

Hon. Mr. Dupuis: I am glad to have my friend's explanation. I wish him to know that I have never made the suggestion that he intended to railroad the bill. My only thought in raising these points is that such an important measure should not be passed by the Senate without proper consideration. This house, which is composed of persons of high reputation, is not always regarded by the public as it should be; therefore it is most important that we take the proper time to consider this measure. I do not insist that consideration of the report be postponed until next week, but I beg the house to give me an opportunity of looking over the amendments between now and tomorrow afternoon, when the report of the committee can again come before us.

Consideration was postponed.

NATIONAL DEFENCE BILL

FIRST READING

Hon. Mr. Robertson presented Bill J-5, an Act respecting National Defence.

The bill was read the first time.

DIVORCE BILLS

FIRST READINGS

Hon. Mr. Aseltine, Chairman of the Standing Committee on Divorce, presented the following bills:

Bill W-4, an Act for the relief of Chesna Laing Shapiro.

Bill X-4, an Act for the relief of Edith Turcotte.

Bill Y-4, an Act for the relief of Irene Brodwin Miller.

Bill Z-4, an Act for the relief of Jean Ruth Montgomery Loiselle.

Bill A-5, an Act for the relief of Joseph Charles Michel Emery.

Bill B-5, an Act for the relief of Lyla Almira Wharry Johnston.

Bill C-5, an Act for the relief of Marjorie Helen Glass Nixon.

Bill D-5, an Act for the relief of Olga Hetmanchuk Dorval.

Bill E-5, an Act for the relief of Grace Melina Cotton Crawford.

Bill F-5, an Act for the relief of Thomas Gillespie Shields.

Bill G-5, an Act for the relief of Czerna Berger Borodow.

Bill H-5, an Act for the relief of Freda Tippett Hart.

Bill I-5, an Act for the relief of Rebecca Rosa Jacobs Bershadsky.

The bills were read the first time.

The Hon. the Speaker: When shall these bills be read the second time?

Hon. Mr. Aseltine: With leave, at the next sitting.

SUPREME COURT BILL

SECOND READING

The Senate resumed from yesterday the adjourned debate on the motion of Hon. Mr. Robertson for the second reading of Bill 2, an Act to amend the Supreme Court Act.

Hon. Salter A. Hayden: Honourable senators, we have had a very interesting and informative debate on the question of amendments to be made to the Supreme Court Act to the end that the Supreme Court of Canada shall become the court of ultimate appeal for Canada in civil matters, as it is now in criminal matters. My only justification for speaking—and I intend to be brief—is the importance of this subject and the implications involved in constituting the Supreme Court of Canada a court of ultimate appeal. This bill marks another break with the past, but it also marks another step on the way to a completely autonomous nation. Needless to say, there will be nothing in my remarks to indicate that I have anything but unqualified support for the action which is now being taken. If I were to voice any criticism, it would be that the measure should have come much earlier.

In the course of discussion in this chamber a number of points have been considered. There is one to which I should like to refer, very briefly, in order to clarify the situation. I have in mind the doctrine of *stare decisis*, to which reference has been made by several senators in the course of their speeches.

The Canadian Bar Association at its annual meeting passed a resolution one of the provisions of which referred to this subject. Translated into ordinary English, *stare decisis* means that a court will be bound by previous decisions, or that the results of decided cases will be reflected in subsequent judgments of the court. What the Canadian Bar Association recommended, in the course of its resolution dealing with this subject-matter, was that the rule of *stare decisis* should continue to be applied with respect to past decisions of the Supreme Court as well as past decisions of the Judicial Committee. When, subsequent to the publication of this recommendation, the amendments to the Supreme Court Act were introduced in another place, the president of the Canadian Bar Association gave an interview in which, dealing with this point of *stare decisis*, he had this to say:

I wish to make particular reference to this recommendation, for I regard it as of vital importance.