

will be hereafter, writers of the kind employed in the staff of the *Montreal Gazette* would be compelled to earn their bread in a different manner, and the Attorney-General deprived of the sickening adulation showered upon him by such men, would learn to act so as to obtain approval and support from persons worthy of giving it, and whose approbation would not convey with it personal degradation to the recipient.

This writer talks of some mysterious appointment of one of Mr. Cartier's friends, as the cause of the malicious attack upon the Attorney-General. We are not aware of his meaning. It is more than probable that many friends of Mr. Cartier have received subordinate appointments to which their professional merits did not entitle them. With these appointments the Bar can scarcely take any interest. Our excellent friend, Mr. Loisselle, retiring from his office of keeper of the Court-House, might be replaced by one of the Ministerial writers, and we have no doubt that the Bar would remain silent. The occupant, though he may receive the salary, must be content to remain unnoticed. So with all subordinate Officers. Not so with the Members of the Bench or the Crown Officers. These appointments are too important to the public interests to be given for votes on a Seat of Government question, and if granted as rewards for political services they must in the end, destroy the Minister who ventures to adopt this course to maintain his precarious and slippery eminence.

The Bench of Canada enjoy the respect and esteem of the public, and their integrity and impartiality have never been doubted, so much so, that the improvident Acts of the Legislature complained of, at the time they were passed, escaped notice and animadversion; but a collision between the Executive authority and the Judicial power exhibited the pernicious and dangerous tendencies of this system to the public interests, and doubtless contributed to disturb that feeling of confidence which had up to that moment existed in the minds of the people generally. This fear did not infer that the private character of the Judges are subjected to depreciation, but would be felt as applicable to every man in that position. We recollect that Mr. Justice Gale, who long and ably filled the Judicial Seat in Montreal, declined taking part in the decision of a case in which one of his intimate friends was interested. No one could have supposed, that a man like Judge Gale, whose Judicial life had been spotless, would not have administered Justice, with scrupulous care, and without reference to his feelings of friendship; but he considered, and wisely, that no Judge ought to be placed in that condition, where even the suspicion of partiality might have been entertained.

The writer good-naturedly suggests an indictment for libel. If that humane intention were carried out, we would be disposed to reouse any Judge who had expectations of promotion, or who had just been promoted, from presiding at our trial, on the ground that hope or reward from, or gratitude for, benefits conferred, by one of the litigants, is not precisely the condition of mind most favorable to the impartial performance of Judicial duties. In such a recusation, we would obtain the sympathy and support of the people, and this evil system would be crushed, even at the expense of a Revolution. Mr. Justice Meredith has earned by his integrity and ability a very high position in the opinion of the profession, both in Montreal and Quebec, and none would regret more than ourselves, that a system, the evil consequences of which could not be anticipated by him or by us, should produce so sad a result as the impairing of his deservedly high position. Fortunately, by the forbearance of Mr. Caron, no opinion as to his competency, was required at the hands of Mr. Meredith, but if such an opinion had been required, we would have expressed our regret that a Judge should have been placed in a position where the Judgment, if in affirmance of Mr. Caron's competency, might not have secured that respect, which his Judgments heretofore have universally received. Again, the danger of this system would have been injuriously exemplified. But all these apprehensions have now subsided (excepting our trial). And we will gladly welcome him as an ornament to the Bench to which he has been promoted.

We may add that we have no ungratified ambition. We had no expectation of any kind of Ministerial favor. We have avoided any friendly relations with Attornies-General for many years past. We have performed no services for them. We did not enlist in their Bands of mercenaries; and, consequently, it would have been idle on our part to have indulged in hopes of preferment.

The appointment of the Clerk of the Court, at Aylmer, to the Judgeship, is another evidence of Mr. Cartier's culpable disregard of public opinion in the disposal of the Judicial patronage. But enough. We do not like writing; and we have entreated our eccentric friend to abstain from bringing under our notice any other articles, as we do not desire to be provoked out of our habits of silence. We would not have written again if we had not feared by our silence to have given the stamp of truth to the distorted statements of the writer, who gladly would have changed the issues; from the system to individuals. We have thus discussed this matter, without any heat or annoyance—very much as we would conduct a case—and cannot understand that our adversaries should indulge in impertinences, though we can afford to smile at and forget them.

MONTREAL, April, 1859.