

vices of these Officers, and making up the difference by annual salaries, both these evils would be avoided as far as regulations can tend to do so. Another objection to these Officers being paid wholly by fixed salaries exists in the unnecessary trouble often given to them on the one hand, and in the want of a sufficient impulse towards the expeditious and correct discharge of their duty on the other.

We have made these observations and formed these conclusions from an experience of the past, and in connection with the provisions of the Merchant Seamen's Act now in force, not being aware at the time that the Imperial Legislature at its last Session had passed a new Merchant Seamen's Act to come into operation on the 1st January next, when, having accidentally learned the fact, we procured the loan of a copy, with which we were kindly favoured by the Collector at this Port, and we have given to it our most serious consideration; but after having done so, we have not found any reason to alter our opinion either as to the Tariff or the salaries which we have recommended by this Report. We cannot refrain from expressing our regret that the jurisdiction in respect to Seamen's wages in cases under £20 has been taken from the Admiralty Court and transferred to Magistrates, being of opinion that it would be much for the interest of all parties concerned if a decision could be had on these as well as others of a like nature in the Vice Admiralty Court, without entailing a ruinous expense, and we would rather, therefore, see facilities afforded for a resort to that tribunal than otherwise, and if our views in this respect could be fully accomplished, we would contemplate with satisfaction the repeal of this part of the Merchant Seamen's Act.

We are induced to submit the foregoing observations, notwithstanding the changes introduced by the new Merchant Seamen's Act, from the necessity derived from experience of establishing a Tariff of Fees to operate as a check on the institution of unfounded proceedings, as previously observed by us in this Report.

With respect to the fees for Advocates and Proctors, we are of opinion that, inasmuch as these professions are united in this Province, the Tariff proposed by the Honorable Judge of the Vice Admiralty Court at Quebec, as far as respects these Officers is to be preferred to that proposed by the Home Authorities, and being, in our opinion, reasonable in amount, we at all events recommend its adoption.

We have not failed to advert to the desire which has been expressed that, if practicable, a Tariff should be formed applicable to all the Colonies in North America; but in the absence of information as to the practice and the relative position of the different Officers of the Vice Admiralty Courts of the other Colonies compared with that of Canada, we have felt that we have best discharged the duty imposed upon us, by confining ourselves to suggesting what we conceived to be most desirable for the Vice Admiralty Court of this Province. Before concluding it may be proper for us to state, that in the recommendations we have made, we have reference only to what in our judgment we thought to be advisable on general principles, without taking into consideration the hardships that the present Registrar and Marshal will necessarily sustain by the operation of the new Merchant Seamen's Act, which will have the effect of taking away the greater part of the fees proposed for them, deeming that to be a question wholly beyond the purview of the reference made to us.

We would likewise state that the Honorable George Pemberton, one of the Commissioners appointed by Your Excellency, having been unavoidably obliged to go to Europe before the labours of the Commission were completed he could not sign this Report, but we have reason to believe that if present, he would have concurred in its general import.

The whole, nevertheless, humbly submitted to Your Excellency, by

Your most obedient and very humble servants,

(Signed,)

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WM. WALKER.

F. W. PRIMROSE,

J. DUVAL,

H. LEMESURIER.

Quebec, 18th December, 1844.