

# The Colonial Herald,

AND

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### HOUSE OF ASSEMBLY.

SATURDAY, February 6th.

#### HOUSE IN COMMITTEE ON CENSUS BILL.

Mr. THOMSON said he would like to hear the objections that Hon. Members had to the passing of the Bill.

Mr. RAE thought it incumbent on the mover to shew the good results that would ensue from such a measure. If he could not shew that it would do good it should not pass.

Mr. PALMER said, that he did not expect to see any opposition offered to the Bill by Hon. Members. He saw no objection why it should not be passed. It is now eight years since the last census was taken. He had no doubt, it would furnish a great deal of information respecting the population, the different religious denominations, and the cultivation and produce of the Colony. Though we cannot see the immediate benefits that are likely to result from the adoption of this Bill; yet, there is no doubt, but that it will be of infinite service to the Colony. This measure has been adopted in the other Colonies, and why should we hesitate in following the example? But the other day Lord Durham applied to our government to ascertain the population, &c. of the Island, we could not give him any satisfactory information. Such applications may not be unfrequent, and in order to prevent the occurrence of the like, he (Mr. P.) would suggest the propriety of passing the Bill. The expense that would attend the procedure in taking the census, would be but trifling in comparison to the advantages to be derived therefrom.

Mr. THOMSON said, that it would be necessary to take the census of the Colony for several reasons; first that the census of Great Britain is now about to be taken; if a census were now taken in all the Colonies, such would shew the full resources of Great Britain, and the Colonies at this period. And secondly, to ascertain the precise number of persons of the different denominations of Christians throughout the Island, which he conceived were not fairly represented in the Legislative Council in Nova Scotia was remodeled, and placed on a more equal footing with respect to the representation of the interests of the respective religious denominations of that Province. This is one thing we would gain by such a measure. But example profiteth but little with some Hon. Members. Another object to be attained by this will be to shew the unequal distribution of the proceeds of the sales of the Glebe and School lands, which are erroneously left to the disposal of Lord John, Bishop of Nova Scotia. If the Scotch Church in the Colony outnumbered that of the Episcopalian, then by the act of Union, the former would be entitled to all the rights and immunities of the Episcopal Church, after the conquest of the Colony. This cannot be questioned. For by an act of the British Legislature, passed about the year 1750, which is a long time after the act of Union, one seventh part of the lands in Canada was reserved for the propagation of the Gospel. It is well known that the decision of the 12 Judges of England was with respect to the Lands in Canada. If then by their decision the proceeds of the sales of these Lands were in proportion to the respective numbers of religious denominations in Canada, the same proportion ought to hold good in this Island. That until it could be shewn to the Home Govt. that the Church of Scotland in the Colonies predominated in number over the English Church, the former would not get an equal share of the proceeds of the sales of such Lands. If we can shew this, then we ought to be entitled to our share. Although he feared that Lord John has too fast a hold of it. Another question has properly to do with this. This Bill would be a quietus for ever to the Land-agitating question of the Colony. By the statistical information to be received we would become informed of the amount of property in the country, and be the better enabled thereby to refute the false statements of the Proprietary faction.

Mr. GORMAN rose to support the Bill; he was surprised that any liberal Member should oppose such a measure. It would forward our objects very much in many matters connected with the prosperity of the Colony.

Mr. RAE said, he thought it would be next to impracticable to ascertain the amount of back rents due (as contemplated.) It is not very likely a farmer would be over willing to acknowledge this. People are too often found to make exaggerated statements of their circumstances. Thus it would be difficult to obtain a correct return in this respect. The Church of Scotland would not likely derive any benefit from this measure. It is now too late in the day to look for that. The Report of the Joint Committee of the Council and Assembly in 1836 contained an imperfect and disingenuous statement of the case. It omitted sound arguments and sought to evade the grasp of my Lord John by fallacies. He had attempted in the Session of 1839, to base their demand on good ground on the articles of Union, but that Report had been buried—and he was not now prepared to take up the subject, and still less to maintain that the Church of Scotland was to be preferable to any of the dissenting churches, and even if he was, this Census would not furnish him with the most powerful argument. He thought the census would be like many other enactments, an expense incurred without an immediate remuneration, and very little prospect of benefit in future.

Mr. THOMSON replied, that the Hon. Member (Mr. RAE) misconceived his statement with respect to the claims of the Church of Scotland, as that Church does not seek any part of the proceeds exclusively with the Church of England, but wished to have it laid out for the purposes intended by the Colonial Statute.

