

would adjourn to the 12th of December. The reason why this was done was that there was a little difficulty about the proclamation—it did not mention in what year the terms were to be held (laughter); in order that there might be no difficulty whatever, the Court had resolved to adjourn to the 12th of December next. The Chief Justice proceeded to observe that there had been a good deal of misrepresentation about these additional terms, and a good deal of discussion had been going on without it being known exactly what were the facts under which the terms were proclaimed. It would be recollected by the Bar that a bill had been introduced last year into the Legislative Assembly of Quebec for the purpose of doing away with the term system and arranging for the Court to sit almost continuously. That bill passed through the Legislative Assembly but did not pass the Legislative Council. Immediately after the session the Council of the Bar met and passed a resolution praying the Attorney General to fix a monthly term at Montreal, according to the promise which had been made by him during the session. The Attorney-General had sent him (the Chief Justice) a copy of this resolution with a request, not to express an opinion on the propriety of having additional terms, but that he should indicate the days on which the additional terms might be most conveniently fixed. He (the Chief Justice) communicated with his colleagues, and it appeared that no common action could be taken. He therefore took it upon himself to suggest to the Attorney-General what he thought should be done, that is, that no term should be fixed before the vacation (it was then the 23rd of June), but having calculated what he thought was the number of days necessary to get rid of the roll, or to reduce it so much as to bring it under the control of the Court, instead of five or six additional terms, as was suggested by the resolution of the Bar, he proposed that three additional terms should be fixed, one in October, one in December, and one in February, giving thirty additional working days. At the same time he took particular care to say this was to be considered as his own suggestion, and not that of any one else. He expressly stated that. Now, the Government had fixed two instead of three terms, omitting the term suggested to be held in October. They were

not to be blamed for that, for one of his colleagues had specially dissented from that, and the Government were informed of the fact. This statement showed how it came about that additional terms were fixed. He had nothing else to say. It was evident that it was at the suggestion of the Bar, or rather of the Council of the Bar, that the additional terms were fixed. There was only one other remark he wished to make, and it was this: The regular terms between the 15th November and the vacation would have given 39 working days. The two additional terms proclaimed would give in all 58 working days. But the suggestion to sit four days in each week would only give 36 days from November to May, that is, three days less than if there had been no extra terms. His Honor concluded by observing that he made these remarks so that the Bar might put the blame, if there was any blame, where it rests and not where it does not rest.

The proclamation was then read.

RAMSAY, J., said the remarks which the Chief Justice had made necessitated some observations from him. The Chief Justice stated that he communicated with him on this subject. He (Mr. Justice Ramsay) had no recollection of that, but he found no fault on that account, because communication with him would have been useless. It was well known to the bar that he had all along been opposed to any system that would prevent deliberation. It had been stated in certain quarters that he had approved of these extra terms: he had never approved of them, on the contrary, he had disapproved of them in the strongest manner. If the bar asked for a system by which the Court would have to sit perpetually, he could not understand on what ground it could be justified. It was in the recollection of the bar that seven or eight years ago they pressed upon the Government the plan of sitting four days in the week. He was no stickler for forms; but he wished to perform his duty conscientiously and well, and he regretted that the Chief Justice had suggested these additional terms, because it was impossible that the work could be done. That was the view of the bar, for every man who had been consulted and who had furnished his views to the *Gazette*, agreed with the four days system. Only two judges