

nal for deciding whether a lawyer shall receive fifty cents or twenty-five cents for an attendance at court? We thought that modern experience had taught the Legislature that it was much better for them to leave to the Judges, whose position gives them ample opportunity of deciding upon the necessity of changes in law tariffs, the power to regulate such tariffs. But no; this modern Daniel has got new light. He proposes to leave to a tribunal, nine-tenths of whom know nothing of the matter in hand, the power of deciding upon the necessity of changes, and the nature of the changes to be made; which changes, when made, are to be as fixed as if engraved on tables of brass.

Considering the boldness of the design, it does not surprise us to find much boldness in its execution. Mr. Scatcherd proposes to enact, that the table of costs framed by the Judges of the superior courts of common law, under the provisions of the Common Law Procedure Act, 1856; the table of costs framed in pursuance of the County Courts Procedure Act, 1857; and the table of costs framed by the Judges of the Court of Chancery on the 3rd June, 1853; and also every other table of costs, and every order for the allowance of costs now in force in the said courts shall be repealed and declared void.

If, after the repeal of these tariffs, he were to enact that lawyers, like other classes of the human family, should be allowed to charge for their services whatever their services are worth, "anything in any law to the contrary notwithstanding," there might be something in the bill which would at all events give it a claim to a respectful consideration; but instead of this, we find it gravely proposed to reenact the tariffs on a reduced scale, which perhaps would be quite adequate for the services of a man of Mr. Scatcherd's calibre, but intensely laughable if intended as a full compensation for the services of a lawyer of ability.

Let us take a few examples :

TO THE ATTORNEY.

	s.	c.	c.	c.
	£	s.	£	s.
Attendance at Judges' Chambers, at Crown Offices, at the Clerk's Office, and all other common attendances in course of a cause,	0	1	0	0 1 0

IN COURTS OF COMMON LAW.

COUNSEL FEES.

Fee on motion of course, or on motion for rule nisi, or on motion to make rule absolute in matters not special.....	0	5	0	0 2 6
On special motion for rule nisi (only one counsel fee to be taxed).....	0	15	0	0 5 0
To attend reference to Master or Clerk, where counsel necessary.....	0	10	0	0 5 0
For argument on supporting or opposing rule on return of rule nisi, or argument on demurrer, special case or appeal.....	1	10	0	0 15 0
Fee, with brief, on assessment.....	0	10	0	0 5 0
Fee, with brief, at trial in actions of a special and important nature (in Co. Court). .....	.....	.....	1	10 0
Fee, with brief, at trial in cases of tort, or in ejectment.....	2	10	0	.....

	£	s.	d.	£	s.	d.
For fee, with brief, in other cases.....	0	15	0	.....	.....	.....
For fee, with brief, in Queen's Bench or Common Pleas, to counsel in argument or examination in Chambers, to be allowed by the Judge at the time when he considers the attendance of counsel necessary, not less than.....	0	5	0	.....	.....	.....
Nor more than.....	0	12	6	.....	.....	.....

IN THE COURT OF CHANCERY.

COUNSEL.

On argument at Chambers.....	0	5	0
Fee when cause at issue and set down for the examination of witnesses.....	2	10	0

The framer of the bill, not thinking that he has so far made himself sufficiently ridiculous, proposes to enact as follows :

"No Judge in either of Her Majesty's Superior Courts of Common Law, or of any County Court, nor the Master, nor any taxing officer of the said Superior Courts, shall, after the passing of this Act, increase any counsel fee with brief at trial, or on argument of demurrers, special case, appeal or otherwise, in any case whatever."

He in like manner also proposes to enact as follows :

"No retainer shall be allowed or taxed in any bill of costs; and it shall be the duty of the Judge presiding at the trial of any cause wherein such charge is made, to disallow the same, whether such action is contested or not."

The remaining portion of the bill consists of some provisions, more or less absurd, for the taxation of bills of costs, intended, no doubt, as a substitute for the provisions now existing by law for the taxation of bills, though the existing provisions are in no way referred to, much less repealed. The machinery proposed, if intended as a substitute, will not be less expensive than existing machinery, and will be found to be clumsy and unsatisfactory. Our objection, however, being to the principle of the bill, we have no inclination to examine its provisions more in detail.

Some will say the bill must be a good one, as it is "fathered" by a lawyer. This does not follow. Mr. Scatcherd's motives in giving birth to such a bill are either good or bad. If his object be to pander to the popular prejudice against lawyers, and to gather political support because of clap-trap against law costs, his motives are bad. If, however, his object be to do good by attempting to remove an imaginary evil, his motives at least are good. But he ought to take heed that in "casting out one devil," he does not take unto himself "seven other devils worse than the first." Perhaps he in his heart thinks that the fees which he proposes to enact as the only fees for the services indicated, are sufficient; perhaps he so thinks, because in his own practice he deemed them sufficient; perhaps his clients considered them enough, if not too much, for his services; but he ought to remember that all men in the profession are not to be judged by his standard. He was never, that we are aware of, entrusted with any cause of