

CORRESPONDENCE.

County Attorneys and Division Court Clerks.

To THE EDITORS OF THE LOCAL COURTS' GAZETTE.

GUELPH, Feb. 18, 1865.

GENTLEMEN,—Your article in the January number, upon County Attorneys and Division Court Clerks, is the truth. But you omitted to state that prior to the Stamp Act clerks made the return in duplicate to the county attorney of all fees payable to the Fee Fund, four times each year, viz., March 31st, June 30th, September 30th, and December 31st, for which said return the clerks were entitled to four dollars. This is now lost to them, and I can assure you to some clerks the loss of sixteen dollars per annum is no joke.

There are 33 counties and united counties in Canada West; in these counties are 262 division courts, being an average of 8 courts to each county; these 262 courts have each a clerk, who made, under the old system, a return of all fees and emoluments every three months to the county attorney, for which return each clerk received \$4 or \$16 per ann.

Multiply the courts by 16.....	262 00
	16
	<hr/>
	\$4,192 00

The average sale of stamps for each county for division court purposes will be about \$4,000; 1 per cent. upon this the county attorney has, over and above the 4 per cent. he used to have—say \$40 for thirty-three counties

	1,320 00
	<hr/>
	\$2,872 00

Then, allowing the Government 1 per cent. for the difference of cost between printing the blank forms formerly in use, and the expense of the present stamps.....

	1,320 00
	<hr/>
	\$1,552 00

Saving to the Government from the hard-worked clerks.....

Yours, respectfully,
A. A. B., Clerk D. C.

To THE EDITORS OF THE LOCAL COURTS' GAZETTE.

GENTLEMEN,—I am sure you are well aware that Division Court Clerks are not overpaid for their services—and also that they have to, and do give a great amount of credit for fees which seldom come back for from three to six months; they have also lost \$16 per annum

for making fee fund returns, since the stamps came into use.

They are now obliged to keep a large supply of stamps on hand, which they can only procure from the County Attorney, if he has them. I lost the services of ten summonses last Court owing to the County Attorney having run out of stamps, which will be a great loss to the plaintiff. Surely, Division Court Clerks are not so much below the standard of respectability of postmasters as not to be trusted with the issuing of stamps; postmasters not only dispose of postage stamps, but they are generally the agents for the sale of bill stamps also.

I think, by drawing the attention of the Government to the case in your valuable journal, you will confer a great boon on us.

I should like some of my brother clerks to give their opinion on the matter.

A CLERK.

Hearing fees—Confessions.

To THE EDITORS OF THE LOCAL COURTS' GAZETTE.

GENTLEMEN,—You would confer a favor on a subscriber by answering the following:

Is it correct in practice, at the time of entering orders or confessions in court, to affix to the proceedings stamps for "hearing undefended causes." Ought such fees to be charged on confessions?

A DIVISION COURT CLERK.

[We think such fees are chargeable. We will give our reasons in next number.]—Eds.
L. C. G.

Law of away-going crops in Upper Canada.

To THE EDITORS OF THE LAW JOURNAL.

March 2, 1865.

On the first of December last, A. rents a farm from B. for ten years, at a fixed rent, and immediate possession is given to A., who enters at once, and having been upon the farm a few days, the tax collector calls and demands the taxes for the past year, they not having been paid; and as A.'s lease provides that he (A.) is to pay all taxes due and to become due, A. of course had no other alternative than paying up. The off-going tenant, who was farming the place on shares with B. (his landlord), has left two fields sown last fall with wheat. Your opinion is requested as to whom this wheat belongs; is not A. entitled to the whole, there being nothing mentioned in his lease with B. as to any party entering to take the wheat off?

AN OLD SUBSCRIBER.