

involved in the proper consideration of their conclusions must be of no inconsiderable character. I think, therefore, the complaint that the Court is behind in its work is not deserved. Under these circumstances, I feel that my hon. friend, after giving expression to his own views, with reference to the working of the Court in his own Province, will not desire further to press his motion for a second reading of the Bill. At all events, we see by the motion placed on the paper by the hon. member from Jacques Cartier (Mr. Girouard), that that hon. gentleman proposes, in another form, to remedy some of the difficulties which the Bar of Quebec feel with reference to the Supreme Court of Canada.

Mr. BLAKE. I do not propose to take up the time of the House but for an instant. I wish only to refer to one observation of the hon. member for Montmagny (Mr. Landry), which I think deserves some remark, the more so as this is not the first time that the observation has been made in this Chamber, and it has been circulated tolerably extensively elsewhere. I concur in the view that if the remark had been well founded the Bar and the people of the Province of Quebec would have a reasonable cause of complaint, in regard to the mode in which their judicial matters which come before the Supreme Court are disposed of. But I have seen no evidence at all which leads me to the conclusion that the remark of the hon. member is well founded. I refer to the statement made by the hon. gentleman that the decisions of the Supreme Court, so far as they dealt with appeals from the Province of Quebec, were the decisions of two Judges only, by which I understood him, of course, to mean of the two Judges who came from that Province. I say I quite agree with that. If it were true that in substance the decisions of the Supreme Court upon such appeals were the decisions of the two Judges who happened to belong to the Quebec Bar, there would be grave cause of complaint, because I think we must all agree that it is the duty of the Judges of the Supreme Court from the different Provinces to participate in any judgment delivered by that tribunal, to master the questions involved, the laws upon which it is dependent, and to render their own best judgment on that subject. I think they would not be discharging their duty if they gave simply a formal accedence to the judgments of other Judges, without giving their own independent judgment on a question coming before them. What I complain of is, that my hon. friend should have, upon evidence which I have not at all been able to perceive, made a statement which is calculated to be, what in fact is, a very severe reflection on the Judges of that Court who come from other Provinces than that of Quebec. I say their duty is to deliver judgments based on reflection, on study, on the ascertainment of the law to the best of their ability, no matter of what Province that law may be, and no matter how difficult the research may be. I believe the Judges of the Supreme Court discharge that duty to the best of their ability. I believe that in this particular the complaint of my hon. friend, which, however, does not come from him alone, is not well founded; and I did not wish the discussion to close without reference to that which, if true, would be a serious subject of complaint, but which, not being founded, is no subject of complaint at all.

Mr. LAURIER. If it were proper for me to advise the hon. gentleman who has charge of this Bill, I would say that his best course would be to suspend its reading until the House has had an opportunity to consider the Bill brought forward by the hon. member for Jacques Cartier (Mr. Girouard). As far as I understand the argument of the hon. gentleman for Montmagny (Mr. Landry), it is not directed against the jurisdiction of the Supreme Court as a whole, but only so far as its jurisdiction conflicts with the Civil Law of the Province of Quebec. The logical conclusion

Mr. McDONALD (Pictou),

of his position would be, although he did not express it, not to abolish the Court altogether, but to curtail its jurisdiction, and that is exactly what is proposed by the Bill of the hon. member for Jacques Cartier. Therefore, I think it would be more proper for my hon. friend not to press his Bill any further, until after the House has dealt with the Bill of the hon. member for Jacques Cartier, and if that is not satisfactory then my hon. friend from Montmagny can proceed with his Bill.

Mr. CAMERON (Victoria). I trust my hon. friend for Montmagny will be induced to withdraw this Bill at the present time. I feel, as I have said on a former occasion in this House, that the existence of a Supreme Court for the whole Dominion is necessary to complete our Confederation, and without such a Court as was contemplated by the Confederation Act, the Dominion as a whole is not complete. I quite agree that if the Supreme Court is not now satisfactory, it ought to be made so in every Province of the Dominion, and ought to be so constituted as to deserve the confidence of suitors in every part of the Dominion. I do not propose at the present time to enter into the objections that have been urged against it, more particularly from the Province of Quebec; but I feel so strongly that it ought not to be abolished, that if necessary it should be improved and made satisfactory to every Province of the Dominion, that I trust and hope my hon. friend will, in view of the Bill that is proposed to be introduced by the hon. member for Jacques Cartier, and which, I believe, is intended to remove some of the objections to the Court which exist in the Province of Quebec, withdraw this Bill. There is no doubt the Supreme Court, if it be not now entirely satisfactory to every Province, ought to be made so; and I think there is no doubt that it can be made so. It is not desirable or proper, rashly, to say anything in reference to the constitution of any of our Courts, or to make any remarks that would tend to impair the respect in which they are held by the inhabitants of this country. For that reason I defer entering into any discussion of the details of any amendments that may be thought necessary, as I think this is a matter that rather lies in the province of the Government than in that of any individual member.

Mr. BOURBEAU. Two years ago we were called upon to vote on a similar Bill decreeing the abolition of the Supreme Court. This Bill was introduced by an hon. member now deceased, and I gave it my support. The same Bill was presented last year, but was withdrawn at the suggestion of the hon. Minister of Public Works, in order to allow of the hon. Minister of Justice modifying the constitution of the Supreme Court in such a manner as to do justice to the demands of the Province of Quebec. To-day the hon. Minister of Justice rises, but he does not go so far as to say that the Supreme Court will be abolished, or that certain modifications have been made during the vacation, but his words imply that that Court is most useful, that it is necessary, and that there are no means of doing without it. I am not sufficiently acquainted with matters concerning the administration of justice, to undertake a discussion on the subject, but I am in the habit of acting up to my promises; and as I have promised my electors to vote for a Bill that would bring about the abolition of the Supreme Court, I rise to say that I will support the Bill moved by the hon. member for Montmagny (Mr. Landry), and I will vote in its favor.

Mr. LANGEVIN. I do not agree with those members who believe that the Supreme Court is all we should expect it to be. Far from it. If I am not mistaken, to-day, perhaps at this moment, judgment is being rendered in that Court in a case which has been standing over for months. Delays such as this are one of the reasons why that Court—we must say it, because it is in the mouths of the people—has not become a popular Court. As the hon. member