

SLANDERING THE JUDGES.

giving as to the ultimate effect of the elective system, but the good sense of the profession in the first election, and the care exercised in the selection of those who have from time to time been appointed to fill vacancies, gives good reason to hope that the evil consequences that we feared are still far in the future.

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WE are sorry to notice an occasional insinuation or assertion, sometimes by a public journal, sometimes by a public speaker, as to the fairness of the conduct of some of our judges. It may be remarked that the occasions on which these occur are when party politics are in some way concerned—the logical deduction being, (if there be any foundation for such insinuations,) that where politics come in, the judges allow their sympathies to get the better of them. We might assume (though it would nevertheless be incorrect to do so), that a journal or a speaker making a statement of this nature either believes it to be true, or, knowing it to be false, makes it with a desire to help some political friend, or for some illegitimate purpose. If believed to be true, the charge should be sifted, so that the public may understand whether or not our Bench is what we all in fact know it to be, "*sans peur et sans reproche*"; or, if known to be false, that the slanderer should be branded as one. The good reputation of the Bench is of no less importance to the public welfare than it is dear to its individual members. It is fortunately so immeasurably above suspicion, that it needs no words of ours to keep it bright; but, owing to the extended power and influence wielded by the press in these days, a careless or reckless statement may by its means do harm that is not intended, and destroy that

which cannot easily be built up. Conscious of their own rectitude, and strong in the confidence and high esteem of the Bar and of the intelligent public, our judges can afford to despise all slanders; but neither the Bar nor the public will stand by and see that Bench, of which we are all so proud, maligned, without a protest. Once let an impression get abroad that our judges are not impartial or open to improper influences, then good by to law and order! It is, of course, perfectly competent either for an individual or a journal to criticise sharply the law laid down by a judge; but it is another thing to say (except where the interests of public justice require a plain statement to that effect) that he has been partial in the conduct of a case; and whatever may be the provocation, no man, and especially no professional man, is justified in making either an open or a covert attack upon a judge upon a political platform. A judge moreover from his position is powerless to speak or to write a word in his own defence; and, putting it upon the lowest ground, it is therefore cowardly to attack him. We need not pause to contradict any one of the charges or insinuations to which we now allude; the whole country, including those that made them, know them to be false, in substance and in fact.

A candidate, a lay man, whose election had been set aside, complained recently that justice had not been done him. On another occasion a successful candidate, who is a professional man and the near relative of a late distinguished judge who also had suffered from this kind of slander, under somewhat similar circumstances, unnecessarily and improperly introduced the name of one of the Judges on the Bench into a political discussion, with which the Judge had nothing whatever to do, not only referring to him in a personal offensive manner, but insinuating that he