

CORRESPONDENCE.

specifying every instrument that could possibly exist, and some that I never heard of till I saw this card, "cheaper and more accurately than any one in town!"

As one gets off the cars at Teeswater station on the narrow gauge, the first object that meets the eye is an immense sign-board the size of a railway bulletin board, which enumerates the many good qualities as conveyancer of one S. Softley, said to reside in that village, and ending thus—"For cheapness and legality (*sic*) I cannot be beat."

A private banker in Wingham previously mentioned, and Cameron & Campbell, Bankers, of Lucknow, both advertise after their banking card, "A general banking and conveyancing business done!" In fact nearly all the bankers round here put it in that mild way.

There would not be so much of this conveyancing done if these men were not "commissioners in B. R. &c." (as they are proud to advertise themselves).

These men never administer affidavits for use in the Superior Courts. There are enough of lawyers all over the province and more than enough for that purpose. I wonder if the Courts know when they grant these appointments right and left that these men are simply going to use their powers in conveyancing. There is not one commissioner but got the appointment for the purpose of conveyancing alone: truly, the Courts might put some restriction in the way. These men would soon have to give up conveyancing if they had to come to lawyers to be sworn—their customers would soon come to us too.

One rather amusing feature about this is the fact that these appointments are all on parchment with a big red seal affixed, and the commissioners keep them generally framed in a conspicuous position, and farmers often are led from this to believe that somehow or other he must be a lawyer, and possibly a good one, to get such a "diploma" as some of these commissioners speak of it! The same applies to their appointment as notaries. By the way, the banker I have so often mentioned has got big green labels stuck up in his office with this remarkable legend: "Notary by the special appointment of His Honour the Lieut-Governor, &c!" I allow that in the early history of the province there might have been a need for say one commissioner in a village if there were no solicitor

there, but never was there need for seven or eight as there are in some little villages, and there is no need for any non-professional commissioners now.

These notaries say that their appointment as notary gives them special power to draw all conveyances, whilst it only reads and means mercantile "instruments" such as charter-parties bottomry bonds, &c. Now as far as these commissioners are concerned there is no doubt these men were all appointed simply in an emergency and for the convenience of the Courts and that they may be removed at will: it is in the power of the Superior Courts or any one of them at any time to cancel and revoke these commissions, and the sooner it is done the better for the profession. Surely if this were once well understood the Courts would immediately do it, as the Judges cannot be influenced by politics, and these country conveyancers would have no lever to bring to bear on the Courts.

Let the Courts do this—it is a very simple matter—and country conveyancing would be dealt a blow from which it never could recover. I will guarantee two things: 1st. That not one of these unprofessional commissioners in either Huron or Bruce swears one affidavit for use in the Superior Courts in a year, and so he is of no use or convenience to the Court; and 2nd. that if these commissioners were cancelled now, the conveyancing would all be in the hands of the profession in two years.

Another plan which I have heard suggested is one which ought to have been the law here ever since the incorporation of the Law Society in 1832, and which has always been the law in England—I mean the prohibiting any unlicensed man under a heavy penalty from drawing any instrument *inter vivos*—(of course wills must necessarily be excepted), or the prohibiting the drawing of all instruments under seal by any other than a lawyer duly qualified under the Statute. And here I would take the liberty to ask the Law Society again why Canadian country solicitors should not be equally protected with English solicitors.

In reference to the position put forth by "S." as to registration, I think the following plan might perhaps work better,—Make it necessary that every deed or instrument to be registered should either come out of a solicitor's office, or should show that it had been examined by a solicitor. Of course the great