

a vessel to take them off the island, and a steamer was sent, which had to put back in distress. Being thus left to their own resources, and obliged to pass the winter on the island, they built a hut, partly with wreckage from the "Dufferin" and partly with fir trees growing in the neighbourhood. Their provisions were procured from parties on the island, and they used as fuel coal from the "Dufferin." It is needless to say that the winter was passed in great hardship, which was certainly not alleviated by the conduct of the plaintiff's employees on the island. In the spring, they again resumed operations on the wreck, and about the middle of May last, having hired a schooner, brought their salvage to Quebec, where it realized a net sum of \$2,800. Of this, by their agreement, they were entitled to half, which, of course, in no way remunerated them for their time and hardship. About twenty-four men were engaged in the work.

On the arrival of the schooner at Quebec the cargo was seized by Mr. Stockwell, on a salvage claim for \$2,000, and to meet this claim, the proceeds were lodged in court.

PER CURIAM. It is not pretended by Mr. Stockwell that he or his servants contributed in any way to the saving of this property. His pretension is that he is entitled to reward by way of damage for the use of his beach and island and for the trees which the sailors used in making their winter hut. These pretensions plainly establish no salvage claim at common law, but it was argued that, under the Dominion Wrecking act, damage occasioned to property was assimilated to salvage, and that under the provision of this statute, the plaintiff should recover them as such. Granting this to be the case and that this court has jurisdiction—a point on which under the view I am about to take I pronounce no opinion—I still hold that the plaintiff's case fails, for the simple reason that he is not proved to have sustained any damage whatever. Merely placing a few tons of cargo on a rocky beach, miles away from any settlement, has caused him no injury, nor has any witness in the case ventured to affix a money value on the trees taken by the salvors to build up their refuge during the winter. Mr. Stockwell has not

been rendered a penny poorer by the salvage operations in question, and it was never intended by the Act that the mere fact of the ownership of a coast, on which salvage operations were being executed, should entitle such owner to compensation. I accordingly dismiss Mr. Stockwell's action with costs, and pronounce the salvors entitled to remuneration according to their agreement.

Action dismissed.

Pemberton & Languedoc for F. W. Stockwell.

Cook, Q.C., Pentland and *A. H. Cook* for the salvors and owners of the Brooklyn.

FEES AND PRACTICE.

A learned and able advocate, lately sent on a foreign mission, after a fine career in practice, in which he acquired a fortune, once told me that he began by low fees and gauged his charges in proportion to the ability of the client to pay, and the benefit derived from his services. His method of stating his bill was quite taking. To the question of "How much will that be?" he would say; "It will depend very much on the work required, say \$50 a day, with one day in advance for looking up the facts before trial." "I will give you a receipt for a part of it now if convenient." Thus he decided for the halting client and settled the whole matter; striking while the iron was hot and pleasing his customer. Ten dollars for justice cases, and \$30 per day for the Circuit and \$50 for Supreme Court, with extra for outside cases, were his first fees in a city practice—a fair rate for young lawyers.

In fixing counsel fees he was equally skillful. "We'll make it \$10—if that will be about right!" or "You may write me a check for a hundred," or "You may leave me \$5, if you have it handy," in such a mild form his money would be cheerfully paid over and he never failed to treat the subject with delicate courtesy—leaving room to revise his charges if required by a stubborn client, but generally saying to such, "O, yes, certainly, you can hire such lawyers, but I am too busy at present to take very low priced practice." This is an instance of a wise man's course. Law practice opens many doors of paying