

as requested, against Gen. Sutherland, which he refused to do, as the same was not in accordance with truth.

And the undersigned would further state that from the time that he was removed from the company of Gen. Sutherland until the close of his trial, he was treated with all the favor and attention that could be bestowed upon him, which were withdrawn, and he reduced to the condition of other prisoners confined in the gaol—and in which state he now remains—as soon as the trial was over, and during which time he had no communication with Gen. Sutherland or his friends.

The undersigned would further state that he has not been put upon any trial before any Court Martial, and that the Court before whom Gen. Sutherland was tried has been dissolved, after sentencing him “to be transported to one of Her Majesty’s Islands during his natural life,” and that he was not sworn or examined as a witness on said trial.

S. M. SPENCER.

Dated Toronto, }  
April 21, 1838. }

We whose names are hereunto subscribed, do certify and state that we have heard the above written matters read to, and in the presence of Silvanus M. Spencer, now a prisoner in the goal of Toronto, and we saw him at the same time subscribe his name thereto, and affirm and declare that all the facts set forth in the above writings were true and correct :

April 21, 1838.

HENRY JOHNSON,  
CLAUDE COMPEAU,  
W. W. DODGE,  
HENRY W. JOHNSON,  
PHILIP WIDEMAN,  
JAMES BROWN,  
GODLIP ECKARDT,

CHARLES LOW,  
BARTHOLOMEW PLANTE,  
STEPHEN B. BROPHY,  
DAVID PORTER,  
ROBERT TAYLOR,  
A. D. BORDINEAU,  
JOHN WILKIE.

JAMES JOHNSON.