brought before Her Majesty in Council, and enacting that in no case shall such an appeal be brought. The result which it is most desirable on public grounds to secure should establish two separate and independent principles: on the one hand, that on every important question of law there should be the opportunity of reference to the Supreme Appellate Authority of the Empire; and, on the other hand, that no frivolous or trival cases should be brought for the mere purpose of vexation. The system as at present established keeps both these principles in view. There is no disputed point of law (not even excepting cases arising under the Criminal Law), which may not in some form or another be brought before the Sovereign in Council, while, by restrictions such as those which Mr. Blake cites as having been already sanctioned, it is sought to limit the appeal to such cases as are of real importance. It must, it is true, be always a matter of some difficulty to determine at what point the small importance of a cause is to limit the right of a defeated party to an appeal; but though on this detail opinions may well differ, it cannot be admitted that the difficulty of determining where a line should be drawn ought to be solved by doing away with the right of appeal altogether.

Mr. Blake further argues that the effect of the grant of legislative powers to the provinces of the Dominion is to give absolute power to them to cut off the right of appeal to Her Majesty in Council, and that the powers of the Dominion can not be less than those of the old provinces.

In reply to this part of his argument it may briefly be observed that while, in regard to local matters the provinces have had, and the Dominion has, as Mr. Blake says, practically absolute legislative powers, these powers exist under the supervision and subject to the disallowance of the Crown, in order that, if the exercise of these powers should appear likely to affect the relations of the Provinces, or of the Dominion, to the Crown, or to the Empire generally, the manner and degree in which it would so operate may be fully ascertained before legislation is permitted to become permanently effective. As the power of the legislative body and the right of supervision and disallowance exist side-by-side, and may easily, but should not unnecssarily, be brought into conflict, it becomes a question of public policy as much as of law whether, on the one hand, a Colonial Parliament, however important, should adopt, or whether, on the other hand, the Crown should interfere with an enactment such as that under consideration. If the reasonable requirements of the Dominion can be secured without legislation tending to raise such a question, it will, of course, be agreed that it is not expedient to raise it. And it is for this reason, principally, that a modification of the terms of the 47th Section has been desired by Her Majesty's Government.

Mr. Blake cites, in support of his argument, the case of Cuvillier *v.* Aylwin. It would appear, however, that he is here under some slight misapprehension, both as to the powers of the provinces and as to the effect of the case cited. The case of Cuvillier *v.* Aylwin is an old one, decided before the formation of the Judicial Committee, and the judgment, which is contained in about six lines, does not appear to have been the