

April 20, 1874

standard, equal to and above No. 13, and below No. 16 and below No. 9, on which duty was paid last year, if so what were the quantities.

Hon. Mr. BURPEE (St. John, City and County) said the whole quantity above No. 9 was 76,306,000 lbs, and that below No. 9 was 15,060,000 lbs. He could not tell anything with reference to the other numbers.

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SALARIES OF JUDGES IN THE MARITIME PROVINCES

Mr. PALMER moved for correspondence between the Government of the Dominion and the Judges of the Supreme Courts of Nova Scotia, New Brunswick, and British Columbia, touching the inequality of the salaries for the Judges of the same standing in the different Provinces. In speaking to the motion, Mr. Palmer said all should be equal not only before the law but before the Departments. The inequality of the standing of officials, whether judicial or otherwise, in all Provinces had always been complained of ever since Confederation. The late Government had undertaken to make a discrimination in the amount of salaries paid in different Provinces, whilst the present government had gone further and added to the salaries of Judges and other officials in an improper proportion.

Was it to be suggested that the lives and liberties of the Queen's subjects were not as ideal in New Brunswick as in Ontario, and were not the honour of the Bench and Bar just as valuable in New Brunswick as in Ontario? It might be contended that the salaries were graded according to the cost of living, but in proof of this he might instance the low salaries of the Puisne Judges of British Columbia, where the cost of living was far higher than in the other Provinces.

Hon. Mr. DORION said that the salaries of all the judges had been increased.

Mr. PALMER: They have; but an increase of twenty per cent had been made on all the salaries, thus increasing the difference between the salaries of the Judges of the larger and the smaller Provinces. If it could be shown that such was not the case, New Brunswick would be perfectly satisfied; but it was so, and he appealed to the fair sense of justice of the members from all the Provinces to see that right was done. He contended that the tendency of the legislation of the country was to discriminate against the small Provinces, instancing the duty of shipping, which was at the rate of a dollar a ton; and, in view of the respective proportions of shipping built, pressed exceedingly heavily on the Provinces of New Brunswick and Nova Scotia.

Hon. Mr. MACKENZIE rose to a question of order. The hon. member could not discuss the proposed tariff on this occasion. His remarks had no reference whatever to the salaries of the judges.

Mr. PALMER continued in general terms, that the old Government had been bad enough. But the new one had made the small Provinces pay about ten times as much as they ought to do,

but this only showed the discriminating nature of the legislation passed here.

Hon. Mr. BLAKE pressed the question of order. The subject to which the hon. member was referring was upon the orders of the House for discussion at a future time.

Hon. Mr. DORION said there would be no objection to bringing down such correspondence on the subject as might be in existence. He pointed out to the hon. member that thirteen judges of the same standing as certain judges in New Brunswick, who were paid \$4,000 per annum, only received \$3,500. There were very great differences in the cost of living in different parts of the country, which had to be taken into consideration when fixing the salaries of judges. There were also great differences in the amount of work they were severally called upon to perform. Six judges in the City of Montreal, as a matter of fact, did more work than the whole seventeen or eighteen judges in the surrounding districts; and the same principle applied to judges in Toronto.

Mr. JONES (Halifax) said he confessed that the judges in Nova Scotia and New Brunswick had much less work to do than those in the Province of Ontario, but he did not think that any distinction should be made with regard to the Lieutenant-Governors. He hoped the general subject would receive the attention of the Government.

Mr. DAVIES said the salaries of judges were even less in Prince Edward Island than in Nova Scotia and New Brunswick. Indeed, the salaries of the Superior Court Judges were scarcely such as gentlemen could live upon. The Ontario judges he considered were entitled to larger salaries than those in the smaller Province, but he thought the disparity was too great.

Hon. Mr. BLAKE said it was a quality which belonged generally to all public officials that they desired to have their salaries increased. He called the attention of the hon. member from Prince Edward Island (Mr. Davies) to the fact that the salary of Superior Court Judges previous to Confederation was only \$1,900, upon which a gentleman was supposed to be able to live. Now the same judge was paid \$3,000, yet the hon. gentleman complained that a gentleman could scarcely live upon it. The same remarks applied to New Brunswick and Nova Scotia, where the salaries were fixed previous to Confederation, he had no doubt so as to secure the best men in the profession to serve upon the Bench. At Confederation their salaries were considerably increased in those Provinces, but no difference was made in Ontario and Quebec.

There was a very great difference, he pointed out, between the salaries of judges in Ireland and Scotland and those who served upon the English Bench; and the salaries of judges in London were especially much higher than elsewhere, because the emoluments of the Bar there were very much greater, the expenses of living much higher, and finally, it required a much larger sum in order to secure the fittest men for positions on the Bench than in other parts of the country.

He approved of liberal salaries for judges everywhere, in order to secure the services of the best men, but he entirely denied that the hon. gentleman (Mr. Palmer) had any foundation for the charge of