



TO HIS EXCELLENCY THE RIGHT HONORABLE SIR EDMUND WALKER
HEAD, BARONET, Governor General of British North America, Captain General and
Governor-in-Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick
and the Island of Prince Edward, and Vice Admiral of the same, &c., &c., &c., &c.,
Commander-in-Chief of the Militia of the said Province of Canada.

The Memorial of the undersigned

humbly represents

That previous good character has been held so great a requisite in candidates for Government employment, that certificates of the same are required of all persons applying for public situations. Still more necessary is a character for honor, truth and probity in all persons aspiring for distinction in the profession of arms.

That, apart from the foregoing considerations, Militia and all other military rank is intended as a mark of honor, and becomes one of disgrace when shared with the notoriously infamous and unworthy.

That a feeling called *esprit de corps* renders officers in Her Majesty's service peculiarly sensitive as to the character of those who receive rank equal to their own.

That such *esprit de corps* is a valuable quality without which no military body can be effective or respectable.

That amongst the officers of the Militia of this Province, is one William Alphonzo Kirk, residing at Quebec, who holds the commission of Captain Unattached, and is totally undeserving of such post or any other in Her Majesty's service.

That the said William Alphonzo Kirk is notoriously a dishonest person, and is publicly known to have committed, before his appointment to the said rank of Captain Unattached, the crimes of embezzlement and swindling.

That the said William Alphonzo Kirk while Paymaster of Her Majesty's 16th Regiment of Foot, stationed in this garrison in the year 1854, embezzled a large sum of money belonging to the officers and soldiers of that regiment, and was a defaulter in his accounts with that regiment to the amount of £1400 and upwards.

That to hide his defalcation the said William Alphonzo Kirk obtained by false pretences from the Quebec Bank and Banks of British North America, Upper Canada and Montreal, in this city, divers sums of money by selling to the said Banks bills of exchange drawn to his own order on Messrs. Cox & Co., of Craig's Court, London, Army Agents, in whose hands he well knew that there were no funds to his credit at the time.

That the said bills of Exchange were all protested for non-acceptance by the said Messrs. Cox & Co., there being in fact no funds in their hands available for the payment of the same as falsely pretended and asserted by the said William Alphonzo Kirk.

That the said William Alphonzo Kirk as such Paymaster was tried by general court-martial in this city on charges of dishonesty, and was obliged to leave the said 16th Regiment on account of the crimes he had committed.

That amongst the amounts the said William Alphonzo Kirk procured from the said Banks, at Quebec, were £600 from the Quebec Bank, £262 17s. 3d. from the Bank of Upper Canada and £123 from the Bank of British North America, and that in consequence of the trouble attendant upon criminal prosecutions and their hopes of payment, the said Banks abstained from indicting, and proceeded only to sue the said William Alphonzo Kirk in actions at law, and obtained judgments against him for the said amounts, which to this day remain unsatisfied,—as more fully appears by the records in the causes No. 1243 and 1753, of 1855, in the Superior Court, at Quebec.

That the said William Alphonzo Kirk, after having led his creditors to believe that he would sell his commission in the British Army, and distribute the price thereof among them, caused an Agent or Attorney in England to draw the said price, and keep it for the proper use and benefit of the said William Alphonzo Kirk, when he was allowed to retire from that army which he stained with disgrace so long as he remained in it.

That the said William Alphonzo Kirk was imprisoned for weeks in the common jail of this district, for the frauds aforesaid, and was liberated therefrom only on the 17th of March, 1855, when Matthew George Mountain and Thomas Glover, of Quebec, merchants, became special bail for him that he would not leave the Province,—a bond which continues in full force to this date.

That the said William Alphonzo Kirk has obtained his said commission of Captain Unattached in the Militia of this Province by false pretences and imposture, he having falsely represented that he was a man of honor and a gentleman, and had left the British Army in honor and repute, whereas in truth and in fact he is well known to have been guilty of embezzling the funds entrusted to him as Paymaster of the 16th Regiment,—to have been tried by Court Martial for dishonesty,—to be unable to produce a certificate of good conduct from Colonel Cockell, the Commanding officer of that Regiment,—to have defrauded the Banks in Quebec,—and to have been degraded by imprisonment.

Wherefore your petitioner humbly prays that Your Excellency will be pleased to take the premises into your serious consideration, and thereupon adopt such measures as to your Excellency may seem meet and proper.

And, Your Excellency, &c., &c.

Bibliothèque,
Le Séminaire de Québec
3, rue de l'Université,
Québec 4, QUE.

Rev. C. Y. J. 5