

to institute a comparison between this and any other similar work, because it is a pioneer in the field and has no rival. As to Dr. Brouner's qualifications for the authorship of such a work, it will be noted that he is a graduate (in Arts and Medicine) of Columbia University, and it may be added that he has had exceptional facilities for studying the Chinese tongue because of his holding a position for some time on the medical staff of the department charged with overseeing Chinese emigration at the port of New York. It is unnecessary to say anything of his collaborator's qualifications. When one of the Chinese race attempts to do anything he does it well, and largely because he does it to the extent of his skill and ability. Such a work will be a helpful addition to the general library of the legal practitioner in Canada.

*THE EFFECT OF LETTERS OF ADMINISTRATION
OBTAINED PENDENTE LITE.*

The question of the relation back of letters of administration obtained pendente lite has been recently under the consideration of the court on three or four occasions, and has resulted in the expression of some diversity of opinion by members of the Bench.

It is well known that prior to the Judicature Act there were different rules prevailing in courts of law and equity on this subject. At law as in equity an executor might commence an action or suit before obtaining probate, and if he obtained probate before the trial or hearing of the case that was sufficient to entitle him to maintain the action as executor, and the reason assigned for this rule was that he derived his authority not from the letters probate but from the will. On the other hand a different rule prevailed as regards administrators, and at law their authority was considered to be derived from the grant of letters of administration, and they were considered to have no locus standi to commence an action in respect of the estate of the deceased until they had first clothed themselves with the legal status of administrator of the estate; but in Equity a different rule prevailed and, as in the case of an executor, it sufficed if the plaintiff claiming to be administrator armed himself with the necessary authority at any time before the cause was heard.