

(1) where constitutional questions are in controversy, (2) where there is an important point of law involved and the amount in controversy is large. The Privy Council, in deference to the wishes of our government, have laid down the rule in criminal cases that they will not interfere to grant special leave unless the clearest injustice has been done. Two cases of recent years excited great interest. In Riel's case, where, following the North-West Rebellion, Riel was convicted of high treason, leave to appeal was refused. In Gaynor and Green's case, where the United States were petitioners, leave to appeal was granted, and upon the argument being heard an order was made favourable to the United States government.

Where, however, the local legislature does not prohibit the appeal, the appellant proceeds to the Privy Council as of right, and no leave is necessary.

The first step in the appeal is the printing of the record, which contains the pleadings, the judgments delivered by the courts below, and such parts of the evidence as may be necessary for the determination of the matters in dispute. Each counsel then prepares his case, which should contain a short statement of the facts relied on by counsel in support of his contentions, and a memorandum of the points to be argued. It is not customary to cite authorities in the case. Indeed, it is not considered to be in good taste, as owing to the great learning and vast experience of the members of the Board, they are usually familiar with such as have a bearing on the matters in question. The Privy Council does not sit as a court, but as a committee, and the argument takes place in a chamber in the Colonial Office in Downing street. Only the other day Viscount Wolverhampton, a solicitor who for many years was head of the Incorporated Law Society, and who has been elevated to the peerage and made a member of the committee, sat along with the law Lords. He would not have been entitled to appear as an advocate or to don the wig and gown in any court in the United Kingdom, and yet he was sitting as a judge in this committee. I fancy it was the only occasion when such a thing has happened. Of course, many of the solici-