

and then subsequently deciding for himself?—Mr. *Brown* did not make a complaint of that kind, nor did he state that Mr. *Vansittart* had expressed his intention of leaving the question of qualification to be decided elsewhere.

By Mr. *Notman*.

107. What persons were present when the conversation with Mr. *Brown* you alluded to took place; and where, and in what place in *Hamilton* did it take place?—The conversation took place at *Weekes' Hotel* in *Hamilton*. It was on the night on which the Election for the County of *Wentworth* had closed, and a great number of persons were present; but I cannot remember that I was acquainted with any person who was present during the whole of the conversation.

108. Did you understand Mr. *Brown* to exculpate Mr. *Vansittart*, and throw the entire blame on Mr. *Cameron*?—At the time this conversation took place, Mr. *Cameron* was a member of the then Administration, and I understood Mr. *Brown* to attribute the result of that Election entirely to the influence which his advice, as a legal adviser of the Crown and a member of the Government, had upon Mr. *Vansittart*.

109. Did you act against Mr. *Hincks* in any manner, or for Mr. *Carroll* or Mr. *Campbell*, during or before the last Election; and do you, or do you not, belong to the Conservative party?—I had never seen Mr. *Carroll* or Mr. *Campbell* until some time after this Election took place, and I never acted directly or indirectly in any manner with that Election; and I do belong to the Conservative party.

110. At what time, and how long after, did you communicate the conversation you had with Mr. *Brown* to Mr. *Vansittart*?—I communicated this conversation to Mr. *Vansittart* some time after his return from *Montreal*, after the last Session of Parliament, and after I had understood that he had been charged with corrupt motives at that Election.

And then he was directed to withdraw.

Mr. *Vansittart* then addressed the House, and produced the following Documents in support of his defence:—

Claremont, Burford Township,
December 15th, 1847.

Dear Sir,—Your favor by Mr. *Fauquier*, was received by me while engaged in magisterial business: and as the bearer assured me that a verbal assent would be sufficient, I did not delay him to write an answer; but if you should receive this in time, I should be happy to know if you have any particular form for the Poll Books, as there does not appear to be any laid down in the Statute regulating Elections; as also, if you are aware of the precise state of the Law regarding Aliens, and in the event of your deeming it expedient to entrust me with the conduct of the ensuing Election to be held in this Township, any information regarding mode or manner of taking the votes would, if supplied by you, be deemed a favor.

I remain, your obedient servant,

GEO. G. WARD.

P.S.—As the appointment of "Poll Clerks" is vested in the Returning Officers, and as I am not aware of the extent of your local knowledge of parties in this Township, I have taken the liberty of forwarding some names of persons who would be competent to fulfil the duties of that office: *W. D. Bowen, John Cotton, Willard M. Whitehead*.

Copy. *Woodstock, 17th January, 1848.*

Sir,—I have the honor herewith to forward to you the Poll Books of the twelve Townships composing the County of *Oxford*, also the qualification Oaths of each of the three candidates who presented themselves at the day of nomination, viz.: the Honorable *Francis Hincks*, *Peter Carroll*, Esquire, and *Robert*

H. Campbell, Esquire, together with three protests which were handed to me against them respectively. In addition to this, Mr. *Carroll* exhibited another qualification Oath at each of the various Township Polling places, and likewise a fresh protest against the qualification Oath of the Honorable *Francis Hincks*, which I was informed by the Deputy Returning Officers were posted conspicuously before any votes were taken on the first day of polling—which Documents I transmit attached to the original Poll Books. After carefully considering all these different qualifications and protests, and diligently consulting the Law upon the case, it appeared to me that the qualification of *Peter Carroll* and *Robert H. Campbell*, Esquires, were perfectly valid, but that the qualification of the Honorable *Francis Hincks* was of itself not in accordance with the Statute, because made before he could be recognized as a candidate; and further, it appeared to me that I could not legally receive such qualification, because no unavoidable cause—indeed no cause at all—was shewn for his absence at the day of nomination, as the Statute demands. I would also mention, that Mr. *Hincks'* agent presented to me shortly before proceeding to the hustings to make declaration of the Poll, another paper, signed by the Honorable *Francis Hincks*, being a fresh declaration of qualification, but not sworn to, and not specifying the property; this I held to be useless, both as being too late, and as being incomplete, and I therefore declined receiving it, and felt it imperative on me to pass over that gentleman altogether, and to declare *Peter Carroll*, Esquire, duly returned as possessing the largest number of legal votes. The general Poll at its close being—

For Mr. *Carroll*....478

For Mr. *Campbell*...131

giving a majority of.....347 for Mr. *Carroll*. I accordingly declared the result of the Election in the following words:

I declare the votes given for the Honorable *Francis Hincks* thrown away, and that he is ineligible in consequence of his qualification having been sworn to before the Writ of Summons issued, and also because it was not shewn that he was incapacitated by sickness or any other unavoidable cause from attending in person at the day of nomination, to make Oath of declaration of qualification as demanded.

And I further declare that *Peter Carroll*, Esquire, having the majority of legal votes, is duly elected a Member to represent this County of *Oxford* in the ensuing Provincial Parliament.

I have the honor to be, Sir,

Your obedient servant,

(Signed,) JOHN G. VANSITTART,
Returning Officer for the
County of *Oxford*.

To *Félix Fortier*, Esquire.

&c. &c. &c.

Canada,

District of *Brock*, To wit: }

Richard Foquett, of the Town of *Woodstock*, in the District of *Brock*, gentleman, maketh oath, and saith, that he was present at the General Election for the County of *Oxford*, on the 28th of December, 1847; that he acted as Clerk for the Returning Officer, *John George Vansittart*, Esquire, on that occasion; that he was present as such Clerk on the day of nomination, and remembers distinctly the circumstances connected with that Election. This Depo-
nent further saith that on that occasion, the Honorable *Francis Hincks*, *Peter Carroll*, and *Robert H. Campbell*, Esquires, were respectively nominated as Candidates at the said Election; that a show of hands was called for, and decided by the Returning Officer in favor of the Honorable *Francis Hincks*; the qualification of each candidate was severally de-