

The court, of course, is only human, and, like all other things, must sometimes make mistakes, but as a general rule its decisions disclose a depth of learning and breadth of character which are not surpassed by those of any other forum in the world. Being far removed from the cause of the litigation, their judgments are not affected or tainted with local spirit or prejudice. It is unfortunate that it sometimes happens that they are misunderstood by even learned members of our legal profession. Their Lordships do not, as a rule, cite authorities in their written decisions, which sometimes lead one to suppose that they have been overlooked. As they constantly decide matters of the very greatest importance, it occasionally happens that their decisions do not commend themselves to popular opinion, but it cannot be otherwise in any court of last resort. The Council's most vehement detractors have never denied the undoubted ability and eminence of those brilliant statesmen and lawyers who have taken part in its decisions and dispensed justice for the entire Empire. Among these I may mention Lord Brougham, Lord Westbury, the late Lord St. Leonards, Lord Selborne, Lord Cairns, Lord Watson, Lord Herschell, Lord Halsbury, the present Chancellor Lord Loreburn, Lord Macnaghten, and Lord Lindley.

So much for the criticisms referred to. On the question of its political importance the Privy Council itself, in 1871, in a memorandum, said:

"The appellate jurisdiction of Her Majesty in Council exists for the benefit of the colonies, and not for that of the mother country; but it is impossible to overlook the fact that this jurisdiction is part of Her Majesty's prerogative, and which has been exercised for the benefit of the colonies since the date of their settlement. It is still a powerful