

that Canadian lawyers would be more content to accept the idea of a Canadian judge on the Imperial board if it were understood that he would not take any part in the hearing of Canadian appeals. We do not wish to be understood as implying that any actual injustice would result from such participation, but we fear that the confidence of the public in the perfect independence of the tribunal might be impaired, and we can see no advantage likely to accrue from the presence of a Canadian on the bench that would offset such a misfortune. The ultimate appeal, as far as possible, must be above the suspicion of those most inclined to suspicion. We have heard lately, even in a serious state paper, an unfortunate reference to the political opinions of Canadian judges. It would be a calamity indeed if the decision of an important cause could be supposed to be affected by the political opinions of the Canadian member of the Judicial Committee. The perfect independence of the tribunal in the past has never been questioned, and this fact has accounted largely for the respect with which its decisions have invariably been received.

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There are some minor objections to the presence of a Canadian member of the Committee in Canadian appeals, to which it is hardly necessary to advert. It has been strongly suggested of late that the Judicial Committee should assume the method of an ordinary court, and pronounce a judgment, with liberty to dissentient members to express their individual opinions, and that the form of an apparently unanimous recommendation to Her Majesty should be abandoned. If this suggestion be ultimately approved and carried out, a Canadian member sitting in a Canadian case may find himself in the delicate position of giving the casting vote which reverses the decision of the Supreme Court of Canada. It may reasonably be doubted whether such a decision would carry the weight which attaches at