

of His Majesty's subjects in the most important points, and in some instances in the most oppressive manner; and would, if continued, deprive His Majesty's subjects in this province of their constitution and Laws, and subject them to the arbitrary will and pleasure of the Judges.

We His Majesty's Faithful Commons have found that these abuses of authority have, since the appointment of *Jonathan Sewell*, Esquire, to be Chief Justice of this Province, originated in the Provincial Court of Appeals, in which (such is its vicious and defective Constitution) that Gentleman and *James Monk*, Esquire, Chief Justice of the Court of King's Bench for the District of Montreal, respectively preside on appeals from the judgments of each other, in the Courts of Original Jurisdiction. In January 1809, those Gentlemen concurred in framing Rules of Practice for the Court of Appeals, in which the illegal assumption of authority complained of was exercised, and having thus pledged the Court of last resort for the maintenance of that assumption, they afterwards in the Courts of original Jurisdiction, in which they respectively preside, assumed like authority, and made unconstitutional, illegal and oppressive regulations in those Courts, which they concur in maintaining, and to which their united influence gives entire effect, to the subversion of the Constitution and of the Laws of the Land.

However anxious we have been to direct our undivided attention to measures, which might strengthen His Majesty's Government in this Province, and increase its energies, for the defence of the Province against the Enemy, we could not postpone the consideration of abuses of such enormous magnitude, which, if not corrected, would deprive the Inhabitants of this Province of all the advantages for the preservation of which, against the open attacks of the Enemy they have already incurred, and are still determined to incur the greatest sacrifices. We His Majesty's Faithful Commons have therefore been under the necessity of reducing into specific charges, under the name of Heads of Impeachment, the criminal conduct which we impute to the said *Jonathan Sewell* and *James Monk*, Esquires, and these embrace other crimes and misdemeanours of those public Officers, for which His Majesty's Faithful Commons hold them responsible.