

NOTICE OF APPEARANCE—LAW SOCIETY.

peal it *in toto*, and replace it with a more carefully prepared measure, dealing only with admitted defects.

NOTICE OF APPEARANCE.

A word as to notice of appearance after time for appearance has elapsed:—

In the case of *Lanark and Drummond Plank Road Co. v. Bothwell*, 2 U. C. L. J. 229, Burns, J., intimated an opinion that when an appearance is entered after the proper time, the knowledge of the plaintiff that such an appearance was in fact entered was sufficient to dispense with a written notice by the defendant that he had appeared. This was coupled with a statement, that the plaintiff did not in that case give time for notice to be given before he entered judgment, though it did not appear that any attempt to give a written notice had been made. This decision, though it may have been reasonable enough under the circumstances of the case, and equitable and proper no doubt, so far as the adjustment of the rights of the parties between themselves was concerned, has unfortunately been made an excuse for indulging in a looseness of practice in the premises which, for many reasons, it is always desirable to avoid.

In a recent case in Chambers, the decision of Mr. Justice Burns was cited as an authority to the full extent of the note we have given of it above. But the Chief Justice of the Common Pleas, though he did not expressly dissent from it, objected to the state of things that would result from its being followed as a general rule of practice. And he further said, that if it should be necessary for him to decide (which it was not in the case before him,) whether the notice spoken of in the Act meant a written notice, and not a verbal notice or mere knowledge, his impression was that he should have to decide that such notice must be in writing.

LAW SOCIETY—EASTER TERM, 1869.

CALLS TO THE BAR.

Twenty-five gentlemen presented petitions for call to the Bar, of which the following passed the Examinations:—Messrs. S. S. Smith and Morrison (both without oral), Chisholm, Jameson, Smart, Norris, N. M. Clarke,

Gibson, Metcalf, Elliott, Hick, Dudley, Rutledge, King, Capreol.

ADMISSIONS AS ATTORNEYS.

Twenty-two gentlemen presented themselves for examination for admission to practice as Attorneys. The following were successful—Messrs. Robertson, Livingston, Ferguson, (these three without any oral examination). Meredith, Cartwright, Biscoe, Corbould, Rutledge, Oliver.

Messrs. McIntosh, Kimber and Lewis, of the Quebec Bar, were, during the present Term, called to the Bar of Ontario, and admitted to practice as Attorneys in this Province.

We publish in this number an article taken from the *American Law Register*, criticising the discussion in a recent case on the question of the validity of legal tender notes in the United States; also, the report of a case in one of the courts of that country, wherein it was decided that in contracts for the payment of a sum certain in gold or silver coin, made prior to the passing of the Act making certain notes a legal tender, damages for non-payment must be paid in coin according to the contract. These will have some interest at the present time when the tendency of legislation seems to shew that we are approaching a somewhat similar state of things in respect to our currency.

In a recent number of the *Solicitors' Journal* (vol. 13, p. 294), are given the general orders under the County Courts Admiralty Jurisdiction Act, 1868. This Act, we believe, gives to certain County Courts in England, jurisdiction under some circumstances in Admiralty cases. When are we to have something of this kind in this country—either by means of a Court with exclusive jurisdiction in such matters, or by giving the necessary powers in urgent cases to County Judges in certain localities? All the arguments in favour of legislation on this subject *before* confederation, are trebly strong now. We believe it was intended to introduce a measure at the present session at Ottawa, to afford partial relief in the premises, but we have seen nothing of it as yet.