

SECOND COURT.

(Before Mr. Justice KEATING and a Common Jury.)

KNIGHT v. WHEELER.

Sir R. P. Collier, Q.C., and Mr. R. E. Turner were counsel for the plaintiff; Mr. M. Chambers, Q.C., and Mr. J. O. Griffiths for the defendant.

This was an action to recover £22 and some odd shillings for laying some paving-stone in front of the defendant's house in the course of the year 1865.

The plaintiff was described to be a surveyor at Mile-end, and the defendant is a banker and brewer at High Wycombe, and the only question was whether the defendant was personally liable, or whether the work was done for the Paving Commissioners of the town of High Wycombe.

The jury returned a verdict for the plaintiff for £20 18s.

A gentleman died here lately. Copy of his will was sent to England to be registered, in order to letters of administration of personal property there being obtained for my client, the executor and administrator named in the will. Such letters have been obtained, of course; but in addition to £116 17 8 to the Proctor at Doctors Commons, [in which, however, was comprehended £50 for stamp duty,] my client had to pay £25 18 8 sterling to Solicitors! All done in this case would have been done in Lower Canada for twelve pounds ten, or under. To be priest-ridden is bad, to be law-ridden is as bad. John Bull is very patient, evidently, or he would reform his lawyers' bills. We, in Canada, have some things to be thankful for.

Yours,

AN ADVOCATE.

Montreal, January 4, 1867.

[In looking over English law reports, the reader is constantly struck with the vastness of the sums incurred as costs. Thus, to take one instance out of many, in *Wentworth v. Lloyd*, p. 280 of *Weekly Notes* for 1866, a question came up whether the taxing-master was right in disallowing an item of £72, (\$350) being a charge at the rate of fourpence per folio, by a Solicitor, for reading certain depositions taken before a special examiner in

Australia. The master had allowed a sum of £292 for preparing briefs of the same depositions. The Master of the Rolls thought that the Solicitor was entitled to some payment for reading them, but he reduced the item to £50. As to the £292 for preparing briefs, "that was the ordinary charge!"

While upon this subject, it may be interesting to copy here a rather severe sketch by Bulwer, which recently appeared in *Blackwood*. We, in Lower Canada, have the good fortune not to be subjected to the tedious and degrading tariff of charges between solicitor and client which Bulwer satirises as follows:—

"THE BILL OF COSTS.—When men go to law, I believe that in general they pay little attention to the probable cost of the suit. There is a claim to be advanced, or a right to be defended, or a demand to be resisted, which are quite sufficient to engross all anxiety. Once actually engaged in the process, the game becomes too absorbing to admit of a thought beyond the issue. Gain and *amour propre* get inextricably mingled, and the desire to win rises to a passion. Your lawyer is all this time not merely your agent, he is your affectionate friend, your trusted ally and adviser. You go to him for counsel and guidance, and you go to him besides for encouragement and consolation. He is a sort of well of official sympathy, of which you drink at all hours, happily unmindful the while that every draught of the precious spring is noted down with a corresponding six-and-eight-pence appended to it.

"The day comes, however, when, victor or vanquished, this friend's mission is to cease, and his good offices to terminate. You know that he has done certain things on your behalf, and you remember besides, the warm interest he has vouchsafed you, the numberless little occasions on which he has shown consideration for your feelings, and you recall small traits of attention, that, coming from a class of men the world is so prone to censure and sneer at, actually elevate humanity in your esteem. 'If these things can be done in the green wood,' say you to yourself, 'what may not be expected from archdeacons and deans?' What a shock then is it to your feelings, excited as they are, when this man's bill