

bring the litigant to a tribunal where the costs would be less heavy; and second to get, on the principle of civil law, what he considered as good a judgment as he could get anywhere else, and perhaps a better judgment in the Court of Appeal of the province where the case has arisen?

Hon. Mr. BELCOURT—Did he say there would be no appeal from the Court of Appeal to the Privy Council?

Hon. Mr. DANDURAND—He has not given an expression on that point; but he has expressed his mind in the framing of this legislation, and he has given the two reasons, which I now repeat.

Hon. Mr. CLORAN—The Crown cannot take any more right than the law gives it. The law gives only one right of appeal.

Hon. Mr. DANDURAND—I do not believe that the suggestion of the hon. member from De Salaberry, that the law should be made clear as to the right of parties to come from the Court of Appeal to the Supreme Court, will be entertained by the Minister of Justice, for this simple reason, that the Crown will never, of its own accord, risk inscribing a case in the Court of Appeal when the amount is at all large. The Crown will do in small cases, but in large cases, it will take very good care to keep its way clear to retain the appeal to the Privy Council, if it deems proper. As to the matter of putting private parties on an even plane with the Crown, there is considerable to be said in favour of allowing the suppliant to go to the Court of Appeal, and if the Minister of Justice sees his way clear to adopt that view, I shall be only too glad. With these few words, I would ask that the second reading be allowed this Bill, and if anybody thinks proper to move an amendment, it may be done at the next stage.

Hon. Mr. LANDRY—I do not see here to-night the minister of the Crown who introduced this legislation. He should be here to give all necessary explanation.

Hon. Mr. DANDURAND—The right hon. gentleman expressed his regret at not being able to be here. He thought the weather conditions would justify his absence.

Hon. Mr. LANDRY—We regret it still more. Under the circumstances, I ask that the discussion of this Bill be postponed until to-morrow, in order that we may have his opinion upon it. The hon. gentleman says that the Minister of Justice had in view two objects when he brought in this Bill. What are the two objects? First to diminish the cost of appeal, and second to have the best possible judgment. If the second reason is a good one, why should it not apply when the costs are heavy? Is he afraid to have the best judgment when the costs are heavy? If the best judgment goes where the costs are small, why does he not take the judgment of the Appellate Court when the amount is large? I do not see that that is a very good reason. If the Crown gives itself the right to appeal for these reasons, the same reasons should apply equally to the other party. Why should the other party be deprived of having a judgment which would be better, and less costly? Is it fair that the Crown alone should have the good judgments and deny them to the other party? The hon. gentleman will see that the two reasons he gave have no foundation. The two parties should be on the one footing. If the Crown thinks the best judgment could be had in the provincial Court of Appeal, the other party should have the same right. For four or five years, the government have promised us that the French element would be represented in the government in this House, The Prime Minister being himself a French Canadian should gratify the French population throughout the country by giving us in the Senate a French minister. If we had such representation, we would be able to proceed with the legislation to-day. I would ask the hon. member what is the meaning of the last phrase in this paragraph? It says: 'All the incidents, rights, powers and privileges belonging thereto.' What are those incidents, rights, privileges and powers? I should like to know. We are kept in the dark. For all those reasons, before committing ourselves to the principle of this Bill, we should have further explanation from the Minister of Justice of the meaning and purport of this legislation. We know that the Bill is not likely to be amended; but if it were amended, the paternal government would look after one