

ern States, publish it not in Delhi, that the bread was taken out of the oven, and the fire thrown out of doors, the stove taken and sold for \$14, that cost \$40, with \$25 paid on it, which was the full value of the article, leaving a delicate woman with two helpless children, in a cold house, on the bleak and stormy shores of Lake Huron, on one of the most indlement days of mid-winter. For a short time she kept herself from freezing by burning a few chips in an old pot, and then her husband arrived, and procured the loan of a stove, as there would be no use in his buying one, for it would not be well set when it would be repaired by the same process. If these two cases are not a sufficient answer to those parties who are surprised at the emigration going westward, I am afraid they will be a long time in ignorance of the cause. Many have left already, and many more are waiting for the means to take them away.

I have no doubt many will say, "Can such things be in such a country as Canada, and in such a government as she possesses?"

Verily such is the case, and from the very reason that that same government knows nothing about the working of the Act. They take as much out of the fee fund as pays the judge's salary, and from that they think the country is no loser by the institution. The plaintiff's are the only parties that can throw light on the subject, but they are too much interested; and although they do not like the working of it, they dare not complain, for if there is any change at all made for the benefit of the miserable debtor, they think it is so much to their injury.

But the poor hungry, naked, careworn, illiterate debtor can do nothing. The first thing would be to employ a lawyer, and that entirely out of his power. A lawyer's fee could provide him with luxuries that his family has not enjoyed for many a day. And if he could get legal advice all the satisfaction he could have would be that it was law, and that he should submit.

Now and then an editor will come out with complaint about it, when the shoe pinches himself; but after the pain ceases he troubles himself no further. Other leading papers are to be rather jealous of the princely fortunes of clerks and bailiffs are making, but never make the slightest allusion to the poor wretches whose sweat and tears rot and rust the bills and coin that they are gloating over or

wasting in luxurious indolence that would shame the highest in the land to indulge in.

There is another class and it is well for the county that there is, who keep clear of both debt and credit, and of course they do not interfere; they neither fear the one nor feel for the other. But as the individual who has moral courage enough to commit his thoughts to paper without fear of receiving any punishment more than contempt, I shall here expose the different clauses in the Division Court Act that are most abused.

The County of Bruce was for many years with only one Division Court, when some parties were brought 60 miles to it, and I have known one bailiff make a return of 50 miles when the defendant did not live more than 20 from the office. It is true that had the complaint been made to the Judge he would not have allowed it, but it would have cost the person more than the difference to get redress, and this is the way thousands of dollars are taken from poor people by these officers.

By the Act 13 and 14 Victoria Cap. 53, Section 14th, "The fees upon every proceeding shall be paid in the first instance by the Plaintiff or Defendant, on or before such proceedings, and the Bailiff's fees upon Executions shall be paid to the Clerk of the Court at the time of the issue of the Execution, and not before."

If this rule were adhered to, it would save at least one half of the suing. Many sue for 50 cents when they can get it done without paying costs down; no one will pay \$4 or \$5 on a suit of such an amount, and be sure they would have to lie out of their money for three months at the least.

One case of this kind came under my notice. A poor man who had very little knowledge of the English language, and did not enjoy very good health, was sued by a blacksmith for 50 cents. There being many of the same name in the locality it happened to be served on the wrong person by the deputy bailiff. He swore he had served it on the right man and got judgment. By the time the execution was out he found out what he had been at, so he took the execution to the real debtor, and seized a heifer, put her up at a tavern, ran expenses to \$8 and sold her for it. Had this plaintiff been made to comply with the law that poor man would have been saved all the trouble and expense. So much for the small sums. Now for the large ones. A stove peddler sells about 200 in one divis-