

APPENDIX.

From the TORONTO GLOBE, 26th January, 1869.

THE ASSIZES.

MONDAY, JANUARY 25.

The Court opened at 11 o'clock, Mr. Justice Morrison presiding.

THE QUEEN V. NELSON.

Joseph Nelson was indicted with having on September 8, 1868, in Toronto, with intent to defraud and by false pretences, obtained from Thomas Gray a warehouse receipt.

Mr. John McNab, County Crown Attorney, and Mr. R. A. Harrison, Q.C., appeared for the Crown; Mr. Edward Blake, Q.C., and Mr. J. H. Cameron, Q.C., for the defence.

Mr. GRAY, examined by Mr. HARRISON. Mr. Nelson agreed to sell me 4,000 tons of coal. The copy of the agreement produced is a correct copy. I gave Mr. Nelson a note in part payment of a cargo of coal ex New Dominion. It was for 1,348 dollars. Subsequently he told me the Quebec Bank would not discount my note; but that if I got a warehouse receipt on the coal in Tinning's Yard, he could attach it as collateral, and thereby obtain the discount. I procured a warehouse receipt for him. This is it, now produced. If I had known he intended to apply it to any other note, I would not have given the warehouse receipt. On the 14th of October I discovered he had applied it to another purpose. He applied it to a private note of his own at the Quebec Bank for 1,700 dollars.

Cross-examined by Mr. BLAKE. There was an understanding between us that Mr. George Sanderson was to endorse the paper paid for the coal. Sanderson was to be my partner, equally interested and equally liable. Mr. Nelson inquired of me beforehand regarding Sanderson's standing—whether he was good or not. I said he was, and referred him to the Bank of Montreal, saying Sanderson kept his account there. I fancy I might have said he had a credit of 20,000 dollars there. Sanderson was verbally a party to the arrangement, and it was understood he was to give a writing agreeing to endorse the paper. Nelson told me he tried to discount the paper at the Bank of Montreal, but Sanderson had