

Reeves, the Agent applied to him, desiring his Advice how to recover the Costs, who answered, that it would not take Effect in the Court where he presided, but that he must apply to the Court of Common Pleas. Mr. Ougier having given his Opinion of the Conduct of the Court of Common Pleas on this Business to Mr. Reeves, in London, some Time in April or May 1792, Mr. Reeves, on being at Bay Bulls in October last, was so good as to enquire into the Facts both of the Deputy Sheriff and Mr. Ougier's Storekeeper, John Whyatt, in Presence of Edward Lee, Mr. Ougier's Agent, and both the Deputy Sheriff and the Storekeeper, condemned the Conduct of the Proceedings to the Chief Justice, as is more fully expressed in an Affidavit made by the said Edward Lee, which he delivered in to your Committee, together with several Documents in Proof of the above, which are hereunto annexed. Vide Appendix, N° 2.

The Witness also produced a Copy of the Case of William Compton, a Bye Boatkeeper, to shew the Necessity of a Trial by Jury, and also the evil Tendency of the Act of the 15th of George the Third, which is also hereunto annexed. Vide Appendix, N° 3.

And the Witness further said, That with Respect to the Civil Judicature Bill, he agrees with Mr. Newman, with this Addition, that the Charges of Writs may not be calculated according to the nominal Damages given into the Court, but according to those which are assessed by the Jury; and that no Custom House Officer may be in the Commission of the Peace; and that in case of Insolvency, the Trade with the following Mode to be attended to:

That Assignees to Insolvents Effects be as in England; that to give a Preference in Cases of Insolvency to Persons who have supplied the Fishermen, or the Fishery of Insolvents, for the current Season, would be proper; but this to be confined only to real Necessaries for the Fishery (which, if not clearly proved) to be determined by a Jury in a Court, whether such Supplies were within that Meaning.

That the Remainder of all Insolvents Property after shall be equally liable to all Debts whatever; and that Newfoundland Debts shall have no Preference to the Debts in Great Britain, except as above expressed: If a general Partiality of Payment of Newfoundland Debts take Place, it would make the Island an Asylum for Swindlers,