

[Prac.]

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NOTES OF CANADIAN CASES—CORRESPONDENCE.

Wilson, C.J.]

[March 30.]

ARMSTRONG V. DARLING.

*Arbitrator—Compensation—Day's sitting—
R. S. O. ch. 64.*

The day's sitting upon arbitrations mentioned in schedule B to R. S. O. ch. 64, which is to consist of not less than six hours, is to be computed by the number of these sittings of at least six hours' duration, whether they are held upon the same natural day or upon different days, and the compensation to the arbitrators is to be reckoned on that footing.

W. H. P. Clement, for plaintiff.

Delamere, Black, Reesor and English, for defendants.

Boyd, C.]

[April 3.]

RE PARR.

Infants—Bequest—Foreign guardian.

An application for an order sanctioning the payment of a bequest in favour of certain infants to their father, who with the infants resided in a foreign state, and had there been appointed guardian by a Surrogate Court, was refused, and the executors were ordered to pay the amount of the bequest into Court.

Re Andrews, 21 C. L. J. 428, distinguished.

Hoyles, for the application.

Proudfoot, J.]

[April 7.]

HUTTEN V. WANZER.

Indemnity—Costs—Solicitor and client—Party and party.

W. sold land to H., and covenanted to indemnify him against a mortgage thereon.

Held, that H. was not entitled to solicitor and client, but only to party and party costs against W. of an action on the covenant, although he was entitled in the action to recover his solicitor and client costs of defending an action brought by the mortgagee.

Hoyles, for plaintiff.

W. H. P. Clement, for defendant.

CORRESPONDENCE.

THE CONVEYANCERS' SCANDAL.

To the Editor of the LAW JOURNAL:

SIR,—Permit an outsider to add a few lines to the correspondence in your journal respecting the manner in which the business of the country solicitors is cut up by the host of so-called "conveyancers." In towns and cities in the West the professional charge for ordinary deeds or mortgages is \$4; now, to my knowledge, the fees charged by the country conveyancers, storekeepers, saddlers, insurance agents, and the like, range from \$1 to \$1.50 for the same class of instruments! The damage to the legal profession is not merely the large number of instruments which are prepared by these unauthorized amateur conveyancers, but also in the reduction of the fees payable for such work. The country solicitor has to reduce his charges to the low level of his opponents' in order to get business; hence, he suffers in two ways, first, by the loss of the volume of business fished away; and, secondly, by the reduction of the value of the work he does obtain to less than one half of the proper charge. Another evil I would point out is that these non-professional conveyancers poison the minds of the people against the profession; they do not scruple to say, in effect: "If you go to a lawyer you will be fleeced; better let me do the writings." I need hardly dwell upon the grossly inaccurate manner in which the work is performed by these gentry, and which gives great trouble and anxiety to the registrar.

The Ontario Government should pass an Act making it a misdemeanour for any one not holding a "conveyancer's certificate" of fitness to accept any fee or other reward for drawing any instrument affecting lands. The Law Society might provide for the examination of and granting to such persons who can pass a license to practise as conveyancers merely, on a yearly fee of, say, \$10. This would leave the door open for a few thoroughly competent men to continue their business, while it would cut off nine-tenths of the ignorant, unlicensed, unscrupulous persons who are rendering the practice of the law in country places a perfect by-word.

Yours, etc.,

A COUNTY REGISTRAR.