

Désiré Girouard, of the city of Montreal, advocate, being duly sworn, deposeth and saith :

That on the 31st March last, it was agreed and understood between the Defendant, Ashley Hibbard, and deponent, attorney of the Canadian Rubber Company, that the trials of the said Ashley Hibbard upon the several indictments against him, would not take place during the present term.

(Signed,) DÉSIKÉ GIROUARD.

Sworn in open Court, this 2nd }
day of May, 1866. }

The coolness of this proceeding, and the manner in which these affidavits were made was so barefaced as almost to deprive me of breath. There was not one word of truth in the declaration that an agreement had been made with me to postpone the trials ; not the slightest shadow of a foundation for such a statement, and the attempt to throw upon me the odium of endeavouring to force on the trials after getting rid, by the alleged agreement, of certain witnesses, who in consequence of said pretended agreement, it was stated, had gone away, was so absurd and childish as to cause contempt and merri- ment rather than anger. We had been so frequently before the Court, as above mentioned, that no one was deceived for a moment. The absurdity involved in such an agreement, if made, would perhaps not have been surprising in Mr. Girouard, but certainly no other lawyer at the Montreal bar would have ventured upon the commission of such folly. A mere boy should know that the day of trial for criminal offences, when once fixed by the Court and the Crown prosecutor, is a finality unless the same authority chooses, for sound reasons, to make a change. It was a last foolish bungling attempt to get the trials postponed, and it was treated with as much contempt as the place would permit of. The Judge ordered the affidavits to be "recorded," in a most significant way, and ordered the trial to proceed. But another affidavit was fyled, sworn to by Mr. Barsalou, stating that material witnesses were absent, and the private prosecutors made such efforts that the Judge at last consented to postpone the trial for four days, not including Sunday. At the expiration of the four days, viz., on the 7th of May, the indictment, which the prosecutors had elected to try first, again came before the Court, when another effort was made by the prosecutors to postpone the trial on the ground of the absence of a material