3rdly. It gives too long time for Appeals.

4thly. It places the Appeal too far away for ordinary cases; entailing too much delay and expense; and

5thly. By retaining the present Appeal to the Judicial Committee of the Privy Council to its full extent, it unnecessarily multiplies Appeals, and those too of the most expensive character.

As to the first—Section 13 states, generally, that "Appeal shall lie to the Supreme Court, from *all judgments*" of certain Provincial Courts therein named; and

Section 15 allows a writ of Error to be brought in the said Court from the judgment in any civil action or criminal proceeding of any of said Provincial Courts, in any case in which the proceedings have been according to the course of the common Law of England.

Section 23 then directs, that proceedings in Appeals from *Decrees, Judgments or Orders* in Equity and Admiralty, shall, when not otherwise provided for, be as nearly as possible in conformity with the present practice of the Judicial Committee.

Now, taking these clauses together, what is intended? Are the Decrees, Judgments or Orders to be in the nature of a final sentence, or may any interlocutory proceedings be appealed from?

Section 13, that gives the Appeal, only mentions Judgments. Section 23 directs how proceedings from Decrees, Judgments and Orders shall be conducted; and Section 28 enacts that no appeal shall be allowed from any final Judgment, Decree, or Decretal Order, unless the same be brought within two years from the signing or pronouncing thereof, and that no Appeal shall lie from any interlocutory *Order* or *Rule*, unless the same be brought within six months from the making or granting thereof.

The inference from all this certainly is, that in the Courts of Equity and Admiralty, the Appeal is to be from Orders or Rules of an interlocutory character. Would it not be wise to define exactly what description of Rules and Orders may be appealed from?

It is said, with reference to the Judicial Committee, that "great difference prevails as to the nature of the Judgments from which Appeals should be admitted from the Courts in the Colonies. In the earliest Order of Council which is known on the subject, that of 13th May, 1572, relating to appeals from the Island of Jersey, it was directed that no appeal in any matter, great or small, be permitted or allowed before the same matter be fully examined and ended by definitive sentence; and the constant practice has since been in causes from that Island, to reserve the appeals from all orders in the suit "*en fin de cause.*" In the West Indies and American Colonies where the English Law prevails, the practice has always been to admit appeals from all interlocutory orders in Chancery, but not from those at Common Law."

As the jurisdiction of this Court will be purely statutory, we must bear in mind the unbending nature of a statute, and the necessity therefore of defining with precision and accuracy its jurisdiction and powers. It will be destitute of any aid from the "nursing" principles of the Common Law, or the inherent power of the House of Lords, or the general jurisdiction and large discretion which pertains to the exercise of the Royal Prerogative in appeals to the Queen in Council as the fountain of justice, whereby appeals are allowed or disallowed, or terms imposed, as the special circumstances of the particular case demand, or as may be from time to time directed by general regulations.

In this case, as the Statute is written, so it must be interpreted: *jus dicere et non jus dare*, is the maxim of Judges.