doubts which have existed in this country, and the lawsuits that have taken place in consequence, show that the word *inhabitant* has not always been held to mean a resident. The hon. Judge also cited (as confirming the view he has taken of the question) the Bill introduced into the Legislative Assembly with the assent of the Department of Public Instruction, and which contemplated a settlement of this point. 3rd. The object which the law has in view in leaving every one free to dispose of his school taxes according to his own convictions being the removal of a source of religious animosity, all clauses of doubtful meaning should, as far as possible, be construed consistently with the attainment of this end; and the concession, like every other immunity favorable to the maintenance of order and the public peace, should be extended rather than restricted in its application. 4th. The proprietor, although he may not be a resident, is nevertheless a member of the municipal body to which the administration of the common interest belongs. He has, without doubt, under the law, a right to be heard and to vote at elections. He is a ratepayer and an elector, and consequently must have the same right as a resident to choose between the two school corporations, that of the majority and that of the minority. 5th. Assuming that the word *inhabitant* is used in the exclusive sense of *resident*, it is intended in the law to confer on residents only the right of forming a dissentient corporation; but this dissentient corporation once formed and established, it cannot have been intended to carry further the distinction between resident and non-resident ratepayers, and thus to deprive the latter of the right of paying their assessments to the corporation representing the religious minority to which they belong."

CORRESPONDENCE.

OUR JUDICATURE SYSTEM.

MR. EDITOR,—I heartily concur in the remarks of your Correspondent Q, in the October number of the Journal, as far as they go, and would now ask permission to make a few suggestions as to the best mode of reforming the evil complained of.

I think every person of experience will admit, that the root of all our difficulties is the system of *Enquête*. The objections to it are manifold,—it is secret, cumbrous, tedious and expensive,—the Judge, who has to determine the case eventually, never sees or hears the witnesses,—and the witnesses themselves rarely or never pronounce the actual language recorded in the depositions. Then the number of depositions in many cases is unnecessarily great. And the *griffonnage* such, in many instances, as to render it almost impossible for the judge to appreciate the true meaning of what is actually recorded.

Now, if the system of *Enquête* in contested causes were entirely abolished, and each case were tried *before a judge*, in the same way that a case would be tried before a judge and jury,—*not here* (for we have unfortunately engrafted on our trial by jury a bastard system of *Enquête*),—but as in England, the United States, Upper Canada, and in fact in every other part of the civilized globe, where the system of trial by jury is practised,—*the judge himself taking full notes of all the essential points of the evidence*,—I venture to assert that justice would be more promptly, more correctly, and in every respect better administered, than it either is or could ever be hoped to be under a system so peculiarly Lower-Canadian as ours is. Not only would the judge have the advantage of seeing and hearing the witnesses, whose testimony he is called upon either to believe or to discard as unworthy of belief, but the witnesses themselves,—instead of uttering their testimony in a semi-secret form and subdued tone in a corner of the Court-room, or it may be even in an advocate's private office,—would have to proclaim their evidence aloud, in the face of the Court and Counsel and the assembled audience. No man, who has ever been called on to discriminate with regard to oral evidence, can fail to admit the value of the latter mode of taking testimony and to stigmatize the former mode as simply barbarous, if not iniquitous. Then we all know, from our own experience in trials by jury here and from what we have seen and heard of the mode of conducting such trials in other countries, that the judge would have the additional advantage of *controlling* the evidence, both as regards its substance and its quantity,—a point of very material moment in the due administration of Justice. I would now suggest in what way, in our own district, our Courts might be organized, to suit our proposed altered condition.

At present we have two classes of cases in the Circuit Court, the appealable and the non-