

Some days afterwards, Major Hillier told me that he hardly knew what to say, without something specific to act upon.

I put into his hand the Correspondence (No. 1. II.) accompanying this.

The next visit of Major Hillier to me was to say, that the expression of my feeling to Mr. Wood in that Correspondence was very strong, but still there was nothing tangible. I then put into his hand the detail referred to in the Correspondence, which I forbear to transcribe, not to offend your Excellency's moral sense.— Upon the perusal of that paper, the Secretary was pleased to say, that your Excellency could not permit Mr. Wood to sit on the Commission with those Gentlemen; but that it would be painful to him to discuss the matter with your Excellency; that he would adopt means to induce Mr. Wood to decline; and expressed a hope that he was at liberty to use the Communication which I had made to him.

I certainly thought that the Correspondence between Mr. Wood and myself, although so long past, might have sufficed to account for my declining to approve his nomination when consulted by your Excellency; but when that was questionable, would not withhold the last document.

It is here proper to remark to your Excellency, that, notwithstanding my strong expression to Mr. Wood in answer to his note of the 6th July 1810, I had met Mr. Wood, since his return, in all places and societies as before this knowledge came to me; and no public prosecution having followed, treated him as before, except that his personal visits at my house and table, which had been very frequent for eight years before, were entirely dispensed with for twelve years since.

Thus things remained when accident recalled notice.

At the Gaol Delivery during the last Session of the Legislature, Mr. Justice Campbell had kindly offered to relieve me from that duty, as I was engaged in the Legislative Council.

The usual associate Judges not being able to attend, Mr. Baby being absent at Quebec, and Mr. Allan in domestic affliction, I requested Mr. Campbell to name his associate, and the name of Mr. Wood was by him transmitted to me to insert in the Commission. I felt it to be beyond all power of complaisance or friendship, and declined it, with a verbal message by the Clerk of Assize, that I would offer my reason for so doing, at our first meeting.

We met at the Court-house; and Mr. Justice Boulton, who was conversant with the whole matter, was present when we explained to our Brother Judge the conversation for not putting Mr. Wood's name in the Commission.

Whether my conduct, in all this, was right or wrong, I put it to your Excellency to say, what would have been your opinion had I, being consulted by you, allowed to pass unnoticed that which, with respect to Mr. Wood, had induced me to decline inserting his name as an associate in a Commission of Gaol Delivery.