Mr. LE LACHEUR said, that this would be a source of much expense to the country; besides this no beneficial results were likely to follow from the adoption of such a Bill as the one before us. The persons who would be appointed to take the Census would probably be interested individuals whose reports would no doubt be questionable. He therefore thought it quite unnecessary for any Hon. Member to occupy the time of the House by bringing in such a Bill.

Mr. CLARK differed widely from the Hon. Member (Mr. Le Lacheur.) He thought it would be a very desirable object, he knew that much useful information might be derived by Her Majesty's Government from such a measure; but he thought it quite unnecessary to ascertain the Census of the respective religious denominations throughout the Island, as far as regarded the claims which the Church of Scotland might have in common with the Church of England.

Mr. PALMER said, that one good result to be derived from this measure would be the acquirement of knowledge of a description which might be applied to many useful purposes by the Legislature. As to the persons to be appointed to take the Census, this is a question we need not meddle with at all. He had not heard nor could he imagine any one objection that could be raised to the measure; it is one that touches in no particular respect on any one of those party measures, which maintain such a division among Hon. Members. Indeed, if it did at all it must be in favour of these generally supported by the majority of the House. A due observance by the Census officers of their duty would represent the true state of the country in their Report, including the number of persons in each Township, the number of children going to School, Chapels, sites of School Houses &c. As to what was stated with respect to the back rents, he agreed that no Tenant ought to be compelled to disclose what amount of rent was due by him; if it

were necessary to obtain such information it could be easily obtained by another means, by the Rent Roll of the Agent. A person taking the Census, would of course be on his oath to discharge his duty faithfully, and persons making erroneous statements to such officers would be subject to a fine.

Mr. SPEAKER cordially agreed with the principle of the Bill, but he would like to make some amendments which he was not exactly prepared to offer, he would therefore beg to move that the Chairman leave the Chair.

Mr. THOMSON felt happy to see that the Hon. the Speaker intended to support the Bill, he would therefore second his motion; so the Committee rose.

THURSDAY, February 11th.

#### JURY BILL.

Mr. THOMSON submitted a Resolution to the Committee on the State of the Colony, for the remodeling of the present Jury Law; he said that the present mode of summoning Jurors was faulty in many respects; that instead of the petty jury being chosen from among illiterate men, it should be from among men of the best information. Last year, when the same question was before the House, the hon. member for Charlottetown (Mr. Palmer) said in his place, that it often happened, when jurors gave in their verdict, that the same was reversed by the Chief Justice. Now, had jurors been men of good information, such would not have been the case. In looking over the Island Statutes, he found that the latest Act passed for the regulation of Jurors, was that of the 13 G. 3, passed upwards of sixty-eight years ago. We all know that what might have answered as law in those days, will not do so at the present day; the country has undergone a great change since then; the politics of the day have a great influence on the summoning of Jurors, as also on the jurors when empaneled. By the 6 G. 4, the whole jury system is altered in Great Britain—there the grand and petty juries are now selected from the same body of men. (Here the hon. gentleman quoted at length from Thyrwit's and Tyndall's Digest of the Laws, Act, in support of the clauses of the above mentioned Statute that when hon. members see that in a country like Great Britain, such a change has taken place—when they see that this new system involves in it the question of mental qualification, as well as that of freehold property—he felt persuaded that they would feel an interest in remodeling our present jury system. Under our present Act the most illiterate man may be, and is most frequently called on to perform the important duties of a jury-man. In Great Britain the mental qualification of jurors is not so great an object, as it is here; there, from the advancement of knowledge, and the means of information within reach, every man is presumed to have sufficient knowledge and information to perform the duties of juror; but here, the case is the converse. He would rather say, let mental qualification, and not property, be the criterion by which to judge of a man's fitness to act as juror. In the year 1836, the British Statutes on this subject nearly exceeded an hundred, all which have been repealed by the present English Jury Act. By our Statute Book all these Acts, or the greater part of them, (so repealed by the British Parliament) are in force in this Colony. The next question that arises is, how is the present system to be improved? He (Mr. T.) would suggest the expediency of leaving the appointment of Jurors to the Magistrates of the respective Districts throughout the Island, as they are more likely to be acquainted with the mental qualifications of their neighbours, than the Sheriff can be presumed to be of jurors for the whole. Yet, if hon. members had a better mode of selecting fit and proper persons, he would cheerfully adopt it.

