

Mr. McDONALD (Lunenburg): Whether it is the intention of the Government to take measures for the appointment of a harbor master for the port of Halifax; also for the appointment of a shipping officer for the same port?

Hon. Mr. TUPPER: The Government intended to submit bills to the House with a view to such appointments.

Hon. Mr. SMITH (Westmorland): Whether any arrangement has been made between the Government of Her Britannic Majesty and the Government of the Dominion as to the disposition of the amount of compensation to be awarded under the 22nd Article of the Treaty of Washington.

Hon. Mr. SMITH (Westmorland): Whether it is intended that the Commissioners appointed under Articles 22 and 23 of the Treaty of Washington, in determining the question of the amount of compensation to be paid, shall be continued to the term of years mentioned in Article 33 of said Treaty?

Hon. Sir GEORGE-É. CARTIER suggested that it might be better not to press these questions at present, because they probably would come up again in the discussion on the Treaty of Washington.

Mr. LANGLOIS: Whether it is the intention of the Government to cause a survey to be made of the channel of the St. Lawrence, which flows on the north side of the Island of Orleans, with a view to improve the navigation of the said channel and render it safer, the said channel being obstructed by dangerous reefs and shoals?

Hon. Mr. LANGEVIN: Any necessary examination will be made by the Government to ascertain what it may be expedient to do.

Mr. LANGLOIS: Whether it is the intention of the Government to cause a lighthouse to be built at the end of the wharf at St. Jean, Island of Orleans, it being the unanimous opinion of mariners that if this light had been in existence the Strathardle would not have been thrown upon the St. Valier shoals last autumn, and another vessel would not have been wrecked on the same spot three or four years ago?

Hon. Mr. TUPPER: The attention of the Government has only recently been called to this matter, and it was now under consideration.

Mr. BLANCHET: Whether it is the intention of the Government, by sale or otherwise, to dispose of any of the Ordnance properties at Lévis, and in what way the Government intend to deal with the said properties?

Hon. Sir GEORGE-É. CARTIER: Not at present. These properties had only recently been transferred to the Dominion, and it was not the intention to dispose of them. Nothing more could be done by the Dominion Government than was done by the Imperial Government.

LIEUTENANT GOVERNOR OF MANITOBA

Hon. Mr. HOLTON moved the following resolution:

That it be resolved, that in the opinion of this House the appointment of F. G. Johnson, Esq., to the office of Lieutenant Governor of the Province of Manitoba, to which office an annual salary of \$7,000 is assigned by law, while he continues to hold his Commission as a Judge of the Superior Court of Lower Canada, under which he is entitled to receive a salary of \$3,200 per annum, is not only inconsistent with the whole spirit of our Legislation respecting the Independence of Judges, but is in plain contravention of the words of the 8th Section of the 78th Chapter of the Consolidated Statutes for Lower Canada, whereby it is enacted that "no such Judge" (of the Superior Court of Lower Canada) "shall sit in the Executive Council or in the Legislative Council or in the Legislative Assembly or hold any other place of profit under the Crown so long as he shall be such Judge."

He said the principle of maintaining the independence of the Judiciary, the independence of the Crown on the one hand and of popular influence on the other, had been so fully established as part of the policy of the British Empire, and all parts of it in which representative institutions existed for so long a period, that it would be a work of supererogation to enter into any argument on the subject. The question was simply this: Did the appointment to the office of Lieutenant Governor of Manitoba conflict with the general spirit of our legislation, and was it at variance with the law? He thought that a very little consideration would show that at all events it was at variance with the general spirit of the law.

The facts of the case were these: Mr. Johnson had been absent from his judicial duties for a period of nearly two years, colourably on leave of absence. He was not suffering from ill-health; he was not an old man; he was in the full vigour of manhood, and had only held his office for a few years, when leave of absence was given to him in order that he might be sent on special service to Manitoba. That was certainly an attack on the independence of the Judiciary, especially when coupled with the fact that he continued to receive during his absence his salary as judge; and at the same time compensation for his services at Manitoba. Quite irrespective of his appointment to the office of Lieutenant Governor, the spirit, if not the very letter of the law was violated. The salary of the office of Lieut. Governor was fixed by Statute at \$7,000 a year, and therefore when Mr. Johnson was gazetted to that office he was, so far as the public could ascertain, in the enjoyment of that salary, while as Judge he received \$3,600.

The Act which he had cited in his resolution was passed in 1849 and the only exception he found to its operation was the Act passed some eight years later, providing for the codification of the laws of Lower Canada. Under that Statute, Judges might be appointed to codify the laws; but there was no other exception. It was never contemplated by the law that temporary judges should be appointed during pleasure. He had not brought forward the motion with any desire to attack the Government, and he did not therefore propose dwelling longer upon it. The Government had undoubtedly been led