

—called at the office to see Mr. Gilkinson—Mr. Hagerman asked me what paper I had in my hand: on saying it was the Writ of Election for Leeds, he asked me, if I had received any particulars respecting the election: I opened the parcel, and looking through the papers, I think this was the time I made the discovery of the want of the Return. I made no report or communication to any person on the subject, but returned to my office and wrote to the Returning Officer the letter to which I have before alluded, which neither His Excellency, nor any other person in his office, has ever seen to this day that I know of.

His Excellency's Secretary on the morning of the 11th instant, when I called, said it would be as well for me to see His Excellency.—I did so—and His Excellency desired me to write to the Returning officer, and desire him to repair to Toronto, and immediately to report to the House.

I wrote the first letter in the Secretary's office.

Mr. Hagerman was present when I discovered the omission.

My reason for not reporting to the House immediately on receipt of the packet from the Returning Officer, and as soon as I discovered the omission, was my perfect conviction that it was merely an accidental omission, and that the return would arrive by the following post.

I had received the packet from the Returning Officer, before I received a note from Mr. Perry, requesting me to inform him if I had received the return of the Leeds Election, which note I answered by saying I had not received the return.

I received another note from Mr. Perry to-day on the same subject, which note I did not answer, as I was just leaving my office for the House of Assembly, to report officially to the Speaker the circumstances respecting the writ.

This day (the 11th instant), both the Attorney General and Mr. Gowan, at different times inquired of me whether I had received the return to the Leeds Election, I answered that I had not, and I inquired of them whether they or either of them had brought up the duplicate; they replied they had not, and they further stated that the Returning Officer on being requested by them or either of them to deliver one part of the indenture, declined, stating that it was his custom to retain the one part himself—Mr. Gowan's queries were made this morning about ten o'clock—the Attorney General's in the House of Assembly in the afternoon of to-day; previous to which I had no conversation respecting the matter with them. Neither the Attorney General nor Mr. Gowan have called on me to administer the oaths to enable them to take their seats.



MR. JARVIS, Clerk of the Crown-in-Chancery, again called in and examined on the 18th instant.

Says Mr. Gowan has asked him, the witness, every day when he met him in the street, whether he had received the indenture,—and he told him no.

Has had no conversation other than the above.

Has called every day, sometimes twice or three times at the Post Office, to see whether the return had been received.—Has had no conversation with the Attorney General.

After he got the letter, he called on his way up here, and got a letter which he had with him—(opened the envelope in presence of committee and found it to contain a return and a letter from the Returning Officer.)



MR. SOLICITOR GENERAL, examined.

Did His Excellency advise with you respecting sending for the Returning Officer?

1st. No—Neither was I consulted by any other person, and gave no opinion or advice upon the subject. I was not aware of the order for the Returning Officer to come up until told of it yesterday the 11th instant by the Clerk of the Crown-in-Chancery.

2nd. I had heard from some quarter that there was a defect in the return on Monday, but knew nothing of the letters written to the Returning Officer on that or the subsequent day—the first certain information I had of the deficiency in the return was after I came to the House yesterday.

3rd. The papers sent up by the Returning Officer to the Clerk of the Crown-in-Chancery were submitted to me, and I do not remember that I ever looked at or examined them; I certainly was never required to do so. I think I saw the Clerk of the Crown-in-Chancery on Monday—but when he came to me I do not think he was aware of any deficiency in the return—it is probable that he then had the papers with him, but when he left me I do not think he knew that there was any actual deficiency in the return.



ATTORNEY GENERAL'S Evidence.

Mr. Attorney General was present when the late election for the County of Leeds closed. There was an Indenture entered into and executed in duplicate. It was a printed form only changed from the usual form by changing the name of York to Toronto—has not the duplicate—heard Mr. Gowan ask for the duplicate—Returning Officer said he usually kept the duplicate himself—declined giving it and preferred keeping it himself—has not seen the duplicate since, nor the return—happened to be present when the Clerk of the Crown-in-Chancery came into the Government House, and said with some surprise that he had opened the envelope and found the writ and letter from the Returning Officer but not the return—thinks this was about 12 on Tuesday the 10th instant—heard the Clerk of the Crown-in-Chancery say that he would write to the Returning Officer instantly—His Excellency was present—There was no conversation other than that the Returning Officer had left it by mistake, or the Clerk of the Crown-in-Chancery must have left it on the table—Saw the Clerk of the Crown-in-Chancery again the same day for a moment—no conversation passed, only that he said it was not enclosed with the writ in answer to my enquiry—has not heard from the Returning Officer since—has not made application since to any person to administer the oath—not considering that the officer was required to administer the oath until the return was before the House—was on his way to the House to take the oath when he heard that the return was not sent—from what Mr. Gowan stated yesterday, he had not heard from the Returning Officer any thing about the return.



MR. SECRETARY ROWAN called in and examined.

Heard from the Clerk of the Crown-in-Chancery sometime in the forenoon on Tuesday the 10th inst. that there was a deficiency in the return of the Writ of Election for the County of Leeds—saw the