It is evident that under the Common Law, no such responsibility could be found to exist. In a similar case in Quebec, the Supreme Court of Canada declined to find the master liable; and, in so doing, the Judges insisted that they were not applying the Common Law as such, but merely giving Articles 1053 and 1054 of the Quebec Civil Code their true interpretation, as part of the body of the Quebec Law.

In this I have cited an example of the way in which the Civil Code of Quebec has benefited from the co-existence of the two systems of law in Canada. Let me now give an example of the way in which the Common Law has benefited from this co-existence.

The Common Law defence of contributory negligence, available in the other provinces of Canada, has never been accepted by the Courts of Quebec. In any case where a plaintiff was revealed by the evidence to have been to any extent at fault, the Quebec Courts, instead of denying the right of action have persisted in applying the doctrine of common fault which, under the French law, has only the effect of reducing the right of the claimant in the proportion of his own contribution in the cause of the accident or of the damage. This doctrine, having been found to be more equitable than the rather blunt defence of the Common Law, has gradually found its way into the nine other Provinces of Canada, which have now passed statutes embodying the French principles of the defence of common fault.

Although it has sometimes been said that this doctrine of common fault is not to be found in the Code Napoleon, nor yet in the Civil Code of Quebec, but was itself a creation of jurisprudence, it is felt by many - and there appears to be much merit in this contention - that, whenever both parties had contributed to an accident by their respective negligence, the apportionment of responsibility among them in proportion to their respective degrees of fault is nothing else than a logical conclusion drawn from Article 1053 of the Civil Code and 1382 of the Code Napoleon.

Across the Ottawa River from our capital City of Ottawa is the City of Hull. Both cities are made up of large numbers of French-Canadians and Anglo-Canadians. Ottawa, in Ontario, is predominantly Anglo-Canadian. Hull, in Quebec, predominantly French-Canadian. Thousands of people live in one city and work in the other. Each morning and throughout the day, a very considerable exchange of population takes place between the two cities. They pass back and forth from the Civil Law system to the Common Law system.

The two largest and most important business and commercial centres of Canada are Toronto in Ontario and Montreal in Quebec. By mail and otherwise, many thousands of individual transactions are being conducted each day between corporations and individuals of these two cities. These multifarious business activities are being conducted. I am sure, by people, the huge majority of whom are quite unconscious of the fact that they and their transactions are passing back and forth between two quite separate and distinct legal systems.

What makes these phenomena possible? First, I think, arising out of our joint history, there has been a conscious desire on each side to hold to its own; and a conscious certitude of the folly of denying to the other side the correlative right to hold to its own. Arising out of this