

occured, we recommend an appeal to the County Judge, whose duty it would be at once to set the matter right.—Eds. L. C. G.]

Foreign Summonses—Collection of Fees.

TO THE EDITORS OF THE LOCAL COURTS GAZETTE.

GENTLEMEN,—During my experience as a Division Court clerk, I have found a serious difficulty in one particular branch of the practice, and if other officers have not experienced the same trouble, then I can only say that I am the exception; as I have never seen any complaints published on the matter, perhaps the evil does not exist generally; but I shall, notwithstanding, tell my experience, and how I propose to remedy the evil, whether it meets with general favor or not. If my discovery is valuable after a fair test, then I shall have it patented and endeavour to get a reward for my cogitations; if it will not work, then I must loose my labour, and let the idea be forgotten as impracticable and no good. I will commence my grievances without further comment.

In the course of my practice, I have had occasion to receive a great many foreign summonses from all parts of the country for service. I get those papers from the Post Office, enter them in full in foreign procedure book, give them to my bailiff, who serves the copy and makes his return; I swear him, fill up the jurat, pay him one, two or three dollars, and mail the original summons back to the clerk that sent it to me, with a bill of the costs, with the remark "please remit," for all this I only get about forty-five or fifty cents; the principal cost on foreign service is the bailiff's fees for service. I have found that on an average, about two-thirds of the clerks will probably remit me my costs, the other third are perfectly indifferent, will stand any amount of dunning, and will not even reply to let me know that they are living. Finally, I become disgusted, and give it up as lost. I got so disgusted a few years ago with those delinquents, that I resolved not to give my bailiffs any other foreign summonses until I got all the costs to cover first. Not long after forming this resolution, I received a foreign summons for service without any "needful" accompanying it. I at once wrote back to the clerk, telling him of my change of sentiment; I soon received an elaborate report of four or five pages, calling me anything but a decent fellow, saying that during all his long experience as clerk, he had not been treated as I had treated him. This

frightened me, and I at once gave up my idea of demanding costs in advance, thinking that if I stuck to that idea long, I should have to fight a duel or leave the country. I now find quite a large sum due me in this way distributed all over the country, and I should very much like to know how to get my pay. I suppose I might write to the judges of the various counties about it, but who wants to bother a judge about two or three dollars. These officials have now twice the work to do for their pay; every session of the Legislature imposes new duties upon them without an increase of pay—anybody who would trouble a county judge under these circumstances, must be a heartless wretch. Now for the remedy—I propose that after a clerk has been dunned, say six times, by registered letters, and refuses to take notice of it, that his name be sent to the *Local Courts Gazette*, and at the end of the year have all the names published in one list; these lists can be cut out and posted up in each Division Court office, so that each clerk can see at a glance "who is who," and then they will have a list and know who to demand a deposit from, that innocent clerks may not be punished for the guilty. It is very troublesome to have to exact the full fee in advance, because the amount required cannot be arrived at till the work is done. This is my cure for the evil; what do your readers think of it.

CLERK OF THE 6TH DIVISION COURT,
County of Norfolk.

[We insert with pleasure the above letter. The plan suggested to shame delinquent officers is worthy of consideration. We have ourselves serious thoughts of publishing at length the names of the many subscribers to *Law Journal* and *Local Courts Gazette* who are in arrears, and shewing the amount of indebtedness.

The publishers of the *Law Times*, one of the best regulated legal periodicals in England, give to the editor for publication and remark, the names of subscribers long in arrear, and who disregard the ordinary method of dunning, and the same plan might well answer in Canada.—Eds. L. C. G.]

TO CORRESPONDENTS.

OTTO KLOTZ.—Your letter discussing the question of what fees clerks of the peace are entitled to on attending at adjourned sessions is received, but too late for us to find room for it in this number. It will, however, appear in next issue.