

cannot be said to be competent for the office of clerk; and in a well conducted court with an intelligent clerk giving himself wholly to the business in hand, we do not see how a mistake could be made; we must confess we see no good ground for advocating the theory that the judges should do that which it is the clerk's duty to perform.—EDS. L. J.]

*Transmitting moneys to suitors by mail.*

TO THE EDITORS OF THE LOCAL COURTS GAZETTE.

GENTLEMEN,—Regarding the authority of a Clerk to transmit suitors' moneys on transcript of judgment, I have for the last eleven years, followed your valuable suggestion in the *Law Journal* for 1858, Vol. IV., page 37, and have never met with any difficulty on that subject. You then suggested: "When a Clerk sends a transcript of judgment to be acted on in another Division, let him forward with it an order to transmit the money, when made, by mail in bank notes, or by Post Office order."

At the foot of the "Transcript of Entry of Judgment," of which you kindly published a copy in the *Law Journal* for 1855, Vol. I., page 201, I wrote an order, authorizing the Clerk to whom the transcript was sent, to mail the money when made; that order was afterwards printed on the transcript, and is in the following words:

Preston, — 18—.

SIR,—Please issue execution in the above cause forthwith, and on receipt of return thereto from the Bailiff of your Court, make proper return to this office. If money made, you will please remit the same by a Post Office Money Order to this office, if the Post Office of your place is a Money Order Office, otherwise remit said money in a registered letter to this office, at my risk, and oblige,

Yours respectfully,

Plaintiff.

If convenient, I obtained plaintiff's own signature at the time the transcript was ordered, otherwise I signed his name *per O. K.*

This plan of having the order on the transcript appears to me preferable to a separate or subsequent order from the plaintiff; it not only saves postage, time and labor, but shows the whole authority, power to issue execution and to remit, on one sheet; and is to all intents and purposes the same which is now stipulated by Rule 159 of 1869, and I think that if an order like the above, or to that effect, were

printed on the back or at the foot of the transcripts now in use (Forms 98 and 100), it would be an improvement.

Respectfully yours,

OTTO KLOTZ.

[If all Division Court officers gave the same intelligent care to the working of the system they are concerned in administering as our correspondent, we should have fewer complaints from the public, or from officers. The suggestions of Mr. Klotz are very valuable, and many doubtless will act upon them.—EDS. L. C. G.]

Once Bishop Horsely met Lord Thurlow walking with the Prince of Wales. The Bishop said he was to preach a charity sermon next Sunday, and hoped to have the honor of seeing his Royal Highness present. The Prince intimated that he would be present. Turning to Thurlow, the Bishop said, "I hope I shall also see your lordship there." "I'll be — if you do; I hear you talk nonsense enough in the House of Lords; but there I can and do contradict you, and I'll be — if I go to hear you where I can't!"—*Bench and Bar.*

## APPOINTMENTS TO OFFICE.

(From the Canada Gazette.)

### JUDGES.

The Hon. JOHN GODFREY SPRAGGE, of the City of Toronto, in the County of York, to be Chancellor of the Court of Chancery for Upper Canada, now Ontario, in the stead of the Hon. P. M. M. S. VANKOUGHNET deceased. (Gazetted January 1st 1870.)

SAMUEL HENRY STRONG, of the City of Toronto, in the County of York, Esq., Q. C., to be one of the Vice-Chancellors of the Court of Chancery for Upper Canada, now Ontario, in the stead of the Hon. J. GODFREY SPRAGGE. (Gazetted January 1st, 1870.)

(From the Ontario Gazette.)

### DEPUTY CLERK OF THE CROWN, &c.

JAMES C. MORROW, of Barrie, Esq., to be Deputy Clerk of the Crown and County Court Clerk for the County of Simcoe, in the stead of JONATHAN LANE, Esq., deceased.

### NOTARIES PUBLIC.

A. G. McMILLAN, of Elora, Gentleman, Attorney-at-Law; FREDERICK ARTHUR READ, of Petrolia, Esq., Barrister-at-Law; and HORACE THORNE, of Toronto, Esq., Barrister-at-Law. (Gazetted January 1st, 1870.)

CHARLES GREAM, of the Village of Madoc, Esquire. (Gazetted January 15th, 1870.)

JAMES A. MACPHERSON, of the Village of Kincardine, Esq. (Gazetted January 29th, 1870.)

### ASSOCIATE CORONERS.

WILLIAM LINDSAY, of Napier, Esq., to be an Associate Coroner within and for the County of Middlesex. (Gazetted January 8th, 1870.)

JOHN MILTON PLATT, of Picton, Esq., M. D., to be an Associate Coroner within and for the County of Prince Edward. (Gazetted January 22nd, 1870.)