

them came into the house, desiring her to leave it; on looking out, she saw the stable adjoining the house on fire; she was forced out of the house, without time being allowed her to remove anything out of it, or even to take necessary articles of clothing. In a short time the whole premises were in flames, and were entirely destroyed by the fire; she has no doubt the fire was set by the rebels; she fled to the office of the keeper of the toll-gate, and there saw some of the rebels take a brand from the fire-place, with which they fired the bridge. In the stable and barn, deponent is aware that a considerable quantity of hay and oats was stored away, as well as a quantity of squared timber and laths.

(signed) *Mary Burrows.*

Sworn before us, at Toronto, this 1st day of February 1839.

(signed) *Alexander Wood,*
Robert Stanton,
Thomas Carfrae. } Commissioners.

William Burrows, sworn.—Was residing in the house mentioned in this claim at the time of the rebellion; on the 7th of December 1837, he went up on the top of the house, with a spy-glass in his hand, and observed at some distance a body of armed men approaching, whom he believed to be a party of the rebels; he immediately proceeded to Toronto to give the alarm, and not very long after he saw the premises on fire, and has no doubt but that they were fired by the rebels whom he had previously seen approaching.

Deponent has resided on the premises from their first construction, and was himself employed in their erection. They consisted of a building constructed with a view to its being subsequently used as a brewery; a dwelling-house, which was used as an inn, granary, stable, and shedding with hay-loft, these latter being three stories in height; they were all frame buildings on stone foundations; the dwelling-house, was two stories in height, and that part of the premises intended for the brewery was to have corresponded with the granary and stables, being three stories in height. The materials for this part of the premises were all prepared and on the ground; the dwelling-house and granary, above mentioned, were completely finished and in the occupation of this deponent, who kept an inn there. Deponent was employed in the erection of the buildings, generally, as superintendent of the same, by Mr. Washburn; the disbursements were made through this deponent, he receiving from time to time the means of paying the people employed from Mr. Washburn. Materials, such as timber, stone, nails, iron-work and some other items, were disbursed by Mr. Washburn, without reference to this deponent, who has no personal knowledge of such items of expense. Deponent had kept account of the outlay made by him on account of the buildings, from monies placed in his hands by Mr. Washburn for that purpose. These accounts as well as all others, his own papers, books, and the articles of property belonging to himself, were burned in the house by the rebels, and he cannot now therefore state the particulars.

A book produced to witness, containing receipts for monies paid to him by Mr. Washburn at various times; deponent admits the correctness of these receipts; they are signed by him, and the several amounts were paid into his hands by Mr. Washburn, and by him expended on Mr. Washburn's account in the erection of the premises in question, and in the laying in of the materials to be used as before stated. These sums are exclusive of the excavation of the brewery part of the building, which was a separate job. A commission was charged by this deponent against Mr. Washburn on the expenditure, amounting to about 30*l.*, independently of the money receipts now produced. The excavation part of the brewery was performed by this deponent, and he was to have continued in possession of the inn and its appurtenances, as the tenant of Mr. Washburn, at the rate of 65*l.* per annum, till the job was settled up; he remained in actual possession from 13th January 1837 to the time of the destruction of the premises, being about 11 months. Deponent is aware that a considerable quantity of squared timber and other materials were prepared and on the premises, with a view to the completion of the brewery part; a great part of these were totally consumed by the fire, and other parts damaged. Cannot speak positively as to the total quantity of timber, materials, &c., laid down on the premises, but is aware the whole which would have been required for the erection of the brewery were there, for the framing, flooring and covering it in to the three stories in height. There were also some thousands of laths, which were totally destroyed by the fire. In the barn and granary a quantity of hay and oats were laid in; these were the property of Mr. Washburn, having been brought there from his farm; the produce of about 16 acres of oats was so laid up, and part of the produce of about 12 acres of hay; the value of the oats, at a fair and reasonable valuation, this deponent believes would be about 5*l.* the acre; thinks there were about three tons of the hay. The whole of the oats and hay on the premises were destroyed by the fire.

The brewery was intended as a building larger than the granary part, which was 80 feet by 40, and to have been, as before stated, three stories in height; the materials provided and on the premises were in accordance with that design, and from his knowledge of building and quantities required for such a purpose, would, he thinks, exceed 3,500 feet