

have yet undertaken, or you must have a local Judge besides the County Court Judge. In either case, you could not get the highest lawyers to accept the office at any price. You might get an efficient lawyer at a certain price. But his original efficiency would deteriorate for two reasons—first, because he would be always alone; secondly, because he would have before him an inefficient Bar, which is the ruin of Judges. This would be so because there would not be sufficient business to attract a powerful Bar. Both Judge and Bar would for the same reason be constantly idle. The administration of the law would be too much criticized. A local Judge must live altogether apart, or only with his officials, or with a part only of the local inhabitants. And his course of life in these respects would be known. His opinions, too, would be known. The result would be that, although impartial in fact, his decisions would be canvassed. Another objection is that the combined salaries of so many Judges would be enormous.

“As to the second plan, that of a provincial Court, it would be established at a central place. Those who had to come to it from other places would experience all the inconveniences urged against the present system. Parties and their solicitors would have to wait away from home; the solicitors would be obliged to employ agents at the central place. The objections as to the class of Judges, as to the Bar, as to the expense, as to the waste of time, though not in so great a degree as to the first method, would seriously apply to the second. The suggestion contained in the third method is, obviously, that there should be a local judicial tribunal with a local Bar at Liverpool, Manchester, and Leeds. With regard to Liverpool and Manchester there must be one staff of Judges for both or one for each. If a different staff for each, I allege, and I have known the business of Liverpool and Manchester for many a long year, that all the objections I have stated above would apply with all their force. Neither place has legal business enough to occupy the whole time of a Court. The Bar would be stronger than in the first or second system, but it would not be the best. The Judges would not be the best that the profession can produce. The first class of barristers would not accept a provincial office and a provincial life, even in such cities as Liverpool and Manchester. The society, though large, is not large enough to absorb a Judge as he is absorbed, and thereby happily unknown, in London. Liverpool and Manchester have now the best of the profession for their Judges and their Bar. They think they would like a change. If they had it they would weep and lament. If there were to be one tribunal for Liverpool and Manchester the same objections would

apply, save only that the amount of business would be greater. As to Leeds, all the objections are in full force. And if these local tribunals were established the appeal must still be heard in London, or the London Court of Appeal must hold sittings in Liverpool and Manchester and Leeds, or there must be separate independent local Courts of Appeal. In the first case, the present complaints would continue; in the second, the circuit system would still exist in a secondary stage; in the third there would be an inferior Court of first instance and an inferior Court of Appeal. And separate independent Courts of appeal mean divergent law. In considering this question of separate local Courts one should consider their effect on London. Unless they are to be an absolutely clear addition to the number of Judges the staff in London must be reduced, and then the business of London would be administered more slowly. I conclude that the central system is best for all. By no means, however, let it be supposed that the application of it cannot be improved.

“The next question is what is the best practicable method of administering the central and consequent circuit system. The problem is what is the best method by which the same staff of Judges can administer the law both in London and on the circuits. The number of Judges in the Queen's Bench Division is 15. It was lately found to be necessary that the circuit business should be undertaken solely by those Judges. It was, at the same time, for the sake of the London business, thought desirable that not more than ten of those Judges, if possible, should be absent from London at the same time. The best way of solving that problem was beyond doubt to group some of the smaller counties for the purposes of criminal and civil business, as recommended by a committee of the Judges. But to do so required an Act of Parliament, and it was said that it would not pass. The next best plan was to group certain counties for civil business; but it was stated that objections in Parliament would be irresistible. It remained to try the experiment, which is now being tried, of sending one Judge only to certain places. Until Parliament will allow a better method we must be content to try and work by an inferior one. The present plan was not tried in its full development during the last circuit. Yet I undertake to say, although there was inevitable friction in the first working of a totally new system, that it did not fail. Weak points were discovered; they will be amended. The form for fixing the commission days set forth in the Order in Council must be treated with more elasticity; the power of sending for assistance in case of emergency must be freely used. On the last circuit, however, no cause was left as a re-