Mr. LE LACHEUR said, he would go with the measure; often had he witnessed the effects of the present defective system of summoning jurors. Often has he seen the life, liberty and property of the subject placed in the hands of ignorant jurors. He has seen men young in life and experience, sit as jurors, who could not be supposed to be conversant with the subtle arguments of a Court of Law, and whose unripe judgment would likely be swayed by the persuasions of the more experienced. He (Mr. Le Lacheur) recollected asking a young man one time, who had been on a jury, how it happened that he was induced so to give his verdict—the reply was, that he could not help it, he was persuaded to it by those who he thought knew better, and that he was sorry for the losing party, but could not help it. He would feel happy to see a better system of returning jurors adopted; for his own part, he commiserated the unhappy condition of a fellow being, whose life and property were to be dependent on the verdict of an ignorant and biased jury, which is too often the case in this Colony. He would much rather be tried by a jury of enlightened enemies, than by a jury of eleven ignorant men, who could neither read nor write; for those men, in all probability, would have as their foreman, some subtle and unprincipled wretch, who would lead them astray; not so with a jury of enlightened men, they would actually consider that as men, that as Christians, professing to believe in the contents of that sacred volume, by which they solemnly swore, by that sacred volume which taught them to believe, that after a few days hence they would have to enter that bourne from which no traveller can return, and then to appear before the Judge of judges, before a higher tribunal than that at which they had given their verdict, if not impartially given. Such, he was persuaded, would weigh heavily with a man of understanding; while a simple and ignorant juror, led astray either by the subtleties of lawyers, or from other circumstances, would give his verdict in the dark, being at the same time so ignorant as not to know how far that verdict might affect the persons concerned.

Mr. SPEAKER said, that he was not inclined to make any charges against any of the Sheriffs in office; but he felt sorry to refer to the conduct of the Sheriff of King's County. (Here the Hon. Speaker went on to describe the conduct of that officer in the trial of the men at Georgetown last summer, for a riot, and concluded by saying that his conduct was very censurable in many respects; and in order to prevent the occurrence of the like misconduct, he would recommend the expediency of amending our present mode of returning jurors; he knew that the present persons appointed to return jurors as well as the jurors so selected and returned were highly influenced by political feelings.

Hon. J. S. MACDONALD rose and said, that no person could object to the principle of the present Resolution; for it is only declaratory of the present system of appointing Jurors. If a better mode of summoning Jurors could be devised, he would willingly second its adoption—but he felt persuaded that the present mode of returning Jurors is quite unquestionable.

Mr. RAE moved, in addition to the mode of appointing Jurors, that it is expedient that a more sufficient allowance be made to Jurymen than has been hitherto given them, and that it be recommended to the House to instruct the Committee to be appointed to amend the Jury Bill, to add thereto an amendment to that effect. He said that members seemed to admit and even to require that the individuals possessed of the greatest intelligence and integrity should be selected for Jurymen, but if these served as Jurymen on the present mode of paying Jurors, then the possession of intelligence and integrity was to operate against those possessing such qualifications. They were to be summoned to leave their private business, and at the allowance of 1s. 6d. per day to settle the disputes of litigants. Now, occasionally, two very

honest and intelligent men might have a difference, and might be obliged to resort to the Court to decide the same. But in general it was not so, and the more intelligent and honest were to be summoned to leave their homes and business to settle the disputes which had arisen between men of whom, in general, one at least was in wrong. This it was said would be a great expense for the country. It would not all fall on the country. In civil suits, he who lost should pay the Jury. In civil suits, here are a set of factious fellows, they enjoy all the inestimable privileges of British justice, trial by jury, and so forth, and they are not sensible of the blessing; if the jury be such an important part of the British system, for all countries have judges, then let the jury, and also the witnesses, receive such an allowance as will clear their outlay. It had been said by one member that this additional expense would deter an honest poor man from going to law. Suppose two men going to law, the expense would generally fall on him who lost it, and he had better right to pay the jury, than the jury had to pay their own expenses.

Mr. CLARK thought that no hon. member could be opposed to the resolution; he was afraid that the hon. member for Georgetown would not succeed in his proposed measure. He (Mr. C.) was at a loss to know whether a better mode of summoning jurors than the present could be adopted.

