

on the person found on the premises, being a literate person, an inmate, &c., why cannot it be equally good for six times that amount, or for any other greater sum? Our neighbors of the universal Yankee nation act in a far more rational manner in such matters.

The resolution asking for remuneration or mileage in all writs returned *nulla bona* is intended to meet the numerous cases where parties, who on being summoned after judgment have been found on examination to have property or to have endeavored to put out of reach of the creditor and officer who is entrusted with the execution of the writ: and moreover, who ought to know as well as the plaintiff himself, whether or not the defendant has goods or not. The Clerk gets paid for issuing the writ in all cases: should not the Bailiff, who has frequently to travel many miles and then fails to realize anything, get some remuneration for disbursements and travel?

We also ask for remuneration on the day of holding Court, which ought by all means to be granted, as it is certainly one of the most irksome duties connected with the office. Why the public should be entitled to our services gratis, I am at a loss to know.

I would also state, for the information of those who may be curious to know what Bailiffs do realize in the fees of the Court and its duties, that for the year 1855, when the prices of all kinds of produce were reasonable compared to what it now is, that for that year my fees amounted to the sum of £90 5s. which should now be reduced one-third to arrive at its real value. I am unable correctly to state the amount of fees realized on Executions, which may have been in my hands, but it would probably amount to say £35 or £40, making the whole not exceed £100; out of this we have to support our families, keep a horse or horses, and do all the drudgery of a Division Court.

I hope to live to see a better state of things; the officers of the Courts should be men of principle and integrity; but the Government must give respectable wages to secure the services of the right class of men.

The claims of the *Law Journal* were not lost sight of at the meeting at Hamilton. I was surprised to find so many there who knew so little of the valuable aid rendered as by your ably conducted paper: it was well and justly remarked at the meeting that if the agricultural and commercial classes found it to their advantage to make use of the press to advocate their interests, why not the officers of the Division Courts?

OFFICERS AND SUITORS.

CLERKS.—Protection of Court Books and Court Papers.

We have received several communications on this subject, and agree in the main that some allowance should be made to Clerks for Office Rent and Stationery. In another branch of the public service, the Post Office department, if we are rightly informed, such an allowance is made, and why not in the case of Division Court Clerks. These officers are certainly as necessary as Postmasters, and their duties are more important. Large sums of money pass through their hands, and the public have occasion to resort to a Clerk's office in the proportion of at least ten to one as compared to a Postmaster's office. We speak generally of the Division Court Clerks and Postmasters through the country; for of course in cities and other populous places, the Post Office is the most resorted to, but such is not the case in Towns and Townships.

On an average there are not more than eight Division Court Clerks in each County, while there are, we may venture to say, not less than sixty Postmasters in the same localities, so that on the score of expense a comparatively small outlay would be necessary to provide the required accommodation. We are inclined to think that if a reasonable sum were allowed yearly for office rent, the great majority of Division Court Clerks would at their own expense erect suitable offices with vaults, or otherwise secured from accident by fire. And this is a most important object, knowing, as we do, the vast amount of property, evidences of debt, that Division Court Clerks have in charge. We are acquainted with several Divisions wherein from four to six hundred suits are entered every Court, many of them on promissory notes, constituting the sole evidence of debt between the parties. In many Courts there are unsatisfied judgments, amounting in the aggregate to more than five thousand pounds, and which would probably be entirely lost if the Clerk's books and papers were consumed by fire.

Now there are considerations of enormous magnitude to the Public, and especially in this Country, where the credit system is so general. Again, entries in the Clerk's books commonly constituting the sole evidence of payment of a demand by a defendant, the safekeeping of the books and papers are scarcely less important to defendants than to plaintiffs.

To guard against the contingencies to which we have referred, we feel convinced suitors would not object to a small percentage to cover an allowance for office accommodation with its attendant security, but we think they should not be called upon to submit to it. The general revenue of the country is expended in the erection of proper accommodations for the Superior Courts; why not for all Courts? The principle that would justify the expenditure in one case would justify it in another. Our remarks are necessarily general, for we are not in possession of sufficient data to go into the subject minutely. The particulars must be furnished to us by those familiar with the matter. For instance, there are many Clerks who are also Postmasters, and thence able to state the rule in that branch of the public service. An accurate statement of the amount of business passing yearly through a Court, the amount of notes and claims put in for suit, the unsatisfied judgments, &c., would also be desirable, as would any specific information tending to show the important business done in Division Courts, and other matters in proof of the positions we have laid down and the suggestions we have made. Those who are acquainted with these subjects in all their details, are the proper parties to supply this information, and by so doing they will serve themselves and the public by the same act. Clerks will bear