

10thly:—The Committee have omitted nothing to overcharge the complaint they have preferred, for they state, “that the party in whose favor a suit is determined, should be condemned to pay all the costs of the suit, seems irreconcilable with the first principles of reason and justice, and constitutes a degree of hardship, not to say oppression, calculated to excite complaint.” They omit to name the cause in which “reason and justice” have thus been so grossly violated. Is this the case of the *Hope*, before referred to? or if that, or any other, why did not the aggrieved party appeal to the High Court of Admiralty? They also are pleased to refer to the facilities afforded for litigation in the Court, and the disobedient and disorderly conduct of Seamen at this Port: but may not these complaints more justly be attributed to the vast number of Public Houses in this City, which bear no proportion to other Towns; to the cheapness of spirits, and to the bounties afforded to Seamen to take home ships which are built in Lower Canada, than to abuses in the administration of justice in this Court?

Eleventhly:—It will scarcely be believed after perusing these heavy complaints against the Judge and Officers of the Court, but is it no less true, that the whole Fees received by them collectively, have for these two last years not exceeded £700 per annum. And in so far as respects the Judge particularly, it would be highly gratifying to his feelings were the practice of taking Fees abolished and a Salary granted to him, to maintain that rank and importance in the Colony, which was originally assigned to him, and that is now so necessary, when every Judge subordinate to him, has nearly three times the Salary he receives, to give weight to his decrees.

Lastly—As to a recommendation by the Governor to the Legislature to regulate the *quantum* of Fees to be taken in this Court, as is suggested by the Committee, it would ill become that respect which the undersigned entertains for His Excellency, were he to express dissatisfaction at any course which His Excellency might be pleased to adopt, in order to grant the relief prayed for: but in justice to the Court, and those its suitors, who are not represented in this *ex parte* statement, he begs leave to observe, that the Court of Vice Admiralty is a *British* Court in which are administered the Maritime, and the Trade and Revenue Laws of the Empire, and that it may be doubted how far a Colonial Legislature is *sufficiently informed*, or disposed to place it on a footing so as to carry into full effect the object of its creation. Certain it is that the Courts of Vice Admiralty have for nearly one hundred and fifty years, been unpopular on this side of the Atlantic, and this is not to be wondered at, considering their constitution and the nature and extent of their jurisdiction. A Court consisting of a single Judge, to whom is entrusted a power to inflict penalties and forfeitures to a large amount, and that too, without the aid of a jury, and that is daily called upon to attach and detain ships ready to proceed to Sea, and on board of which there may be the property of hundreds, who have no interest in the matter in contestation, is not calculated to become an object of respect of Gentlemen who often smart under its authority, nor can the cause of complaint against the Court be otherwise than increased considering that all other Judges in the Province, are placed in a situation of much more respectability than the Judge of the Vice Admiralty Court. The undersigned finally takes leave to refer to the concluding resolution moved by the late Mr. Burke, at the close of his speech in conciliation with America, viz: “That it may be proper to regulate the Courts of Admiralty, or Vice Admiralty, in such a manner as to make the same more commodious to those who sue, or are sued in the said Courts, and to provide for the more decent maintenance of the Judges of the same.” And
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