in each case will include a central agriculturist so that advice and instruction may be available for colonies. Our experience in connection with ready made farms has been invaluable and will enable us to avoid mistakes which are unavoidable to new undertakings. The burden which we propose to carry will be no light one and as human nature is such that there are always fault finders, we have had such cases in connection with our ready made farms but on the whole colonies established under the ready made farm scheme have been highly successful. Continuing, Mr. Murray said that the policy outlined by Lord Shaughnessy had the government's hearty approval and it would be their policy too. The idea would be to place men on farms which they might eventually own so that their families might grow up with the country, and share in its prosperity and become worthy citizens. The board had already done some splendid work for the province. They had met with a certain amount of criticism from persons who were not particularly friendly to the government, but speaking from his own knowledge he could say that during the two years in which the board had been under the supervision of the Department of Agriculture nothing had happened which could justify in any way criticisms which had been levelled against it. The Farm Settlement Board had done everything possible to deal prudently and carefully with the various matters which came before it and he did not believe that it would be possible to get three men with the experience and other qualifications which would fit them to carry on the work in a more satisfactory manner than had been done by the members of the board. There had been some transfers made from one settler to another for various reasons but at the present time there were only five farms so far as the board knew that had been left by settlers out of a total number of 266 farms purchased. One of these was located in Carleton, one in Westmorland, two in Kings and one in Sunbury.

The work to be accomplished in connection with settlement of lands by soldiers was a matter in which politics cannot be allowed to have precedence. It was a work in which not only the government but every man, woman and child in the province of New Brunswick should be interested in and in which all should unite so that when men who were now standing up and fighting for the Empire and giving their life blood for the cause of liberty and justice should come to this country they would find a welcome such as they should receive awaiting them and a disposition on the part of the people of this province to do anything possible to make light their burdens and to increase the happiness of their lives here. He would commend the bill to the most careful and favorable consideration of the House and when it came up in committee would be pleased to give all details in connection with the working out of the plan.

House adjourned at 5.15 o'clock.

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"FRUIT-A-TIVES" has been one of the great successes of the century and the sales are enormous, both in Canada and the United States. 50c. a box, 6 for $2.50, trial size 25c. At all dealers, or sent postpaid on receipt of price by Fruit-a-tives Limited, Ottawa.

Canada Pays The Penalty

(Conservation)

An analysis of the fire losses in Canada during 1914, as compiled by the Monetary Times, discloses some interesting conditions. This statement substantiates and verifies the charge that carelessness is the cause of seventy-five per cent. of Canada's fire loss.

It would naturally be expected that the greater number of fires would be in factories using power or fires for manufacturing processes, and where accumulations of shavings and other waste are exposed to fire from friction, spontaneous combustion, or other causes.

Such is not the case. By far the greater number of fires were in buildings in which none of these risks occur. Factories contributed only 59 fires; various mills only 12; laundries 5; engine houses, 1; machine shops 3; sawmills, 12; foundries, 2; while power-houses, blacksmith shops, canneries and others had a clean record.

Against this and constituting a record which should be a disgrace to any country were 676 fires in dwellings, 138 barns and stables, 384 stores, 46 hotels, 44 business sections and blocks, 26 warehouses, 18 offices, 11 schools and colleges and 29 sheds.

Some of the causes of the fires were: Electrical defects, 55; lamps and lanterns, 20; defective and overheated stoves, furnaces and chimneys, 113; sparks from chimneys, 41; candles, etc., 6; ashes 8; matches 69; cigar and cigarette stubs, 15; defective gas appliances, 21; oil stoves upset and exploded 13; spontaneous combustion 18.

All of the foregoing causes may be overcome by the exercise of only ordinary precautions. Not one of them needs to be repeated during the current year. Canada cannot afford to burn up her resources as she has been doing. As in Great Britain, there is need of husbanding all our available assets for the great national work in hand, and it behooves Canadians to make every effort to reduce in a large degree the fires resulting from causes entirely under control.

What The Daylight Saving Plan Means

It is proposed to utilize during the summer months some of the early morning sunlight which is now often wasted while we sleep, and thereby, to add an hour's sunlight at the end of the day.

This is to be accomplished by moving the hands of the clock forward an hour on the first day of May and backward one hour on the first Sunday in October:

This will entail:

1.—No earlier rising than at present, because we shall continue to rise at the same hour by the clock.

2.—No loss of sleep.

The chief advantage to be gained is that we should have daylight for an hour later every evening during the summer months. This would be most valuable in May, June, July August and September.

The effect of the scheme would be to make the day fit man's requirements more closely. We would simply add one hour each day to the daylight available for rest and recreation after our day's work is finished.

The gain of one hour of sunlight each evening yields more advantages than would a half holiday each week. For the whole period in each year covered by the proposal the gain will amount to 153 hours' sun light, the equivalent of say fifteen whole holidays.

The cost of artificial lighting will be reduced as it will not be necessary to light up until an hour later than at present.

The enjoyment of life will be increased and the health of the people improved. More out of doors will increase our efficiency. It will also decrease eye strain.

The plan has been adopted by St. John, Halifax and practically all the towns in the Maritime Provinces and in all the cities and towns of Western Canada.

