

pay (he should be admitted to oath) and the statement was not rebutted, despite of every facility being given for the same, then he should be sent to prison for contempt for any time not more than months, and then discharged; if not, failing cause, the rule should be absolute to pay or be imprisoned till payment. The principal on a bond to the peace, &c, or to appear or surrender to judgment, or maintain a traverse, should, if not attainted or sent to the Penitentiary, be dealt with in the same way, except when attainted or put to hard labor for the matter for which he gave bail, or the act by which he broke it, then "distress" (without limitations) should issue against all he had, so in all costs against "Heinous criminals."

PARTIES GIVING BONDS FOR OTHERS.—On the default entered and the bail estreated, distress should issue, and if there were not distress enough, a rule, whether in term or vacation, should issue to shew cause why the defaulter should not be imprisoned for not more than months, for contempt—the period to be limited as in other misdemeanors.

FEE FUND ACT.—A repeal of the Fee Fund Act, as far as practicable, without gross injustice, would harmonise with many of the foregoing suggestions, and probably effect great benefit. It should be a rule that whatever kind of imprisonment a man was last sentenced to should be the same he should in all future cases undergo, and hard labor men when from any necessity kept in a common prison should be separated from all others. In treason, felony and offences against the dead, the evidence should be taken down *in extenso*, both for and against accused, and taken in all respects with a view to use under existing Law.*

MURDER, AND THE BODY NOT FOUND.—In charges of murder, when sending the case to trial is determined on, an inquisition (if the body be not forthcoming) should be called to be *quoad* the matter in their charge, a grand jury and the prisoner discharged, or PRESENTED, and plea taken and mode of trial determined on their finding,—this inquisition to be of twenty-three men, called like a coroner's inquest. :::::

Trials without jury should regard neither season nor term nor vacation; the soonest possible day should be the fit one for them.†

* Binding witnesses as by page 19.

† See page 25.