

not one to which among English courts there is "none so poor to do it reverence," as has been already shewn.

Moreover, the colonial courts have been told by the Judicial Committee that where a colonial legislature has passed an act in the same terms as an Imperial statute and the latter has been authoritatively construed by a Court of Appeal in England, such construction should be adopted by the courts of the colony. (*Trimble v. Hill* (1879) 5 A.C. 342.) This may sometimes prove embarrassing, inasmuch as the Court of Appeal in England pays no respect to a decision of the Judicial Committee by which colonial courts are bound.

The procedure in appeals to the final Court of Appeal whatever it be, should be simplified and the costs in colonial appeals very much reduced; at present they are prohibitive except to corporations or very wealthy litigants; the sittings should be more frequent and the decisions should be rendered more speedily than they often are at present. With a simplified procedure and a moderate tariff of costs, it might be possible to abolish the Supreme Court of Canada and to make an appeal lie from the final Court of Appeal in each province to the final court for the empire, in cases of sufficient importance by reason of the amount at stake or where, from the difficulty and gravity of the legal questions involved, special leave may be granted by the Provincial Court of Appeal, or in inter-provincial disputes; and only in such cases. It cannot be said that the decisions of the Supreme Court of Canada under its present limitations as to membership are regarded, at any rate by the Ontario Bar, as more weighty than those of the Ontario Court of Appeal.

Even if the proposal to have one final Court of Appeal be rejected for the present, some of the above suggestions should be carried into effect without delay. The venerable but fictitious theory of a merely consultative body should be abolished; the court loses in efficiency and dignity from not having the outward semblance of a court of law. A building, stately and befitting the importance of its judicial work, should be at once assigned to it, or, preferably, erected specially for it, and the sessions of the court itself should be conducted with more of the usual impressive and dignified accessories of a Court of Justice.

These things may be matter of sentiment, but the Imperialistic sentiment is a factor worth regarding and conserving. If it be