

## JUDICIAL SALARIES—BLASPHEMY AND BLASPHEMOUS LIBELS.

afford to give up their large incomes for the miserable salaries which would be payable to them as Judges. This is a great evil, and a growing one.

Taking the ground we do, we have no fault to find with the proposed increase to the salaries of the Judges in the Province of Quebec, but are bound to remark that this only makes more striking the inadequate remuneration given to the Judges in this Province. The position and responsibility of a Judge of the Superior Court of Quebec, residing outside of the Cities of Quebec and Montreal, are more nearly represented in Ontario by those of our County Judges than of the Judges of the High Court of Justice, except that these Quebec Judges have, as a rule, vastly less work to do than most of our County Judges; they are to receive, however, \$4,000 per annum (with two exceptions), whilst the annual income of the County Judges in Ontario is only about \$2,500 each. In fact, taking the relative expense of living into consideration, the former are paid sums which are practically much larger than those given to even the Judges of the High Court of Justice in Ontario, living in Toronto. If it is right to make the increase in one Province, it is right in the other. The increase, in truth, should, in all fairness, have begun in Ontario. The volume of judicial business is vastly greater in this Province, and the expense of conducting it, (to the general exchequer) is very much less in proportion to the amount of litigation.

As to the last resolution, which takes away travelling and circuit allowances from the Judges of the Court of Appeal, we presume it is thought that they have enough work to do in Toronto in their proper sphere, and this is probably the case. But the result is a very considerable reduction in their emoluments, as there is a surplus to them on each assize after paying expenses. This reduction is not only unfair, but in the face of the increased cost of living over what it was when Judges' salaries were originally fixed, is

positively cruel. The Judges appointed since shortly after the elevation of Mr. Osler to the Bench, do not receive the \$1,000 which was formerly added to the salaries of the Judges by the Ontario Government for work in connection with the Heir and Devisee Commission, and private bill legislation. There has been a reduction on all sides in this Province, instead of an increase, as there should have been. We believe that if this matter were properly brought before the intelligent public of Ontario, they would see the necessity of making the Bench a prize to the best men at the Bar. Once let the Bench fall in public estimation, and an enormous evil is done. If it is not constitutionally proper for the Provincial Government to supplement the salaries of the Judges, it surely could be done by some arrangement with the Dominion Government. In fact we have an impression that something of this sort was at one time suggested, but not carried out.

## SELECTIONS.

## BLASPHEMY AND BLASPHEMOUS LIBELS.

The case of *Reg. v. Bradlaugh*, for the publication of a blasphemous libel in the *Freethinker*, absolutely bristled with points of law. The Bankers' Books Evidence Act, 1879, the Evidence Further Amendment Act, 1869, and Lord Campbell's Act, and the law of blasphemous libel, all came under discussion in the course of the case, or of the Lord Chief Justice's summing-up. As to the first Lord Coleridge seemed to have been under some misapprehension. The Act complained of by Mr. Bradlaugh on the part of the prosecution in obtaining an order from the Lord Mayor for the inspection of his banker's books was not taken under the 6th section of the Act of 1869, but under the 7th. The order was not made to compel the banker to produce the books in court, which can only be done by a judge, but to allow the other side to inspect and take copies of any entry therein. The wording of the section allows