

Mr. Hardy explained that that question had been left an open one. He did make the demand, but the Dominion Government would not assent, as the moneys had gone into the consolidated fund and could not be returned. The Dominion Government had agreed, however, to hand over all the uncollected money due during the balance of the present year.

Mr. Foy, South Toronto, suggested that it would be better to repeal the present act altogether and re-enact it, in order that, in consulting the act, it would not be necessary to look up the old act in the revised statute and then the amended act of 1898. This, he contended, would be much more artistic legislation. He also asked for an understanding as to the disallowance of the present act, portions of which would be ultra vires.

Before replying to Mr. Foy, Mr. Hardy told Mr. Hoyle that it would rest with the municipalities interested to move in the matter of removing obstructions from the rivers. Regarding Mr. Foy's suggestion, he had considered the advisability of recasting the whole act, but the present act would be consolidated with the amended act and published for general distribution. In regard to the matter of disallowance, some arrangement would be arrived at which would be satisfactory to both sides.

Mr. Macdiarmid urged upon the Attorney-General the desirability of taking the most stringent measures for preserving the fisheries in Lake Erie, where certain classes of fish are being rapidly exterminated. Another point to which he directed the attention of the Government was the necessity of restricting the issue of licenses to those who have no other business whatever.

The bill was then read a second time.

In reply to an inquiry by Mr. Whitney, the Attorney-General stated that he proposed to move his resolution for morning sittings after to-day if there are no serious objections. Mr. Whitney assured the Attorney-General that his opinion was the House would get through just as soon by not holding morning sessions, and the Attorney-General agreed to let the motion stand until another day.

The House then adjourned.

#### The Judiciary.

The following are Mr. Hardy's remarks in full in the House on Tuesday last with reference to the judiciary of Canada:—

"Speaking for himself," said the Attorney-General, "Mr. Stratton perhaps passed in a tentative or supposititious form some strictures which might probably be accepted by some who did not hear the full text of the speech as possibly reflecting upon some of the Judges. I understand that was not Mr. Stratton's intention. Whether it was or not, I desire, as Attorney-General, to say that this side of the House has unbounded respect for the Judges of the land, and has the utmost confidence in their wisdom and in their integrity. They are, and have been, during all times in this Province, the ornaments of the bench, and have deservedly secured public approval and the confidence of the entire country. I take the opportunity of saying this, as my duty, and as an expression of a sentiment which I, in common with every person who has practised before the Judges of this country, unquestionably feel.

"Another point to which Mr. Stratton referred was the refusal on the part of the Court of Appeal to entertain the application made by the Government under the statute, chapter 84, of the revised statutes, to hear certain questions which have been put to it relating to the constabulary vote. Now, there may be differences of opinion as to what perhaps might have been expected from the court upon that point. The only thing the Judges decided was that they would not hear the case in July or August. There were, of course, objections to hearing the case at all pointed out by some of the Judges on the bench; for instance, that the decision would not be a finality, would not bind the courts. These were observations made, not as a judgment, but as the opinion of certain members of the court who spoke upon the matter. Now, the Judges were quite within their right in saying that they would not take the case up during the long vacation. I have no fault to find with that position; it was a matter purely for the Judges of the court. They may also have felt perhaps that as the matter may touch politics in a sense, that it was all the more needful and necessary it should only come before the court in the regular manner, and not at a time when perhaps it might not have been convenient to the members of the bar or to themselves. The Judges were, therefore, not only within their entire rights in that regard, but we have no ground of complaint; and I am sure had Mr. Stratton referred to me or to Council he would have had no reason to suspect or think that probably the Judges had not done their whole duty in the matter. The Judges of the land, the Judges of the High Court and the Supreme Court are not only men of the very highest character and exalted integrity, but men who do their full duty with zeal, and we are fortunate, and have always been, in the selection of the men who ornament our bench."