

he will, we are sure, be grateful for any useful suggestion. We may avail ourselves of the efforts presently made by the English judges to improve the whole system of British procedure, including barristers' process *coram iudice*, conveyancing, solicitor and attorneys' agency, in fact the whole machinery of the law and its ramifications. Our Legislature did not aim at such a vast object, and we are not sorry for it. The practice of the different branches of the law is here so distinct, as regards lawyers and notaries, that one class of practitioners would not think of interfering with the other. But, limited as is the work devolving on Judge Loranger, it is still too much for a man to perform. It was very wise to set one man at work to prepare a canvass for a body of specialists to consider; but Judge Loranger cannot be expected to do more. In England the whole Bench has been called upon to perform the duty of amending and consolidating the laws of procedure; and the draft of their work was published *in extenso* by the *Times*, in October last. On account of the vast difference which exists between the procedure before the English Courts and the Courts of our Province, there may perhaps be little profit to be derived from the study of the new rules of procedure prepared for the British Courts, though we are confident that greater simplicity might be reached by a full comprehensiveness of the subject in different countries; but we refer to the work now being done in England to show how important it is found, in a country so well trained as England is, in every department of public life, to entrust such a work to a large and best informed body of men. We would, therefore, suggest that during the next session all the judges be constituted a regular Board to take into consideration the suggestions of Judge Loranger, and reduce them and their own views into form for legislative enactments. The judges should be induced, by liberal remuneration, to undertake these functions during the next summer vacation.

In order to show to what results the study of comparative jurisprudence may lead, we have seen lately that it is suggested in England to limit the jury trials to the very cases where they are admitted in our Province, such as defamation, seduction, false imprisonment, malicious prosecutions, breaches of promise of

marriage, &c., although some minds of antiquated pattern look upon this innovation as the death knell of jury trial.

What we want here is more flexibility in the doings of our Courts. In questions engrossing public interest and involving difficult legal problems, our judges, both in the original and appellate jurisdictions, should have the power of bringing together a large number of judges to sit together, as they do in England. Subjects of trifling import are, by our Code of Civil Procedure, required to be brought only before the Court *in banco*, when it would suit all parties to go before a Judge in Chambers. In this respect, the old system of *Enquête* has not lost its prestige, on account of its pliancy. Many resort to it as an escape from the unavoidable inconvenience of waiting for trial, with numbers of witnesses, sometimes from a distance. As long as speedy justice cannot be administered, it will remain as a remedy for dispatching business.

The system of short-hand writing is distrusted by prudent and careful lawyers, and will be so as long as there are not official phonographers. The present system is objected to on the following grounds: (1.) There is no other responsibility but an object of lucre on the part of stenographers. They do their duty as long as it suits them. One case is interfered with by another case. They may leave the country with the evidence in their pocket, or keep it any length of time. (2.) One party is at the mercy of the other, inasmuch as a case may be kept from the deliberations of the judge so long as the evidence on both sides is not put in by the stenographers, sometimes by neglect, other times for fear of not being paid, and in some cases through corrupt motives, which, however, has seldom been the case. (3.) The cost of that mode of evidence is unbearably extravagant, from intrinsic and radical cause; and the length of the evidence is distressing to judges and lawyers. The writers are paid 20 cents per 100 words. The lawyers take them, as they press themselves to do the work, most of the time without knowing their aptitude, their name or their place of abode. When the evidence is wanted, the writer cannot be found, in many instances. When the depositions of witnesses are brought in, judges and lawyers have to read impossible hiero-