

port with the just rights of all classes of His Majesty's subjects and to withhold from the Judge the annual allowance granted by His Majesty in lieu of Fees, until he shall have discontinued the exaction of Fees.

Wherefore, your Memorialists, confiding in your Excellency, humbly pray that your Excellency may be pleased to take the matter into consideration, and grant such relief as to your wisdom may seem meet, and your Memorialists as in duty bound, will ever pray.

Quebec, 9th December, 1828.

A true Copy,

H. CRAIG, S cretary.

[B.]

To His Excellency Sir James Kempt, G. C. B. Lieutenant Governor and Commander of all His Majesty's Forces in Upper and Lower-Canada, &c. &c.

The undersigned Judge of the Court of Vice Admiralty, in answer to the complaint of abuses in that Court, preferred by certain gentlemen calling themselves a Committee of Trade, has the honor of submitting to His Excellency, the Administrator, the following observations :

1st. This Committee, who profess to represent the British Ship-Owners appear to think, that Courts of Vice Admiralty are established exclusively for their convenience and advantage, when it is known, that they were created principally, for the care and benefit of seamen and seafaring person, who are in no degree represented in this Province.

2ndly. The Committee, to give color to their complaint, are pleased to say, that great abuse is committed in the Judge granting permission to seamen to sue as paupers, and that *all* such suits are brought in *form  pauperis*. In order to see how far these gentlemen are correct in this grave accusation, the undersigned has caused search to be made in the Registry, and he finds, that of fifty four suits commenced this present year, in thirteen of which the Judge had no fees, twenty eight were Pauper cases ; the other twenty six were prosecuted in the *usual* way. Of the twenty eight causes wherein the Judge gave permission to the Petitioners to sue, as paupers, there appear seven in which the undersigned had no interest whatever, they being in the first class of the Tariff wherein the Judge has no fees allowed him.

3dly. As to pauper suits being more frequent in this Court than in His Majesty's Courts of Common Law, the undersigned has to observe, that this arises from the suitors in the Vice Admiralty Court, being mostly indigent men and strangers. The late Trade Acts contain a formal recognition of this practice, and indeed if seamen were not permitted to sue in *form  pauperum* when they state a strong case of hardship, on oath, before the Judge, the doors of Justice would be shut against him. The undersigned may refer to two recent cases in which neither justice nor humanity would have been considered, if permission had not been granted to sue *form  pauperum*. The first is
that