

£400, per annum, and this, notwithstanding the reduction in the number of cases which the Tariff would occasion; the number of cases would then amount to about 300.

I am of opinion that the fees proposed by the same Tariff for the Marshal are upon too high a scale.

I am decidedly against any fees being allowed to the Judge: public opinion is opposed to it. The present salary of £200, sterling, is totally inadequate to the duties and dignity of a Judge.

Letters were directed to be addressed to Messrs. O. Stuart and Macguire, requesting their attendance on Friday, the 6th instant.

6th December, 1844.

Present :

Hon. Wm. Walker,
 • Hon. F. W. Primrose,
 J. Duval, Esq.,
 Henry LeMesurier, Esq.

John Macguire, Esq., of Quebec, Advocate, attended, and gave the following testimony :—

I have practised in the Vice-Admiralty Court at Quebec for ten years; I have examined the Tariff of 1832 established by an Order in Council, and I have also witnessed its effects on the Vice-Admiralty Court at Quebec. I am of opinion that it is too high for the ordinary class of cases there which are for Seamen's wages, but for cases of Salvage, Collision and others of like importance I do not consider it too high. I have examined the Table of Fees proposed by the present Judge of the Vice-Admiralty Court at Quebec, and in my opinion the fees proposed for the Advocates and Proctors are reasonable. The great majority of cases brought before the Vice-Admiralty Court at Quebec are instituted for the recovery of Seamen's wages; I think that it would be desirable that there should be a separate Tariff for Seamen's wages, subject to the provisions contained in the Merchant Seamen's Act. As to the Registrar and Marshall, I am of opinion that they ought to be paid by a fixed annual salary, and not to be allowed fees on any proceeding whatever. I should consider £250, sterling, a year, an adequate remuneration for the services performed by the Registrar, and £150, sterling, for the Marshall, this latter sum in lieu of fees for all proceedings whatever, his disbursements not included; the Registrar to be allowed also a moderate fee for copies of all documents that are asked for by the parties, not including copies of proceedings served on either party during the prosecution of a suit.

I think that the payment of a fixed annual salary in lieu of all fees has a tendency to increase the number of suits, as it affords a greater facility to suitors. I am of opinion that the fees proposed by the present Judge to be paid to the Registrar without any fixed salary would afford an adequate remuneration for his services. As to the Marshal, I consider the fee of 18s for the execution of a warrant to be excessive. I am of opinion that one-half, namely, 9s, would be sufficient, allowing him his disbursements. As to the Judge I am of opinion that he ought to be paid by a salary without fees: the same reasons that exist against allowing fees to the Judges of the Common Law Courts apply to the Judge of the Vice-Admiralty Court.

I have seen the Tariff of Fees sent out by Lord Stanley to His Excellency the Governor General, and I prefer the modification of it, as proposed by the present Judge of the Vice-Admiralty Court. In my opinion, if a Tariff were established the number of cases would be reduced to about two hundred annually.