Provincial Court of Appeals should be final in all cases where the matter in dispute does not exceed £500 stg. in value, and in the excepted cases an appeal is given to Her Majesty in Council on certain conditions as to time and other points failure in the performance of which abrogates the right of appeal.

The Consolidated Statutes of Lower Canada, Cap. 77, Secs. 52-3-4-5, may be referred to in the same sense.

It is therefore abundantly manifest that for a great number of years the Provincial Legislatures have, without remonstrance, exercised the power of determining that the Judgment of the Provincial Courts shall be final in all those cases, (comprising the large majority of the whole number of cases tried) in which they thought it was for the public advantage that there should be no appeal beyond the Provincial Courts. It would therefore seem unnecessary under these circumstances to enter into any elaborate investigation of the foundation of rights which have been sanctioned by such long usage. I presume that they are to be taken as a part of the general powers of self-government given to the Provinces. To the Provinces was given the power of establishing laws for their order and good government, laws by which the rights and liberties of their inhabitants should be regulated; and practically they had in these matters absolute legislative power. To the Provinces was also given the right of establishing the courts by which their laws were to be administered. Their power to refer the execution of their laws to judicial establishments was, as it should have been, commensurate with their power to make the laws themselves, and therefore what they could by a Legislative Act finally decree to be the law they could by a like Act decree should be finally interpreted and executed by a court of their own creation. If the law, as expounded by any court, however high, did not meet the public exigencies, the Provincial Legislature altered the law in order to remedy the defect, and what the Provincial Legislature could itself legislatively expound without appeal, it had the right to declare should be by its own courts judicially expounded without appeal.

That the effect of the grant of these Legislative powers (even though in their exercise the prerogative was saved) is to give absolute power to the Province to cut off the right of appeal has been judicially determined by the Committee of the Privy Council in several cases. See Cuvillier & Aylwin, 2 Knapp. 72, where the Appellant, judgment having having been obtained against him in the Court of Appeals for Lower Canada for a sum under £500 stg., presented a petition to the King in Council for leave to appeal from the judgment, and argued that there was a prerogative right of the King in Council to hear and determine appeals from the Colonial Courts from which the King could not himself derogate; that there was nothing in the Constitutional Act of Lower Canada taking away from the subject this right of appeal; that although the words of the Provincial Statute, 34th Geo., were more extensive, yet there was an express provision that nothing therein contained should derogate from the rights of the Crown; that it would be beyond the power of a