

MEMORANDUM.

DANIEL WESLEY MIDDLETON, Esquire, the clerk of the court, having died during the term, Mr. CHIEF JUSTICE WAITE, May 10, 1880, announced the following order: —

“It is hereby ordered that JAMES HALL MCKENNEY be appointed clerk of this court in the place of DANIEL WESLEY MIDDLETON, deceased, and that he forthwith take the oath of office and give bond conditional, according to law. In this connection we cannot refrain from giving expression to our high regard for the personal and official character of Mr. MIDDLETON. His handwriting first appears on the records of the court under date of the 7th of February, A.D. 1825. From that date until his death he was, without interruption, actively engaged in the business of the office to which his successor has just been appointed, and even a whisper of complaint against him in any particular has never reached our ears. Three chief justices of the court and eighteen associate justices have died since his service began. He was a most accomplished officer, courteous in manner, dignified in deportment, faithful in every duty, and never unmindful of the confidential relations he had with the court. We sincerely mourn his loss, both as an officer and a friend, and direct that this testimonial be entered on the records of the court and a copy transmitted to his widow, in token of our respect for the memory of him that is gone, and our sympathy for his family in their affliction.”

On the same day Mr. MCKENNEY appeared in open court and took the oath of office.