

land in the township of Nepean, District of Johnstown. He is not satisfied with my Note of hand given him for Twenty-five pounds currency, at Niagara, on the 7th October, 1818, for his fee, which he insisted I should do, previous to his calling my cause against Phelps for trial at the then Assize, which cause, you, as presiding Judge, would not hear. From motives of delicacy, and ordered the cause to lay over as a Remanet of the Court for a future trial;—but he writes to me a letter, which I received on the 17th May last, wherein he says, "I have sent to my Clerk, Mr. William Smith, a Cognovit for the amount of £141 16s. 3d., currency, to be enabled, if so inclined, to take out an execution against you" I refusing so to do.

He again writes to me, handed by Mr. Jarvis, 23rd instant, wherein he says, I am very impertinent (I suppose for not having signed the Cognovit;) he also says the security I gave him is not worth half-a-dollar per acre, as there are no inhabitants in the Township. And Mr. Jarvis handed me a summons from Mr. Henry John Boulton, to appear on the first day of Trinity Term next, at York. Whether the land is worth half-a-dollar per acre or twenty dollars, it is not my motive at this present to make any comment. If the extreme scarcity of money does not preclude the interposition of my friends, I hope the land will not fall into his hands. It was through your instance that Mr. Henry Boulton became employed by me to manage my suit against Phelps. At the time he accepted the management of the cause, he was knowing that I was moneyless, and promised to wait for his fees until the termination of the cause: however, a few months after he made up an account of £50, currency against me, and required security for the same, upwards of six months too previous to his arguing the cause. I offered him security on land in Matilda, a Township thickly settled; his choice was Nepean; he knew the land in both Townships to be good. When you advised me to employ your son, I expected his assistance in recovering my property from the hands of a set of scoundrels; little did I expect that he would require of me a judgment bond for fees previous to the decision of the cause, or that I was to be ruined by the man employed to assist me. The steps of your son are so novel in the law practice of this Province, I consider it my duty, from the friendly understanding that has subsisted between you and me, to lay the business before you—not Sir, that I wish you to palliate the high tone and tenor of your son's speculative intentions. I may or shall endeavor to meet his wrath at every point, and neither of us may be the winner.

I am, Sir,

With respect,

Your humble servant,

R. RANDALL.

Hon. Justice Boulton,  
York, Upper Canada.

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No. 28.

Mr. Moore to Mr. Randall.

Sir,—I have been put in peaceable possession of the place at the foot of the Chaudière Falls, which belongs to you, Sir, by John Torry, late agent for you at this place; and he having absconded from this place to the United States, and I having some property in my care which belongs to you, as I am informed, I desire that you would inform me by letter or otherwise, how I am to dispose of it for your benefit. Providing I remain on your place, I will take the best possible care of such things belonging to you which are entrusted to my care; but if I should see cause to leave your place, I wish to know of you how I am to dispose of things in my hands, delivered to me as your property. I will likewise inform you that the greater part of your property here was deposited by Mr. Torry, in the care of Samuel Benedict, senior. Now, if you desire me to take charge of those things, I desire you to inform me and give me such credentials as will enable me to secure the same for you.

I am, Sir,

Your most obedient and very humble servant,

ROGER MOOR.

Nepean, 12th March, 1813.