

The Daily Mail

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Fredericton, N. B., Feb. 13, 1911

JUSTICES OF THE PEACE

The Hazen government has been generous since it assumed power in the Province—generous to a fault in the amount of the people's money it has distributed among its hungry friends; more generous than any previous government in the sums that it has appropriated to the use of its own members; and most generous in the appointments which it has made among those whose favor it hoped to retain by conferring upon them some office of emolument or of supposed distinction. For this latter purpose only can this government have exercised its prerogative to advise the issue of commissions to justices of the peace as lavishly as it has done. After almost every monthly meeting of the Executive The Royal Gazette contains additions which have been made to the flood of justices that was poured forth upon this country in the early days of the government's existence. One naturally asks what functions these officials perform and what powers they exercise.

The office of justice of the peace is not of modern creation. Like so many important factors in our constitutional history, it has its origin in the reign of Edward III. Justices of the peace were first instituted under a statute passed in 1327. This enacted that "for the better keeping and maintenance of the peace, the King will, that in every country good men and lawful, which be no maintainers of evil or barrators in the country, shall be assigned to keep the peace." Around this ancient act of Edward III, the present powers of justices of the peace have grown.

The authority contained in that original commission and added to by subsequent statutes, is not such as ought lightly to be given to every individual without regard to what his natural gifts or educational qualifications may be. Some other excuse with the possibility of less dangerous results might be devised to entitle a man to have The Royal Gazette sent him free; or if the appointment is meant to provide some person of easy access to take acknowledgement of deeds some other means could easily be provided for this which would also occasion the risk of less dangerous consequences.

A justice of the peace has large powers. He can hold a court for the trial of civil causes. He can try them alone or with the assistance of a jury. If he is conducting the trial alone he must decide what the law is, that is involved in the case and he must determine the disputed facts between the parties. That requires knowledge and an analytical mind. If he has the assistance of a jury he must still direct them what is the law.

Although this is a very important function it is of small importance relatively when compared with his powers under the criminal law. A justice can receive informations in all criminal cases, issue a warrant, have the accused arrested, and locked up, hold an investigation at his convenience, and decide whether or not the person accused shall be held for trial. This is of greater importance than many conceive. If improperly done criminals may escape unpunished. If unfairly done people may be put to expense and trouble without reasonable cause.

But most important is the fact that in a large number of cases a justice may try and determine the case himself. Let us examine a specific instance. Two men get into a quarrel and come to blows. The person who is aggrieved or alleges himself to be aggrieved betakes himself to that jus-

tice who for some reason, will likely be favorable toward him, and there lays an information against his enemy for assault. A warrant is issued and a constable goes forth, and in the King's name arrests that enemy. He is brought before the justice and denies that he committed an assault; in all probability he is remanded and locked up until the complainant can get the witnesses who he says, have knowledge of the quarrel. A day is appointed for the trial. The accused is then brought in from his place of confinement and the trial takes place. There is evidence both ways. What can the poor justice do? He is honest enough, but he has had no experience in such things. Yet he must decide some way. So his decision will probably go where his sympathies are, in favor of his friend the complainant, and he will convict the accused. The justice then has it in his power to fine the defendant \$20.00 and costs or send him to goal for two months, with or without hard labor.

This is only one case that quite frequently occurs. There are dozens of others in which a justice has very extensive powers over the rights and liberties of his neighbors—extending to six months' imprisonment. It is evident that there are powers which should not be placed in the hands of every individual. Yet these are the powers which the Hazen government month after month, apparently without thought, without discrimination or investigation of any kind except as to political basis, without consideration of qualification or fitness, is putting or has put, in the hands of scores of men throughout the Province to be exercised over all of us.

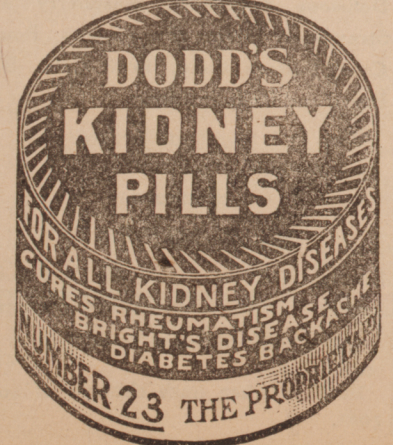
It is not the intention of The Mail to charge that all these appointments have been improperly made. The Mail desires to be fair and reasonable in all things; but it must continue to pursue what it believes to be its duty in calling attention to profligacy in public affairs, whether this consists in the maladministration of public funds or public offices, or whether it is in the placing of power in the hands of the unfit or unworthy. Let any unprejudiced man in calm and reasonable consideration examine the list of justices of the peace created by the present provincial government, and in view of the large powers which are vested in them by that appointment, ask himself whether in a very large number of cases such powers have been wisely conferred. The Mail has no doubt as to what the result will be.

Surely when such extensive powers were given to justices of the peace—"to men good and lawful"—it was never anticipated that they should be deposited in the hands of any except those whose qualifications were guaranteed by something more than their political leanings. It is the fundamental duty of every government to protect the people over which it exercises authority in the perfect enjoyment of their liberty and of their property. A government which appoints men lacking in capacity and fitness to administer the laws regulating men's conduct and affairs, not only fails to guard but actively places in jeopardy those sacred rights. It is negligent in that which is the very reasons for its existence and it cannot claim the support of honest men.

Mr. Hazen's government may be weighed in various ways but whenever it is placed in the balance it is found wanting.

The Province continues to bear patiently the numerous abuses heaped upon it by an incompetent administration only because it dwells in the knowledge that the time of reckoning will shortly come.

