

RECENT ENGLISH DECISIONS.

Queen herself, run over the whole Province and in every branch of judicature, but this local Act affects to empower the Governor-General in Council to confine them to particular local districts, where (Act of 1878) they would be expected to preside over monthly County or Division Courts, in which there are no pleadings, and the proceedings are conducted by non-professional men, to hear appeals from magistrates courts, and to preside daily in gold Commissioners Courts, so that in criminal cases the Crown prosecutor would be able to select the particular judge he might desire to try any given case, whilst a prisoner could not.

In spite, it is said, of the repeated protests of the judges, an Order in Council has been issued directing a certain Supreme Court Judge to reside in the gold bearing mountain range of Cariboo, another in the bunch grass solitudes of Kamloops, another at New Westminster Judicial District, and the remaining two to confine themselves to Victoria.

It is satisfactory on a review of the whole matter to have our minds disabused of an impression that instead of obstructing the channels of justice, the B. C. Judges have been persistently throwing down the barriers and opening the gates of the Temple of Themis to all whose necessities compel them to pay homage at her shrine.

A letter from a correspondent in British Columbia, with some further explanations as to the matters above spoken of, appears in another place.

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Proceeding with the March numbers of the Law Reports, and with 8 Q. B. D., from the point at which we left off on April 1st, the case of *ex parte Edwards*, p. 262, involves two points which may be briefly stated, viz.:

TOWN AGENT OF COUNTRY SOLICITOR.

(i.) A solicitor who, acting as town agent for a country solicitor, has recovered a sum of

money on a judgment obtained in an action, cannot refuse to pay over the same merely because the country solicitor is in his debt, unless the country solicitor had a lien upon it for a greater amount; (ii.) if he does so refuse the Court can, on the application of the client of the country solicitor, exercise its summary jurisdiction over its own officers and order the town agent to pay over the amount, and this though no fraud be imputed to the town agent.

INDICTMENT—INFORMATION.

The next case, *Reg. v. Slator*, p. 267, interprets a statutory enactment which we have not got, and the judges were called upon to construe the word "indictment." Bowen, J., says—"The distinction between an indictment and an information is one founded in the history of the law and liberties of this country. There are two great ways of proceeding against and bringing to trial a person accused of a crime; one is by proceeding against him before a grand jury, and time out of mind that proceeding has been known as an "indictment;" the other mode is by proceeding without a grand jury upon an information, which is instituted by the law officers of the Crown or by private prosecutor with the leave of the Court."

CHEQUE—DELAY IN PRESENTMENT.

We can now proceed to *The London and County Banking Co. v. Groome*, p. 288. This was an action by the bearers against the drawer of a cheque payable to bearer, alleging due presentment, dishonor and notice of dishonor. The plaintiffs, it appeared, took the cheque eight days after its date, and the question before Field, J., was—in his own words—whether "the well-established rule of law, as applicable to overdue bills of exchange and promissory notes, that those who take them take them at their peril, and stand in no better position than those from whom they take them as to any equities between the latter and the acceptor or maker attaching to the instrument," applied also in the case of cheques. The learned Judge held, on the