

plaintiff's firm wished to save the necessity of coming to Seaforth, and so would like to arrange a settlement. Mitchell Thomas Buchanan makes an affidavit and says that "there is no member of plaintiff's firm other than myself, and neither I nor any agent of mine had any authority to do what is stated in said paragraph to have taken place or to decide what Court had jurisdiction to try this case." I confess my inability to understand this.

However that may be, a letter is written to the clerk of the Oxford Court by defendant's solicitor, from Seaforth, a few days after the alleged interview, in which he says that plaintiff's agent had been in Seaforth during the week, and admitted to defendant that the Oxford Court had no jurisdiction, and that the case must be transferred to Seaforth. He adds: "The defendant resides here, the transaction took place here, and under no circumstances could your Court have jurisdiction. Bring this letter to the attention of the Judge, and see that the case is transferred here. In view of plaintiff's agent's admission, I did not think it wise to send a witness down to attend Court. I will depend on you to have this attended to."

At the first sitting of the Oxford Court the Judge of the County Court was not present, and the solicitor for plaintiff was acting Judge, and, as the clerk writes defendant's solicitor, he "only tried cases he was not interested in himself. I shewed the acting Judge your letter."

At the next sitting of the Oxford Court defendant did not attend, but the matter was gone on with in his absence, and judgment given for plaintiff for \$15.70 and \$3.46 costs, although the clerk says, "I shewed your letter . . . to the Judge."

Defendant's solicitor, upon being notified by the clerk of what had been done, at once wrote to plaintiff, reciting the first letter he had written to the clerk of the Oxford Court, and notifying plaintiff "unless you at once notify me that you are willing to have said judgment vacated and the action properly transferred to the 2nd Division Court, county of Huron," a motion would be made for prohibition. Thereupon plaintiff writes . . . and asserts his right and his intention to enforce the judgment. The letter was written on 6th April. On 15th April notice of motion for prohibition was served upon the Judge of the County Court of Oxford, returnable 19th April. On 16th April . . . plaintiff made an affidavit saying that he is informed and