

Casgrain,
Cimon,
Costigan,
Coursol,
Daly,
Daoust,
Desaulniers,
Drew,
Elliott,
Fitzsimmons,
Gault,
Girouard (Kent),

McDonald (Pictou),
McDonald (Vict., N.S.),
McConville,
McCuaig,
McInnes,
McKay,
McLennan,
McQuade,
McRory,
Malouin,
Manson,
Masson,
Rouleau,
Royal,
Ryan (Montreal),
Scott,
Shaw,
Stephenson,
Strange,
Tassé,
Tupper,
Wallace (York),
White (Cardwell),
Williams.—72.

NATS:

Messieurs

Anglin,
Arkell,
Bain,
Bannerman,
Beaty,
Bergin,
Blake,
Borden,
Bourassa,
Bourbeau,
Brown,
Bunting,
Burnham,
Burpee (St. John),
Burpee (Sunbury),
Cameron (Victoria),
Cartwright,
Casey,
Charlton,
Cockburn (Muskoka),
Golby,
Goughlin,
Coupal,
Cuthbert,
DeCosmos,
Domville,
Dumont,
Farrow,
Fleming,
Flynn,

Fortin,
Geoffrion,
Gillies,
Gillmor,
Girouard (Jac. Cartier),
Grandbois,
Gunn,
Guthrie,
Hackett,
Haddow,
Haggart,
Hilliard,
Holton,
Killam,
King,
Landry,
Lane,
LaRue,
Macdonell (Lanark),
MacDonnell (Inverness),
Macmillan,
McCarthy,
McDougall,
McIsaac,
Merner,
Méthot,
Mills,
Montplaisir,
Muttart,
Olivier,
Paterson (Brant),
Patterson (Essex),
Pickard,
Pinsonneault,
Plumb,
Rinfret,
Robertson (Shelburne),
Rogers,
Ross (Middlesex),
Routhier,
Rykert,
Rymal,
Scriver,
Skinner,
Smith,
Sutherland,
Teller,
Thompson,
Trow,
Valin,
Vallée,
Vanasse,
Wallace (Norfolk),
Weldon,
Wheeler,
White (Hastings),
Wiser,
Wright,
Yeo.—89.

It being Six o'clock the Speaker left the Chair.

AFTER RECESS.

On the motion for the second reading of the Bill,

Mr. VALLÉE. Mr. Speaker, the question now before the House is so important a one that I consider it my duty to say a few words in explanation of the vote I am about to give. The question is not a new one; it has several times come up before the House, which has already given its opinion and has made known its views on the subject; and we must infer from the votes cast, and from the debates that have taken place in this Parliament since 1878, that the opinion of the country, as manifested in the speeches of the representatives of the various Provinces, is certainly opposed to keeping up the Supreme Court such as it is constituted to-day. Last year, I cast my vote against the passing of the Bill, upon the Government declaring that it would this year meet us with fresh legislation on that point. But we have not had that legislation, and it is not even promised to us. I, therefore, do not consider myself bound any longer by the engagement I made last year, whilst voting against that Bill; and to-day I resume the position I occupied towards the electors of my county, when I came before them to ask them to honor me with their trust, and when I explained my political programme. Then, Mr. Speaker, as now, my opinion was against retaining the Supreme Court. I bound myself before my electors and before the country to labor in this House to abolish that Court, which I consider to be not only useless but dangerous to the institutions established by the Act of Confederation. The question is not one of party; it is not a matter of supporting or countenancing friends; a more grave and serious question is at stake. We have certain institutions; we are a nation placed under exceptional circumstances; we have certain rights and privileges; we have local
Mr. HOUDÉ.

institutions; we have Federal institutions, and each has its powers within its limits. But the Canadian political world naturally follows the ordinary motion of the world; the strongest wants to lord it over the weakest, or rather the strongest will end in lording it over the weakest, i.e., the Federal system will end by taking away all the rights we enjoy as citizens of the Provinces, by taking away all our special and defined privileges. If there is an institution that is likely to cause us some anxiety; if there is an institution that is likely to threaten us with a change which I do not wish to take into consideration at present—and that I hope never to have to take into consideration during my life, for I hope that it will not take place—it is the Supreme Court. I maintain that the Supreme Court is a great danger to the privileges which we have preserved since Confederation. It will be enough, Mr. Speaker, for me to quote a single instance. Since the Supreme Court has been established, a question has arisen before our tribunals and our public meetings, viz., the contestation of the constitutionality of each Act introduced in and passed by our Local Legislatures. That tribunal has, since its constitution, sought to concentrate into its hands and under its direction all judicial administration; that tribunal has even sought to curtail local power, and has attempted to put into the hands of Federal authority the greatest amount of executive power possible. This has been apparent in several instances; it has taken place in all the Provinces. Has not every Provincial Act of any importance been impugned and appealed against before the Supreme Court; some have been confirmed, others quashed. I maintain that therein is a danger which is increasing daily, for general and private interests will always join issue. Nowadays it is left to the Supreme Court to decide these questions. Nowadays it is no longer, as stipulated in the Act of Confederation, the Minister of Justice or the Governor-General, who have alone the right to sanction or to annul the Acts passed by Provincial Legislatures. The power thus conferred is a very great one, yet it is conferred by the Act of Confederation. At present, this power is duplicated; not only are the Acts of Local Legislatures controlled to-day by the Federal Executive, but they are controlled by a strangely different power, one that is not subject to the approval or the disapproval of the body of electors, and which is independent in its action, and from which there is no appeal. This new tribunal is the Supreme Court, which has to-day the power of deciding the legality or illegality of laws passed by the Provincial Legislatures. I repeat that therein lies no inconsiderable danger, and I remember that during the debate that has taken place on this question, several speakers, abler than myself, showed all the dangers inherent to such an institution. I will, therefore, abstain from enlarging on that point. This is one of the reasons which will cause me to vote in favor of the Bill introduced this evening. But, Mr. Speaker, there is still another reason, and it is that of economy; this is a serious question. Whenever we seek to aid in the progress of the country; whenever we wish to develop the resources of the Dominion of Canada; whenever we ask for various improvements, we are met with the objection that the Budget is already too heavily taxed, that the expenditure is already too considerable. It is a well-known fact in this House and elsewhere, that when important and practical improvements are in question, the public Treasury is always discovered to be too poor and not sufficiently replete with funds. But, Mr. Speaker, when it is a matter of establishing new courts of law, or of increasing judicial expenses, there are always enough funds in the Treasury; the resources of the State are ever equal to this increase of expenditure, and for the past few years a considerable increase is noticeable. I do not blame any particular Administration for this; it is a general censure that I am passing; it arises from a want of attention on