

that privilege under the circumstances and in view of his loyalty to the Crown in the distressful days that have passed since the Great War began. But from a theoretical point of view there is as usual, much to be said on both sides as to the wisdom or propriety of judges appearing in the political arena. And much more has been said on such occasions by those who have held judicial positions as well as by those who have criticised them for taking part in such discussions.

These criticisms in dealing with the historical setting of the subject have been compelled to admit that in England there has been a much wider latitude taken by and allowed to judges sitting in the House of Lords than has been generally supposed. Such great judges as Lord Hardwicke, Lord Mansfield, Lord Thurlow, and Lord Eldon exercised a powerful influence in the field of politics in their days. In later years Lord Cairns, who in Feb., 1866, became the second Chancery Lord Justice, early the next year was sitting as a Peer in the House of Lords; and as such is said to have made twenty-four speeches on the Reform Bill when that measure came before the Upper House. A long list might be given of other distinguished members of the Bench who, when they became Peers of the realm, expressed their views in the House of Lords on public questions with the same freedom as those who had no judicial duties to perform.

One of our Exchanges calls attention to the fact that so clear a thinker and eminent a writer as Lord Macaulay was not horrified at the idea of the "combining of a political and a judicial calling." He said that, far from wishing to cut off judges from political life, he would like to see them in the House of Commons in greater numbers. He would, he said, throw open the door to all the judges. It is noteworthy that the House of Commons agreed with his views by the large majority of 224 to 123.

We are not, however, prepared to accept the proposition that what may be done with propriety in old England can safely and wisely be done in the outlying units of our Empire. We have often seen in this Dominion unseemly clashes and unedifying spectacles resulting from the "combining of political and judicial callings." We do not desire to enlarge upon the