the amount of damage which the trustees have been ordered to pay, the sum of $300, far short of the appealable value which has been defined in Canadian cases, and therefore if the particular value alone is looked to, there is not that amount of injury which should justify any special interposition of the prerogative.

"Then is there any general principle affecting a number of other cases established by the decision which should lead their Lordships to overlook the small amount of damage in the particular case? As I have already pointed out, the issue between the parties appears to have been simply an issue upon the legal construction and effect of a particular contract for the occupation of the pew in question. So far as the declaration and the pleas are concerned, the question apparently raised between the parties was, both of them admitting that the tenure of the pew might properly be styled a lease, whether a pewholder was entitled, by reason of the particular clause in the Civil Code of Canada, to three months to quit, by reason of it having been a verbal lease. It is sufficient with regard to a contest of that kind to say that the decision of the Court below may either have been right or wrong. Their Lordships express no opinion whatever upon that point, but whether right or wrong, it is not a decision which can have any bearing, or which can occasion any inconvenience with respect to a large number of other cases. If there is any want of perspicuity in the terms under which the pews in this church at present are let, if there be any words in the by-laws of the trustees, as to the letting of the pews, which have caused a difference of opinion between the Judges of the Courts, all that can be most easily remedied before any other annual letting of the pews, by an alteration in their wording; and it would appear to their Lordships to be entirely foreign from the principles which should guide them when advising Her Majesty as to when an appeal should be allowed, to advise that an appeal should be allowed for the purpose of testing the accuracy of construction put upon a particular document which is at the will of the party who asks for the exercise of the prerogative, in allowing the appeal.

Their Lordships, therefore, either from the magnitude of the particular case, or from the effect which this decision may have upon the number of other cases, think that this is a case in which they should advise Her Majesty not to assent to the prayer of this petition, but to dismiss it."

We are disposed to concur fully in the views expressed by the Judicial Committee. As a general rule, there can be no doubt that the multiplication of intermediate Courts of Appeal is a serious evil. The more the ladder of litigation is lengthened out, the greater will be the diffidence of honest men to go into Court either for the assertion or the defence of their just rights. They feel that no matter how good their cause may be, they are at the mercy of an obstinate antagonist with a long purse, who can inflict an amount of damage or interpose a delay which may be ruinous. If the Supreme Court, therefore, were to constitute simply an additional stage through which every keenly contested suit must be dragged, such a tribunal would present itself as an intolerable evil. There may be a question whether a party who has been taken to the Supreme Court by his opponent, and who has had the judgment of the lower Court in his favor reversed there, should not be allowed, where the amount is large enough, to take his case to the Privy Council. But the statute constituting the Supreme Court has determined otherwise. With respect to the exercise of the special prerogative, there might have been some ground for it in this case, if the petitioners could have shown that they had been placed in a position of great embarrassment and difficulty by the judgment of the Supreme Court. But this did not appear. Whether the trustees had or had not sufficient reasons to exclude Mr. Johnston from the use of a pew was not decided in the case. All the Supreme Court said was that the trustees had not taken the proper course, under the rules of their Church, to exclude him. As Mr. Justice Ritchie put it: "They and a large majority of the congregation were desirous of getting rid of this gentleman. It is my opinion, with reference to this matter, if they desired to get rid of him legally and properly, they had a right to take such action as would accomplish the object in view; but I cannot assent to the proposition, that to accomplish what they could not do legally, they had a right to pursue another course and refuse to let him have his pew, and