

too much by Confederation. He did not object to Confederation because it was not favourable to us, but because it was too favourable. His hon. friend appeared here as an advocate of the other Provinces, and against his own. But there was no ground for the hon. gentleman's objection. We received only the same amount per head as the other Provinces, and we contributed more per head than they did. There was therefore no injustice done to the other Provinces. His hon. friend had said he (Atty-Gen.) had been a deep-dyed Tory before 1856; but it so happened that before 1856 he never gave a vote nor made a political speech, nor took any part in political affairs. But because of his being a steady sober man, his hon. friend thought he must have been a Tory. (Laughter.) His hon. friend had declared the Government was a coalition because Mr. Scott had remained in it. It was true he and Mr. Scott differed upon past issues, but upon all the questions coming before them now he found him as sound a Reformer as any of them. After listening to his hon. friend, and knowing his ingenuity and ability, he was gratified to find he had so little to say against them. He thought the House would agree with him that since nothing more could be said against them than his honourable friend was able to say, certainly there was no reason why the confidence of the House and country could not be continued to them.

The paragraph was then carried, as was also the third paragraph.

On the fourth paragraph, Mr. CAMERON hoped that any Orders in Council that might have to be brought before the House would be brought forward early in the session, so that it would not be necessary to hurry them through the House as in the previous session. To say that the people had had any voice in the granting of aids to railways during the last session was an utter absurdity. The aid they had given to railways last session had been greatly instrumental in their obtaining the considerable majority they possessed, and now that there was not much more money remaining for the purpose of assisting works of that kind, they had little more to congratulate themselves upon except that they stand well in the estimation of the people of the country. He had not questioned the constitutionality of the Prime Minister having descended from the Bench to enter the political arena. He was not aware of the existence of any provision stating that a judge could not descend from the Bench to accept a political position. If there had been he could not have retained the position he then occupied. What he said was that the people were adverse to a judge holding a position on the judicial Bench resigning it for the purpose of accepting his present position in the House. A judge was expected not to identify himself with any party but to hold the balance of justice evenly and to decide matters that might be brought before him according to the evidence, without any reference to any political or other feelings, whatever; and a man who allowed his feelings to have vent upon the Bench, who followed the continual progress of public affairs, who associated himself with those with whom he had been connected in times past, was not a man to hold a responsible position upon the Bench. A man who accepted a position of that kind should allow everything like political advancement to be swept away, and should have no desire except that of doing his duty in that position. He was fearful that in future the example of the hon. gentleman might be followed. A man might take the position of judge temporarily as a resting-place until he could find a position such as the hon. gentleman is now occupying, and for the purpose of advancing his political interests. It was with a view of preventing the action on the part of the Government being taken as a precedent that he had taken objection to it as a direct violation of the Constitution, and a direct violation of what had been practised; and it was in that light that the people of this country—whether they were the political friends of the Premier or not—universally condemned the course adopted by the Government.

The PREMIER was not aware that the course he had taken had been condemned by his friends as well as his opponents, but on the contrary, was convinced that the Liberal party of Canada had approved of it, as also had the additional friends he had obtained lately. The hon. gentleman opposite had said that a judge should not permit himself to have any opinion at all upon political matters; that he should not watch at all the course of political events; that he should not be interested at all in what this

party or that party did; and that he should divest himself of his political opinions and feelings, and the opinions of the party with which he had been connected. It was idle to suppose that a man who had spent some of the freshest years of his life in active public employment, who had associated with one party or the other, and had assisted in these numerous struggles, should be utterly indifferent to the progress of events with which he had been closely identified. It was not expected of an English judge or a Canadian judge that he should forget his past sympathies and feelings. When a judge took upon himself the judicial office, it was expected of him to decide impartially the cases coming before him. A large proportion of the judges, both in England and in this country, were men who had been actively engaged in political life. Amongst the instances of this was Mr. Draper, the judge of the Court of Error and Appeal. They all knew how actively he was engaged in public life, and yet since he became a judge no one had had a shadow of suspicion that his opinions had influenced him in any respect. More might be said of Chief Justice Richards, of the Queen's Bench. He was a warm politician up to the moment he was appointed, and a more honest, upright judge never sat upon any Bench at any period. Now, if they knew from the experience of a long period, from the experience of England, and from that of our own country, that men engaged in political life, interested in political parties and questions, could perform judicial duties without being influenced in the least degree, by them it was absurd to expect a judge to act as the hon. gentleman had described. His hon. friend said that if a lawyer took upon himself a judicial office, it should cease to be possible to have any political advancement. Did not his hon. friend stand there as a Conservative, and had not that party lately taken Chief Justice Morris, and appointed him to a political office, and Judge Wilmot, and appointed him to a political office; and they were things that were done constantly here and in England, where they all knew that the Lord Chancellor was a necessary member of the Cabinet, and one who took an active part in all great questions of the day, yet notwithstanding that there was not a shadow of doubt respecting the justness and fairness of the decisions of this judge when he was entirely away from the political arena (Hear, hear.) It was all very well to say on the other side and pretend that a feeling of the nature described by his hon. friend existed, but there was no such feeling and no foundation for such feeling. (Applause.)

The paragraph was carried.

On the 5th paragraph, relating to the drainage of swamps,

Hon. Mr. CAMERON observed that this was one of the measures of the late Government, and he was gratified to find that it was considered worthy of a prominent place in the Speech from the Throne.

Hon. Mr. McKELLAR said when the Bill was brought down it would be seen it was quite different from the measure of the late Government of Sandfield Macdonald, and infinitely superior to it. He did not intend to discuss the address, but he would take occasion to refer to those "outrages" which had been heralded throughout the country. As to the Proton outrage he could not now discuss it. The evidence would be in the hands of members in a few days, and it would be for the House to determine whether it sustained the report or not, and he was willing to abide the issue. As to the other accusations, he was charged with having swindled a large amount of money in connection with the Elgin Association. He denied that most positively. He was charged with having in England collected money for the church in connection with that Association, and having swindled a large portion of that money. He denied that in the most unqualified terms. He was also charged with having swindled orphans and ladies out of a large sum of money. He gave that charge also a most emphatic denial. This was all he could say upon the subject at the present time, but before the House prorogued he hoped to be in a position to place the whole evidence before the House and he could leave it to them to say whether he was guilty or not. He did not wish to attempt to prejudice the mind of any person; all he asked each one to do was to form his judgment upon the evidence, and he felt confident that both in the House and country he would be acquitted of every one of these vile accusations that had been brought against him. (Cheers.)

The paragraph was carried.