

of his doctrine in the clearest possible light. Even if the Provincial Courts have, as he maintains, no option but to adjust the claims of a non-resident in accordance with the terms of any Provincial statute which affects his rights, such a statute assuredly cannot preclude him from having the decision reviewed. Upon that review its validity will be determined, not with reference to the fact that the Provincial Legislature has undertaken to deal with his "civil rights," but with reference to what the Court itself regards as the proper construction of the qualifying phrase, "in the Province," and to its opinion respecting the significance of the evidence set out on the record. There is apparently only one ground upon which Mr. Lefroy can, consistently with the maintenance of his doctrine, meet the difficulties suggested by the consideration that the Dominion Supreme Court and the Privy Council are not under the authority of the Legislature whose declarations are held by Mr. Lefroy to be absolutely determinative of the quality of civil rights, irrespective of whether the persons concerned are or are not domiciled in the Province. He may take the position that, in some particular case, the correctness of his doctrine as to the construction of the phrase, "civil rights," may be recognized by those tribunals, and that, after a single ruling to this effect, the incongruity between that doctrine and the judicial system of Canada will cease to be predicable. In other words, he may entertain the supposition that the appellate Courts which are not subject to the control of the Provincial Legislatures may hereafter render a decision which would virtually amount to a renunciation of their appellate jurisdiction in a certain class of cases. But it is so unlikely that such a decision will ever be rendered that this aspect of the matter may reasonably be treated as a negligible factor in the discussion.

5. Discussion of Mr. Ewart's criticisms upon *Royal Bank of Canada v. Rex*.—In the opening sentence of his criticism upon the judgment of the Privy Council in *Royal-Bank of Canada v. Rex*, Mr. Ewart remarks:—

"The decision appears to indicate that a Provincial statute which deals with a subject within the jurisdiction of the Legislature, but which has, as one of its effects, a prejudicial operation upon a right of