

Prince v. Gagnon (1882) 8 App. Cas. 103, on the ground that where a suitor has a choice of appealing either to the Supreme Court or to His Majesty in Council, and elects to appeal to the Supreme Court, special leave to appeal therefrom should not be given except in a very strong case. The reporter notes two cases in which the committee granted leave, one where there had been an equal division in the Supreme Court, and the other involving a question of law affecting the rights of the Crown.

LORD'S DAY ACT—(R.S.O. 1897, 346)—POWERS OF LOCAL LEGISLATURE—POWERS OF DOMINION PARLIAMENT—CRIMINAL LAW—B.N.A. ACT, s. 91 (27)—PRACTICE AS TO QUESTIONS REFERRED.

Attorney-General of Ontario v. Hamilton Street Ry. (1903) A.C. 524. This was an appeal from the Ontario Court of Appeal on the question of the validity of the Ontario Lord's Day Act, R.S.O. 1897, c. 246. In the case stated for the opinion of the court besides the general question as to the constitutionality of the Act, there were a number of other questions in which the opinion of the Court was asked as to the powers of the Legislature to prohibit the doing of certain acts, and as to the meaning of certain sections. The Judicial Committee of the Privy Council (The Lord Chancellor and Lords Macnaghten, Shand, Davey, Robertson and Lindley) confined themselves to answering the principal question, and declared the Act to be an invasion of the exclusive legislative authority of the Dominion Parliament under the B.N.A. Act, s. 91 (27) in relation to criminal law, and held that the other questions propounded could only be properly raised in concrete cases, and were not the proper subject for judicial decision as being mere hypothetical or speculative questions, upon which it would be impossible to pronounce any conclusive opinion. The effect of the decision, as we formerly pointed out, appears to be to leave the old C.S.U.C., c. 104, as being still in force. See volume of Acts of Provinces of Canada not repealed, p. 243.

TRADE UNION—LIABILITY OF TRADE UNION FOR WRONGFUL ACTS OF AGENTS—CONSPIRACY—ILLEGALLY PREVENTING WORKMAN FROM OBTAINING EMPLOYMENT.

Giblan v. National Amalgamated Labourers' Union (1903) 2 K.B. 600, was an action brought by a member of a trades union against the union and its general and local secretaries, claiming