

of rendering final judgment on the 30th of June, as would otherwise have been done, made a rule for transmitting the record to His Majesty's Court of King's Bench for the district of Three Rivers, for them to decide on the validity of the recusation, as directed by the statute, it appearing to the judge, that although he had no doubts with regard to his own jurisdiction, it was better thus to refer the question to his colleagues.

Mr. Evans was in custody at the time of filing his recusation, and appeared to have detained himself, by the effect of his own plea, till after the decision of the court at Three Rivers, as the statute directs an immediate stay of all proceedings. On his praying to be bailed, however, two or three days afterwards, the judge determined on accepting it, and he was liberated. It must be unnecessary to add, that on the whole record of the case being submitted to the Court of King's Bench for the district of Three Rivers, Mr. Evans's recusation was rejected by that court as utterly unfounded, and the record remitted to the provincial court of St. Francis, to be there proceeded on according to law.

This man, Evans, is since dead, many years ago, and no final judgment was ever rendered in the cause.

We will now return to Mr. Silas Horton Dickerson.

In January 1827, Mr. Dickerson sent another notice to Mr. Justice Fletcher, stating his intention of bringing an action against him for all these misdoings, which action was afterwards actually brought in His Majesty's Court of King's Bench for the district of Three Rivers, and the plaintiff's damages laid at 1,000 £, but was, of course, dismissed with costs. This judgment was rendered in January 1828.

The situation in which the judge of St. Francis was now placed was sufficiently obvious. It was clear that the court was attacked by enemies who gave no quarter; and that, however repugnant it might be to the feelings of the judge to use strong measures, it was his duty to defend it to the last extremity. The authority of the whole judiciary body was at stake. The judge of St. Francis was an officer entrusted with the command of an outpost, on which the fate of the citadel mainly depended; and no considerations of personal danger could warrant the surrender of it.

At the time of the receipt of the notice of Mr. Dickerson's action, the causes No. 66 and 60 were in a state of progress. It was probably the object of this measure to deter the judge from the execution of his duty; but, if so, it failed of its intended effect. Those causes were afterwards proceeded in to judgment, as was also another cause, No. 44; and the defendant, having been convicted in all of them, was fined 10 £ sterling in each of them; and was, in the two former cases, ordered to find sureties for his good behaviour, and in the last of them imprisoned for 14 days. These judgments appear to have been rendered on the 21st of June 1827, and the 29th of March and 21st June 1828.

The action brought against me by Dickerson having, as must necessarily have been the case, been dismissed with costs, this man was desirous of appealing against the decision, and accordingly applied to Mr. Vallières, an attorney, then residing at Quebec, for that purpose, who, in consequence, issued a writ of appeal, as the attorney for Dickerson, on the 4th of July 1828. Mr. Vallières was also, however, a very influential member of the Provincial Assembly; and finding, on further consideration of the subject, and the inspection of the record, that he was far more likely to obtain success by an application to that body than by an appeal, this gentleman prepared a petition from his client to that branch of the Colonial Legislature, impugning, in very unmeasured terms, the conduct of the judge of St. Francis, with regard to the different proceedings which had been taken against him, and praying for redress.

This petition, which was presented to the Assembly on the 13th of January 1829, constitutes the basis of all the unprecedented and disgraceful persecutions to which I have been subjected ever since. Wonderful as it may appear to such as are unacquainted with the real state of this unfortunate colony, those who recollect the general demeanour of the Assembly at that time will scarcely be surprised to hear that this composition was received with acclamation; that, without any inquiry into the truth or falsehood of the allegations which it contained, 600 copies were immediately ordered to be printed for the use of the members, who were then 50 in number; and that Mr. Vallières, the attorney for Mr. Dickerson, was appointed the chairman of a special committee of five, to inquire into and report on the merits of his client's complaint. The extraordinary proceedings of the committee of which this attorney was the chairman, and their subsequent report, which is referred to in the commencement of the 7th Report of the Standing Committee of Grievances, delivered in on the 29th February last, as constituting the basis of the present violent charges against me, were the natural consequences of such a course of procedure.

This report of the 12th of March 1829 has been successively laid before every one of His Majesty's representatives since that period, with a variety of amplifications, and a number of false and exaggerated statements, as the ground of complaints by that body against me; and these complaints have been uniformly rejected by the successive governors. The last of these applications was, as I believe, between four and five years ago; and the answer of Lord Aylmer bears date on the 5th of December 1831.

It does not appear to me to be necessary, in the present state of this business, to proceed to repel the calumnies which are contained in these papers with regard to the conduct and demeanour of the judge on various occasions, otherwise than by saying that I deny the whole of these statements, as consisting altogether of the foulest slanders; and that I believe that, notwithstanding the lapse of years which has taken place since the times at which it has been thought proper to lay the scene of these fictions, they can be completely disproved.