

it has been. In some courts, within my own knowledge, there is scarcely one-eighth of the business now done that there once was. A clerk, grown grey in the service, well fitted in all respects for his office, and who has had nearly a thousand suits in a year, returns \$56 as his last half-year's income. Another, who has had four hundred suits in a single court, returns a little over \$100. These may be exceptional cases; but I think it is within the mark to assume that, throughout the Western section of the Province, the business of these courts has been at least four times as great as at present.

It is not necessary to discuss the reason for this change. We must accept it as we find it; and with it the stubborn and important fact, that the tariff of fees, which once gave some thing like a reasonable allowance to clerks and bailiffs, does so no longer. The paragraph quoted shows some of the results. Many of these officers have no other means of subsistence. To eke out a living for themselves and their families, they are obliged to "exert every possible ingenuity to charge what they legally can;" and from this it is only one step, under the strong temptation, to "go beyond the law."

Another serious result is the difficulty, when vacancies occur, in getting suitable persons to accept, *and attend to*, these offices. Except in cities and large towns, scarcely any person will now take either of the offices, and attend to that alone, or give it his undivided or even his best attention. Nearly every applicant has already some business or occupation taking up a good part of his time, and wishes the office merely to fill up spare time, or thinks that the fees would be an acceptable addition to his income, and that these duties would not interfere much, if at all, with his other affairs. In such cases, the proper performance of these duties is too apt to be considered a mere secondary matter—the business of the courts carelessly attended to or neglected, the interests of suitors prejudiced, and the courts themselves brought into disrepute.

We have, then, the tendency on the one hand towards an undue forcing of the business, soliciting of suits, multiplying proceedings unnecessarily, and stretching the tariff to or beyond its utmost limits, by those who *must* make a living out of the office; and on the other hand, an indifferent attention to, or utter neglect of, the duties of the office, by

those who take it merely as a make-weight to their ordinary business.

I do not wish to be understood as making a charge of extortion or neglect against these officers as a body, or any of them individually, —I only wish to point out the inevitable tendencies of the present position of affairs with the view of calling public attention to the necessity for a remedy.

What this remedy should be, is the question suggested by the article referred to. The reply, in general terms, would be to pay these officers better; but a difficulty arises in shewing how this is to be done. In my opinion, given very diffidently however, the most feasible method would be to remodel the tariff, by giving higher fees on several items, and, more especially, allowing fees for many services which clerks and bailiffs have now to perform for nothing, and which they may justly feel to be a hardship. Other methods have been suggested, such as paying these officers by salary, funding the fees, and making up the deficiency from Municipal or Provincial sources, or increasing the emoluments by diminishing the number of the courts.

I shall at present offer no argument for or against any particular course, in the hope that you, or some of your correspondents of greater ability and experience than myself, may discuss the question thoroughly and practically, with a view to bring about a remedy by legislative interference.

NOVICE.

APPOINTMENTS TO OFFICE.

CLERK OF THE CROWN IN CHANCERY.

EDWARD JOSEPH LANGEVIN, Esquire, to be Clerk of the Crown in Chancery, in and for the Dominion of Canada. (Gazetted July 13, 1867.)

CORONERS.

JOHN DAVENPORT ANDREWS, of Little Briton, Esquire, M.D., to be an Associate Coroner for the County of Victoria, in the Province of Ontario. (Gazetted July 13, 1867.)

TO CORRESPONDENTS.

"AN OLD SUBSCRIBER."—We cannot undertake to answer your question in the present position of the case, even if we should otherwise be inclined to do so. We have no doubt the learned Judge of the County Court will give due attention to the matter.

"TOWN CLERK," "NOVICE," under Correspondence. "A JUSTICE OF THE PEACE;" "T. A. AGAR;" "C. D.," crowded out—will appear next month.