

me \$6, not even that which the barrister swore I was entitled to for arguing the case. Now I have a copy of the bill presented before the judge, every item of which was fairly proved. Here it is:—

	£	s.	d.
1868, May 6.			
Letter, &c., to client, and attendance about result of arbitration.	0	2	6
Instructions to apply for new trial (on new retainer)	0	5	0
Drawing affidavit of client of facts of case 2s. 6d., copy 1s. 3d.	0	2	9
Drawing my affidavit (special) of facts and for new trial 5s., copy 2s. 6d., attending to swear and paid 2s. 3d.	0	9	9
Letter forwarding, same to——, to have served and attendance	0	2	6
Paid postage	0	0	7½
Affidavit of service of affidavits drawn	0	2	6
Attending at——to see that—— had served the affidavits.	0	1	3
Telegraph to——paid 1s. 3d., attendance 1s. 3d.	0	2	6
Attendance and argued case at—— argued for the defendants, and expense to the country and back to——	1	15	0
Writing a letter to client of result of new trial, and attendance, notifying him	0	2	6
Also writing to his brother, his agent, &c	0	2	6
	£3	19	4

I purposely leave all names and places in blank.

There is not an item in this bill to which I am not fairly entitled. It may be a question whether the letters should be with attendance more than 1s. 3d. But some items are omitted, and under all the circumstances considering the small sum I charge for going into the country, and that my application for a new trial was successful, the judge should have allowed the whole bill. Then he had before him an affidavit in which a barrister and county attorney of his county, swears thus:—

That —— in this suit acted as counsel for the within defendant in that suit, and the within defendant stated to me he had retained or employed him to do so.

That in my opinion *seven dollars would be a reasonable fee for counsel going from —— to ——, and arguing an application for a new trial there, &c.*

The judge read the affidavit, and took it as regularly before him. Urgent business kept the county attorney at home, but the affidavit was not objected to on that ground. All the

original papers and affidavits were before the judge. He knew of the difficult argument and that I had to expend in serving bills and going to sue, certainly at least \$4; yet all he gave me was \$6. What attorney would go into court under such circumstances? I would not have sued in the judge's court at all, if the cause of action having arisen there, had not obliged me to do so.

Now I again repeat that the judge admitted that he was bound by the written retainer; and although "J. T." wished to confound my first employment with the last, the judge told him the *evidence proved the contrary*, and he did not give his judgment upon any such views put forward by "J. T."

"J. T." is pleased to say that the judge in question is a young man and beloved in his county. That is not the question however; I am not dealing with character, age or position in this matter. The profession has rights as well as the judge, and it would be well for all judges to remember, that like me and many others, they and their families once depended on the fair earnings of their profession for a livelihood.

I believe in judges protecting lawyers in those rights. It is all very well for people to talk of the great fees and earnings of lawyers, but every man knows, who has looked thoroughly into it, that taking education, study, talents, and time into account, no profession upon the whole is worse paid than that of the law. There may be a few law firms that make money, but how many are there who deserve better things, who only make a "bare annual living?"

My letter of December was not written alone for myself, but for the rights of a learned body of men, who ought to be fairly and equitably paid by those who employ them, and who have a right to expect better treatment from judges than I have received from the one who "dealt out lame equity" to me.

AN ATTORNEY.

February 9, 1869.

[We speak of the subject matter of this in another place. Our correspondent also alludes to another suit in which he was allowed only \$1, but we have given more space to these matters than we can well afford, and it is only because they are of some interest, as to the question of what fees attorneys should be allowed for Division Court services that we insert them at all.—Eds. L. J.]