A cheque for slightly more than $70,703,600, said to be the largest ever drawn, passed through the New York Clearing House last week. It was made by J. P. Morgan & Co. on a local bank to the order of the Canadian government in payment of $75,000,000 par value 5 per cent. bonds, recently purchased by a syndicate of bankers.

If you can make good bread from some flours, you can make better bread from

PURITY FLOUR

and more loaves to the barrel too. Buy it and see for yourself.

More Bread and Better Bread

'NAME AND NUMBER" HOLDEN

Some of the most curious characters in the world enlist in the army and make good, says the Montreal Journal of Commerce. A case in point is told of a Newfoundlander named Holden, who was known as "Name and Number" Holden. Holden was asked for his name and number by officers about every second day in order to enter his misdeeds on the crime sheet. He was guilty of practically every offence against military discipline that is known in the decalogue of warfare, but he redeemed himself in the fighting at Gallipoli, where he bravely picked up a Turkish bomb and hurled back at the enemy before it had time to explode. A monocled officer who witnessed the brave deed, "Ah, my good man what's your name and number?" meaning to recommend him for a medal. "What in h— have I done now?" inquired Holden in an injured tone. It was the first time in his army experience that he was not called down and the surprise was almost too much for him. Out of 1,107 Newfoundlanders who went to Gallipoli, only 171 returned.

Five hundred striking quarrymen returned to work at Milford N. H., having accepted a ten per cent. increase in wages.

POET'S CORNER

THE HORIZON

O sweet encircling line that lies
Around our life, around our way.
That links to vision earth and skies,
Yet hides the future from our eyes.

What comfort this: we do not know,
We only see a little space,
What verdant fields may yonder grow,
What pleasant streams may for us flow.

The Unknown Future—how it sways
To-day's loud boast of Destiny—
To know that just beyond our gaze
Stretch unknown fields and unknown ways.

W. W. CRAIG.

THE HELPING HAND

Let those who've fallen and risen again
Be kind to those who are down,
And give them a cheery "Try again"
And a smile instead of a frown.
Life's pathway is rough at times, you know,
And the sun doesn't shine every day,
But the heart's a lot lighter and everything's brighter
If you help when you preach and pray.

J. B. RAINSFORD.

ADAPTATION AND COMPETENCY

Oh, it isn't much use to blow "hot air"
If you can't supply the "goods to back it.
The world is tired, everywhere,
Of those that make the hollow rackets,
And it's not so much the place, or sphere,
That makes folks great, or leaves them nudes,
It's the way they do their business here
Their lack or supply of "goods."

A grinder of scissors may now renown,
And a grinder of latin may prove a failure
The chap that can't get business "down"
Might make real good as a shingle-nailer
You can turn vice versa all this prate,
And think it over in different moods,
But the people whose names are on slate
Are in their grooves and supply the "goods."

WILLIAM W. CRAIG.

Rich AND Mellow

You'll Like the Flavor

40c., 45c. and 50c. Per Pound

Production and Thrift

"GAIN or no gain the cause before the farmers of Canada is as clear as it was last year—they must produce abundantly in order to meet the demands that may be made, and I believe this to be especially true in regard to live stock, the world's supply of which must be particularly affected in this vast struggle."—*HON. MARTIN BURRELL, Minister of Agriculture.*

THE FOLLOWING STATEMENTS ARE BASED ON REPORTS CONTAINED IN "THE AGRICULTURAL WAR BOOK, 1916," PUBLISHED BY THE DEPARTMENT OF AGRICULTURE, OTTAWA, ONT.

LIVE STOCK—The herds and flocks of Europe have been greatly reduced. When the war is over there will be a great demand for breeding stock. Canadian farmers should keep this in mind.

MEATS—In 1915 Great Britain imported 664,508 tons of beef, mutton and lamb, of which 364,245 tons came from **without** the Empire. Out of 430,420 tons of beef only 104,967 tons came from **within** the Empire.

The demands of the Allies for frozen beef, canned beef, bacon and hams will increase rather than diminish. Orders are coming to Canada. The decreasing tonnage space available will give Canada an advantage if we have the supplies.

DAIRYING—Home consumption of milk, butter and cheese has increased of late years. The war demands for cheese have been unlimited. The Canadian cheese exports from Montreal in 1915 were nearly $6,500,000 over 1914. Prices at Montreal—Cheese: January 1915, 15¼ to 17 cents; January 1916, 18¼ to 18½ cents. Butter: January 1915, 24 to 28¾ cents; January 1916, 32 to 33 cents.

EGGS—Canada produced $30,000,000 worth of eggs in 1915 and helped out Great Britain in the shortage. Shippers as well as producers have a duty and an opportunity in holding a place in that market.

WRITE TO THE DOMINION DEPARTMENT OF AGRICULTURE AND TO YOUR PROVINCIAL DEPARTMENT FOR BULLETINS ON THESE SUBJECTS

Tens of thousands of Canada's food producers have enlisted and gone to the front. It is only fair to them that their home work shall be kept up as far as possible. The Empire needs all the food that we can produce in 1916.

PRODUCE MORE AND SAVE MORE — *SAVE MATERIALS FROM WASTE*
MAKE LABOUR EFFICIENT — *SPEND MONEY WISELY*

THE GOVERNMENT OF CANADA 4

THE DEPARTMENT OF AGRICULTURE — THE DEPARTMENT OF FINANCE

RED ROSE TEA "is good tea"