

to establish a tribunal with powers analogous to those of the Supreme Court of the United States, for the decision of all questions of Constitutional Law and conflict of jurisdiction.

"The British North America Act (sec. 101), empowers the Parliament of Canada to establish a General Court of Appeal; but I am advised that Imperial Legislation will be required to enable the Dominion Parliament to establish a Court with original jurisdiction over such subjects.

"The organization of a Court of Appeal is, I am told, likely to engage the attention of the Parliament here at the coming Session, and that then the whole subject of the best means of determining these respective jurisdictions, and of settling Constitutional questions generally, will probably be discussed in all its bearings. I propose, in such case, to address you again on the subject."

To this Earl Granville replies, in a despatch dated Downing Street, 8th May, 1869 :

"With regard to your remark, that it is worthy of consideration, whether it would not be expedient to establish a tribunal for the decision of all questions of Constitutional Law and conflict of jurisdiction, I see no reason for the establishment of such a tribunal. Any question of this kind could be entertained and decided by the Local Courts, subject to an appeal to the Judicial Committee of the Privy Council, and it does not appear in what respect this mode of determination is likely to be inadequate or unsatisfactory.

"I have, etc.,

"GRANVILLE."

APPENDIX No. 4.

THE LOCAL LEGISLATURE.

"If our form of government cannot stand the fullest and freest discussion of every subject in the realm of politics, then are we not free men, and the much vaunted liberty of the subject is a farce.

"The Local system has been in existence only twelve years, and during that time it has, on the whole, worked well. The Legisla-