

offensive and grossly insulting to me. My clients were paid on their second journey to town.

*Charles Drolet, Esq., Advocate, called in, and examined :*

43. Can you give to the Committee any information upon the subject of reference?—These Sheriffs do not appear to me to devote that attention to their duties which the public has a right to expect from them; they are often both absent at the same time during business hours. I have also repeatedly called before eleven in the morning, and never found either of them in their office, nor do I believe that they ever attend until after that hour. I would state also that in that office the public are not treated with that courtesy to which they are entitled, nor has the appointment of a second Sheriff been attended with any of those advantages that might have been, and perhaps were expected. On the contrary, since that appointment, both of them have been very lax in the performance of their functions. It would appear indeed that Mr. Boston transacts in that office only his own private business, and that Mr. Coffin is exclusively charged with the public business. On application to Mr. Boston upon any subject, however simple, he has invariably referred me to Mr. Coffin, and in money matters Mr. Boston never interferes. He seems entirely to submit to Mr. Coffin, and as to that important branch of the Sheriff's business, we have in fact but one officer. This creates great inconvenience to the public, for Mr. Coffin resides out of town, and is seldom at his office in the morning before eleven or twelve at noon, and very often not at all. I have called with clients for money, and been told Mr. Boston was out of town, and that Mr. Coffin had not come in. I have repeatedly returned during the day in the hopes of seeing Mr. Coffin, but in vain. I cite the case of Mr. Bonneau, of Laprairie, as an example. In this case, as in many others, I had called after the expiration of the fifteen days of delay which they unjustly claim before paying deposits in their hands. A poor blind man from St. Césaire, led in by another, came to the Sheriff's office for some three or four pounds for which he had the order of the Court upon the Sheriffs, but both the Sheriffs being absent this man could not be paid. Mr. Kureczyn, a clerk in the Sheriff's office, wishing to spare the man a detention over night in town, begged of Mr. Monk, one of the Prothonotaries, to lend him the money, but unfortunately could not obtain it. This man was not my client; it was only by accident that I witnessed the fact. To exhibit the spirit in which the Sheriffs act, I shall cite the case of Mrs. Langlois, who was my client. Being ill-treated by her husband she obtained a separation, and upon the sale of the husband's effects the proceeds were to be paid to her, less the costs. Her claim being established by the *notary practitioner*, she bought in almost all, and under these circumstances she did not pay the price in cash, but gave to the Sheriffs the most undoubted security to pay. This was to cover the possibility of oppositions adverse to her being *fyled*. However, none were *fyled*, and the Court ordered the proceeds to be paid to her. When she presented her order to the Sheriffs to be exchanged for the bail bond, Mr. Coffin affected to consider that he had lent her money, and he charged her (over and above all fees incident to the bond) the sum of thirteen shillings and ninepence currency, or thereabouts, for interest, as if he had lent her the money, which he had not. The Sheriff also, having the patronage of the bailiffs (which the bar should have), put the parties to great expence, which might be saved upon executions. In some cases I have known enormous unnecessary expenses incurred by

the Sheriffs, as much as one-fourth of the proceeds of the sale has been thus absorbed. I can cite a case; it is that of Titus and Layin, St. John's. I have been told that as much as seventy pounds of expenses has been incurred for selling a piece of property. This might be done much cheaper, if the Sheriff did not interfere or could be dispensed with.

The kind of bar and box, with a sliding pannel, behind which Mr. Coffin places himself in the Sheriff's office, is always ridiculous, and sometimes offensive,

It is my opinion that the crier and tipstiffs are most unreasonably and exorbitantly paid. I know from the latter himself that he has made in some years as much as seven hundred pounds; whereas seventy-five pounds would be enough for such a man in a purely menial office, and at the utmost the crier might have a hundred and twenty-five pounds to pay these salaries.

The public is taxed five shillings on every writ, and large sums upon judgments of distribution for the payment of moneys; they also get a shilling upon every witness examined in Court.

TUESDAY, 3rd April, 1849.

*J. Romuald Cherrier, Esq., examined :—*

44. Can you give any information to this Committee respecting the Sheriff's Office?—In the cause, No. 122, of Jean Baptiste Cadieux dit St. Pierre, and divers opposants, the Sheriff had sold three lots of ground, and returned into Court, on the 17th October last, a sum of £72 6s. 6d. currency, as being the amount derived from the sale of the Lots Nos. 2 and 3, and had made out a return of *folle enchère* against one Ambroise Pelletier, who had bought the lot No. 1, for the sum of £43 currency. I represented three privileged creditors, opposants in the said cause, and who, together, were to have the greatest portion of the money returned, in part payment of the amounts due them. My clients, consequently, were interested in there being only one judgment of distribution in order to avoid costs. I *fyled*, on the 16th October last, in the office of the Prothonotary of the Court of Queen's Bench for this District, during the sitting of the Court, a motion *de droit*, upon which a rule of the said Court intervened the same day, authorizing the Sheriff to withdraw his first return, and to add thereto immediately a supplementary return of the amount derived from the sale of the said lot No. 1, which had been paid, in the interval, by the purchaser. I immediately took the said rule to the Sheriff's Office, and one of the Clerks thereupon prepared the supplementary return in question, dated 16th October last, in conformity with the said rule, but when it was presented to be signed, to William Foster Coffin, Esquire, one of the Sheriffs, he went off to the Prothonotary's Office, and reproached them severely for having issued the said rule on a motion which had not been directly made to the Court. The Prothonotaries having replied to him that the motion and rule were *de droit*, according to the ordinary practice of the Court, the said W. F. Coffin, Esquire, persisted in his refusal to conform thereto, or to make a return as required. To please Mr. Coffin, who had also attempted to reprimand me, pretending that I was wrong in thus acting, and particularly in the hopes of obtaining the distribution of the said moneys in the October term, I next morning renewed the motion in petition before the said Court, which was granted as *de droit*, and I hastened again with the said order to the Sheriff's Office, and begged of him to sign his return, which was already prepared as before mentioned, and to send it immediately to the Prothonotary's Office, as it was the last day, in accordance with the Rules of Practice, for obtaining