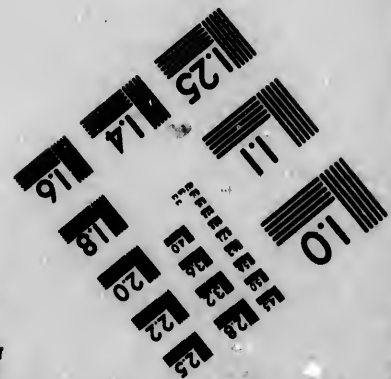
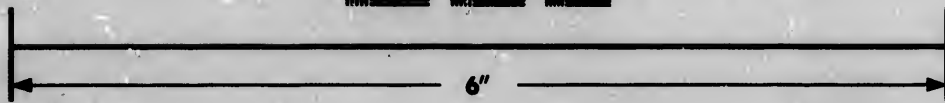
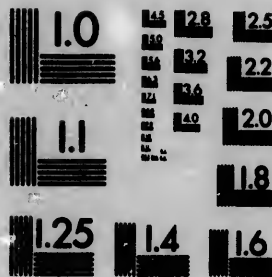


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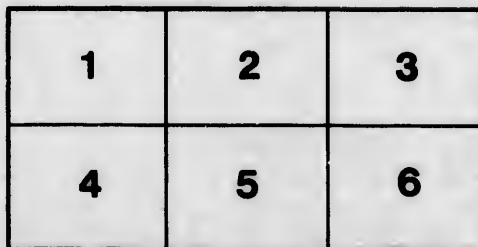
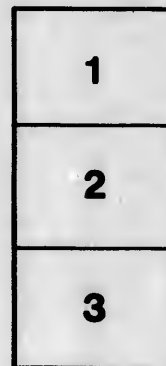
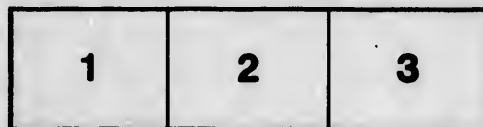
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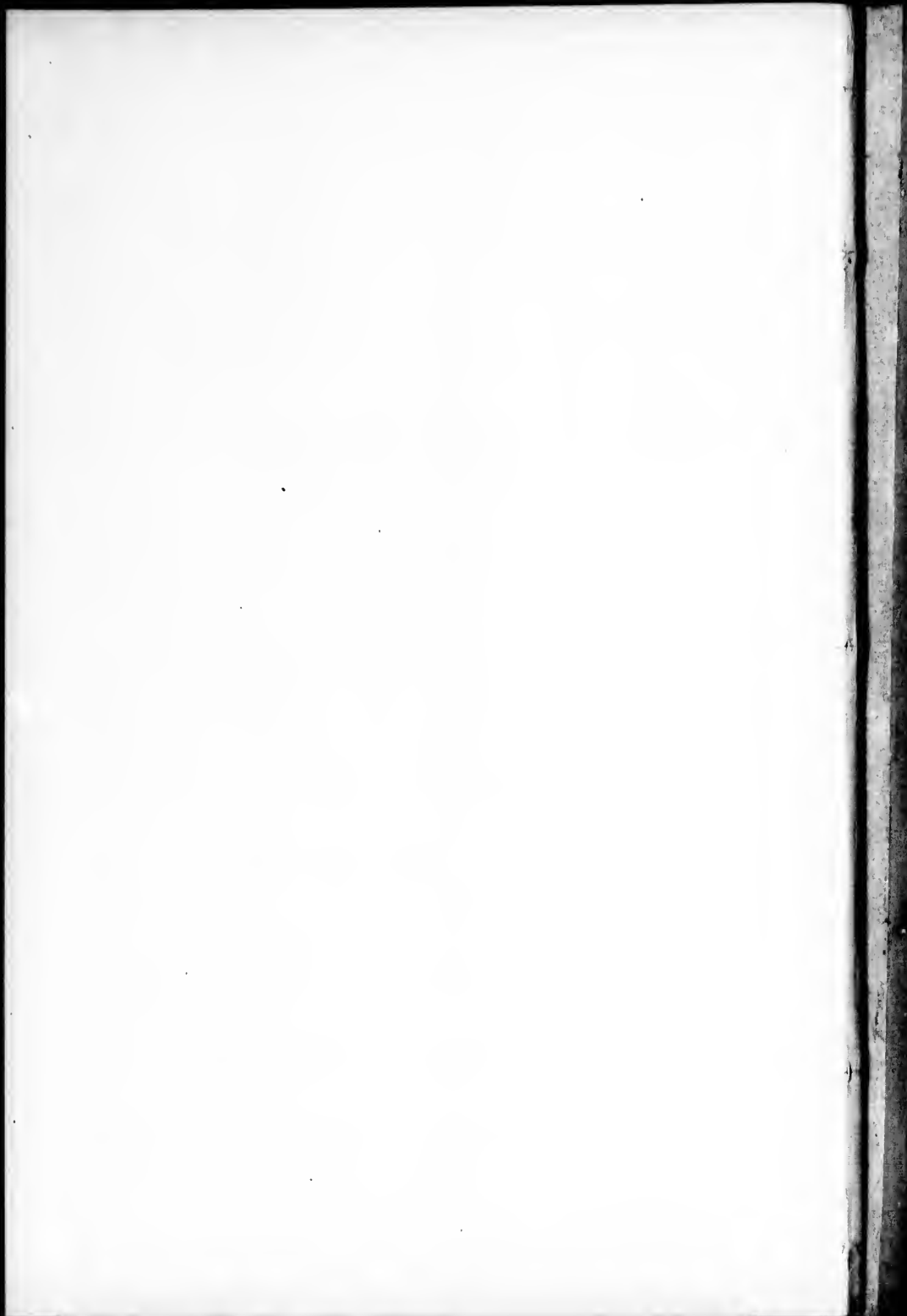
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R E P O R T .

