

men in our County for whom you ought to do something.

The Secretary has higher aspirations and expects higher emoluments, and he will make this Bill subservient to his purpose; he will make it a kind of agent to increase his popularity. It covers a great deal of ground, and it will require the best intellects of the country to fill those positions. I think this Bill will assist wonderfully to keep the waters running smoothly throughout the Session. I have no doubt but the Government will be strengthened by the fact that this Bill is before the House, because some of their supporters see a chance of coming in for some of these offices, or for getting them for their friends. I was surprised to hear the Secretary tell us that he had not promised any of these offices and had but two applications for them. I understood him to say there would be twenty-five applications.

Hon. Mr. TILLEY.—I did not say there would be twenty-five applications. I said as a general rule there would be five enemies made for every appointment.

Mr. SMITH.—You said there would be five applications, and there being five offices that would make twenty-five. When the Secretary talks of his desire to serve his country, I wonder that he, having been in public life so long, should just at this present time have discovered that it was necessary to make such organic changes in the jurisdiction of the country. I am not going to occupy much time, for I see hon. members from the rural districts where there is no failure of justice are going to support the Bill, therefore I feel it is vain for me to oppose it. Notwithstanding, I will raise my voice against it, for I want the people of the country to understand that I opposed it. I think when you come to discuss the details of the Bill you will find them very defective, and I may have something to say in regard to them, but I shall not now occupy the time any further.

Dr. DOW.—I presume I cannot be accused of selfishness in supporting this Bill, as in all the provisions of it there is no provision for a doctor, for all the offices are to be filled by lawyers. I am not going to make a speech, as I have, for numerous reasons, always made it my rule in this House to let legal gentlemen manage legal Bills, and form my opinion upon the arguments used. Still, professing to have a little judgment in regard to what the English language does mean, I do think there could be no possible reason for the Delegates passing a resolution to pay the Judges of County Courts if they did not expect us to establish them. I am proud to hear my hon. friend (Mr. Smith) say, when speaking of the young men of the Province, that they by

their capacity, energy and education are able to cope with the statesmen of Canada. I was proud to hear him say so, when he pointed to the Provincial Secretary as going to have large appointment there; I was glad to hear it, though I have no intention of "soft sawdaring" the Provincial Secretary. The ex-Attorney-General put a good spoke in my wheel for supporting this Bill when he stated the General Parliament had to pay these County Court Judges, and they ought to have the patronage of appointing them. I am not willing to go into that Confederation unless New Brunswick has the same advantages which Canada has. They have District Judges in Canada, and we will have to do our share in paying those Judges, when we have not had the patronage of appointing them; why, then, should they have the patronage of appointing ours? After they are appointed, we will go into Confederation with the same privileges they have. These Courts have worked well both in Great Britain and Canada, and I can see no reason why they would not work well here. I believe they will be a great benefit to the country, and will simplify and cheapen the law.

Mr. BECKWITH.—I intend to support this Bill, and I believe we have the perfect right to appoint those Judges, and I believe it is consistent with all honor, fairness and honesty for us to exercise that right before we go into Union. I believe from my experience that these Courts are necessary to the proper obtaining of justice in all parts of New Brunswick. In the Supreme Court the Judges are overworked, in consequence of the number of small causes that come before them. In many cases, where debts of £15 and upwards are due, the creditors consent to suffer loss sooner than have to pay the enormous costs in collecting them in the Supreme Court. The business in the Courts is much greater than when the number of inhabitants in the Province was but 90,000, and we have not increased the number of Judges in proportion to the increase of population and the increase of business to be done. More facilities for obtaining justice are required, therefore it is necessary to establish these County Courts, to relieve the Supreme Court from the trouble of dealing with many of those petty causes which now take up so much of their time. The Juries in these County Courts are to be reduced to five, and this will reduce the expense. I see, upon looking at the Schedule of Fees, that upon every cause entered for trial that there is a Jury upon there is a fee of one dollar and three dollars to be deposited on entry for the trial of the cause. This makes four dollars to go towards paying the Juries, and we know that a great many causes are

entered that never go to trial; therefore, this fund will defray a large proportion of the expense connected with Juries. The Supreme Court could then take charge of important causes which require first-class lawyers and heavy fees, and the Judges can take the necessary time to come to an accurate decision; but now, from the multiplicity of causes, they cannot devote the necessary time required to do ample justice to all classes of subjects. It is not in consequence of the measure coming from the Government that I support the Bill, but it is because I believe it is required by the country.

Mr. JOHNSON.—It is my impression that the Judges can decide better after hearing the arguments than they can by waiting two or three days to come to a decision. My hon. friend (Dr. Dow) said he did not wish to go into Confederation upon worse terms than Canada. I never wished it, either, and I did all I could to prevent it. The question is not whether we wished to go in upon better terms, but upon what terms did we agree to? The Hon. Provincial Secretary has failed to convince me with regard to the construction of this, and the hon. member for Westmorland (Mr. Smith) has failed to convince me of the impropriety of these Courts, and the principle of the Bill; the only point I want to be satisfied upon is, Can I consistently, with my view of this contract, vote for this Bill without feeling I am violating the agreement into which we entered? The Secretary construed it one way and I a different way, but we are each accountable to his own conscience and judgment when voting upon a question of this kind. I am particularly satisfied that no member of the Delegation would vote for this Bill if he thought it was not right to do so, and I know the Secretary is desirous of doing what is right. When I hold a conscientious conviction—for the Secretary has failed to convince me that this agreement would not be violated—I must stand back, for I am not accountable to his judgement; but I am accountable to my own conscience, and standing here as one of the Delegates I entertain a very strong opinion upon the subject. Both the Secretary and the hon. member from St. John (Mr. Wilnot) say that a great deal was said about District Judges; what agreement did they come to? If two men discuss a matter, and afterwards put it down in an agreement, which is to be the contract, the discussion which took place or the writing which is the result of that discussion? A lawyer will tell you that you cannot take what is spoken, but you must take what is written as the agreement. What was written in this case?