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so long as a Tavern was permitted to be open, upon the government ground. As has been already stated, the building in question, not only stands within the circuit of the ground, exclusively set apart for the service, but is adjoining to the Government Carpenters, and Blacksmiths shops, and in the yard, where all the heavy wood, and iron work of the canal, are prepared, and in consequence there are necessarily employed within that enclosure, some ninety, or a hundred tradesmen, the generality of whom, receive very high wages, and having an easy access to this building, by the back way, through an opening made in the fence, for the express purpose, of decoying the workmen.—

In consequence, they were enabled to procure liquor at any hour of the day, without the knowledge of their masters, and many of them, were constantly in such a state of intoxication, as to render them unable to perform their daily labour, to the great detriment of the public service. Upon hearing this complaint Col. By went to the house, and instead of finding Mr. Lang, found Mr. Hill in possession. Col. By asked him if he sold spirits, or had converted the building into a tavern. His reply was, "I sell liquor when I can." Col. By then told him, that Mr. Lang had been allowed to occupy the House, for the particular purpose of selling bread, and under the express condition, that he should neither sell, nor suffer to be sold, ardent spirits, or any kind of liquors; that by the breach of his agreement he had done material injury to the public service, and that, therefore Mr. Hill must quit the building, in four-and-twenty hours, or in discharge of his duty, he should be obliged to turn him out, it being quite impossible, for him to permit a Tavern to be kept in that enclosure. At the expiration of the time mentioned, Col. By went again to the House, to know if Mr. Hill had moved. There was not the slightest appearance of a move, Hill was out, Col. By asked his wife, if he intended to quit the building. Her reply was, "that she had not heard any thing about it"; Col. By then wrote an order to Capt. Victor, desiring him to send a party of soldiers to remove the goods of an intruder from out of the Government Building, called the old Engineer Office; Capt. Victor sent the men, but finding the door locked, they returned to know if force should be used, Col. By said, that it was positively necessary to remove the goods; but desired, that as little force as possible, might be used; that if they found the door locked, and the inhabitants refused them admittance, it must be broken open. The next morning, after receiving these instructions, (which made forty-eight hours notice) a Sergeant, and party, were marched to the door, which they found locked: the Sergeant demanded admittance, which was refused, he then went to the Blacksmiths shop, and procured a piece of iron, with which he forced the door, quietly removed the goods, and when the inhabitants left the building, the door was locked, and the key given to the Clerk of Stores. All was done under the eye of Dal. McKinnon, Esq. a magistrate, who did not see any disturbance sufficient to call his magisterial functions into exercise, even so far, as to command the peace, which is sufficient to prove, that the removal of the goods, was conducted, in such a manner, as not to disturb the peace, of His Majesty's subjects, in the slightest degree. The goods were not carried away by Plaintiffs, until two or three days