

QUARANTINE

On motion of **Hon. Mr. POPE** the House went into Committee on the Bill relating to Quarantine. The Committee rose, reported, and the Bill was read a third time and passed.

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EMIGRATION AID SOCIETIES

On motion of **Hon. Mr. POPE**, the House went into Committee on the Bill to provide for the incorporation of the Emigration Aid Societies, but, upon objection from **Hon. Mr. BLAKE**, the Bill was allowed to stand over.

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SALARIES OF JUDGES

Hon. Sir JOHN A. MACDONALD moved the House into committee, to consider a resolution to amend and extend the schedule of the Act, 31 Vic., Cap. 33, and to make provision for the salaries of judges and stipendiary magistrates, in the provinces of Quebec, Nova Scotia, Manitoba and British Columbia, et cetera.

Hon. Mr. BLAKE said he would like some explanation as to a portion of the resolution. They should be told upon what principle the salaries were being given in British Columbia. He observed that provision was made for an additional Puisne Judge, without stating what the salaries should be in case of vacancies. It was proposed to have six Stipendiary Judges. The Act of Union vested the appointment and payment of Stipendiary Magistrates in the Local Governments, and he would like to know why it was necessary for ten thousand people to have six Stipendiary Magistrates, and why they should be paid by the Dominion.

Hon. Sir JOHN A. MACDONALD replied that he mentioned yesterday such portions of the resolution as it then occurred to him required explanation. In Quebec an additional Puisne Judge was allowed for Montreal. In Nova Scotia salaries for two additional Judges were voted last year; but, owing to his illness, legislative authority had not been obtained. In Manitoba it was provided that the Judge might be made available for judicial purposes beyond the bounds of the Province; that is to say, they were permitted to perform judicial duties in the North-west territory until that country was absorbed into a province or provinces. The salary was \$4,000, the smallest salary given to any Superior Court Judge.

In the Province of British Columbia there was a chief Justice and a Puisne Judge, whose salaries were fixed by the Imperial Government, and could not be reduced during the life time of the present incumbents. He had inserted one Puisne from the fact that he had had communication with the Lieutenant-Governor of British Columbia on the importance of having a

third Judge there. He thought it was in the highest degree desirable that there should be a Court of three—in consequence of having only two Judges, there might be frequent failures of justice, by difference of opinion. He was under the impression that the Local Legislature had passed an Act with that provision, but the certified copies of the Act had not yet been received, and he had therefore provided for the additional judge.

The reason he had only asked the House to vote the salaries of the present judges was that he fancied it would be the early duty of the new Parliament to consider the salaries of the judges of the Superior Court, which were not in a satisfactory state at the present time, therefore he had not put in any salaries for vacancies by death. If it should be thought well to provide for such a contingency, he would recommend \$4,000 per annum for the Chief Justice, and \$3,200 for the Puisne Judges.

With respect to the Stipendiary Magistrates, they were Imperial appointments, and the gentlemen holding those offices performed the duties of County Judges; and, according to arrangement those salaries must be paid during their incumbency. They were Stipendiary Magistrates, Indian Agents, Gold Commissioners, et cetera, and were especially required on account of the influx of miners during the gold fever. As to the two pensioners, those were only put in the schedule in order that they might be included in the civil list. Although he had not been officially notified, he was aware that since the schedule had been drawn up, one of those pensioners had died, and therefore the pension would not be required. The other was the Colonial Secretary, whose salary must be paid him under the terms of union with British Columbia.

Mr. De COSMOS asked if it was the intention of the Government that the Stipendiary Magistrates should be allowed to continue to hold courts.

Hon. Sir JOHN A. MACDONALD said, as he understood the matter, they performed duties analogous to those of County Court Judges.

Mr. De COSMOS replied that their duties were to act as Gold Commissioners, as ordinary Magistrates, and as Justices of the Peace, and there was a very general feeling throughout the country against non-professional men acting as County Court Judges. He understood that a Bill had been passed by the Local Legislature on the subject, and had hoped the Government would have received it in time to remove a long-standing grievance in the country.

Hon. Mr. BLAKE: We pay the Gold Commissioners then.

Hon. Sir JOHN A. MACDONALD: Yes, so long as they act as County Court judges. The difficulty is that there is an objection in the province to non-professional men being placed at the head of the County Courts. Under the arrangement with