

writer to draft a Bill containing the proposed amendments and submit it to the Attorneys-General and the Bar Associations of the different Provinces of Canada, for their consideration.

"I have the honour, therefore, to enclose you a copy of those sections of the Bill in which the amendments appear, accompanied by an explanatory note pointing out the alterations made and giving reasons therefor.

"The aim of the writer has been to use such clear and precise language in defining the Court's jurisdiction, that an end may be put, so far as possible, to the numerous motions to quash, which heretofore have been made at nearly every session of the Court; and at the same time to avoid any suggestion of an attempt to extend the jurisdiction of the Court beyond the boundaries which Parliament itself has intended to place by its legislation, except where the amendments are obviously desirable and have been suggested by members of the Bar or by the Court.

"I shall be pleased to have your view upon the proposed amendments at your earliest convenience."

In the explanatory note which accompanied the letter it was said:—

"The extent of the jurisdiction of the Supreme Court has proved a fruitful subject of litigation, and notwithstanding the many decisions of the Court upon the sections of the statutes dealing with this question, the number of motions to quash for want of jurisdiction appears to grow rather than decrease as the years go by.

"Indeed, during the last ten years there have been as many motions to quash appeals in the Supreme Court for want of jurisdiction as are found in the twenty years preceding. Leaving out of consideration those cases in which the motions to quash have failed, no less than fifty cases of appeals quashed for want of jurisdiction are to be found in the official reports of the Court since 1893.

"The reason for this is obvious, when we examine critically the sections of the Act dealing with jurisdiction. We find there a great lack of precision in the expression of the mind of Parliament, and the sections are so ill-arranged that even after a very careful and minute examination it is often difficult to determine whether the case is appealable or not.

"In the decisions we frequently find the judges themselves divided in opinion with respect to the jurisdiction of