

Correspondence
respecting
Mr. Thompson.

and I was again at the same place when he returned. He told me then that he had been prevented from holding the court at Percé by sea-sickness. The judge had taken his passage in the schooner of one Captain Poirrier, whose christian name I do not recollect. I did not know at the time what to make of the judge's assertion, but about an hour after I learnt from Captain Poirrier that the judge had gone on board of his schooner drunk, and that he had gone ashore in the same condition, and that during the passage he kept a supply of drink in his berth. It is the general report that the court did not sit during the Percé term in consequence of the intemperance of the judge. I now believe that the sea-sickness, the cause assigned by the judge, was not the true one, but that it was quite a different one, namely, intemperance. It appears from public rumour that the above-mentioned term of the court at Douglass Town was remarkable for the daily intoxication of the judge. In the same year, the judge stopped at my house at Point St. Peter, on his way from Douglass Town to Percé, after the term of the court at the former place. He was travelling in a barge. He asked me to give him a bottle of rum, which I did. He was then in a state of intoxication. He left me almost immediately, got into his barge, laid down in the bottom of it, and continued his journey. The distance between Point St. Peter and Percé is about seven miles. Since the year 1828 inclusively, I have had occasion to be present during the different terms of the said provincial court in the county of Gaspé, and I did not see the judge under the influence of drink, either during the sitting of the court or out of court. I speak more particularly with reference to the terms of Douglass Town, for I was not present perhaps more than two or three times at the Percé term during the above period. But the said judge is generally considered a drunkard up to this day. The judge is in the habit of leaving Douglass Town the day following the last day of the term. This occasions great inconvenience with respect to the issuing of writs of execution, as the parties thereby incur additional delay and expense. But I cannot be certain that the judge is to blame, because the clerk of the court usually leaves the same day, or about the same time, unless when there are general sessions of the peace held at Douglass Town, in which case the clerk remains there during the sessions, as he is the clerk of that court; but it rarely happens that they are held in that place.

Thursday, 26 November 1835.—JEAN CHARLES LETOURNEAU, Esq., in the Chair.

Mr. John Bissin, mariner, residing at Point St. Peter, in the county of Gaspé, called in; and being Interrogated, answered:

I HAVE resided at Point St. Peter since the month of October 1834. I have known the Honourable John Gawler Thompson as judge of His Majesty's provincial court for the inferior district of Gaspé, since the month of November 1834. I was at Percé in the month of August last, during the sitting of the court, and I remained during the whole term, as I had business before the court. I have frequently seen the said judge during the term put on his gown and take it off in a room in the court-house, in which John Robinson Hamilton, esq. conducted his business as an advocate. I saw two bailiffs there, namely, Samuel Ray and John Day, who acted in their capacity of bailiffs, and were also employed as writers for the said John Robinson Hamilton, who also received his clients in the same room. I heard some say that it was the judge's room, others that it was Mr. Hamilton's; but it is a fact that I have seen both these gentlemen together in the same room during the above term. I also attended the term of Douglass Town, in the county of Gaspé, in the present year; and I was present at the sittings of the court during all the term, having business there which required my attendance. During all that time the judge and Mr. Hamilton boarded in the same house and lived together. I have seen them taking their meals at the same table. Mr. Wilkie, one of the prothonotaries of the said court, also boarded in the same house; that is to say, in the house of a man of the name of Briand, an inhabitant of Douglass Town. Messrs. Hamilton and Wilkie could have procured other lodgings in like manner as the other officers of the court. I cannot say whether the said judge was guilty of any acts of intemperance at the Percé term, in the month of August last, but I can say that it was the case at the term of Douglass Town in the month of August last. I recollect, about the middle of the last-mentioned term, seeing the judge, during the sitting of the court, staggering a good deal from the effects of intoxicating liquors. I have also had the same doubts at other sittings of the same term, but I cannot take upon myself to assert it positively. Several persons remarked in court and out of court, that the said judge was not worthy of continuing upon the bench, by reason of his drunkenness. The judge has the reputation of being incapable to discharge the functions of a judge, in consequence of his drunkenness. Public rumour says that the said judge is to this day negligent and inattentive in the execution of his judicial functions. During the two terms above mentioned, I have had occasion frequently to observe, during the sitting of the court, that the said judge showed a good deal of partiality towards Mr. Hamilton, permitting him to use offensive language to the witnesses and to the gentlemen of the bar; but the judge did not show the same indulgence to the other practitioners before the court. It is to my personal knowledge, and it is also a matter of public notoriety, that the said judge is partial to the said John Robinson Hamilton. I have heard Mr. Hamilton say himself, that he could gain four causes out of five in the said court,—that he would bet it; and he added, "you know that I scarcely lost a cause in the last terms of Percé and Douglass Town," alluding to the above-mentioned terms of the said court. It is a fact well known to the inhabitants of the county of Gaspé, that the said John Robinson Hamilton generally obtains judgment in favour of the parties for whom he occupies. From the conversations I have had with several inhabitants, and

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