presentation of these resolutions by the Prime Minister (Mr. Bennett), following, as it does, the no less admirable speech that was made a few weeks ago by the Minister of Justice (Mr. Guthrie) on the motion of the hon. member for Winnipeg North Centre (Mr. Woodsworth). We can all congratulate ourselves on the progress that has been made in the last few years in the direction of complete autonomy for all the associated nations of the so-called commonwealth. For my part, If I may interject this reflection, it is a vindication of the prophecy which I made during the last election, that even if Canada were represented at the Imperial conference by the right hon. gentleman and his colleagues, they would not go back on the progress that had been made in previous conferences, in spite of some of their former denunciations of that progress.

As was stated, I think, by the Prime Minister himself, all those changes have come about by evolution. The illustration he gave, which was also referred to by the Minister of Justice and to which I referred some years ago, was the Colonial Laws Validity Act, the very interpretation and application of which constitute a striking example of what sixty-five years ago was considered a great advance in the liberty of legislation acknowledged to the dominions but is now considered as the main handicap to their exercise of that jurisdiction. This shows that the British constitution, whether as applied in Great Britain itself or in the various dominions, is in a constant state of progress, slow, if you like, but safe on that account. May I repeat at this point what I have stated several times elsewhere: in spite of many disagreements that have arisen, that must necessarily arise as between Canada and Great Britain, or as between Australia and Great Britain, or still more, as between Ireland or South Africa and Great Britain, those movements have been constantly in the same direction, sometimes at a quicker pace, sometimes at a slower speed, but always in the direction of more liberty, but liberty in order, always in the direction of more cooperation as between the various units of the British Empire, of a better coordination of the local powers of government and legislation and those which were still exercised by Great Britain as the supreme, imperial power.

It may seem pretentious on the part of a layman to intervene in a debate which is in some respects essentially legal and technical; but here again may I point out that what has made of the British constitution such a marvellous instrument for the government of human communities, is precisely the fact that it is not primarily or exclusively a legal enactment. As the ex-Minister of Justice (Mr. Lapointe) very properly stated this afternoon —and may I generalize the idea?—the British constitution has advanced from step to step, built on facts before it was enacted into law. Most of those facts were either the result of slow-growing circumstances or imposed on the will either of the king or of parliament, or even of tribunals, by the strength of public opinion as asserted from time to time during some of the great crises that have brought about the evolution of law and administration in that great nation and, later on, in her possessions.

As regards the relations between Great Britain and Canada I wish this evening to confine my remarks to two points: appeals to the privy council and the power of amending our constitution. The Prime Minister has reminded the house of a case in which he occupied and I am sure, ably, the position of counsel for his province, that of Alberta, when the Judicial Committee of the Privy Council decided that an enactment in our criminal code, which was then some thirty years old, if I am not mistaken, was ultra vires because it prevented appeals to the Privy Council in criminal cases. The Prime Minister says rightly that this was quite a surprise to the legal world. But may I complete the story? I am speaking from memory, because I have not had time to consult the records which I read some years ago; but the Prime Minister is in his seat and no one is better qualified than he to correct me if I am wrong. While declaring that that clause in our criminal code is ultra vires because it forbids the right of appeal to the privy council in criminal cases, first of all the judicial committee of the privy council dismissed the appeal; and they further expressed the view that it was neither the desire nor the purpose of the judicial committee of the privy council to encourage appeals in such cases from either Australia or Canada. It was suggested by the Attorney General of England in pleading the case, that the purpose and object of declaring the nullity of this clause were to maintain the principle; and it is quite clear to one who reads the plea of the Attorney General of England that the case in view was that of Ireland. Ireland not long before had concluded her treaty with England and had passed her Constitutional Act. The right of appeal to the privy council was not mentioned in either the treaty or the act, but everybody knew that it was the set purpose of the Irish government and the Dail Eireann to put a