

extent of the labor would be. At that time the Government felt satisfied the labor he performed was not worth \$1,000 a year, but at the time of his death when the claim came in another shape for services rendered in cases he had to deal with, the Government felt they were justified in asking Parliament to contribute the amount. The hon. gentleman says it is exceptional to allow \$75 for cases of this kind. Was there not some provision in the Election Law giving Judges allowances for election cases?

Mr. BLAKE. There was, but it was thought so unseemly and improper that it was struck out.

Sir LEONARD TILLEY. At all events there was such a provision, and no doubt in the legislation of the present Session there may be duties imposed on Judges for which they ought to be paid. The Government thought that in equity this sum should be allowed.

Mr. BLAKE. The hon. gentleman now says it was because Judge Fisher asked too much. What is the relation that was supposed to exist between the Judge and the Government? He says the Government ought to have paid something, but too much was asked, and therefore they gave him nothing at all. And that continued during ten or twelve years of his judicial life. What correspondence was there on the subject? What was the attitude of the Government? Did the Government say: "We ought to pay you something, but as you ask too much, we will pay you nothing." This is degrading to the character of the bench, and does not accurately represent what the relations of the Administration were to the Judge in this regard. Does the hon. gentleman mean to say that thirty-two divorce cases were actually tried during this term? I doubt it very much.

Mr. PICKARD. The late Judge Fisher was appointed in 1868. If he had done any work extra entitling him to pay beyond the \$1,000 that the other four Judges in New Brunswick received, I certainly think it is only paying for delay of justice in now settling the claim. I had the honor every year, until his death, of presenting a letter from him to the right hon. leader of the Government, asking for some compensation for work done as a Judge of the Divorce Court. His letters to me I never could read. I do not know whether the right hon. gentleman could read those sent to him, but the late Judge always told me what he was going to write about.

Mr. BLAKE. I can corroborate the hon. gentleman's statement. I never saw any handwriting so difficult to read as that of the late Judge.

Mr. PICKARD. I presented a letter from him to the Government of which the hon. member for Durham was a member, because I received them every year.

Mr. BLAKE. But my hon. friend did not get much satisfaction from either of us. Will the hon. Minister of Finance give us a list of those thirty-two cases, and the years they were tried in, or if they were tried? Some proceedings take place in some cases which go no further than the presenting of a petition.

331. Department of Interior—To provide for the salary of the Surveyor-General..... \$3,200.00

Sir JOHN A. MACDONALD. Mr. Lindsay Russell is performing the duties of Surveyor-General and of Deputy Minister of Interior; but it has been found absolutely necessary that he should be to a considerable extent removed from the work of the office in order to devote himself to the survey. He still holds his position of Surveyor-General, but we must have another person in the Department. A great portion of the working season Mr. Russell must be in the North-West. Men are continually going up there for the purpose of expediting the survey. There are a great many difficulties arising in regard to the accuracy of the survey,

or improper proceedings on the part of the surveyors, and Mr. Russell will have to examine into them. He will be charged with doing more field work than office work.

Mr. BLAKE. Do I understand there is to be a Deputy Minister of Interior, a separate officer, and a Surveyor-General?

Sir JOHN A. MACDONALD. Yes; this arrangement will probably go into operation about the 1st of July.

336. For a gratuity of one year's salary to J. Dillon, guard at Kingston Penitentiary, as compensation for loss of sight whilst performing his duties.. \$550.00

Sir JOHN A. MACDONALD. In reference to this case I will read the report of the hon. Minister of Justice:

"The undersigned has the honor to report that Mr. Jeremiah Dillon, guard in the Kingston Penitentiary, whose health and sight have been failing for a long period, has now become almost totally blind. Warden Creighton reports, that Dillon is without means of any consequence, with an aged mother wholly and two sisters partially depending upon him, and that in his present condition he is not able to help himself. He also states, that this officer has been most faithful in the discharge of his various duties.

"Dillon was appointed guard on the 1st January, 1871.

"His salary is \$450, with an additional \$100 for performing the duties of assistant school teacher.

"The Inspector of Penitentiaries reports, that 'this man has always proved himself a thoroughly competent, faithful, and respectable officer, in fact exceptionally so; he also recommends that a small annuity be allowed Dillon during his life, or failing that, two year's salary as a gratuity.

"On his retirement which it is intended should take place on the 30th June next, he will be entitled to a gratuity equal to one month's salary for each year of service up to ten, and a half month's salary for each additional year.

"In view of the unfortunate nature of the case, the undersigned recommends that an amount equal to one year of his salary, namely \$550, be put in the Supplementary Estimates for 1883-84 for Mr. Dillon, as a special recognition of his services, and the unfortunate circumstances under which he is retired, this to be in addition to any gratuity which may be allowed to him."

Mr. BLAKE. This vote is rather misleading. The statement in the vote is that it is for compensation for loss of sight while performing his duties. I had supposed some accident had happened in the discharge of his duties by which he had lost his sight, but it appears that is not the case.

Sir JOHN A. MACDONALD. While performing his duties, but not from any accident.

Mr. BLAKE. It does not appear to be in any way in consequence of the discharge of his duties, or from any accident which occurred to him in the discharge of his duties. This is just the same thing as if some ordinary disease had beset him, or as if a stroke of paralysis had rendered him incapable. Up to a few years ago there was no provision for these persons disabled under these circumstances; but in my time we established a provision for the retirement of men under these circumstances which would have covered the case of this unfortunate man. But because by reason of advancing infirmity he has lost his eye sight, it is proposed he shall have a year's salary besides the usual gratuity. We cannot give to him and refuse to another. If you establish this precedent all those who become infirm in the service of the penitentiary will be asking for a similar gratuity, and you will have to award it practically to all.

Sir JOHN A. MACDONALD. If this man had been in the Civil Service he would have a superannuation allowance, but instead of that we give him a year's pay. I did not intend to trouble the House further in the matter, but I shall read the warden's report on the case:

"I regret to be obliged to report that Guard Jeremiah Dillon, whose sight had been failing for a long period, has now become almost totally blind, and I fear there is no hope that Dillon will ever again recover his health. His case is a very sad one, and I hope that in considering it the following facts will be given exceptionally favorable consideration.