

SUPREME COURT OF JUDICATURE.

Tuesday February 19.—This being the 1st day of Hilary Term, the Supreme Court was opened with the usual formalities. There are 85 Record causes for trial, 91 Summary, 10 Appeals from the decision of Justices of the Peace in cases of small debt, and 10 Indictments for larceny and assaults.

The following Gentlemen answered to the names, and were sworn in as Grand Jurymen.

Francis Longworth	Foreman.
Alph Brecken	Edward Thornton
James Peak	Wm. Compton
William Lord	Cavendish Willcock
John Hooper	Donald McDonald
Wm. Dochendorf	David Wilson
John Craig	Alex. Davidson
James Anderson Jun.	Joseph Wightman
John M. Gill	Edward Holland.

The Chief Justice then addressed the Grand Jury at some length, he was sorry to observe that there was a long list of Indictments, though not containing any of deep nature, consisting principally of petty larceny and assaults. He regretted that there was no other tribunal than this Court for the trial of petty offences, and at the time of the Supreme Court could be diverted from its legitimate occupation, that of trying crimes of a more serious nature, and of the civil obligations between man and man. He was afraid few of the latter could be tried during this Term, as the time of the Court would be almost taken up in trying the indictments he had spoken of, but it was his duty to tell them what the Law was, and what it ought to be. He then explained the Grand Jury the nature of the offence of Larceny, viz. a felonious taking and carrying away the property of another; with respect to the Assaults that would be done before them. He would tell them that the person who struck the first blow as the aggressor and was the person guilty of the assault, but there was one case of a more serious nature than a common assault, he alluded to the case of the rescue of a person in the custody of a peace officer; he stated that a person while in such custody could only be released by the intervention of the Law, and that whether he was improperly taken or not, it could be a rescue in any person aiding his escape. The Chief Justice next alluded to the Act of the 11th Geo. 4. Chap. 12. authorising the conviction and punishment in a summary way, of persons committing common assaults and batteries. He was sorry to find that the Magistrates pointed under it neglected to put it in operation, as he perceived that even the most trivial assaults were preferred in the first instance in the Supreme Court, he said and he supposed some of the Grand Jury

present were Magistrates appointed under the Act,) that it was as much their bounden duty when called upon to put that Act in force, as it was for him to preside in the Court they were then sitting in. After explaining to them their duties as Grand Jury men, and the nature of the oaths they had taken, the Grand Jury retired to their room. No Bill was found this day and the Court adjourned until Wednesday.

For the British American. No. 1.

To the Electors of Prince Edward Island.

Brother Electors,

Since the moment we were first endowed with the title of FREEMEN, or that a representative constitution was given us, never was there, in my opinion a more important period than the present. After all the toils, servitude, & privations which we have borne—in driving the savage monsters from their recesses—in subduing the sterile forest, and making of it a habitation fit for man, we have at length arrived at a political crisis, in the decision of which, is involved much of our future prospects and happiness in this our chosen land, whether native or adopted. It is therefore dear Brethren with a view to consider this question with all its bearings, that I thus take the liberty of addressing myself to you. But before I enter further on the subject, I beg distinctly to state, that I have no individual interest or sinister motive in view, more than the general welfare of my brother Electors, or cultivators of the soil. No doubt gentle reader ere you reach this fear, you are aware that the payment of our "Civil List" is the subject to which I intend to call your attention. And first of all I take it for granted, that the payment of our Civil List will be required of us in less than five years, [this is a fact which no one can deny,] and pay it we must or be annexed to Nova Scotia. As to the latter alternative, I shall give it no consideration, as there is no man of rational sense in the Island would hear to such a proposition. The payment of our Civil List being therefore inevitable, the next question is, how are we to pay it? My answer is by a tax of Six Shillings on every one hundred acres of land within the Island. This amount will be sufficient to pay 4000 per Annum, after deducting the expense of collecting &c. Don't be startled at this my brethren until you examine it properly. Say for argument sake, that one fourth part of the lands in the Island at the present time is taken up or occupied. Then of the 4000 proposed to be raised as above, 1000 only comes out of the industry of the honest Farmers, while the remaining three thousand comes out of the pockets of whom? Out of the pockets of the absent proprietors. Now my brethren the present "permanent revenue" at the disposal of the Crown is

nearly 14000 [3800 it was in 1832] and who pays it I ask you? Is it not the honest industrious husbandman who pays four-pence duty on every pound of tea; two-pence on every pound of tobacco; one shilling and three-pence on every gallon of wine, or spirits, which he consumes or makes use of in his house, for the comfort and support of his family, and in addition to all these, he paid during the past year, (1832,) two and a half per cent ad valorem on every article of wearing apparel which he purchased in, or imported into the Island; and all this you will bear in mind he has paid, while not one shilling has been paid by the absent proprietor!! Now my brethren I will not ask you so simple a question, as whether is a land tax, or a tax on the above enumerated necessities of life, the more just and equitable? The question therefore my friends resolves itself into this.—Shall the industrious and laborious yeomanry of Prince Edward Island, pay four thousand pounds a year, as a tax on what they eat, drink, and wear; while the wealthy absent proprietor pays nothing at all! or shall the former pay one thousand pounds a year on land, and compel the latter to pay three thousand pounds more? Or again, is it not as good for a farmer to pay six shillings a year for his farm; as to pay six shillings as a duty on Tea, Tobacco, and Spirits? But as I have already shewn, and he pays a land tax, he only pays one fourth, which taking the sum at six shillings, makes his part of it but one shilling and six-pence, leaving the other four and six-pence to be paid by the absent proprietor, whilst by paying a tax on Tea, Tobacco, &c., he pays the whole Six shillings himself, and requires the proprietor to pay none of it at all!!

Will you not therefore my Brethren arise from your slumber and speak aloud, call meetings in every district, pass resolutions expressive of your sentiments, and send your resolutions to Mr. White, who will thunder them forth in the "British American." Aye, and thunder them too without fear into the very brains of your Representatives while in Session. Lose no time therefore my friends, your Representatives are your servants, tell them what they shall do (not what they ought to do,) and if they disobey, turn them out like all bad servants. I again repeat, proclaim aloud for a land tax, and no duty on Tea, Tobacco, &c. &c. and in my opinion you shall hear the most effectual "escheat" that ever was introduced in any North American colony. In order to make my humble reasoning as plain as possible to my brother electors I have taken up more space than I expected; but shall continue my subject in the next week's Paper.—I am, in the meantime, Your most devoted servant,
AN ELECTOR, of King's County.
Potatoe Caps Feb. 23d, 1833.