

money expended in the four Courts than there is now expended in one Court, and business can be done in one quarter of the time. In our Courts there is always unfinished business left, making it necessary to call special Sessions, therefore it becomes necessary some provision should be made to meet it. If the mode proposed by the hon. member for Westmorland is best let us adopt that mode; but if not, then let us adopt this. I have made up my mind that the country does require these Courts, and therefore I shall vote for this Bill. I shall not do so because it is brought in by the Government, but I shall support it from principle. I believe they have prepared this measure because they believe the country demands it. I stated that when they brought in those measures which were for the benefit of the country I would vote for them, but when they brought forward measures which I considered injurious to the country I should vote against them. I have asked nothing from them and I do not expect to receive anything. I believe the constituency of Charlotte will acquiesce in all the provisions of this Bill. I believe that it will be a more simple mode of recovering debts and will be attended with less expense. The ex-Attorney General seems to think the Bill will pass whether it is right or wrong, but I believe the hon. members around me will exercise some degree of judgment and will not be influenced by any sinister motive to vote contrary to the conviction of their own consciences. I do not expect to get anything out of this Bill, and am not supporting it for any such motive, neither do I think other hon. members are; but I do believe that those who have supported the Government in a manly way are entitled to any favors which the Government have to bestow. I dare say some of our legal members may have friends whom they would like to have fill these Judgeships and I can see no impropriety in their being appointed, but I believe the distribution of these offices require the most close scrutiny, and the best judgment must be exercised, otherwise the Government will not strengthen themselves in the appointments, but will make some friends and a great many enemies.

Hon. Mr. TILLEY.—My hon. friend says he cannot get anything out of this Bill. I think he can get cheap law and cheap justice out of it for his constituents. My hon. friend from Carleton (Mr. Lindsay) seemed to have an erroneous impression about the Bill. He says that according to the Imperial Act the Judges are to be appointed by the Central Government, therefore the Local Government could not appoint them, for it was impossible for the same powers to be exercised by the Local and General

Governments. That position is not correct, for there are subjects on which they exercise concurrent legislation, but it is not necessary to go into that now. When he speaks of this Act of Union he speaks as if it was in force to-day. We are in the same position now as we were last year, for we are not in the Union and we have all the powers we ever had. Every power we could exercise last Session we can exercise now, and we can fix salaries and appoint Judges now as well as we could then; but after the first of July this right ceases. Let us go further. We have not only the patronage now and the fixing of salaries, but it is provided by the Act of Parliament that the Local Legislatures shall have this power after we enter the Union. The Act says the Provincial Legislatures shall make laws in relation to

"The administration of Justice in the Province, including the constitution, maintenance and organisation of Provincial Courts, both of Civil and Criminal jurisdiction, and including procedure in Civil matters in those Courts."

These powers are left to our Legislature after the Union takes place. It is also stated in the Act that the appointment of Judges and the fixing of their salaries shall be in the hands of the General Government; therefore the General and Local Legislatures have this power jointly, and there will be no conflict of interest if we pass this Bill.

My hon. friend from Northumberland (Mr. Johnson) says we cannot act upon conversations held, but must enforce the written agreement. I admitted that, and showed that a certain contract was made at Quebec in 1864, and then I showed that contract was changed in 1866, and it was not simply a verbal arrangement but a written agreement, showing that a change had been made and declaring distinctly that we had power to constitute these Courts. Possibly the hon. member was not paying any attention to me while speaking. My hon. friend from Westmorland says he knows this Bill will pass because any measure introduced by the Government would pass; he saw the arguments were too strong against the position he took, and the Bill would be accepted by the House, and, lawyer like, when he gets in a weak position, he breaks from the point. He then turns upon the Provincial Secretary, and speaks of his vaunting ambition and of the position he wishes to fill. There was no necessity for this, for I was endeavoring to show that I had no personal interest in the matter. He says, of course, he would not take one of these Judgeships—he seeks for something higher; he wants to get an office at Ottawa with £1200 a year, and he now wishes to reward some of his supporters and friends

and gain political strength and influence by it. If our appointments to offices meet the approbation of the public it will show that they were properly made, and we will be more fortunate than our predecessors were in exercising patronage of this kind. Then he goes on about the great expense thrown upon the country by establishing these Courts and the payment of Jury fees, and that was his answer to all the arguments in favor of establishing these Courts. Suppose they did incur additional expense, what is that compared to the sacrifice that is made by individuals, because the administration of justice is not speedy, thereby involving an enormous expense. In St. John the criminal business is not through, and cases where witnesses have been brought from a distance have been put off, causing great inconvenience. I know men who have debts of £20 owing them who would rather lose the money than go into the Supreme Court to collect those debts, and so it is with thousands of people throughout the length and breadth of the country. They have debts due them, but they will not go to the Supreme Court to collect them because of the time taken up and the expense to be incurred.

Mr. SMITH.—The Provincial Secretary thinks it rather hard that I should speculate upon the fact that he expects to go to Ottawa. It has been put forth through the country that he is to be Finance Minister of the New Dominion, but he seems to be reluctant to be told of the fact. Does he not aspire to that office?

Hon. Mr. TILLEY.—No, I do not.

Mr. SMITH.—He considers his motives more pure than mine.

Hon. Mr. TILLEY.—I did not say it.

Mr. SMITH.—He says he has no interest in the matter—what is his object in saying that? Is it to fall harmless upon the House? He asserts that his motives are pure in order that the House may take his advice. Cannot I say in answer to that, True, you cannot expect an office in this Court, but you are looking for something higher, and you can obtain support by means of this law to attain a higher position. Is not that a legitimate answer to counteract the effect of his statement?

In regard to our right to constitute these Courts, we find that when some of these Delegates find the arguments too strong for them they leave the letter of the law and fall back upon what was understood at conference. It is unfortunate these Delegates should come out here and disagree among themselves in regard to what was done at conference. The Secretary says I have abandoned my position. I have not abandoned my position, but all the arguments I have advanced have been accumulative.