

facto, from occupying their positions with advantage to the public, we do say that political motives or party influences, or the desire to shelve a friend, or silence an opponent, should have nothing to do with the appointment of the judiciary of the country.

Whilst making the general remarks contained in the last few sentences, we do not wish to be understood as referring to appointments of this kind that have lately been made. On the contrary, we have reason to believe that the appointments to the county judgeships of Huron, of Bruce, and of Peel, have been made with a due regard for the interests of the public, irrespective of any of the objectionable influences alluded to. Mr. Brough is a Queen's counsel of high standing at the equity bar, who, though not very conversant with common law practice, (which, however, he will soon pick up,) takes with him to his new sphere of action in the Division Courts, a thorough knowledge of the principles of equity jurisprudence, as distinguished from those uncertain, crude notions of natural justice, which some few judges, we are afraid, practically put in its place, thereby doing much "substantial injustice" to all parties, unsettling the ideas of the people, as to what is or is not law, under a particular state of facts, and so causing unnecessary litigation, injuring trade, and bringing their courts into contempt. Mr. Kingsmill, the county judge of the new county of Bruce, is also well fitted, by his knowledge of the country people, their ways and customs, obtained by an extensive and varied practice in the country, and by his good common sense and tact and general knowledge of law, for the post which has been assigned him. The judge of the newly separated county of Peel is a gentleman of less experience than either of the other two, but that will mend by time. It might be objected to him that it is unadvisable on principle to select a person to occupy a judicial position in the place in which he has been living, and whilst there is some force in this, we do not think it of much importance in this particular case, and certainly if the feeling which is already entertained of Mr. Scott in the locality where he resides is any index of the future, there is every reason to think that his career will be a useful one.

We wish these gentlemen every success in the laborious and responsible duties which they have undertaken to perform.

FEEES TO OFFICERS.

We hear from all quarters of the country of the great falling off in the business of the Division Courts. No doubt this tells well for the increased prosperity of the country, and is a most gratifying fact; but it enforces consideration of the present system of remunerating officers.

We have never been favourable to the payment of clerks by fees. The system of funding the fees and paying these officers by salary, is obviously the best, and is now all but universal in England. No one will now deny that Division Courts are a necessity; and further, that it is all important for the public interests, that a Division Court clerk should be a man of probity and means, and possess the education and business capabilities necessary to enable him to discharge the duties of his office with safety and advantage to the public. He must, moreover, to keep suitors safe, furnish security to a large amount; in fact he is required by law to do so. With the small emoluments incident to a reduction in business, the public cannot expect to retain or obtain competent persons to serve in the office of clerk. Hence the necessity for putting them on a salary graduated according to the time required for the performance of the duty and the responsibility of the officer. The officers connected with the administration of justice in the Superior Courts are paid by salary, and we cannot but think it an invidious and unwise distinction to leave the officers of courts, which are "for the many," to remuneration by fees.

We are aware that our views on this subject as formerly expressed, did not meet with the approval of many of our readers, but such being our convictions, we felt bound to express them; now however we think that the justice of our remarks will be more appreciated, and that the course we advocate will be found not only more correct in principle, but on the whole, better for the interests of the officers themselves.

It is only the Legislature that can apply the proper remedy, and we strongly advise those interested to prepare for an appeal to Parliament to correct the existing evil.

We send herewith our Sheet Almanac for 1867. Those interested in school matters will find in it further information for them, whilst our municipal friends will see that we have endeavoured to mention all the dates which