

which Courts of Justice are established. At present the interposition of the Sheriffs is injurious, not only because they have that monopoly, but because, from their wealth, and their station in life, they can never be expected to promote economy, or personally to take any pains promptly and effectually to satisfy suitors. They are, in fact, above the details of the business of their office. By a fiction somewhat reprehensible, they are daily made to certify that they have themselves executed writs, which is notoriously untrue: but unless it be desirable to give those gentlemen a pretext for claiming the prodigious income which they annually receive, there is no cause for resorting to any fiction whatever. On reference to Mr. Coffin's evidence, it will be found that every writ is entrusted to a Bailiff, every service performed by a Bailiff, and that each of these Bailiffs, having given good and sufficient security, the Sheriffs are not exposed to any danger, and have in fact never suffered any loss. Now, it were surely practicable to make the Bailiffs give security to the public, and to dispense with the circuitous, cumbrous, and expensive course, and machinery, out of which the Sheriffs make so undue a profit.

Though every Defendant, condemned to satisfy his Creditor, is allowed a delay of fifteen days after the date of Judgment, Your Committee are unanimously of opinion that the Sheriffs, who are mere depositaries, have no right to claim any delay whatever. It would seem that but for the use to which they apply the public funds, and the profit which they thereby make, they would have no reason for refusing instant obedience to the Orders of the Court. But whether they be or be not allowed to use the public funds as their own, it is the unanimous opinion of Your Committee that the Sheriffs are bound to satisfy, at sight, every order or judgment of the Court enjoining them to pay.

According to the evidence adduced before them, the duties devolving on the Sheriffs have been negligently and ill performed. Those gentlemen do not reach their office in time; they are both often absent during office hours; they withhold funds which they should pay; they put both Bar and suitors to daily inconvenience and loss. The division and internal arrangements of that office are represented to be not only unusual, but offensive, and the department of Mr. Coffin, who is stated to be the acting and managing partner, is proved to be habitually, and even intentionally, insulting. There is indeed evidently but too much reason to complain, not merely of his unaccommodating and insolent conduct, but of his avidity, verging upon, if it does not quite amount to, extortion.

The enumeration of the duties devolving on the Sheriffs, furnished by Mr. Coffin, is ingenious, but it rests on no solid foundation. In point of fact, excepting only their attendance in Court, and the subscription of their signatures, they themselves perform no single

act. The list furnished by Mr. Coffin is long, but the details are all managed by mere Clerks of ordinary capacity and acquirements. Mr. Coffin has made some parade of the title deeds which he declares the Sheriffs to have been engaged in signing. This is the naked fact, but it is so worded as to imply much more, and he has omitted to state, firstly, that they were not indispensable; and secondly, that the Sheriffs were well paid for so signing them. As it is the Law which grants the title, and not the Sheriff, a copy of the Writ of Execution and Sheriff's Return, at a cost of five shillings, would suffice; but the Sheriff's charge is, in some cases, twenty shillings, in some as much as thirty shillings for a deed. Now, this deed is a mere printed form, applicable to every case. It contains blanks for the name of the cause, of the purchaser, of the description of the property, of the price, and of the dates. As these blanks can be filled, and are always filled up by a mere Clerk, and as the Sheriffs merely subscribe their names, it is quite clear that Mr. Coffin was not justified in laying upon this act all the stress he has done. The same remark would apply to all the official acts enumerated by Mr. Coffin, and it cannot be too often repeated, that the Sheriff's functions, in civil cases, are all much of the same character.

Their income certainly seems to be, even on their own shewing, quite out of all proportion to the services they render, as well as to the circumstances of the country. It is a fact, which was brought by Petition under the notice of the Court in the year 1839, but that Petition was followed by no results, and there is reason to apprehend that, unless Your Honourable House should be pleased to interfere, that income will not be reduced.

Under these circumstances, Your Committee cannot hesitate to conclude that the Sheriffs do not deserve to retain so large an income, wrung, as it is, from the scanty means of the poor and the unfortunate. Your Committee are prepared to maintain, too, that the members of the Profession, the suitors, and the public at large, have an undoubted right not only to expect from every public officer a due degree of readiness and zeal to discharge his duties, but the utmost courtesy.

Your Committee are also of opinion, that the exorbitant and prodigious income of the Crier and Tipstaff should be reduced, and Your Committee are of opinion that £100 per annum for the first, and £75 for the second, would be amply sufficient.

If the excessive emoluments of those parties, as well as of the Sheriffs, were reduced, they might be applied to the erection of a Court-House with great and lasting advantage to the community.

Such are the points upon which Your Honourable House is respectfully invited to determine.

The whole, nevertheless, humbly submitted,  
A. GUGY, Chairman.