

call attention to the constitution of the Supreme Court, which does not provide for the removal of a judge and we may quote the Hon. R. W. Scott, Q.C., Secretary of State, when, during the debate he says, "A judge will not retire except on his own mere motion. Judges have refused to retire because, as they allege, if they have served a given number of years they think they ought to retire on the full salary allotted to them." He then refers to the case of a judge who "continued to be unable to serve in the Court and yet refused to resign." At the same time we can all understand the objection of a judge, who, after long and faithful service, is asked to retire upon but a fraction of his previous salary.

This Court has long lacked the confidence of the Bar, both in the English speaking provinces and in Quebec, and the present state of affairs will minimize what confidence still exists. One remedy has been suggested, and it has its advantages, although it is not entirely satisfactory, viz., retirement at a certain age, so that a judge who is presumably incapable of doing his full share of work may be asked to retire. Leading men at the Bar, in receipt of large incomes, cannot be expected to accept the comparatively small salary of the Supreme Court bench, with the certain knowledge that when they retire this salary will again be cut down nearly one-half. It is only when such men have reached an age at which they no longer feel able to perform arduous professional work that they accept a judgeship, and we have therefore to seek men of less transcendent ability to constitute the Court. Is it from either of these two classes that we would wish to draw in order to constitute the highest Court in the land?

The late Sir John Thompson introduced a bill which struck at the root of the evil by allowing the full salary to retiring judges, but this measure met with so much opposition at that time that it was withdrawn. It remains to be seen whether, at the next session of Parliament, the Government will reintroduce the make-shift and objectionable bill of last session, or whether it will feel strong enough to grapple with the situation and bring in a measure to meet the difficulty, and so prevent any possible repetition of it.