

rested on another. All day Wednesday no one came to see me.

11. On Thursday morning, October 10, Charles Forrester and Edward O'Connor, lawyer, came to see me at the jail. They promised that if I would go home that afternoon they would get me off. I said I might as well go home, as I will not be allowed to work, and there is nothing else for me to do. I felt that I had been neglected by my friends and that there was nothing else for me to do but go back to my own province. After I got out, I found that the case had excited a great deal of interest, and that it would be neither fair to myself nor to the party to allow the matter to end in this way.

12. I was taken from the jail to Mr. Forrester's office, which is in the same building as the provincial magistrate's court. There were present Mr. O'Connor, constable Bertram, Marsh Jackson and constable Laughlin. When I left Forrester's office it was upon the understanding that I was to leave for home that evening. I left in company with Constable Bertram, whose name I had then learned was Campbell. We went to a barber's shop. There I picked up a copy of the Free Press, and I saw that a great deal of indignation was being expressed over my treatment. Of this I was ignorant when I was in jail. I also saw a statement in the Winnipeg Telegram, which severely maligned me. I made up my mind that I should remain in the city and have the matter cleared up rather than rest under the imputations caused by my arrest and my treatment in jail. In company with constable Campbell I went back to Charles Forrester's office, I told him that I had changed my mind, and that I was going to stand my trial for the charge that was laid against me, and that I was prepared to go back to jail. He asked me what had caused me to change my mind. I said that I had seen the papers, and that if I went back the Telegram would have scare headlines that I had left the province because I was guilty and afraid of standing trial.

Well, Sir, they must have a poor force of police if a guilty man could do that.

I then told him that he could send me back to the jail as soon as he was ready, and that that would relieve me of any obligation to him. Forrester tried a number of times to persuade me to leave for home. I refused to go. Provincial Constable Parr was then called in and took charge of me. We went to the Empire hotel where we stayed for a night in the same room.

13. On Friday morning in company with constable Parr I went again to Forrester's office, and I told him that if he would get a certificate of dismissal from the magistrate that I would return to my home on the Canadian Northern railway that evening. Constable Parr and I left and returned in the evening. Forrester said that he thought that I was to leave on the Canadian Northern railway train. I replied that he did not make any arrangement for me to leave on that train. He said: 'When are you going home?' I said, 'I am not going home until I get my dismissal from the magistrate on Saturday.' He replied, 'You are a fool Sullivan, if you do not go home. As sure as you stay here

Mr. MACNUTT.

you will be sent down,' and he instanced the case of a man named Chamberlain, I think, who was sent to jail, and who, he said, was no more guilty than I was. I then said, 'I am perfectly innocent of any wrong-doing and you cannot convict me without perjured evidence.' He said, 'We can get perjured witnesses against you,' and that I should remember that the government, the police magistrate and the constables were against me down here, and that I had better get home while I had the chance.

Mr. MACDONALD (Pictou): Who said that? Was it the magistrate?

Mr. MACNUTT: No, it was Mr. Forrester, the lawyer, as I read it.

I refused to go then without the discharge, and after some time, Mr. Thomas Murray came to Forrester's office to see me. He had a chat with me and told me that O'Connor had seen him, and that O'Connor was very indignant of the way I had acted in the matter; Mr. Murray told me that he was a good Liberal, and that he thought under the circumstances I had better go home. I decided in deference to Mr. Murray's representations that I had better leave. I left that evening for home. I was accompanied as far as Rivers, Manitoba, by provincial constable Ross. On the train he told me that he would like to go to his home at Virden. I said he could get off the train at Portage la Prairie, and that he could take my assurance that I would proceed to my home. He said that his instructions were to accompany me to the boundary of the province. He went with me as far as Rivers.

14. In the following week I got word that I should return to Winnipeg as my case was on the docket, and would come up on Saturday morning, October 19, at 10 o'clock. I returned to Winnipeg on October 18, and was instructed to see Mr. Trueman, who was acting for me as my counsel at the hearing of the case. In company with Mr. Trueman I went to the provincial police court on Saturday morning, October 19, at 10 o'clock. I saw the court docket and saw that my case was on the docket to be heard at 10 o'clock. Mr. Trueman stated to police magistrate McMicken that he appeared on my behalf and that we were prepared to proceed with the hearing of the information. The magistrate said that the case had already been disposed of, and he refused to go on with it. Mr. Trueman obtained from the magistrate a paper purporting to be the information laid against me. While Mr. Trueman was reading it, the magistrate demanded it back. Mr. Trueman refused to surrender it until he had an opportunity to make a copy. The magistrate and a number of provincial constables then sought to obtain it by force, and eventually they procured it from him. In the meantime, the magistrate adjourned his court, and no further proceedings have been taken in the case.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of 'The Canadian Evidence Act.'