

present time attach to the Supreme Court. However weighty and learned may be its utterances they lack the prestige which belongs to judgments of a final court of appeal. The element of finality is absolutely necessary in the case of a court depending upon its constitution as well as its learning for its position in general esteem. At the present time such of its judgments as are not appealed from in matters of importance where a diversity of opinion could be well thought to exist, have their full effect diminished because of the circumstance that the Judicial Committee may in subsequent cases disclose a different opinion. Nor is the right of a suitor to appeal to the Judicial Committee rather than in the first instance to the Supreme Court, on appeal from the judgment of a Provincial court (a right which is frequently exercised), consonant with the dignity of the Canadian appellate tribunal. If the Supreme Court were our court of last resort there is not the least doubt that the appointing power would select its members with the utmost care, or that talent which in well-known instances has not coveted place upon its bench would have looked with greater favour upon an appointment to it. Occupied by men of the highest eminence in the profession, their careers and attainments would lend lustre to it, as they would in turn be advanced in public regard and reputation by their connection with it. With the passing of time great causes would have come to its keeping, distinguished associations and memories would hallow it, and it would become a chief possession of the Canadian people and a mighty bulwark of their nationality.

What I have said as to the importance and dignity that would belong to the Supreme Court as a final appellate court can be said with greater force of a Court of Appeal constituted for the Empire, and clothed with the appellate jurisdiction of the House of Lords and the Judicial Committee. As an Imperial tribunal no other court would be comparable with it. Its decisions would be binding over a greater area of the earth's surface than that reached by the rescripts of the Roman Emperors. Before it would be spread the laws of every clime; those of the