

has succeeded or not, but I know that he has endeavoured not to appoint men to the County Court bench older than sixty years. I think, however, there have been many exceptions to that rule. Supposing a man is appointed at sixty, he is bound to retire at seventy-five years of age. At the maximum he serves fifteen years, and as the law now stands he would receive \$4,000 a year during the balance of his life. But that retiring allowance applies whenever he retires regardless of his length of service.

Mr. DOHERTY: There will be a clause in the Bill to correct that.

Mr. CROTHERS: I am speaking of the law as it is now. My hon. friend the Minister of Justice says that he intends to change that condition of affairs. In the case of a Superior Court judge the pension depends upon the number of years he has served on the bench; if he has served for fifteen years he gets a percentage, if for twenty years a larger percentage, and if for twenty-five years a still larger percentage of his salary. But that, of course, does not apply at all to the County Court judges. A few weeks ago I received a letter from a County Court judge saying, "I have served for so many years; I suppose I am not entitled to my full salary?" I had to write him in reply that he was entitled to his full salary, no matter how long he had been on the bench.

Mr. MACLEAN (South York): By Dominion legislation?

Mr. CROTHERS: Yes. A County Court judge may retire after he has served thirty years even if he is only sixty. If he was appointed at the age of thirty and served until he was sixty, he would be entitled to full pay for the rest of his life. He may retire at sixty at full pay, but he is not obliged to retire until he is seventy-five, and then he gets full pay for the rest of his life. It is admitted all around—the minister himself would be the first to admit it—that a great many of these judges are not earning anything like what they are being paid. The time may come when the junior judge will disappear, in which event another will not be appointed in his place, but that may take ten, fifteen or twenty years. I do not believe that the people of Ontario are in favour of this increase.

Mr. MACLEAN (South York): If more vigorous legislation in the same direction were passed by the legislature of Ontario, this difficulty would come to an end.

[Mr. Crothers.]

Mr. CROTHERS: But you cannot by legislation put a man out of his position.

Mr. MACLEAN (South York): You can do something.

Mr. CROTHERS: You cannot by legislation put out a man who has held a given position for ten, fifteen or twenty years. The procedure of the courts has been fixed by the legislature of the province, and I am bound to say, after an experience of forty years, that legislation has been passed in order that junior judgeships may be given to friends. Are we to give these men another \$1,000? In the case of a man who has served only five or ten years, such an increase is entirely unwarranted. I am satisfied that my electors do not approve of it, and I am opposed to it on that ground as well as on personal grounds. With regard to the population provision in the clause as it now stands, take the city of Toronto. Of course, there is more work in Toronto than there is in Ottawa, but they have four or five judges in Toronto.

Mr. MACLEAN (South York): Three, anyway.

Mr. CROTHERS: I think there are four or five; I could name four right now. I do not think that we would be warranted in increasing those salaries. An increase of \$1,000 was given only last year. The great majority of the judges, I believe, are perfectly satisfied with their present salary. The only reason I have ever heard for an increase is that judges in the province of Quebec who do the same kind of work but are called Superior Court judges get a larger salary,—\$7,000. Since this matter came up a few days ago I have been informed that the judges in the province of Quebec do the County Court work as well as the Superior Court work.

Mr. LEMIEUX: And the Criminal Court work too.

Mr. CROTHERS: A deputation which came here a few weeks ago urged that the salaries of County Court judges in Ontario should be increased on the ground that the judges in the province of Quebec who were doing the same kind of work were getting a great deal more. But that does not seem to be true; the judges in the province of Quebec do the High Court as well as the County Court work. That is a good reason why they should be paid more. I do not think it is fair to the ratepayers of this country that we should increase these salaries. Wait until a number of these junior