legally bound, to bring to his work *professional, skilled knowledge*, under legal responsibilities.

So any man employing a lawyer *as such* in a Division Court, is bound to pay him for his work as such. A case just decided by ex-Chief Justice Draper in Chambers goes the extent of saying the bill of costs of attorneys for any business done by them as such may be taxed,—see *In re O'Donohoe and Warmoll*, 4 Prac. Rep. 266. I recollect a case distinctly that was argued some ten years ago before the late Chief Justice Robinson sitting in full court, in which counsel propounded the doctrine, that a lawyer could not charge for business *attendances, affidavits*, &c., made or written in the Division Courts, and that learned man at once said, "I cannot assent to that doctrine. I think that any one employing a lawyer to do business in such courts impliedly undertakes to pay him his reasonable charges." This point was not directly in issue, and only came up incidentally, but I noted it at the time. Now suppose a man comes to a lawyer and says, "Mr. A., I have been sued in the Division Court, and had a snap judgment given against me. I wish you to examine it, set it aside, get me a new trial, and advise me on it." The lawyer does as requested, makes a dozen attendances and examinations, draws notices and affidavits, argues matters before a judge, &c., and then makes out his bill and sues it, but is told by a judge, "Sir I cannot give you your bill," and turns the attorney out of court, in one case with $1, and in the other with one-third of his bill. That was my case. But it puzzled me to see how, or on what principle, I got in one case $1 (it cost me about $8 to get it), and in the other $6 (just my travelling expenses and a little over), to a country town. The judge had (upon his way of reasoning) no right to give even this small pittance—it would have been a mercy to say I will give nothing, and make each party pay his own costs!

I think it is high time a little more thought should be exercised in the selection of County Judges. Now I happen to know that many of our older County Court Judges do not act as the judge here alluded to. They take a more rational view of law and equity. I assert with confidence that the law will not turn a lawyer out of court, where he has done work *as such* in any Court in Canada upon the retainer of a client.

Why should not a reasonable fee be allowed a lawyer for drawing affidavits, writing letters, notices, &c., as well as for drawing deeds? Why should not a lawyer have a fee of 25 cts. or 50 cts. for making attendances for hours together to see books and argue cases before a judge? Why should he not be paid for his time as a professional man? Do doctors not construct a tariff? Does not the architect charge his $4 or $10 a day?

Is the lawyer not liable for his ignorance and neglect? If so, why is he not entitled to collect for any professional work? I am sure I have only to state the case to show the legality and reasonableness of my view.

AN ATTORNEY.

Toronto, 8th Dec., 1868.

[We cannot pretend to give any answer to this letter without knowing the facts as the judge may have understood them. We must, therefore, refrain from saying anything on the subject at present. In fact it would not be fair to do so, when the position of a judge prevents his upholding his views in print. If the judgment were a written one reciting the facts it would be a different matter, as the subject could be discussed on the materials before the judge. But in cases like these there may have been some (perhaps to the attorney unimportant) circumstance which may have influenced, and possibly properly so, the decision arrived at.—EDS. L. J.]

A few days since a wag wrote and placed the following pretended rule of court in the court-room of one of our courts of record, where the rules of practice were wont to be posted: "Whenever any attorney shall frequent saloons as a habit, and cannot be found at his office, if he has any office, it shall be necessary for such attorney to file with the clerk of the court a list of the saloons so frequented by him; and notice, of any motion left at such saloon or saloons shall be considered as sufficient notice to such attorney of any motion in a case pending in this court." A certain attorney who loved a social glass, and was in the habit of frequenting a certain saloon in the city more than his office, seeing this notice and supposing it to be genuine, left word with the clerk that he could be found at the saloon of ——. Judge of the surprise of the aforesaid attorney on the following day, when he moved the court, under the above rule, to reinstate an important case of his that had been dismissed in his absence, on the ground that no notice had been left at the saloon where he had been waiting the whole of the day before, and was informed by the good-natured judge, with a smile, and amid roars of laughter from the entire Bar, that the rule was a *hoax.—Chicago Legal News.*