

The Case of Leonard Wilcox.

10.9.33
[I, LEONARD WILCOX, having arrived in the Harbour of York, in the Province of Upper Canada, in 1815, with a Boat containing a number of articles which I brought from the United States, intending to become a Permanent Settler in the Province, I applied to the Officer in Charge of the Custom-House to have my Boat and Goods entered, and pay the duties thereon. Instead of receiving the duties, he seized the Boat and Goods,—stating, that part of the articles were contraband goods, on which duties could not be received. As there were none of the articles landed, I requested permission to return, which he would not grant. The following is a part of the evidence given before a Committee of the House of Assembly appointed to investigate the case on my Petition praying for a remuneration for the loss sustained in consequence of the said seizure :]—

Q. Do you not know that the boat was seized for not paying the duties on the first cargo? A. It was detained on some pretence of such duties due, but not seized—the goods of first cargo were given up, as I understood.

Mr. HAMILTON—Called.

Q. Were you Deputy-Collector at the time of the seizure of Wilcox's boat? A. I was in his absence (Mr. Allan's) then in Lower Canada.

Q. Was Mr. Allan absent at the time you seized the boat? A. To be sure he was.

Q. For what cause did you seize the boat? A. For having goods on board which could not be entered.

Q. Did not Wilcox give an invoice? A. He gave the number of packages, but not their contents.

Q. Did Wilcox expect the packages to be examined? A. I suppose not.

Q. Did he request a permit? A. He did, but I would not grant it till I examined them—I did examine, and the first article I discovered was a box of dry goods.

Q. Did you question him as to the contents of the packages? A. I did—he answered in some evasive way I cannot say, it is now so long ago.

Q. When you seized the boat and goods, what proceedings did you institute? A. I put the goods into Mr. Allan's store; the Custom-house locked them up, and delivered them to Mr. Allan on his return; the boat I hauled up a little on the beach, of which Mr. Allan also got the custody on his return; and this is all I did, till called as a witness in court upon the trial.

Mr. WILCOX requested the following questions to be put to Mr. Hamilton :—

Q. What was the contents of the box of which you spoke as con-