

made until a final decision is obtained on this point. The undersigned is informed that the publication of the names contained in the recent order has created a sensation among members of the profession and others, that the list has been very generally disapproved of, and that the disapproval is shared by some who are named on the list, as well as by gentlemen previously holding the rank of Queen's Counsel and by others. An examination of the list shows that the selection of the names was not made on the basis of professional or personal merit. On the contrary there are names in the list of gentlemen in regard to whom there could be no pretence or supposition of their having any claims on that ground, and on the other hand many gentlemen have been omitted from the list whose professional merits exceed that of many of those named. Queen's Counsel have precedence in the courts over other barristers, and obviously there is great injustice in the bestowal of the honor and precedence upon inferior barristers to the prejudice of those better entitled thereto. Such a wholesale and indiscriminate selection as was recommended to your Excellency is a degradation of the office, and is a grievance as regards the bar generally, instead of being a merited honor to those appointed. The existence of the degree is useful if the jurisdiction to make the appointments is reasonably exercised. In England the appointments are made by the Lord Chancellor, and it is stated in a recent legal publication, that an applicant for the appointment has to communicate by letter to barristers of longer standing than himself (not being Queen's Counsel) his intention to apply, and that before making any appointment the Lord Chancellor submits to the judges the names of the applicants whom he thinks of appointing. If in this country the power of appointing belongs exclusively to your Excellency-in-Council, it will be well to consider hereafter whether some checks may not and should not be devised to confine within proper bounds the recommendations made to the Governor-General. Meanwhile the undersigned respectfully recommends that as a matter of justice to the profession and in the interests of the public, the order which has been made be rescinded, and the consideration of any appointment be deferred until the jurisdiction to make such appointments shall be judicially decided and declared.

O. MOWAT."

## FLOTSAM AND JETSAM

It appears from an address delivered at the meeting of the Illinois State Bar Association that there is such a delay in the trial of cases in the Chicago courts as to amount in most cases to an absolute denial of justice. The average of the docket is that cases must stand for two years before they are tried, and this does not include cases which have been ordered to stand over or been postponed for any reason, but have been tried, reached on the calendar. The evils resulting from such a state of things can easily be imagined.