

I would, in conclusion, explain that I am not at present referring to the office of Chief Justice, but solely to the vacancy on the Superior Bench, caused by the death of an English-speaking Protestant judge. I should be delighted to indulge in the hope that one might look forward to the time when in Canada, as elsewhere, the only consideration to be thought of in judicial appointments might be the fitness of candidates. One must, however, take things as one finds them, and, being as they are, the other claims I have referred to are, in my humble opinion, entitled to be respected.

I need hardly say that I shall be gratified to hear from you on the subject at your early convenience.

With much consideration, I am, dear Sir John Thompson,

Yours very faithfully,

(Signed)

R. D. MCGIBBON.

Honorable J. A. OUMET, Q.C., M.P., Minister of Public Works, Ottawa :

MY DEAR SIR,—In connection with the vacancy upon the Bench of the Superior Court, caused by the death of the late Sir Francis Johnson, you are probably aware that an effort is being made by some of the French Canadian members of the Bar to have a French Canadian appointed in the place of the deceased judge.

You must be aware that the position is one which having been filled by an English Protestant, fairly and properly belongs to that element, and that unless some very substantial reason exists for a disturbance of the proportion upon the Bench, and can be adduced, the successor of the lamented Chief Justice should be one speaking the same language and professing the same faith.

I am quite persuaded, as are almost all the English members of the Bar, and, I may add, every member of the English commercial community to whom I have spoken on the subject, participates in the same view, that not only is there no reason for any effort to interfere with the existing state of things, but that on the contrary, if any change is to be made, it should be rather in the direction of increasing the representation of the English community upon the Superior Court Bench. However, dealing with the case actually in hand, I trust that you, as one of the ministers from the Province of Quebec, and as the one supposed to represent the district of Montreal, will see that justice and fair play are done to the numerical minority in your district.

You will pardon me if I ask you to acquaint me with the attitude which you propose to assume with regard to this appointment, as, in the case of the last appointment upon which I had the honor of addressing you, until the appointment was actually made—on the score that Mr. Vanasse was a broken-down politician who had to be provided for, and that, therefore, the position, which, up to that time, had always been filled by an Englishman must be given to him,—I had not the pleasure of hearing from you.