

not, on paying regard to the popular opinion, relative to them, or their mimons and favourites. Unless this were so the appointment of such a man as Mr. Fletcher, to the office of a judge could in no case have taken place; and particularly not in a district, where it will be found essential, that the tempers and feelings of the inhabitants should be conciliated by every wise and as it were, patriarchal, arrangement, to allay the ferment that has arisen amongst them, by the peculiar circumstances in which they are placed. But while I contend, that Mr. Fletcher is personally improper, as I shall presently endeavour to shew, the previous nomination of the Hon. Alexis Caron, as a judge for that district, induces me likewise to declare that the principle is essentially wrong for police-magistrates in any case, to be exalted to the bench of judges. Mr. Caron filled the station of first police-magistrate at Quebec, along with Mr. Fletcher as his assessor, for a considerable time; and was, in 1821, appointed judge of the Inferior District of Gaspé. I have nothing to say against Mr. Caron; I believe his conduct as a magistrate, though not marked with any peculiar talent, or extraordinary sagacity, was respectable, moderate, and rather conciliating than otherwise; and, if we may decide from the letters that have been published in the papers, as having passed between some of the principal official characters at Gaspé, and him, on the occasion of his projected translation to the district of St. Francis, in which the former testify to the "impartial, prudent, regular, and able, administration of the duties of his high office," and entreat him to "make a longer stay among them," and the latter expresses his determination, in consequence, to "lay aside his private convenience for the public good, and to remain in that district," he has also respectably sustained the character of a judge. Yet, upon the broad principle that human nature must acquire a bias from the circumstances, and collisions, which men have, in their several stations to encounter, it is easy to argue that justices of the peace, and police-magistrates especially, must be very unfit for the sedate, impartial, and dignified station of a judge. Their very office is that of *ex parte* examiners; they must necessarily have more of the *fortiter in re* than the *suaviter in modo*; they have to encounter and baffle, evils and men, of flagitious nature, and desperate dispositions; they are to the bench, what constables are to themselves, what jackals are to lions, what sheriff's officers are to lawyers; and no one will say that a constable is fit to be a justice, a jackal to be a lion, or a sheriff's officer to be a lawyer. They can not avoid carrying into the judgement-seat, the harshness, the superciliousness, the arbitrariness, and the impatience, which can scarcely fail becoming habits with those who have none but very inferior officers, and delinquents, to deal with; who possess