

infirmity taken part of the way to Charlotte-Town, but being unable to travel, escaped the fate of the others, and his friends interposed and paid the Rent; Robertson was also fortunate enough to be enabled to pay his money without remaining long in custody; but Robert Saunderson was compelled to pay seventy-eight pounds, of which thirty-nine was costs. M'Kenzie being committed to prison, paid twenty-four pounds costs, and from which he was only relieved under the Insolvent Act, after he had conveyed to the Receiver, who was his only creditor, all his worldly goods and substance. It may be worthy of remark, that this ill-used man was thus dealt with for an arrear of five pounds claimed by the Receiver, as a year's Rent of one hundred acres, while M'Kenzie as it is said, only occupied sixty acres, amounting to three pounds, of which he had offered this Receiver payment before the commencement of these proceedings. MacKenzie died after his removal from prison, it is believed in consequence of his sufferings. The remaining Tenant, Patience, was committed to prison, his whole property sold, and the man totally ruined.

The expences which attended these proceedings, and paid by Saunderson and M'Kenzie alone, appear to have amounted to the sum of sixty-three pounds, which seems to your Committee to be enormous, for those unfortunate men to have been compelled to pay, superadded to all their personal sufferings, and that sum is over and above the costs paid by Patience, Robertson, and M'Aulay, of which the Committee have yet no account before it; but your Committee have obtained from the Accountant General of the Court of Chancery, documents to shew, that in addition to the above sum the Solicitor of the Receiver, has received further for these same proceedings, the sum of one hundred and fifty-five pounds fourteen shillings and three pence, from the said Accountant General, out of the monies in his hands, on account of the said cause, thus making a total expenditure of two hundred and eighteen pounds fourteen shillings and five pence, independent of the costs of Patience, Robertson, and M'Aulay, to obtain payment of arrears of such Rent, little exceeding one hundred pounds. And it has been proved to your Committee by satisfactory evidence, that if the said Receiver had proceeded to recover this money by the usual course of

distress, the whole might have been obtained at an expence of ten pounds, or thereabout. And it may be proper here to notice, that another Receiver in the Court of Chancery, nearly about the same time, in the case of Stewart, an infant, recovered by distress, an arrear of Rent, amounting to sixty pounds, which went the length of a sale of the distrained property, at an expence of one pound fifteen shillings.

Your Committee have further to report, that the course of proceedings against the Tenants of Greenwich, by attachments, appears from evidence before it, to be without a precedent, either in this Colony, or elsewhere; and that both the Receiver and his Solicitor, were apprised by the Solicitor of the Defendant in the cause, that the remedy to be adopted for the recovery of the arrears was by distress, and that such alone was the regular and legal course.

Your Committee have further to report, that however much they might feel inclined to palliate irregular proceedings arising from error and ignorance, that in the present case, there is no opening left for such an interpretation, to be put on the conduct of Mr. Palmer, the Solicitor; and it is the opinion of the Committee, that the irregular and oppressive proceedings in question were adopted with the intention of creating excessive costs, wherein the Solicitor in question, has been but too successful.

And your Committee cannot omit to remark, that in all, or nearly all, the irregular and oppressive practices which have latterly prevailed in the Court of Chancery, and been brought in evidence before the Committee; the same Solicitor Mr. Palmer, has been the guide and director as in the present case, and that the proceedings in question, in the opinion of your Committee, never would have occurred, had a professional and responsible Master, or Registrar, filled both or either of these offices.

As your Committee do not see any course whereby the sufferers by these cruel proceedings can procure redress; and one of them by death, is beyond the reach of it, yet it is a duty the House owes to the country, to endeavour to bring the author of them to punishment. It is therefore most earnestly recommended to the House, that an humble Address be presented to his Excellency the Lieut. Governor, requesting that he would be pleased to cause an enquiry to be instituted, at such time, and by such