

GENERAL CORRESPONDENCE—REVIEW—APPOINTMENTS TO OFFICE.

granting a new trial might impose on the party applying and obtaining his desire a condition that he should pay the successful litigant all his costs, such as affidavits and attorney's fees on opposing new trials. Rule 144 was very necessary. Judges (in many cases) have been prone to interfere at the solicitation of friends of suitors with their own orders *ex parte*! For instance, a man obtains at great trouble an order to commit against a dishonest debtor, and the debtor when arrested is taken to the judge, his story and wrongs heard—*ex parte*—and the creditor next sees him in the street at large laughing in his face. The judge has taken upon himself to nullify his own order, and to say that the creditor shall not collect his debt! A pretty power surely for any judge to assume! Rules 90, 91, 92 and 93, as to the duties of Bailiffs, and giving them an attendance fee at Court in default suits, are very necessary.

Rule 95, which has reference to clerks of foreign counties principally, is very admirable.

Rules from 41 to 50 inclusive, on *Replevin process*, are just what were required.

In interpleader matters the rules might have been more explicit and enlarged. For instance, one original interpleader summons should have been made to answer, where many claimants arise as to goods seized under one execution, each claimant being served only with a copy. Bailiffs, as the law and practice now are, can make a dozen original suits out of as many claims, all arising from one seizure. It is a pity that more had not been said in the rules as to the conduct of Bailiffs in executing writs of execution.

Might not something have been said as to Bailiff's returns of "*Nulla bona*?" as to whether executions bind the goods as soon as the bailiffs receive them? Perhaps not this last. I think it would have been better had a rule been made requiring clerks in outer counties to forward monies or returns on all transcripts sent them, charging the costs of transmission to the defendant who caused it.

I will not further extend these remarks in this letter.

C. M. D.

Toronto, 25th August, 1869.

REVIEWS.

PARLIAMENTARY GOVERNMENT IN ENGLAND, ITS ORIGIN, DEVELOPMENT AND PRACTICAL OPERATION. By ALPHEUS TODD. Vol. II. London: Longmans, Green & Co., 1869.

It is with regret that we have again to announce the postponement of our review of the second volume of this work. Nothing but a profound sense of its value and importance, and our present inability to do it justice, compels us to defer noticing it in this number. The reading of the volume demands more time than we have had at our disposal for the purpose since the receipt of the volume. And we cannot in fairness to the learned author, or in justice to ourselves, review the volume until we have carefully looked over it, which we fully expect to do before the next issue of the *Law Journal*.

APPOINTMENTS TO OFFICE.

ASSISTANT COMMISSIONER OF CROWN LANDS.

THOMAS HALL JOHNSON, Esq., to be Assistant Commissioner of Crown Lands, in the room and stead of Andrew Russell, Esq., resigned. (Gazetted Aug. 21, 1869.)

CROWN LANDS' AGENT.

ANDREW RUSSELL, Esq., to be Resident Agent for the sale of Public Lands in the County of Wellington, in the place of James Ross, Esq., resigned. (Gazetted August 21, 1869.)

STIPENDIARY MAGISTRATE AND REGISTRAR.

JOHN DORAN, of the Town of Perth, Esq., to be Stipendiary Magistrate and Registrar for the District of Nipissing, in the room and stead of Thomas H. Johnson, Esq., resigned. (Gazetted August 21, 1869.)

NOTARIES PUBLIC.

PETER McCARTHY, of the Town of St. Catharines, Esq., Barrister-at-Law. (Gazetted July 3, 1869.)

CORONERS.

JAMES WALLACE, of the Village of Alma, and JAMES McCULLOUGH, of the Village of Everton, Esquires, M. D., to be Associate Coroners, within and for the County of Wellington. (Gazetted June 19, 1869.)

WESLEY F. ORR, of the Village of Lynden, Esq., to be Associate Coroner, within and for the County of Wentworth. (Gazetted July 31, 1869.)

JOSEPH DIX, of Garden Island, Esq., to be an Associate Coroner, within and for the County of Frontenac. (Gazetted August 28, 1869.)

In an English case of Hopkins it was lately decided in the Court of Exchequer, that a creditor who takes from his debtors agent on account of the debt the cheque of the agent, is bound to present it for payment within a reasonable time, and if he fails to do so and by this delay alters for the worse the position of the debtor, the debtor is discharged, although he was not a party to the cheque.