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THE CANADIAN MAGISTRACY.

WHEN the Emperor Alexander of Russia visited England in 1814, at the head of the brilliant array of the Kings and Princes of liberated Europe, after a careful examination of the working of our matchless constitution, and the happy balance preserved by it between the three estates of the realm, he expressed himself particularly struck with one important feature in the social aspect of Great Britain,—her unpaid Magistracy. At that period at least, such a body was unknown among European nations, and the enlightened Russian was loud in his praises of the wisdom that dictated the establishment of such a system, and of the palpable good effects of its operation.

By such an arrangement the country was studded as it were with an ample number of volunteer judges of right and wrong,—sworn conservators of public peace,—watchful censors of general decency and morality, and ever accessible guardians of the privileges of the rich and the liberties of the poor. In a country like England, possessed of a numerous and respectable aristocracy, there was little danger of the powers of the magistracy, except in a very few instances, being vested in dangerous, mean, or unworthy hands. Every Justice of the Peace was in his local position the representative and minister of the Head Executive of the country,—the centre and pivot in his peculiar circle round which revolved the admirable machinery of local municipal law. His powers were great, but guarded against prostitution or abuse.—

Life, property, and liberty, could run but trifling risk from his unworthiness of his high office,—in minor cases he was the judge of guilt and innocence, but an appeal lay almost always from an unrighteous decision,—in grave matters he was but the *enquirer* after delinquency,—his *punishment* was pronounced by a more solemn tribunal. In short, the greatest possible advantages were derived from the institution of the magistracy, with the least possible risk of permanent mischief resulting from the chance misconduct of any of its members.

In all countries of this vast empire to which the blessings of British institutions have been extended, the system of the unpaid magistracy has been regularly introduced. The same machinery has been set in motion, but the materials of which it is made are of a widely different nature. The English gentry possessed within themselves admirable elements for the formation of local lawgivers. In the course of the ordinary collegiate education of the sons of the upper classes, the wisdom of modern years has judiciously determined that a knowledge, even a superficial one, of the laws and constitution of this country was equally desirable and advantageous, and at many of the leading schools, and at the universities, it became no uncommon branch of the ordinary studies of the young Patrician. If destined for the Parliamentary arena, it became almost an essential. A few years of political experience gave to even the dullest tyro a strong idea of the gen-