Mr. THOMSON said, that in Nova Scotia a Bill was passed in the year 1838, of a similar import to that he wished to have passed here—there the magistrates selected the jurors for the approval of the Court, after which they are balloted for in open Court the next Term, and their names so drawn are sealed up till within a limited period of the next Court, when they are opened by the Prothonotary and Sheriff, and then summoned in the usual manner. He would rather see the trust reposed in the hands of a dozen impartial individuals. All he wished was to see a feasible jury-system established. Last year it was a new question; the House of Assembly since then has had sufficient time to consider the matter in question. He based his case on the members' and other (Mr. T.'s) proposed plan, would not remedy the evil complained of, if such exists; were the selection even placed in the hands of magistrates, it would be worse than at present. As regards the mental qualifications of jurors, he would say, that all that is required in a juror is honesty and rectitude of conduct.

Mr. FRASER said, he was one of those who last year supported the proposed measure, but he was afraid the present effort would prove as ineffectual as the last. He had no doubt but that the magistrates would afford general satisfaction in the choice of jurors. He thought it would be of great service to extend the distance within which the choice of jurors is now made.

Mr. PALMER felt sorry to see the time of the House trifled away on such a proposed change in the present jury system as that he just heard stated. He was persuaded that the present mode of summoning jurors did not require any improvement. He had no doubt but that mental qualifications ought to, and did influence the Sheriffs in the selection of jurors. He was not in the House when the hon. member for Georgetown made his speech on introducing his Resolution; but he (Mr. P.) had no doubt but what it was a very lengthy and plausible one, containing many wise and well adapted improvements to the present law. But he knew of no evils arising from the present mode of choosing jurors, if there were any culpable negligence or misconduct to be imputed to the Sheriffs they are amenable for their conduct to His Excellency the Lieutenant Governor, and if such were properly represented to him, he no doubt would take the proper course for their removal. He did not believe that any just cause of complaint against those officers at all existed. If individuals have been selected who are not men of integrity, nor such as will regard the solemn obligation under which they act, their appointments should be questioned; but he (Mr. P.) felt assured that such appointments have never taken place within his recollection; and it was unjust to say that any were selected from their particular party feelings. If the hon. member for Georgetown wishes to raise the qualifications of jurors, he must wait till education works that change. He (Mr. P.) could not object to the Resolution in its principle, it was already self-evident; for his part he could not tell what the hon. mover's scheme might be, for he had heard him define none. The charge made against one of the Sheriffs of King's County in the execution of the duties of his office, he knew to be quite unfounded. He felt no particular interest in upholding the characters of the present Sheriffs, he believed that in selecting jurors they discharge their duty without fear, favor, or partiality. If Magistrates were appointed to return jurors, the case would be still the same, if not worse. Their appointments coming from the Administrator of the Government, as well as that of the Sheriffs, would likely be similarly influenced, by any objection that would be laid to the Sheriffs; besides this, the Magistrates being judicial officers would be unfit persons to return jurors. In the whole, he thought that no improvement was at present within our reach, and the measure was therefore not called for, and would vote against it.

The Resolution was agreed to.

FRIDAY, February 19.

Mr. GORMAN from the Committee on the State of the Colony, reported a Resolution as follows:

Whereas it is the opinion of this Committee that it is highly necessary for the best interests of the Colony, that all cases tried by Jury, whether Civil or Criminal, in the Supreme Courts, should be tried by a Jury possessed as far as can be ascertained of competent judgment, information and integrity,

Resolved Therefore, That it be recommended to the House to appoint a Committee to bring in a Bill to amend the Jury Act.

Ordered, That Mr. Thomson, Mr. Hudson, Mr. Clark, Mr. Le Lacheur and Mr. Dalziel be a Committee to bring in a Bill in accordance with the foregoing Resolution.

Mr. THOMSON presented a Petition from James Howlet, of Bay Fortune, late a prisoner in the Jail of Georgetown, arraigning the conduct of the Sheriff of King's County (in the execution of his office.) He (Mr. T.) said, that if the facts set forth in the Petition were true, he conceived it would be a matter well worth the notice of the House, for it appears that when the Sheriff found he could not induce the Petitioner to come forward as a witness, in the memorable riot case, he then made a criminal charge against this individual, and there is no doubt, had Howlet complied with the request of the Sheriff, he would not have been arraigned. The Sheriff, however, being disappointed in his object, it would appear, had recourse to an abandoned character, to substantiate a charge against Petitioner and others, whereby those good and loyal men were found guilty (no defence being made), and imprisoned under the sentence of the Court. A Petition from many Inhabitants of King's County was last Autumn presented to His Excellency, praying a mitigation of their sentence; such did not meet with a favourable reception. He believed that their case did not receive sufficient advocacy at the hands of the Hon. Chas. Young; nor does he agree with that gentleman, as stated in the

Petition, that the Jury could not, on the evidence, find them guilty. However, he would now give this the go by. He would like to see Sheriffs (when in the discharge of their duty,) go forward with clear hands and pure hearts, and not drive innocent and inoffensive men into ruin.

