

they consider those Sections inapplicable to the enlarged jurisdiction of the Justice.

"5. The House are of opinion that the first six of the new Sections proposed by the amendments to be introduced after the tenth Section of the Bill can be better supplied by the provisions of the Law for the support of confined Debtors; being extended to the Justices Court.

"6. The House object to the new Section marked in pencil 23, as a substitute for the tenth Section, no farther than as it may abridge the Clerk's Court of the City of Saint John of a part of its present jurisdiction."

*27th February, 1810.*

That the said Committee of the Council yesterday delivered to them a paper containing the answer of the Council to the objections, which is in the following words,

"The Committee of free conference on the part of the Council on the Bill "for the more easy and speedy recovery of small debts," are instructed to state to the Committee on the part of the Assembly, in answer to the objections of the Assembly to the amendments proposed by the Council to the same Bill.

"1. That the Council for the sake of preserving harmony, so much to be desired at all times, between the several branches of the Legislature, consent to extending the jurisdiction of Justices of the Peace to *five* instead of *three* pounds, and that *five* be accordingly inserted instead of *three* in the several and respective amendments proposed, but upon condition only,

"2. That this jurisdiction be restricted to the recovery of debts agreeably to the professed object in the title of the Bill itself, and the invariable usage in similar institutions and jurisdictions in England, to which the Council conceive that the Acts of Assembly ought on all occasions, so far as may be practicable, to conform; for these and other cogent reasons, the Council after the most mature deliberation, consider this addition to be indispensable, and therefore that the first Section of the Bill be as proposed in the amendments.

"3. That, consequently, the Council adhere to the fourth of the new Sections proposed, numbered in pencil 10, and also to the sixth numbered in pencil 12.

"4. That although the Council conceive the proposed amendment to the sixth Section authorising the Justice to direct payments to be made by installments to be an advisable and salutary provision, they nevertheless yield to the proposal of the Assembly that this be struck out, and that instead thereof, if the Assembly deem it expedient, the Justice be enabled to stay execution as proposed in the written objection on the part of the Assembly No. II.

"5. The Council continue of opinion that the Section proposed in the amendments in lieu of Section VII of the Bill, and the following Sections in the amendments numbered in pencil 8, 9, 11, 13, are necessary, in order to prevent doubts or difficulties that might otherwise arise on the subject, matter of these Sections respectively.

"6. The Council will not persist in the six Sections of the proposed amendments, numbered in pencil 16, 17, 18, 19, 20, 21, if the Assembly shall continue to be of opinion that they may be better supplied by the Provisions of the Law for the support of confined debtors being extended to the Justices Court.