more, and the work of the judges lightened accordingly. But before the people come to such a conclusion, let each consider how he would like to have his case decided upon the statements of witnesses perhaps hostile to him for some reason, these statements not being sifted by cross-examination.

The question of appeals comes up now and then for discussion; and it may not be out of place if I say a word or two in respect of Appellate Courts.

But first it is to be noticed that in a large percentage of cases tried there is no appeal. From the official report for 1908 I take the following figures: Of the cases tried in the High Court there were appealed about 15 per cent., or, say, 1 in 7 to the Divisional Court, and to the Court of Appeal less than 6 per cent., or 1 in 17. By far the greater number of these appeals were dismissed. Of all the cases in the Divisional Court about 8 per cent., or 1 in 12, were appealed to the Court of Appeal and more than half dismissed. From the Court of Appeal only 9 cases went to the Supreme Court (so far as I can find) and of these 7 were dismissed; while 6 went to the Privy Council.

The theory of appeal is that the trial judge may have made a mistake in the law or facts, or the jury may have made a mistake in the facts, or some evidence has been since discovered which should change the result, or something of that kind. A very large part of the time and labor of a High Court judge is occupied with considerations arising upon appeals, sometimes scores of books must be examined, requiring much time and thought. If appeals could be abolished, all this would be saved; but would people be satisfied with the opinion of one judge upon an important matter? And if there is to be an appeal, is there to be one and no more? All that I cannot discuss; it is for the people themselves, through their representatives, to decide.

It is not always the rich man or the corporation which benefits by an appeal. The last case I had at the bar for a Railway Company, the plaintiff was non-suited at the trial, and she needed to go to appeal in order to get her rightful damages. In the last case I had against a Railway Company, the plaintiff succeeded at the trial, but an appellate court ordered a new trial. The second appellate court, the Privy Council, however, ordered the plaintiff to be paid the verdict which the jury had given her. I remember a case in which my client was sued for a large amount by an American firm; at the trial we succeeded: the Divisional Court reversed the trial judge, and I went to the Court of Appeal; that Court was also against me, but I went to the Supreme Court, and that Court reinstated the verdict which I had got at the trial. Had we stopped at the two lower Courts of Appeal my client would have had to pay a very large sum which he had no right to pay.

The whole question of appeals, and the number of them to be allowed, is a most difficult one, and is not to be decided off-hand by anybody. The experience of other countries may, perhaps, not be without advantage to us. In England they have a Divisional Court, a Court of Appeal, just as we have; and the House of Lords, as we have the Supreme Court at Ottawa. They have no Court beyond, as we have in the Privy Council; but not one-half of one per cent. of our cases go to the Privy Council.

We have almost exactly the same practice, too, as they have in England—but it is impossible for me to pursue that matter in the time at my disposal, or to consider the relation of the legal profession to the administration of Justice.

I shall just say one word about the lawyers. I have been actively engaged in the law for 27 years, and during all that time I have never known or heard of any person so poor, that, having any fair semblance of a claim, he could not have his case submitted to the Courts by a lawyer with all due skill and vigor—in many instances, too, without any real hope of reward. If anyone gets into trouble does he