

vision made for the attendance of the Solicitor General on the Northern Circuit, which affords one party the great benefit of Counsel, cannot operate justly if the Colony does not afford the same advantage to the other party in the cause.

The present arrangement, which obliges a Judge advanced in years, after his fatiguing labours in Court, to take his meals every day, early and late, on his return to the ship, at a table with company, is destructive of his physical powers in a manner uncalled for—it must undermine the most vigorous constitution—and he resumes business next day unrefreshed.

The small sum allowed to defray the Circuit expenses, owing to the retirement of so many of the judges, has not hitherto formed the subject of a remonstrance to Her Majesty's Government. The sum issued at the rate of Twenty Shillings only a day, without any culinary articles, glass, crockery, plate, linen, or wine, to supply a table for the Judge, the Circuit Clerk, the Sheriff, the Captain, and the Constable, is so obviously inadequate for the purpose, that it is presumed, from the mixed nature of this annual grant, there is some great misunderstanding concerning it on the part of the Legislature; and it is confirmatory of this opinion to consider the incompatibility of the grant of a few shillings only to Her Majesty to support an establishment so dearly cherished among a British People, and so highly appreciated by the Throne, as a pure and impartial administration of Justice, with the legitimate exposition of the financial resources of the Colony, adduced by the Legislature in their memorial to Her Majesty's Government for a direct Steam Navigation—and, also, the apparent injustice of a measure which would compel Her Majesty's Judges to perform expensive journeys on the plea of importance which their incomes cannot bear without embarrassment, and to refuse them ample compensation.

The increased quantity of business litigated before the Supreme and Circuit Courts, and the complicated nature of the Jurisdictions, comprising that of the Court of Chancery, Queen's Bench, Common Pleas, Exchequer, Admiralty, and Prerogative Courts, requires the Judges to apply all their mental and physical energies to the discharge of their important functions; and it is notorious during term time they are frequently seven and eight hours with their pens closely applied to the paper before them, and after all, in want of mechanical assistance, those Minutes, very important indeed to Suitors and the public in general, are mislaid so as not to be found when required to be produced, or so incomplete as to be altogether useless if discovered. I would therefore suggest the expediency of a sum of money being granted to each Judge for the employment of a confidential Clerk, or Tipstaff, as in England, to enable them to preserve the great mass of Minutes, Papers and Documents, which accumulate in their hands, which it is utterly out of their power to do at present, and to make out those Judgments in detail as lately ordered, in cases of appeal, by their Lordships of the Privy Council; and especially if it be determined to continue on with the present over-worked establishment of only three Judges, under the 5th Geo. 4, the entire Judicature of the Colony.

It may be proper here to draw His Excellency's attention to the necessity of providing a vote for the Contingencies of the Circuits, owing to the uncertainty of the anchorage at the different Harbours. If the Sheriff were authorized to hire chambers and apartments on shore, Suitors and the Public would not be liable to lose the benefit of the Courts by the Vessel being driven to sea to escape danger, and the impossibility of landing in Boats during gales of wind. The reason given for not authorizing such expenditure heretofore has been that it would be deemed unconstitutional to pay a greater sum than that actually voted.

The arrangements of the Circuits were adopted at the promulgation of the Charter, and declared to be only of a temporary and experimental nature in want of information;—no alteration whatever has been made respecting them, and the Judges have been exposed to great inconvenience in the transaction of business, and to privations and dangers on shipboard derogatory and incompatible with their professional education and habits. And the fact, unprecedented in any other part of Her Majesty's dominions, and at any other period heretofore, of the gentleman who now holds the office of Chief Justice, an appointment conferred for life, is the fourth who has been appointed to fill that situation since the year 1833, and subsequent to the grant of the Local Legislature; the third appointment of Assistant Judge is now held by Mr. Justice LILLY,—cannot be otherwise truly or legitimately explained than by the existence at this Colony of some operating cause, or power, which renders the retention of office under such circumstances too unremunerative, insecure and unsatisfactory. And if the necessity of alterations in the system pressed so heavily at a former period, there can be no doubt the increased population and trade