

think proper. The judges then meet again when these changes are considered and the final form of the opinion is settled. Any justice who disagrees with the opinion of the court is entitled to write his own opinion and it is printed with the other.

Whether the same mode of arriving at a judgment is adopted by the Judicial Committee of the Privy Council we know not; at any rate, the same result is reached, but only the judgment of the court is pronounced, and dissenting opinions, if any, are rigidly suppressed. Of course, in a court of final appeal a dissenting opinion becomes almost an impertinence in the legal sense of that word.

The *Law Times* (London) some three years ago referred to this question, and the remarks of the writer on that occasion may be quoted with advantage: "Since, as a consequence of the discussions on the Australian Commonwealth Bill, the country has awakened to a sense of the deficiencies in the constitution and procedure of the Judicial Committee of the Privy Council (a tribunal in which, with all its faults, we cannot but feel a certain pride) objection has again been made to the rule which prevails in that court of pronouncing only one judgment, even although the members may not be unanimous. This rule, which is of a very ancient date, and which was reaffirmed by the committee itself shortly after its reconstruction by the Act of 1833, whatever may be said against it, has certainly some advantages, and, indeed, much might be urged in favour of its adoption in other courts. Certainty is the quality most desiderated in law, and this is undoubtedly much better attained where only one judgment is pronounced than where suitors and practitioners are embarrassed by the delivery of divergent judgments, or of judgments which, although reaching the same conclusion, are based upon different grounds. At all events it is difficult to understand how any loss of dignity is sustained, as one writer suggests, by the Judicial Committee in adhering to this time-honoured rule of practice."

It may be a pleasure to some judges to air themselves by giving a dissenting opinion; in fact some of them seem to have a special pride in so doing. Some litigants also may be interested and possibly comforted in knowing that one out of several judges was in their favour, but they derive no benefit, and it is very much more in the interest of the public at large that there should be certainty and uniformity.