

if His Majesty were not our Sovereign just every bit as much as he is the Sovereign of Great Britain and Ireland. Why Canadians should think it derogatory to them to appeal to their Sovereign in Council in common with all others of their fellow-subjects beyond the seas it is difficult to understand, and their efforts to deprive the people of Ontario of that right must surely make us appear ridiculous in the eyes of other nations.

But this right of appeal is not a mere question of sentiment. It is a great unifying force which the lay mind utterly fails to appreciate and realize. This right of appeal to one final court common to all the "oversea dominions," (it would be better still if it could be said to be the final court of the whole Empire), helps to keep the divers systems of law throughout the Empire in harmony, and true to the great foundation principles of justice, which ought to be common to them all.

It gives confidence to the commercial community to know that their rights throughout the Empire are in the last resort safeguarded by this right of appeal; and surely that is a matter not lightly to be disregarded. But for this final Court of Appeal, common to all the "oversea dominions," there would be an inevitable tendency to drift away from a common standard of legal principles, which may well be illustrated by what actually happened on the breaking up of the Roman Empire. So long as the Empire was united and the ultimate right of appeal lay from all parts of the Empire to one fountain head of justice, the unity of law throughout the Empire was promoted, but as soon as the Eastern and Western parts of the Empire became disunited, then, although both parts started with the same code of law, it was not long before the law in the two parts become wholly different.

Is this fundamental unity of law throughout the British Empire to be imperilled and possibly sacrificed by the "Little Englandism" of Canadians? We should hope not.

Courts in times of passion and excitement have not always been true to the great fundamental principles of justice, even the English courts upheld the lawfulness of ship money and