

REVIEW—CORRESPONDENCE.

Saxon words might be an improvement in style. But this is more a matter of individual taste than anything else.

We heartily recommend to our readers Mr. Rogers' second venture in that line of legal literature which he has made peculiarly his own.

CORRESPONDENCE.

The Bench and Bar.

To the Editor of THE LAW JOURNAL.

GENTLEMEN,—The following letter signed Barrister, appeared in the *Mail* of the 16th instant.

"SIR,—Can you define the length and breadth, height and thickness of a County Judge? If he goes to the expense of a silk gown, a Q. C. coat and vest, and a green bag, does he then become raised above us commoner mortals, the *oi polloi* of the profession; and if so, is it not *infra dig.* in (so many of them) to be Masters and Deputy Registrars in Chancery? Is there not an incongruity in it, a savouring of American practices that has a tendency to narrow that gulf between Bench and Bar which is our pride in this country? I have seen a County Judge during the sittings of Assize sitting on the Bench beside the presiding Justice, wearing the air and dignity of a Judge, and I have seen him a week or two after at the Chancery sittings discharging the duties of a subordinate and, in the absence of a shorthand reporter, writing down the evidence. Why could he not as well practise in Chancery as be eligible for the office of Master and Deputy Registrar of the Court? Why should not the name 'Judge' carry with it all what it implies? What with the salary, surrogate fees, arbitrations, &c., very few of them fall short of \$4,000 a year, so that they could well afford to put both feet on the Bench and stay there.

"Yours, &c.,

"BARRISTER.

Port Perry, 13th Nov."

I am sure you will agree with me that the writer is guilty of extremely bad taste in thus attacking a County Judge, whose position prevents him from defending himself. I think I know the Judge the writer alludes to, and have upon several occasions had the honour of appearing before him as counsel, when acting as Judge and Master. He has always been courteous and pains-taking, while his ability as jurist is universally acknowledged. It is rather difficult to understand what "Barrister" is driving at. The position of Master in Chancery is not, I think, inferior to that of a County Judge. Matters of very great importance, and involving nice questions of law have to be decided by the Master. His duties are

judicial, and the mere fact of his assisting the Chancellor to take the evidence at the hearing, does not, to my mind, in any sense lower his position. County Judges are the proper persons to be Masters in Chancery because they do not practise, and are therefore in a position to devote a large portion of their time to that branch of their duties. People have confidence in a man—or tribunal—who from his position has no interest whatever in any cause that he may try, and no persons could be obtained better qualified for the position than the County Judges. One improvement, I would suggest, and that is to pay the Masters a salary and abolish all fees. Not that I believe many Masters prolong the reference, simply to increase their fees; but it would place them in a disinterested position, and it is desirable they should be altogether free from suspicion. We are proud of our judiciary, and would keep them free from every appearance of evil. The Deputy Registrar's work could be done by the Deputy Clerks of the Crown and Pleas, leaving the Master only the judicial work to do.

I remain yours faithfully,

ANOTHER BARRISTER.

Lindsay, Nov. 18th, 1879.

[That the profession has amongst its members some few who have mistaken their vocation in joining what ought to be a body of gentlemen, is only too apparent, if from nothing else than the occurrences to which we have been compelled to allude last month, and again this month, in another place, and now from this letter signed "Barrister." It is to be regretted also, that a leading and widely read journal should have published a letter, couched in language which cannot but tend to a greater or less extent to bring the administration of justice into disrepute. It would have been quite possible for "Barrister" to have made his point in appropriate language. What he says as to County Judges holding the position spoken of is of course open to argument, though we agree with our correspondent in thinking that County Judges are, as a rule, the proper persons to hold the office of Masters in Chancery, in