

## SESSIONAL PAPER No. 18

therewith, for the express purpose of remedying an Abuse which prevailed in the method of transacting Business in Council.<sup>1</sup>.....

With respect to the ordinance for regulating Fees, it is, and ever will be an object of our Earnest attention, that no exorbitant Fees be exacted by the Civil Officers in His Majesty's Provinces, by which his Subjects may be aggrieved; and We therefore applaud the Measures you have taken to prevent such a practise. As to the Attorney General, when we consider, that his Salary is double what was heretofore allowed for that office; and that he is by the Ordinance allowed to take, in his private practise, one third more fees, than are established for other practitioners, we are of opinion he cannot with Justice think himself Injured; nor shall we countenance any improper or ill founded Complaints or Claims made by him, or any other of the parties Concerned. as the ordinance is to continue for two years, you will have time, as you observe, to experience, what good Effects it may be attended with; and We therefore recommend it to you not to let this Salutory regulation then expire with the Ordinance; but to induce the Council to re-enact the same, as it now stands, or with such Alterations as you and they may think it expedient to make therein in due time.

We shall now proceed to the last head of our Consideration, as to the additional Instruction, proposing a Regulation in the Courts of Judicature,<sup>2</sup> from some expressions in your Letter we are led to suppose, that the Legislative Council might look upon the proposed Regulations, as a measure proceeding from the application or interference of M<sup>r</sup> Livius, It is therefore incumbent upon us to inform you, that was not the case; That it proceeded entirely from a wish of His Majesty's Ministers to render the Office of Chief Justice, as generally and extensively useful to his Majesty's Subjects in Quebec, as possible; & to prevent the frequency of Appeals; and the regulations recommended in the instruction were Judged the most likely to answer the end proposed.

If in any instance the Methods to be adopted were not thought sufficient for that desirable purpose, his Majesty's well known intention, that every measure, proposed for the good of His Subjects, should be effectual in its operation, would have induced him to have paid the utmost attention to any respectful application of the legislative Council on that head: However as they have considered his Majesty's Gracious Intentions in this respect upon a different ground; If the conveniences, which have arisen for the present mode of proceedings in the Courts of Justice, should continue, they alone are blameable for the Consequences.

Sensible as we are of your merit, and the purity of your intentions, it is painful for us to proceed to the consideration of your not communicating to the legislative Council the general Instructions, which you were particularly directed to do by the additional Instruction<sup>3</sup> transmitted to

<sup>1</sup> The section which follows, dealing with the regulation of prices, is omitted.

<sup>2</sup> See p. 706.

<sup>3</sup> See p. 705.