

with gun-powder and a leaden bullet, which said gun the said person (whose name to the Jurors aforesaid is as yet unknown) in both his hands then and there had and held at, and against the said Pierre Billet, then and there feloniously, wilfully, and of his malice aforethought, did shoot off and discharge, and that the said person (whose name to the Jurors aforesaid is as yet unknown) with the leaden bullet aforesaid, by means of shooting off and discharging the said gun so loaded to, at and against the said Pierre Billet as aforesaid, did then and there feloniously, wilfully and of his malice aforethought, strike, penetrate, and wound the said Pierre Billet in and upon the right side of the neck of him the said Pierre Billet then and there with a leaden bullet aforesaid, by means of shooting off and discharging the said gun so loaded to, at, and against the said Pierre Billet—And by such striking, penetrating, and wounding the said Pierre Billet as aforesaid, one mortal wound in and through the neck of him the said Pierre Billet, of which said mortal wound the said Pierre Billet did then and there immediately die; And that the said William Robertson, Pierre Lukin, Alexander Fisher Macintosh and Henry Temple, then and there feloniously, wilfully, and of their malice aforethought were present, aiding, helping, abetting, comforting, assisting and maintaining the said person (whose name to the said Jurors aforesaid is as yet unknown) in the felony and murder aforesaid, in the manner and form aforesaid, to do and commit; And so the Jurors aforesaid, upon their oath aforesaid, do say, that the said person (whose name to the Jurors aforesaid is as yet unknown) and the said William Robertson, Pierre Lukin, Alexander Fisher Macintosh and Henry Temple, him the said Pierre Billet in the manner, and by the means aforesaid, feloniously, wilfully, and of their malice aforethought, did kill and murder, against the peace of Our said Lord the King his Crown and dignity.

(Signed,) John Delisle, Ck. Cr.

(Signed,) C. R. OGDEN,
Sol. Genl.

(A true Copy.)
John Delisle, Ck. Cr.

PROVINCE OF LOWER CANADA, }
DISTRICT OF MONTREAL. }

Joseph Roy, Esquire, one of the Justices of our Lord the King, assigned to keep the Peace within the said District;

To the High Constable, all other Constables, Peace Officers and others, the Ministers of our said Lord the King within the said District and to every of them, Greeting;

Whereas information hath been laid before me, upon oath, That on the twenty first day of May last, Alexander Fisher Macintosh, now or late of the City of Montreal, Esquire, and Henry Temple, now or late of the same place, Esquire, with divers soldiers and other persons, whose names are as yet unknown, wilfully, and of their malice aforethought, advanced upon and assaulted divers of His Majesty's subjects then being in St. James street, in the said City of Montreal, and in the peace of our Lord the King, and that divers of the said soldiers, whose names are as yet unknown, under the direction of the said Alexander Fisher Macintosh,

and Henry Temple, and commanded by them, feloniously, wilfully and of their malice, aforethought, shot off and discharged a number of fire-arms, loaded with powder and ball, at and against Casimir Chauvin, of the said City of Montreal, Printer, Pierre Billet, of the same place, Labourer, and François Languedoc, of the same place, Labourer, then and there being in the peace of our Lord the King, and thereby inflicted upon them several mortal wounds, of which the said Casimir Chauvin, Pierre Billet and François Languedoc, immediately afterwards died, and that the said Alexander Fisher Macintosh, and Henry Temple, then and there, feloniously, wilfully, and of their malice aforethought, were present, aiding, helping, abetting, assisting and maintaining the said soldiers, whose names are as yet unknown, in the doing and committing the felonies and murders aforesaid.

These are therefore to command and require you to take the said Alexander Fisher Macintosh, and Henry Temple, and bring them before me, to answer to the murders and felonies with which they stand charged as aforesaid, and to be further dealt according to Law.

Herein fail you not.

Given under my hand and seal at Montreal, this fourteenth day of September, in the third year of His Majesty's Reign.

(Signed,) JH. ROY, J. P.

(A true Copy.)

(Signed,) Benj. Delisle,
High Constable,

(A true Copy.)
Jno. Delisle, Ck. Cr.

PETITION of Lt. Col. Macintosh and Captain Temple, to the Chief Justice of the Court of King's Bench, at Montreal, praying for a Writ of Habeas Corpus, dated 15th September, 1832.

DISTRICT OF }
MONTREAL. }

Alexander Fisher Macintosh, Lieutenant Colonel of His Majesty's 15th Regiment of Foot, and Commandant of the Troops in the Garrison of Montreal, and Henry Temple, Captain in the said Regiment, being duly sworn, do respectfully depose and say: That the allegations, matters and things contained in their joint Petition of this days date, praying for a Writ of Habeas Corpus, are in substance, to the best of their knowledge and belief, true and well founded in fact, which the Deponents conceive will be made appear by the Bills of Indictment and Documents on record, in the Office of the Clerk of the Crown, to which they pray reference.

(Signed,) A. F. MACINTOSH,
Lt. Colonel.
H. TEMPLE,
Captain.

Sworn before me, at Montreal,
this 15th day of Sept. 1832.

(Signed,) Jr. Reid, Ch. J. K. B.

(A true Copy.)
J. Delisle, Ck. Cr.

Montreal,