

As for its being derogatory to the prerogative of the court, I shall be disclosing no secret if I say that the court itself desires in the strongest possible way that this legislation shall be enacted. As the result of its experience it is very much impressed with what I am trying to point out: that it is not the best body in the world to perform the pure and simple operation of the valuation of property.

Section agreed to.

On section 3—courts of final resort:

Mr. DOHERTY: The purpose of this amendment is to subject appeals from all the provinces to the same rules and restrictions that are imposed upon appeals from Ontario; to assimilate the law determining in what class of cases there shall be appeal in all the provinces other than Quebec. As the law now stands, certain restrictions are imposed on the right of appeal from Quebec, and certain restrictions on the right of appeal from Ontario, those effective in the former case being greater than those effective in the latter. The other provinces remain under the general provision of section 36 of the Act, which provides that, except as otherwise provided, appeal shall lie to the Supreme Court from any final judgment of the highest court of final resort now or thereafter established in any province of Canada, whether such court be a court of appeal or of original jurisdiction, in cases in which the court of original jurisdiction is a superior court. But there is no limitation, for instance, as regards amount. In Ontario there is no right to appeal from a judgment of last resort unless the amount involved on the appeal be at least \$1,000, or unless the case comes within the limited category of cases provided in section 48. The effect of this provision is to assimilate the law in regard to the right of appeal in all the provinces other than Quebec, and that assimilation is brought about by subjecting them all to the same limitations that are presently imposed on the right of appeal from Ontario. I understand that when the restrictions were imposed on Ontario and not on the other provinces, it was largely because in all or in the majority of the other provinces at that time there was no distinct and separate Court of Appeal, appeals within the province being from a judge of the court to the court itself in banc. In all the provinces now, with the exception of Nova Scotia, there is a separate and distinct Court of Appeal, so that there seems to remain no reason why there

should be a distinction between the conditions respecting the right of appeal from Ontario and those respecting the right of appeal from the other provinces. It is possible that Nova Scotia will at no very remote period be put on the same footing with regard to the existence of a separate Court of Appeal as the other provinces.

Section agreed to.

Bill reported, and amendments read the first and second time and concurred in.

Mr. SPEAKER: When shall the Bill be read the third time?

Mr. DOHERTY: I understood from the leader of the Opposition last week that he would be willing to facilitate the passage of the Bill in time for next week, and I should be glad if the Bill could be read the third time now.

Mr. LEMIEUX: The objection was made by the hon. member for North Perth (Mr. Morphy.)

Mr. DOHERTY: I understand that the hon. member for North Perth is satisfied.

Motion agreed to, and Bill read the third time and passed.

RAILWAY EQUIPMENT AND MATERIALS.

ACQUIREMENT BY MINISTER OF RAILWAYS FOR CANADA DURING THE PRESENT WAR.

On motion of Hon. J. D. Reid, Minister of Railways and Canals, the House went into Committee, Mr. Boivin in the Chair, to consider the following proposed resolution:

That it is expedient to provide that during the present war and for one year thereafter, the Minister of Railways and Canals, with the approval of the Governor in Council, may acquire engines, cars, rails and other railway equipment and materials, and may sell, lease or otherwise dispose of any such equipment to any Canadian railway company or companies upon such terms and conditions as may be approved by the Governor in Council, and may defray all expenditure made hereunder out of any unappropriated moneys in the Consolidated Revenue Fund of Canada; and that for the payment in whole or in part of any such equipment the Minister of Finance, with the approval of the Governor in Council, may issue equipment notes or other obligations or securities, or may guarantee the principal and interest of any securities issued by any company approved by the Governor in Council; and the times and manner of the issue of such securities, and the forms and terms thereof or of any trust deed, lease or other instrument incidental thereto, and the trustees, shall be approved by the Governor in Council, and the provisions of section four of chapter thirty-eight of the statutes of 1907 shall apply to any instrument relating to such equipment