

The Legal News.

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GOWNS FOR JUDGES.

A tremendous revolution has taken place, and nobody is hurt. The question of gowns or no gowns for the judges of the New York Court of Appeals has been warmly debated for some time by our contemporaries in the United States, and we suppose also to some extent by the bar. The State Bar Association of New York passed the following resolutions:—

Resolved, That the example of the Supreme Court of the United States and of other courts in our country in retaining the use of the black silk robe when in session is in accordance with the historical traditions of our judicial institutions and agreeable to a cultured public taste.

Resolved, That their Honors, the Chief Judge and the Associated Judges of the Court of Appeals of this State, be and are memorialized on the subject, and respectfully recommended favorably to consider the adoption by them of similar robes when sitting *en banc*.

These resolutions were formally presented to the bench on the 15th of January last, and the result was that on the 25th of February the judges came into Court robed. The excitement which this little incident has created is altogether out of proportion to its importance. The *American Law Review*, of course protests strongly against the innovation. "Our people have an innate abhorrence of show and shams," cries the *Review*. We are glad to be informed of this fact, as we should otherwise never have guessed it, more especially when we behold the panoply and fuss of the Knights Commanders and Grand Knights Commanders, etc., who sometimes make an irruption into Canada. The *Albany Law Journal* takes a common-sense view of the matter, and holds that while the putting of judges into gowns will not make them abler, more learned, or more honest, "it will make them more respected by the mass of mankind, who view forms with awe." It may also be remarked that it enforces a decent uniformity, and prevents judges from gratifying, while on the bench, any personal fancy for startling garments. We have read

that at one time in Scotland, while a French invasion was expected and the volunteer fever ran high, barristers sometimes came into Court from the drill ground, with a blazing scarlet uniform under their robes. If gowns had not been worn, the uniform would have had no seemly covering. It is easy to imagine that in some communities the varieties of costume dictated by individual caprice might be overpowering. The gown is convenient and becoming. The *Albany Law Journal* says "the change of dress is scarcely noticeable, but looks well on scrutiny." That is complimentary to the good taste of the Court as to the dress previously worn. But our contemporary is not without thrills of apprehension, for he adds: "Now we expect that the next breeze that blows from the west will bring to our ears the clash of resounding quills of legal editors who see in this change of garb a shaking of the pillars of the State."

BUSINESS IN APPEAL.

The terms of the Court of Appeal which have now been held in Montreal during four months in succession, afford some data of interest in relation to the progress of business in the Court. We find that the last case on the September (1883) list, numbering 106 cases, was the 88th on the November list, the 64th on the December list, 35th on the January list, and was heard as the 12th case on the February list. Between September and November, 1883 (two months), 28 new cases were inscribed; from November to December, 13 new cases; from December to January, 16 cases; from January to February, 14 cases. This shows an average of about 14 cases per month. Now it takes about four days to hear 14 cases; so that if the four days' system were adopted, the Montreal cases might be heard in a monthly term of four days, say from the 1st to the 4th inclusive; and the judgments could without difficulty be rendered at the end of the month. During the summer vacation months of July and August, there might be an accumulation of perhaps 15 or 20 cases extra; but this would merely involve a lengthening of the September term to seven or eight days.