

tions. We, however, can only be reimbursed our disbursements after the land has been sold and the price thereof realized. The costs and charges of the sale are deducted from the amount so realized. But it often occurs that the sale does not take place, that the plaintiff's attorney suspends the sale, or proceedings are stopped by opposition, which in the not unusual process of tedious litigation may remain undecided for years. In these cases, having made the disbursements, we too must await the decision of the Court before we can be reimbursed or reimburse ourselves. The effect of this practice has been, until within the last few months, to make the public our debtor to the extent of some £450 and upwards. Within the last year or fifteen months, we have adopted a different course, and have declined paying the printers except in cases wherein the sale has been made and money realized, or wherein, in the case of suspension, the costs have been paid to us. Thus far the printer of the *Quebec Gazette* has acquiesced in this course, from an assurance, or an impression of assurance, that the deduction of the unpaid cases is only a delay, that the arrears, in the course of time, will be paid to us and handed over to him, but if any sudden change takes place in his office, as appears just now to be contemplated by the Legislature, the question may and possibly will be raised by him, or his representatives, as to our immediate liability towards him, to an amount, I should say at this moment, of at least £250 currency. I wish the Committee to understand that I do not complain of these responsibilities. As far as I am concerned, I assumed them with the emoluments of the office; I only cite them to show that responsibilities do exist, and that these responsibilities are conducive to the convenience of the public.

SATURDAY, 31st March.

*René Auguste Richard Hubert, Esq., Advocate, examined:—*

40. Can you give to the Committee any information on the subject referred to them?—I know that when parties have recovered judgment, and presented themselves at the Sheriff's office with their rules of Court, ordering the said Sheriffs to pay them the amounts allowed them by the Court, they have been put off by them to some later period. This has very frequently happened,—it is a notorious fact, that in all distributions the Sheriffs invariably insist on their right to a delay of fifteen days from the parties collocated; whether they come from a distance or reside near, it matters not. These gentlemen have made arrangements with each other, in consequence of which Mr. Boston never pays; he may be in the office, but it matters not, and if Mr. Coffin is out of the way, one must either wait or return another time, for Mr. Coffin alone is the cashier. It is certain that both these gentlemen are very frequently absent from their office, nor do they ever get there before eleven o'clock in the morning, I have even known Mr. Boston to be absent at his Seignior, while Mr. Coffin was at Boston, in the United States. This state of things has been a source of great inconvenience to parties engaged in lawsuits, particularly those residing in the country; there is not, however, the slightest chance of obtaining justice from the Court, for this reason, amongst others, that the distributions being made at the end of the Term, can only be presented to the Sheriffs during the Vacation; now there is no means of applying to the Court out of Term, and parties having to wait during three months, are obliged to submit to the Sheriffs. These gentlemen have also the means of retaining in their hands, the funds of private indi-

viduals. It appears that the Sheriffs are even interested in doing so, for they receive interest on these funds as long as they retain them in this manner; I have not the slightest doubt that the Sheriffs could advantageously be dispensed with in all civil matters. We have, it is true, two officers, but there is really but one Sheriff, for Mr. Boston appears to be completely under the control of Mr. Coffin, and interferes very little in the business of the office.

*David Rochon, Esq., Advocate, examined.*

41. Can you give the Committee any information relative to the Sheriff's office?—I was employed in the Sheriff's office previous to the appointment of Mr. Coffin, and continued in that office until about eighteen months ago. I cannot say that these gentlemen were very punctual in their attendance at the office. They were sometimes both absent during office hours; they often came to the office at eleven o'clock in the morning; I think the public must sometimes have suffered from their absence. Mr. Boston, however, came earlier than Mr. Coffin.

According to the rules of practice, the office should be kept open from 10 o'clock A. M., until 4 P. M. in Vacation; during Term it should be kept open from 8 A. M., to 6 P. M. These gentlemen had made an arrangement together, by which Mr. Coffin alone had the management of the moneys. Mr. Coffin's absence from office was therefore more felt than Mr. Boston's—for even when the latter was present, the judgments of distribution could not be paid unless Mr. Coffin was present. I have frequently heard complaints made in my presence of the delay required by the Sheriffs before satisfying the judgments of distribution. The reason Mr. Coffin gave was that he was obliged to examine the judgments before he could pay the different sums allowed; judgments sometimes came in requiring very minute examination, and I remember that, from not having examined with sufficient care a judgment of distribution that came in, the Sheriff once paid a sum which was not due. I do not recollect whether any complaints were made against Mr. Boston, individually. As to the Sheriff's returns now before the House, I cannot say whether they are correct or not, except that the amount of moneys mentioned in the account annexed to the return appears to me rather low; I must, however, say, that if it is not correct, it must be through an involuntary error on the part of the Sheriff.

*A. D. Dorval, Esq., examined.*

42. Can you furnish this Committee with any information on the subject referred to them?—I do not believe that the duties of the Sheriff are correctly fulfilled, and I will state a case, to prove how much the public suffer. In the case of "*Beaudry versus Trudeau*," and four opposants, judgment of distribution was rendered in January 1847; as usual a great deal of time was taken in preparing it at the Prothonotary's office, and the Sheriffs had had it several days in their hands, when I sent for my clients the four opposants, from the country, to receive the amounts for which they were respectively collocated. We went to the Sheriffs office and I addressed myself to Mr. Coffin in the name of the parties then with me, and requested him to pay them the amounts they were entitled to; Mr. Coffin told me plainly, that he had not time to pay them then, and put them off for eight days, the opposants are from St. Sulpice, and they were obliged to go home and return again. It is a pity that Mr. Coffin's manner and tone, cannot be described on paper, they were very