

en posts on the lines of the lots in rear. Mr. Clarke's name was marked on these four posts. They marked the rear of lots 5, 7, 9 and 11, all of which Mr. Clarke claimed as follows :—Lots 5 and 7 as being purchased by him (Clarke) from Joseph Goudon ; lot 9 as having been purchased from one Mike or Michael Meehan, and lot 11 on a Volunteer's Warrant." Knows Joseph Goudon, "and see and speak to him often." Was present when Joseph Goudon, David Goudon, Augustin Gosselin and Jacques St. Denis came to the office of Mr. Nash, and when they made their first declarations. "They dictated their declarations word for word, as nearly as could be, as they are written, and their declarations were carefully read over to them in the French and English languages, first by Mr. Clarke in my presence, afterwards, at Mr. Clarke's request, I read their several declarations over again to them in the French language in the most cautious manner, so that there could be no possibility of their being in any manner mistaken as to the facts set forth in their declarations, after which they severally signed." He says further : "I most positively declare that Joseph Goudon understands and speaks the English language very fairly, and that he perfectly understood and declared to every word and fact set forth in his declaration as I read it to him, as I did those of all the others in the French language, as I have before stated."

"I was employed professionally by Mr. Clarke last spring to survey lots five (5) and seven (7). On beginning my survey Mr. Duncan Matheson, Chief Clerk of the Hudson's Bay Company at West Lynne, having with him as a witness Mr. Bradley, sub-Collector of Customs, ordered me off the ground and forbade me to survey lot number five (5) claiming it as the property of the Company, saying at the same time : *You can survey lot number seven (7), we have no claim on it.* I continued the survey and finished it, having staked out the whole front for about half a mile back from the river of the two lots 5 and 7."

1880, March 2.—Clarke received notice from the Department of the Interior that his claim to lot 5, under the Manitoba Act, had been allowed ; but that his claims to lots 7 and 9 were disallowed. As appears from the foregoing extracts, Joseph Goudon, under declarations relating to the lot in question, on the 3rd May, 1879, obtained at the instance of Mr. Clarke, and as it will appear hereafter, on the 19th July, 1879, a declaration was obtained at the instance of his opponents, supposed to be the Hudson's Bay Company.

Subsequently, on the 22nd November, 1880, another declaration was made by *Joseph Goudon* to the following effect :—

That I sold to Henry J. Clarke 20 chains of land, "which was mine before the transfer, and for a great many years before. 1