

I think, be safely assumed that while much larger incomes have been, and are, occasionally realized, yet \$5000 per annum is a high figure for a first class advocate,—a figure attained by few, while the much larger number making half that sum steadily, will be tolerably hard worked.

But leaving this unedifying topic, let us glance for a moment at the judicial system in England and Canada. The bar of England is almost entirely concentrated in London. The fifteen judges who sit at Westminster, administer justice at every assize town in England. This differs very materially from the system in France, where there are local bars all over the country, and twenty or thirty Imperial Courts, each supreme over a certain number of departments, subject only to the *Cour de Cassation*, which can review the judgments of every court in the Empire. It necessarily follows that the bar of France is scattered over the country. One of the effects of this is a more equal distribution of employment. For an English barrister of note may be engaged in every important case in a number of the Circuits; but this cannot occur in France where twenty or thirty Imperial Courts are sitting at one and the same time. In Lower Canada, since the decentralization measures were carried out, our system bears a greater resemblance to the French. The appeal side of the Court of Queen's Bench, it is true, sits only at Montreal and Quebec, but the terms for the dispatch of Crown business and the terms of the Superior Court are held all over the country, so that advocates, more or less numerous, are established at Sherbrooke, St. Hyacinthe, Three Rivers, Sorel, and elsewhere, thus attempting to satisfy the popular demand that justice shall be brought to every man's door. Next, as to the relations of the bar to the bench. Our judges are almost invariably, as in England, selected from the practising advocates, and when the appointment is once made, there is very little subsequent promotion. In England there is still less promotion from one court to another. The barristers promoted to the Bench generally remain in the same court as long as they continue on the Bench. In

France, on the contrary, the judges are far more numerous, and form in a great degree a distinct class, being promoted from the less to the more important positions. The official advocates, moreover, form a compact class, *ministère publique*. In England the same counsel prosecute one day and defend the next; the attorney-general holds his brief from the Crown as from a private client; but the French *procureur* or *avocat-général* sits on the Bench with the judges, and is remunerated by the government, which so to speak, is his only client. In Canada, the attorney-general and solicitor general are political personages in receipt of a salary, but still they generally continue (by means of a partner,) their private practice at the bar, and our Crown prosecutors are generally at liberty to practice as private advocates in the Civil Courts where not retained by the Crown.

Lastly, as to the relation of advocate to client. In this country, there being no distinction between the classes of barrister and attorney, the same person who originally receives instructions from the client, generally conducts the case to its final issue. Even if it be appealed to the Privy Council, there is nothing to prevent the Canadian advocate from appearing before the court of final resort. This system which bears more resemblance to the French than to the English custom, probably gives the advocate a warmer and more constant interest in the success of his client's cause, than is felt by the English barrister of established reputation, receiving his brief from an attorney. It also gives the barrister a more practical and intimate knowledge of the details of procedure. On the other hand, it may be urged that it is not good for the advocate to be in immediate contact with the hopes and fears, likings and dislikes of his clients. Moreover, some of the qualities of an orator, ease and grace of gesture, strength and tone of voice, are not always found united with the patience and legal acumen necessary to the attorney in sifting a case, and so forth. Having, however, already exceeded my prescribed limits, I shall not attempt to enter here upon the discussion of this subject. X.E.B.