

proportion between the business in the Court of Vice Admiralty, and that in the Court of King's Bench, where from much and smaller fees than are taken in the Court of Vice Admiralty, the two Prothonotaries receive above £4000 annually, it would be quite impossible to command the services of Officers and Practitioners of character and abilities, if the fees were reduced to a smaller amount.

7thly. The Committee prefer a serious complaint against the undersigned, for having in the year 1809 established a Tariff in which certain rates of fees are allowed for himself, and this they profess to *believe* is the only authority which the Judge has to shew for demanding fees; but it is rather unfortunate to the views and wishes of these Gentlemen, that the very day *before* their complaint was laid before His Excellency, a judgment was pronounced by the Court of King's Bench of this District, (a printed copy of which is annexed,) which establishes the Judge's right of taking fees, and to this Judgment the undersigned refers. The Committee could not have been ignorant, that the Commission which was granted to the present Judge, gives him a right to take all fees and other advantages belonging to the High Court of Admiralty, it is dated the 19th August, 1797, twelve years before the Table of Fees was made, and long after the Provincial Ordinance of the 20th Geo. 3, c. 3, had expired. The rates of Fees in the Tariff, so framed, will on examination of the Tables of Fees taken in other Courts of Vice Admiralty be found to be much lower; as, for instance, a charge of one guinea is allowed to the Judge for every Court Day, whereas by the same Court at Halifax two pounds are taken by the Judge for every sitting day. So here, only three pounds are charged for a Decree and there five pounds are allowed.

The Committee would have just cause of complaint, if the Judge had made a Tariff in which he had assigned to himself higher fees than were taken in the other Colonies; but, it is no just cause of complaint, that he has been contented with more moderate rates than are taken in other Courts.

8thly. The undersigned is surprised to observe with what ease and indifference this Committee can reconcile themselves to dispose of interests vested in him and his successors in office. They are pleased to recommend as a "speedy and effectual mode of obtaining the relief sought for by the sufferers," that there be withholden "from the Judge the annual allowance granted by His Majesty in lieu of fees until he shall have discontinued the exaction of them." This mode of withdrawing the bone of contention between Suitors is a sportive and wild species of justice which these gentlemen would be sorry to find applied to their own case. So long ago as the year 1766 when the duties of the Judge of the Court of Vice Admiralty were inconsiderable to what they now are, the Judge of that Court in America was allowed a Salary of £800 per annum. But the Committee, in their wisdom, have suggested to His Majesty's Government, a means whereby a proper person to fill the important office of Judge of the Court of Vice Admiralty may at this Port, (were 700 vessels annually come from the sea,) be obtained, for a Salary much less than some of these Gentlemen pay to their head Clerk or Foreman, nor would this course so gravely recommended, in any degree relieve the Ship-Owners, for the Judge might prefer the fees to his salary of £200 per annum and claim the rate of Fees allowed in the High Court of Admiralty.

9thly. In expressing their concern that no Court of superior maritime jurisdiction should have been established in the Province to which the Ship-Owners might appeal, the Committee shew how little they respect the interests of the seamen, to this needy, wandering, and often oppressed class of men, if justice could not be summarily dispensed, and that the Decree were suspended by appeal, whatever might be the seaman's right, the remedy would be without his reach.

10thly.