

ably should have known. Any speculations of bank officers which cause comment and suspicion among business men generally are obviously sufficient to put the directors on inquiry, and require very sharp scrutiny of its management; but there are, unfortunately, too many conspicuous instances of the wrecking of banks by men whose reputation has been of the highest both in personal and business relations. It may be impossible, doubtless it is, to institute any system of checks and safeguards which will make it impossible for the ingenuity of a dishonest man to wreck a bank when he holds an important position of trust in it. There is a demand for legislation on the subject. But legislators may do serious harm by unwise enactments, and no legislation on such a subject can be safely attempted without the fullest participation and counsel of the ablest men in the banking business.

LEGAL TECHNICALITIES.

It may not be out of place to refer to the misleading remarks of a writer in the *Toronto Daily News*, who commented in strong language on the alleged misconduct of some of the judges in our land, and to state shortly the well settled rule as to how Courts should deal with matters coming before them, whether they be questions of law or of fact, or of what the writer in the article referred to is pleased to call "legal technicalities."

May we be permitted to express surprise that there should be anyone who is not familiar with the truism that it is the duty of judges to administer the laws as they find them, and that when the Legislature declares that a particular offence shall be dealt with in a particular manner, it is the duty of the judge to see that the offence is dealt with in that manner and in no other. To do otherwise would be to alter the law, which no judge has any authority to do. It is not for him to question the reason which led the Legislature to require that particular mode of procedure, still less to decide that some other mode would do equally well. This is not being bound by a "technicality." It is simply doing his recognized duty.