Appointments to Office.—Items.

ALGERNON WOOLVERTON, Esquire, M.D., for the County of Wentworth. (Gazetted September 21st, 1872.)

WILLIAM DeWITT CLINTON LAW, Esquire, M.D., for the County of Simcoe. (Gazetted Sept. 21st, 1872.)

WILLIAM B. FOWLER, Esquire, M.D., for the County of Huron. (Gazetted October 5th, 1872.)

GEORGE MILLER AYLSWORTH, Esquire, M.D., for the County of Huron.

BALDWIN LORENZO BRADLEY, Esquire, M.D., for the County of Oxford. (Gazetted October 12th, 1872.)

The Press and the Bar.—Many years ago resolutions were passed by the members of the Oxford and western circuits declaring it to be incompatible with the status of a barrister to report proceedings for the public press. The resolution on the Oxford circuit was aimed at Mr. Cooks Evans, who then represented the *Times*, and on the western circuit at Mr. H. T. Cole (now a Queen's counsel), who then reported for the *Morning Chronicle*. The dictum of the Oxford and western circuits was warmly resented by the press. By way of retaliation the *Times* adopted a plan that was followed by many other journals, and which soon led to the rescinding of the obnoxious resolutions. The leading journal stated that it was of no importance to the general public, however important it might be to the legal gentlemen themselves, to know what particular counsel appeared in any case. Accordingly instructions were given to the *Times* representatives on the Oxford and western circuits to suppress the names of all the barristers who appeared in cases reported in that paper. Hence for some time in the reports of these circuits, the public read that "the counsel for the plaintiff," "the counsel for the defendant," "the counsel for the prosecution," and "the counsel for the prisoner," said or did so and so. This was a serious matter for the bar, and no doubt materially hastened the withdrawal of the objectionable stigma sought to be cast upon the press.—*Gentlemen's Magazine.*

In Connecticut it is proverbially said of a discontented man that he would "grumble if he were going to be hanged." And, indeed, it is remarkable to see how even the slight peril of death involved in a trial for a capital offence by a petit jury rouses all the captiousness in the nature of the man who is the subject. For a long time the counsel for the defence in criminal cases have been dissatisfied with the ordinary juror, and, so far as the case was concerned, yearned for a man whose mind up to the time of his summons to serve had been a virgin blank. Him they have now found, and they have rejected him. In the Stokes case a juror was called, Peter Eckhardt by name, who had drunk deep at the Pierian spring of metaphysics, and was fully aware of the relativity of knowledge. This astute person not only disbelieved whatever he saw in the papers, but he also declared, that "for all he knew Fisk might be alive still, as he had never seen him shot." Upon this confession of unfaith one would suppose that the counsel for defence would have exclaimed that this was the man they had long sought, and mourned because they found him not, and had him sworn in by acclamation as a paragon of petit jurors. But it is painful to record that even Eckhardt did not meet their views, and he was dismissed with an ignominy painfully in contrast with the joy wherewith we have so long been assured he would be greeted. The fates never forgive. It is impossible that we should ever hereafter have a chance of getting so exemplary an idiot as Eckhardt in a panel to try a capital case, and we have missed our only opportunity for observing the procedure and recording the conclusions of the model juror.—*Pittsburg Legal Journal.*

Nisi Prius.—The origin of the term *nisi prius* was rather curious, and illustrates the startling fictions that our fathers delighted to honor. Formerly, in order to send a cause to trial at the assizes, two writs were directed to the sheriff. By the first writ, called a "venire," the sheriff was commanded to cause a jury to come to Westminster. The second writ, called a "distringas," supposed the jurors to have disobeyed the first writ, and commanded the sheriff to distrain their goods, so as to compel them to come to Westminster on a certain day, unless before that day a judge of assize should come to the place where the cause was intended to be tried, as in practice he always did. The words of this writ *nisi prius* gave the name to the ordinary sittings for trying causes. The fiction maintained by these writs was not only useless, but pernicious, for an irregularity in returning them might deprive a plaintiff of the benefit of his verdict. All that was really necessary was, that the sheriff should take care to have in attendance at the assizes a number of jurymen sufficient for the trial of the causes likely to be entered.—*Albany Law Journal.*

The Decisions of Justices.—The unpaid magistracy is the most abused institution of the country. Very likely some of their decisions are wrong; but it is ridiculous to form an opinion from the newspaper reports, because important incidents of the case are omitted. Writers who propose to abolish the "great unpaid" do not take the trouble to consider the subject. The substitution of paid magistrates would be costly if it were possible, but, however willing the public might be to pay the cost, it would be impossible to find the requisite number of men. Besides, the magistrates are fully qualified to discharge their duties, and, with some exceptions, they do so satisfactorily. The abolition of the unpaid magistracy would be a disastrous social revolution. A writer in the *Times* complains that the decisions of justices cannot be reversed unless the justices themselves reserve any question for the Court of Criminal Appeal. What would be the result of giving an unlimited right of appeal? We apprehend that two Courts of Appeal would be fully and constantly occupied in disposing of such appeals. Perhaps in the instance cited by "Stuff-gown," the justices were wrong, but as a rule, when any point is raised, the bench is ready to grant an appeal. Besides, the justices do not sit with closed doors, and their critics in the press are extreme to note the slightest error. We see no danger to the public, and a great convenience, in reserving to the justices the right to refuse an appeal from their decisions.—*Law Journal.*