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ground; but he saw arms in Brown's bar-room, about forty yards from the scene of trespass, which arms he believes to be the arms of the trespassers.

That the distance from where the blacksmith's shop stood to the edge of the river, he estimates at above 100 yards. He has resided 29 years in that neighbourhood; he has never considered the high bank in question as the bank of the river, nor has he ever known it so considered; he has always considered the government reserve to be one chain from the water's edge, above the Falls of Niagara.

*Isaac H. Culp*, states, that on the 18th May last, he was called by William Forsyth to witness his forbidding George Phillpotts, Captain of Engineers, and Richard Leonard, sheriff of the Niagara district, trespassing upon the land in dispute; he heard Forsyth forbid any trespass, upon which Captain Phillpotts passed on, saying nothing, and Sheriff Leonard, in a sneering way, asked Forsyth if he would prosecute The King. He was told by Sheriff Leonard, as a friend, that he might remove the things which he (the witness had in the blacksmith's shop; and that, unless removed, the blacksmith's tools belonging to witness, would be thrown over the bank.

That he was an eye-witness of the dispossession of Forsyth; that he had read the Petition; that the dispossession of Forsyth, as therein stated, is correct (except as to the stacking of the arms, of which he has no personal knowledge,) and not exaggerated; that he did not see Sheriff Leonard render any personal assistance in the outrage; that he appeared in his conduct and manners to be present in support and countenance of Captain Phillpotts, who headed the party trespassing; that he saw no arms stacked; that he saw some arms in Brown's bar-room; that the soldiers were quartered at Brown's for some days after the outrage.

That by the depredation, the garden of Forsyth, which he thinks one of the most valuable and highly cultivated in Stamford, and some fields of grain to the extent of ten or twelve acres, and about six or eight acres of meadow, with a good sward, were thrown open to the common; that they unnecessarily destroyed the fence; that two or three times when Captain Phillpotts was a short distance off, the soldiers, at the suggestion of Doctor Lefferty and Sheriff Leonard, began to raise the posts, which was easily done, out of the ground, and leave the fence prostrate; that Captain Phillpotts at each time, upon his return to the spot, ordered the posts to be cut down, and the fence to be thrown over the bank; that the blacksmith's shop was cut down and thrown over the bank, although the shop by no means hindered the free passage along the bank. It might have been removed to Forsyth's undisputed land adjoining for twenty-five dollars or near that sum; it was twenty by twenty-six, with two forges and one brick and one stone chimney, with an addition nine by twenty feet; it was weather-boarded, and the main building shingled.

*William Forsyth*, states, that the contents of the Petition, and the facts as therein stated are in all substantial points just and true, and that he would be willing at any time to testify to the same on oath; that he considered the violent outrage as proper to be prosecuted by indictment; that he felt and feels much embarrassed in any such prosecution, from both Crown officers being feed by the defendants in the civil actions brought by the Petitioner against the aggressors; that he would not like to make application to either of them under such circumstances to conduct a prosecution for him; he thought the Crown officers would defend him and the public against such daring outrages; he would prosecute the perpetration of the outrage if he could employ other counsel than the Attorney and Solicitor-generals, but he had understood that they claim the sole and exclusive right of conducting such public prosecutions; that he thinks, under such circumstances, that nine persons in the province out of ten would not prosecute criminally if they found the Crown officers largely feed by the perpetrators of an outrage against the person injured; that he thinks the conduct of the Attorney-general, John Beverly Robinson, Esq., towards him, the Petitioner, particularly unfair, inasmuch as he, the said John B. Robinson, has long since received from him, the Petitioner, four acres of land, in view of the Falls of Niagara, as a fee to defend him in his rights to the property which he is now labouring to take away from him; that the Honourable W. Dickson promised the said John B. Robinson one acre of land, before the said William Dickson sold to him the Petitioner; that he was called upon to convey the one acre to the said J. B. Robinson after he, the Petitioner, had received his title for the same; that instead of the one acre, he, the Petitioner, conveyed to the said John B. Robinson four acres, in view of the Falls of Niagara, and which four acres he, the Petitioner, considered a very liberal fee to the said John B. Robinson for his professional support of the rights of your Petitioner to the property; that he feels himself deserted and abandoned by the said John B. Robinson, and having to struggle against the power, influence and wealth of the Executive in this province, and Captain Phillpotts, who headed the rioters, having left the province, he, the Petitioner, has little or no hope of realizing any thing by a civil action.

*Note.*—The foregoing Report was referred back to the Committee, as further evidence on the subject was expected to be obtained, and on the 24th March, having procured that evidence, they again presented to the House the Report, with the following annexed:—

Some years ago, hearing that the Honourable W. Dickson, with whom I had been very intimately acquainted, and for whom I had been professionally engaged in matters of much consequence to him, had thoughts of selling a farm of his, situate on the Niagara river, immediately opposite the Falls of Niagara, I wrote to him, stating that I should like to own an acre of it somewhere in front, and begging that he would reserve an acre for me before he sold the farm, and let me know his price.