

Correspondence
respecting
Mr. Thompson.

The petition of Duncan Hay, the Act of Notoriety, and the Act of Curatelle being exhibited to the witness, he answered as follows: This is a case which I call illegal, vexatious and unjust, to the knowledge of the said judge. The case was this: Duncan Hay, trader and tavern-keeper, formerly of New Carlisle, and now of Caraquet, in the province of New Brunswick, presented a petition to the said judge on behalf of my creditors, for the purpose of getting a curator appointed to me, alleging that I had been absent from the province since the 1st September 1833, and falsely stating that my then place of residence was unknown; the said Duncan Hay concluded by praying that a curator should be appointed to me, because I was an absentee. The said petition is signed by the said Duncan Hay, the petitioner. I recognize the signature to be really his; and the said petition is in the handwriting of John Robinson Hamilton, esq., advocate, the nephew of the said judge. It will be seen by the order indorsed on the said petition, dated at Paspebiac, the 18th February 1835, signed by the said judge in his judicial capacity, that my friends were summoned to appear before the said judge at the court-house at New Carlisle, on Tuesday the 19th of February then instant, and now past, at 11 o'clock in the forenoon, for the purpose of naming a curator to me. In support of the said petition there is a certain document, intitled an Act of Notoriety. This document appears to be a certified copy of a similar original act passed by Robert Caldwell, justice of the peace at New Carlisle aforesaid. By this copy so certified, I find that the pretended Act of Notoriety was passed by Robert Caldwell, justice and witness, on the 18th February in the year 1835, and that it appears by it, that Daniel Marrett, carpenter, and his father John Marrett, labourer, both of New Carlisle aforesaid, stated and detailed, 1st, that they were acquainted with me; and, 2dly, that I had left the inferior district of Gaspé, about 18 months before the passing of that Act, and that I had subsequently left the province of Lower Canada. The said John Marrett and Daniel Marrett who did not fear to make assertions so false, are persons who have a great spite against me. The witness, François Langlois, is one of the servants and fishermen of the commercial house of Robin & Company at Paspebiac, which has for nearly 20 years unceasingly persecuted me, and sought to do me harm. By the Act of Curatelle, made and executed at the prothonotary's office of the said provincial court of the inferior district of Gaspé, on the 19th of February in the year 1835, I see that Robert Sherar, esq., coroner of the inferior district of Gaspé, was legally elected curator to James Ferguson Winter, an absentee, sheriff of the said inferior district of Gaspé, who is the same person with myself, the deponent. On running over the names of my pretended friends who have signed the Act of Curatelle above mentioned, I remark the names of John Hardeley, agent of the said commercial house of Charles Robin & Company; John Day, one of the intimate friends of the said house; Thomas D. Munro, who is devoted to the said house, all well disposed to do me harm whenever they could find an opportunity; Daniel Marrett, who is the same of whom I have spoken above; John McClellan, the gaoler at New Carlisle, one of my calumniators when I was sheriff of the said district, and who is under the influence of the said judge; John Robinson Hamilton, esq., advocate, who is the nephew of the said judge, and has on several occasions testified publicly his hatred and resentment against me; R. William Fitton, student at law, clerk to the said John Robinson Hamilton, who, moreover, gives himself out to be a physician and surgeon, and practises as such in the said inferior district, under the auspices of the said judge; and finally Robert Sherar, my present curator, who entertains an implacable and avowed hatred for me in consequence of some lawsuits I had with him some years ago. All that I have said with regard to the persons called to make the said election is true; and all is within my personal knowledge, except what regards R. William Fitton, which I have learned from individuals of whose veracity I have not the least doubt. The signatures to the Act of Curatelle above mentioned, viz. John McClellan, John Hardeley, John Day, Daniel Marrett, Thomas B. Munro, John R. Hamilton, and Robert Sherar, are the real signatures of those individuals, and the signature John G. Thompson, provincial judge, at the foot of the said Act of Curatelle, is the real signature of the said judge. It is to the knowledge of the said judge, as it is to mine, that all the said individuals are his friends, and that they are my enemies; I except R. William Fitton, whom I do not know, and who I believe scarcely knows me. For the information of the committee I must state that I have creditors, but they reside within the city of Quebec; I have none but debtors in the inferior district of Gaspé, with the exception of some individuals. A short time after the election of the said Robert Sherar, as curator to the absentee James Ferguson Winter, who is myself, the said Robert Sherar went to my house at Paspebiac, where speaking to John Whittom, junior, he called upon him to deliver up to him all my account books, and threatened him with the judge's authority in case of refusal, alleging that he was then invested with the right to collect debts due to me, and to regulate my affairs, and that for this purpose he was going to employ John Robinson Hamilton, esquire, the nephew of the said judge. My agent refused this demand. The said Robert Sherar and John Robinson Hamilton returned several times to the charge, sometimes employing promises and sometimes threats; but my agent remained firm, and the matter dropped there. I learned these last facts from the said John Whittom, junior, himself, who related them to me last fall, when he was at Quebec. I have never been absent from Quebec since I left the inferior district of Gaspé, and in proof of this I now file seven affidavits of divers individuals. The said judge could not and cannot be ignorant that I have a place of residence at Paspebiac, two miles from his own house: this is a fact of public notoriety. My intimate conviction is, that if my agent had allowed himself to be frightened or corrupted by the said Robert Sherar and John Robinson Hamilton, esq., advocate, the consequence would have been that all my debtors, the greater part of whom are insolvent, would have been