

respectable. They admit in effect that the Judicial Committee is made up of great jurists who are absolutely impartial. The complaint that these jurists are too detached from Canadian affairs to give the kind of judgments that are popularly wanted carries the implication that our own courts are more or less swayed by extraneous circumstances, or by a desire to please the majority. And with that implication goes the suggestion that our courts would be well advised to consult the popular wish, or the will of a ruling party, or the desire of a strong municipality. As long as there are courts of lower and higher jurisdiction there will be appeals, and however long or short the series, there will be cases to run the whole length of it. It would seem right that the last word on constitutional controversies should be spoken by the final court of the Empire, our written Constitution being an Act of the Imperial Parliament. As to other cases as good an argument could be made for cutting off appeal to the Supreme Court of Canada from the Ontario Court of Appeal or the Quebec Superior Court as for cutting off appeal to the Judicial Committee of the Privy Council. As a matter of fact our Supreme Court is often 'skipped' in the course of appeal. Decisions such as that rendered by the Judicial Committee of the Privy Council as to the implementing of the bond guarantee provision of the Dominion Government's agreement with the Grand Trunk Pacific Railway Company; such as that given the other day against the municipal corporation of Winnipeg and in favour of the Winnipeg Electric Railway Company; and such as that in favour of the Toronto Railway Company in the matter of rights upon our streets, have a strong influence to make our Legislatures study, as carefully as the British Parliament does, so to draft their measures as to put the intention beyond controversy. It also should have a strong influence to make our municipal governments less slovenly in their methods of transacting such important public business as the framing of agreements with private corporations."