

## COUNTY JUDGES—DIGEST OF ENGLISH REPORTS.

the appointment and position of the county judges there, are so much to the purpose that we copy them:

"There is no subject at present more deserving of the attention of the legislature and of the bar than the administration of law in the county courts. In the great majority of cases over which the jurisdiction of these courts extends, there is no appeal from the decision of the judge who decides upon them in the first instance. It may be true that they are occasionally of trifling importance to the parties concerned. On the other hand, to the majority of the suitors, who are of the poorer class, they are of great moment, and the decisions thus pronounced affect the existence of homes and the future of many lives. But the administration of law has a wider bearing than that which concerns the interest of the litigants in any particular case. It is necessary for the promotion of good citizenship and loyalty to the Crown and the institutions of the country that the law of the land should be fairly administered by every authorised tribunal. In many cases the vagaries of our county court judges are not a credit to the profession or the government. Some of these gentlemen carry out a law and practice of their own, decide upon principles of absolute morality, and not in accordance with legal authority, and hold courts which are only distinguished for loud talk between the litigants and the judge, and other great irregularities. \* \* \* \* Above all, care should be taken that good men should be appointed to the important position of a county court judge."

There is good and bad of every thing in this world; and though we are not now complaining of the appointments that have been hitherto made in this country, or say that persons appointed to offices of high public trust for political reasons are unfitted, *ipso facto*, from occupying their positions with advantage to the public, we do say that political motives or party influences, or the desire to shelve a friend, or silence an opponent, should have nothing to do with the appointment of the judiciary of the country.

Whilst making the general remarks contained in the last few sentences, we do not wish to be understood as referring to appointments of this kind that have lately been made. On the contrary, we have reason to believe that the appointments to the county judgeships of Huron, of Bruce, and of Peel, have been made with a due regard for the interests of the public, irrespective of any of the objectionable influences alluded to. Mr.

Brough is a Queen's counsel of high standing at the equity bar, who, though not very conversant with common law practice, (which, however, he will soon pick up,) takes with him to his new sphere of action in the Division Courts, a thorough knowledge of the principles of equity jurisprudence, as distinguished from those uncertain, crude notions of natural justice, which some few judges, we are afraid, practically put in its place, thereby doing much "substantial injustice" to all parties, unsettling the ideas of the people, as to what is or is not law, under a particular state of facts, and so causing unnecessary litigation, injuring trade, and bringing their courts into contempt. Mr. Kingsmill, the county judge of the new county of Bruce, is also well fitted, by his knowledge of the country people, their ways and customs, obtained by an extensive and varied practice in the country, and by his good common sense and tact and general knowledge of law, for the post which has been assigned him. The judge of the newly separated county of Peel is a gentleman of less experience than either of the other two, but that will mend by time. It might be objected to him that it is unadvisable on principle to select a person to occupy a judicial position in the place in which he has been living, and whilst there is some force in this, we do not think it of much importance in this particular case, and certainly if the feeling which is already entertained of Mr. Scott in the locality where he resides is any index of the future, there is every reason to think that his career will be a useful one.

We wish these gentlemen every success in the laborious and responsible duties which they have undertaken to perform.

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The value of the new series of Law and Equity Reports to the profession in this country is day by day better known and appreciated. They must necessarily become *the Reports*, and cases will be cited from them in preference to any other series, such as the reports (excellent as they are) published in the *Solicitors' Journal and Weekly Reporter*, the *Law Times*, and the *Jurist*. The price, however, is greater than that of those valuable publications, and the combination of interesting matter in the weeklies, for a compara-