

men that it is expedient to abolish the appellate jurisdiction of the English tribunal.

In the final article of the series, in which he summarizes the criticisms to which he had previously subjected various judgments—one of them being *Royal Bank of Canada v. Rex*—we find the following remarkable statement:—

"I do not say that all the decisions of the Committee are so flagrantly and indisputably wrong as these six. Some of their Lordships are able men, and, considering the handicaps under which they labour, they do surprisingly good work." (33 Can. L. Times, p. 674.)

The true significance of this condescending admission that the incapable tribunal which is 'the unhappy victim of his animadversions sometimes contrives to do pretty good work, by dint of the exceptional talents which enable a portion of its members to surmount on rare occasions the obstacles which beset their path, will be more thoroughly appreciated when it is mentioned that he specially emphasizes the fact that the six cases reviewed by him were all decided during a very brief period, and declares that the list of blunders might, without any difficulty, be greatly extended.

It is not surprising that a writer who does not shrink from wholesale condemnation of this sort should also have favoured us with the noteworthy opinion that the Supreme Court of the Dominion "never falls into such gross errors as not infrequently characterize the judgments of the Judicial Committee." No doubt the learned Judges who constitute the Court which is extolled in this exaggerated strain have sufficient discrimination to estimate such a eulogy at its true value(a). But it is exceedingly regrettable that a gentleman who in general repute ranks as one of the leaders of the Canadian Bar should commit himself to such a preposterous statement.

Of course even those who entertain the highest respect for the Judicial Committee will not go so far as to assert that it has never gone astray in dealing with Canadian appeals. For my own part

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(a) The thoughts of some of them will, I daresay, recur to the well-known scene in which the captain of "H.M.S. Pinafore" is compelled to reduce the "never" of his self-laudation to "hardly ever." Whether the panegyric would be palatable to its subjects even with this qualification is a matter with regard to which it would be unbecoming to express an opinion.