

same Act, retain all their former powers over such appointments; and it might, therefore, be desirable that the attention of the Judge of the Vice-Admiralty Court of Prince Edward Island should be called to the facts stated by Mr. Des Brisay, with a view to such explanations being obtained as the circumstances of the case would seem to demand.

With a view also to prevent the recurrence of such a circumstance, it might be desirable to inquire whether the practice which now prevails in the High Court of Admiralty might not with advantage be introduced into the Vice-Admiralty Court, namely, that the Marshal shall pay the gross proceeds of any property which he may have sold, as soon as he receives them, into Court, and that the amount of his fees and disbursements should afterwards, on taxation, be paid out to him, out of the fund in court. This would effectually prevent moneys being retained an undue time in the Marshal's hands, and would materially expedite the final settlement of these matters, as the Marshal would be only too anxious to obtain the repayment to him of his fees and disbursements.

The Secretary of the Admiralty,
&c. &c. &c.

I have, &c.,
(Signed) H. C. ROTHERY,
Registrar.

Vice-Admiralty Court, Prince Edward Island, Registrar's Office,
November 29, 1871.

SIR,

I HAVE the honour to inform you that there remains at date, in the Registry of this Court, the sum of 338*l.* 19*s.* sterling, nett proceeds of sale of schooner 'Clara F. Friend,' captured by Commander James O. Poland, of H.M.S. 'Plover,' in the month of October, 1870, for breach of the Fishery Treaty between Great Britain and the United States of America, and condemned by this Court. The regulations of the Court require that the proceeds shall be paid to the Senior Commissariat Officer in the Colony.

As there is no officer of the Commissariat Department in this Island, will you kindly inform me to whom the money shall be remitted.

Much trouble has been experienced in settling the Marshal's bill of disbursements and fees, for payment of which he retained a large amount of the proceeds of the sale in his hands; after his bills were taxed he still neglected to pay in, and it was only after being threatened with an attachment out of Court that he paid in *an instalment* of the amount, taxed from his bill. The balance he paid in *to-day*.

He has acted in the same way in the case of the 'S. G. Marshall,' seized by Captain Hardinge of the 'Valorous,' and the Advocate-General who conducted the prosecution against that vessel has to day given him notice that an attachment will issue against him.

In the case of the 'Foam,' seized by Captain Hardinge, the sale did not realize enough to pay expenses. I will forward the bill of costs in the case of the 'Clara F. Friend,' as soon as I possibly can.

I have, &c.,
(Signed) W. C. DES BRISAY,
Registrar.

The Registrar of the High Court of Admiralty,
London.

Vice-Admiralty Court, Prince Edward Island, Registrar's Office,
Charlottetown, December 1, 1871.

SIR,

I have the honour to acknowledge receipt of your communication of 3rd November, relative to an application made by Captain Hardinge, of H.M.S. 'Valorous,' for information respecting two schooners, 'S. G. Marshall' and 'Foam,' condemned last year in this Court, and sold at Charlottetown, but of which Captain Hardinge states, that notwithstanding repeated applications, he has not been able to obtain any particulars from the Attorney-General of the Colony, who conducted the prosecution of the cases.

I may observe that the Attorney-General who conducted the prosecution of the cases informs me that he received but one letter from Captain Hardinge asking for information, to which he replied by next mail.

You request to be furnished as early as possible with the taxed bills of cost in the cases of the 'S. G. Marshall' and 'Foam,' and also with a return of these and any other prize proceedings which may have come before the Court.

I have found it impossible to have the bills of cost prepared in time for transmission by this mail, for although the costs of the proctors have been taxed for sometime, the bills of disbursements and fees of the Marshal have scarcely been settled, and it is not unlikely that the Advocate-General may yet have some trouble before he can remit the money.

I beg to enclose a return such as you request, and by next mail I shall send you the taxed bills of costs in the cases mentioned; in the return you will observe by this that there remains the sum of 59*l.* 8*s.* 4*d.*, to be paid in by the Marshal in the case of the 'S. G. Marshall'; he has promised to pay this in on the 5th instant; an amount of 20*l.* is due to him in the case of the 'Foam,' all that was realized by the sale of that vessel and her cargo being 53*l.* 7*s.* 8*d.*

I have, &c.,
(Signed for the Registrar) WILLIAM C. DES BRISAY.

The Registrar of the High Court of Admiralty,
England.