

Mr. DOHERTY: I say that the viler the mind the more readily does it conclude, to the vile motive, and I leave it to hon. gentlemen opposite to decide as between themselves the respective degrees of vileness of motive that have been attributed to me, and then they can determine for themselves the respective degree of vileness of their own minds.

Mr. PUGSLEY: The minister is waking up.

Mr. DOHERTY: We have heard some talk about the administration of justice. I ask you, Mr. Speaker, if it is going to be possible for a Minister of Justice in this country to endeavour to put before Parliament the measures which in his judgment are necessitated in order that justice may be done if, when he does that, whether he be right or wrong, he has to run the gauntlet of this sort of imputation? May I ask you what difference it makes whether my motives be as vile as even the vilest of minds can conceive, or whether they be worthy of the purest of celestial beings? Either this measure is right, or it is wrong. I am prepared to meet hon. gentlemen upon the question of whether it is right or wrong, and I am prepared to ask hon. gentlemen, who are proud to describe themselves as Liberals, what fault they can find with this measure. Of course, they can find faults in me—lots of them. Anything that their minds may conceive as discreditable they can get up here and impute to me, and, with all respect, it leaves me pretty indifferent.

But I ask them to deal with this measure. What is the matter with the measure? Do they think it desirable that we should maintain a condition which puts into the hands of the representatives of the Crown this exorbitant facility of finding a jury just to suit themselves? Let me in all frankness point out that to-day at all events there are no political friends of mine at stake. Of course, there have been things in the course of my not very prolonged political career that have been of a nature to make me sick—there is no other way in which I can describe it—and the performance this afternoon is the worst of all.

Mr. PUGSLEY: I could not hear what the minister said.

Mr. DOHERTY: If the hon. gentleman desires that I should repeat it—I said that there had been things in the course of my not very long political career which I can describe in no other words than to say that

they had made me sick, and I have experienced nothing that has been more of that nature than what has taken place here this afternoon. We, the representatives of the people of Canada—most of those who have spoken being distinguished members of their profession—are here concerned with the question whether a certain method of procedure is or is not calculated to give to the citizen the full protection intended to be given to him by the system of trial by jury. And what have we discussed, or rather, what has been put forward as a subject of discussion? Hon. gentlemen opposite have vied with each other in finding the vilest motive they could impute to the Minister of Justice. If for one moment we assume that every motive that was attributed to me actually existed, how much further are we advanced upon the question whether it is a proper thing that the Crown should have this extraordinary and exorbitant power of control over the complexion of the jury that is to try the citizen?

I have said that this notion was not born in my brain—though I must say that the thing coming to me, a man who has grown up under a system where the Crown could challenge but 60, because the panel at its disposal was 60—

Mr. C. A. WILSON: Is there any country within the British Empire that has limited the number that can be stood aside? My information is that for centuries back the privilege of the Crown in this respect has not been restricted to 48 or any other number.

Mr. DOHERTY: May I give the hon. gentleman a little history? It is a pity we should have to go so far back to determine whether it is desirable or not—

Mr. CARVELL: It is an important change in the criminal law of the country.

Mr. DOHERTY: Have I not made it clear yet that as regards the operation of that section of the Criminal Code it did, up to the enactment of this legislation by Manitoba, operate one way in four provinces, and operate in a different way in five provinces? What we are doing here—

Mr. PUGSLEY: Did it not in all the provinces? Did not the right to "stand by" extend to the whole panel, whatever it was?

Mr. DOHERTY: It extended to the whole panel, whatever it was, and it extended no further than the panel. Therefore, in provinces that limited the number of the panel, the number of stand bys was