

crowded in huts; he doubted if he would be able to form a jury. Russell, however, did not feel himself justified in abandoning the instructions he had received from Simcoe. He wrote to Portland, representing the views of Elmsley, and officially asked for delay in the removal, as he did not consider himself authorised to depart from the prescribed arrangement. As no instructions were received to the contrary, the legislature met for the first time in York, for the first session of the second parliament, on the 1st of June, 1797. The consequence was that all who had been included in the change of location and were living on their salaries suffered hardship and distress, judge Pownall wrote, to excite the compassion of any one who might witness it.

In October, Mr. Alcock, of Lincoln's Inn, subsequently chief justice, was appointed judge of the king's bench and arrived shortly afterwards in York. Russell himself at this date, although administrator of the government, was also sitting as a puisne judge. The chief justice strongly objected to his taking this course. It may be inferred that the practice was not continued, for Mr. Russell subsequently became receiver-general.

I have mentioned the threatening character of the intrigues of Adet's agents to engage the Indians in their interest that caused much anxiety to Russell. As he expressed himself, he did not know what tribes he could trust or those on whom he could rely, and Upper Canada was almost without troops. Brant likewise caused the government some uneasiness. He had put forth claims to the management of the lands on the Grand river, which had not been accepted; consequently, he had preferred a complaint against Russell to the British minister at Philadelphia, accusing him of trying to make a fortune out of the Indian lands for himself and his friends, and stating, if the matter were not taken from his control, it would never be settled. Russell, in answer to this complaint, wrote to Portland that, on the probability of an attack by the French and Spaniards, the council had determined to grant Brant's request. It was intimated to