

## THE LAW SCHOOL—THE NEW JUDGES.

where the best legal education can be obtained, and where the examiners are from their skill and experience best fitted to test the knowledge of the student and to frame proper questions (a more difficult matter than the uninitiated suppose), there is much force in this, that the course of study at Osgoode Hall is purely of a practical character, whilst that of the universities is more wide-spread, embracing the civil law, international law, and a varied reading of a theoretical character.

## THE NEW JUDGES.

Under the Act of the last session of the Ontario Legislature "to make further provision for the due administration of justice," the Court of Appeal is remodelled, and it will be necessary to appoint three additional Judges. We do not intend, at present, to discuss at any length the nature of the change that will be made by this Act, nor its uncertain wording and some omissions, but rather to speak of current rumours as to the appointments about to be made.

We regret exceedingly to hear that it is the intention to appoint as the three new Justices of the Court of Appeal, men other than the present Chiefs of the three Superior Courts of Law and Equity. We do not say that their claims have been overlooked, but it is manifestly absurd to suppose that they would give up their present position and take one which, though higher in some respects, would deprive them of a large percentage of the small pittance that has hitherto been thought sufficient for those on whom so much of the welfare of the people at large depends. The question of their precedence, also, under section 5 of the Act, is not very clear. It is impossible to say with certainty that they rank with the Chiefs of the Superior Courts, though it is thought that such was the intention.

We think that such arrangements as

to salary and otherwise should have been made that the three gentlemen we have referred to might have been the new Justices of Appeal. They have a large judicial experience and largely enjoy the confidence of the profession and the public, and their decisions would carry great weight. If it is a matter of promotion, they are undoubtedly entitled to it. It is not seemly, nor is it to the benefit of the "due administration of justice," that men, admitting them to be equally able and learned, should be taken from the Bar, or even from the present Bench, and placed in appeal from the judgments of those who have been for years their seniors, and rumour has it that both ranks will be drawn upon to fill the appellate chairs.

If the Chief Justice of Ontario were not, as he is, not only a sound and able lawyer, but also a man of superlatively strong practical common sense, intimately acquainted with the habits of the people and the nature and necessities of their business relations: if the Chief Justice of the Common Pleas were not, as he is, not merely a man of a high order of attainments and sparkling wit, but also a brilliant, well read and excellent lawyer: if the Chancellor had not, as he has proved he has, a remarkably sound judicial mind, combined with great industry and experience: and if they would not collectively, including of course the Chief of the Court of Appeal, form a very strong and satisfactory appellate court—we could understand some benefit to be gained by a course being taken which has the practical effect of passing them over; but we fail to see the wisdom of placing younger men, more fitted, from their natural vigour, for the toils of circuit work, in a position which, however well they may fill it, is more suitable for men at least equally capable and of ripened experience, and who, from their long and faithful service, are entitled to some relief from the more arduous portion of their