

pecuniary interests, should have no fear of the bailiff in his house, of executions against his lands—should at least, if not endowed with worldly goods, be able to say that he owes no man anything! We feel bound to add here that our judges are not fairly treated with respect to remuneration. The judicial salaries, especially in the large cities, should at least be doubled, and the retiring pensions should be adjusted on a more liberal footing.

In the third place, men have sometimes been placed on the Bench who had no love for their profession, who lacked a sound judgment, who had not gone through the toil and study necessary to fit them for their high office, and whose private life was far from inspiring respect.

It may be expected by some that we should add to this list, the appointment of politicians. But, in our humble opinion, the appointment of lawyers who have been engaged in political affairs, cannot be condemned, if the record of their political career is fair and honorable, and if they have also been distinguished at the bar. It is but right and reasonable that lawyers of integrity and ability should seek to enter the Legislature, where their opportunities of usefulness are greater and more extended. The real difficulty is, that in Canada politics in the past have been too petty, too selfish, too full of personal animosities. Thus it may happen, that a hot politician of one party is appointed to the Bench, though personally obnoxious to members of the Bar of the opposite camp. We trust that under the new Dominion this will cease to be the case. There is now no excuse for improper appointments, for we have at the bar no lack of men of great attainments, eminently worthy of the judicial seat, and enjoying the esteem and confidence of the bar and the public generally.

We must repeat, in conclusion, that the majority of our judges are not deficient in ability, learning or integrity. No charge of corruption has been made against any of them, and in this respect we are infinitely better off than our American neighbors with their elective judiciary. It may confidently be anticipated that the exceptional cases which have caused a loss of dignity to the Bench, will gradually be eliminated. The community in

general and the bar will therefore watch with peculiar interest the appointments soon to be made, for on them will it greatly depend whether the Bench in the Province of Quebec is to assume its proper position.

#### THE BRITISH NORTH AMERICA ACT.

We have received the authorized text of Cap. III, of the present session of the Imperial Parliament: "An Act for the Union of *Canada, Nova Scotia, and New Brunswick*, and the Government thereof; and for purposes connected therewith," which became law on the 29th of March last. We regret that our space will not permit us to give entire this important measure, which, in the words of Mr. McGEE, is to be "the last interference of England in our domestic affairs." The following are some of the provisions more directly affecting Lower Canada, and the Judicature.

5. *Canada* shall be divided into four Provinces, named *Ontario, Quebec, Nova Scotia, and New Brunswick*.

6. The parts of the Province of *Canada* (as it exists at the passing of this Act) which formerly constituted respectively the Provinces of *Upper Canada* and *Lower Canada* shall be deemed to be severed, and shall form two separate Provinces. The Part which formerly constituted the Province of *Upper Canada* shall constitute the Province of *Ontario*; and the Part which formerly constituted the Province of *Lower Canada* shall constitute the Province of *Quebec*.

11. There shall be a Council to aid and advise in the Government of *Canada*, to be styled the Queen's Privy Council for *Canada*; and the Persons who are to be Members of that Council shall be from Time to Time chosen and summoned by the Governor General and sworn in as Privy Councillors, and Members thereof may be from Time to Time removed by the Governor General.

16. Until the Queen otherwise directs, the seat of Government of *Canada* shall be *Ottawa*.

17. There shall be One Parliament for *Canada*, consisting of the Queen, an Upper House styled the Senate, and the House of Commons.