In cleaning bric-a-brac, especially china pieces, it is a good plan to use an old shaving brush. It is useful in dusting crevices and is also excellent for use while washing pieces. Instead of putting soap in the water use a teaspoonful of ammonia in a gallon of warm water.



A Practical Farmers Views on Reciprocity Agreement

Mr. W. B. Fawcett, a leading farmer of Westmorland, who was a delegate to the Farmers' Conference at Ottawa, gives his views on the reciprocity agreement in a letter to the Telegraph as follows:

"This agreement admitting, as it will, practically every Canadian farm product into the United States market entirely free of duty, is more than even the most sanguine farmers hoped to attain, at the first attempt, and if the bargain is ratified by the United States congress it will prove the greatest boon to our agricultural prosperity in the history of Canada.

"Then, with this great free market thrown wide open also to our lumber, our fish, our wood pulp and even the finished paper manufactured from our vast forests, surely there will be no public party man, no party newspaper, left in all Canada that will dare to risk their future political existence by uttering one word of opposition against this immense triumph on behalf of the mass of our people whose industry produces the bulk of Canada's wealth from our farms, our forests and our fisheries.

"In my opinion the farmers in every province will be disappointed that our representatives at Washington did not consent to a larger reduction in our Canadian tariff against American farm machinery, implements and vehicles. But, on the principle that 'half a loaf is better than no bread,' with prospects of more to follow soon, and in consideration of the wide range of reductions made on other goods, as well as a clean sweep on all our farm and natural products, I say this treaty, if ratified, will be the most widely popular and the most unanimously supported measure ever brought before the Canadian people.

"Just think of that great country, lying at our very door, being thrown wide open to all our chief products, just as free and almost as good as our much prized British market, the benefits of which must always remain under the handicap of being separated from our Canadian farms and forests by 3,000 to 6,000 miles of costly and wasteful transportation.

"Ever since that farming delegation interviewed the government at Ottawa, Mr. W. H. Rowley, President of the Canadian manufacturers, and other wealthy stockholders and their newspaper organs and attorneys, have been unusually busy denouncing everything asked for by the farmers as dangerous to themselves in particular and ruinous to Canada as a whole. They speak learnedly of farmers being 'uninformed' in public matters, and ignorant and wasteful in their methods of farming. At the same time they offer us whole columns of gratuitous advice as to how we should till the soil. In fact their inflated imaginations seem to be seized of the idea that they are carrying Canada, the government, the farmers, the people and all, instead of actual fact, that the government has been carrying them on the gilded road to wealth, while the people pay the fare.

"As an experienced working farmer, allow me to thank these advocates of 'adequate protection' for their generous advice. Free advice seems to be the only commodity these big-hearted gentlemen think the farmers should import without a duty. At the same time I would ask leave to return the compliment and advise them, right now, to stop their calamity-howling and their blue-ruin lecturing. This is an especially opportune time for them to hold peace and 'thank their stars' that Hon. Mr. Fielding let them off in the present arrangement with only two-and-a-half to five per cent reduction in the tariff on agricultural machinery and other goods.

"If the United States government refuses to ratify the agreement it will be because Hon. Messrs. Fielding and Paterson refused to allow us farmers to import farm implements free, and refused a larger reduction on other American goods, which they well might have given except for the determined position of these manufacturers who, apparently, claim the divine right for all time to tax the people without giving value.

"If congress does refuse to ratify this treaty, what then? Let not our manufacturing friends assume that they have seen the last of farmer delegations at Ottawa! If by reason of your opposition or any other cause, reciprocity fails to be ratified, you will see Canadian farmers (inside another year) back at Ottawa, stronger than ever, demanding that all protective duties against Great Britain be cut away, and that an immediate doubling of the benefits of the preferential tariff be made on all manufactured goods in favor of the Mother Country.

"Therefore, I say, be more saving of your generous impulses to run the affairs of a whole nation. Let the farmers alone to till the soil as experience has taught them. Let the Hon. Mr. Fielding adjust our tariff as he best knows. If your goods will not compete, put some better method and better materials into them. If your factories will not yield the profit desired, squeeze one-half the water out of your merger stock—and your dividend will be doubled. Improve your time, and make the most of the large measure of protection still retained; for the farmers and people generally are growing very tired of nursing such persistently selfish and costly pets as our 'infant industries' have proved to be."

NEW WORLD'S RECORD FOR WIRELESS TELEGRAPHY

San Francisco, Feb. 11.—It is claimed that a world's record for wireless communication between ship and shore was made yesterday when a message was received at a local sta-

Mrs. John Neil is visiting her parents Mr. and Mrs. A. G. Edgcombe, at St. John.

tion from the steamer Korea, 4,492 miles away. Yesterday the local operator heard a call from the Korea. The message came faintly, but could be distinguished, "On steamer Korea 4,492 out; all well." The operator repeated the message and received an OK.

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RECIPROCITY

(Continued from page 1)
on recalcitrant members of the senate at the home coming of the executive. The promised aid of the Democrats in the house made it certain that the agreement would receive a favorable vote in the lower house although some lively fighting is promised before the vote is taken. There has been a change of sentiment since President Taft left Washington. Senators who were disposed to fight the agreement have come to realize that Mr. Taft's determination to call an extra session of Congress unless the agreement is voted upon favorably during the present session. Those senators see a session lasting far into the summer looming ahead of them unless the wishes of the president are respected. The old guard and others in the lower house have the moral support of the "Stand-Pat" senators in their hostile campaign and are determined to go down fighting because they see in the passage of the reciprocity measure the opening wedge of tariff revision. Should President Taft's measure fail and should he call an extra session of Congress the Democrats will in all probability, demand tariff revision tackling the United States Canadian Agreement on tariff instead of keeping it a separate measure. Many Democrats in fact are now favoring a special session.

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