

is due to the system I cannot say, but loud complaints have been made, and they have been admitted, by the Minister of Public Works, to be well grounded. If the House were to vote on the simple question, I would, after what I have heard, feel it to be my duty to vote in favor of the abolition of the Court *in toto*; but before wiping out an institution that has been in existence six years, I want to satisfy myself in what manner redress can be had, to know what amendments will be brought up, and to judge myself whether such a Court is necessary or not. If a Court of this description does not answer the object for which it was created, how would you replace it? Certainly constitutional questions ought to be decided by a Supreme Court and not by the different Courts of the different Provinces. Except we found some other suitable institution we should not throw the present aside. I believe the proper course to follow would be when the motion of the member for Jacques Cartier comes up, and if it is shown the Court is useless and too expensive for the country, then the House would be in a position to express an opinion on its merits. If, on the contrary, amendments are made to render this tribunal acceptable to all the Provinces, no more will be said on the question; the Court will remain and retain the prominence it ought to possess, which will prevent all complaints in future. One hon. gentleman remarked that, on a popular vote, nine-tenths of the population would vote against this Court. That may be; but we are not here to decide such points. We are now called upon to say whether a Court of this description is necessary or not. I admit there are defects in the system, for it is next to impossible, for French-Canadian lawyers, not fully acquainted with the English language, to appear before that tribunal, only two of whose members can speak French. The other Judges do not understand French, and when you have to plead a case of importance in that Court in French, it is a singular position for a lawyer to have to plead in this Court, before only two competent Judges, as regards French law. It has been remarked that in cases which have been brought before three Judges in the Court of Revision, afterwards before the Court of Appeal, and subsequently the five Judges of the Queen's Bench, presided over by as able a Judge as there is in the Dominion, Sir A. A. Dorion, and which judgments have been obtained in those Courts, those decisions may be reversed by a majority of the Supreme Court, only two of whose members are French-Canadians. Therefore I will vote against the main motion, reserving to myself the right to hear the discussions hereafter, and if the amendments are not satisfactory, and if I do not see amendments of such a nature that they will give justice to our Province, I will say without doubt that the Court, in my opinion, is useless.

Mr. LANGEVIN. I agree with the hon. gentleman who has just sat down, that this question is not one to be submitted to the people any more than any other that comes before this House. We have been elected for the purpose of dealing with all questions that come before Parliament, including such as the present. Though on this question such a popular vote might be obtained as the hon. gentleman has said, that is no reason why we, the representatives of the people, with all the facts and arguments before us, should vote in that sense. We have our responsibility and, of course, will have to do what is in the interest of the country at large. The hon. member for Montreal East (Mr. Coursol) has alluded to the promise made last year by the First Minister, and, I think, confirmed in as strong language afterwards by me at a later period of the debate on this question. I regret the right hon. gentleman is not in his place, because I am sure he would say that any promise he made, or authorized his colleagues to make, would be fulfilled. We have not been in the habit of making promises to Parliament and not fulfilling them. Since the beginning of the Session, nearly two months, we have been discussing the great question of the Pacific Rail-

Mr. Coursol.

way, which had to be proceeded with to the exclusion of every other matter. It is still before another branch of Parliament, and we, as the Executive, cannot be indifferent about what is going on in that House any more than in this, in a matter of this kind. If hon. gentlemen will only consider the very few days that have elapsed since that matter was disposed of, and that my hon. friend from Montmagny never intimated to the House or the Government that he was to bring this measure up to-day, they will admit that we must all have been taken by surprise, and unprepared to deal with the question to-day. I regret that the hon. gentleman, even in the interest of his cause, has not thought proper to delay this business till another day. What is the consequence? We have here a motion of the member for Bothwell to practically throw out the Bill. The member for Montmagny will see that those in favor of the maintenance of the Supreme Court—not out of love to it, but taking the broad view of its being one of the institutions of the country, and that though it may be defective or unpalatable as to its constitution or *personnel*—will say, before we pull down the house because of its defects, we should see whether we cannot remedy them, in order to keep it standing. Under these circumstances, I think that hon. gentlemen who are in favor of amending the constitution of that Court, or even of improving its *personnel* so as to do justice to the different Provinces, and especially to the Province of Quebec, which complains so bitterly of its working, will admit they will but do us justice by giving us a chance to consider the matter, to see whether we cannot amend that Court in a way to do justice to all the Provinces. I would, therefore, ask such hon. gentlemen as can conscientiously take that course, not to vote for the motion of the hon. member for Montmagny, but to give us a little more time. The Session will not end to-morrow, and we shall have plenty of time to consider the whole question, and the Government will be ready, when the matter comes up again, to say what they will do with regard to the motion of the hon. gentleman.

Mr. BLAKE. The observation of the hon. member calls for some comment. It is admitted that promises of a very distinct and significant character were made with reference to this institution; and those promises, made as I thought at the time a little rashly, were that during the recess the Government would consider the question and bring down a measure during the Session of Parliament to remedy the grievances which were alleged to exist by some hon. gentlemen. From the statement which the hon. gentleman has now made it appears that the consideration was not to be during the recess, but during the Session of Parliament, and that the time of the House having been occupied from day to day and from hour to hour for the last two months with the other business of Parliament, they have not had an opportunity of considering what measure they will bring down to redress the grievance. So seemed to be the state of the case from another statement of the Minister of Justice at an earlier stage of this debate, when he told us, as a reason why we should take a particular course with reference to this matter, that the hon. member for Jacques Cartier (Mr. Girouard) had a measure which, perhaps, might be satisfactory, showing that there had been no consideration of the question on his part—

Mr. McDONALD (Pictou). I said that we ought to await that discussion.

Mr. BLAKE. The hon. gentleman said, which might be satisfactory—I think I caught his phrase—showing that there had not been that consideration of the question by himself or the Government which was necessary in order that they might have reached, before the regular business of the country had commenced, a decision as to what changes they would propose in this Court. I say that such a pledge, given unfortunately, in my opinion, but