

Correspondence
respecting
Mr. Thompson.

of the said judge in the year 1827. At the term of the said court held at New Carlisle in March 1828, I likewise saw the said judge several times drunk on the bench while the court was sitting. On a great many occasions I remarked that the said judge, without being drunk, was nevertheless under the influence of spirituous liquors, which made me very much doubt whether he was capable of acquitting himself of his judicial duties. I also saw him sober during the said term, but very rarely, and frequently shaking from head to foot, and almost unable while in that state to sign his name. At several of the sittings at the said term I saw the judge have something in his great coat pocket, very much like a common bottle in shape. I did not see him drink during the said term in March 1828 in the room at the court-house; but my duty having called me into the said room after the sittings of the court, I frequently remarked a smell of rum which prevailed in the said room, and made me always believe that the said judge did, during the said March term, make use of intoxicating liquors almost on the very bench. At the July term at Carleton, in the year 1828, I saw the said judge on the bench, while the court was sitting, frequently under the influence of intoxicating liquors, without being absolutely drunk; but I still think that he was, at certain of the said sittings, incapable of doing justice fairly to the suitors of the court. From the said term at Carleton in the year 1828, to the March term in the year 1832 inclusively, the conduct of the said judge on the bench, in the said inferior district of Gaspé, was very nearly the same at the several terms of the said provincial court held during that time, and that which he had held at the July term of the year 1828. I saw him, however, drunk on the bench while the court was sitting during that period, but not often. I attribute the difference in the conduct of the said judge at the circuit courts during the said space of time to his having been accompanied and watched over by a person whom the most sacred ties have attached to him, and who must have used her ascendancy over him for his good, as to my knowledge she has done: I speak of the lady of the said judge. At the July term at Carleton in 1832, the said judge travelling alone that year, was almost constantly drunk before, during and after the sittings of the said court, during the whole of the said term at Carleton in the year 1832. I except two or three sittings of the said court, during which the said judge, without being positively drunk, was unfit to attend to his business in consequence of his immoderate use of intoxicating liquors. There were a great many causes before the court, and I was myself concerned in many; a portion of these causes could not be decided in consequence of the judge's drunkenness, to the great detriment of the parties interested. I think that conduct of this kind is calculated to create distrust and to inspire contempt for the administration of justice. From the year 1832, until I left the district of Gaspé to come to Quebec last fall, I had occasion to meet the Honourable John Gawler Thompson during the holding of the several terms of the said court in the inferior district of Gaspé, as well as during the vacations, and without being able to say that I often saw him in a state of drunkenness, although during the said time I saw him several times drunk on the bench, I can say, that I saw him frequently, while the court was sitting, in a state very closely bordering on drunkenness. I have likewise seen him during that time, both in court and at chambers, under the influence of strong liquors, and in such a state as to induce me to believe that he was not in a state to decide on the business which I had to bring before him. This conviction has frequently led me to put off till another day business which the said judge might have completed at once if I had thought it prudent to submit it to him in the state in which I then found him. I mean to speak of business to be done in court, as well as that at chambers during the vacations. I frequently during the said time, and at different intervals, saw the said judge in such a state as to be almost unable to sign his name in consequence of his intemperance. I must except the term at Carleton in July of the year 1831, where the conduct of the said judge, during the sittings of the court, out of court and at chambers, was distinguished by frequent traits of drunkenness. When I speak of the common report, I mean to say that the common report has been, since the spring of the year 1827, and is up to the present day, that the said judge is a drunkard. I ought to state that I was not at the terms at Percé and Douglass Town in the year 1834, so that the matters to which I have deposed, and which form part of my deposition, and which are within my personal knowledge, are not applicable to the said terms last above-mentioned: but common report, and the conversations I have had since with respectable inhabitants of the said two last-mentioned places, lead me to believe that the conduct of the judge at the Percé and Douglass Town terms in the year 1834, was similar to that which I have amply described above. I can safely state that the intemperance of the said judge is one of the principal causes why the inhabitants of the said inferior district have ceased to have any confidence in the said judge of the said provincial court. The dangers and inconveniences which I have pointed out as arising from the conduct of the said judge are not the only ones to which the inhabitants of the said inferior district are exposed. It is to my knowledge that the said judge is in the habit of going to the several places in which the courts of law are held in the said inferior district, so as almost always to arrive there on the evening before the opening of the court, and to go away again immediately after the last sitting, much to the prejudice of the interests of the inhabitants of the several localities in which the said courts are held, and also to the interest of the inhabitants of the district in general, as relates to the issuing of writs of summons, of writs of *saisie* before judgment, and of writs of execution after judgment. These inconveniences are very serious when we consider the duration of the terms of the said court at the circuits, which is only 10 days, both for suits under 10 *l.* currency and those for a larger sum, under 100 *l.* currency. Very considerable delay, and frequently heavy costs, result from this practice. This deplorable state of things might be remedied if the said judge would go to the several places some days before, and not leave until some days after, the terms of the said courts. I shall cite some

cases:—