

being indicted and arraigned, occasions a greater delay than is consistent with the necessary despatch of business upon the circuits. For this reason, a Special Commission is commonly resorted to for the trial of such offences; and there is another cause, namely, the indulgence permitted to the prisoner, of challenging a much greater number of Jurors than is allowed in other cases, which of course makes it necessary that more should be in attendance than are usually summoned for the Assizes. It is desirable, besides, that in cases of this description, which more especially affect the peace and safety of the whole community, the guilt or innocence of the persons charged should be ascertained with as little delay as is consistent with a due regard to the ends of public justice; and therefore it is probable, that even if there were not those other reasons which I have mentioned for bringing offences of this nature before a special tribunal, they would, nevertheless, not be left to await the sitting of the ordinary Criminal Court.

Trials for High Treason are happily not very frequent in any part of the British Empire. A generation has nearly passed away since a Court similar to the present was convened in this Province, the only one which, until this occasion, it had been found necessary to assemble in Upper Canada. The Special Commission to which I allude, issued during the last war with the United States of America, when some of the inhabitants of this Province, regardless of their duty of allegiance to their Sovereign, were found traitorously adhering to the enemy, assisting them in some cases with their arms, in others with their counsel and information, and thus doing more grievous injury to their country and to their fellow subjects than a much greater number of public enemies could have accomplished. The motives to this treasonable conduct were probably various. Some were influenced, perhaps, chiefly by the hope of gaining personal advantage to themselves by favoring an enemy who they imagined must succeed in making him-