

house. Father lay about an hour when he fell last. No one was with him but me. During that time I saw his wounds; he pulled down his shirt and showed them to me—two wounds. I saw them inflicted by this man, one on the breast, the other on the back. The other parties were still running after the nigger. After this, we heard some one halloo, and father told me to answer. Father was not able to get up. Dr. Crews and one of our own nigger men first came up. The Doctor lived about half-a-mile from where father was stabbed. After a while, another of our niggers came up, and he and I went to Bass's, to get quilts to carry him over the Creek. They lived about a quarter of a mile off. A sleigh was brought, drawn by a horse. Father was put on the sleigh, and taken to Dr. Crews'. He stayed there till he died. He never went home after. Had never seen the man who stabbed father before that time. The prisoner is about the colour and size of the man, but I would not swear he is the man.

*Examined by Mr. Freeman.*—I was not present at the first. What I saw first was father and some of the black boys. One told me it was a runaway. There were two men and two boys, from 17 to 19 years of age. They were walking along. I asked one of the boys who the strange black man was. He told me some one said he was a runaway. I walked along towards our house to dinner. This man was going along. They came in sight of a house in the field, when the stranger broke, and run, and left the rest; that is, he ran away from the rest, through the woods, from the others, pretty fast: he appeared to run as if he was trying to run away. Don't know what the others thought; they ran after him; father told them to run after him. Father wanted to give him back to McDonald. Moses Burton used to own him. He tried to get away so that father could not deliver him back to his master. Father told the boys to go after him and catch him. They were present. There were four went after him, all blacks. Father told them to catch him. Father also ran after him. Don't remember if he halloaed; but he went after him. The nigger and one man ran in a circle. Father and I went across, and father had just got over the fence. The nigger and he met. Did not hear any words pass. I took a deposition once before Mr. Holliday, J.P. Father had a little stick in his hand. The negro ran at him with an open knife, drawn, in his hand. It was a paw-paw stick. My father struck at him with the stick after the nigger had run at him with the open knife. The stick hung in some bushes, and broke. The nigger then stabbed father. Father raised the stick to keep the nigger from cutting him with the knife as he ran at him. They had run across one Wood's pasture before this happened; it would be between a quarter and half-a-mile; more than half-an-hour, or perhaps not so long: but he did not go far from our farm. He was trying to get away, and they trying to catch him. One coloured boy was about twenty yards off when father was stabbed.

(Signed) BENJ. F. DIGGS.

Prisoner committed and evidence certified to his Excellency the Governor General.

(Signed) W. MATHEWS, J. P.

I hereby certify that the within papers are true copies of the papers filed in the Court of Queen's Bench on the application for the discharge of John Anderson with the writ of *certiorari* and return thereto, to which writ they are annexed.

In witness whereof I have hereto affixed the Seal of the Court of Queen's Bench, this 8th day of February A.D. 1861.

(Signed)

CHR. C. INNELL,

*Clerk of the Crown and Pleas.*

Inclosure 4 in No. 15.

*Judgment of Chief Justice Robinson.*

In the Court of Queen's Bench:

ON the 20th November, 1860, a writ of *habeas corpus* was granted, returnable in the Queen's Bench, to bring up the body of John Anderson, detained in the custody of the Sheriff of the County of Brant, with the cause of his detention.