

requirements of the judicial business proper in the jurisdiction, or the condition of the district, it would be inexpedient to take the county judge. In view of the judge being offered the position, it was important that the tenure should be during good behaviour, for I think it extremely probable that no judge would accept such an office, to hold office at the pleasure of the Crown. A good deal, however, has been said in the way of objection to such an appointment, and leaving it to the judges to name officers yearly finds favor in some quarters, this being the practice in England; but though the revising barrister may be appointed yearly the actual practice is to continue the incumbent in office during good behaviour; so that, in England, is practically the tenure. I think, myself, the mode proposed by the Bill is the best, and I cannot understand those who wish to act in harmony with the wishes of the people, as expressed by their representatives taking a different ground in Ontario. From the first institution of division courts, and until recently, the appointment of the officers, clerks and bailiffs was vested in the judges, and these officers held their appointments during pleasure of the judge. For some 40 years I myself performed that duty, and in that time appointed more than 100 officers, some of whom derived an income from fees greater than the judge who appointed him enjoyed from his salary. Well, all that, as I mentioned, is altered by an act of the Provincial Legislature, and the appointment of the six to eight hundred Division Court officers is now vested in the Government of the province. It was put perhaps not unreasonably in this way, that as the Government were responsible for the efficiency of the tribunals, it was only right that they should have control of the appointment of officers. If my memory serves me, the Opposition in Ontario professed to be as fearful as the Opposition in the Government of the Dominion now professes to be, that the power of appointment would be abused for political ends. So far as my observation extends I have seen no evidence of this in Ontario, and I feel quite sure that the Government of the Dominion will well and faithfully discharge their duties in the appointments to the more important position of revising barrister.

And the contrast is altogether in favor of what is now proposed. For it is not proposed to reserve the power of removal at will to the Government of the Dominion, as was in Ontario reserved to the Government of the province in respect to Division Court officers. An incredible thing has been broadly asserted with all the bitterness of party expression, that the object of the Bill was to enable the Government to appoint pliant partizans for corrupt purposes, and wretched creatures would be found in the several provinces of the Dominion to act as willing tools for that nefarious purpose. I do not think I state too strongly the inference of what was said—said, I must think, in frenzy of political prejudice. But I cannot see how a reasonable man, not hurried into absurd extremes, could think so. If the Government aimed at any such thing the office would be made at pleasure, but the thing is too absurd to dwell upon. I have entire confidence that the present Government will make the best appointments possible, and with the object of securing a just and honest administration of the law; and I will go further and say that I believe if the present Opposition held the reins of Government to-morrow their Government would be just as incapable of acting on such vicious principles. What hope would be for the future of the country if our public men were capable of such conduct; inducing a judge sworn to the faithful discharge of his duty to violate his oath and, oblivious to every principle of manhood and Christian duty, to favor a political friend? Men summoned to the Senate are reasonably taken from amongst these whose views are in the main in accord with the Government of the day, and because of some fitness for the position, will the most rabid politician contend for a moment, that any one appointed to this Hon. body in accepting the summons forfeits the right to think for himself in any measure that may come up, or surrender his conscience to the sway of party however much he may differ from his party on the particular case—of course not, the Senate could in such case have no attractions for an honest man. Yet the case of a judge is even still stronger, and yet the talk I have referred to presupposes members of the bar would be found willing to sacrifice all