

I want only what is right, and as different clerks have different views, please answer.

A CLERK.

Sept. 21, 1865.

[Clerks of County Courts, with whom chattel mortgages, &c., are filed, can only charge the fees by law allowed for services performed in regard to such chattel mortgages, &c. They are as follows:

1. For filing each instrument and affidavit, and for entering the same in the book, twenty-five cents.

2. For searching for each paper, ten cents.

3. For copies of any document, with certificate prepared, ten cents for every hundred words.—(Con. Stat. U. C. cap. 45, sec. 14.)

It will be observed that the act does not in terms make it obligatory upon the clerk to allow a person making a search to take a copy or extract. Hence some clerks refuse this privilege, unless upon the terms of payment for the copy or extract, as if made by themselves.

We have always doubted the legality of this exaction, and would be glad to find it contested and decided. Any one, upon payment of ten cents, has a right to search for and to see the instrument filed. When he sees it he has a right to read it. He has a right to recollect the entire contents of it, and, if his memory is a good one, from memory write it out in the same room, or in the next room. Why should he not be allowed, without extra cost, to aid his memory by the use of a pen or pencil? The copy or extract may or may not be correct, but the clerk is in no way responsible for its correctness. Where he does no work, and assumes no responsibility for the work done, it is difficult to understand why he should be allowed to charge for it, as if done by himself and certified as correct.

The charge of fifty cents for a chattel mortgage more than two years old, is wholly indefensible. The tariff has no reference whatever to chattel mortgages.—Eds. L. J.]

**WITNESS FEES.**—The plaintiff, Mr. John Jones, was a photographer living in Dale street, and he sued Mr. W. K. Campbell, an attorney, for fifteen shillings, in respect of loss of time which he had incurred by being subpoenaed as a witness in a case at the last Court of Passage, and with which the defendant was connected as an attorney.

Mr. Campbell appeared in answer to the claim, to which he pleaded his non-liability.

The Judge said the claim was one of a novel character to bring against an attorney, and that if such a claim were allowed there would be no end to the demands made upon attorneys under similar circumstances.

Verdict for the defendant.—*Solicitor's Journal.*

Lord Cranworth has got through the remainder of the business left him by his predecessor on the wool-sack with that ease, precision, and urbanity, for which he was so well known when he formerly held the great seal. One of our contemporaries, in contrasting the demeanour of Lord Cranworth with that of Lord Westbury (and the contrast is very great), adds a story of the latter, which we reproduce as a specimen of the sort of stories which have so long been current about his Lordship, but which we certainly do not believe. It says that his Lordship's reply to the interrogation why he had not induced his judicial colleagues to make new regulations, much needed with regard to the procedure of certain courts, was—"Because I have to deal with three of them; and because the first is ignorant, the second is impracticable, and the third is imbecile."—*Solicitors' Journal.*

## APPOINTMENTS TO OFFICE.

### COUNTY JUDGE.

GEORGE SHERWOOD, Esquire, commonly called the Hon. George Sherwood, to be Judge of the County Court of the County of Hastings. (Gazetted Sept. 2, 1865.)

### NOTARIES PUBLIC.

HIRAM McCREA, of Frankville, Esquire, to be a Notary Public in Upper Canada. (Gazetted Sept. 16, 1865.)

THOMAS PHILLIPS THOMSON, of St. Catharines, Esq., Attorney-at-Law, to be a Notary Public in Upper Canada. (Gazetted Sept. 23, 1865.)

ANDREW THOMAS DRUMMOND, of Kingston, Esquire, Barrister-at-law, to be a Notary Public in Upper Canada. (Gazetted Sept. 23, 1865.)

FRANCIS EDWIN KILVERT, of the City of Hamilton, Esquire, Attorney-at-Law, to be a Notary Public in Upper Canada. (Gazetted Sept. 23, 1865.)

THOMAS FERRIS NELLIS, of the City of Ottawa, Esq., Barrister-at-Law, to be a Notary Public in Upper Canada. (Gazetted, Sept. 23, 1865.)

### CORONERS.

JESSE SHIBLEY, Esquire, Associate Coroner, County of Lennox and Addington. (Gazetted Sept. 2, 1865.)

DUGALD L. McALPINE, Esquire, M.D., Associate Coroner County of Middlesex. (Gazetted Sept. 2, 1865.)

JOHN HARRIS COMFORT, Esquire, M.D., Associate Coroner, County of Lincoln. (Gazetted Sept. 16, 1865.)

JOHN FERGUSSON, of Appin, Esquire, M.D., Associate Coroner, County of Middlesex. (Gazetted Sept. 23, 1865.)

JOHN R. ASH, of Centreville, Esquire, M.D., Associate Coroner for the United Counties of Lennox and Addington. (Gazetted Sept. 23, 1865.)

## TO CORRESPONDENTS.

"RATE-PAYER"—"T. PHILLIPS THOMPSON"—"A CLERK"—Under "Correspondence."