

needed and radical reform—much-needed because, if the courts were amalgamated and a fair division of labour made, there would be sufficient judicial capacity to prevent any arrears or delay to suitors. The amount for expenses ought not to be less than \$1-00 per annum for each judge. The scheme of allowing \$100 for each court up to ten, and six dollars a day over that, is about on a par with the method of paying real estate agents' commissions. *Quantum meruit* would be a better principle than the one contained in the proposed measure before the House. Seriously, it is a great pity that in dealing with such an important matter, legislation should be permitted to descend to the level of political log-rolling for fat contracts. Let the judges have their well-deserved increase of \$1000, and at the same time allow them a fixed sum for expenses, so that the Provincial Legislature may be free to consider the question of making the High Court one in fact as well as in name without being hampered by any consideration of judicial incomes. We believe that under an arrangement other than that which exists, whether such arrangement be on the lines we advocate or not, we would see the letter of the Judicature Act made to conform to the spirit which prompted that legislation, and the senseless and utterly useless distinctions which are now in existence would soon become to the public a matter of astonishment that they ever had a place in our system of judicature.

We have perhaps ventured too far on forbidden ground. Our only excuse is that we have the interest of the judges at heart, as well as a regard for the litigant, whose path is now too often beset with difficulties which should not exist, and uncertainties which should be removed. We have no doubt that in the event of proper legislation at Ottawa taking place on this subject, the Attorney-General of this Province, mindful as he is of the people's interests, will do what is right in the matter of consolidating the divisions, although we scarcely hope for such a bold stroke as would include the Court of Appeal in the consolidation. Even conservative and traditional England has dispensed with one of the Common Law divisions, and we have not heard of any fatal results to any of the former Common Pleas judges in consequence, and surely in a democratic Province like Ontario we may safely follow in the footsteps of the mother country, waiting always at a respectful distance before the order to march is given. With many others, we admire the conservative policy of the Attorney-General of Ontario, but a little of the radical spirit of the leader of the Opposition intermingled with it might not, in the case under discussion, be injurious to the best interests of either judge or suitor.

It would serve no good end to discuss the worn-out proposition that so long as the salaries remain as they are now, or approximately the same, the leaders of the Bar will refuse appointment to the Bench. This is not the real issue. If the salaries of judges were double what they are now, the same result would still follow. The freedom and fight of a large counsel practice please many lawyers better than the dignity and restriction of the Bench. The incomes derived by leading counsel could not be equalled by the most reasonable provision a Government dare make for payment of the judges. Besides this, leading counsel are not, by reason thereof, always best fitted, for the impartial and im-