

CORRESPONDENCE.

Boyd, C.]

[March 10.]

QUAY V. QUAY.

Taxation—Appeal—Local registrar—Enlarging time—Jurisdiction of Master in Chambers—Certificate—Confirmation—Taxing Officer—Revision.

Appeals from the taxation of costs by local registrars are subject to the eight days' limit prescribed as to appeals from orders of Masters and local judges, as was held in *Stark v. Fisher*, ante, p. 32, but the time for appealing may be enlarged by the Master in Chambers or a judge.

The certificate of a local registrar as to the result of the taxation by him of the costs of an action is not to be treated like the report of a Master, which is appealable until confirmed by the lapse of a month from the making, and two weeks from the filing of the same.

It is a convenient practice when any case is made on appeal from taxation as to several items, or on the ground of general exorbitancy, to refer the whole bill to one of the taxing officers at Toronto, as upon a revision.

Holman, for the defendant.

W. H. P. Clement, for the plaintiff.

CORRESPONDENCE.

COMMISSIONERS FOR TAKING AFFIDAVITS.

To the Editor of the LAW JOURNAL.

DEAR SIR,—Herewith I send you copies of correspondence had between a person, whose name for obvious reasons I do not give, and myself.

Would it not be well if all County Court judges declined, unless under special circumstances, to recommend the appointment of any person as a commissioner for taking affidavits unless and until he signed an undertaking not to do any manner of conveyancing, etc., for reward, and if the Chief Justices and Justices of the High Court declined to appoint any person other than a solicitor, or in some special case, unless and until such an undertaking was furnished?

Truly yours,

A COUNTY COURT JUDGE.

[COPY.]

February 1st, 1886.

To ———, Judge, etc.

DEAR SIR,—During the last year I have been doing conveyancing in this neighbourhood. I find it would be considerably to my advantage if I were a commissioner. I also see by the statutes that the mode of proceeding is to petition the judges of the High Court through the judge of the County Court.

Now, if your Honor will kindly endorse the enclosed petition and forward it to its proper place of destination you will confer a great favour. I have carried the original petition till it is rather dirty looking, but have rewritten it as you will perceive. Use either of them you think proper.

I have the honour to be, Sir,

Your obedient servant ———.

———, 2nd February, 1886.

Mr. ———

——— P.O.

DEAR SIR,—I have received your letter and the petition in reference to your being appointed a commissioner to take affidavits. I believe it will be necessary for you yourself to address a letter to the judges of the High Court (to the Chief Justice and Justices) asking for the appointment—the object being that they may see your handwriting and judge of your fitness. Before I can recommend your appointment I must receive from you an undertaking in writing like the underneath, or to same effect. If you proceed in the matter you had better arrange with some solicitor to forward the papers to Toronto, and obtain the commission—if granted—or you might send them yourself to the proper officer at Toronto.

Truly yours,

Form of undertaking.

I, ———, do hereby undertake, agree and promise that if I am appointed a commissioner of the High Court of Justice for Ontario for taking affidavits, I will not directly or indirectly, for hire or reward, or gain or hope thereof, do any manner of conveyancing, or prepare or draw any will, lease, agreement or other instrument whatever. (This to be dated and signed.)

P.S.—This will not prevent your drawing a deed or other paper for your own business, or for a neighbour as long as you make no charge for doing it.

———, February 7th, 1886.

To ———,

Judge of County Court

DEAR SIR,—Your favour of Feb. 2nd is at hand, and in reply beg to state that if the promise or undertaking of which you sent me a copy is imperative to my appointment I do not desire it. I make enough by writing deeds, mortgages, leases, wills and agreements to pay a hired man to work on the farm, and the only reason I had for asking for the appointment was that I would not have to erase the words "a commissioner, etc.," and substitute J. P. when I signed the affidavit of the