

during the five years from 1827 to 1831, inclusive, and for the five years from 1836 to 1840, inclusive ; we have also prepared a comparative statement of the business on the Circuits, during those respective periods.

We believe the Judges are quite ready to accede to any reasonable plan for commutation, although it may somewhat diminish their present and prospective incomes ; if the arrangement take place it must be a question for the Legislature whether the Fees should altogether cease, or be received and paid into the Treasury, or made to form a particular Fee Fund.

We much doubt the expediency of changing the mode of remunerating the Clerk, from Fees to a fixed salary ; the collection of the Fees, if it is intended they shall still be received and paid over to the Treasury, will be difficult and irregular ; if this plan, however, be adopted, the simpler the details are made the better, for instance, Fees on certain stages of the cause, viz : the Writ, the Entry, the Issue and the Judgment.

On the supposition that the Clerk is to continue to receive Fees, we have not thought either reason or justice require that the Fees should continue any longer on the present scale, the income derived therefrom being beyond what could have been contemplated or can be justified by any comparison of the Clerk's duties with those of the Judges or leading Members of the Profession. We think indeed that a less income than could now be proposed with due regard to the situation of the present holder of the Office, will be amply sufficient to command the services of a gentleman of the Profession in every respect qualified when a vacancy may take place.

It is not easy to foresee what will be the exact extent of business for the future ; the number of Actions in the Courts has fluctuated much at different periods and in different Counties ; we do not, however, apprehend any serious diminution, but as it may probably rather decrease than increase for a few years to come, regard must be had to this circumstance in altering the Fees of the Clerk, and some allowance made for the trouble and risk with which an income derived from Fees is attended.

The plan which might be adopted in regard to the present Officer, and which presents to our minds the fewest objections, would be, to fix the amount of his income at a certain sum, such as may appear to the Legislature proper, under the circumstances ; to require from him annual returns on Oath, and that any surplus or deficiency should be paid to, or from the Revenue, as the case might be. A similar regulation might also be made for his Successor.

In these suggestions we have already perhaps exceeded the limits of our inquiry, and shall say no more ; there are several Members in both Branches of the Legislature who are fully conversant with the subject.

We have prepared also a new Table of Fees for the Clerk of the Crown, and Clerk of the Circuits.

With respect to the Fees of Attornies, we think they cannot be considered very excessive in the aggregate, as they now stand, though they require to be better apportioned and more clearly defined. In the amended forms proposed for adoption, there will be a very considerable diminution in the labour of the Attorney's office, particularly in ordinary undefended Suits, and a small diminution can well be made from the present costs ; there are some services not at all, and others very inadequately remunerated, for which we have made suitable provision.

The services of Counsel on Trial, appeared to us to require further provision in the taxable