

(No. 2.)

(Copy.)

JUDICIAL AFFAIRS.

No. 63.

Quebec, 17th May, 1829.

Sir,

In connection with my Despatch of this date, (No. 62,) on the subject of the Court of Vice Admiralty, I think it proper to transmit to you the enclosed Copy of a Letter which I have received from Mr. Justice Kerr, the Judge of that Court, stating the course which, in his opinion, would place the Court on a footing of respectability, and remove the present subject of complaint. You will observe that he proposes that the same rank and salary should be assigned to the Judge of the Court, as is enjoyed by the Puisné Judges of the Courts of King's Bench in the Province, and that in lieu of Fees, in all suits for Seamen's wages *alone*, there should be paid to the Registrar, a salary of £150 a year. (Page 3 and 4.) You will also see that Mr. Justice Kerr declares his wish to retire from the Court of Vice Admiralty, and also, to resign his seat as a Puisné Judge of the Court of King's Bench, (page 5,) and he expresses a hope, that in consideration of his services, he may be allowed to do so on the full salary of both situations, viz: £1100 sterling, per annum; but it is unnecessary for me to add, that, however desirable the measure may be that he proposes, or whatever claims he may have for such a retirement, there are no Funds in this Province by which either object can be effected.

I have the honor to be,
&c. &c. &c.

(Signed,) JAMES KEMPT.

The Right Honorable
George Murray, G. C. B.

[E.]

Quebec, 25th February, 1829.

Sir,

Your Excellency having expressed a desire that I should give my opinion as to the course to be pursued to remove the causes of complaint against the Court of Vice Admiralty, and to render that Court more commodious and efficient, and it may not be improper before giving my opinion, to lay before Your Excellency the circumstances which have given rise to the representation of the Board of Trade at Quebec.

The Court of Vice Admiralty was erected at Quebec soon after the establishment of the Civil Government in the year 1764, and in 1769, a Salary of £200 per annum was granted to the Judge, as well as to each of the Judges of the Court of Common Pleas at Quebec and Montreal. The latter Judges having been raised to the higher offices of Judge of the Courts of King's Bench, which were created in the year 1794, their Salaries were augmented to £500, and in 1801.