

As to appeals to the Privy Council, I would abolish them completely. True, members of the Judicial Committee have had brilliant careers and are highly regarded for their learning. I think that is the general opinion of barristers who have appeared before that court. The honourable senator from North York (Hon. Sir Allen Aylesworth), who had a large practice at the Privy Council, said that after 1867, when cases bearing on the interpretation of the British North America Act began to come before the Judicial Committee, the members of that body were of a higher order than former members. The late Joseph Doutre, who was the head of the law firm to which I belonged and was as highly esteemed at the Montreal Bar as the honourable senator from North York was at the Toronto Bar, spoke very highly of the Privy Council judges. But I am of opinion that Canadian justice should be ample and satisfactory for Canadians. The sentiment in favour of appeals to a tribunal across the seas was formed, quite properly and naturally so at the time, when Canada was developing as a colony and had what I can only describe now as a colonial inferiority complex. We should have passed that stage in our national life. We must be more self-reliant and place more confidence in our own cultural and intellectual attainments.

Briefly stated, these are the opinions that I hold on the question of appeals from the judgments of our courts.

Hon. E. S. LITTLE: Honourable senators, in the absence of the honourable senator from De Lanaudière (Hon. Mr. Casgrain) I have been asked to read the following statement from him, and I do so without prejudice:

"I promised the other evening, before a sparse House, that I would not make a speech, though I have the right to do so. Abiding by my word, I have written two or three sentences.

"In speaking to my motion I did not intend to give a legal dissertation. The law is not my profession. The burden of my speech, the object of all my work—and it was hard work for me—was an appeal for eleemosynary aid for poor unfortunates who, after having been perhaps one or two years before the Canadian courts, have not seven or eight thousand dollars in cash and are not able to borrow this sum and tie it up in London without interest for two years in gambling on a lawsuit before the Judicial Committee of the Privy Council. I desire to stop the blackmail that goes on when the loser in Canada finds that the winner has no money to pay for sending lawyers to London. In such cases there is a compromise,

and for his judgment the winner gets what Shylock would give.

"In the course of this debate we have been told very often that the King is the fountain of all justice. But in order that a Canadian may drink out of that fountain in England he must have seven or eight thousand dollars in cash. No money, no drink.

"Sir John A. Macdonald drafted the Supreme Court Bill, and Alexander Mackenzie made it law, in order to save the expense of sending lawyers to England. What was the reason for creating this substitute if full use was not intended to be made of it?

"I am an Imperialist and not ashamed of it. I come by my convictions honestly, my forbears having served the King continuously since 1791. In my fidelity to our King I give way to no man. But I repeat what I said earlier, that I do not believe the foundations of the Empire will be undermined if Canadian cases, other than constitutional cases, are decided by Canadian judges in Canada."

This debate has continued over a long period. As we have arrived at almost the end of the session and so many members are absent, I would suggest that the question be dropped, to be taken up again at another session if so desired.

The Order was discharged.

CANADIAN COLONIZATION PLAN

MOTION AND DISCUSSION—DEBATE CONTINUED

The Senate resumed from May 27 the adjourned debate on the motion of Hon. Mr. Sauvé, that it be resolved:

That while recognizing the necessity of utilizing our immense territory according to a rational plan of exploitation and colonization, this House is of opinion that:—

(a) immigration into Canada must be conducted along lines of the greatest prudence, so as to protect our traditions, strengthen our institutions, and also so as not to complicate our national problems nor aggravate those affecting agriculture and unemployment;

(b) that the repatriation of emigrated Canadians should be efficiently encouraged before any other immigration;

(c) the emigration of naturalized Canadians should be controlled in such a way as to reduce it to its lowest possible form, if not to prohibit it altogether.

Hon. RAOUL DANDURAND: Honourable senators, it is a long time since I have had the pleasure of preparing a few notes to answer my honourable friend who initiated this discussion (Hon. Mr. Sauvé).

The honourable gentleman gave us the history of Canadian emigration, more particularly from the province of Quebec to the United States. In another debate during this session