briefly, and only this because it may be useful to refer to a course of procedure which was not only indefensible as a matter of strict practice, but undesirable even in a Court of equity and good conscience. An action was brought by a woman suing as her husband's administratrix. At the trial it appeared that although the action was commenced in November last, letters of administration were not applied for until the January following, and it did not even appear that the letters were in fact *ever* granted. The judge is reported to have held that the letters when granted would relate back and clothe the plaintiff with proper authority. Suppose, however, that the letters never should be granted? Possibly if they had been produced at the trial, it might not have been unreasonable for the judge to refuse a motion for a nonsuit, but there are manifest reasons why no greater latitude should have been allowed.

THE rage for early notes of recent decisions has reached the shores of the Pacific, and the Provincial Secretary of British Columbia has allowed the dreary pages of the *Official Gazette* to be enlivened by notes of cases, furnished by the judges. The number of the *Gazette* now before us gives, amongst others, the ruling of the Chief Justice on a conviction under the Fishery Act. The fishery officer, who we should judge to be more zealous than learned, seems to have convicted a disciple of Izaak Walton of fishing during a prohibited period, without putting the alleged offender to the trouble of defending himself, on the supposition that the words "convict on view" gave him that power. The outraged feelings of the British subject found vent in a *certiorari* and the Chief Justice promptly put in force the principle of natural justice that every accused person should have an opportunity of defending himself. In another case a magistrate made a conviction in the same free-and-easy manner, on an information charging him with playing cards for money, without more. A solemn warning, no doubt, but the effect of which was completely spoiled by the Chief Justice quashing the conviction on the ground that what was done was no offence at all, unless in a public place, gaming house, &c., which was not alleged. Most of the other cases refer to matters of procedure under the recently enacted Judicature Act of our sister Province.

THE RESIGNATION OF VICE-CHANCELLOR BLAKE.

We deeply regret that Mr. Vice-Chancellor Blake has resigned his seat on the Bench, apparently to return to the practice of his profession. We do so for the following amongst other reasons. In the first place, we deem it highly undesirable that any Judge should leave the Bench and return to the Bar, for practice in the Court on which he has lately presided. We believe that it tends more or less to impair confidence in the due administration of justice, and it certainly finds no sanction in British usage. In the United States, under a different system, *election* to the Bench is often sought for, that when the incumbent's term of office expires he may be able again to enter the professional struggle with the prefix "judge" to give him the reputation of being a popular, if not a learned lawyer; but we are assured the practice is strongly objected to by the friends of the profession in the United States. Nothing of that sort is, of course, applicable here; but there is a strong feeling that a descent from the Bench to the Bar (of which unhappily we have now had two within a comparatively few years) is only allowable if at all under very peculiar circumstances.

An objection also exists, in the fact that public business, for a time, at least, suffers by