

case as to their eligibility for retaining office. Without in the least degree pretending to have worked out any plan, we may, by way of illustrating the principle that we advocate, suggest that a judge who had arrived at the age of 70 years, and had been 25 years on the bench, might fairly be considered to be as well entitled to retire on full pay as those judges who retire under the present law. Cases might occur in which a judge might have attained the age suggested without having served 25 years, and yet be quite competent for his duties. To meet such cases might not an annual certificate of competence from the judge himself be required? It cannot be sound policy that judges should be placed in the position of having either to retain office after they have become unfit for duty, or to sacrifice a portion of their income. Moreover, public opinion would be averse to the sacrifice. We venture to assert that, in the case of the venerable judge, Chief Justice Draper, who has recently terminated a long and useful public career, hardly an individual could have been found who would have grudged him a pension equal to the full salary of his office, and we might make just the same remark with reference to one or two other judges still on the bench. The subject to which we have invited attention is of considerable importance to the public interest, as we venture to think those who have paid attention to the state of the bench during a considerable period of years, as well in the Province of Quebec as in Ontario and the Maritime Provinces, will admit. Whether the remedy which we have ventured to indicate would be effectual is another question, but that some remedy is necessary, and in the same direction as that adopted in the civil service, we have no doubt.

#### TUTTLE'S HISTORY.

It is not without some hesitation that we notice a work which has been most industriously pressed upon the public by canvassers with an assurance that its author, who is not much known either in Ontario or Quebec, was fully competent for the rather difficult task which he has ventured to undertake. It seems to be almost a departure from established usage to write in a tone of disparagement of any work published in Canada, and yet we confess that it is hardly possible to write otherwise in regard to the book before us. We must acknowledge that the author has announced in his preface—"I lay no claim to the title of historian in its true meaning," but we would venture to enquire why has he pretended to publish a

history and to secure subscribers in advance to a rather expensive work. The canvassers most assuredly were careful not even to hint at the incapacity which the author has honestly confessed in his preface.

Mr. Henry J. Morgan is quoted as an authority for the opinion expressed in 1866, that "the historian of Canada or British America has yet to come," which Mr. Tuttle thinks is equally correct in 1877. But he is further of opinion that "whatever of *perfection!* may be found in these pages is in some degree traceable to the well directed labors of those who, while they displayed in many instances greater ability as historians, manifested less skill and capital with which to carry their publications successfully through the press." The foregoing sentence is pregnant with meaning. We doubt much whether the historians to whom reference is made, the least meritorious of whom is immeasurably superior to Mr. Tuttle, would plume themselves much upon any "perfection" to be found in his pages, but there has been, it must be admitted, some skill displayed, and, probably, some capital expended, in getting up a specimen of the catch-penny publications that are hawked through our streets by professed canvassers. Peter Pindar, if our memory serves us right, makes the seller of razors that would not shave, say in answer to the question, what they were made for: "Made," cried the fellow, with a smile—"to sell,"

and certainly Tuttle's History was made to sell.

In looking over the work we were forcibly reminded of the introduction to one of Macaulay's most cutting essays, in which he pronounced the merits of the performance to be "on a par with those of a certain leg of mutton on which Dr. Johnson dined while travelling from London to Oxford, and which he with characteristic energy pronounced to be 'as bad as bad could be, ill-fed, ill-killed, ill-kept, and ill-dressed,'" and which he explained, with reference to the work he was criticising, by affirming, as we can conscientiously affirm of Tuttle's History, that it was "ill-compiled, ill-arranged, ill-expressed, and ill-printed." The last charge can be proved without going beyond the list of illustrations, the names in which are repeatedly ill-spelled. As specimens, "Cauchon" is turned into "Cushon," and "Dorion" into "Darion," "Haley" into "Hally." Almost invariably in the work LaFontaine is printed LaFountain. Some of our readers may think such blunders unimportant, but we refer to them chiefly as affording evidence

of the slovenliness and carelessness of the author of the work. In more than one instance the blunders are such as to be misleading. Who, for instance, would imagine that Alison ought to have been Almon, or Huard Heward?

We must turn to graver faults, and although their number is legion a specimen or two must suffice, as we have neither space nor patience to dwell at any length on the subject. There is, perhaps, no period of Canadian history more interesting than that commencing with the Union, in 1841, when Lord Sydenham was Governor, and terminating with the accession of Lord Elgin in January, 1847, embracing a period of six years of the greatest possible interest. The period in question is treated of by Mr. Turcotte in the 1st part of his "Canada sous l'Union," and occupies about 175 pages, being the whole volume, with the exception of 50 pages of an introduction. Tuttle deals with the same portion of history in 3 pages, and as a sample he informs us that "the new Constitution, as expressed in the Union Act, fully established the principle of responsible government." There is not a line in the Union Act bearing on responsible government, and in almost the next page the author declares that Sir Charles Metcalfe "absolutely refused to be advised in any way by his ministers as to appointments," although responsible government had been "fully established" by act of Parliament. Not an allusion is made to the resolutions of the Legislative Assembly, nor indeed to any of the leading occurrences which an author with the least pretensions to be even a good compiler would have noticed.

We are sorry to have to state that the volume which has been published abounds to such an extent in inaccuracies, to use a mild expression, as to render it impossible to place any reliance whatever on the statements made, and it is rare indeed for the compiler to give any authority for them. We are bound in candor to acknowledge that we have not perceived any party bias in the work. The numerous errors seem to have arisen from sheer ignorance and carelessness. The illustrations are numerous. There is a good engraving of Her Majesty, and the likenesses of the Hon. A. Mackenzie and Dr. Tupper are good. We cannot say as much for that of Dr. Dawson. The others are, with rare exceptions, very inferior. These illustrations, however, are the manifestations of skill, alluded to in the preface, in getting up a book to sell. We are inclined to think that with the aid of the canvassers and the illustrations the book may have