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*COURTS OF APPEAL.*

We have lately received a pamphlet copy of the speech delivered by Mr. Blake in the House of Commons, during the session which has just come to an end, on the bill to abolish the Supreme Court. We have not previously referred to the renewed proposal to do away with this tribunal. It was made in 1879, was repeated this year, and may again be agitated. We look upon such a bill simply as a mode of giving expression to the prevalent dissatisfaction at the failure of the Supreme Court to come up to the expectations of the bar, more especially in the Province of Quebec, and we do not anticipate any marked improvement for a few years to come. But we agree with much which Mr. Blake has to say as to the necessity for such a Court. We agree that a great confederation like Canada, almost independent in its law-making powers, and constantly rising in the rank of nationalities, ought not for ever to look to English lawyers on the other side of the Atlantic for the correct interpretation of its laws and statutes. We agree that it is a great advantage to have a supreme tribunal within a few hours' journey by rail of the places where the parties reside and where the great bulk of litigation arises. We think, too, it is a great advantage to suitors to be able to have their cases argued at small expense by the same lawyers that have watched them from the beginning. We might go further, and adduce some reasons which Mr. Blake has omitted to mention, why the costly appeal to England should be replaced by the far less expensive resort to Ottawa. It is well known, for instance, that a litigant of long purse and unyielding disposition, even after he has been worsted in the highest Court of the Province, can frequently so intimidate his opponent by the threat of an appeal to the Privy Council, that the latter will abate considerably from his just pretensions—pretensions supported by the Courts up to that stage—rather than be dragged into fur-

ther expense, and be kept still longer in anxiety.

In one particular Mr. Blake's statistics are slightly misleading. He adduces the fact that up to 1878 there had been twenty-three appeals to the Supreme Court from the Province of Quebec, as against nineteen from Ontario—although Ontario (he adds) has a larger amount of litigation than Quebec. It is easy to show, assuming the correctness of these figures, that they are far from establishing that the Supreme Court enjoys the unbounded confidence of suitors in the Province of Quebec. We take Mr. Blake's figures for the purpose. He says the number of decisions by the Ontario Court of Appeal in equity cases is from twenty-five to thirty in each year. He does not give the number of decisions of the Court of Appeal in common law cases. But we presume the total number of decisions by the Court of Appeal will not exceed seventy-five. Now the total number of decisions by the Quebec Court of Appeal is about two hundred in each year. If we take the period referred to by Mr. Blake ("up to 1878") to embrace two years, we get this result—that whereas in Ontario there were nineteen appeals to the Supreme Court from about one hundred and fifty decisions of the Ontario Court of Appeal, in Quebec there were only twenty-three appeals to the Supreme Court from about four hundred decisions of the provincial Court of Appeal. Quebec, therefore, in proportion to the total number of decisions by the highest Court of the Province, sends to the Supreme Court less than one half the number of cases that Ontario sends there.

There is one portion of Mr. Blake's remarks to which we have much pleasure in directing attention, because it supports and even goes beyond what has already been advocated in our pages. He says: "With reference to these two Provinces (Ontario and Quebec), I quite agree, situated as the Supreme Court is, geographically, to both of them, that we may hope for the arrival of the day when local legislatures shall abolish their intermediate Courts of Appeal." This would leave simply the Court of first instance (with us, the Superior Court) and the Supreme Court. That is the system in the Maritime Provinces, and in Manitoba and British Columbia. We have not gone so far as to urge that we should be limited to the