that clauses 6 to 13 of the Statute of Westminster were the reason that Australia and New Zealand had nothing to do with it; and they refused to do so until recently when they thought that, owing to the dollar and pound situation, they might consent to it. Those two dominions of Australia and New Zealand were excepted by clauses 6 to 13 of the Statute of Westminster, this statute which has caused so much trouble in the dominions and has divided the empire accordingly.

If we look at this bill more closely, what do we find? The right of appeal has existed in Canada since 1791, under the Constitutional Act by which we adopted so much of British law as was applicable or adapted to our circumstances. The bill does not allow an appeal in every case but only in a few. It is limited. The exact text and provisions of the statute and the restrictions on it are secured. Section 92 of the British North America Act, subsection 13, dealing with property and civil rights in the provinces, deals with matters of local import, and section 91 deals with federal rights. Provincial rights may or may not be protected accordingly.

First we have what is known as the Toronto Electric Commissioners *v.* Snider case. I myself was on that case. In the lower courts in Canada they had been beaten, both on injunction and on appeal to the court of appeal. At the assizes they were beaten, and they appealed to the privy council and won it over there. As I say, and as I have contended all along, in the Metropolitan case on Yonge street, where the Metropolitan railway had the right to run freight cars right down Yonge street from lake Simcoe, and then sought to make a connection with the C.P.R. and get running rights, had they been successful it would have destroyed municipal institutions and we would never have been able to take over the street railway. We appealed to the privy council in those two cases and the privy council gave a favourable decision. In my opinion the privy council is one court where the litigant can get substantial justice. I do not say that justice cannot be obtained in all of the courts, but decisions of the lower courts are appealable, and until the final decision is given you have not a pronouncement on the law as it is contained in the textbooks.

I have now and always have had every confidence in the Canadian courts because I myself am a member of the bar. I have always had a great respect and admiration for the way in which the magistrates, the county court judges, the high court judges and the others carry out their exceedingly laborious and difficult duties in Canada.

I may say that the bill that is proposed does not mention or consider some of these things at all. Most of the provinces' appeals to the privy council are by special leave. This class of appeal is in the exercise of the king's prerogative right. The bill now proposed by the minister is unlike some private bills that preceded it; it goes much further. The Supreme Court Act is now and always has been as contained in the Revised Statutes of Canada, 1927, chapter 35, section 54. If that stands by itself, judgments established by it are final and conclusive.

When the Supreme Court Act was passed in 1875, it would have been competent for the parliament of Canada to provide for a statutory right of appeal to the privy council as it long had existed in the two old provinces of Canada, Ontario and Quebec, and I think it is also in the maritimes act. But in the act creating the Supreme Court of Canada the federal parliament not only omitted to include any statutory right of appeal from the decisions of that court, but also in express terms negatived that right of appeal. Some years ago, in other attempts at abolition of appeals to the privy council, all were not unanimous and the situation was only partly covered by limiting appeals to cases where the Supreme Court of Canada had not been unanimous. But none of these methods of appeal ever affected the prerogative right to appeal as a matter of grace. Notwithstanding this bill now before the house and the other federal bills of private members, none of them can sanction the taking away, by any statute whatever, of the prerogative right of the sovereign king in appeals of grace. Is it not a blessing we have had that language? Any British subject, whether in Britain, in the dominions or in any other place in the empire, has a right to petition His Majesty on the throne, and it will be a sorry day for this country when that right is taken away. The prerogative rights of the king are matters of empire policy, and no parliament in Britain or the empire can lessen or take away that right of grace.

We have some examples of this in Scripture, especially in the story about the Apostle St. Paul. The Acts of the Apostles was written by St. Luke. In that book we have the story of how the Apostle Paul appealed first to Governor Festus. He said, "I appeal unto Caesar." Then he was brought before King Agrippa, and the king was almost persuaded to be a Christian. Finally, when the Apostle Paul said he appealed to Caesar, something happened and he was sent to Rome.

Statutory appeals were provided for those who had a claim against either the federal or the provincial government, and this right of appeal to the privy council is now being revoked. The king cannot be brought into court without his consent, but his consent is