ton and Gregory, JJ., held that Supreme and County Court Judges are of co-ordinate jurisdiction in matters of review and orders made within their authority are final.

Then in 1910 in the case of *The King* v. *Wilson*,(l) Barker, C.J., Barry and McKeown, JJ., held that where there was no want or excess of jurisdiction a review order by a County Court Judge should not be disturbed; while Landry, McLeod and White, JJ., held that an order may be set aside to prevent a gross miscarriage of justice; and in the same year the Court (Barker, C.J., McLeod, White, Barry and McKeown, JJ.), held in *The King* v. *Wedderburn*,(m) that such an order was final if within the jurisdiction of the County Court Judge, even although the Court may think it was wrong, and this was followed in 1914 in *Ex parte Ault*(n).

The last case on the point was decided in the same year, 1914, and in *The King* v. *Jonah*(o) the Court held where a County Court Judge did not have jurisdiction on account of the order for review not having been legally served his decision was not final, and that a certiorari should go.

To attempt to draw any general conclusion from these cases would be useless, and any practitioner, having lost a review case before a County Court Judge, must decide from the circumstances of the particular case whether it would be advisable to apply for a certiorari.

It may be laid down, however, that if the County Court Judge acted without or beyond his statutory jurisdiction, the Court will not hesitate to grant a certiorari; while if the Judge had jurisdiction but his decision is manifestly wrong or works a gross miscarriage of justice, then it may be well to apply for a certiorari, and the Court will at least consider the matter and exercise their discretion according to the circumstances of the case.

HARTLAND, N.B. M. L. HAYWARD, B.C.L.

(l) 39 N.B.R. 555.
(m) 40 N.B.R. 285.
(n) 42 N.B.R. 548.
(o) 43 N.B.R. 166