a member of Parliament who had been a receiver in a cause, and who, after he had been discharged from receiver, had been ordered to pay over funds which he had received as receiver, was liable to attachment: and it was held by North, J., that the attachment for breach of such an order was of a punitive character, and therefore not subject to privilege of Parliament, and it was also held that a person who owes money come to his hands as receiver, is in a fiduciary capacity.

GUARDIANSHIP OF INFANT ACT (49 & 50 VICT. c.27)—(R.S.O. c. 137, s. 1)—RIGHTS OF MOTHER AS GUARDIAN—RELIGIOUS EDUCATION OF INFANT.

In re Scanlon, 40 Chy. D. 200, is a decision of Sterling, J., and shows that the recent *Guardianship of Infants Act* (49 and 50 Vict., c. 27) (in R.S.O. c. 137, s. 1), has made no change in the law as regards the general rule which requires that infants shall be brought up in the religion of their deceased father. In this case the deceased father was a member of the Church of England, and the surviving mother was a Roman Catholic. The Court, under the second section of the Act, appointed two Protestants to act as co-guardians with the mother, and directed that the children should be brought up as members of the Church of England.

Correspondence.

NOTARIES PUBLIC OF ONTARIO.

To the Editor of THE CANADA LAW JOURNAL:

Dear Sir,—Complaints are made that the Notaries of Ontario take no oath of office. The Lieutenant-Governor appoints as Notaries persons possessed of certain qualifications. A Commission issues, worded as follows:—"I have appointed, and do hereby appoint him, the said Geoffrey Quilldriver, to be a Notary Public in and for the Province of Ontario. To have, use and exercise the power of drawing, passing, keeping and issuing all deeds, contracts, charter parties and other mercantile transactions; and also to attest all commercial instruments that may be brought before him for public protestation." The fee of $8 is paid. The appointment is gazetted in the Official Gazette—and the new Notary Public is left to make the most of his important privileges. But he is not sworn to do his duty.

Let us consider whether there is a just cause for complaint in leaving our Notaries unsworn; whether an oath should be imposed; and what should be the form of that oath.

The only outward and visible inconvenience in a Notary Public for Ontario not being sworn, is that always found by those living under laws and customs different from those of their near and intimate neighbors. The word "sworn," for instance, has to be struck out wherever it occurs in the Notarial Certificates prepared in other countries and provinces and sent to Ontario for completion or execution.