

the benefit of anyone who is similarly afflicted, that all the Imperial statutes affecting property and civil rights which had been incorporated into our Provincial law are now to be found in vol. 3, R.S.O. The Imperial statutes above referred to are no longer operative in their original form in this Province. In another recent judgment we notice that 14 Geo. III., c. 78, s. 86, is referred to as though it was in force; whereas the Ontario statute, 7 Edw. VII., c. 23, s. 41, is the operative one.

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Whilst we have no love for an elective judiciary, it must be admitted that a much better condition of things in regard to appointment of judges exists in at least one of the States of the Union than in this Dominion. In the State of New York the political parties have come to an understanding that certain of the judges are to be re-elected by acclamation. One is a Democrat and the other a Republican, but both are said to be men of great learning and large judicial capacity as well as of the highest personal character. This simply means that the appointment of these men is taken out of the hands of the politicians. When will that happy time come in Canada? It would be well for the country if the best available men were chosen without reference to politics. The present condition of things is notoriously unsatisfactory. The saying that "to the victor belongs the spoils" should have no place when the appointment of a judge of the land is under discussion. It is a relic of barbarism. Surely a Government so strong as that at present in power might well follow the example of the State of New York especially in view of the fact that their political opponents in days gone by, under the leadership of Sir John A. Macdonald, did appoint eminent men as judges from the ranks of his then political opponents. Looked at merely from the standpoint of expediency in party politics the Government would gain vastly more than it would lose by following the example referred to. Sir John A. Macdonald was not only a patriot, but a sagacious political leader as well.