

6,000 l. or 8,000 l. per annum of costs and plunder, under the pretext of collecting debts amounting, probably, in the aggregate to less than one-fifth of that sum.

Such having been the general state of things in the townships, it may be easily imagined that when it was determined, in 1823, to establish a better system of jurisprudence in that part of the province, with a resident judge, such a measure was regarded by every man who lived by speculation (and these actually constituted the most influential body in the country) as one of ill omen. These characters became alarmed, and their apprehensions were not altogether unfounded.

The judge proceeded to organize his court. He had everything to do; to dig the foundations, to lay the ground sills and erect the superstructure. But it was done; and a bar gradually assembled, which consists at present of from 10 to 12 members. No suit was instituted under the direction, or by the advice, of the judge. His conduct was like that of his colleagues; he never heard of a case till it was called on in the paper, or suffered any one to speak to him of controversial matters out of court. But the proceedings of a court of judicature, in which a certain degree of regularity was maintained, had, of necessity, some of the effects which had been anticipated, and it was no fault of the judge that this was the case. The "secrets of the prison house" were divulged, and an unpleasant glare of light thrown on transactions which had rather been calculated for obscurity. Judgments were occasionally rendered against several of these men, compelling them to restore sums of money and other property which they had regarded as fair booty; and some remarks were occasionally made, perhaps, which were injurious to that delicacy of feeling by which they were distinguished.

It was manifestly the duty of the judge to endeavour, at all events, to prevent the court in which he was to preside from being made instrumental in the furtherance of such evils as have been described, and to endeavour to emancipate the wretched inhabitants of the district from the oppressions under which they had so long groaned. The multiplication of trivial and frivolous suits was accordingly discouraged, and several precautionary measures were adopted with these views; many of which appeared to be extremely effectual, and were, consequently, highly unpalatable to these speculators.

A change like this could not, however, be suffered to take place without resistance by men of very considerable intelligence, of great influence in the country, and of indefatigable perseverance, who were thus impeded in pursuits which had constituted the business of their lives. It was clear that the whole of the illicit revenues of those persons were placed in jeopardy by the establishment of a system of local jurisprudence, the appointment of a resident judge, and the access of a bar of professional lawyers; and there could be no standing on ceremony when such interests were at stake. The judge must, at all events, be ousted if possible, and no more effectual means could be devised than to render the people at large dissatisfied with the court, by stigmatizing its proceedings through the medium of the press; nor could any person be found more fit to be employed for the accomplishment of this design than Mr. Silas Horton Dickerson, the printer of the "British Colonist," a weekly paper which was then published at Stanstead. Accordingly many libels on the provincial court and the judge who had the honour of presiding in it, composed in pursuance of such conspiracy, appeared in this paper. Almost every "Colonist" published since about July 1825, will be found to contain something or other of this kind; something to indicate that the judge and "his" court, as they called it, were such nuisances as ought not to be tolerated in a christian country.

During this state of things the following circumstances occurred:

In November term, 1825, an action of trespass *de bonis asportatis* came on to be tried in the provincial court, in which one Willey, a farmer at Shipton, was the plaintiff, and Howison, a bailiff, and Tilton, also a farmer at Shipton, were the defendants. It appeared on the trial that one Francis Armstrong Evans, a person who had been a schoolmaster, and was occasionally in the habit of preparing documents of different descriptions, had, in March 1824, been appointed a commissioner for the summary trial of small causes in the township of Kingsey.

There having been an action depending in the provincial court between Tilton and Willey, Mr. Evans had, in November 1824, prepared an instrument between them, whereby they had agreed to submit the matters in difference to the arbitration of two persons, with power to nominate a third, in case they should not agree; and the two first-named arbitrators having afterwards appointed Mr. Evans himself as the third arbitrator, an award had consequently been made, in which Mr. Evans had joined, awarding a balance of 28 dollars and 52 cents (about 7 l. 2 s. 7 d. currency), as due from Willey to Tilton.

Of this 28 dollars and 52 cents, 11 dollars had been paid or satisfied; so that there remained, in January 1825, a balance still due on the award of 17 dollars and 52 cents (about 4 l. 7 s. 7 d. currency), for which it appeared to Mr. Tilton to be desirable to commence a suit against Mr. Willey before Mr. Evans himself, in his judicial capacity as a commissioner of small causes. This balance, however, being above the amount to which Mr. Evans's jurisdiction extended (which was only 4 l. 3 s. 4 d. currency), it was necessary to give credit for some trifle more than the 11 dollars, in order to bring the matter within the jurisdiction of the commissioner, and credit was accordingly given on the account produced before him, thus, "By a good story, 85 cents;" which having reduced the claim to 16 dollars and 67 cents (4 l. 3 s. 4 d. currency), being the exact limit of Mr. Commissioner Evans's jurisdiction, he accordingly proceeded to render judgment for this balance so remaining due on his own award, after allowing for the "good story."

On this judgment of Mr. Commissioner Evans an execution was afterwards issued, under which twenty-four sheep and four head of horned cattle were seized by Howison the bailiff.