

by the judges adopting the rule that only an unequal number of judges shall hold sittings, and the evil, if it be one, would not be removed by adding to their numbers.

There is, however, in the opinion of your Committee something to be said in favour of giving representation on the Supreme Court to the Prairie Provinces, as long, at least, as geographical distinctions are recognized. In view of the diversity of laws and practice in the different provinces, it is perhaps an advantage to have representatives, if not from each province, at least from each group of provinces, so as to assist the court in ascertaining the customs and practice of each particular centre of litigation. In that view the middle west, which furnishes a considerable quantity of litigation pending before the Supreme Court, would certainly be entitled to as much representation as provinces which have hitherto secured representation and which admittedly have fewer cases before that court.

3. Should the rendering of one judgment as the judgment of the Court instead of individual judgments be adopted?

On this question the opinion of your Committee is divided. The majority hold the view that it would be dangerous to suppress dissenting opinions altogether as this would tend to give decisions rendered by a bare majority a fictitious appearance of unanimity and strength which really does not belong to them. So far as the majority of your Committee know this has not been the practice in any of the English and American courts. The instance given of the Privy Council rendering a single judgment without any dissenting opinions cannot be regarded as being in point, because the Privy Council is not, strictly speaking, a court of law, but a Committee which makes a report to the Crown. In the House of Lords, which deals with appeals from the British Isles, all the opinions of the Law Lords are given *in extenso*. Possibly a *via media* might be adopted of having the judgment of the majority delivered by one of the judges, and the opinion of the minority by one of the dissenters. This would certainly be a boon to the profession and would reduce the volume of the reports very considerably. It is submitted, however, that this must be left to the good sense and initiative of the judges themselves, and that the adoption of any hard and fast rule in this regard would be undesirable.