

St John's.

15th. October 1810.

Sir,

The Society of Merchants have through their Committee to acknowledge the receipt of your Excellency's letter of the 4th. instant, acquainting them that you had not been instructed to make any enquiry into the charge preferred last Year against the Chief Justice, and submitted to the Lords of the Committee of Council for Trade and Foreign Plantation through the medium of of Admiral Holloway, late Governor of this Island.

The Society cannot Sir, but express regret at the silent indifference with which charges of such a nature against an Officer presiding over the execution of the Laws have been treated, more especially when it is considered that those charges have been made, not by a solitary Individual but by a Society of Merchants engaged in a hazardous and important Branch of commerce, to whom thousands look up for support.

The pure and impartial administration of the Laws are essential to the liberty and security

and

and of the subject, and it becomes the imperious duty of this Society, as Englishmen to complain of injuries, to assert the rights secured to them by the Laws and constitution of their Country and to resist and expose every attempt of Men in Office to tyrannize and oppress by perverting the Laws of their own private views.

From the period in which we made the representation in question to the moment, we have discovered nothing in the conduct of the Chief Justice that can induce us to depart from the sentiments expressed therein, on the contrary we have witnessed on many occasions the same arbitrary disposition to convert his will into Law, and if this we shall now proceed to give the most incontrovertible proofs, in the course of which we shall produce a case which hopes without a precedent in the British Administration of Justice.

For the sake of method we shall reduce the additional charges we have now to urge against the conduct of the Chief Justice to three heads, and accompany each with such observation as we conceive may be deemed necessary.

First , arbitrary, Megal and unconstitutional exercise of the functions of a Judge, in a case of High importance.

Second,

Second, illegal and partial interference in the management of an insolvent's effects.

Third, the strong appearance of design to conceal a document of importance to the prejudice of a Widow and her family.

The first head of these charges, in which every Englishman most feel interested, involves considerations of the greatest consequence, namely the honest administration of the Laws and the rights of the subject.

To shew this charge in a fair point of view, we call your Excellency's attention to the records of the Supreme Court of the 8th. January last, upon that record will be found the institution and issue of a civil action said there to be brought by John Rennell against George Lilly in this action Rennell is alledged to be suing Lilly for a debt contracted in a most ingenious manner, and which the record will in part explain.

The letters of our late Governor from the principal part of that record, and the intention of the Chief Justice in giving them so conspicuous a place can hardly be mistaking.

whenever peruses this case will scarcely conceive that Rennell, in bringing such an

action

action could have any other object than to record himself a Fool. The commences by saying Lilly owes him nothing to a person unacquainted with the circumstances of the case in question, the matter upon record must appear a mystery, which the following statement will unravel.

Some time in the month of December the Chief Justice directed a Writ to issue from the Supreme Court at the suit of John Rennell against George Lilly for the sum of one hundred pounds and upwards, although these persons were ignorant that they stood in the different relations of Plaintiff and Defendant. Rennell being informed he was Plaintiff denied his title, said he had no claim against Lilly, the named Defendant and should plead to no Writ, when the Chief Justice insisted that he Rennell, was and should be Plaintiff.

Thus it will appear that the Plaintiff in his case was no Plaintiff at all, but that the Chief Justice was Plaintiff Defendant, Judge, and Jury.

On the 8th. January last this mock trial came on, and the manner in which it was conducted will shew that the principal object of the Chief Justice was to throw contempt upon the part taken by the late Governor, as the record will prove, in doing which he appears to have forgotten that he was acting without the support of Law.

Upon this occasion he seems