

county some officer who should be *ex officio* administrator of all deceased persons' estates within his county, and who should represent the estate in all actions, and continue to hold office until some other person should obtain probate or letters of administration. He might be remunerated by a small *ad valorem* fee according to the duty actually performed by him, and might be empowered to make deeds to the next of kin or devisees in all cases where the land was of insignificant value for a nominal fee, as in the case of grants of administration to estates under \$400, on proof of payment of debts.

Many persons die insolvent, and the whole estate they leave is mortgaged for more than it is worth. In such cases, if the next of kin do not think it worth while to take out administration to the estate, there seems no good reason why the creditors should be compelled to go through that formality. In such cases it should suffice to serve the public administrator with the process, informing him who the beneficiaries of the estate are, so far as is known, and it should be the duty of the administrator to inform them, by notice through the post office, of the receipt of process, leaving them to take such steps, if any, as they might think fit to protect their interests. As soon as probate or administration should be granted to some other person, the public administrator would be notified, and all process or notices respecting the estate served on him would be handed over to such other person.

We are inclined to think that the duties of the public administrator should be mainly passive, but, whenever required so to do by any person interested in the estate, he should have power to take active steps for its protection, on receiving proper indemnity. No estate should be distributed by the public administrator unless probate or letters of administration were granted, or, at all events, the usual fee therefor paid.

In many cases, at present, there is an unreasonable delay in taking probate or administration, and creditors are delayed in their proceedings. The fact that they could proceed by serving a public administrator would have a wholesome effect in hastening the issue of probate or letters of administration.

The obnoxious amendments to The Devolution of Estates Act should be repealed before they have done any more damage, and whatever defect might exist in the original Act might, we venture to think, be far better removed by the adoption of some such course as we have suggested.