address, and expressed his assurance that it would give good and careful consideration to the various measures which would come before it.

SHERIFFS' FEES.

Mr. SINCLAIR moved for a return showing the number of Bills in Chancery filed and writs of summons issued by the clerks of the Superior and County Courts from the 1st of January, 1876 to the 1st of January, 1877, and the number of defendants in each case; also the number of office copies, Bills in Chancery, and writs of summons received by sheriffs from the 1st of January, 1876, to the 1st of January, 1877, and the number of defendants served by them during that period. The object sought to be obtained in introducing the motion, he said, was to ascertain how far the feeling in the country existed that the sheriffs were underpaid on account of the legal profession doing work which the Legislature intended should be done by the sheriffs. The return would enable the House to form a judgment on the subject.

Mr. MACDOUGALL (Simcoe) said he at first supposed the hon. member moved for the return in order to found an argument either to abolish the Court of Chancery, now an incubus on the country, or to bring it into harmony with the advanced system which now prevailed in England; but it appeared his intention was to ascertain whether some excuse or justification could be found for giving the sheriffs additional remuneration. It was undesirable that the officers of the House should be unnecessarily employed in preparing returns to form the basis of arguments adduced by hon members. While the sheriffs were underpaid a few years ago, their fees had been increased by recent legislation, and a sheriff recently expressed satisfaction with the liberal fees now allowed.

Mr. MOWAT said the return had reference to other Courts more than the Court of Chancery. Statistical information in regard to the Courts was never refused by the House. There was no intention on the part of the member for North Bruce to increase the public burdens, the claim of the sheriffs being that fees which should pass into their hands were obtained by lawyers. The question was, therefore, one between sheriffs and lawyers. From correspondence and deputations he knew that the sheriffs were much dissatisfied; he did not say they were justly so, but such was the fact. The hon. member for Simcoe had taken the opportunity to make an attack on the Court of Chancery. That Court was, however, the most popular Court in the Province at the present time. The hon. member was desirous of applying the English system to that Court. But the Court was now similar to the English system, in which the change effected was not in regard to Chancery but in Common Law procedure and pleadings.

Mr. DEACON said the Insolvent Act passed by the Dominion Parliament had reduced the emoluments of the sheriffs, but the judges had framed a very liberal tariff for these officers. He did not object to the motion.

Mr. CURRIE said he believed the well-founded impression abroad was that the sheriffs were overpaid. One sheriff was returned in 1856 as having received $17,000, and another sheriff had received $39,000 in one year.

Mr. BETHUNE—It is a mistake.

Mr. CURRIE said he should like to see a Committee appointed to ascertain the exact receipts of some sheriffs in this Province.

Mr. BETHUNE favoured a provision that all writs should be served by the Sheriff or his officers, and gave instances of evil results which had arisen from service being made by attorneys. He thought it might conduce more to the dignity of the profession of the law if the right of process-serving were taken from its members. He had expected that before this time the member for South Simcoe would have introduced the Bill which he had promised last session.

Mr. MACDOUGALL said he had made no such promise.

Mr. BETHUNE said attacks upon courts of justice were much too common. A large portion of the common law business was now done in the Court of Chancery. As to the question of fusion, his observation of what had been done in England showed him that this Legislature had acted more wisely. He would not be unfriendly to the change foreshadowed by his hon. friend, last session, but perhaps it would be better to have another year's experience of the English procedure, and by-and-bye they might adopt the same procedure, as it was certainly always convenient to do.

Mr. BOULTER said several members of this House had lately looked to the office of Sheriff, so it could not be such an underpaid office as some members seemed to think. The gentleman who gave way to allow the Attorney-General to be elected, the member for one of the Ridings of Huron, one of the members of the Ministry, and lately the member for South Wellington, had found the Sheriff's office a comfortable resting-place. It was extraordinary that so many hon. gentlemen desired to become the chief hangmen of the Province. (Laughter.)

Mr. SINCLAIR said his desire was simply to get information. He certainly did not wish to add to the burdens of the people. He would not propose to interfere with the Chancery question, which the member for South Simcoe had made peculiarly his own.

Mr. LAUDER objected to compelling people to serve processes through the Sheriff, when their attorney would serve them for nothing.

Mr. FERRIS complained that frequently attorneys charged sheriff's fees, when cases were settled without issue being joined.

Mr. MEREDITH moved the addition of the following to the motion:—"Return of cases, if any, in which fees for service of process have been taxed, which service was not effected by the sheriff; also, of fees paid to sheriffs for the serving of process in each case." He thought the sheriffs were exceedingly well paid, and he hoped nothing which had taken place in the House would lead the public to suppose that the Legislature was in favour of increased remuneration.

Mr. HARDY supported the motion as amended. In Brantford it was an exceptional case that the writ was served by another person than the sheriff. The law was plain that no legal gentleman could make a charge for the service of process, and he did not believe that lawyers should be prevented from serving processes in certain cases. He denied that sheriffs were under-paid, their fees having been largely increased by the Insolvency Act and other legislation. A return showed that the gross receipts of one sheriff were $17,900, his expenses being $12,410; the gross receipts of one sheriff in 1874 were $39,800; $29,000 expenses. Indeed the sheriffs of all large counties had incomes of from $2,000 to $6,000. It was not desirable that the House should yield too readily to any demand which might be made by sheriffs for increased fees unless a satisfactory case was made out.

Mr. FRASER thought it was not creditable to this House that any member should designate such important officers as sheriffs the chief bargmen of the Province. (Hear, hear.) He did not understand that the member for North Bruce had designed to set up as the champion of the sheriffs. It was clear that some of the returns must be a mistake. It was entirely improbable that the Sheriff of Simcoe made a profit of $10,000 a year from his office. There were several sheriffs who, if the return was to be taken as correct, made very small profits. The return for 1871 showed the expenses of the sheriff in Haldimand to be $644, and the receipts $1,000; in Hastings, expenses $2,000, receipts $2,988: Lambton, expenses $1,220, receipts $2,900; Lanark, expenses $600, receipts $1,400; Leeds and Grenville, expenses $801, receipts $1,900; Lennox and Addington, expenses $645, receipts $1,500; Lincoln, expenses $860, receipts $2,400. Until the recent change was made in the Insolvency Law, a large amount of the work done by the sheriffs had been taken out of their hands, but of late their receipts had increased. The amendment would increase the difficulty and cost of making the return.

Mr. ROSS thought the object of the motion had been served by the discussion which had taken place.

Mr. MACDOUGALL said he had always objected to the multiplication of returns which no one read. It was not his duty and would be presumptuous on his part to submit a Bill to alter the constitution of our courts of law. The change he desired must come, if it ever came, from the Government. He could only bring the matter before the public, and he had never found anyone, in meetings of five or ten thousand people to whom he had put the question, rise and say he, as a suitor, had found the Court of Chancery a satisfactory court of justice. He was not opposed to the Court of Chancery or to many of its principles, but his point was that in England the great men, the great