

We are no advocates, however, for the appointment of worn out politicians, or for leniency in dealing with public servants occupying positions for which they are either incompetent, or have become unfit by reason of the infirmity of old age, or the decay by disease, or otherwise, of any of the faculties necessary for their service. When such incompetence, or unfitness, becomes apparent retirement should be insisted upon. The profession are perfectly familiar with instances where, owing to physical infirmity, the usefulness of judges has been almost destroyed, though still retaining their position and occupying places which should have been filled by others. But when there is compulsory retirement there should go with it a generous regard to services rendered, and, in case of the judiciary, the recollection of the very inadequate remuneration that has been accorded. There is undoubtedly a practical difficulty in working out this compulsory retirement; and, probably, this is why the rough and ready method of an arbitrary age limit was adopted. Whilst, as we say, there are those considerably under the statutory age who should be retired, there are, on the other hand, those over it who are still quite equal to their work—both mentally and physically.

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An example of the latter class is aptly given in the person of His Honour Judge Hughes, of St. Thomas, who, towards the end of last year, came under the provisions of the Dominion statute above referred to. At the time of his retirement he had been on the Bench for over fifty years, and this long service may, we think, be said to be unique in the judicial history of Great Britain and her colonies. During that long period he enjoyed the confidence of the profession and the public in the county where he presided, as a painstaking, conscientious judge, a sound lawyer, and a good citizen. That during that period he had no enemies, or encountered no difficulties, was not to be expected, for he was a man of strong convictions, independent in thought, intolerant of what he considered wrong or unfair, and very outspoken in the expression of his opinion, fearing no man, and regardless of any influence in doing what he considered right. His activity of mind and memory, and his physical vigour are almost undiminished and fully equal to the condition of most men twenty or thirty years younger than himself. The ex-judge was highly thought of by his brethren