

## JUDICIAL APPOINTMENTS TO THE SUPREME COURT.

read, and clear-headed man, he will be no mere cipher in the new court. At one time strongly opposed to confederation, his court has probably gone further than any of the provincial courts in limiting the jurisdiction of the local legislatures: e.g. the judgment given in *Reg. v. Justices of King's County* (reported in our last issue, and referred to by Mr. Justice Strong in his judgment in the *Queen v. Taylor*, recently decided on appeal from the Queen's Bench), as to the power of local legislatures to prohibit the manufacture or sale of spirituous liquors. This appointment is an excellent one, and probably the best that could have been made from the maritime provinces, though his brother, Mr. Justice Ritchie of Nova Scotia, would have been an equally good man for the place. Mr. Henry, from Nova Scotia, is said to be a fair lawyer.

There will probably be some dissatisfaction in the Montreal District, at both the representatives from Lower Canada being taken from the Quebec District. The Bars of these two districts are entirely distinct, and there is much jealousy between them. That of Montreal may naturally say they have at least an equal right to representation, especially as there is probably no doubt that the best field for selection is from the Montreal District. Both Mr. Fournier and Judge Taschereau are good French lawyers, but can give little help to the Court in commercial or criminal cases, which must be determined by reference to the English law, and which are almost exclusively conducted by lawyers of British origin. Whilst, however, expressing our present impression, it is a difficult matter to forecast the ultimate success of any man as a judge; and many of whom little was expected have proved to be able jurists and satisfactory judges.

Returning again to the gentlemen selected from Ontario, there is but one

opinion as to their fitness. We have in Chief Justice Richards a man of powerful intellect, taking a wide grasp of a subject and looking at it "all round," so to speak; discussing it not only with reference to the abstract law therein involved, but also with reference to its relation to the wants and habits of a new country. No judge on the Bench has shown a more thorough and appreciative knowledge of the instincts and necessities of Canadian life; and few more liberal-minded men or far seeing minds have been called upon to express judicial opinions in Canada. As has been said of Baron Bramwell, Mr. Richards possesses that most valuable gift, "brilliant common sense." As the chief of a Court which is composed of men trained in different schools, having heretofore administered laws founded on entirely dissimilar systems, where prejudices acquired by different habits of thought and associations may, unknown to themselves, bias their minds, and where many legal disagreements and conflicts may, at least at first, be expected—his sterling good nature, kind heart, and imperturbable coolness and decision of character will be invaluable.

We have already stated our reasons for believing that Mr. Strong's appointment will be accepted by the Bar as an admirable one. As a judge of first instance, and in the marshalling of facts and dissection of evidence, it is probable that he is not equal to the gentleman who, on his appointment to the Court of Appeal, became, and now is, the senior Vice-Chancellor; but as a lawyer pure and simple, and in intellectual capacity, he has no superior on the Bench; and, owing to his knowledge of civil law and familiarity with the French language, his presence in the new court will, in appeals from Lower Canada, be of the greatest assistance to the judges from that province.