

abrogate this prerogative. The legal effect of provincial legislation of this kind cannot, therefore, be said to be very easily determined; it may be effectual to prevent appeals as of right, but not appeals as of grace; but before venturing on the path it would be well to be certain of the real effect of what is being done, and not pass laws which say one thing, and may be found to mean something else.

Some such reflections may possibly have led to the abandonment of the Government's original proposal to restrict the right of appeal to His Majesty in Council which we are glad to see was ultimately dropped.

RECENT MOTOR-CAR DECISIONS.

In Aug., 1906, on the publication of the report of the Royal Commission as to motor-cars, the London *Law Times* laid before its readers a summary of the cases which had been decided under the Locomotives on Highways Act, 1906, and the Motor Car Act, 1903, and in a recent issue says:—"We now propose to summarize shortly the cases which have been before the courts during the past two and a half years. Although they have not been numerous, some interesting decisions have been given on the smoke question, on the application of the speed limit created by the Parks Regulation Act, 1872, to motor-cars, and on how far a motor-car liable to skid is a nuisance."

With regard to smoke, the question has generally arisen where the driver of the motor-car has been summoned under the provisions of the Highways and Locomotives Amendment Act, 1878, the contention of the prosecution being that the exemption granted by the Locomotives on Highways Act, 1896, to motor-cars, could not under the circumstances be relied upon. By s. 30 of the Act of 1878, every locomotive used on any highway must be constructed on the principle of consuming its own smoke, and any person using any locomotive not so constructed or not consuming, so far as practicable, its own smoke, is to be liable to a fine. It is to be noticed that two things are required under