

by Chief Justice McLeod and Mr. Justice Tellier. Does my hon. friend from Montreal, St. James (Mr. L. A. Lapointe), say that Mr Justice Tellier is a dishonest man? Will he say that no honest man could have arrived at the conclusion Mr. Justice Tellier arrived at? Will any lawyer who practices at the bar of the province of Quebec say that Mr. Tellier is a dishonest man? Yet it remains for the hon. member for Carleton to say that no honest man could have arrived at the conclusion those two gentlemen arrived at. My hon. friend from St. John has known Sir Ezekiel McLeod for years. I have known him since I was old enough to know public men. Will my hon. friend from St. John admit that Sir Ezekiel McLeod is a dishonest man?

Mr. CARVELL: Would the hon. member like to lead us in prayer?

Mr. R. B. BENNETT: That would be something so entirely foreign to anything the hon. gentleman from Carleton knows anything about, that it would be useless to do it; however, I should say the words of the prayer he would use are so well known that it is unnecessary to repeat them. They would be those of the Pharisee: "I thank thee, Lord, that I am not as other men." I cannot possibly understand the hon. gentleman making the statement he has made with reference to the honesty of these gentlemen. One would think that he was counsel against Mr. Rogers and for the Hon. Mr. Justice Galt and in that capacity was saying "The conclusion the appeal court arrived at is rotten." When I was a young man and used to learn much from the hon. member from St. John (Mr. Pugsley)—

Mr. PUGSLEY: I am afraid you have gone astray.

Mr. R. B. BENNETT: No. I have never forgotten many of the lessons that I learned, but the lesson of urbanity I have never yet been able to learn. I have never been able to say "Thank you" with that same kind consideration that he does. I should like to, but I fear I never shall.

Mr. McKENZIE: You have not practised enough.

Mr. R. B. BENNETT: I have not, to the same extent. But this was a fundamental lesson, that courts of appeal sometimes decide against us. I can remember cases in which, as counsel, the hon. member for St. John sometimes buoyed me up with

[Mr. R. B. Bennett.]

high hope that possibly we might succeed. I have known cases in which the hon. member for Carleton (Mr. Carvell) was interested in which we were buoyed up with high hope. When we succeeded before the trial judge, we went on, with hope still springing eternal in the human breast, to the court of appeal, and that court decided against us—and we were wrong, the trial judge was wrong. But it is not usual for counsel, in cases like that, to stand up and charge the tribunal with arriving at a conclusion which no honest man would arrive at.

Mr. PUGSLEY: Has the hon. gentleman not had experience that would induce him to believe that sometimes, after all, the judgment of the lowest court was the best judgment?

Mr. R. B. BENNETT: There have been cases in which we still thought so.

Mr. PUGSLEY: Yes.

Mr. R. B. BENNETT: But we were bound by the decision of the Appellate Court.

Mr. PUGSLEY: This is not a court of appeal.

Mr. CARVELL: And has not the hon. gentleman known of cases where a third or final Appellate Court has reversed the findings of the first Appellate Court? Therefore, would it not be well to appoint another tribunal to try the findings of the first appeal court?

Mr. R. B. BENNETT: Unfortunately, as the law stands, there is no provision for a higher tribunal.

Mr. PUGSLEY: Nor was there for this.

Mr. CARROLL: Does the hon. member agree with the Secretary of State that this Government had power, without a reference to Parliament, to appoint a second tribunal under the Inquiries Act?

Mr. R. B. BENNETT: I tried to make clear in my few remarks a moment ago why any tribunal was appointed. The Inquiries Act enables us to create machinery and, to issue, under the Great Seal, a commission to inquire into a question. The Inquiries Act is a part of the statute law of this country. It is there for that very purpose. Being there, we took advantage of the machinery of that statute for the purpose indicated by the Secretary of State (Mr. Meighen) and by myself, namely to determine whether or not the honour of this Parliament would in any sense be offended