

With remarkable and commendable promptitude the vacancy in the Supreme Court Bench, caused by the death of Mr. Justice Mills, has been filled, and well filled, by the appointment of Mr. Wallace Nesbitt, K.C., of the City of Toronto. Mr. Nesbitt is in the prime of life, having been born in Woodstock, Ont., in 1859, and called to the Bar in 1881. We congratulate the Minister of Justice upon his choice, and are glad of it, not only because it is excellent in itself, but because Mr. Nesbitt, though he has not taken a very active part in politics, is opposed to the party in power, and because the appointment denies the statement (too often given as a reason for appointing a mere politician) that no counsel who enjoys a large and lucrative practice at the Bar can be persuaded to leave it and go on the Bench, at least before he reaches an age when his faculties are declining and his strength waning. As far as Mr. Nesbitt is concerned he will undoubtedly lose very materially from a financial standpoint, and he retires from active life at an age when his capacity and his prospects might naturally lead him to pursue the upward progress he has hitherto made in his profession. We trust we shall now hear less about the best men at the Bar refusing to go on the Bench, and we trust to see more of similar appointments to this one in the future. It is not always a man distinguished as an advocate makes the best judge; but Mr. Nesbitt is not only an able and successful advocate, but he is also a good lawyer, as well as a man of affairs, and familiar with the business of the country and so well prepared for the duties of a position which it should be the ambition of every lawyer in the Dominion to attain.

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It is not inappropriate, in connection with the death of Sir Oliver Mowat, the distinguished jurist who lately filled the office of Lieutenant-Governor of Ontario, to note that he has been succeeded by another member of our profession, Mr. William Mortimer Clark, K. C., of Toronto. The duties of the position, as a rule, are neither many nor onerous, but emergencies do occasionally arise which make it very desirable that the person occupying it should have some knowledge of constitutional law and be familiar with the discussion of legal matters. Properly enough the majority of