

ago, when the actual expenses of living were not one-half what they are at present. The salary now-a-days is insufficient. Cashiers and managers of banks receive, as a rule, higher compensation for their services. Many merchants, brokers, insurance agents, and barristers, make far more than \$4000 per annum. Consequently, it is impossible for the judge to retain that position in society which his office requires, if his salary be not such at all events as to enable him to live like a gentleman, and to absolve him from the necessity of grudging every farthing given in charity as an act of robbery of his creditors. A judge, then, should have at least \$6000 per annum. In the next place judges should be taken from the ranks of practising advocates; nothing is more absurd than the nomination of a Clerk of a Court to a seat on the Bench; it is a realization of the old proverb of "put a beggar on horseback," &c. It in fact may be regarded as a violation of our law, which is in the following words: "The Chief Justice and Judges of the Superior Court, when the ninth section of the Act 20 Vic. c. 44 took effect, remain such by virtue of the commissions they then held; the new Judges of the Court were appointed from among the then Circuit Judges and the Advocates of at least ten years' standing at the Bar of Lower Canada; and all future Judges shall be appointed from such Advocates of the said standing." (C. S. L. C. c. 78, s. 7.) With respect to the Queen's Bench, it is provided that no one shall be appointed as Chief Justice or Judge thereof unless at the time of his appointment he has been a judge of the Superior Court, or is an advocate of at least ten years' standing at the Bar of Lower Canada. (C. S. L. C. c. 77, s. 1, § 2.)

But the real difficulty arises when it is proposed to take away the right of appointment from those who now enjoy it and vest it elsewhere.

In England it has been proposed to vest the right of nominating the judges in the Lord Chancellor and Chief Justices. Here it may perhaps be permitted to advocate a still greater departure from old principles.

Who, may it be asked, have a greater interest in securing the appointment of a fit person to be a judge than the Bar and the Bench of the district within which such judge after his appointment is to act? Where can there be found persons better qualified to judge of a person's fitness for a seat upon the Bench than those who plead against him and those who hear him plead, nearly