of Winnipeg. Under the terms of that agreement the Dominion is obligated to loan to the province its share, which is twenty per cent of the total cost of the undertaking, and to the city its share, forty per cent of the total cost of the undertaking, the remaining forty per cent of the cost of the undertaking having been assumed by the Dominion Government.

Hon. Mr. BALLANTYNE: That does not answer my objection, but I do not intend to proceed further at this late hour of the session. It is quite clear to me, at any rate, that the Relief Commission can take money ear-marked for a province and divert it to corporations, partnerships, and so on.

Hon. Mr. MURDOCK: In the instance I mention it was for Winnipeg sewage disposal.

Hon. Mr. DANDURAND: I should not like to agree to that statement without looking into the discussion we had in this matter and the explanation given. This is a money Bill and we pass it as such. So I move the second reading.

The motion was agreed to, and the Bill was read the second time.

THIRD READING

Hon. Mr. DANDURAND moved the third reading of the Bill.

The motion was agreed to, and the Bill was read the third time, and passed.

The Senate adjourned until 3 o'clock this day.

Second Sitting

The Senate met at 3 p.m., the Speaker in the Chair.

SUPREME COURT OF CANADA

ABOLITION OF APPEALS FROM UNANIMOUS JUDGMENTS—MOTION—DEBATE CONCLUDED

The Senate resumed from June 18 the adjourned debate on the motion of Hon. Mr. Casgrain:

That in the opinion of the Senate, a judgment of the Supreme Court of the Dominion of Canada, when unanimous, should be final except in constitutional cases.

Hon. RAOUL DANDURAND: Honourable senators, I should like to state briefly my opinion on the question of restricting appeals from one tribunal to others in Canada and, finally, to the Privy Council. Having followed the debates on this question that have taken place in various parts of our country in the last fifty years, I gradually formed an opinion. I had a fairly active practice at the Bar of Montreal until 1907, when I abandoned it because I felt that attention to my duties as Speaker of the Senate made it impossible for me to protect the interests of clients during parliamentary sessions. In the conduct of appeals I had a fairly wide experience. At Montreal we had a Circuit Court for cases involving less than $100, and a Superior Court, corresponding to what I think is called in Ontario the Supreme Court, for cases above $100. A party dissatisfied with a judgment of a judge of the Superior Court could appeal to a Court of Review composed of three other Superior Court judges. The judgment of that Court of Review could be appealed to a Court of Appeals consisting of five judges; and, in turn, its judgment could be appealed to the Supreme Court of Canada. Finally, one of the parties could carry an appeal from the Supreme Court to the Privy Council.

During my practice I realized more than once that the system permitting appeals to the Privy Council often led to injustice. A workman, for instance, who had been injured while in the employ of a railway or other large corporation and had been awarded by a jury a judgment of a few thousand dollars, might have his case subjected to a series of appeals, ending with one to the Judicial Committee. The wealthy corporation could afford to take its appeal across the ocean, and would do so on the ground that an important point of law was involved. I will not say that in any such case the object of the corporation was to break down the resistance of the party who had been successful in Canadian courts; I will simply say it considered that in its own interest the question should be laid before the court of last resort. In a number of such instances I heard strong criticism of the abuse of overseas appeals.

My experience has led me to the conclusion that there are too many appeals. I would impose considerable restriction upon appeals from our Superior Court of Quebec to the Supreme Court of Canada. My province would be willing to have judgments of our Appeal Court, in civil matters, considered as final.

Hon. Mr. GRIESBACH: The provincial Appeal Court?

Hon. Mr. DANDURAND: Yes. I am speaking of civil cases arising out of interpretation of the Civil Code of Quebec, which is virtually the Code Napoleon. In very many features it differs from the common law of England. I believe that in civil matters we should not countenance an appeal from the Quebec Court of Appeals, composed of five judges, to a Bench of seven judges of whom only two are versed in the Civil Code.