

Examination
of Mr. Daly.

By the Honorable Mr. *Baldwin*,

1. Is it your name that is signed to the warrants for new writs for the County of *Simcoe*, dated 6th July, 1846, and for the Town of *Cornwall*, dated 30th July, 1846?—It is my name.

2. Have you in your possession, and can you produce any letters, papers, or documents connected with the issue of the Commission of the Adjutant General of Militia, with the offer of the office in question to Sir *Allan N. MacNab*, or with his acceptance or supposed acceptance thereof by him, other than those already put in?—I have not.

3. Are there to your knowledge any other letters, papers, or other documents connected with the offer of the office in question to Sir *Allan N. MacNab*, or his real or supposed acceptance thereof, which have not been already delivered in; or have you any reason to believe that there are any such, and if so, in whose hands have you reason to believe they now are?—I know of no other documents.

4. What are the facts upon which you founded the recital contained in the warrants for *Simcoe* and *Cornwall*, that Sir *Allan N. MacNab* had vacated his seat for *Hamilton*, by his acceptance of an office of profit under the Crown, by means whereof there was no Speaker of this House?—I have no other facts than those contained in the documents now before the House.

5. What are the grounds for your entertaining the impression that Sir *Allan N. MacNab* had accepted the office in question, upon which you founded the recital referred to?—I have no other grounds or facts than those contained in the papers now before the House, except my belief.

By the Honorable Mr. *Aylwin*,

6. Had you any communication with Sir *Allan N. MacNab* in relation to the office of Adjutant General of Militia, prior to the date of the letter of the 25th June, 1846, produced by you?—I had no communication, except a verbal one; but the tenor of that conversation led me to believe that Sir *Allan N. MacNab* was prepared to accept the office of Adjutant General.

7. Did Sir *Allan N. MacNab* tell you in express terms that he had accepted the office of Adjutant General?—He did not.

8. What did, as near as you can recollect, Sir *Allan N. MacNab* say, which led to the impression you speak of?—Sir *Allan N. MacNab*, as well as I can recollect, informed me, that at an interview with the Governor General he had expressed his readiness to accept the office. Sir *Allan N. MacNab* at the same time mentioned Colonel *Cameron* as being a fit and proper person to be the Deputy Adjutant General, and that that appointment had been the subject of conversation with Lord *Cathcart*.

9. Did Sir *Allan N. MacNab* say that he had stipulated for such appointment of Colonel *Cameron*, or words to that effect, as a condition to his acceptance of the Adjutant Generalship?—He did not; but Sir *Allan N. MacNab* informed me that he had left under the impression that Colonel *Cameron* was to be appointed.

By Mr. *Duggan*,

10. Did Sir *Allan N. MacNab* state expressly, or to the effect that it was understood, that Colonel *Cameron* was to be his Deputy?—He did state that such an understanding had been come to, or words to that effect.

By the Honorable Mr. *Baldwin*,

11. Was the salary of the Speaker refused to be paid; and if so, when was that salary refused, and what were the grounds of refusal?—I am not aware that the salary was refused. Some mistake had been made by a clerk in the Receiver General's Office,

which might have led to a supposition that delay was intended; but I am unacquainted with the details.

12. Did you take the advice of the Attorney General, or of any other Crown Officer, as to Sir *Allan N. MacNab*'s having vacated his seat for *Hamilton*?—I did not.

13. Did you, previous to signing the said warrants, or either of them, make any enquiry whether a new writ had issued for the City of *Hamilton*, in consequence of the real or supposed acceptance of office by Sir *Allan N. MacNab*, or whether a warrant for any such writ had been made by any of the Honorable Members of this House; or had you been informed, or had you then or have you now, any reason to believe that such warrant had been then, or has been since, made by any Members of this House; if so, who were the Members who signed such last mentioned warrant; what was the date of the same, as nearly as you can recollect; in whose hands did you see it; what, as far as you know, or have reason to believe, were the proceedings had upon such warrant; when were such proceedings had, as nearly as you can recollect; and where, to the best of your knowledge and belief, is such warrant at present?—I have no knowledge of any such warrant having issued.

14. Can you give this House any further information on the point to which you have been interrogated; or is there any one who, you have reason to believe, can afford such further information, or any information respecting the offer of the said office to Sir *Allan N. MacNab*, or his acceptance or supposed acceptance thereof?—I do not believe that I can give any further information. I know of no other person but Lord *Cathcart* and Sir *Allan N. MacNab*. There may have been further conversation with my colleagues in office on the affair, and with the clerk of the Receiver General's Office alluded to in my answer to a previous question.

On motion of the Honorable Mr. *Baldwin*, seconded by Mr. *Price*,

Ordered, That *Felix Fortier*, Esquire, Clerk of the Crown in Chancery, do attend this House forthwith, to be examined respecting any certificates, warrants, or writs, or any other matter affecting the Representation of the City of *Hamilton*. The Clerk of the Crown in Chancery attended accordingly, and was examined; as followeth:—

By the Honorable Mr. *Baldwin*,

15. Was there any warrant for a new writ for *Hamilton* delivered to you during the last recess of Parliament; by whom was it signed; what was its date; when did you receive it; and what was done upon it?—I received no warrant.

16. Did you receive any paper in the nature of a notice or warrant, or have you any reason to believe that any notice or warrant was made; and if so, can you give the House any information as to where such notice or warrant may be, or who are cognizant of its existence?—I have never received any paper, notice or warrant, relating to the election of *Hamilton*, nor have I any knowledge of any such paper having been issued.

17. Can you give this House any further information on the points to which you have been interrogated, or is there any one who you have reason to believe can afford such further information?—I can give no further information; nor can any one else give any information, because all warrants and notices required by law, must be addressed to me as Clerk of the Crown in Chancery.

The Honorable Mr. *Baldwin* moved, seconded by Mr. *Price*,

That Sir *Allan N. MacNab*, now present in this House, be examined in the chair, respecting any cer-

Examination
of Mr. Daly.

Examination
of the Clerk of
the Crown in
Chancery.

Examination
of Sir Allan N.
MacNab.