

MR. JUSTICE SMITH.

ALTHOUGH not actually gazetted, it seems to be generally understood that Robert Smith, Esq., Q.C., of Stratford, Ont., has been appointed to the vacant judgeship. The feeling against the appointment of anyone outside of our own bar is very strong, and found vent the other day in a rousing cheer which made the court house ring again when a *Canada Gazette* was produced containing Mr. Smith's appointment to the deputy judgeship of the County of Perth instead of to the Manitoba Court of Queen's Bench. This was taken as evidence that no appointment had as yet been made to our court. We are informed, however, that the appointment has in fact been made, and that Mr. Smith's judicial employment in Ontario is merely temporary.

Of Mr. Smith we personally know nothing. He is reported to be a good lawyer, possessing a clear, logical and judicial mind. He, moreover, has the first requisite of a judge—he is a gentleman. Lord Ellenborough said that in selecting a judge, "care should be taken to appoint a gentleman. If he knows a little law so much the better." Apart from Mr. Smith's domicile we would, judging from report, approve the appointment. But it is humiliating to be (in effect) told that out of our whole bar there is not one fit to be a judge—that Manitobans are less advanced than the natives of India, from among whom her judges are now frequently appointed. But we should think that it was not advisable that a judge should be much superior to the bar. It is apt to spoil both judge and barristers, to render the former imperious and overbearing and the latter subservient and useless. Perhaps this view of the matter did not occur to the Dominion Government. If we are a poor lot we should be helped and not snuffed out. Mr. Justice Smith will have to try and bear with us.