

*HON. MR. JUSTICE MILLS.*

The vacancy in the Supreme Court caused by the death of Mr. Justice Gwynne has been filled, with commendable promptitude, by the appointment of the Minister of Justice, Hon. David Mills, K.C., of whom a portrait and biographical sketch appeared in our issue for July, 1900.

It was generally understood that Mr. Mills was to take the first vacancy, and it was, in a sense, his right by virtue of his position. We congratulate him upon his promotion, and regret that his services are lost to the Senate.

The career of Mr. Mills and the eminent position which he has attained is sufficient evidence of great natural capacity, aided by painstaking industry and self-culture. His extensive learning in two important branches of the law is recognized by all, for no one in this country is his superior, or perhaps his equal, in knowledge of constitutional questions and international law. It must of course be admitted that he has not had the advantage of an experience (more necessary in judges of first instance than in an appellate Court) acquired by a large practice at the Bar, his time having been mainly devoted to his duties as a member of the House of Commons and of the Senate, where he gained not only a high reputation in the branches of law to which he mainly devoted his thought, but also a large knowledge of men and things and of the changing needs of a growing country, invaluable in the court of last resort for this Dominion.

It must be remembered, moreover, that Mr. Justice Mills is one of the best read men in this country, and his scholarly mind has been well stored with the great principles that underlie all law. It has also been remarked that in the fierce political battles in which he was so long engaged he was well known for his fairness in debate and the judicial character of his utterances.

As to an objection which has been suggested, that he has been appointed at an age when most men seek retirement from active work, we can only say that there can be no cast iron rule as to intellectual fitness. Some men are as clear of brain and as sound of health at three score years and ten as others are at fifty. For illustrations of this we need not go beyond Mr. Mills' predecessor, Mr. Justice Gwynne. Although the latter was ten years older than the former at the time of his unexpected death, he had not