are not always real ones, and the wise housekeeper only increases her establishment, as the judges decide, "after mature deliberation." We did not act as prudent house-keepers, when we saddled our establishment with the cost of the Supreme Court. To the Province of Quebec it is open to the same sort of objection as the Privy Council. Two-thirds of its members are as laymen when dealing with our civil law. A recent case in Ontario shows that the minority is not a protection for the special law of its Province. In *McKay* v. *Crysler*, 3 Supreme Court Rep. 436, six judges of the Ontario courts, and the two representatives of the Ontario legal world in the Supreme Court, opined in vain against the votes of two judges from Quebec and of one from New Brunswick. This decision, it is true, marks the courage and honesty of the three; but the honesty partakes a little of the sort the cynic has styled in his own disagreeable way. Taken in the lump it is hardly less satisfactory than the concurrence under the deprecatory formulary of: "I understand that by the law of the Province of ——."

The dissatisfaction of Ontario and Quebec has manifested itself with considerable violence, and some reason. There is probably also a little prejudice to dilute the reason. A new court has to make its reputation. Eager for distinction, and untrammelled by any jurisprudence of its own, its action is apt to be volcanic. Time cures the prejudice of the bar, and experience tames the enterprising spirit of the court. But while all these different causes of dissatisfaction are in full force, we must expect angry denunciation, and we must be prepared not to be swept away by it. Mr. Girouard's bill is a well-intentioned suggestion to do away with some of the objections to the Court. It has, however, a great fault. The line of demarcation he proposes for the jurisdiction of the Court is extremely uncertain. Again, it deprives the country of the whole value of a general Court of Appeal, save for criminal cases, constitutional questions, and the decision of contested Dominion elections, and it maintains all the expense of the Court. Surely, if we want a central court for no other purpose than to give uniformity of decision to such a trifling number of cases, some other expedient could be devised for their adjudication, than having six judges at seven thousand dollars a year.

The establishment of the Court was premature, and the selection of its members by many is considered unfortunate; but it would scarcely be an exhibition of political wisdom to abolish the Court, or to destroy its jurisdiction over the civil law of the Province, until it is made perfectly clear that it fails to perform its functions. This can only be decided by a fair trial. That is to say, by the consideration of the arguments in support of its judgments during a considerable time. If they are manifestly better than those of the Courts from which the appeals lie, the count of noses, even judicial, does not signify much: if the arguments of the judges are not good, their higher salaries and scarlet robes will not give their dicta authority, or preserve the Court from destruction. It is too late for abstract reasoning as to whether such a court ought, or ought not to be. It exists, and the test must now be results. The judges have a right to be so judged, but they must make up their minds to be ready for this issue. There is one way members of Parliament can help the Court, and it is by showing the government that the nominations to so high an office are not to be used to get out of a political difficulty, or to serve party and family jobs.

R.

AMALGAMATION OF FRENCH AND ENGLISH SYSTEMS OF LEGAL PROCEDURE.

In the Province of Quebec there has been, especially since confederation, a growing sense of *desideratum* of something of the kind; but, from causes incidental to her position as one of isolation in the matter of internal law, viz., civil law, and legal procedure, and from the rather pronounced—*exempli gratiâ*, Mr. Blake's speech in the House the other day, on the relative merits of the English and French systems of law in general—rather pronounced, we say, contempt of Quebec law, its judges, bar, and every branch of its administration, the initiative in that direction has yet to be taken. Each bar is, of course, naturally wedded to its system; but, at the same time, it is conceded on all hands, that there are faults and defects in all