

CORRESPONDENCE.

Glacier," *Nature*; with an instalment of "He who will not when he may," by Mrs. Oliphant, and the usual amount of poetry.

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Sheriffs' Fees.

To the Editor of THE LAW JOURNAL.

SIR,—In the February number of your journal I observe a letter signed "B" alluding to a pamphlet I have issued entitled "The Sheriffs' Petition with statement of grievances, &c." The letter contains several statements which call for a reply and corrections from me; but it is neither my intention nor desire to enter into a correspondence upon the subject; my book, with the facts I have gathered, is before the public, and in the hands of the Legislature, and I am ready and willing to give proofs of the correctness of any charges I have made before any tribunal selected for that purpose. For the present I only ask the privilege of inserting in your journal this letter with the correction of some mistatements which "B" has made, that are likely to mislead his readers, and which may be taken as a fair specimen of the correctness of "B's" criticisms throughout.

"B" demurs at my charging some legal practitioners with collecting Sheriff's fees and "much more," giving as his reason for denying that they do so, that, with the exception of Mr. Cahill, none have actually so named their overcharges; I argue that the overcharges in the taxed bills of cost which I have given amount to more than the legal fees and the Sheriff's fees combined; and, therefore, those gentlemen cannot claim that they served the papers for the sake of reducing costs to the litigant, though some of them have, in the House of Parliament, and through the press, declared that such was their sole motive; and from these premises, I think, I may fairly infer that the 9,317 writs and bills not served by the Sheriffs have been served by the attorneys, and for their own benefit. "B" is in error in saying that the transaction in the case of *Gearing v. Whipple* was between Mr. Cahill and my "own deputy." The per-

son whom he assumes to have been my Deputy was a young man who acted as clerk in my office—since dismissed.

Again "B" copies from my book showing that the fees on the 20,380 bills in chancery and writs of summons issued in 1876 would amount to \$43,744.95, and from this data (which is correct) arrives at the conclusion that had all the services in that year been made by the Sheriffs each of the thirty-seven would have received the average sum of \$1,182.92. "B" seems to have entirely forgotten the existence of such officers as bailiffs who must be kept and paid by the Sheriffs; there are upwards of forty of these officers constantly employed in the Province who, as a rule, are paid by receiving half the fees for process-serving; therefore we must deduct \$21,872.48 as the bailiffs' share of the fees, leaving the other half to be divided amongst the Sheriffs, giving each an average of only \$591.46, instead of \$1,182.48 according to "B's" calculation. But whether \$591.46 was not the actual average received by the Sheriffs, in consequence of the fact that the number of bills in chancery and writs of summons, no less than 9,317 were served by others than the Sheriffs. The fees belonging to these 9,317 bills and summonses would have amounted to \$20,506.05 which must be deducted from the \$43,744.95, leaving only \$23,238.90 as the gross receipts received by the Sheriffs for process-serving in 1876. From this sum deduct one half for bailiffs' services, and we have left \$11,619.45 for the Sheriffs themselves, an average of \$314.03 instead of the large sum of \$1,182.95 as stated by "B." "B" has kindly undertaken to enlighten myself and the public as to the amount of fees I would have received had I served all the 1,346 bills and writs of summonses issued in Wentworth in 1876. He shows correctly enough from my own book that the serving fees on these papers would have amounted to the sum of \$2,755.75; but here again he overlooks that one-half of this sum would have been paid the bailiffs for serving them, reducing my share to \$1,388.85, but not more than half of these papers were issued for service in this county. But if that half had been served,