

mystery which seriously encumber the transaction of affairs, and in some cases tend to exclude especially the less wealthy classes from the benefits which it is the glory of law to secure for civilized man in the easy establishment and full security of rights. But these are questions which in more tranquil times will find their own adjustment, and while I have hinted to youths intending to follow this noble profession the expediency of tempering it with collateral studies, I congratulate them on the solidity of the position they are to hold. No change, practical or speculative, social or political, or economic, has any terrors for the profession of the law."

#### INTERMEDIATE APPEALS.

We have been favored by a professional gentleman in the District of Ottawa with the draft of a bill which, he informs us, was framed by himself, as one of a committee appointed at a meeting of lawyers in the District, and which bill embodies the substance of the resolutions then adopted. Our limited space will not admit of the reproduction of this bill at length. It may suffice to state that its main object is to do away with the revision of cases from the rural districts by three judges sitting in the cities of Montreal and Quebec, and to have the cases either heard in the first instance, or afterwards reviewed, before three judges of the Superior Court sitting in the district where the case arises. "Such bench," says the draft, "shall be composed of the judge resident in the district where held, or if there be none such, then of the nearest resident judge in the last mentioned districts, and the other two shall be from any of the said other rural districts, to wit, the districts other than those of Quebec and Montreal."

We are afraid that the effect of such an innovation as the above would be very different from one of the objects stated in the preamble, viz., "to produce a uniformity of judicial decisions and jurisprudence." It is one of the unfortunate accompaniments of the present system of revision at Montreal and Quebec, that the tribunal is of fluctuating composition, and that decisions precisely opposite, on a question of law or procedure, may be pronounced by it on the same day, according to the opinion of the majority

of the members who compose the Court in one or the other case. To have three Judges sitting in review at a score of points all over the Province, the members in each case selected by rotation or in some similar way, would, we believe, multiply the existing evil enormously. It would be difficult even for the Judges in any one district to find out what the Judges in the other districts were deciding, and the confusion would soon be so great that these judgments would have no authority whatever. It is no doubt desirable that suitors should get their cases determined with as little expense and delay as possible, but it would confer no advantage on the public if, in consequence of the conflict of precedent and general confusion of jurisprudence, hundreds of persons should find themselves involved in litigation whose rights otherwise would not have given rise to any difficulty. We are disposed to question the wisdom of having twenty concurrent Courts of review in one Province of less than two millions of people. The change, we are inclined to think, must be in a different direction. There ought not, in fact, to be more than one intermediate tribunal between the Court of first instance and the Court of final judgment, and it is very doubtful whether the benefits accruing from the system of revision have been at all equal to the disadvantage of having a second intermediate Court of Appeal. We in this Province are unfortunately situated as regards the Supreme Court, because two thirds of the members of that Court have been trained under a different system of law. But if the Supreme Court was what it is theoretically supposed to be, and what it may some day become, we should say that no case which may be taken there should by any possibility be susceptible of more than one intermediate appeal, i. e., before the highest Court of the Province. The original scheme of a Court of Review, in fact, was found impracticable. First, the revision of interlocutory judgments was abolished, and then, the judgment in Review where it affirms the judgment below was made final. These have been improvements, but all the objections are not yet overcome, and if the rural districts, for whose benefit the scheme of revision was introduced, do not wish it continued unless a Court be held in each district, the best plan is to do away with it altogether.