

for West Durham once said—not this Session, but in a previous Session—it is our duty to let the Judges know what is the feeling of Parliament and of the people, and we should therefore let them know that these delays, sometimes extending to a year or fifteen months or eighteen months, are not calculated to strengthen that Court. The hon. member for Montmagny remarked that many of the cases from the Province of Quebec are believed to be decided by two Judges only, whom we must understand to be the two Judges from that Province. Of course we have no legal evidence of such being the case, but we cannot close our eyes to the fact that there is a conviction in the Province of Quebec that in the large majority of cases it is so. How that conviction has arisen I cannot say; but it is another reason why the Court is unpopular in that Province. I do not say that it is a very popular Court in the other Provinces; on the contrary, I think that in many of the Provinces the same feeling exists towards it. It is certainly very unfortunate that the highest Court in Canada does not possess all the regard and confidence which courts of justice should have. I desire to be careful as to what I say, not only because I am speaking as a member of Parliament, but because of my position as a Minister of the Crown. I do not charge these Judges with dereliction of duty, which is charged against them outside, because I have no evidence of it. I wish to show, however, that the complaint made by the hon. member for Montmagny does not come from him alone, but is felt throughout the whole Province of Quebec, that the judgments of that Court are not really rendered by the whole Bench, but are the result of the deliberations of the two Judges from that Province. This is unfortunate, and I hope the matter will be considered in order that the evil may be remedied. The question is a very important and difficult one, and therefore I must ask my hon. friend from Montmagny to withdraw his motion, so that the House may consider the Bill of the hon. member for Jacques Cartier (Mr. Girouard), and then, if he is not satisfied with the decision of the House with respect to the measure, he will be perfectly free to bring in his motion again.

Mr. VALIN. Mr. Speaker, the hon. Minister of Public Works has told us that he was none too fond of the Supreme Court. Nor am I too fond of it, Sir. That Court is unpopular in our counties. Every one knows that our young country can dispense with that Court, for it costs too much, and the Judges only work a very short time every day; as a matter of fact, they come into Court every day at a very late hour—the greater part of the time they begin sitting at noon, and even later. Why should they not, Mr. Speaker, keep better hours, and sit from ten in the morning to four in the afternoon; they would then be able to get through their work in time, and would be able to render their judgments far more promptly. But, Mr. Speaker, we pay those Judges very high salaries, and they might consequently sit from ten to four o'clock; so that persons having business in that Court would not be kept waiting so long. Moreover, the time that they take to render judgment is long beyond measure, and the country suffers therefrom. It seems to me that they could have rendered judgment far sooner, and that would have been to the advantage of those who to-day hold turnpike trust bonds. Mr. Speaker, I need not tell you that the Supreme Court is not popular; every one says so; every one cries out against it. I hope, therefore, it will be abolished.

Mr. COURSOL. As the Bill introduced two days ago by my hon. friend from Jacques Cartier has not yet come up for discussion, I think the present Bill should be allowed to stand until we hear the discussion on that measure; and then if the hon. member for Montmagny wishes to move that the Supreme Court be abolished, he will have the

opportunity to do so. I believe that many members of the House were not aware that the hon. member intended to bring up this matter to-day, and are now taken by surprise. I hope, therefore, that the hon. member will see that it is the desire of the House that the Bill should be suspended until another day.

Mr. HOUDE moved the adjournment of the debate.

Mr. McDONALD (Pictou). Before you put that motion, Mr. Speaker, will you allow me, for the benefit of my hon. friend and colleague, to state the contents of the memorandum I referred to a moment ago? At that time there were fourteen or fifteen cases standing for judgment from the Maritime Provinces, five from the Province of Quebec, and six from the Province of Ontario. In the three Maritime Provinces' cases, the one was argued on the 26th October, the other on the 26th and 28th October, and the third on the 29th October last. The Quebec cases were argued, the one on the 4th and 5th November, the other on the 6th November, the third on the 8th November, the fourth on the 9th, 10th and 11th November, and the fifth on the 12th November. In the cases from the Province of Ontario, the arguments began on the 16th and terminated on the 22nd November. So that my hon. friend will see I was strictly accurate in the statement I made. This return which I received from the Chief Justice of the Court is of course an accurate statement of the state of business there. With one exception, therefore, no case was standing up to the meeting of the Court this morning, which met to give judgments, earlier than the 26th October last. The one exception is the Exchequer case, called "The Queen vs. Bell," which was argued in this Court on the 17th or 18th May, and that case is one of very great importance, involving the investigation of a large amount of facts standing over from the first May last until the present time. With that one exception, I think no complaint whatever can be made against the time occupied by the Court.

Mr. L'ANGEVIN. I may say that that case which was argued in May, had been before the Court for over a year—I think fifteen months—before judgment of one Judge was given, and now this same case has been ten months again before the Court before being decided.

Mr. WHITE (Cardwell). I do not desire to enter upon a discussion of this question at this time. As a layman I would feel great delicacy in discussing it at any time; but in the case just referred to, the proceedings in the Supreme Court at this moment show one feature in regard to which the public at large, I believe, desire to see a remedy applied. Judgment is being given in that case at this moment, and so far as we can learn there scarcely appears to be any agreement among the Judges in relation to it. We are going to have some four or five judgments. All of the Judges are presumed to be very eminent in their learning; on this subject no two of them entirely agree with each other, the effect of such disagreement in opinion will be to destroy very largely the confidence of the public in this Court. Looking at the question simply from a layman's point of view, I think that something ought to be done to prevent the rendering of dissenting opinions in that Court. The judgment of the Court ought to be the judgment of the Court as a whole. When you find the judgments of two learned Judges given, both judgments equally able, elaborate and apparently the result of painstaking investigation, and each in direct opposition to the other, the tendency in the public mind is to believe that, after all, the judgment of the Court is a mere accident not founded on any solid ground of reason. Under these circumstances, I should like very much to see the judgments of the Supreme Court made the judgments of the Court itself, and not the judgments of the individual Judges of that Court,