art of stating his case clearly and explicitly. That is what our correspondent, "Law Student," has not done. The only point for which *Re Parsons, Jones v. Kelland* is an authority is this, viz., that a personal representative of a deceased person is entitled to receive out of court any part of the personal estate of such deceased person which may be there, notwithstanding that some of the next of kin interested therein may be infants. So far as we can understand "Law Student's" question, we should say that the case is no authority for either proposition stated by him. The rights of the parties in the fund set apart to secure the dower upon the death of the doweress appear to have been adjudicated upon or determined in some other proceeding. So far as this decision is concerned, it seems to have been admitted that Jane Ann Jones' interest was personal estate, and as such passed to her personal representative, and the only question the judge had to decide was whether or not the infants' share should remain in court or be paid out to the personal representative.—Ed. C.L.J.]

JUDGE-MADE LAW.

To the Editor of THE CANADA LAW JOURNAL :

SIR,—Amongst the editorial comments in your issue of date 16th July last, is one charging the County Court Judge at Ottawa with going beyond his jurisdiction, and imputing mistaken zeal to a notary public. The editor must give "instant satisfaction" to these aggrieved parties by allowing them a few lines of print in their defence.

In THE LAW JOURNAL of April 16th, 1889, appeared a letter from a notary public showing the inconvenience arising from an oath of office not being taken by the notaries of Ontario, inasmuch as other commercial peoples of the world required it of their own notaries, whose duties and functions in no way differed from those of the notaries of Ontario. Also pointing out the security gained by the administering of an oath to any public functionary.

Many lawyers of Ottawa also being of opinion that notaries should be sworn, the Attorney-General of Ontario was applied to for amendment of the law in that direction: he replied that it was not expedient to alter the law, inasmuch as the functions of the notary in Ontario differed widely from those of notaries in other countries.

Issue being joined between the complainant and the legislator, the only recourse the former had was to a judge of a Court of Record, who was asked to administer an oath similar to the one administered in England to the notaries there.

The subject of debate is now shifted from the propriety of administering an oath to such functionaries to the question whether, in the silence of the statute law of Ontario on the point, it is within the jurisdiction of a county judge to make up this deficiency of the law of Ontario, which is thought to be highly improper, unusual, and inconvenient?