

reprieved preparatory to the adoption of commuted punishment.

You will please to consider this communication as altogether unconnected with any official permission to make it.

In haste, I am Sir, truly yours, &c.

Signed,

JAMES CUTHBERT.

E. Barnard, Esq. Advocate,  
Three Rivers.

Three Rivers, 26th April 1838.

Sir,—In taking the liberty to address you on the subject of the following letter, I think I ought to plead no other apology than that of not having done so sooner. Though I have waited till the very last moment, there is still time, though there is but just time enough, for me to expect that there is one man in the Province whose commanding talents and standing can prevent the Executive Government from rendering itself guilty of taking away, unlawfully, the life of an unfortunate and unprotected individual. A circumstance which emboldens me to hope that the appeal I make to *you* may and will meet with that attention which has been refused me where I had a *right* to expect it, is, that the case of the individual, in whose behalf I am now addressing you, arrested, to a considerable degree the attention, and, I may add, aroused the indignation of Mr. Andrew Stuart, who happened to be here last September; and that gentleman, in a manner worthy of him, tendered his professional services in aid of the accused, and elicited from the Chief Justice of the Province, then sitting, his opinion as to the want of jurisdiction in the Courts of this Province from proceeding to the trial. Indeed had your brother not have been lately called away from the Province, there is little doubt that it would not have become necessary that I should now address you. For his sake, and for the sake of humanity, you, I would fondly hope, will throw your powerful resources into the balance, which would otherwise be weighed down, not by right but by might.

I, therefore, take the liberty of forwarding for your consideration divers documents which have passed to and from the Executive Government on the subject of Baptiste Cadien, an Indian, now lying under sentence of death for murder, which there is too much reason to fear, will, unless Providence inter-

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