

CORRESPONDENCE.

Is the Law Society a farce or a reality? I spent four years in the University and three in the Law Society School, besides a large sum paid in fees—for what? to be placed on a lower footing financially than men who cannot tell the meaning of a Short Form of Conveyance, but can manage to stop the holes left by the printer.

If I advertise my business the Benchers soon see that I am brought back to gentility and starvation. If I attempt to add to my limited income by any other business off comes my gown.

It is not only conveyancing that these men do, but a general practice, using their clients names they prepare Surrogate papers, give advice, and make collections under terror of a flaming heading such as "Notary Public and Commissioner in B. R., etc.," or "Official Assignee and Justice of the Peace," and several other Government-bestowed titles.

How is it that this is the only country under Heaven where such a state of things exists? If you call it freedom, make the freedom a little more general; take away the restraints, abolish the fees and the fence. If we have bought a legal education and must compete with men who have none and no restraints, let us fight with our hands free. Take either horn of the dilemma, I care not which, but let the present anomaly end. This question is a vital one to the public, whose interests are identical with the profession's, as I could easily prove did space permit. But I will conclude, thanking you for your space and past earnest advocacy of our cause.

I am yours,

A SUFFERER.

[As we have said before, the reasons why an attorney or solicitor in the country should take out his certificates are very few in these days, and practitioners in the country are beginning to find this out, and thus it may become a more serious question for the Law Society than it at present supposes. At the same time we fully recognize the peculiarities of the situation which render it extremely difficult for the Benchers to apply any remedy. The obstacle is the silly prejudice in the popular mind against the profession, which is magnified and utilized by certain members of the Local Legislature for their own selfish purposes, and the leaders of both sides seem weak enough to be swayed by the incorrect representations and clamour of inter-

ested men who happen to have for the time political influence. We had hoped that one occupying the high position of the present Attorney-General, who we believe is honestly endeavouring to do what he thinks right, and who is backed by such an overwhelming majority, would have taken a firm stand in this matter, and aid those who are being pillaged by an invading army. We cannot but think that a full representation to him, if not already made, would induce him to see that right is done in the premises.—EDS. L.J.]

Division Courts—Judgment debtor—Means and ability to pay debt.

To the Editor of the LAW JOURNAL.

SIR,—I had a judgment debtor up before the Judge for examination. The debtor upon his examination admitted he was under no expense whatever; that his wife, who owned the place, provided him with everything he needed; that he worked at home when he pleased, but did not work out; that he had no means of any kind: his wife lives, as does the debtor, on the wife's farm. Would the Judge be justified in making an order for a monthly payment under such circumstances? The Judge declined as debtor had no visible means to pay? If not how can a man who owes a debt be made to pay it? A man who can work and wont, I think ought to be made, so he may pay his debts. An answer will oblige.

CREDITOR.

THE question put by our correspondent is an interesting one, and at first sight might seem not to come within the wording of the Statute. But a full consideration of the spirit of the enactments for the protection of creditors, under section 182 of the Division Courts Act, leads us to the conclusion that it was probably intended to be covered by that provision. The facts are not fully stated, and it is quite possible that the debtor might come within sec. 4 (a). But however that may be, we are inclined to agree with the learned Judge of the county of Simcoe, who, under circumstances similar to those above stated, has more than once committed judgment debtors who were able but not willing to work. He took the ground that the health and strength which the Creator has given a man are means and ability which he ought to employ to-