

SHERIFFS' FEES.

speak of one of the cases entitled *Suter v. Servos*; and it is said that the same procedure was adopted in other cases. A person calling himself Suter went to an attorney and instructed him to issue a writ against a person he called Servos, stating that the latter would, at a certain time, be at a place, then designated, and could there be served. The writ was issued accordingly, and the person pointed out as defendant was served by the attorney's clerk, as requested by the plaintiff, so as to save delay. The plaintiff, it appears, subsequently called on the attorney with the defendant, and stated that he had settled the debt with the defendant or something to that effect. The bill being demanded, the amount was paid. This bill with others was then submitted by Mr. McKellar, or by the plaintiffs, to taxation, not to the proper officer, but to the Clerk of the County of Waterloo, Mr. John McDougall, who, without any notice to the attorneys, and in suits in which he had no jurisdiction, assumed to tax the bills, and gave allocaturs. Mr. McDougall appears to have taxed off some items which would have been allowable in the counties where the writs issued.

We suppose the expense of getting up all this evidence cost a little money; at least we happen to know one Sheriff who declined to contribute to a fund which Mr. McKellar thought necessary to raise to further the object of this pamphlet.

Our readers can form their own opinion of one holding the high office of Sheriff, who could descend to such means to build a ricketty foundation whereon to erect a monstrous piece of legislation, unnecessary for the purposes assigned in it, unjust to the profession, and highly injurious to the public interests.

Passing over the alleged untruthfulness of the pamphlet, and the reckless-

ness of the affidavits used in it, we feel it a duty to enter a protest against the language used by one officer of the Courts when speaking of other officers, at least quite as much entitled to respect as himself. This language, from one in his position, is utterly objectionable from every point of view, and might fairly be characterized by a much harsher expression.

And again, it might have been hoped that when this pamphleteer accepted the high position of Sheriff, he would have left politics alone; but the reader cannot avoid noticing that most of the attorneys whom he has selected for vituperation, are men who, when he was in the arena of politics, were political opponents, whilst, in a fulsome manner, he apologises to a former ally for referring to his name, the latter being a member of the House, and one who was recently stricken off the rolls for disgraceful conduct. The manner in which the pamphlet has been distributed, is in keeping with this phase of its author's conduct. The pamphlet is apparently intended to give information on the subject in question to the members of the Local Legislature. But we are informed that it was sent only to those who had been, in former days, his political allies, and that it was not sent to any lawyer or prominent member on the other side of the House.

We had thought of suggesting that a person who could act in the way alluded to, is not a proper person to be, in the words of Blackstone, "the first man in his county." But there is a very serious question whether or not Mr. McKellar is in fact a Sheriff at all. He was appointed by the Local and not by the Dominion Government. Very high legal authorities hold the opinion that the appointment of Sheriffs under the British North America Act lies with the Governor-General, and not with the Lieutenant-Governor.