

not pass. It is in the interests of justice and I shall not withdraw it.

Hon. Mr. KAULBACH—The hon. gentleman may be prejudiced in the future if he does not withdraw it now. Many, like myself feel in favour of it, yet in consequence of what has been said they might vote against the amendment under the circumstances, and therefore it would prejudice the matter at some other time.

Hon. Mr. ANGERS—In answer to what the hon. gentleman has said as to information he has had from some official source, I must tell him that his information is incorrect, in so far as the Government has never come to the conclusion to accept such an amendment. An amendment altering one of the vital principles of the criminal law in this country could not be made or decided upon without being first brought before the Council. This matter has never been discussed by the Council and no conclusion has been arrived at, and I can tell the hon. gentleman that the Government does not wish to make this amendment.

Hon. Mr. POWER—This is an entirely new view of the functions of the Governor in Council. I do not think all the provisions of the Criminal Code were considered last year in detail by the Governor in Council.

Hon. Mr. ANGERS—They are supposed to have been. The Minister of Justice introduced the measure, and his colleagues, I suppose, took it for granted that he would not do anything improper, and he introduced the measure on his own responsibility. I never said that the Government, as a Government, had considered the matter and decided to accept it, but I explained what I had been given to understand by the best authority next to the Minister of Justice. If the Minister of Justice were willing to accept, I do not imagine that any of his colleagues would object to it.

Hon. Mr. GOWAN—Unless my hon. friend will withdraw his resolution it would embarrass those who would, and probably will, endorse the subject of his motion at a future time, but it would be improper to adopt a vital principle of that character at this period of the session; I do not think

the amendment would be likely to be carried in the Lower House if it were inserted; therefore, although I would rather not do so, I must vote against my hon. friend's amendment if he persists in it.

Hon. Mr. LOUGHEED—There appears to exist some misapprehension in the minds of hon. gentlemen in regard to the position of the Government last session in regard to amending the jury law as it stands at present. The Committee were certainly under the impression at the time it was submitted to them that there was a disposition on the part of the Government to accede to the proposition as it had been proposed. In British Columbia the majority of the jury in criminal cases within the jurisdiction of the County Court can agree upon a verdict. Of course we in the Territories are placed in a different position from the provinces, inasmuch as we have only six of a jury. Although it requires unanimity in the Territories, so far as the jury is concerned, yet if a jury of six in that part of Canada can bring in a verdict against a prisoner, I should say that the same justice should be meted out in the provinces—at least, what is good enough for the people in the Territories should be good enough for the people in the provinces. Consequently a verdict say by eleven in the provinces should insure to the accused the same measure of justice as a verdict by six jurors in the Territories. I would be very sorry, however, if my hon. friend from Halifax should, so late in the session, press his motion upon the House. I merely desire to record the views which I hold in relation to this subject, and I would ask my hon. friend in view of the opinions which have been expressed by some hon. members of the House—opinions which are in sympathy with his own—that he withdraw the motion for this session and doubtless next session the Government will give fuller consideration to the subject.

Hon. Mr. ANGERS—It has been stated that in the North-west Territories the jury is composed of six, and six bring in a verdict.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. ANGERS—We only want the same principle. Whatever may be the number of the jury, we want the unanimous