

That the said Record received, from his solicitors in England is made up of *sic parts* of printed matter, namely:—

FIRST PART.—“ Respondents’ case in England.”

6 pages.—page 1 to 6.

SECOND PART.—“ Case of the Appellants in England.”

18 pages—page 1 to 18.

THIRD PART.—“ Record of Proceedings in Canada.”

96 pages—page 1 to 96.

FOURTH PART.—“ Reasons of Judges Taschereau, Monk and Drummond.”

8 pages.—page 1 to 8.

FIFTH PART.—“ Reasons of Chief Justice Duval.”

2 pages.—page 1 to 2

SIXTH PART.—“ Reasons of Judge Badgley.”

19 pages.—pages 1 to 19.

#### FORTY FOUR PAGES OF FALSIFIED MATTER.

That the undersigned found, on comparing the said two printed Records, that the Record he received from his solicitors in England did not contain one word of the falsified matter complained of, as contained in the 44 pages between the pages 97 and 149 in that falsified Record as printed and filed at the instance of the executors and Trustees, as aforesaid, in Her Majesty’s Privy Council in England.

That the judgment of the Court of Queen’s Bench for Lower Canada in this cause was rendered at Montreal on the 24th day of June, 1873.

That Judge Badgley ceased to be a judge of the Court of Queen’s Bench for Lower Canada previous to the 6th day of March, A.D. 1874.

That the said judge has been acting in the capacity of *consulting counsel* ever since he left the Bench, and had, the undersigned believes, been consulted as counsel by the said executors and trustees in this cause.

That the reasons purporting to be the reasons delivered by Mr. Justice Badgley *in open Court*, as contained between the pages 149 and 167, of that falsified Record, are not only false, as aforesaid, but are further false and fraudulent because the said reasons were not written, completed and transmitted to Her Majesty’s Privy Council in England until three months after Judge Badgley had ceased to be a judge, and during which time, namely, the completing of said falsified reasons, the said judge had been acting in the capacity of consulting counsel.

That the reasons purporting to be Judge Badgley’s reasons were not received at the Privy Council in England for nearly a whole year after they were delivered, to wit, they were delivered on the 24th day of June, A.D. 1873, but were not received at the Privy Council until about the 18th day of June, 1874.

#### THE HONOURABLE JOHN J. C. ABBOTT.

That the Honourable John J. C. Abbott in his several capacities of executor and trustee to the estate, and President of the Fraser Institute, was and is the ruling spirit in this matter, *for good or for evil*.

That the said *Hon. John J. C. Abbott* caused to be printed in London, England, a document containing 19 pages of printed matter, under date,—“ London, 20th July, 1874,” namely:

#### “ MEMO: FOR APPELLANTS.”

This document, “*Memo: for Appellants*,” advocates the cause of the Appellants, and Mr. Abbott, in support of his cause, refers to and makes use of the falsified matter, as aforesaid, between the pages 97 and 149, this matter, Mr. Abbott knew to be false matter, therefore, he made use of a falsified Record of Court for the purpose of wronging and injuring the undersigned and his co-neirs, knowing the said Record to have been falsified.

Therefore, the undersigned, as a Respondent in this cause before the Judicial Committee of Her Majesty’s Privy Council in England, declares that owing to the fraudulent tampering with the Record of Court transmitted to England, as set forth in the Petition of the undersigned to the Legislature and in this declaration, there has been no proper adjudication in this cause by Her Majesty’s Privy