

columns in 1891. (*ante* vol. 27, p. 259). The legislation on the subject is there collected and commented upon. We are not, as yet, informed whether it is intended to place those who may be called to the Judicial Committee from the colonies upon the same footing as other judges holding like responsible positions in England, for, of course, no one fit for the position would accept the pittance at present allowed, which is referred to in the article above referred to. Our contemporary justly, we think, takes exception to the fact that the contemplated measure proposes to limit the class of colonial lawyers eligible for such an appointment to those who have attained the Bench, and very properly points out that one of the present members of the committee, viz., Lord Watson, whom it styles a "supreme lawyer," had never, previously to his appointment, exercised judicial functions, as a reason for there being a similar latitude of appointment as regards colonial lawyers. The truth is that as matters stand at present we do not look to the Bench exclusively for those who would best represent the Dominion on the Judicial Committee of the Privy Council. In fact, the thought of the profession would turn rather to at least two members of the Ontario Bar who have shown that they possess qualifications which would eminently fit them for the position referred to. We allude to Hon. Edward Blake and to the counsel for the Dominion in the Behring Sea arbitration. Very possibly neither of them would accept the appointment. But as to the former, he is already as much at home before the highest tribunal in the Empire as before the Supreme Court of Canada, and his great ability is recognized there as well as here; and he would, we are sure, find on the Bench a far more fitting and, probably, a more congenial field for his labours and his learning than in pursuing the "Will o' the wisp" of Irish Home Rule.

With the suggestion of our contemporary, that advantage should be taken of the proposed reconstitution of the committee to provide for the delivery of dissentient judgments, we are not able to agree. If the court of ultimate appeal were to speak with a discordant voice, we believe it would be a great blow to its usefulness. Besides, *cui bono*? In the case of an inferior tribunal, where there is a dissent, the litigants may carry the case further, but the Judicial Committee is the apex of the judicial edifice, beyond which it is impossible to go, and the only