Mr. PALMER was not aware that the required notice had been given in the Order Book.

Mr. THOMSON then withdrew the Petition, remarking that it was not an intentional omission on his part. He then gave notice that he would present the same to-morrow.

Mr. Le Lacheur introduced a Bill to continue for seven years the Act for preventing the spreading of Infectious Distempers.

Mr. GORMAN presented several Petitions, viz:—From Lot 10 and French Village, to repair Roads. From Lot 7, for do. From Lots 7 and 8, for a Bridge. Kildare, for a Bridge, and for repairing Road to Lot 10 Ferry, which were ordered to lie on the Table.

Mr. Longworth presented a Petition from Nicholas Conroy, for an increase of Salary as Sub-Collector for Cascumpeque District.

SATURDAY, February 26.

Mr. GORMAN presented a Petition of Dominic Gallant, a person with a broken arm. From James Peters, an aged person. From Road District No. 1, for an equal division of Road money; for a Bridge on Trout River, near Prendreville.

Mr. YEO presented several Petitions, viz:—From Jeremiah Dalton, Lot 7, having an insane wife. From Inhabitants of Lot 11, for aid to improve a Road. Lots 12 and 13 for do. Lots 3 and 4, for two Bridges. From Mary Ann Warren, for relief. From George Murray, of Lot 11, having an insane wife. From Robert Currie, Lot 7, formerly of Argyleshire Highlanders. From Charles Craswell, Esq., Secretary of the Northern Agricultural Society. From Inhabitants of Cascumpeque and from King of Spirits.

Mr. Le Lacheur presented a Bill for appointing Fish Inspectors, and to regulate the size of Barrels and Tierces.

Mr. PALMER presented a Petition from Charlottetown for a Police—referred to a Committee, to report by Bill or otherwise.

Mr. Longworth presented a Petition for a new Ferry Wharf, South side of the Hillsborough.

Mr. THOMSON presented a Petition from James Howlet, praying enquiry into the conduct of the Sheriff of King's County, relative to his trial and imprisonment. Ordered to lie on the Table.

#### EASTER TERM OF THE SUPREME COURT.

Mr. PALMER in the House, in Committee on expiring Laws, presented the following Resolution:

Resolved, That it is the opinion of this Committee that it is expedient to amend and continue for years the Act, intitled "An Act to establish an additional Term of the Supreme Court, and to extend the Hilary and Trinity Terms for Queen's County."

Mr. RAE enquired what benefit this additional Term would be to the Country? What would be the consequence, were there a Term in Charlottetown every month?

Mr. PALMER, in answer, said that it would relieve the other Terms of a great deal of argumentative matter. In every trial, questions of Law arise, which are reserved for argument at some other time. The present Jury Terms for this County last fourteen days—ten of which are taken up in the trial of Jury causes, then there are but four days left; the sentence day and Sunday following will leave but two days, which are always taken up in appeal and mere summary cases, leaving, therefore, little or no time to argue reserved points of Law. It is therefore necessary that the Court should have power to hear arguments and adjudicate (at some convenient time after the Court) on matters of Law. When causes are necessarily postponed, to be argued at the next Court in Charlottetown, and if this Term were allowed to expire, then suitors would be delayed in the fruits of their verdict till next Term, which would be the end of June. This would be a great delay to justice.

