

ours, and from the fact of there being provisions in it for a *superseadeas* of the commission, makes me think the authority is not applicable.

Yours, &c.,

SUBSCRIBER.

October, 1866.

[*Audi alteram partem.* The profession doubtless desire to see as much light thrown upon this Act as possible. We gladly therefore open our columns to a free discussion of its provisions. The latter question which our correspondent refers to is, he tells us, now before the County Court of his County for adjudication. We shall be glad to hear from him again when it is decided. As to the argument based upon the fact that proceedings are often carried on in another county than that in which the insolvent resides, see Editorial remarks on p. 146—Eds. L. J.]

Larceny — Drift timber — Felonious conversion by finder.

TO THE EDITORS OF THE LOCAL COURTS' GAZETTE.

GENTLEMEN,—Your answer to the following would much oblige and doubtless settle a very vexed question:—

We live on the lake shore; our deeds bound the front of our lots "to the water's edge, giving access to the beach to all vessels, boats, and persons." A raft of saw logs breaks up on the American side, and the logs are scattered all along the beach here. Some of the people hauled up a few on chance of the owner not looking after them—a pine log is a prize here, as we have no pineries near us. The owner, however, sold his claim to other parties, who demanded the logs without shewing any authority. One or two refused to give them up without seeing it. They were summoned before a magistrate, but the case was settled out of court by the parties holding the logs buying them. The magistrate informed the parties there, that no one had any right to take possession of anything, even on their own beach, or if they did, they were liable to be imprisoned for doing so.

Will you have the kindness, in your next issue, to inform us if such is the law.

SAW LOGS.

[See Editorial remarks, at page 145.—Eds. L. C. G.]

Bailiffs' Fees.

TO THE EDITORS OF THE L. C. GAZETTE.

GENTLEMEN,—I noticed an article in your September Number, headed "Bailiffs' and their fees;" and also that in your closing remarks you invited those who chose to do so to give their views on the matter. You speak of the large number of suits heretofore in the Division Courts, and the great remuneration formerly received by the officers for their services. I beg to differ with you as regards this assertion, they received the same fees on each suit then as they do now, but there were more suits and consequently more to do; the officers made more money but they had to earn it; you will remember in 1857, when the business of Division Courts greatly exceeded anything before or since, an attempt was made to get the tariff altered, the fees then being regarded as insufficient for the services rendered. It is not the falling off of business in these courts that makes the officers ask for a revision of the tariff, but the desire for a just and fair remuneration for the services performed, in proportion to that received by other officers of like responsibility.

In this country Bailiffs have to give sureties for from \$8,000 to \$10,000 before they can hold the situation. I would ask any intelligent person if he would want his friends to become his surety for so large an amount unless a fair remuneration was to be received from the office?

To perform aright the duties of a bailiff, that officer should have a pretty fair knowledge of law, otherwise he might be ruined, even through what he might conceive to be a prompt discharge of duty.

I can assure you that unless some alteration is made in the tariff such men as now fill the situation (and the majority of these I believe do their work creditably), will not continue to hold the office, and the position will be occupied by an inferior class of men. True it is, persons may be obtained that will accept of the present tariff or any other that may be adopted, as we can find hungry and unscrupulous office-seekers always ready for a situation; but from my knowledge of the duties of a bailiff, it is not every person seeking the office, or even those who could give the necessary sureties, that should fill the situation. There are some services that certainly bailiffs should be remunerated for,—