

gave just now. Several hon. members have manifested their sympathy for the Supreme Court. The hon. Minister of Justice himself has thought it necessary to refute my speech by extolling the abilities and the laborious spirit of the hon. Judges. I have never denied their laborious spirit. On the contrary, I am ready to admit that the hon. Judges who occupy the position of Judges of the Supreme Court of the Confederation are unexceptionally able and extremely laborious men; they are perhaps not killed by work, but at any rate they are up to the mark, and know how to fulfil their duties. And this reminds me of what was said last night in this House by the hon. member for L'Islet (Mr. Casgrain). Were I allowed to repeat his words I would do so. I would say that for \$3,200 one cannot find first-class men, but I think that for \$7,000 first-class men can be found. I will, therefore, vote against the motion asking for the adjournment of the debate. I would have been ready to suspend the reading of the Bill, but as this new motion rejects my Bill and places it on the Orders of the Day, where I would not like to see it relegated, I will vote against the motion asking for the adjournment of the debate.

Mr. HOUDE. After what has fallen from the lips of the hon. member, to the effect that he is ready to suspend his motion until the Bill introduced by the hon. member for Jacques Cartier has been taken into consideration by the House, I have no objection to withdraw my motion.

Mr. LANDRY. I think that the hon. member for Maskinongé has not well understood me. I never said that I was ready to suspend my motion on condition that my Bill should be discussed after that of the hon. member for Jacques Cartier. There is before the House a motion to adjourn the debate; the effect of that motion is to reject my Bill after that introduced by the hon. member for Jacques Cartier. The present Order of the Day places as No. 4 the item which we are now discussing. The motion for an adjournment would result in relegating me after item No. 14, and that is what I do not wish. I desire that in the Orders of the Day for to-morrow and following days the Bill that I have the honor of introducing to this House should occupy the place which it occupies to-day, and that it should consequently come before the debate on the Bill of the hon. member for Jacques Cartier.

Mr. LANGEVIN. I understand that the hon. member for Maskinongé suggests the withdrawal of his motion, and in that case the hon. member for Montmagny will withdraw his own. This motion being withdrawn, the Orders of the Day will remain in *statu quo*, so that the hon. member for Montmagny will not lose the place he occupies on the Orders of the Day.

Mr. OUMET. I am disposed to vote for the motion to adjourn the debate, or for any that will leave this matter before the House till the Bill of the member for Jacques Cartier (Mr. Girouard) is disposed of. Having opposed the Supreme Court Bill when first presented, I have come to the opinion, as I stated last year, that a Federal Supreme Court is a necessity of our system for the final disposal of all matters belonging to the jurisdiction of this Parliament. But I do not believe this Court ought to meddle with matters belonging to the jurisdiction of our Provincial Legislatures, unless its constitution be made satisfactory so as to give the Judges of Quebec the disposal of the cases that come from that Province. For instance, as the Government intimated last year, if the Court were reconstructed so as to have enough Judges from our Province to form a quorum for the decision of Quebec cases, in this case I would say that a large Supreme Court here would be very useful, a large centre of legal ability and learning of a nature to facilitate the assimilation of our different provincial laws, and which would have a great

influence on even the civil law legislation of each Province. As the hon. member for West Durham said the other day, the Civil Law of Lower Canada is certainly superior to that of any other Province. On the other hand, the practical mind of our English fellow citizens has taken the lead in a great many modern matters in our late Civil Law. I think it would be possible, by bringing in contact legal men of the different Provinces, to exert a strong influence in the direction of the assimilation of the legal systems and legislation of the different Provinces, even in civil matters. I think this would be a great improvement, but one we cannot expect so long as the constitution of the Superior Court be not amended. The Court is an absurd one, not on account of its Judges, but of its constitution. The Judges of the Superior Courts and of the Courts of Appeal are generally the best lawyers and Judges procurable; but that is not a sufficient guarantee. The guarantee which a proper Court of Appeal gives is the number of its Judges. When five Judges sit to review the judgments of, say one Judge, you will say that the five heads have more knowledge and experience than the one. At least the superior number is the only guarantee of the fact. What have we now? As regards the Province of Quebec, we have but two Judges in the Supreme Court to review the judgments of five Judges in the Provincial Courts. And as regards Ontario and the other Provinces, the *Law Times* has just published an instance of what occurs before the Superior Court. A judgment had been rendered by the different Courts of Ontario, I think all the Judges being unanimous. What happened? The judgment was reversed in the Supreme Court by three Judges, two of whom were from Quebec and one from New Brunswick. Are the gentlemen of Ontario now satisfied with the jurisprudence of this Court? I should say they cannot be. The member for West Durham says that the duty of the Judges of this Court, from Ontario or New Brunswick, is to master the laws of the different Provinces, and to discharge their duty to the best of their ability. That, however, is not a sufficient guarantee to the suitors. Why? The law requires that the Judges of Ontario, Quebec or New Brunswick, be lawyers of at least ten years standing. Well, these Judges from Ontario never learned or practised our Quebec laws, in respect of which they are to decide any cases brought before them. It is absurd to expect that those Judges can, by merely opening our Civil Code, or any of our French books—some of them do not understand or read French—can understand our law. I, therefore, say the constitution of the Court is vicious and absurd. I will vote for its maintenance if properly remodelled. I am even disposed to allow to it final appeal in civil cases, if it is reconstructed so as to give us the guarantee possessed through our Provincial Courts of Appeal. As to the general complaints against our Quebec judicial system, I think it would be very important to consider them, and that it would be well if our different Provincial Governments and best lawyers came together to create a Commission to examine the different systems, and take from anyone what is best fitted to amend the others—to try not only to remodel the judicial systems of the different Provinces for themselves, but in relation to the constitution of this Supreme Court. That might render a great service not only to the Provinces, but to the Dominion itself, should a good report be made and acted upon by the different Legislatures. Such a Commission has been proposed by the whole Bar of Montreal and the Province of Quebec. The Federal Government was asked to share in the expense, the Government of Quebec not being very rich. The proposal was refused, for what reason I do not know, but I think it was an improper refusal. We should reconsider our Provincial judicial terms in relation to the constitution of the Superior Court, so as to arrive at some regular system and not to rest satisfied with an absurd Court as the present. Well, Mr. Speaker, to wind up my remarks, I