

1. To the abolition of the compulsory writ of *capias ad satisfaciendum*, issued out of the county courts.

2. To the amendment of the practice of justices of the peace, with regard to the power of authorising arrest and confinement in civil cases.

3. To the amendment of the civil practice of courts, in relation to mesne process, and to the preparation of separate and distinct bills for these purposes.

Whilst enjoying the countless blessings of political liberty, and religious toleration, our attention is drawn to the enormous power of imprisonment for debt, and we are lost in wonder at its protracted existence to this age.

The christian successors of the Imperial Cæsars of ancient Rome, released the debtor on a mere oath, that he had not property sufficient to pay all his debts; but this triumph of the Gospel, over Pagan cruelty, was short-lived, for the inventive genius of avarice is ever active, and the power of wealth, by judicial management, became triumphant.

In a measure so immediately connected with the spirit of freedom, and the genius of our constitution, shall we lag in the rear of the monarchies of Europe, and whilst the sovereign states of this confederated republic, of the north, of the south, of the west, our sisters of yesterday, are shedding hallos around the temple of liberty, and adding lustre to legislation, shall an ancient state, long renowned for intelligence, liberality and enterprize, linger in execution, or withhold its aid in this goodly work of purification and political improvement? Forbid it Heaven!! Let us rather take warning from the pages of history—let us respect the wisdom of the sage of Athens, and avoid the recurrence of such calamities, from the indulgence of this fatal power, as desolated the nations of antiquity. Let us hasten to expel this hateful relict of feudal barbarity, and efface from our escutcheon this most foul and disgraceful stain. Let us enact a day of jubilee—if not to restore the captive debtor to his weeping wife, and suffering infants, to put a period to the state's disgrace, and this shameful prostration of the freeman's rights. If this detested feature of the common law did not exist, who would dare at this day to introduce it? Who would venture to vest in man the prerogative of Deity, without the attribute of Divine mercy? The power to punish a fellow being, to incarcerate his body, and to prosecute a course of cruelty, ending in despair, in disease and death, and all without proof of guilt, or even the semblance of criminality? We may boldly pronounce that none would dare, for such a monster would be hissed and hooted, and stigmatised throughout the land.

And where is the good of this despotic power? Does it benefit the creditor, or enrich the state? Certainly neither, for the victim is deprived of useful employment; but innovation—innovation—innovation—and tamper not with old usages, are the common cries. We will not impute these pleas to unworthy motives, or to the lack of a discriminating intelligence; but we protest against their infallibility, as by their observance we should not enjoy the liberty of conscience, or the right to sit in this hall.

The merciless Shylock demanded only a pound of flesh, but by this anomaly in jurisprudence, a christian creditor, may take the whole body of his fellow-man; and although the constitution utterly abhors the sale of a citizen, even with his own consent, yet a single justice, for a