

were then on our road to give evidence before the House of Assembly, in conformity with the orders served on us.

Q. Were you ever taken in your life before for any riot?

A. No, never, nor for assault or battery, or anything.

Q. Did M'Millan strike you?

A. Yes, he did.

Q. Did you challenge him to fight?

A. No, I never said a word to him. I was standing between my father and him, as I thought he would provoke my father to fight.

Q. Did you see any other person struck?

A. No—Saw M'Millan shove his fist close past my father's head. M'Millan had been at our place as a Constable along with the Sheriff.

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JAMES MACKENZIE, Lot 43, Bay Fortune, *called in and examined.*

Q. Were you present the day the Sheriff sold the cattle at Mr. Douglas's?

A. Yes; I was there before he arrived, and remained 'till the sale was over, and then went away.

Q. Were you standing nigh the Sheriff during the sale?

A. Yes.

Q. Did you see him struck or shored, or in any way molested?

A. No.

Q. Any snow thrown at him?

A. Not to the best of my knowledge.

Q. Did you bid for any of the cattle?

A. Yes, but I was not the highest bidder.

Q. Did you see the Sheriff strike any one?

A. No.

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JAMES AITKEN, of Bay Fortune, *called in and examined.*

Q. Were you at the sale of James Douglas's property?

A. Yes, I was there before the sale commenced, and remained 'till its conclusion, but went away before the Sheriff left. I was there for about half an hour after the last creature was sold.

Q. Did you see any rioting at said sale?

A. No. In general terms I would wish the Committee to understand, that the letter which appeared in the *Colonial Herald*, signed 'James Douglas', contains a statement which is, in every particular, correct, of the circumstances of the sale, during the time I was there.

Q. Did you not say that the Sheriff struck some individuals?

A. Yes; I understood so, but did not see him do so. It was said to have taken place after I left. My grandson, James (John's son), about 15 or 16 years old, complained to me that the Sheriff struck him on the head with the butt of his (the Sheriff's) whip, and without any provocation.

Q. Do you rent your land?

A. I have been obliged to pay. I have paid rent for nearly forty years. Mr. Fox, who surveyed the land, nearly 40 years since, calculated my possession at 153 acres, for which I paid 1s. per acre, every year; and if ever I was 10s. behind, I was put to heavy expense. As estimated by a practical surveyor, there are 72 acres of the land, for which they charge rent, within the Fishery Reserves: thus I have paid upwards of £140 of rent for land which I consider the Crown never gave to the proprietor.

Q. Do you, or your family, fish?

A. Yes; we keep a boat, and have for many years, and catch our own fish. I have at the same time to observe that the proprietor's son, Wm. Townshend, came, and, without my consent, put up on the said 72 acres, flakes and fish house, and never offered me any deduction from the rent. The second year, indeed, he asked me—"Aitken, are you willing that I continue occupying this station?"

Q. What did you say?

A. I did not know what to answer him, but he himself answered thus—"If you be unwilling, I can soon find a way to have right to occupy, whether you will or not."

Q. Is he there still?

A. No.

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JOHN MACDONALD, Little River, Bay Fortune, *called in and examined.*

Q. Were you at the sale, by the Sheriff, of the cattle of Mr. James Douglas?

A. Yes—I was there before the Sheriff came—we did not know what hour the sale would commence.

Q. Was there any interruption to the sale?

A. No—whenever he came the whole stock was turned out, that he might do with same as the law required. The only condition mentioned by the Sheriff was, that whoever bought must pay cash down. I bade for a Cow 4d.—another man bid more. I bought in a Bull for 4s. and required him to deliver the same, which he refused to do, and I said I would sue him for the same. And the same course he followed with other people—he would not give the cattle to the highest bidder in any case.

Q. During the sale, or previous, was any insult offered to the Sheriff?

A. None that I saw or heard of.

Q. How long did he stop after the sale was over?

A. About an hour and a half, or two hours.

Q. What was he doing?

A. Part of the time he was trying to convince the securities that though they had delivered the property at the day of sale, yet, as he did not consider it sold, they must still take care of it. During this, the boys were occasionally heaving some snow at or towards the Sheriff, some of which struck him—and when he moved to go away, the whole assemblage, or the greater part of them, followed at some distance towards the tavern. Betwixt Douglas's and the tavern is about 200 yards. I walked