

## FALSE ECONOMY.

## DIARY FOR MAY.

1. Tues. . St Philip and St. James.  
 6. SUN... Rogation.  
 10. Thurs. Ascension.  
 13. SUN... 6th Sunday after Easter.  
 16. Wed... Last day for service for County Court.  
 20. SUN... Whit Sunday.  
 21. Mon... Easter Term begins.  
 24. Thurs. Queen's Birthday.  
 25. Friday Paper Day Q.B. New Trial Day C.P.  
 26. Satur. Paper Day C.P. New Trial Day Q.B. Declare for  
 27. SUN... Trinity Sunday. (County Court.)  
 28. Mon... Paper Day Q.B. New Trial Day C.P.  
 29. Tues... Paper Day C.P. New Trial Day Q.B.  
 30. Wed... Paper Day Q.B. New Trial Day C.P.  
 31. Thurs. Paper Day C.F. Last day for Ct. of Revis. fin. to  
 revise A. R. & for Co. Coun to rev. Tp. Roll.

THE

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MAY, 1866.

## FALSE ECONOMY.

We take the following suggestive observations from the *Philadelphia Legal Intelligencer* :—

"As has been expected for some time, the President Judge of the Court of Common Pleas of Philadelphia has fallen a sacrifice to that spirit of nigardly false economy, with which both State and municipal authorities have treated the public servants engaged in the administration of public justice. Overburdened with the regular business of a court of justice, it has been the aim of the Legislature to add to the duties of our judges, until the greater portion of the local government has been placed under their direction. On one day sitting in the *Oyer and Terminer* upon a case of homicide, the next, disposing of the most intricate questions of Chancery Jurisdiction in the Court of Common Pleas or Orphans' Court; now trying the squalid habitues of the prison, and then disposing of an intricate and tedious will case. A man would need an iron constitution to stand the wear and tear of such an unreasonable amount of mental labor, as that under which our beloved brother has sunk "to the rest which knows no waking." There can be no doubt, that an excess of labor, and exposure to the malaria of ill constructed, unventilated, and over-crowded court rooms, has hastened, if it did not actually cause, the decease of Judge Thompson."

These remarks are as applicable in this country as across the border, and we have often had to allude to a similar state of affairs as to the County Judges, whose shoulders are supposed to be broad enough to bear, and their heads clear enough to master all that incongruous mass of business which devolves upon them.

But whilst this is undoubtedly true as to them is it not also true of our Superior Court Judges. May it not be said of some of them as it was said by a member of the Bar in Philadelphia, when speaking of the late Judge Thompson: "I regard him as a sacrifice to the public good. I want to point to his dead body, that the Legislature may obviate this killing labor by dividing the duties between a larger number."

Such a reason as that alluded to would, one might imagine, be sufficiently strong to induce those in authority to make some change, and thereby save valuable lives; but perhaps the voice of an interested public may be of more influence.

Now, the public often complain of business not being attended to by their lawyers, but it does not necessarily follow that the fault is that of the lawyers alone. Nor is it the fault of the judges, they do all that human beings can well do to keep pace with the work that crowds upon them. But it is quite impossible for the same person to be in more places than one at the same time; for instance, it is not possible for a judge whilst presiding at *Nisi Prius* to hear arguments and decide cases in Judge's Chambers; and this brings us to the particular part of the subject which we desire now to speak of, and that is the present most unsatisfactory state of affairs as regards the holding of Common Law Chambers and Chamber business generally during the sittings of the City of Toronto and County of York Spring and Fall Assizes.

Whilst these courts are being held the country assizes are also going on, the judges, with the exception of the judge holding the courts in Toronto, being absent. Some one of these, on his way from one part of the country to another, or after one court is over and before another begins, may happen to be in town for a few days and take Chambers, and so relieve the judge who is busily engaged from morning till night in a crowded, ill-ventilated court-house, from a part of the heavy work which falls upon him. But the advantage which is derived from this scanty assistance is partly counterbalanced by the necessary uncertainty of the movements of the judges, dependent as they are on the length of time occupied by the different assizes and the impossibility of making any appointment with any reasonable chance of keeping it.