

and unimportance of the subject matters covered by the decisions, from which it was intended to confer or exclude the right of appeal, and that it was intended to give the right of appeal respecting the relatively important matters and to exclude it respecting the relatively unimportant matters.

Having regard then to the ordinary significations of the phrases "final in nature" and "merely interlocutory" and to the intention of the Legislature, it is submitted that an order within the section which embodies a decision on a matter of substantial right in controversy between the parties and which concludes those parties respecting such matter in the tribunal pronouncing the decision, though it be interlocutory in relation, is an order "final in its nature and not merely interlocutory," and is, therefore, appealable.

An order within the section which is final in the dual sense of that word is, no doubt, appealable, and, it is submitted, the only orders within the section which are not appealable are those which, being made intermediate between the initial and final process, do not embody decisions on matters of substantial right.

The following references may be profitably consulted:—*Whiting v. Hovey*, 12 A.R. 119, per Patterson, J.A. at p. 125; *Hately v. Merchants' Despatch Co'y*, 12 A.R. 640, per Patterson, J.A., at p. 649; *McPherson v. Wilson*, 13 A.R. 339; *Weaver v. Sawyer*, 16 A.R. 422-428; *Island v. Tp. Amaranth*, 16 P.R. 3; *The Rural Municipality of Morris v. The London and Canadian Loan and Agency Company*, 19 S.C.R. 434, per Patterson J. at p. 439, et seq.

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