

LEGAL NOTES—LAWYERS IN PARLIAMENT.

taking into consideration the business done in Ontario, the number of appeals is almost nominal as compared with Quebec, and much less than those in the other Provinces. The encouragement given to those who desire to have a *final* decision is not very great; for, out of all the cases referred to England, judgments have been given in only three of the Quebec appeals and in none of the others; two of the Quebec judgments having been reversed, and one confirmed.

The Lord Justice James has a way of interjecting very quotable and pungent sentences in his judgments. For instance, the other day he gave the pith of a much-used line of argument both for and against the Court of Chancery in a few words. A question arose upon the right of the Westminster District Board of Works to interfere with some buildings being erected by Lord Auckland, which they threatened to pull down by virtue of certain statutory powers. Upon demurrer to the jurisdiction the Lord Justice observed, "I have no doubt that this is a case within the jurisdiction of this court, so that the matter may be determined once for all, instead of leaving Lord Auckland to go before a magistrate and to discuss with him the question of jurisdiction and the construction of the Act of Parliament, which it is said on the part of the defendants involves some difficulty, and then, perhaps, to go to the Court of Queen's Bench to have the thing tried by *certiorari*. Of course, some persons may object to this court, but it is not the habit of this court to say that it is so bad a tribunal that people should go to all these different places, rather than come here to have their grievances decided."

We lately culled out a few judicial strictures upon the way in which some of the Canadian County Court judges do their work. We observe from a late judgment of Sir Robt. Phillimore, in an admiralty appeal, that his spirit has been vexed from a like cause. He mildly called attention to the fact that there were two things which concurred to render it impossible for the court to come to any satisfactory conclusion on the materials before it. First, it appeared that the notes of the evidence were merely rough notes taken by the learned judge of the County Court of

Northumberland for his own guidance, and though no doubt (as he charitably puts it) sufficient for his purpose, yet they could not be regarded as satisfactory for the purpose of an appeal. Second, that he (Sir Robert) was without the assistance which, in many cases of the kind, he had derived from a statement of the reasons which influenced the court below in arriving at the decision appealed against. *The Busy Bee*, 20 W. R. 813. From all which it would appear that there are County Court judges who are alike all the world over.

LAWYERS IN PARLIAMENT.

The elections for the Dominion House of Parliament being now over, it may not be out of place to see how the legal profession in Ontario is there represented. We find on looking at the list, that out of the eighty-eight members for Ontario, some twenty are barristers, and of these seven are Queen's counsel. It would be highly uninteresting to discuss the question as to the propriety of having a large number of lawyers in Parliament, and we presume the usual number of "clap-trap" speeches have been made on that subject whenever a suitable occasion was presented by a member of the legal fraternity being a candidate, without in the slightest degree affecting the result of his election. But it is interesting to note the classification of those who have been elected.

Of course the first on the list is the statesman and great constitutional lawyer, who has for so many years ruled the destinies of this Dominion, but who has during that time been separated from the practice of his profession. The most prominent figures next to the Minister of Justice are, on one side of the House, the veteran and eloquent leader of the Bar in Ontario, the Treasurer of the Law Society, and on the other, one who, though his junior by many years, has in a short period of time by his high talent and great learning obtained a reputation at the Equity Bar of this Province which has never been equalled, and who is as well known to the country at large as he is in the profession. Of the rest, however, there are not very many whose names are familiar either on circuit or at Osgoode Hall. This may be to some a matter of surprise, but a little consideration will easily explain the reason. In fact, we need not recapitulate in