

REVIEWS—CORRESPONDENCE.

sert, that the law on this subject should be looked on as "not appertaining to a work dealing chiefly with the general principles of the law of Real Property," but some will think that the great practical importance of this head of Law and the difficulties which attach to it, might have pleaded for the retention in the present edition, of some portions at least of Mr. Leith's learned and elaborate discussion. On the other hand, we think the authors might without much loss have dispensed with the leasing of advowsons and copyhold tenures, which is practically superfluous in this country.

We have given the barest outline of the scope and character of the important work, some of whose more interesting characteristics have been passed in rapid review. The authors, we are well assured, have no desire to claim infallibility, nor do they expect that criticism will fail to find some vulnerable points in their armour; but when every allowance has been made for possible errors and omissions in the treatment of a subject so vast and complete, there can be no question in the mind of any fair-minded critic as to the real and permanent value of the results of their labours.

CORRESPONDENCE.

Unlicensed Conveyancers, and unfair competition.

To the Editor of THE LAW JOURNAL.

DEAR SIR,—Having read the communication signed "S." on "Unlicensed Conveyancers" appearing in the LAW JOURNAL for this month, I would like, with your kind permission, to add a word in the same direction.

The question whether members of the legal profession, duly admitted and licensed, are entitled to protection against unlicensed competition may not be one of vital importance to some practitioners, but to the majority of them it is a matter of serious consequence. When it is considered that the regular practitioner has spent five of the best years of his life in a special course of legal training, that he has paid the Law Society \$92 on primary examinations, and \$174 on being called and obtaining his certificate to practise, that he has to furnish himself

with a library of expensive books, and that he must pay a license fee of \$20 every year, and maintain an office in which to do business, it does seem to me that your correspondent is justified in inferring something like an inducement, if not an actual promise on the part of that Corporation, acting through the Benchers, under the sanction of Statute law, that the persons whose money they so receive and whom they so license shall be entitled to the fees properly incidental to the profession, and that they shall be entitled to some protection against the competition of persons who pay nothing for license, and who have been at no expenditure of money or time in preparation for the work they undertake.

It is well understood that conveyancing in its several branches, including the drawing of deeds, mortgages, leases, wills, agreements, bills of sale, etc., forms a large part of a lawyer's work, particularly if he has settled in a country town or village. In your correspondent's village there are four unlicensed conveyancers, any one of whom can command more business than he, for the reason, no doubt, that as it costs them nothing they can afford (borrowing an expression from trade) to undersell him. It may be the "unlicensed" include the schoolmaster, a Justice of the Peace, the Division Court Clerk, and a clergyman or minister, as well as real estate agents, and "agents" generally. In early times, and in the back settlements, there may have been good reason for allowing any person who could write a fair hand, to do lawyers' work and collect fees, but the Province has now become so well settled, and the means of travelling and postal communication have been so much improved, that such reasons no longer hold good, and I think with "S." that a remedy should be looked for.

I believe the subject has been brought under the notice of the legislature in times past, but without effect, probably because legislators, even though they be lawyers, go for what is popular as a general rule; and if votes would be lost to the party by compelling every man who does conveyancing to pass an examination, pay fees, and take out an annual license, the legislators might prefer to retain the votes rather than amend the law. All, or nearly all, of the gentlemen composing the Government of Ontario are