

GENERAL CORRESPONDENCE.

law of 1855 was enacted, if a guest came to an inn, and took with him to his room \$20,000, and the innkeeper's servants or agents break in and rob the guest, the innkeeper was held liable, and surely if the law of 1855 compels the guest to place that money under the absolute and immediate control of the innkeeper and his dishonest servant, he is doubly responsible, because, if this trap of a safe had not been there, the traveller might have protected his money in his room with his own means of protection. The act, undoubtedly, was to relieve the innkeeper from responsibility, where the guest was robbed of his money or goods, while they were in the room. I, therefore hold, that where the guest complies with the law of 1855, as in this case, the innkeeper should be held to a more strict accountability than he was before the law was passed. This being so, it is quite clear that the same principle that would make him liable for \$10 would make him liable for \$10,000. If this were not the rule, how absurd it would be to compel a traveller, under the Act of 1855, to hand an innkeeper \$20,000 for safe keeping, and have the innkeeper say next morning that he received that amount from him, put it in his safe, but it was lost through his negligence, and he could only give \$1,000 instead of the \$20,000. That is precisely this case.

(To be continued.)

GENERAL CORRESPONDENCE.

Registry laws—Chain of title—Record of heirs.

TO THE EDITORS OF THE LAW JOURNAL.

GENTLEMEN,—The proposed changes in the Registry Law, while calculated to increase its efficiency, ardently, I think, embrace all the alterations to be desired. Would it not be well further to amend the law by providing some method by which the title of *heirs* should appear on the registry books? It seems to me an obvious defect in our system of registration that no such provision at present exists. Where title is claimed through an intestate a *hiatus* appears upon the face of the abstract, a link is wanting to complete the chain of the title which has to be supplied by outside proof. Would it not be advisable to adopt some plan by which all the evidence which would be necessary to enable the claimant to prove his claim in court should be placed on record and so preserved? Some such arrangement, besides affording the heir additional facilities for making a good title, would in many cases be a saving of trouble and expense to parties searching the books.

Yours respectfully,

T. PHILLIPS THOMPSON.

St. CATHARINES, C. W., Sept. 7, 1865.

[Some such arrangement as our correspondent proposes would, if practicable, tend much to the completeness of records of title. We recommend the suggestion to the attention of our law makers.—EDS. L. J.]

Chattel mortgages—Charge for copying—When not done by clerk—Legality of charge for search when mortgage more than two years old.

TO THE EDITORS OF THE LAW JOURNAL.

GENTLEMEN,—Will you give the public the benefit of your views on a matter about which there is a difference of opinion?

1st. When a party makes a search of a chattel mortgage, and takes certain extracts (*e. g.*, date, parties, and articles mortgaged), have I any right to charge him more than 10 cents? The party does not want a copy of the mortgage at all, but simply for his information takes a short memorandum of those particulars.

2nd. Have I any right to charge 50 cents if the chattel mortgage is more than two years old, on the ground (*vide* C. C. Tariff of Fees) that it is a search "exceeding two years," or a "general search," which the tariff provides for?—"Every search exceeding two years, or a general search, 50 cents." Some lawyers say that this has reference only to searches in suits, and that I have no right to charge 50c., but must be guided by the charges given by the Chattel Mortgage Act.

I want only what is right, and as different clerks have different views, please answer.

A CLERK.

Sept. 21, 1865.

[Clerks of County Courts, with whom chattel mortgages, &c., are filed, can only charge the fees by law allowed for services performed in regard to such chattel mortgages, &c. They are as follows:

1. For filing each instrument and affidavit, and for entering the same in the book, twenty-five cents.
2. For searching for each paper, ten cents.
3. For copies of any document, with certificate prepared, ten cents for every hundred words.—(Con. Stat. U. C. cap. 45, sec. 14.)

It will be observed that the act does not in terms make it obligatory upon the clerk to allow a person making a search to take a copy or extract. Hence some clerks refuse this