

Mr. Townshend then attended at the bar, and was examined also, viz.

Q. Please be so good as to relate what you know concerning the Books, reported to be lost? A. I recollect previous to Mr. Lobban's going away, I had occasion to examine the books, from 1784 to 1787, I think some time in December 1784, to April 1787; this was the first year I saw them, I went regularly through the Books, and shewed Mr. Lobban every meeting of Council, and that Col. Desbrisay had never sat in Council from my being appointed a member on the 2d December 1784 to the 10th April 1787. I can swear it as in the handwriting of Mr. Swan, a young man I brought with me to the country; I shewed it also to Col. Howe.

Q. Where did you inspect the Books? A. At the Council Room, at the House of Governor Des Barres.

Q. Do you recollect seeing the Books from December 1784 to April 1787. A. I remember the Books very well, they were then there; in fact Mr. Lobban gave me a note them.—Mr. Townshend then withdrew.

On Motion, *Ordered*, That Mr. Palmer, Mr. Townshend, and Mr. Lobban be called together again and examined.

Q. Mr. Townshend, do you recollect if there were any Books from the period 2d December 1784 to April 1787? A. I went through the whole of them, and shewed Mr. Lobban, that it appeared from the Books, that Col. Desbrisay had not been in Council for two years.

Mr. Lobban here observed, that Mr. Townshend applied to him, and told him (turning over some leaves) that Colonel Desbrisay was not in Council from the 2d December, 1784, to the 10th April 1787. Mr. Lobban's examination continued.

Q. Is it in that period you gave the note to Col. Townshend? A. I believe so.

Q. Are all the books there that you saw before? A. I cannot say.

Q. Does it appear that Colonel Desbrisay was not in the Minutes of Council for two years. A. I recollect that Col. Townshend clearly proved to me that Col. Desbrisay did not sit in Council during the space of two years.

Q. Is all the information here which you received from these Books, when the inspection took place at the Governor's, and can you tell now, by these books before you, that the same appears? A. I cannot tell.

Q. Could you give the same extracts from the Books now on the table? A. I could exactly give the same extracts.

Q. Have you any recollection of having seen any other Books? A. I have no recollection of any.

Q. Do you recollect seeing a marble coloured book? A. I recollect seeing no marble coloured book, except this book (laying his hand on one).

Q. You have had access to these books always? A. I always had.

Q. Do you recollect seeing any books from 1785 to 1787? A. I do.

Q. Do you recollect at the inspection at the Governor's, any other Book with marble cover, but the one now before you? A. I am confident there were no marble covered books but this one; I think there was a book, I know not of what year, with larger figures on the back of it. Mr. Townshend and Mr. Lobban withdrew.

Q. Mr. Palmer, do you recollect at what period you received the Council Books? A. It was early in the year 1806.

Q. Are you positive these are the identical books you received then? A. Yes; I am, never received a marble coloured book.

Q. Was it a marble covered book you got from Gen. Fanning at Court? A. It was a marble covered book, consisting of about two quires of paper.

Q. You had this book from Gen. Fanning? A. Yes; I had it for five or six hours.

Q. Did it contain any Locations of Loyalists' Lands? A. Yes; it contained those of half Lot 50.

Q. What year was that you received that Book from General Fanning? A. I received it in the Spring 1803; I think in February; I took an inventory of all the Books, and the same Books are here now every one, except it might be a few odd sheets.

Mr. Palmer withdrew.

On motion, That an Address be presented to his Excellency the Lieutenant-Governor, requesting he would be pleased to state to this House, on what grounds the Payment of £50 to J. F. Holland, Esq. the late Sheriff, was made; the House divided, and there appeared—

For the motion, Messrs. ROUBEL, SOLICITOR-GENERAL, M'AULAY, and RANKIN.