

The Legal News.

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DISTRIBUTION OF JUDICIAL WORK.

It sometimes happens when a city is laid out, in advance of actual requirements, with commodious avenues and highways, that commerce declines to take the channels provided for it, and magnificent streets are left in solitude, while narrow ways are inconveniently crowded. Something of the same kind has occurred in the ample provision of judicial officers for the districts of this province. Judges have been sent to reside in places before there were any causes to be judged, and where the inhabitants are apparently slow to create occupation for them. In the district of Montreal, on the other hand, the resident judges have to deal with a far greater number of cases and with far more business than all the other judges in all the other nineteen districts, put together. The statistics collected by Mr. Pagnuelo in his *Lettres* serve to illustrate this important fact. Thus in Montreal, in 1877, there were 952 Superior Court judgments in contested cases, and in all the other districts 785 judgments. In Montreal in the same year, there were 1434 judgments in default cases (S.C.), and in all the other districts 619 judgments. In the Montreal district there were last year 124 jury trials in the Criminal Court, and in all the other districts only 90 trials. In the Circuit Court, in 1877, there were 2507 judgments in contested cases in Montreal, and in all the other districts 2865 judgments. If Quebec and Sherbrooke be excluded from the other districts, the disproportion between the work in Montreal and the total work of 17 rural districts is still more remarkable. The reason for this is evident on examination of the returns for the rural districts. Thus Gaspé had but 1 contested S. C. case in 1877, 1 in 1878, and 5 in 1879. Chicoutimi had none in 1877, 1 in 1878, and 15 in 1879. Saguenay had 3 in 1877, none in 1878, and 5 in 1879. It is evident that however well intended, the decentralization of the Superior Court in this Province has not worked evenly. It is true that the opening up of the country by

railways will tend to create more business in the outside districts, but on the other hand the facilities for rapid travel make it less necessary than ever to have a Superior Court judge residing all the year round in a district where there are only half a dozen or half a score of cases to occupy him.

GUARANTEE INSURANCE.

By the decision of the Court of Queen's Bench in the case of *Citizens' Insurance Co. & Grand Trunk Railway Co.*, reported in our last issue, the judgment rendered in the Superior Court by Mr. Justice Rainville (1 Legal News, 485) was confirmed unanimously, and without any hesitation or difference of opinion on the part of the Court of Queen's Bench. The Insurance Company guaranteed the employee's diligent and faithful discharge of his duty, and he carelessly left a very large sum of money (over \$22,000) lying on the floor in an open bag in his office while he went to lunch, so that very little cleverness was necessary on the part of the thief in getting away with the cash unseen and unpursued. It is difficult to see how there could be seriously two opinions of such a case. As Mr. Justice Rainville very clearly put it: "Il suffit d'énoncer le fait d'un homme, ayant à sa disposition un pupitre fermant à clef, une boîte en métal à son usage exclusif, barrant aussi à clef, et en outre, une route de sureté dans la bâtisse, et qui laisse dans son appartement, sur le plancher, dans un simple sac non fermé, une somme de \$22,000, et laisse cet appartement pendant 30 ou 40 minutes, pour établir en même temps son imprudence, sa négligence." It is almost impossible to imagine a stronger case for the employer where the employee is himself exonerated from complicity in the theft (as he was here), and guarantee bonds would evidently be of very little value, if the Courts had arrived at a different conclusion.

AN IMPORTANT QUESTION.

Several of our contemporaries, both in England and the United States, are discussing a question of professional ethics of a somewhat delicate nature, yet one which cannot well be entirely overlooked. The *Law Times* (England) by