

whole receipts were the sums set opposite their respective signatures hereto, from which is to be deducted the expense of Books, Stationery, Printed Forms, Rent, and Fuel.

Your Petitioners beg to append a draft of such a Tariff as they think would be no more than just to the Clerks, while it would not, in their opinion, bear too heavily on suitors, and they pray that action will be taken by your Honourable House, to amend the present Tariff, either by adopting the suggestions humbly made in this Draft, or in such other way as your Honourable House shall, in its wisdom and justice, think fit and reasonable.

And your Petitioners, as in duty bound, will ever pray, &c.

Tariff of Fees to be received by Clerks of Division Courts referred to in above Petition.

	Not exceeding £5 0 0	Exceeding £5, and not exceeding £15	Exceeding £15
	£ s. d.	£ s. d.	£ s. d.
Entering every account and issuing summons.....	1 3	1 6	2 0
Copy summons, particulars of demand or set-off, each.....	0 7	0 7	0 7
Every summons to witnesses, with any number of names.....	1 0	1 0	1 0
Entering Bailiff's Returns.....	0 6	0 6	0 6
Entering set-off or other defence requiring notice to plaintiff.....	1 3	1 3	1 3
Adjournment of any cause.....	1 0	1 0	1 0
Entering every judgment, or discharging suit.....	1 0	1 0	1 0
Taking confession of judgment.....	1 3	1 3	1 3
Every warrant, attachment, or execution.....	1 3	1 3	1 3
Every copy of judgment to another county.....	2 6	2 6	2 6
Transcript or certificate of judgment for registration.....	2 6	2 6	2 6
Entering and giving notice of jury being required.....	2 6	2 6	2 6
Making out summons to jury, sixpence each.....	1 0	1 0	1 0
For every affidavit taken, and drawing same.....	0 2	0 2	0 2
Filing each separate paper.....	0 4	0 4	0 4
Calling out and swearing witnesses, each.....	0 6	0 6	0 6
Returns to Treas'r to be paid out of the Fee Fund, 20s. each.....	0 6	0 6	0 6
Every search, to be paid by the party applying.....	0 6	0 6	0 6
Receiving and paying out moneys, 2½ per cent.			

On the substance of the Petition we need say nothing; the matter it contains is fairly and candidly put, and discloses sufficient to establish the reasonable and just claim of Clerks to consideration. The services of capable and trustworthy men can only be secured by giving them a proper compensation: and if the office of Division Court Clerk is suffered to fall into improper hands, these Tribunals instead of being useful and valuable, will become a nuisance and a curse to the country. We hope the Petition will receive attention from the Legislature. The subject it embraces is more important to the Public than to Officers, and on public grounds should be fully considered.

Upon the proposed Tariff we have a word to say, keeping in view on the one hand the just claims of the Clerks, on the other the interests of the Public. We think one half the charge, viz., 6d. for Summons to Witness, sufficient: in practice there is a separate

	Gross amount of Fees received.	Expenses incurred in discharging duties of office.	Net income derivable from office.
	£ s. d.	£ s. d.	£ s. d.
T. D. Lloyd, clerk Division Court No. 1	69 11 6	16 17 6	52 14 0
T. Macdonald, clk Division Court No. 2	36 0 0	7 10 0	28 10 0
F. S. Stephens, clk Div. Court No. 3	39 5 3	5 10 3	33 15 0
A. Jardine, clerk Division Court No. 4	32 12 4	6 5 9	26 2 7
John Craig, clerk Division Court No. 5	19 11 6	3 7 6	16 4 6
A. Patterson, clerk Division Court No. 6	10 8 6	0 0 0	0 0 0
John Lattle, clerk Division Court No. 7	11 4 10	1 15 0	10 3 10
G. McManus, clk Division Court No. 8	62 3 3	12 6 3	50 2 6

Summons for each Witness, and the charge of 1s. for each would be too much. Entering Bailiff's returns might also be fairly reduced to 3d.

The uniform charge for entering special defences is better than a graduated scale, and the charge reasonable. The words "discharging suit" in the next item is not very clear in its scope, and might open a door to improper claims: these words should be struck out, and the following inserted in lieu—"or final order on Hearing." The fee for filing each paper we decidedly object to as inexpedient and unsafe; there is no such fee allowed in the English County Courts, and we think it ought not to be introduced here.

A fee for every return made by a Clerk is no more than reasonable. The Clerk collects and keeps the account of fees payable to the Fee Fund—has the responsibility of keeping the monies—is required periodically to make a return of the same—and for so doing receives no remuneration! The accounts are intricate, and involve more labour than an ordinary Postmaster's account,—yet the country receives the labour of the Clerk, exacts a duty from him, and pays nothing! This is most unjust. We do not agree, however, in the amount proposed: all things considered, we think that 15s. for each return, including returns to the Judge, would be sufficient.

The fee for search we would allow to stand as in the present Tariff, to be only claimable if the proceeding were a year old; the charge, to commence with the entry of the suit, would be considered oppressive. The fee for receiving and paying out monies is a questionable one, and in its present shape indefinite. Is the 2½ per cent. claimable both on receiving and paying out—making in all 5 per cent. on monies passing through a Clerk's hands? No doubt some allowance on this head should be made, for the Clerk incurs a heavy responsibility in having the charge of monies, and for all monies paid out he is obliged to obtain and file a voucher.

The Clerk should, in our judgment, give as well as take receipts; we would, therefore, suggest the following, instead of the last item in the proposed Tariff:—

"Receiving money paid into Court; entering same in the Books; and giving receipt therefor, 3d. in the pound.

"Paying money out of Court; entering same in the Books; and taking receipt therefor, 3d. in the pound.

"(N.B. The fees in the last two items to be costs in the cause; and, in calculating the pound-age, all fractions of a pound to be treated as an entire pound.)"

There are some services for which the proposed