

not right or proper. Therefore, I hope the Government will see the propriety of making this change.

HON. MR. READ—I am very glad to hear the hon. leader of the Government in this House say that he is not going to insist upon the 10th clause, because there are localities with which I am acquainted where the interests of justice demand a junior judge. The county in which I reside is nearly 100 miles long and the judge would have to travel from where he lives fifty or sixty miles, to hold courts. There is no railway, and the roads are very bad, and it would take him a long time, and he would be prevented from discharging the duties entailed upon him. That is one instance. Then in the counties of Lennox and Addington the judge would have to travel over a large district. In the county of Renfrew there are forty townships, yet the population is only 40,000. There would be a great inconvenience there. For these reasons I am very glad to hear that the Hon. Minister of Justice does not insist at the present time on the 10th clause, because I think in many cases it would be necessary to have junior judges.

HON. MR. KAULBACH—Might not some of the provisions of this bill apply to judges of other courts as well as to the judges of county courts—I mean as regards removal for incapacity from age or ill-health?

HON. SIR ALEX. CAMPBELL—I am much obliged to my hon. friend opposite for the kind spirit in which he received the Bill. There is great force in the suggestion which he makes as to the objections to giving power to hold this enquiry, to other persons than the judges named. Before the bill comes up for consideration in committee, I will discuss that point with my colleagues, and will perhaps be able to meet my hon. friend either wholly or to some extent, in the direction in which he finds a difficulty. The case which is mentioned by the hon. Senator from Belleville (Mr. Read), was before me, and the judge did tell me that he was unable to discharge the duty,—although the population of his county was not greater than that mentioned in the bill—in consequence of the distances which he

would have to travel. The county of Hastings is very long and not very broad, and the railway does not extend far through it, so that it makes it difficult to conduct the business of the courts there with only one judge. Still, I am strongly of opinion that if the judges gave the whole of their time to their duties, and displayed the ordinary vigor which men should do in the prime of life—as most of them are—that a great deal more could be done than is accomplished now; but it is necessary to go gently. The hon. Senator for Lunenburg asks, why not extend the provisions of this Bill to other courts? The reason is that they hold office during good behaviour and can only be removed by the action of both Houses of Parliament. They can be pensioned after serving fifteen years if they are unable to discharge their duties from illness or inability. I think most of these provisions are substantially to be found in the existing laws with reference to other courts; but that also I will examine into and see if there is any thing omitted in that respect.

HON. MR. POWER—I regret that I cannot agree with the leader of the Opposition in congratulating the Government for having struck out the two last clauses of the bill. It seems to me that the tenth section contained a very proper provision. I think that the multiplication of county court judges is not desirable. Under the provisions contained in the earlier sections of the bill, any judge who is incapacitated from old age or illness to discharge his duties, will be removed, and then the necessity of appointing junior judges will not arise. There is a good deal of force in the remark of the hon. Senator from Belleville (Mr. Read), with reference to those counties which are very extensive; but I think, as a rule, where a small population is spread over a large county the amount of litigation is very trifling, the great bulk of litigation being, as a rule, in the towns and cities. I think it will be found that the amount of business in a large district sparsely settled is very small, and that a man of fair energy and vigor having charge of those districts, will be quite able to undertake all the work to be done there. I think further, that if it is found, that the work done by a judge, in other capaci-