

HOW THE LAWYERS SPEND THEIR TIME.

Scene: Any Land Titles Office.

Time: Every day between ten and four.

(Several clerks behind the counter, smiling sardonically at applicants).

JUNIOR SOLICITOR (steps forwards with his papers)—I wish to register a transfer of Parcel 8001, Section N.

REGISTRAR (pulls forward a large volume, the modern Domesday Book, in which transfers of land are occasionally registered. Registrar takes the applicant's documents, examines them microscopically as if they were diamonds. Looks severely at applicant)—Who is the transferor? (Scans the record in the large volume.) This property is registered in the name of Patience Simpkins. (Glaring) Your transfer purports to be from Algernon Simpkins.

JUNIOR SOLICITOR (quaking)—Algernon Simpkins is executor and trustee of the late Patience Simpkins.

REGISTRAR (fiercely in Shakespearean style)—Where is the Will? I must have the Will.

JUNIOR SOLICITOR (rummages in his bag of papers)—Here it is. (Points eagerly to the name of the executor).

REGISTRAR (relentlessly)—But there are two executors. Where is the other?

JUNIOR SOLICITOR (relieved)—He renounced. Here is a certified copy.

REGISTRAR (relentlessly)—This property is devised to the testator's daughter Joy.

JUNIOR SOLICITOR (gripping his courage)—Yes, but the executor and trustee has power under the Will to dispose of this property.

REGISTRAR (relentlessly)—You must insert in the transfer that Joy Simpkins concurs in the above transfer and releases all her interest to said transferee.

JUNIOR SOLICITOR (deprecating further changes which will necessitate fresh instruments being executed)—I will insert that Joy Simpkins concurs.

REGISTRAR (relentlessly)—This property is described as 90, Piccadilly. That is not in the description on our book.

JUNIOR SOLICITOR (pleadingly)—But it is the same as Parcel 8001, Section N.

REGISTRAR (relentlessly)—You must get an affidavit from the executor that it is the same. (Continues to scan the documents. Shuts his register with an air of finality). Make those changes and bring it back.

JUNIOR SOLICITOR (returns two days later)—I wish to register a transfer of Parcel 8001, Section N. (Hopefully). We were looking at this a couple of days ago.

REGISTRAR (relentlessly)—Where is the Transmission of Interest? You must use Form 42.

JUNIOR SOLICITOR (ingratiatingly pointing to change on the transfer)—We have put in a clause that Joy Simpkins concurs in the transfer.

REGISTRAR (relentlessly)—That is not enough. Use Form 42. (Walks away to another apprehensive applicant).

JUNIOR SOLICITOR (pushes his papers back into his bag, muttering). (Three days pass, during which Junior Solicitor recalls to his office once more the parties to the transfer to sign the various documents requisitioned by the Registrar. His clients look dazed and obviously view these delays with impatience).

JUNIOR SOLICITOR returns to Land Titles Office (firmly)—I wish to register this transfer. I have made the changes suggested by Mr. Birkenhead. Is he here to-day? I am anxious to close this deal.

REGISTRAR (reaching for the papers)—Away for a month on vacation. (Rummages through the papers). Where is the Will?

JUNIOR SOLICITOR (hurriedly)—Here it is and a copy of the Renunciation of the other executor.

REGISTRAR (relentlessly)—The Will—we must have a copy of the Will. (Rummaging through the papers again. Glaring). You have not followed Form 42. The executor must apply to be registered as owner of said parcel.

JUNIOR SOLICITOR (bracing himself) When I spoke to the Master of Titles, he appeared to think that was unnecessary, as under the Will the executor has full power to deal with this property.

REGISTRAR (relentlessly)—See Form 42—you must comply with the Form. (Pointing to Form 42). You must put in these words: "applies to be registered as owner of said land." (Still turning over the papers). Where is Joy Simpkin's affidavit that she is of full age?

JUNIOR SOLICITOR (confidently pointing to affidavit on the back of the transfer)—Here it is.

REGISTRAR (relentlessly)—No, that is not enough. That is a stenographer's affidavit. We require an affidavit from Joy Simpkins that she was of the full age of twenty-one years when this transfer was executed.

