

The Legal News.

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JUDICIAL PENSIONS.

A return, laid before the House of Commons, embraces several statements on the subject of pensions granted to judges in the several provinces. The first shows the number of judgeships in each province on its union with Canada, the incumbents of which were entitled, in certain events, to retiring allowances. In the Province of Quebec there were 24, viz. 5 Q. B., 18 S.C., and 1 Vice-Admiralty. In the Province of Ontario there were 9, viz. 3 Q. B., 3 C.P., and 3 Chancery. At that date (A.D. 1867) there was in Lower Canada no statute specifying the pensions or the judges entitled to receive them; but by Statute, a lump sum was placed at the disposal of the Government for judicial pensions. The number of judges, at confederation, actually in receipt of retiring allowances was very small: only two in Quebec, and one in Ontario; the total charge per annum for the former being \$4,799.96, and for the latter \$3,333.33.

The increase since confederation, both in the number entitled to, and in the number actually in receipt of, retiring allowances, has been very striking. In the Province of Quebec there was a judge added to the Superior Court in 1869, a second in 1871, and 6 more in 1872, bringing the number of judges entitled, in certain events, to retiring allowances, up to 32. In Ontario the increase is still more marked. In 1872, 49 judges and junior judges of the County Court became entitled under 36 Vict. c. 31. In 1873 the Court of Appeal was created, with four new judges, and the total for Ontario was brought up to 61, at which figure it has remained. In 1875, the enactment of the Supreme Court Act added 6 judges of the Supreme and Exchequer Courts for the Dominion. In Nova Scotia there are now 15 judges entitled, in New Brunswick 12, in British Columbia 9, in Prince Edward Island 6, and in Manitoba 3. It may also be remarked that in 1880, by Act of the Quebec Legislature, one judge has been added to the Court of Queen's

Bench and one to the Superior Court, but the appointments have not yet been made.

The increase in the actual charge upon the Treasury has also been very large, and although the number of judicial officers entitled in Ontario is nearly double the number entitled in Quebec we find the actual charge many times greater in the latter Province. In Ontario the charge decreased until in 1876 it vanished altogether. In 1878 it re-appeared, and now stands at \$3,200. In Quebec the increase has been almost continuous. In 1868 the whole amount was \$7,068.05; in 1871 it was \$9,201.37; in 1872, \$11,068.01; in 1874, \$19,566.57; in 1875, \$21,899.90; in 1876, \$24,566.56; in 1877, \$25,766.56; and in 1879 and 1880, \$28,332.22. The total number in Ontario is 2 against 10 in Quebec. It is apparent, therefore, that a much larger proportion of Ontario judges die in harness than of their Quebec brethren. This fact has been attributed in some quarters to the less agreeable position of the latter, many of the Superior Court judges being obliged to reside in country districts, and the duty of holding the Circuit Court for the decision of petty causes being imposed upon them.

THE BRIEF TRADE.

Brief-selling is an established trade in the United States. A company exists, under the name of the "New York Brief Company," which advertises its readiness to supply briefs "skillfully and logically prepared by able and experienced lawyers," and "satisfaction and *absolute secrecy*" are guaranteed. These briefs are to be "submitted without argument," and are intended, apparently, to supersede oral arguments. This seems to promise a solution of the problem which has puzzled sundry ambitious persons for centuries—How to practice law without Brains. We shall soon see a new item in the market reports, and briefs will be quoted "dull," "sluggish," or "lively" as the case may be.

MASTER AND SERVANT.

A decision was recently given by the Supreme Court of Austria, which illustrates the law of that country on the subject of the employer's liability for injuries to employees resulting from defective machinery. The North German Ice Works are engaged in the ice business at