

weighing evidence, and, in cases involving difficult and abstruse points in the construction and interpretation of documents, he had few equals. He was a man of strong and definite views of his own, and if he had a fault as a judge it was an inclination to cling to the view of the case which had presented itself to his own mind. No judge of any Bench was ever more high-minded, conscientious, painstaking and laborious in the discharge of his duties. As a man both in public and in private life he won the respect and affection of all. A polished gentleman of the old school, none more affable, courteous, kindly and true hearted than he. He has left the record of a useful, well-spent life ; and a very large circle of friends mourn his loss

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#### *THE SUPREME COURT.*

The unsatisfactory condition of things in connection with the administration of justice in the Supreme Court of Canada having become public property, there is no reason why a journal specially devoted to the interests of the profession should apologize for a free discussion of the subject.

A letter recently appeared in a daily newspaper published in Montreal, which stated broadly that this Court is "generally and perhaps unavoidably the award of political service, and lacking, through no fault of its occupants, that finality which would give weight to its decisions." The writer refers to a *raison d'être* of the court, viz., that for the better interpretation of our constitution certain functions were delegated to it on the principle that these decisions would be accepted as being free from the colour of party, and comes to the conclusion that nothing has been gained by the existence of such a court, mainly because it does not enjoy the confidence which the Courts of Appeal of the various provinces largely do, and because the settlement of questions of constitutional law affecting the Dominion and its provinces, which was one of the principal reasons for the existence of the Court, as a rule, go to the Privy Council for final adjudication ; the Privy Council, in fact, overshadowing the Supreme Court.

If the above be true, and who can deny it, there is a strong argument either for the abolition of this court entirely, or for its reconstruction upon such a basis as will insure the attainment of the objects for which it was established.