JUNIOR SOLICITOR (crumples, withdraws, muttering. Sends again for Joy Simpkins to come in during her precious noon hour to swear she is of the full age of twenty-one, this fact being evident to any eye, except the eye of the law).

JUNIOR SOLICITOR (again approaches the sacred repository of Titles, wishing to leave his transfer in its safe keeping. Addresses Registrar in bold tones)—This is a transfer I wish to register. Quite a simple transaction, executor is testator's son, devisee is his sister. I think the papers are all right now.

REGISTRAR (relentlessly ignoring Junior's explanation, rummages through the papers)—Where is the affidavit of the solicitor? (Reads). But he doesn't swear that Parcel 8001, Section N. is the same as 90, Piccadilly. (Looks again at affidavit, and says scathingly, as if a rule of the union had been invaded). Is this solicitor acting for both parties?

JUNIOR SOLICITOR (cowed)—Yes, you see the parties are friends.

REGISTRAR (relentlessly)—He must make an affidavit that he is solicitor for the transferor and that Parcel 8001, Section N. is the same as the premises known as 90, Piccadilly.

(JUNIOR SOLICITOR returns to his office once more with his papers. He approaches his chief in fear and trembling, regarding the repairs required in the affidavit. To his great relief and surprise, his chief throws back his head and utters a guffaw that scares the birds on the window sill).

CHIEF (his eyes twinkling)—Now you know why I gave you this deal to put through. I haven't so long to live as you have. When you succeed you will be as grey as I am. (Picks up a copy of the Land Titles Act, turns to the title page and reads): "An Act to simplify Titles and to facilitate the Transfer of Land." (With another loud explosion he turns to section 9 of the Act, and hands it to the Junior to read).

JUNIOR SOLICITOR (reads)—"Where an absolute title is required, the applicant or his nominee shall not be registered as owner of the fee simple unless and until the title is approved by the proper Master of Titles."

JUNIOR SOLICITOR looks at his chief and heaves a heavy sigh.

CHIEF (grinning)—Keep at it George! There are transfers registered occasionally, you know. But just remember *unless* and *until*, the twin demons that you must worst.

JUNIOR SOLICITOR (retires to his desk and prepares a new affidavit setting forth once more the obvious facts of the transfer, repeating the baleful words *unless* and *until* like an incantation: 12 a.m. Junior Solicitor dreams he has wrestled with the twin demons, and has stepped over their bodies to register his transfer). (Returns at 10 o'clock next morning to Land Titles Office. Approaches the counter, tenders the transfer with all its paraphernalia of papers).

REGISTRAR (rummaging through the heap of documents)—Stamps \$12.65, total charges \$23.75 for Transfer and Charge.

JUNIOR SOLICITOR (scraping the coins out of his pocket to meet the costs of a transfer of property valued at \$4,200, with its mortgage back to vendor. Just as he is about to turn away with a sigh of relief, the Registrar remarks casually): This Transfer is good only if the debts of the testator have been paid. There's an amendment, in 1927, C. 35. You had better get an affidavit from the executor that the debts of the estate are paid.

JUNIOR SOLICITOR (staggered)—I shall get an affidavit from the executor. (Departing rapidly lest some other snag should arise when Registrar calls him).

REGISTRAR (casually)—if you want a new Certificate of Ownership it will cost one dollar.

JUNIOR SOLICITOR (not yet hardened to heaping costs on a poor client's head hesitates but agrees).

(Junior Solicitor hurriedly departs as if the demons *unless* and *until* might demand still more. Wishes he was living in the early days when owner merely handed a turf to the purchaser as symbol of the transfer).

Three days later. Junior Solicitor inquires for the new Certificate of Ownership, signs the book and unfolds the document. Finds to his amazement the absolute title he has struggled to get is declared to be subject to—

"1. Any unpaid municipal taxes, charges, rates or assessments imposed for 1898 or afterwards.

2. To the unpaid debts, if any, of the estate of Patience Simpkins."

(Hastens back to consult his Chief).

(CHIEF examines the Certificate of ownership. Again scares the birds with his bursts of laughter and wipes his eyes). Ha! Ha! After all your efforts to get an absolute title! Evidently *unless* and *until* are still uppermost!