

We have to give, as I said more than once, such salaries as will secure to the people the best persons to fill the high seats of justice. I agree with the hon. gentleman that there is one cause for bettering the position of the Judges in Prince Edward Island, to which he has not alluded—the cost of living has largely increased since Confederation—I do not mean putting it in the old sense of the term, for it would be inapplicable, because the position of those gentlemen was largely improved in 1873, on the admission of their Province into the Union. But since the admission of Prince Edward Island into the Union, the cost of living has largely increased, through the policy of hon. gentlemen now on the Treasury Benches, who probably think they ought to make the Judges some compensation for that increase.

Mr. BRECKEN. I listened with much pleasure to the views of the Minister of Justice, and only regret that he should not see fit at present to carry out his opinions with regard to the compensation of the Judges of Prince Edward Island, who, he properly thinks are entitled to the same salaries as the Judges of the other Maritime Provinces. I am at a loss to understand why the Government should not have made the salary of the Island Chief Justice \$5,000 and those of the Puisne Judges \$4,000. However, in behalf of the judiciary of Prince Edward Island, I will say I am glad the Government have thought proper to make the present increase of their salaries, though I regret they are not placed on an equality with those of the Judges of New Brunswick and Nova Scotia. The Minister of Justice was quite right in saying that just previous to Prince Edward Island entering the Union, we passed a County Court Act, and the Judges of that Court were duly appointed. Previous to that time, we had a Court of Commissioners for the recovery of small debts throughout the Island. That Court is now abrogated, and the duties really performed by the County Court Judges are those which were performed by that tribunal. The member for West Durham threw out some hints upon the cost of living in Prince Edward Island being latterly increased. He was not very clear on the point. I imagine that was a hint to the members from Prince Edward Island who voted for the National Policy. I can assure the hon. gentleman that the cost of living on the Island has not increased on account of the altered financial policy of the Government, though it is a fact that the cost of living has increased within the last twenty-five years to a very great extent. Shortly before I left the Island, one of the Judges of our Supreme Court drew my attention to that fact in the course of a conversation I had with him; and I believe myself that since those Judges were appointed, the cost of living in Charlottetown has increased fully fifty per cent. I suppose the Government had reasons for not dealing a little more liberally with us, but, speaking as a representative of Prince Edward Island, I am glad to find that they have increased the salaries of our Judges. I hope the Minister of Justice will see the propriety, the justice, and the necessity of putting the Judges of our Supreme Court upon an equality with those of the Provinces of New Brunswick and Nova Scotia.

Mr. CAMERON (Victoria). I presume that every member of the House is perfectly content that the resolutions which the hon. Minister of Justice has proposed, should be carried. I understand that it is based on the necessity in order to get the best men to fill the position of Judges in Prince Edward Island, to increase the salaries, that increase having been rendered necessary by the increased cost of living on the Island, and probably also by the increased aims in their profession which are open to the members of the Bar of that Province, who are competent for Judgeships. But the same principle when duly applied, will undoubtedly lead to the increase of the salaries of the Judges in other Provinces; for, as I understand, there is nothing singular in the position of Prince Edward Island in that respect.

Mr. BLAKE.

As the hon. member for West Durham has pointed out, the present addition to the salaries which the Judges of the Supreme Court receive from the Province will not be granted by the Province to any newly appointed Judge; and I am sure my hon. friend the Minister of Justice, when it becomes necessary to fill vacancies occurring in the Supreme Court Bench of Ontario, will find a difficulty in getting those gentlemen whom he would wish to appoint, to accept the position without the additional allowance which is paid by the Province of Ontario. The hon. Minister spoke of this allowance being given in consideration of services which were merely nominal—which had no real existence. The service in respect to which it was originally granted, and has continued to be paid, was the duties which these gentlemen performed as Judges of the Heir and Devisee Court of Ontario. Some years ago they had a large amount of work to do in that capacity, occupying them many weeks, and causing them not a little anxious and laborious consideration. Lately there has not been so much of that work falling upon them, because the powers which they used to exercise exclusively are now vested in the Commissioner of Crown Lands. The Court still meets twice a year, however, for several days, and does a certain amount of work. It will be necessary, hereafter—and at no very remote period—I have no doubt, for the Government to consider seriously the question as to whether the necessity for a general increase of the salaries of the Judges in Ontario at least, has not arisen in consequence of the determination of the Ontario Government not to pay that additional \$1,000 a year. I regretted to hear the announcement of the Minister of Justice that he did not intend to proceed with the resolutions in reference to the County Court Judges of Ontario. I think the putting of these resolutions on the paper, amounted to a statement on the part of the Government that they thought there was a grievance or an injustice that ought to be remedied, and I think it would have only been right had they carried the resolutions through the House, either in their present form, or in some modified form. I have no doubt that every legal member of the House has received sufficiently numerous communications from the County Judges of Ontario to convince him that there was a general feeling that the question of the salaries and allowances of these Judges was one which required consideration, and required also that an alteration be made.

Mr. MACKENZIE. Some lay members have got letters too.

Mr. CAMERON. No doubt they have. I have received at least a dozen myself. I am not prepared to say that the resolutions as introduced, were entirely acceptable, either to the class affected, to the Bar, or to the public generally; but members of the Bar of Ontario on both sides of the House held a meeting, discussed the matter and submitted their views to the Government; and I did hope that the Government, if not prepared to adopt those representations in their entirety, would at any rate have taken up the subject and legislated upon it this Session. I can quite understand that if they adopt the population basis as the foundation for the salaries of the Judges that they could do so better after the census is taken; but still, having raised the hopes of the County Judges of Ontario, that the injustice under which they feel they are laboring would be removed, it is to be regretted that the resolutions have not been proceeded with.

Mr. WHITE (Hastings). I have noticed ever since I became a member of this House, that if a question affecting the Bench or the Bar comes up in the House, every lawyer on both sides is willing to hold up his hands for it. The leader of the Opposition (Mr. Blake) approves of the resolution as a lawyer.

Mr. BLAKE. No; I do not.