Mr. THOMSON felt satisfied with the answer of the hon. and learned member for Charlottetown, who stated that this additional term would be of service to suitors, as far as regarded the arguing of dry questions of law. He has also told us, that the Jury Terms of Queen's County last fourteen days, and that the first ten days thereof are taken up in the trying of jury causes, and then the remaining four days are reduced to two by the intervention of the sentence day and Sunday. What a mighty plight the hon. and learned gentleman appears to be in! The hon. member will, however, no doubt, recollect the fate of the Bill of last Session, opposed by him, relating to local and transitory actions; and that his opinion was closely followed out in the Legislative Council. [Here Mr. Thomson was called to order.] The people, he continued, have any thing at present but cheap law; for causes are any tried in the country, and then adjournments of law arguments to Charlottetown are so frequent, that great delay and expense are experienced, before a man can obtain justice. Now, the hon. and learned member for Charlottetown only wants to get an additional Term, to have these knotty and dry questions of law argued in Charlottetown. We hear from the public papers of quarter Sessions being called for in the country; but the hon. member would have them held in Charlottetown, where every thing must be done. As regards the men of King's County being unfit to preside as jurors, as he (Mr. T.) has more than once heard from some individuals, he would cast such an imputation back in their teeth as unfounded—for he had heard the Chief Justice say that the jurors of the County Courts discharge their duty faithfully. He thought that the continuance of such additional Term was quite useless. But he, for his own part, would have no objections to grant the hon. member's request, if the people could but get all actions of a local and transitory nature tried in the county in which the cause of action may arise.

Mr. PALMER remarked, that he did not know what all the noise was about; he had heard the hon. member, Mr. T. talk of local and transitory actions, but all this was nothing but a bugbear. This additional Term did not affect local or transitory actions in the least. A measure was brought forward last session respecting local and transitory actions, the same was lost in the Legislative Council, but such was not owing to anything advanced by him on the floor of this House against the measure; but he would say this much, that the House last session were convinced that local actions could not be removed.

Mr. THOMSON said, that he knew of a case, where an individual contracted a debt with another in his part of the country, and in order to put the debtor to expense, what did the creditor do but sue the other all the way up to Charlottetown, for the purpose of saddling him with a heavy bill of expenses—now, in order to prevent the like occurring again, he would like to see transitory actions confined, as he said before, to the county where both parties resided.

Mr. PALMER answered Mr. T. by saying, the plaintiff could bring his action wherever he pleased.

Mr. RAE said, he conveyed that different law points might occur to the mind of the judge, or might be suggested by the counsel on either part, and that the judge might desire more leisure, and a greater command of reference, than could be looked for in circuit. Well, let him take the matter into consideration betwixt that and the next Term, to be held in that County, and then give his decision in that County Court where the plea began. He had never attended a Court in Prince County, but heard great that the County Courts were often a farce—only two or three days being given to the business, judge and lawyers being equally tender of each other. These were the complaints of the country, and therefore, as he wished all County cases to be decided in the County where the suit arose, and as he thought that the suit ought to be confined to that County where the transaction, wherever it originated, took place, he must vote against the Bill. He would not measure the efficiency of the Court by the number of Terms held in a year, but by the time which should elapse from the commencement of a suit till a decision could be obtained, both as to the fact and as to all reserved law points.

Mr. LONGWORTH said, that Charlottetown was the only proper place to determine points of Law, reserved in the County Courts, as it is there the Chief Justice and all the professional gentlemen reside—and that it would be less expense to suitors in the country.

Mr. YEO said, that it would save much time and expense, to have the law points argued in Charlottetown, after the Chief Judge and lawyers returned from the County Courts. He would leave it so, but it was not to oblige the Lawyers—for he was not very fond of them.

Mr. CLARK said, shut up the County Courts altogether, and let all the law business be transacted in Charlottetown. Such then would please the hon. member for Charlottetown; but he thought the additional Easter Term of no service whatever to the country.

Mr. DALZIEL observed, that having had occasion to attend the Court at Georgetown, he had an opportunity of observing how law business was transacted there; all was a mere farce. He then spoke against the measure.

Mr. MACINTOSH said, (among other things) that it would be a source of much expense to the country.

Mr. SPEAKER said, that he thought when Court Houses & Jails were erected in the different Counties, that every man would have cheap justice at home, at his door; but now he finds it to be the reverse, for, instead of the County business being done in those Courts, the most of it is transacted in Charlottetown, which is a great expense to the people. The country, he continued, would like to see transitory actions confined to the County where the debt arose.

Hon. J. S. MACDONALD never heard that the Easter Term (about to expire) had been of any injury to the Country—on the contrary he was aware that it was of great benefit. It tended to the speedy administration of justice. If it proved an evil, he would be the last to go with such a measure.

The Resolution was negatived 7 to 11.

The House went into Committee, on the further consideration of the American Loyalist Bill; and after some time spent therein, the House resumed, when the Chairman reported the Committee had