To the Mayor and Corporation of the City of Hamilton :

On the 12th day of this month I opened a Court of Inquiry, to investigate certain charges of alleged misconduct of the Chief of Police and Alderman Patterson, in pursuance of certain resolutions passed by your Council so to do ; thereupon, it became my duty, as Recorder of the city, to take the evidence under oath and report the same, together with the result thereof to you. Having given public notice to all parties interested, I attended at the Court House and the City Hall until all the statements and information touching the matters in question could be got, which was then duly taken, and I now certify and return the same to you, being the same as that which has already appeared in the journals of the day as the evidence herein.

It would have been a great source of satisfaction to me if I could have stopped here, but the words of the statute throw upon me the further weight and responsibility of reporting also the result of the inquiry which I understand to mean the conclusions to be drawn from a fair and impartial consideration thereof.

The case presented by the public consisted in charges against the Chief of Police and Alderman Patterson, of being in league with a number of thieves and robbers, and protecting and assisting them in their depredations in the city, and that they had also in other respects betrayed the trust reposed in them, and violated their solemn oaths of office to be faithful and honest therein, by receiving bribes and conniving at the escape of offenders against the laws of the land, and neglecting the duties and obligations imposed thereby.

First, as to their complicity with Jeffrey and others, in either protecting or assisting them knowingly, either in stealing or receiving stolen property, I do not think it can or ought to be decisively inferred from the evidence, and whilst I believe that all that Armstrong says was communicated to him by the persons whom he mentions, and that Mary Edwards made the statements as Mr. Milne and the Grand Jurors affirmed, and that Carruthers and Patterson had been seen in Jeffrey's, I cannot rely upon the hearsay of thieves and robbers, uncorroborated by anything which might not be perfectly consistent with their freedom

from any such connection as that imputed to them. Jeffrey would have quite as strong a motive to mislead Mr. Armstrong as to his influence over Patterson and Carruthers as to misrepresent what passed between the gentlemen who visited him in the jail. There is no doubt he gave me a false account of what took place between Armstrong and himself; and although it may be said that he is now trying to screen himself from the effect of Armstrong's testimony, who can say when he is telling the truth? for as to motives, he would have a very strong one in inducing Barber to believe that he had the influence of Patterson and Carruthers, of which he boasted, in order to obtain his confidence to buy stolen goods from him. But I cannot admit suspicions, however grave, and which at times have risen in my mind, into circumstances upon which I could rely, to state that it raises a case which any tribunal could decide against them upon this branch of the case.

