

Whether the prohibitions of the United States constitution work beneficially or not, I do not know, but I feel no hesitation in saying that while our constitutions remain as they are, the courts ought not to permit themselves to be influenced by the impolicy or impropriety of our statutes.

Turning to Mr. Labatt's personal attacks, I begin with an acknowledgment that my series of articles was written "for the express purpose of discrediting the Judicial Committee," if by that is meant (as Mr. Labatt elsewhere says (p. 491)) for the purpose of furnishing examples "of the incapacity of the Privy Council to deal with Canadian appeals." I do not question the ability of the court. I merely say that being unfamiliar with local conditions, and local methods, and local expressions, it cannot be as well qualified as our Supreme Court to deal with Canadian cases.

I did say that, to the six cases which I criticised as wrongly decided, "anybody can easily add to the list"; and I proved the truth of the assertion in the February and March numbers of *The Canadian Law Times*.

I did say that

"some of their Lordships are able men, and, considering the handicaps under which they labour they do surprisingly good work."

But I resent Mr. Labatt's characterisation of that statement as a "condescending admission." I make no such nasty reply when Mr. Labatt is good enough to speak of me as "one of the leaders of the Canadian bar?"

I did say that the Canadian Supreme Court

"never falls into such gross errors as not infrequently characterize the judgments of the Judicial Committee" (p. 492).

But I repel the insinuation of Mr. Labatt's comment--

"No doubt, the learned Judges who constitute the Court which is extolled in this exaggerated strain have sufficient discrimination to estimate such a eulogy at its true value."²

2. The injustice of the insinuation will be obvious to any one who will look at the context from which Mr. Labatt extracted the quoted words. They are followed by suggestions for strengthening the court: 33 C.L.T., p. 678.