

the interests of the public suffer. It is, moreover, well known that several counsel decline to appear in cases coming before this learned judge, the physical effort to make themselves heard being too great a strain. The result is that frequent efforts are made to have cases heard before other judges. To this must be added the waste of time involved in the trial of cases before him. It is human nature not to recognize or appreciate defects and peculiarities in ourselves which are patent to others, and we are sure that the learned judge, when his attention is called to the matter, will sufficiently realize the present unsatisfactory condition of things.

Were the Bench up to its full strength, which it is not, this hindrance to business would not be of so much importance. Why it is not, the Government has not condescended to say. Whilst it can have no valid excuse for neglecting to fill the present vacancy, there may be some excuse for a judge who does not retire when the occasion would seem to demand such retirement; for he can truly enough point to the small salary he has received and to the absurd inadequacy of his retiring allowance. It is a manifest injustice to an old and faithful public officer, such as the learned judge referred to, to compel him to accept a pittance, when he may, by reason of infirmity, desire to retire, but cannot financially afford to do so; perhaps having been unable to lay by anything for the future owing to the smallness of his salary and the cost of living consistent with the high position of a judge. These matters are of more interest to the public than to the profession, and we are surprised that they have not been more fully discussed from that standpoint.

SECURITY FOR COSTS—WHEN ORDERED.

The profession generally have experienced considerable difficulty with the question as to when a party may be ordered to give security for costs, and a great deal of litigation has thereby been occasioned and costs incurred through lack of knowledge of the elementary principles applicable. A brief synopsis of the law on the subject may be of interest, not so much to the older members of the profession—who, no doubt, have been taught by bitter experience in some cases and have not forgotten the lesson—but rather for the benefit of the student and for the younger