

The \$17,350.37 gave me an average yearly income since 1881 of \$2,168.79; and the Lawyers received a yearly average of \$1,449.40. Both amounts make \$3,618.19, the net income I received in 1876, 1877 and 1878.

While Mr. Mowat's Act is of great assistance to myself and many other Sheriffs, it is of little value to the smaller and poorer Counties where they have very few prisoners to discharge, and very few sittings of the Judges' Criminal Court. There is but one way to do justice to all Sheriffs and protect litigants, and that is to repeal those unprecedented specimens of Legislation known as *Sec. 1 and 2 of Order VI. of the Judicature Act of 1881*, under which the Government rewarded the transgressors of the law, punished the Detective, and legislated the fees of officers appointed by themselves into their own pockets and into the pockets of other Lawyers. No other country presents such a specimen of Legislation. The only way to protect litigants and Sheriffs is to secure to the Sheriffs the serving of all Writs of Summons and Subpoenas, and then provide that the Sheriffs in the wealthier Counties shall contribute certain percentages of their incomes to increase the incomes in poorer Counties as proposed in my Bill. Even if the Lawyers had the serving of Process prior to 1877 when I obtained their tariff of fees, would it be defensible to let them continue the services after that date, when I discovered that a law firm (of which a member of the Government is a senior partner) charged and collected \$10.40 for issuing and serving a County Court Writ of Summons, on which there was no mileage. Of the \$10.40, \$4.75 was their own proper fee for issuing the Writ, \$1.55 would be the Sheriff's proper fee for serving the Writ, and the balance (~~\$2.10~~) belonged to the person served. Thus the firm, in addition to the \$4.75 belonging to themselves, collected a further sum of \$5.45 ⁶⁵ belonging to the Sheriff and the person served. Should Sheriffs and litigants be subjected to such treatment? As the law stands the Sheriffs of Ontario are placed in a most humiliating position. Instead of receiving Writs and Subpoenas as a matter of right, and serving them as part of their duty, these papers under *Sec. 1 of Order VI.* are placed in the hands of the Lawyer to give, or withhold and serve them himself if he chooses to do so, and at his own tariff of fees. Such was not the practice until recently in Ontario. In England, Scotland and Ireland all Process are served by the duly appointed officer of the Court. It was so in Ontario