

pension, etc. In England 13 out of 57 County Court judges have the letters K.C. after their names in the teste of the writs of their respective Courts.

The Committee, in dealing with this point, consider that because these judges are appointed by the Lord Chancellor and not by the King, that that fact accounts for their retaining the title of K.C., although the incompatibility of their acting as such while occupying the position of County Court judges is just as obvious as it is in the case of a judge of the Supreme Court of Judicature. In Canada both classes of judges are appointed by the Crown, but we fail to see that that makes any difference.

The supposed analogy between the offices of King's Counsel and King's Serjeant is probably illusory, and we doubt whether any Canadian Court would recognize it. For, as the Committee's report shews, serjeants-at-law were formerly appointed by the King's writ or patent, and the office was not vacated by the acceptance of a judgeship. And, though the exercise of the office was in abeyance while the serjeant was a judge, on his retirement from the Bench he was entitled to resume practice as a serjeant-at-law. This seems to furnish a much more reasonable analogy than the case of King's Serjeants on which the Committee rely. The King's Serjeants were specially appointed from among the serjeants-at-law, and, as appears from Serjeant Pulling's book, p. 40, acted "like the Attorney-General, not only as the legal advisor or counsel of the Sovereign, but as the Crown advocates or public prosecutors." It was apparently not a mere general retainer like that of King's Counsel, but an appointment to an office to which certain duties were assigned similar to those of an Attorney-General.

There are obvious reasons why a King's Serjeant, when appointed to the Bench, should be deemed to resign the office of King's Serjeant precisely in the same way as when as Attorney-General or a Solicitor-General resigns his office on appointment to a judgeship; but the same reasons certainly do not apply to an ordinary King's Counsel, who now stands in the position of the old serjeant-at-law. His office, qua office, is honorary, and