

18th December, 1844.

Present :

Hon. W. Walker,
 Hon F. W. Primrose,
 John Duval, Esq.,
 Henry LeMesurier, Esq.,

The new Merchant Seamen's Act of the 7th and 8th Victoria, c. 112, was read and considered. The Report, with a slight alteration and addition was concurred in.

(Signed,) GEO. IRVINE.

Clerk to the Commission.

The foregoing is a true copy of our proceedings.

(Signed,)

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WM. WALKER,
 F. W. PRIMROSE,
 J. DUVAL,
 H. LEMESURIER.

QUEBEC, 21st September, 1844.

GENTLEMEN,—I have the honor to acknowledge the receipt of your letter of the 19th instant, requesting me to communicate to you my opinion as to the amount and scale of fees to be allowed to the Officers of the Vice-Admiralty Court for Lower Canada, for the services which they perform, with such suggestions in reference to the subject as might appear to me useful towards the duty which has been cast upon you.

The subject is one which I have found to be of peculiar difficulty. Important as the functions of the Court are, as connected with the administration of one uniform system of Maritime Law throughout the Empire, and taking cognizance, as it does, of Revenue cases concurrently with the Courts of Supreme Jurisdiction within this Province, the majority of the cases tried before it involve, however, but small pecuniary amounts. A Table of Fees producing an income corresponding with the rank in life which the Registrar and Marshal of the Court must be, and affording to them an adequate remuneration for the services which they are called upon to perform, would press with undue weight upon the trade of the port. I would submit, therefore, the expediency of allowing the Registrar and Marshal a moderate salary each, in addition to the fees to be allowed them, those fees to be graduated on a scale not to be burthensome to the trade, and sufficient, with the addition of such salary, to afford them an adequate remuneration. In this view of the subject, I conceive that a salary of £100, sterling, to the Registrar, and £50, sterling, to the Marshal, per annum, would be reasonable. If this suggestion should meet the views of Her Majesty's Government, the draught of a Table of Fees, which I have the honor of submitting herewith, would, with these salaries, I should hope, attain the object contemplated.

It will be seen in the proposed Table that it differs from the preceding Tables, in allowing no fees to the Judge. This omission is made advisedly, and on the conviction, founded on past experience, that the Court cannot have that place in the confidence of suitors and of the public which it ought to possess, if the Judge received fees.

I have the honor to be, Gentlemen,

Your most obedient humble servant,

(Signed,)

H. BLACK

To The Honorable William Walker,
 Francis Ward Primrose,
 George Pemberton,
 John Duval, and
 Henry LeMesurier.