

of nations, creeds, languages or customs, than that hitherto enjoyed by any Court known to civilization.

The finality of judgments of the Supreme Court of Canada was discussed before the Senate in 1916, and although a motion concerning it was withdrawn, it may be interesting to know the grounds set forth for the restriction of appeals to the Privy Council. One was that the appeal to the Privy Council enabled rich persons or corporations to force poor litigants to compromise or to abandon their claims. This is not an argument of principle, and it may apply to any of our Courts; it is moreover one of exception, and the additional provision enabling poor people to plead before the Privy Council in forma pauperis seems to dispose of that objection.

The other is that men residing in Canada and familiar with its customs are in a better position to give justice than Judges 3,000 miles away and ignorant of our customs.

This could equally apply to the Judges of the Supreme Court.

Is a Judge from British Columbia very much more familiar with the conditions of the Nova Scotia fisherman, or a Judge from Alberta very intimate with the Civil Code of the Province of Quebec, the language of its people and its customs?

And are we not rather looking for unfamiliarity with conditions and with the parties in a case, when we desire to have an unbiased decision on a question of principle?

It seems that this very unfamiliarity with the local atmosphere, when there is a Canadian representative Judge in attendance as well as those who plead their case, is an inducement to the Court to maintain in their integrity certain fundamental principles which should not be altered.

A few statistics here regarding appeals to the Judicial Committee of the Privy Council, from the Supreme Court of Canada, may be of interest.

From December, 1903, to 1918, putting aside those cases settled by consent, we have had one hundred and ninety-two demands, or petitions to leave to appeal from judgments of the Supreme Court.