every execution or any other imaginary or got up fee, and said, "Judge Boyd did not know that I charged it, but *then he never forbade me!*" This reminds me of the story of the prisoner who, when asked for rebutting proof, (he being on his trial for larceny) told the Judge that he could produce a witness who would swear "*that he did not see him steal the cow!*" Is not such *Hibernian logic* on a par? Had he taken the trouble to ask his judge the question, if he will now take the trouble to ask that judge the question, he will be told that such charges *are not legal!* Your correspondent sticks to his "*nulla bona fees.*" He brings up the name of Judge Harrison. Judge Harrison allowed these fees he says, therefore I thought them right. Now he could not pretend to say that his proof against Judge Harrison is stronger than that against Judge Boyd. Did he ever test the question before Judge Harrison, or did any bailiff ever do so? I stated in my second letter the extent to which Judge Harrison went, and I brought the question before him and spoke to him pointedly on the subject. He never allowed any *nulla bona fees at all*; but he said he had sometimes, under *special circumstances of hardship*, where bailiffs had been sent by execution creditors out of their way, to levy on property that did not exist, allowed mileage to them. He told me that he understood that Judge Gowan, of Simcoe, took that course too. But at the same time he said this was a mere *exception not a rule.* He believed that *nulla bona fees were not legal.*

I think I can say this is also Judge Gowan's opinion. Judge A. Macdonald of Wellington, is (by the profession) looked upon as a very careful and learned judge in Division Court matters, and in a conversation with him lately, he told me that he considered such charges by bailiffs *wholly unwarranted by law!* But such opinions, are perhaps, (like my own) worthless with your correspondent. I also in one of my letters mentioned that years ago. the *Law Journal* had held these fees illegal, When I was very young, I recollect reading the fable of *the ox and the frog*, and all will remember the end of the latter. Your correspondent may also recollect the saying "a little learning is often a dangerous thing." I am told that I must not say anything against Judge Harrison, by your correspondent, otherwise I will have all the clerks of Peel and York down on me. Such a caution was entirely gratuitious. My acquaintance with that learned judge was perhaps in length of time, twice that of your correspondent, and no one knew or appreciated his excellent qualities of "head and heart" more than I did. Yet he and I have often joked over differences of opinion, as to the proper mode of deciding certain suits in Division Courts. He was for taking, in certain cases, a broad and equitable view of them, setting aside at times mere statutory rules, whereas I thought it safer to follow the well defined principles of law. I allude now to the questions of notices to endorsers of notes—the necessity of strictly enforcing the statute of frauds, the statutes of limitations, &c. In two things the judge was very particular, that is, as to the *scienter* in owners of dogs charged with killing sheep, and in making hired servants stand to their bargains. Well there is only one other point to which I will allude in your correspondent's letter, except one, that relates Messrs. Editors, to yourselves.

Your correspondent laughs at my assertion about the expense of suits in Division Courts, as compared with those of County Courts. When he writes about costs in County Courts, he is at sea, but I am not.—What I said in my first letter, or meant to say, was that costs in Division Courts, in proportion to the amounts sued, were higher. I could not mean that costs were higher in fact.—Now take these cases, which I have seen occur as facts within a few months past. A creditor sues a debtor for $4—gets a judgment, issues an execution, and collects the money — the mileage being about six miles—and the whole costs without any sale exceed the debt by $1. Again A. sues B. for $2, the mileage being 8 miles, and B. pays it before court, and no witness fees are charged in this or the other case, yet the costs in the last case are $1 84.

Yet another case, a replevin suit is entered, for less than $20, and for the trial, saying nothing about witnesses, and the costs are $5 at least. An interpleader suit is tried, and the costs are one-fourth of the debt. Now in the County Court, the costs are no greater on the collection of $400 than on $100. Then if there is no defence in County Court suits, (even on $400) the costs are small (say about $12), even with some mileage,—whereas in Division Court suits for say $100, where there is no defence, the mere fact of obtaining judgment by