

the difficulty that it trenched upon a name already possessed by the Federal Court—which is undesirable, and likely to create a false impression as to the jurisdiction of the Provincial Court and confuse it with the Federal Court. In Canada, when we talk of the "Supreme Court," it would be a manifest advantage, if, in every Province of the Dominion, that title was understood to refer to the Dominion Court.

Having, with the adoption of the Judicature Act in 1881, adopted the title of the "Supreme Court of Judicature" for its chief Provincial Court, when the Act came to be revised in 1913 it not unnaturally came to pass that the title of the chief Provincial Court in Ontario was abbreviated to that of the "Supreme Court of Ontario," whereby its liability to confusion with the Supreme Court of Canada was not lessened but rather increased.

There can be little room to doubt that the principle of the Judicature Act that in each Province there shall be but one Court of superior jurisdiction tends to simplicity. The plan of several Courts of co-ordinate jurisdiction seems to be logically indefensible; but it appears apparently to be thought desirable in some Provinces that there should be a distinction between the Court of first instance and the Provincial Court of Appeal and, accordingly, this method prevails in some Provinces; and it has been recently adopted in Saskatchewan—but beyond the multiplication of Courts has this method any advantage which is not just as well attained by the Ontario system of having but one Court having jurisdiction both as a Court of first instance and also as a Court of Appeal? The latter is really the logical reproduction of the ancient Court of King's Bench in England when it was the sole Court of superior jurisdiction and was a Court of first instance and when sitting *in banc* was also a Court of Appeal. The name of King's Bench, however, was inseparably associated with the idea of a Common Law Court and the amalgamation of jurisdiction in law and equity which the Judicature Act accomplished seemed to call for a new name for the Court exercising that jurisdiction. During the Commonwealth, the title of "High Court of Justice" emerged, and when the Judicature Act originally came into force that title was adopted for that Division of the Ontario Court which was in