

repute, such as Sheriffs and Registrars, whose duties are not so onerous as those of the Judges, on whom this task could be imposed,—and I would prefer the Registrar to the Sheriff. His time is more at his own disposal, and it would not be at all in conflict with the high position of trust which he occupies, that this additional responsibility should be imposed upon him. I do not object to the Judges *per se*, but on the ground that they have many other duties to perform, and, further, that they would necessarily be brought into conflict with those parties as License Commissioners, which might, to a certain extent, interfere with the freedom of action of the Judges when called on to exercise their judicial functions.

Mr. McCARTHY. It is most desirable that the Judge should be one of the Commissioners. What we wish to secure is an impartial tribunal, a court which will give to a man a license because he is entitled to it, not because of his politics, and which will refuse licenses in the same manner. I know no person more competent to discharge that duty and who will reflect more credit on the Board of License Commissioners, than the County Judge, and therefore I would like the principle carried out in all the Provinces, and I trust our friends from Quebec will bear this in mind. In outside districts of that Province, I understand, the Judges although Judges of the Superior Court, do not perform duties very dissimilar from those performed by the County Court Judges of Ontario. I have also heard it said that they are not overworked; and, therefore, I hope the hon. members from Quebec will be willing that, outside of the great centres of the Province, Quebec and Montreal, the Judges of the Superior Court shall be appointed Commissioners. In the Province of Ontario, at all events, I think it would be a great misfortune if the Committee should substitute any person for the County Judge.

Mr. BLAKE. I cannot sympathize with the view that it is any degradation to a Judge to accept the office of License Commissioner, which is one of the highest possible consequence to the community. It is quite true that, as regards Election trials, they are open to suspicion of partiality, and so forth; but that has to be met. The office of Commissioner, being one of very high importance and responsibility, I do not sympathize with the view that County Court Judges of Ontario will be degraded by performing the duty. One of the Superior Court Judges of Ontario voluntarily accepted the office of License Commissioner there, and held it for three years; and although it was a very laborious and unthankful task, I believe very considerable good was accomplished in the locality where he discharged the duties of the office. I cannot, therefore, at all agree with the sentiment or view which has been expressed upon that part of the subject. At the same time I must say that I received this morning a letter from a gentleman who has considerable knowledge of the working of the License Law of Ontario, who stated that while it is quite correct that the Judge would be a very proper person to be one of the Board, it had been found in practice that the Board has a good deal to do with directing the instituting of prosecution, not personally, but in connection with the Inspector. They obtain information as to whether the Inspector is slack in the performance of his duties, and people tell them that prosecutions should be instituted against different parties. The machinery is worked through the Licensing Board; and if that is the way this law will be worked, if the Commissioners will have to do, though not by formal order, but still practically with the institution of prosecution, I must say a Judge, if he has afterwards to take appeals, will be placed in a very invidious position.

Mr. HALL. It is true, unfortunately, that the Judges of the Superior Court in the Province of Quebec are obliged to perform the duties imposed on County Court Judges in the Province of Ontario, but these are not their primary duties.

They occupy, in the first place, the position of the highest Judges of our Province; and hon. members from Ontario would be unwilling, I think, to see the Judges of the highest Court of that Province placed in the position of License Commissioners, for that will be the result if they consent to accept those positions. That is the position these Judges occupy in Quebec, and I say, first, on the point of dignity, and secondly, because these duties are added to their other duties, thereby increasing their work, these additional duties should not be imposed on them. Therefore, as regards Quebec, the Committee will see the force of the request which is unanimously made by hon. members from that Province, that our Superior Court Judges should not be asked to take that position. I therefore move:

That in place of the words "Superior Court Judge of the Judicial District" in the seventh line of the first sub-section, the words "District Magistrate, Prothonotary or Registrar holding office in such License District as may be selected by the Governor General in Council," be adopted.

Sir JOHN A. MACDONALD. I do not think it is any degradation to the highest Judges of the land to sit on a Board of this kind. This Board is formed for the purpose of establishing order, and regulating and restricting the excessive use of intoxicating liquors. It is a duty connected with the general idea of what a Judge should be—to endeavor by his example, and by putting the law in force, to conduce to good government and good morals. As the hon. gentleman (Mr. Blake) just said, it is not considered a degradation in Toronto for a Judge, and an eminent Judge in the Court of Chancery to sit of his own choice as a License Commissioner of Ontario—and I believe a most successful and active Commissioner. I should be sorry that it should be said it was an infringement of the dignity of any man, however high in official or other rank, or in personal rank, to sit on a Board of such a valuable and efficient character as this; and I would be very sorry also to see any additional power thrown upon the Government in this selection of Commissioners. I think that the Government ought to have one man there. As they are responsible for this legislation they are responsible for its being carried out, as they establish the licenses and license fees, and therefore they must see that such an important portion of the machinery and of local administration should be carried out. They cannot shake off this responsibility, and therefore they should have one person, but only for that purpose—for that reason; otherwise I would be very glad to see the whole Board of Commissioners appointed independent of the Government. If, however, they are not only to have the appointment of their own man, but also the selection of half-a-dozen men, they, in fact, control the Board, and then what would be the consequence—all kinds of political insinuations would be used that the particular selection of a particular individual had been made for political reasons, in order to get control of the Board. I hope that my hon. friend will not press this just now. I hope that he will allow it to pass as it is at present. I intend, as I said a while ago, with the consent of the Committee and of the House, to give every opportunity to hear what hon. members of both sides have to say on an important measure of this kind, and to deal with it in the widest possible spirit of united action in order to produce a good Bill. Whatever may be thought by any hon. gentleman as to the expediency of bringing in the Bill, the bringing in of which the House has sanctioned and which is certain to become law, I invite hon. gentlemen on both sides to go in earnestly in making it as good a Bill as possible, reserving their own opinions as much as they please as to the expediency of introducing the Bill at all; and with that view, I hope the hon. gentleman will not press his motion just now. Hereafter opportunity will be given hon.