

On the other hand, the Court of Appeals, composed of five Judges, holds annually four terms at Quebec and four at Montreal, besides two Criminal Terms at each of these places. The applications in Chambers are comparatively few in number, and the evidence and summary of arguments in the cases brought before them are printed, so that the labour of perusal is lightened. Thus a large part of the year is unoccupied, save with "deliberation."

These facts are suggestive. We do not, however, contend that the labours of these last mentioned judges should be increased. It may be very fitting and proper that there shall be judicial posts in which dignified ease may be enjoyed. Opinions, too, pronounced after three or six months' deliberation, may reasonably be expected (though the expectation is not always realized) to establish fixed principles of jurisprudence.

With more appearance of reason may it be urged, though we are not quite prepared to say that such is the fact, that the multiplicity of business devolving upon the Judges of the Superior Court, must often prevent the deliberation requisite for the proper despatch of judicial duties. Decisions, it may be said, though rendered after a long *délibéré*, will frequently be based upon the first hasty impression formed at the argument, without a careful examination of the record. We were recently shown a deposition which by some carelessness had been tied up at both ends, so that it could not be read without being unfastened at one corner. The cause was a contested one, and at the time we saw it, judgment had just been rendered, showing, apparently, that the entire deposition had escaped the notice of the judge.

The inordinate length to which depositions frequently run, under our *enquête* system, adds immensely to the labour of the Judges. It was stated a short time ago by Mr. Justice Badgley, that a deposition extending over seventy-five sheets, which he had been obliged to peruse, for the purpose of deciding whether a particular question might be asked, could easily, without the slightest detriment to the value of the deposition, have been brought within the compass of ten or twelve pages,

and that he would not have permitted it to extend beyond that, could he have controlled the notes of evidence. A fact like this, which by no means stands alone, adds additional weight to the remarks of Q. C., (a writer well qualified to speak with authority on the subject,) on our *enquête* system, in the January number of the JOURNAL.

COURT OF APPEALS.—MARCH TERM.

The number of appeals decided during this term was seventeen, judgment being confirmed in seven cases, and reversed in ten cases. It may not be uninteresting to see how the bench was divided on these cases. We find that in *seven* cases there was an expressed dissent from the judgment of the majority; in *five* cases there being one dissenting judge, and in two cases two dissenting judges. This is exclusive of the case of the Queen and Ellice, in which judgment was reversed as to interest, awarded in favour of Ellice. In this case there were also two dissenting judges,—one dissenting *in toto*, and the other being disposed to modify the award.

Next, as to unanimous judgments. We find that the Court was unanimous in nine cases, chiefly of an unimportant character. In four of these cases the judgment of the Court below was confirmed, but in the other *five* the judgment of the Court below was unanimously reversed.

THE CHIEF JUSTICESHIP OF THE SUPERIOR COURT.

This responsible office has to be filled up by the Crown, and we trust that due care and deliberation will be had in the selection of the occupant. High judicial posts, to which arduous duties are attached, should not be filled up as a mere political reward or piece of preferment to the nominee. Judicial ability and capacity for work, united with *high* and *honorable* character, are the important considerations. We do earnestly hope that an end has been made of those improper appointments, which have brought disgrace on the Bench and have been a grievous injury to the profession.