

No. XXX.

*Copy of a Letter from Lieutenant Colonel CRAIG, Secretary to His Excellency LORD AYMER, to J. STUART, Esquire, dated 20th June, 1835.**Cattle of St. Louis, Quebec, 20th June, 1835.*

SIR,—I have been directed by the Governor in Chief to acknowledge the receipt, on the 18th instant, of your letter dated the 17th instant, addressed to him, in which you request to be informed whether there be any fact within his Lordship's knowledge, evincing that you encouraged the issue of new commissions to Notaries as necessary, or that you induced the Government, as well as the public, to believe that such was the case.

The Governor in Chief has directed me to acquaint you, in answer, that he has no recollection of any fact calculated to create such an impression on his mind.

The issue of new commissions to public officers in the province generally, in the year 1830, in consequence of the demise of the Crown was founded on a minute of the Executive Council, at whose meetings in relation to that subject it appears you were present.

I have the honour to be, Sir,

Your most obedient humble servant,

(Signed)

H. CRAIG,  
CIVIL SECRETARY.

No. XXXI.

*Copy of a Letter from JAMES STUART, Esquire, to DOMINICK DALY, Esquire, Secretary of the Province of Lower Canada.**Quebec, 17th June, 1835.*

SIR,—It has been my intention, since my return to this country, from England, to obtain from the Officers of His Majesty's Provincial Government, who were principally concerned in the issues of new commissions on the occasion of the demise of His late Majesty George IV., some explanation, on the subject of a charge made against me, on this head, by Viscount Goderich, while he was Secretary of State for the Colonies. I have hitherto delayed soliciting this explanation, as there was no immediate occasion for it; but I am induced no longer to postpone this step, as it is expedient that the desired explanation should be obtained while the present Governor in Chief continues in office.

In the charge of Lord Goderich, which is now referred to, his Lordship states, "That it being my duty to advise the Government, I permitted and encouraged the issue of new commissions to Notaries, as necessary, inducing the Government, as well as the public, to believe that such was the case."

Without adverting to the error, under which Viscount Goderich appears to have laboured, in supposing the issue of new commissions to Notaries, not to have been necessary, and that the act of issuing them, therefore, was culpable, it has been sufficient for my purpose to controvert the facts stated in his Lordship's charge, which are totally without foundation. These facts, if they had occurred, must have been within your knowledge, inasmuch as no communication was had by me, with any other officer of the Provincial Government, except yourself, in relation to the issuing of new commissions, on the occasion in question. As an act of justice due to me in the peculiar position in which I have been placed, I feel myself warranted, therefore, in addressing myself to your honour and candour, to be informed whether, in any communication had with you, or in any other manner, within your knowledge, anything was said or done by me, tending to encourage the issuing of new commissions to Notaries, as being necessary, or tending to induce a belief in His Majesty's Government, or in the public, that such necessity existed.

In your examination before a Committee of the Assembly of Lower Canada, in 1831, with respect to the issuing of the new commissions of Attorneys and Notaries, you were asked, with reference to the printing of these commissions, "who induced you to print a set of these commissions?"—and, in answer to this question, you stated, "The Attorney General informed me that it was absolutely necessary to be enabled to furnish new commissions to all persons applying, with the least possible delay." From the manner in which the fact of the printing of the commissions is here mentioned, it might be inferred, that there was an officious interference, on my part, in suggesting the expediency of printing blank commissions. You will, I am persuaded, recollect, that the printing of the commissions originated in an anxious and praiseworthy desire, on your part, to be able to supply such commissions as might be called for, within the very short time allotted for this purpose—that you consulted me as to the legality and fitness of using printed commissions on the occasion—and that it was in answer to your enquiries on this head, that I expressed myself as I stated in your examination.

I have the honour to be, Sir,

Your most obedient humble servant,

(Signed)

J. STUART.

No. XXXII.

*Copy of a Letter from DOMINICK DALY, Esquire, to JAMES STUART, Esquire, dated 20th June, 1835.**Quebec, 20th June, 1835.*

SIR,—I yesterday received your letter of the 17th instant, wherein you state, that you are desirous of having some explanation from me on the subject of a charge made against you by Viscount Goderich, while he was Secretary of State for the Colonies, relating to the issuing of new commissions to Notaries, on the demise of His late Majesty George the Fourth, and in furtherance of that object, you wish to be informed by me, "whether, in any communication had with me, or in any other manner, within my knowledge, any thing was said or done by you, tending to encourage the issuing of new commissions to Notaries, as being necessary, or tending to induce a belief in His Majesty's Government, or in the public, that such necessity existed."

Having perused my examination before a Committee of the House of Assembly in 1831, I find that it conveys all the facts of which I have any knowledge, in relation to the issuing of new commissions, on the demise of His late Majesty; and I have only to add, that I am unacquainted with any thing having been said or done by you, tending to encourage the issuing of new commissions to Notaries, as being necessary, or to induce a belief in His Majesty's Government, or in the public, that such necessity existed.

With reference to the question and answer, which you quote from my examination in regard to printing blank commissions, I can only assure you that I had no intention of subjecting you to an inference that you had officiously interfered in the matter. So long a time has elapsed, that I cannot distinctly call to mind, whether the proposals to print commissions originated with you, or with me, nor did it at any time occur to me that it could have been of the slightest consequence, the necessity for the aid of printing having arisen in the opinion you clearly expressed to me, that it was my duty to be prepared to issue the new commissions to all persons applying, and it was manifest that I could not otherwise be so prepared.

I have the honour to be, Sir,

Your most obedient humble servant,

(Signed)

D. DALY.

The Hon. James Stuart Esquire,