

intended to conceal from the knowledge of the House the enormous and disproportionate amount of his fees and emoluments as sheriff.

The substance of Mr. Gugsy's defence on this point is, that his statement before the committee that the gross amount of his income was upwards of 2,000 £., nearly corresponded with the result of the investigations of the committee which placed his net income at 1,999 £., and he pleads the disadvantages under which he laboured, in being called upon to make an answer on the subject suddenly and "at a distance from his office, without his papers or his confidential book-keeper and clerk." To the striking discrepancy between the amount of his income so stated by Mr. Gugsy under all these disadvantages, and the amount as annually returned by him for the Blue Book, I have already adverted.

The charge of false evidence is grounded more exclusively, however, on that part of Mr. Gugsy's examination where he declares that, even if he were in his office, he does not think that he could state what the amount of the gross income of his office was; that he did not keep a separate book of receipt for each of the sources of his income; that he could not furnish a statement of these several sources, even if he were in his office; that he did not keep a general book of receipts, but that he had the means of ascertaining the income of the office when necessary.

Contrasting the nature of this evidence, so contradictory in itself, with that which was given before the committee, by Mr. Perry, who not only asserted that books were kept in the sheriff's office, with Mr. Gugsy's cognizance, from which exact statements of his fees could have been made, but who actually prepared and produced to the committee such statements in detail, and bearing in mind that not the least doubt is attempted to be thrown on the correctness of Mr. Perry's evidence, I must confess myself at a loss in what light to view the evidence of Mr. Gugsy.

Indeed it is impossible for me to regard the whole of the circumstances arising out of this investigation otherwise than with pain. Without participating in the attacks which the Assembly have made upon Mr. Gugsy's motives, and which so far as he is charged with malice and corruption, are warranted neither by the evidence nor the necessity of the case, I am bound to admit that the result of the inquiries by the committee is not creditable to Mr. Gugsy. The systematic return of his emoluments at less than one-half of their actual amount; that return made, too, with an apparent regard to fractional sums, and otherwise evidently intended to bear the marks of accuracy; his declared inability to supply statements for which he knew that there existed ample materials; his own acknowledged ignorance of the simplest form of account; the contradictory and unsatisfactory nature of his evidence before the committee; all assure me that if Mr. Gugsy has not been actuated by a wish to deceive the Government, or is not equal to the proper discharge of his duties, he has at least been guilty of a laxity of conduct and expression which I consider to be highly reprehensible in any public servant, and particularly in one holding the responsible office which Mr. Gugsy holds.

2. I now pass to the charges which have been brought against Mr. Gugsy, in connexion with the death of the prisoner Collins, and the state of the gaol in Montreal.

I gather from the papers before me that Collins was committed to gaol as a vagrant on the 27th of November last. The information on which the warrant for his commitment was granted describes him as being almost naked and likely to perish from cold and want. On the evening of the 9th of December he became so ill that the physician to the gaol was called in, when it was found impossible to relieve him, and he died at an early hour on the following morning. A jury being summoned to hold an inquest on the body, there appeared as evidence three prisoners who occupied the same room in which Collins died, and who swore that he was shut up the previous evening without fire, without bed, and without any clothing in a very cold night, and in a room very much open to the weather.

These witnesses further declared that no measures were taken for securing the warmth of their apartment when locked up at night, and that they themselves were then suffering from a total want of beds, bedding, fuel and clothing, privations to which in a great measure they attributed the death of Collins. A certificate was also produced from the physician of the gaol, in which he stated

Correspondence
respecting
Mr. Gugsy.