

convenience has resulted from the fact that the Commission is now composed of only two members. A good deal of the business of the Commission has been discharged by the present members, Messrs. Bernier and Mills. But, unfortunately, on some very important questions, especially on some relating to the city of Toronto, the Commissioners do not agree. Inconvenience has been occasioned to certain citizens of Toronto owing to the fact that no decision of the questions on which there is a difference of opinion between the members of the Commission can be reached. The government is aware that such an important position should be filled at the earliest moment. After the resignation of Mr. Blair, as soon as the government could be assembled in Ottawa—the resignation having taken place during the election—the government sought to find some person who would be suitable for the position. They came to the conclusion that it would be well to offer the chairmanship of the Commission to an eminent member of the Supreme Court, a gentleman who, I believe, is qualified in every respect to discharge the important duties which would devolve upon him. However, we were told by the gentleman in question that it was not possible for him to contemplate the acceptance of this position at that moment or for some weeks, as he believed it would not be in accordance with the duties he is now performing to leave his present position at this time. He was engaged, in the consideration of several cases which had been heard by him and by the court in the previous term, and if he accepted our offer at the moment, the cases which he had heard could not be disposed of, and great inconvenience to suitors would result. But as the gentleman informed us he could not properly consider our application till after the first week of February, we thought it only fair and right to wait until the first week of February before we approached him again, when we hope that our offer will be accepted. I beg to move that the House do now adjourn.

#### RESIGNATION OF MR. BLAIR.

Mr. W. F. MACLEAN. I thought in connection with this matter the right hon. the Prime Minister (Sir Wilfrid Laurier) would have made some explanation to the House and to the country of the resignation of the late chairman of the Railway Commission. It was a very sudden resignation, and took place in the midst of a political fight, and requires, as I think, an explanation to the country. In fact, the organs of hon. gentlemen opposite from the 'Globe' down to the Montreal 'Witness' are on record as demanding an explanation of that circumstance; and I trusted that the explanation would be forthcoming to-day. Probably later on in the session, and in connection with the appointment of a successor to the late chairman of the Railway Commission,

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we will have that explanation. It is certainly due to the country, it is certainly due to the right hon. gentleman and his friends to make that statement at the present moment. But I will wait for what is to come; certainly an explanation ought to be forthcoming, and probably will be forthcoming. As to the statement of the right hon. gentleman in seeking elsewhere and in another court for a man competent to fill the position, he is not going to work in the right way. He is robbing Peter to pay Paul, he is unmanning the Supreme Court to man the Railway Commission, which is not good policy. I do not think that it is good policy to shift the highest judicial officers from one court to another, not that I lack confidence in the competence of any member of the Supreme Court to be chairman of the Railway Commission. But it is evident now that the Railway Commission is to remain unmanned for at last three weeks more, although the great commercial interests, the great railway interests are inconvenienced by the present condition of affairs. It also follows from what the right hon. gentleman said, that the Supreme Court will then for a long period remain unmanned, without its full quota of members to enable it to discharge the duties that we expect from it. So that on the whole the explanation made here to-day is in no wise satisfactory, and I trust that a much better explanation in several directions will be offered at a very early day.

Hon. GEO. E. FOSTER. There is another point which has been raised with regard to which the right hon. gentleman might give us some information. It has been stated in the newspapers that some cases relating to the Northwest, for instance, which were heard by three commissioners before the resignation of Mr. Blair, will have to be reheard, and that there is no provision in the Act, no method by which these cases, having once been heard before the resignation of the chairman, can be adjudged by the remainder of the commission, or by the commission when it is filled by the appointment of another and third person. That of course would lead to a great deal of delay and a great deal of hardship. If that is so, something must be wrong with the Act; if it is not so, why, of course the public will be relieved of the apprehension which has been, I think, rather widespread.

Sir WILFRID LAURIER. I am afraid the statement which has been made by my hon. friend (Mr. Foster) is only too true, and that the applications which were heard by three commissioners, but which were not disposed of when Mr. Blair resigned, may have to be heard again. A new commissioner must be appointed, and, of course, before these cases are disposed of he must hear the parties for himself. That rule applies in all courts under similar circumstances. One of the reasons why the gentleman we applied to refused to take the place on the