all the privileges that the profession so strenuously demanded, and the serjeants so stoutly denied.

On the 18th August, 1846, an act was passed, intituled, "An Act to extend to all Barristers practising in the Superior Courts at Westminster, the privileges of Serjeants-at-Law in the Court of Common Pleas." It recites that it would tend to the more equal distribution and to the consequent despatch of business in the superior courts of common law at Westminster, and would at the same time be greatly for the benefit of the public to have the right of barristers at law to practise, plead, and to be heard, extended equally to all the courts; and enacted, as in the warrant, that after the passing of the act, all barristers at law, according to their respective rank and seniority, might have and exercise equal rights and privileges of practising, pleading and audience in the Court of Common Pleas at Westminster, with serjeants-at-law. (9 & 10 Vic. cap. 54.)

The title of serjeant-at-law as a title of distinction, though shorn of some of its privileges, still exists. It has never been introduced into this province. The well understood rule of sixteen years' standing at the bar as a qualification may at first have operated against its being conferred in a new country like Canada, wherein at one time barristers were made barristers by license of the Governor, and without any previous study. Whether this was the reason or not, of course, is only matter of surmise. Whatever the reason was, it is certain that it did not operate against the creation of King's Counsel. The creation of a Court of King's Bench was in time followed by the creation of King's Counsel, an honor which has been conferred both before and since the union of the provinces.

At one time, in England, the power to create Queen's Counsel was greatly abused. It was said, in 1842, with allusion to the great increase of the peerage, that it was no longer gentlemanly to be a Peer, and that upon the same principle it was no longer a distinction to be a Queen's Counsel, for they were made in batches, less for what they had done than for what they were expected to do. Lord Abinger, as able an advocate as ever addressed a jury, did not receive a silk gown until he was of twenty-five years standing. In his time, the appointment was given as an honor and accepted as such. But with multiplication came deterioration; and finally *Punch* interfered, and represented the Lord Chancellor caricatured as baking Queen's Counsel, as Napoleon had been previously caricatured, by Gilray, baking kings and queens—of ginger bread.

In Upper Canada, in 1841, when Mr. Draper was Attorney General, two Queen's Counsel were created. In the year following, he still being Attorney General, five more were created. In 1845, one was created; and, in 1846, no less than five additional. All these, thirteen in number, we believe owe their parentage to Mr. Draper. Next, the late Mr. Baldwin tried his hand. In 1848, he created one. In 1849, one; and, in 1850, no less than nine; making for him no less than eleven. In 1851, he retired from power and was succeeded by Mr. Richards, who appears to have been content without the achievement of success in this line. Next we had Mr. Ross, who commenced his career by the appointment of three, which having done he ceased. And last we have Mr. Macdonald, who, in 1855, created one; in 1856, twelve; and, in 1858, four more; making in all seventeen.

We must do Mr. Macdonald justice, and say that his appointments have ever been for merit regardless of politics. In his first batch, he with the greatest magnanimity appointed two gentlemen who at the time were his violent opponents in the Legislative Assembly, but who were by standing and ability in the profession deservedly entitled to the honor.

We trust that the day will never come when a member of the profession, to attain this or any other distinction, must either be a political partizan or a cringing parasite. If the day should come, then that which is now an honor will be a disgrace, worthy of the acceptance only of bad men.

The Queen's Counsel has his privilege and his disability. The privilege is that of pre-audience in the courts; and the disability is that of being unable to accept a retainer in any cause, civil or criminal, against the Crown, without special license—a license which is never refused. It is said by some, that as the Judges take judicial notice of the standing of a barrister who is a Queen's Counsel, they should at the same time take judicial notice of the fact whenever a Queen's Counsel appears against the Crown, and ask for his license so to do. Be this as it may, Queen's Counsel have in our courts appeared against the Crown, without having a license and without being asked for one. The Judges of course know best what is proper and necessary to be done on such occasions.

CONVEYANCING FEES.

There are men, both in and out of the legal profession, who argue that a lawyer should be free to charge as much or as little as he pleases for his services.

Persons of this opinion assert that the law of competition would work as well in the case of the legal as the medical or any other profession or trade, and that the man who would do his work best and charge least would be sure to succeed.

We confess we have not been able to bring ourselves to this opinion. Lawyers now can charge as little as they