

"Mr. Boulton has received his principal and interest upon the bond and note. The fee of the land mortgaged is also in him and there is no Court of Chancery to interfere. The land sold at Sheriff's sale under this judgment is undoubtedly most valuable and it appears to have been sold before the Petitioner knew there was a judgment against him. Part of the land sold under the judgment is owned by the Hon. Mr. Justice Sherwood, brother-in-law to Mr. Boulton. There is, however, no evidence to show that Mr. Boulton was concerned in the sale or the purchase.

"Your Committee have to remark that Mr. Boulton was conducting a cause for himself against his own client; and when they consider the nature of the debt, the great and multiplied irregularities by which the judgment and executions were obtained, the great value of the property sacrificed, and the expensive and fruitless endeavours of the Petitioner to obtain a reversal of the proceedings, they do not hesitate to recommend relief. Independent of the interest of one of the Judges it appears that the Court of Kings Bench, if they set the proceedings aside, could not afford adequate relief and therefore your Committee have reported a Bill enabling the Honourable Mr. Justice Willis to enquire into the matters alleged in the petition and to do justice between all the persons interested. The Chief Justice is not included in the Bill, as it is publicly reported that he is about to visit England; and under such circumstances, the objects of the measure might be defeated, and the ends of public justice not be answered, if he were included".

The report was signed by the Chairman, Mr. Beardsley.

The Bill reported by the Committee appointed Hon. Mr. Justice Willis a Commissioner to enquire into the truth of Randall's statements, giving him power to summon witnesses to be examined in open Court and empowering him,—

"to make such decrees for either the confirmation or reversal of the said judgment and of the proceedings thereupon"

as he should deem necessary for the doing of justice between all parties interested in the matter.