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ADMINISTRATION OF JUSTICE.

The bill, to authorize the appointment of a new Judge to the Court of Queen's Bench and to the Superior Court, provoked a discussion which lasted during a whole evening in the Commons. To some of the points which arose in the debate we may refer hereafter. In the meantime we think our readers will be interested in the following letter which was addressed by Mr. Justice Torrance to the Attorney General of Quebec, and which treats of the same subject as was discussed in Parliament:—

MONTREAL, 21st June, 1880.

SIR,—The announcement in the Legislature of Quebec that it is proposed to provide for the nomination of two new Judges for the Superior Courts—one in the Queen's Bench and one in the Superior Court—appears to me to afford a fitting opportunity for a few observations on the administration of justice in the Province of Quebec.

It is a singular fact that of the Judges of the Superior Courts for the Province of Quebec, there are no fewer than ten on the retired list. The sister province of Ontario has three County Judges on the retired list, but none from the Superior Courts. There have been repeated complaints of the administration of justice in Quebec, and it is probable that the Judges of Quebec have not found their position so agreeable as to desire to occupy it longer than is necessary to give them a claim to be placed on the retired list. Why, I may ask, should the Judges of the Superior Court be obliged in Quebec to give half their time to that work which in other Provinces is performed by County Judges? Why should the respected and honored Chief Justice of the Superior Court be required to give his valuable time to dispense justice between servants and laborers and petty trades-people, in Courts which he never entered when he had the reputation of having the largest practice in the Province? In the

other Provinces the Judges of the Superior Courts have been relieved from the duty of administering justice in the inferior Courts—Manitoba and Quebec stand alone in this respect.*

Here I should remark that it has sometimes been said that the expense of the administration of justice has been greater in Quebec than it should have been. I hardly think that this reproach is well-founded if it be true that the Dominion, for the year ending June, 1879, paid on this head for Ontario, \$198,585.85, and for Quebec, \$152,173.39. What is wanted in Quebec is a readjustment of judicial work, so that it shall be distributed fairly and equally in all parts of this Province.

As it is, the distribution has been most unfair. For example: Montreal has had the credit of giving more occupation to the Judges than the whole of the rest of the Province taken together. The Judges there have been incessantly occupied, while there are Districts where the resident Superior Court Judge has not had occupation for a month in a year, perhaps not a week.

It is time that the Judges of our Superior Court should all of them sit on the Bench in turn in the cities of Montreal and Quebec. It is there that the leading men in the profession of the law chiefly congregate, that libraries are to be found, and that the spirit of association and conference, which is so strong in these days, can have its proper development. A numerous and highly educated Bar has an undoubtedly beneficial influence upon the Bench, which has been constructed from the Bar; and the Bar is, on the other hand, influenced by the Bench, if it is as it should be, in sympathy with it. But the country districts are entitled to the same justice which is meted out to the people of the towns, and to this end the same Judges should periodically administer the same law to town and country. I believe the Bar and the Bench are alike agreed that the present system, which banishes to the country some of our best lawyers and Judges, is radically defective; that it is a failure and must be changed.

There is a simple remedy. There need not be any sudden change. The Judges of the

*Ontario has 51 County Judges; Nova Scotia, 7; New Brunswick, 5; Prince Edward Island, 3; British Columbia, 5.