

On the seventh day of August in the year of Our Lord one thousand eight hundred and sixty-six the above named and described deponent again appeared before the undersigned, William Bréhaut, Esq., Police Magistrate, in and for the District of Montreal, and being again sworn in the presence of the prisoner, Ernest Surcouf Lamirande, the cross-examination of the said deponent was continued as follows:

*Question.*—When you spoke of the falsification of writings to Lamirande, was it question of writings connected with the sum of money which was missing from the safe of the Bank after his departure? *Ans.* I am of opinion that that was what was in question.

*Question.*—According to the information which you communicated to Lamirande after having received it yourself was the register kept by Lamirande stated to contain the same irregularity as his balance sheet, or something different? *Ans.* I have already stated that I had no details as to the manner in which Lamirande proceeded, that I had only been told of falsification of writings and forgery of commercial documents by his balance sheet.

*Question.*—Did you ever say to Lamirande that he was accused of alteration of writings or of figures, either in the registers or in his balance sheet? *Ans.* As I understand it, alteration and falsification mean the same thing. I may have used both words in my conversation with him.

*Question.*—Be good enough to state precisely what Lamirande acknowledged before you and the terms that he made use of in so doing? *Ans.* When I said to Lamirande that he was accused, in addition to the embezzlement of funds, of forgery of commercial documents, he replied: "It is true, I know it well."

*Question.*—To what did Lamirande's words, "It is true, I know it well," apply? *Ans.* For my part I am morally convinced that the meaning of that reply was that he acknowledged himself to be guilty of the deed.

*Question.*—State in what terms Lamirande discussed with you the nature of the offence which might be the result of the facts of which he was accused. *Ans.* Lamirande maintained that the forgery of which he was accused was not that described by the law as such.

*Question.*—Of what arguments did he make use to disprove the nature of forgery as applied to his acts? *Ans.* I do not think we discussed the point. I only remember that Lamirande maintained that the forgery of which he was accused was not that laid down as such by the law.

*Question.*—What reason did he give for stating that his acts did not constitute forgery as laid down by the law? *Ans.* I think, but I cannot state positively, that Lamirande maintained that forgery was a false signature, whereas his was a true one.

*Question.*—Have you, either at New York or at Montreal, had consultation with those who were conducting the prosecution, as to the nature of the accusation which was to be preferred against Lamirande? *Ans.* At New York, yes; but at Montreal, no. But at New York the question of forgery was never spoken of, because embezzlement was included in the treaty; although the indictment which was placed in the possession of Mr. Judge Commissioner Betts contains that accusation.

*Question.*—Have you, in Montreal, held any conversations in which the reasons were explained to you why the accusation was not the same here as at New York? *Ans.* It was useless to explain it to me; I knew it. At London, in England, where I have often been on extradition business, I became acquainted with the treaty existing between France and that Power and her Colonies. The whole Lamirande business was discussed between the advocates for the prosecution and myself; we read the treaty existing between England and France, and I had no need to have it explained to me for I knew it well beforehand.

*Question.*—Was there any discussion between you as to the means to be adopted to give the facts the color of a forgery? *Ans.* No.

*Question.*—Did not the advocates for the prosecution tell you that there was no way in this country of basing an accusation of forgery on the facts of which Lamirande was accused? *Ans.* Before seeing the Montreal advocates I went to Quebec, where, without any one's advice, I made an affidavit accusing Lamirande of forgery; consequently, I knew what was to be done before seeing the Montreal advocates. The advocates for the prosecution at Montreal did not tell me that there was no way in this country of basing an accusation of forgery, on the facts of which Lamirande was accused.

*Question.*—Why was not the accusation of forgery adduced in New York, since the