

the Bench, who, on resuming practice, have claimed and been accorded their previous status at the Bar as King's Counsel. One of these gentlemen has been recently elected a Bencher, and in the list of Benchers his name bears the addition of K.C. The report would seem to suggest that these gentlemen in resuming practice and claiming precedence by virtue of their former status are assuming a position to which they are not legally entitled.

Is there not some inconsistency between the theory and the practice of Convocation on this point? Convocation says that they are not entitled to such precedence, yet this precedence is claimed and allowed by the Courts; Convocation, moreover, has taken no action in the premises, and individual members thereof do not challenge in Court the claim so made.

But does the acceptance of the office of a judge work a resignation of the office of King's Counsel? And, if so, why does not a retired judge also lose his status as a barrister-at-law? No doubt as long as a man is a judge it is incompatible for him to exercise the office of King's Counsel. It is equally incompatible for him to exercise the office of a barrister. But no one has ever pretended that by accepting the office of a judge a man ceases to be a barrister. On the contrary the early history of the law seems to shew that transitions from the Bar to the Bench, and from the Bench to the Bar were frequent, and that the right of a judge who retires from the Bench to resume practice at the Bar as a barrister has never been questioned. The mere incompatibility of the office of a King's Counsel and that of a judge seems, therefore, to prove nothing. Is not the proper view that so long as a man is a judge, his rights to the status of King's Counsel is in abeyance, or is merged in the superior dignity? If so, why is he not entitled to resume his status at the Bar, and claim precedence as King's Counsel on retiring from the Bench?

A County Court judge is a judge of a Court of record both here and in England, and although the office and dignity are inferior to that of a judge of the Court of Appeal and the High Court he is still a judge debarred from practice, entitled to a