

## CORRESPONDENCE.

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*Unlicensed Conveyancers.*

To the Editor of THE CANADA LAW JOURNAL.

DEAR SIR,—I have read with a great deal of interest the letters that have from time to time appeared in your Journal on the subject of "Unlicensed Conveyancers" and I am glad to see that we have a staunch and true friend in your paper.

I read the letter from "S." last month, and wish his suggestion as to a clause being inserted in the Judicature Act could be carried out, but am sorry to have to say that as long as these unlicensed men have any political influence at all, whether individually or in the aggregate, I am afraid Mr. Mowat will not introduce this clause. Men in all other lines and walks of life whether national or social are more or less "clannish" and band together to help one another and protect themselves. Dentists, auctioneers, common hucksters, hawkers, and pedlars must have a license to carry on their business: but any man, however ignorant, as long as he can write, or hire clerks to write as they often do, can set up in a country town or village and, if he will work cheap enough, may make more money than those who have worked hard and paid heavy fees in order to enter the profession. A country solicitor's practice is to a great extent built up by conveyancing: but the fact is, nearly all the conveyancing outside the cities is done by non-professional men. For instance, the Registrars at Walkerton or Goderich, or any practitioner in either Huron or Bruce, will tell you that men like Mr.—, (a magistrate in a small village, who can hardly read and write) does more conveyancing—a great deal more—than all the solicitors in the county put together. The man in question has done nothing else for years except act as a lawyer, keeps several clerks, and has made a fortune out of his business. I could mention other cases of a similar kind. These men go further; disregarding the penalties laid down in R. S. O. cap. 140, they do nearly all the non-contentious, surrogate, and probate business in the county. (Query—Why do the Judges and Registrars of these Courts allow men to draw and file papers in their offices exactly the same as an attorney or proctor would?) They do a large collecting business, sending debt letters and charging costs in the same way that a solicitor does. They

give advice and take pay for it. They are allowed to practise and do practise in the Division Courts. There is one of them who acts as a regular lawyer in Lucknow and attends nearly all the Courts in his own county, and comes frequently to the Wingham Courts to practise, and the Judge sees him, though his dress cannot be said to be in keeping with his assumed position; but then the Division Court Act says nothing about collar or cravat.

There is one of this sort who constantly practises in Bruce, and I actually saw a regular solicitor opposed in a country Division Court in Bruce some months ago by an unlicensed man, though the solicitor called the Judge's attention to the fact, and a counsel fee under the increased jurisdiction was actually taxed to this unlicensed man—I think \$10.00. This same man, who is still living in Ripley, told me he would just as soon not be certificated—that everyone around thought he was a lawyer, and he acknowledged that he made as much money as if he was licensed, if not more.

Take away from a country solicitor his conveyancing, his surrogate practice, his collecting, and a great deal of his Division Court work, and often his advising, and what, I say, have you left him? This is a conundrum I would respectfully like to submit to that unselfish body the Law Society of Upper Canada in Convocation assembled.

We are not only not protected, but we are bound down and fettered by red tape and professional rules; we are not allowed to go down and meet these fellows in their own field, on their own ground.

We are not allowed to advertise the way they do in the local papers. Take up any country paper and see the "blow" they make about accuracy and cheapness! We can not go out into the world and advertise on slabs and posters all over the country.

Blazoned in gold letters on the arch running over the stage in the Brussels Town Hall are several full length conveyancers' cards, one of which I copied when I was attending Court there the other day; I give it verbatim—"W. Harris, dealer in Marriage Licenses, Music and Conveyancing."

The banker above referred to has immense red cards and posters all over the country, stating that he draws all "documents and all mortgages, deeds, agreements, marriage articles &c." in short