

this would be more than the Roman Catholic population of Canada would be fairly entitled to.

In answer, I pointed out to him that the particular element to which you belong never from the time of Confederation received recognition in so far as the Supreme Court was concerned, and that your appointment would be considered not only as a recognition of your personal worth, but also as a recognition of the Irish Roman Catholic element. He in conclusion said to me that, while he could not honestly hold out any hopes of the first vacancy, at some future time your appointment would be considered. This suggestion was made in answer to my representation that if that principle be now laid down, then Irish Catholics from any Province of the Dominion, however well qualified they might be for the position, must consider that the Supreme Court was closed to them, because it is admitted under the Statute that two men must come from the Province of Quebec, and very naturally these two will be invariably selected from the French Canadian Bar in that Province. Further, I handed to him a memorandum, copy of which I send you, having reference to the qualification of the gentleman to whom the position was promised.

I now state to you fully and frankly all that has taken place, and I must concede that under existing conditions there is little or no hope of your appointment.

What you say about the change to take place after beginning of the new year has been confirmed by information from other sources. If this should take place, and no vacancy occurs in the Supreme Court in the interval, then I can safely say to you that there is hope ahead. If a change takes place in the Department of Justice, then I think you are in the running.

Referring now to the question of Jubilee honours, Sir Oliver tells me that all the Bishops of Ontario concurred in recommending the person to whom you referred. I may say that the Archbishop of Toronto did not speak to me on the subject, but I did know and felt justified in making the statement that your appointment would have been especially agreeable to him, and Sir Oliver's reply was that of the two men you were the best fitted, but that in view of the expressed opinion of the Episcopacy the other recommendation was made, though with some reluctance. I may add that of my own accord, I had written to some friends in England who are on close terms with the Duke of Norfolk