same course as before if the thing had to be done over again. * * * * *

"The answer to these grave charges, so far as they were answered at all, is to be found in the speeches of Mr. Gladstone, the Lord Chancellor and Sir Roundell Palmer, and we have every wish to do justice to their arguments and views. The propositions on which the arguments of Sir R. Palmer and the Lord Chancellor were based, as far as we can understand them, were two. First, that the Act does not specify any definite period of judicial experience, therefore the Act is satisfied by appointing a person who has the name or status of a Judge when the appointment is made, whenever or however that name may have been bestowed; secondly, that Sir R. Collier was a fit and proper person to be made a Judge of the Court of Common Pleas, and therefore there could be no objection to give him that Judgeship as a qualification for the Judicial Committee. With regard to the first of these propositions its advocates evidently shrunk from the consequences it would lead to, and Sir R. Palmer abandoned his whole position in two several parts of his speech when he observed, 'now if this thing were done wantonly, maliciously, or without a *bonâ fide* view to serve the public, or if it were done over and over again, as the honourable gentleman suggested, I should not stand here to defend it;' and again, in reference to a remark previously made with regard to the Indian qualification, he said, 'I think it would have been improper, though it might have been legal, to appoint to the Judicial Committee any person who was not really and truly such an Indian chief judge as to be in that respect a fit representative on the Judicial Committee of the Indian Judicature.' But really to a lawyer, at least, it is hardly necessary to do more than state the first proposition in order to show its absurdity. The Act obviously provides, if its limitations are to be more than a mere nullity, that the person selected for the Judicial Committee shall be, when the selection is made, a Judge, or *ex*-Judge, not that he may be made a Judge after he has been selected to become a member of the Judicial Committee. As to the second proposition it has really nothing to do with the matter. Sir R. Collier may morally and intellectually be the fittest man in the world to put in the Judicial Committee, but he certainly was not legally fitted for it, unless when selected for the appointment he had *bona fide* the qualification required by the Act. As to the views of Mr. Gladstone, who seems to have been the prime mover in the whole affair, we have some difficulty in understanding what his precise construction of the Act is. One part of his speech almost conveys the impression that he reads the qualification required by the Act not as literally meaning that the appointment should only be given to a Judge or ex-Judge, but as a sort of figurative way of saying that the person appointed should be of a certain standard of fitness and capacity, and upon this view of the Act it would not have been necessary to pass Sir Robert Collier through the Common Pleas at all, before installing him on the Judicial Committee. From the speech, as a whole, we regret to gather, notwithstanding some fine flourishes in it, that Mr. Gladstone is much more concerned about having raised a storm in the House, than having evaded the plain meaning of an Act of Parliament, and we still more regret the tone in which he, as well as the Lord Chancellor, alludes to the Judges. Mr. Denman said in the course of the debate, and we think truly, 'that there was a desire to do something to render our courts less independent, to place them on a lower basis, to prevent them being able to stand between the Crown and the subject, between the Government of the day, or a popular majority in the House of Commons, and the rights of the individual subject, and that there was a disposition on the part of persons now high in authority to destroy some of the securities which we possessed for the independence and high character of our courts of justice.' These remarks we think were fully justified by much that was said on Monday night, and by what fell from the Lord Chancellor on the previous Thursday, when the extraordinary avowal was made that a gentleman had been made a County Court Judge in order that 'he should be restored to competence.' If these are the principles upon which judicial appointments are to be made, and if Judges are to be attacked with sneers and insults whenever they lack subservience to the Government of the day, we fear there is a gloomy future before the bench of England. And we venture to predict that regard for the law will not long survive the decay, if it once sets in, of that feeling of honour and respect in which those who administer it have hitherto been held."

The remark about the County Court Judge refers to the appointment of Mr. Beales, of which the *Law Times* speaks after this fashion:—

"One of the several remarkable theories concerning judicial appointments propounded by the present Government, is that to which, according to Lord Hatherley, the County Court Bench is indebted for the acquisition of Mr. Beales. That learned Judge was deprived of a revising barristership by Chief Justice Erle, on the ground that,