The Legislature, in the act in question, has evinced a desire to prevent that which is, speaking generally, a great grievance, *i.e.* the multiplication of successive appeals on the same subject-matter. Suitors should be compelled to elect between an appeal to the highest court in this Province, and an appeal to the highest court of the Dominion. This would result in no injustice. The Supreme Court should be so constituted that its moral weight and authority should be unquestionably greater than that of the highest provincial courts. But we very much doubt whether a court composed of only two judges from Ontario, and four from the other Provinces, would command the same confidence with the people of Ontario (until at least the Supreme Court had established a reputation on its merits) which a strong Court of Error and Appeal, such as we always hope to see in this Province, would.

It is evident that our whole legal system is now in a state of transition. The present practice of trying a common law case on circuit, then going before the full Court in term, then appealing to the Court of Error and Appeal, with the right afterwards to go to the Supreme Court or Privy Council, involves overmuch litigation. We conceive that it would be well that after a case has been determined by the judge of first instance, the party dissatisfied should have the right to insist upon having his appeal heard, without any intermediate litigation, before the highest court, the practice of which will enable it to dispose of the appeal. All this points, if carried out to its legitimate conclusion, to a reorganization of our courts, to the formation, in fact, of a Court of Appeal for Ontario which shall combine not only the highest talent, but the greatest judicial experience that is available, rather than to the present system, where there are three courts presided over by three sets of judges, and an extra set of judges who, in addition to certain appellate jurisdiction, are to "lend a hand" in the work of the general judicial work; and who, leaving out the debateable question of talent, certainly have not had the greatest judicial experience.

CONTEMPT OF COURT.

The Court of Common Pleas, whilst holding in *Ex parte Lees* (24 C. P. 214) that the inferior courts are not wholly free from the control of the higher courts in the exercise of the power of punishing for contempt, declined to interfere with the action of the judge of the County Court in this instance. It will be remembered that the appeal to the Common Pleas in this case arose out of an unfortunate disagreement between the judge of a County Court and a barrister, who was charged with disrespect to the bench, and fined $100 for his alleged contumacy. From the affidavits filed, it is not easy to determine that the offence of the learned counsel was such as to merit so severe a retribution, but as the gravamen of the accusation was the tone and manner in which certain words of no particular malevolence in themselves were uttered, it was of course difficult to transfer to paper the full iniquity of the offence.

The decision of the superior court would seem to admit that any inferior magistrate, even a justice of the peace, has a power of punishment for contempt which may be most vexatiously exercised, for unless it is quite clear that there was no ground whatever for supposing a contempt, the court above will not interfere. Judges are only men, and are as liable to loss of temper as their brethren at the bar, and it is not heresy to say that some of them are occasionally rather aggravating, and make it difficult for those who practise before them to preserve a reverential