

back and reintroduced in proper form so that we may consider it intelligently.

Mr. DOHERTY: Under ordinary circumstances I should be glad to meet this suggestion, but I should like to point out that the Supreme Court is prevented from carrying on its business at present because Mr. Justice Duff is engaged in the hearing of appeals under the Military Service Act, and, by reason of the illness of one of the other judges, it is not possible for five judges to sit in court. Accordingly, they adjourned their Court until April 15 in the hope that this measure would be adopted in time to enable them to proceed with the business. The situation is, perhaps, peculiarly urgent because of the fact that in the last term they were suffering largely from the same difficulty, and were in a position to hear only those cases in which the parties were willing to proceed with four judges. Though the amendments are numerous, they are all, with the exception of a slight modification making subsection 2 a proviso instead of a subsection, the consequence of one change, which is as follows: under the Bill as introduced it was provided that where there was need for an ad hoc judge the chief justice or senior puisne judge of the court could himself select that judge. The effect of the amendment is that where there is need for an ad hoc judge, the Chief Justice of the Supreme Court may address himself only to the Chief Justice of any of the provinces, asking him to provide an ad hoc judge. The Chief Justice so applied to would thereupon, no doubt in consultation with his judges, designate the particular one who was to act. That is the entire effect of the proposed amendment. The others, with one exception, are the necessary consequences of making that change. Then there is an amendment merely to meet what was suggested the other evening: that in cases coming from Quebec you might not have a court constituted in compliance with the express requirements of the statute, which makes it necessary that there shall be two judges taken from the bar of the province of Quebec. The amendment provides that in such a case a judge shall be applied for rather than a judge of the Exchequer Court taken. I should be glad, therefore, if the committee could see its way clear to deal with this matter to-day. If, of course, hon. gentlemen feel that they have not had proper opportunity of fully grasping the effect of the amendments, we must meet that; I would not ask the committee or the

[Mr. Morphy.]

House to pass a measure without having ample opportunity of becoming thoroughly familiar with its provisions. But I may add that if the measure is to enable the Supreme Court to proceed on the 15th, it will have to go through the Senate as well as through this House and receive the assent of the Governor General during the present week.

Mr. MORPHY: I appreciate to the full the argument of the Minister of Justice, but I still feel like adhering to the request I have made, that the Bill be brought back printed as it will appear with the amendments, for further discussion. The minister has told us that through his importuning all the Superior Court judges of the province of Quebec are sitting on the tribunals. I suggest that he take the balance of the Supreme Court judges that are here and put them with Mr. Duff in order that the work may be speeded up. In the meantime, the Supreme Court work can be postponed for a little while, notwithstanding the great importance of the cases that may be awaiting trial.

I am pleased that my main objection, about which I purposed saying a word, was removed by the amendment striking out the name of the Chief Justice in section 1. Nevertheless, the measure is a very far-reaching one; it extends over the jurisdiction of the whole country, and there may be some points to be raised even as the Bill stands now. I do not think it is fair to ask the House, on such an important measure as this, to take absolutely the word of the Minister of Justice for everything. As we are supposed to be individuals here, we are surely entitled to consider for ourselves the full effect of any measure that is brought before the House. I again request the minister to have the Bill referred back, reprinted and introduced in the proper form, even although that may cause some delay.

Sir WILFRID LAURIER: I, for my part, take very strong objection to the suggestion of my hon. friend from North Perth (Mr. Morphy). The Bill has been introduced and is in the possession of the House. When it has gone out of Committee, it can be reprinted. But I do not think it is in the power of this Committee to order that the Bill be reprinted with amendments that have not been accepted by the Committee. There may be some discussion on the amendments, and objections may be taken to them. I think, therefore, before we order the re-printing of the Bill, we must discuss the