

greatest mistake of his life his acceptance of the position, and the Whigs admitted that it was a great mistake to put the Chief Judge of England into the Cabinet. So he (Sir John A. Macdonald) contended that there should be one legal head like the Chancellor of England. It was better that we in Canada had not such an anomaly as a Judge in the Cabinet. They had one Minister of the Cabinet responsible to the Crown, responsible to the people, and everybody knew whence that responsibility came; and it had this great advantage: that the Government of the day had to see that the Minister of Justice, who was solely responsible, should be a competent person. It had been said that in Lower Canada the legal institutions were different from the rest of the Dominion, and that there should be one man in the Cabinet who was thoroughly conversant with those laws. They had already a Deputy Minister of Justice, who, of course, understood fully questions coming from all the Provinces, except that of Quebec, and he (Sir John A. Macdonald) had no objection to the appointment of a Deputy Minister in that Department, specially charged with Lower Canada business. It had been said that it was an insult to the Bench to suppose they would be actuated by any feeling of self-interest in any case that came before them; but that it was doubtful whether the Bench would not suffer in the public confidence by being members of the Government. His hon. friend said so, and he had been told that he was insulting the Bench; that he was declaring a want of confidence in the Bench, and the finger of scorn was actually pointed against him by the hon. the Postmaster-General. Fancy the hon. the Postmaster-General holding up the finger of scorn against the hon. member for Terrebonne for having made that statement. Why, the hon. gentleman had heard what Mr. Dorion had said in this House, and what he (Sir John A. Macdonald) had replied to him in days of old. He got up in his place and made his charges against the Bench, and it was his duty to make those charges if he believed they were founded on fact. They would be wanting in their duty; they would not

be freemen, if, through any imaginary respect to the Bench, they should pass over its delinquencies, its weaknesses, or its faults. He believed the Bench, in all the Provinces was, on the whole, a good one; but, if there was a fault in it, it should be pointed out. It was their bounden duty to speak, if, from a faulty system of appointment or selection, or any other fault whatever, men were retained on the Bench who were not so worthy or deserving of confidence as they ought to be. With reference to these very controverted elections, the language which had been used by the whole of the Common Law Bench, headed by Sir Alexander Cockburn, Chief Justice of England, was stronger than the language of his hon. friend. Did he not remember the remonstrance signed by the whole Common Law Bench of England against being made political Judges? They had warned the Government of the day, before the Act was passed, against the consequences of their being made to try political questions, on the ground that it might shake the confidence of the public in their judicial impartiality. Happily, it had not yet occurred in England, but they knew perfectly well it had occurred in Ireland, where two Irish Judges had been attacked by name, violently, vigorously and strongly, and had been charged with political partiality in the performance of their duties, and those were Judges Lawson and Keogh. They had both been attacked strongly and repeatedly in Parliament and in the country. And yet, it was not allowed to his hon. friend to make an allusion in a similar direction. Judges were but men. They were told that it was an insult to the Bench to suppose that, by any chance, their minds could be influenced. In the reign of George III., a Bill was passed by which Judges were made independent of the Crown. They all knew how liable the Judges had been to Crown influences in the day of Charles II. and James II., before they were made independent of the Crown. Read Macaulay, or any History of England, and they would find what the Judges of England were, until their independence was secured by the law which

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