



OCT 6 1932

**To His Royal Highness the PRINCE REGENT
in Council.**

The MEMORIAL of THOMAS EARL OF SELKIRK,

SHEWETH,

THAT, in the month of September, 1818, a bill of indictment was preferred against your Memorialist, at Sandwich, in the Western district of Upper Canada, for a conspiracy to destroy the trade of certain fur-traders calling themselves the North-West Company of Montreal.

That, when the said bill was before the Grand Jury, the Attorney-General of the Province claimed a right to attend them in their private room, and to examine the witnesses for the prosecution.

That your Memorialist appealed to the Court against this proceeding, which appeared to him highly irregular—(and the more so as he knew the Attorney-General held, shortly before, and most probably at the very moment, a general professional retainer for the said fur-traders) but the Chief-Justice declared from the Bench, that the Attorney-General, as a law officer of the Crown, had a right to examine the witnesses before the Grand Jury, and that such was the practice in England.

That in consequence of this declaration,—the accuracy of which your Memorialist took the liberty of contradicting in Court,—the Grand Jury was induced to permit the Attorney-General to attend them three days successively, for the purpose of marshalling and examining his witnesses,—all of whom were partners, clerks, or hired servants of the said fur-traders, or otherwise paid by, or dependent upon them. That, after the Attorney-General had finished this examination, the Grand Jury continued two days more in deliberating upon the said bill, during which time they called in other evidence, and also again questioned several of the same witnesses who had already appeared before them. That on the morning of the sixth day, when it was generally believed (from the purport of several questions publicly put by the foreman to the Chief-Justice, and from other circumstances) that the bill against your Memorialist would be immediately thrown out, the Chief-Justice,—without calling before him the Grand Jury (who were sitting in the adjoining room) or inquiring of them if they had any presentment to make, and without permitting them to fulfil the duties required of them, or regularly discharging them from their legal functions, unexpectedly and suddenly broke up the Court, thereby improperly interrupting, and putting a total stop to, the proceedings of the Grand Jury.