

until an order had been obtained from a Judge of the County Court or of the High Court. The plaintiffs relied upon the terms of their mortgage, and submitted that as the notice contained a demand for payment "forthwith," they were not obliged to wait until lapse of the time mentioned for exercising the power of sale; that the section applied only where the demand or notice was made or given "in pursuance of any condition or proviso contained in a mortgage"; that in this case the giving of the notice was a voluntary act, as the mortgage contained a power of sale without notice, referring to *British Canadian L. and I. Company v. Rae*, 16 O.R., 15. The trial Judge gave judgment for the plaintiff, holding that on the above facts the said section of the Mortgage Act had no application, and his judgment was sustained on appeal to the Divisional Court.

### JUDICIAL SALARIES ELSEWHERE THAN CANADA.

In his message to Congress, the President of the United States recommended an increase in the salaries of the Judges in the following words:—

"The salaries of the Judges of the District Courts are, in my judgment, inadequate. It is quite true that the amount of labour performed by these Judges is very unequal; but as they cannot properly engage in other pursuits to supplement their incomes, the salary should be such in all cases as to provide an independent and comfortable support."

This message has called the attention of the public and profession in the United States to the inadequate salaries paid to all the Federal Judges, and measures are now before Congress to make the salary of the Chief Justice of the Supreme Court \$20,500, and the salaries of the Associate Justices \$20,000 each; those of the Circuit Courts \$9,000, and those of the District Courts from \$4,000 to \$7,000. A writer in the *American Law Review*, who resides in one of the small-salary paying States, suggests the following schedule of salaries, which he thinks would be a more reasonable one: To the Chief Justice of the Supreme Court \$12,500, to the Associate Justices \$12,000 each. If a separate Court of Appeal is established in Washington, to the Chief Justice \$10,500, and to the Associate Justices \$10,000 each. To the Circuit Judges \$10,000 each, and to the District Judges from \$5,000 to \$8,000, according to their locality and judicial work.

The salaries of the Supreme Court Judges were fixed in 1789 at \$4,000 for the Chief Justice, and \$3,500 for each of the Associate Justices; in 1819 they were increased to \$5,000 for the Chief, and \$4,000 for the Associates; in 1855 they were again increased to \$6,500 and \$6,000; and in 1871 to \$8,500 and \$8,000, respectively. The last increase was in 1873, when they were fixed at \$10,500 for the Chief Justice, and \$10,000 for the Associate Justices, at which sums they have ever since remained. It may be assumed that a further increase of their judicial salaries will be made this year.

The State Judges do not appear to receive very high salaries, except in the more populous states and cities; their tenure of office is usually short; and they