

to hear that it is contemplated to refer the Supreme Court question to a commission.

**Sir ALBERT J. SMITH.** It seems to me absurd that there should be any question raised as to the desirability of retaining the Supreme Court. I know that so far as the Maritime Provinces are concerned the matter is beyond question altogether. These discussions which take place every Session tend to impair the usefulness of the Court, and I do not think the matter is one which should be trifled with. I think it is one of the grafts of the institutions of this country, and we should endeavor as far as possible to maintain the confidence of the people in that country.

**Mr. BLAKE.** I was sorry to hear the observation of the First Minister with regard to the Supreme Court. I think it was an unfortunate one, in view of the fact that the proposition made last Session to abolish the Supreme Court was rejected by a decisive majority. The discussion which we had the other evening was not upon the question of abolishing the Court, but as to the proposal to withdraw a certain class of subjects from those which should come within its consideration; and I do not recollect that one name of note in this House was recorded as wholly hostile to the retention of the Supreme Court. I think it would be unfortunate, if the idea should get abroad, that there was in the House any question of whether the Supreme Court should not have a definite existence. I hope that the Administration, having announced a policy last Session, and having made a pledge this Session that the whole matter should be considered, will announce as fair a policy with regard to the Supreme Court.

**Sir JOHN A. MACDONALD.** I am afraid that there are a good many hon. gentlemen in this House, from both the Province of Ontario and the Province of Quebec, who are against the Supreme Court. I believe that once the Court is made more satisfactory to the Province of Quebec, it will be a different question; but the hon. gentlemen will find that there is among the members of this House representing Lower Canada, a very strong feeling against this Court. That Province is withdrawn altogether from its jurisdiction, and the Court ceases to be a Court of Appeal for the Province of Quebec.

**Sir ALBERT J. SMITH.** We have had a vote on it.

**Sir JOHN A. MACDONALD.** The hon. gentleman knows that but for the action of the Government the vote might have been quite different.

**Mr. LAURIER.** There is no doubt that when the Court was first established it was somewhat unpopular in the Province of Quebec, but, so far as I am acquainted with the feeling in that Province, that unpopularity is constantly dying out. The facts confirm it. I have looked over the reports of cases and find that forty-five appeals have been taken from the Province of Quebec, and of this number only seven or eight related to civil rights or arose under the civil laws of Lower Canada. All the others were either criminal or constitutional cases in which Quebec has no special laws of its own, and the principles of which affect the Dominion at large. Everybody must admit that if, in the course of five years, that Court has been called upon to decide only seven or eight cases of a civil nature, Quebec has no reason to feel anxious. I know that at the outset that Court was unpopular in Quebec, but that feeling was of a political nature; the Court was unpopular before it was established, but from purely political motives. At the last general election almost every hon. gentleman from Quebec now sitting on the opposite side of the House, attacked the Supreme Court with more or less bitterness. It was represented as a useless institution. But that feeling is changing. We heard the hon. President of the Council admit, the other day, that it was not a useless institution, and that it was a

necessity of our political institutions. The objection from that Province is now reduced to a certain part of its jurisdiction. The principle of the Supreme Court is now generally admitted. This is an immense gain upon the language used three or four years ago. It was then said in Quebec, by gentlemen who have since become members of this House, that the Court was altogether useless. We can expect that those who spoke that language at the last election will still adhere to that opinion, but we can expect also that if their opinions have been modified on the main question they will be modified on the minor question. One objection now made to the Court is this: It is said that it is illogical for us to submit our laws to be reviewed by a Court composed of men who have not been trained in those laws. Yet we must choose between the Supreme Court and the Privy Council, and everyone must admit that it would be better for us to have them reviewed by the Supreme Court where two of our men sit, than by the Privy Council where none of our men sit. It seems to me quite clear, both from the experience of the past and the illogical opposition now made to the Court, that its unpopularity in Quebec is constantly diminishing, and I have no doubt that in a new Parliament it will have completely died out.

**Mr. SPROULE.** There is a strong feeling in Ontario against this Court, and were it not for the assurance given by the Government that this matter would be looked into very soon, that feeling would find expression in this House. But as the Government have promised to endeavor to remedy the grievances of which we all complain, the members from Ontario refrained from taking any action against the Supreme Court. The hon. member for West Durham says he is not aware of any members of note in this House opposed to it; but whether they are of note or not, if they are sufficient in numbers to carry the Bill, I can assure him their desire is strong enough to do it.

**Mr. LANDRY.** Mr. Speaker, it is my duty to protest against the assertion of the hon. member for Quebec East, that the hostile feeling shown up to the present time by the Province of Quebec against the Supreme Court, was gradually dying out. The hon. member for Quebec East is certainly laboring under a false impression. When, in 1877, he solicited the votes of the electors of Drummond and Arthabaska, the hon. member was obliged to defend the creating of the Supreme Court and the votes that he had cast; and if the hon. member was beaten, he may attribute his defeat in 1877 to the bad odour in which the public held the Supreme Court.

**Mr. LAURIER.** That is not the reason; it is because the member for Beauharnois (Mr. Bergeron) and several others promised that factories should be built in all the parishes.

**Mr. LANDRY.** I had the pleasure of taking a part in that contest in Drummond and Arthabaska, and as far as I am concerned, I can assert that I did not promise any factories. At that time, we promised that if we were sent to the House, we would try to have justice done to the Province of Quebec, and that feeling has generally grown from day to day. This was referred to just now, when an allusion was made to the several votes taken in this House with regard to the abolition of the Supreme Court. But if one compares this year's with last year's votes, one will see that this feeling, far from being on the wane, is manifesting itself more strongly, for last year there was against the abolition of the Supreme Court a majority of over 100 votes; this year, that majority has been reduced to 49; and should the question come up before the House next year or in two years, that majority will be still further reduced. The Hon. Premier has himself said that if the Government had not put its shoulder to the wheel, the Supreme Court would probably have been abolished this Session, so strong is the hostile feeling against the Supreme Court in this House, as,