I believe it will be approached in good faith by all concerned. If, perchance, it should be approached by the federal authorities in any particular instance in a manner that the provincial authorities of any province felt was unwarranted, then the courts could be called upon to say whether or not it was unwarranted. If it is found to be unwarranted, there will be no power to deal with it here. If it is found that the apprehension of the provinces was not well founded, then the federal jurisdiction will be confirmed. When the system has been in operation for even a short time, I believe my fellow members of the Canadian Bar will feel we have added something to that family to which we feel we belong, that family of persons connected with the administration of the law in this nation.

We lawyers feel a special concern about the courts. It is my belief that we shall find we have added something of substantial value to the profession of law in leaving to Canadian lawyers, elevated in due course to the high office of His Majesty's judges of his Supreme Court of Canada, the responsibility for final decision on Canadian cases.

Mr. M. J. Coldwell (Rosetown-Biggar): During the years that I have been a member of the House of Commons, there have been discussions of matters similar to the subject which has been under consideration this afternoon. On every occasion the debates have been of a very high order. Those of us who are not lawyers have followed them with keen interest and have learned a great deal, not only about the judiciary of our own country but about its constitution and the application of that constitution both provincially and federally. The speeches which have been made on this occasion by the Minister of Justice (Mr. Garson), the Leader of the Opposition (Mr. Drew), and the Prime Minister (Mr. St. Laurent), have been of a very high order, and have given both this house and the country a great deal of information, and elucidated many of the arguments pro and con in relation to this important matter of appeals to the privy council.

Of course, the bill before us now is not new to those of us who have been in the house for some time. This bill is similar in terms to that which was introduced by the Minister of Justice last January. It is similar to a bill which was introduced in two sessions of the last parliament by the then hon. member for Kindersley, Mr. Jaenicke, K.C., who brought his bill before the house in a very able manner. I think everyone who was here appreciated what he did in that regard. While the fortunes of the election have removed him from the house, nevertheless, some of us remember the contribution that he made. Incidentally, in discussing this today I wish to say that to some extent at least I am relying upon the research work which he did in connection with this matter.

No matter what one's particular views are, one is always a little sorry when old traditions are broken and old ways to some extent set aside. One does not have to be of a conservative nature to feel that. When I see Mr. Speaker enter the chamber, or when I hear the Gentleman Usher of the Black Rod knock on the door seeking admission, or when I see the mace lifted and placed on the table or removed from it, I am reminded that these gestures go deep down into our history and are a part of our traditions, of our parliamentary institution, and of our race. But the world moves forward and we have to cope with new conditions in new ways.

The privy council is one of those very interesting institutions which seem to have arisen without any conscious direction in the long history of our parliament and of our judiciary. William the Norman, who became King of England, ruled the Channel islands, and a method had to be found for him, as such, to deal with legal matters that arose in another part of his domain. From this through the years there gradually developed appeals to a committee of the king's privy council.

In volume 1 of the Dominion Law Reports of 1947 hon. members can read, as I have read with a great deal of interest, the judgment delivered by the judicial committee of the privy council by Lord Jowitt, the Lord Chancellor, on the appeal taken to the privy council on this parliament's right to deal with this matter. It was opposed by some provinces, supported by other provinces, and initiated by the government of Canada. On page 814 his lordship made two very important pronouncements which confirmed the view often expressed by members in this house who supported the idea of abolition of appeals to the privy council.

Speaking of this party, I may say that in our initial manifesto, adopted in Regina in July 1933, we included the suggestion that appeals to the privy council should be abolished. In his pronouncement at pages 814 and 815 Lord Jowitt refers to the changed circumstances which resulted from the passage of the Statute of Westminster, the spirit of which, he concluded, must confer the widest possible power on the Canadian parliament. Let me quote what Lord Jowitt said in that judgment:

> It is in fact a prime element in the self-government of the dominion that it should be able to secure through its own courts of justice that the law should be one and the same for all its citizens.