

the action of Parliament both in Canada and Great Britain for many years past has been to remove all such cases out of Parliament and to place them before the courts. Why? Because they recognized the principle that men cannot act independently and fairly in cases where they are themselves concerned; and when an appeal comes before Parliament in the shape of a petition for the removal of such a judge, that is, in fact an election case—when such a case as that comes before Parliament we say at once that Parliament is incompetent to judge it fairly. That principle has been recognized over and over again in Great Britain, and it has been recognized in Canada as well, where we had for many years past removed all such cases before the courts, and have derived the greatest benefit and satisfaction from doing so. I therefore attach little importance to the liability of the revising barrister or judges to Parliamentary appeal. I am sorry to have detained the House as long as I have done, knowing the anxiety of hon. gentlemen to proceed with this business; I therefore tender you my thanks for your courtesy, and resume my seat.

HON. MR. GOWAN—I feel that it is a great pleasure to take part in this debate, seeing that it has been conducted from the first and throughout with a spirit of fairness and calmness that perhaps does not always find a place even in this Assembly. I was greatly gratified to hear the hon. gentleman from Queen's county speak in the terms in which he did of the Minister of Justice, as I am sure every hon. member in this House was also. The spirit of fairness and of candor which seems to be a part, the very essence of his nature on all subjects the Minister of Justice deals with, quite assures me that the remarks that the hon. gentleman made were entirely deserved, and find an echo in the heart of every hon. gentleman in this House. If the hon. gentleman from Queen's county will permit me to say as much, I think he himself is conspicuous for much that he attributed to the hon. Minister of Justice. I have never heard him speak in a way that did not commend itself to me as the honest utterance of a man of strong convictions, willing to do justice to the arguments of those who are opposed to him,

and desirous of reaching truth. I am not bold enough to stand up for the purpose of answering the remarks that have been made by the hon. gentleman from Queen's county. I would not dare venture to break a lance with him, knowing how expert he is in all matters of debate, and what a vast amount of knowledge he brings to bear on every subject he touches; but there are one or two points that he referred to upon which I would venture to say a word. He referred with great admiration to some recollections of his early life in connection with the revising barrister system which prevails at home, and he referred with great admiration to Lord Brougham a great and noble man, and seemed to convey the idea that this measure was not exactly in accordance with the principles that Lord Brougham advocated and maintained throughout his whole public life. I might venture to say, with regard to myself, that I am also, and have been ever since I could reason, an humble admirer of Lord Brougham, and in 1843, at the time when I was appointed to a new District, and when it became the duty of the judge to appoint the seals for the courts over which he presided, I ventured to take a new departure, and the seal design I gave for my courts was the head of Lord Brougham, and to this day that seal is still in use in the courts over which I formerly presided. As I feel as warmly attached to the memory of that great man, and as I as fully, perhaps, adopt the principles and views advocated by him as the hon. gentleman from Queen's, I may venture to point out to him wherein I think he has perhaps misconceived the effect of this measure. Lord Brougham was not in favor of centralization—complete centralization; neither was he in favor of decentralization, and of the two he regarded more evils were likely to arise from the system of complete decentralization than from the system of centralization. The hon. gentleman from Queen's will recollect that at the time of that very important debate connected with the tribunals which are now all over England and Ireland, under the county court system, Lord Brougham entered very fully into the question, and spoke of the evils arising from the multiplicity of jurisdictions which prevailed all over the British Isles: numerous courts with separate jurisdictions managed by