What is section 54 of the Supreme Court Act, which they seek to strike out? It says:

54. The judgment of the court shall, in all cases, be final and conclusive, and no appeal shall be brought from any judgment or order of the court to any court of appeal established by the parliament of Great Britain and Ireland, by which appeals or petitions to His Majesty in council may be ordered to be heard, saving any right which His Majesty may be graciously pleased to exercise by virtue of his royal prerogative.

Ireland did not wait for that. She abolished the court and abolished the office of Lord Lieutenant, the office of the king and the supremacy of the parliament of Great Britain, and also abolished appeals to the privy council; all of her own volition, despite the fact that at the time Mr. Lloyd George was Prime Minister there had been a treaty setting out that appeals to the privy council and the office of Lord Lieutenant must remain forever. Notwithstanding that, they automatically abolished these things, in their own legislature. Then the explanatory note to this bill goes on to say:

The right of appeal to His Majesty in council has been regulated in certain statutes of the parliament of the United Kingdom of Great Britain and Ireland, of which two are important: The Judicial Committee Act, 1833 (3 and 4, W. 4, c. 41) and the Judicial Committee Act, 1844 (7 and 8 Vict., c. 69).

The Act of 1833 recites that "from the decisions of various courts of judicature in the East Indies and in the plantations, colonies and other dominions of His Majesty abroad, an appeal lies to His Majesty in council," and proceeds to regulate the manner of such appeal. The Act of 1844 recites that "the judicial committee, acting under the authority of the said acts (the act of 1833 and an amending act) hath been found to answer well the purposes for which it was so established by parliament, but it is found necessary to improve its proceedings in some respects for the better dispatch of business and expedient also to extend its jurisdiction and powers."

Then it goes on to say:

The first section of the Act of 1844 enacts that it shall be competent to Her Majesty by general or special order in council to "provide for the admission of any appeal or appeals to Her Majesty in council from any judgments, sentences, decrees or orders of any court of justice within any British colony or possession abroad."

This bill is in accordance with only one decision. I venture to say the judicial committee would not have given the decision they did, had it not been based on the Statute of Westminster; because, after all is said and done, that is about the only principle involved in the decision of the judicial committee of the privy council. Then the explanatory note goes on to say:

This bill is in accordance with the decisions of the privy council above referred to, which themselves were based on the provisions of the Statute of Westminster, 1931 (22 Geo. V, c. 4), sections two and three, which read as follows:—

"2. (1) The Colonial Laws Validity Act, 1865, shall not apply to any law made after the commencement of this act by the parliament of a dominion."

That was another statute, the Colonial Laws Validity Act, the then member for St. Lawrence-St. George, Mr. Cahan, who was an able man and well liked by me and many in the house, did not like. Neither did he like appeals to the privy council. This explanatory note states that the Colonial Laws Validity Act—

. . . shall not apply to any law made after the commencement of this act by the parliament of a dominion.

Mr. SPEAKER: Order. I am sorry to interrupt the hon. member, but the hour reserved for private and public bills having expired, the house will revert to the business before six o'clock.

CANADIAN WHEAT BOARD ACT

EMERGENCY POWERS—GUARANTEE OF LOANS, ETC. —CONCURRENCE IN SENATE AMENDMENTS

Hon. J. A. MacKINNON (Minister of Trade and Commerce) moved the second reading of and concurrence in amendments made by the senate to Bill No. 23, to amend the Canadian Wheat Board Act, 1935.

Mr. GREEN: Will the minister explain the amendments?

Mr. MacKINNON: The effect of the first amendment, the principal one, is to provide that part II as well as part IV of Bill No. 23 will expire on August 1, 1950. Part II as well as part IV are new legislation. Part II of Bill No. 23 deals with the apportioning of the use of elevator and transportation facilities equitably among producers. This amendment, if accepted by the house, means that the power of the board to establish delivery quotas and to move grain in commercial channels expires on August 1, 1950.

Having regard to the fact that parliament will have to consider wheat legislation well in advance of August 1, 1950, the government is prepared to accept this amendment. As a matter of fact, while this bill was before the committee in the other place, on behalf of the government I told the committee we were quite ready to accept the amendment, inasmuch as the whole legislation had to come before parliament before August 1, 1950, and that, in my opinion, the wheat board were not being given any power that they would need