

court of appeal, it stands to reason that the work that would come before it would be so heavy that it would have to consist of many different divisions, and comprise an immense number of judges. It is difficult, in fact, to see how the number of judges could be any less than under our present system, although no doubt it would not be essential that they should all be of the same mental calibre, if one may presume to draw a distinction of that sort between judges. Nevertheless, to deal with all the superior court cases alone that went to appeal, an immense number of appellate judges would be required, and all of them would have to be, (sitting, as they would do, as the one final tribunal), men as far as possible of equal distinction and ability. This would certainly involve an enormous expense to the State, for in the long run the market value has to be paid for ability wherever its services are required. As to the litigant, it may be doubted whether on the whole he would gain in the matter of expense. The tendency, I take it, would be for great particularity and elaboration to characterize the procedure in such a final court, and to necessitate resort being had to the highest legal ability in the matter of counsel, since each case would represent the one last chance of the parties to get what they considered their rights.

(3.) But Colonel Denison would have all counsel paid officials of the State. I do not think the experience of bureaucracy will commend this proposal to anybody. In fact, it is simply appalling to think of litigants having to submit the conduct of disputes, in which, perhaps, all their fortune is involved, to the tender mercies and salaried sympathy of paid officials. The thought is too painful to dwell upon.

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