We have no hesitation in saying that there is no valid ground for the present multiplicity of courts and judgments, and every reason for their simplification and restriction. One High Court, including a Court of Appeal, essentially one in substance as in name, is enough. Fourteen judges now on the Bench would be found sufficient to perform all the duties, and they would find sufficient leisure in their office to make life more pleasant to them than it is now. There is no necessity for sets of judges trying cases over and over again, and making work for themselves without any object whatever. We are not amongst those who believe that one set of men are much better than another, assuming the conditions to be practically similar. The name of the Court of Appeal does not bear in itself any peculiar charm not possessed by any other court. Four judges selected from the High Court are just as likely to be right as four judges selected elsewhere, because our judiciary is, we are proud to say, composed of able, painstaking men. There is no reflection on the Court of Appeal in what we say, and, were the positions reversed, we would humbly, yet firmly, cling to our opinion that in this country, at least, the whole Bench is practically on the same high level. Experience has taught us that it is possible for the Divisional Court, nay, for one judge thereof, to stand the test of the Privy Council as well as the Court of Appeal and the Supreme Court of Canada combined. Having said this, let us see how a change could be made advantageously.

Let the ten High Court and the four Appeal judges compose a High Court. Five of them should sit in Appeal, and their decision as regards proceedings before provincial courts should be final. Their sittings might be once a month, except during vacation, and there would still be more time at the disposal of every judge on the Bench than there is under our present arrangement. The senior judge of the fourteen, or the one considered most competent for the position, would, we suppose, be the chief of this appellate body, and be free from circuit work. We do not even suggest a word against the erudition, ability, or dignity of the present Court of Appeal when we submit that a judgment of an Appellate Court of five judges, taken from the High Court and Court of Appeal combined, would be as high an authority and entitled to as much respect in every sense as that of any court in the Dominion. The present Appeal judges would be members of the High Court, and litigants would still have the benefit from time to time of the opinion of one or more of them.

Under the system now suggested, there would be no failure in an appeal. The litigant would go from the trial judge to the Appellate Court. The result would be speedily arrived at. The litigation would not in any case be fruitless, as is now often the case, and the cost of an appeal would be less than one-half what it is at present; and, above all, there would be *finality*. This, after all, is the great object; for even if one feels that a judgment against him is erroneous, it is some satisfaction to know there is an end of the matter. To illustrate this position: A. sues B. and obtains a verdict at the trial. B. appeals, not to two judges, who may differ; nor to four, who may be equally divided; but to five. Suppose his appeal to be dismissed; would B., in ordinary cases, take his appeal further, in the face of six judgments against him? But assuming that three only