

by leave, but he held, the Chief Justice concurring with him, Taschereau and Sedgwick, JJ, contra, that leave to appeal to the Supreme Court *per saltum* might nevertheless be given.

Inasmuch, however, as an intermediate appeal may now, on condition of leave being granted, be maintained, there seems no longer any room to deny the power of the Supreme Court under s. 26 (3) of the Supreme Court Act to grant leave to appeal *per saltum* to the unsuccessful appellant in the Divisional Court.

The amendment referred to was in force when the appeal to the full court from Mr. Justice Gwynne's decision in Chambers was argued, and as it is expressly required to be construed retrospectively to the 7th April, 1896, when the Judicature Act was passed, it might be thought that the ground for the difference of opinion referred to had already been removed. Probably the amendment was not brought to the attention of the Court, as it is not referred to in the report of the case.

THE JUDICIAL COMMISSION.

The appointment of a commission of Judges to enquire into the acts of fraudulent dealing with ballots, and other misdoings, which are alleged to have taken place in connection with certain elections in the Province of Ontario, opens a wide field for discussions, and suggests several questions of much importance. It may be stated as a general proposition, from which none will dissent, that it is not desirable that Judges should be called upon to act in any matter of a quasi political character, or in which the interests of political parties are in any way concerned. Nor is it desirable that, for any purpose, political or otherwise, the Judges should have their regular work, which is quite sufficient to occupy all their time and attention, interfered with by the imposition of other duties, no matter how important. It is indeed a striking proof of the extent to which the virus of party has eaten into the very vitals of our system of government, that, in so many matters directly affecting the management of our public affairs, we apparently dare not intrust ourselves with their control, and, instead of reforming our own pernicious ways and striking at the root of the evil, we throw the disagreeable duty upon some other body which we can trust to perform it with efficiency and integrity. Under such circumstances it is indeed fortunate for us that, in our judiciary, we have a body