But whilst I have no hesitation as a judge or referee, in giving this opinion upon the questions of the complicity of Aldermen Patterson and Carruthers in the robberies spoken of by Armstrong and Jeffrey; I have just as little hesitation in declaring that the evidence of Barnes, Egener and Burke, has produced a most disastrous result in my mind as to his official conduct; and I have to report that in my judgment Alderman Patterson has grossly used, or rather abused, his position as an Alderman and magistrate of this city—it being proven that on one occasion he took and received the sum of \$10 from one Burke, and agreed, in consideration thereof, to sit on the Bench and shield and protect him from a charge of crimping, which was then being preferred against him, the said Burke; and did on another occasion take and receive the sum of \$5 from Mr. Egener, an innkeeper of this city, promising in consideration thereof that said Egener might safely abstain from taking out his license for two billiard tables for two or three months, and subsequently representing for the like consideration that he need not obtain any license to remove his business in a tavern from one part of the city to another, thereby obtaining such money under false and fraudulent pretences, holding out his position as Alderman to obtain the same. And did also take and receive the sum of three and nine pence from Mr. Barnes, on the ground that he had paid that sum of money for cab hire for him, while it would appear that your corporation paid for the same. I need not remark that such acts are gross violations of the solemn declarations which Alderman Patterson took at the time of his election to office, that he would not receive any payment or reward, or promise of such, for the exercise of any partiality or malversation, or any other undue execution of the said office.

An attempt was made to impeach Burke's veracity, and whilst I have great doubts as to his general reliability, I feel constrained to take his story as substantially true. Arthur's testimony was very suspiciously given, and I do not believe that he told the whole truth in the matter, and therefore prefer taking Mr. Barnes' version of it. No attempt was made at all to explain the transactions with Egener, nor the receipt of the dollar from Burke on the pretence that there was some difficulty

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about getting payment of his account for whitewashing, when in fact it had been audited and stood for payment at that very time.

The original idea of this investigation was mainly to discover if either Patterson or Carruthers had anything to do with assisting or protecting the robbers of whom Armstrong speaks; but it was finally determined that all and every matter which had any bearing on their official misconduct should also be enquired into; hence the evidence against Ald. Patterson.

A number of witnesses were also called to show either negligence or other improper conduct on the part of Carruthers when entrusted with warrants to search or arrest. And on this point Messrs. Wyld, Peacock and Gallagher were examined. I cannot place much stress upon the testimony of the latter, but there does seem to have been an unnecessary delay in executing the search-warrant for the dress, and on many occasions a certain amount of laxity, carelessness or indifference seems to have prevailed on the part of both Carruthers and McGlogan; and the delay on the part of the latter official in executing the warrant against Parker is quite inexcusable, and, coupled with the contradictions in his testimony as to where he was on Monday night, creates a very strong mistrust in my mind. The Chief of Police, as his superior officer, is equally to blame in this matter, as no report or complaint was ever made to the Police Commissioners about the delay, or the reasons for it. I also feel that the acquaintance or intimacy, or whatever it was, that existed between Carruthers and Jeffrey has been fraught with disadvantage to the city, and reflects much on his fitness for the position he now occupies; for whilst I accept the defence he makes as to his complete ignorance of any of the robberies which were being planned around him, I cannot help thinking that he has in all probability inspired Jeffrey with a notion that he was friendly towards him; and, whilst I can also perfectly understand the necessity that exists for his visiting these houses, I do not comprehend his allowing a man who had been a keeper of a house of ill-fame, and whose house was notoriously a resort of gamblers and blacklegs, and even worse, to come and go as he pleased in our midst. In addition, the circumstances attending the arrest of Jeffrey all conspire to create deep and widespread want of confidence in the judgment, if not in the honesty, both of the Chief and Deputy Chief of Police, and as one of the Commissioners I shall feel it to be my duty that they be relieved from any further connection with the force of this city.

It is not my place, nor would it be right that I should make any suggestions in the light of a public prosecutor, upon the matters affecting Alderman Patterson; as the position I occupy is altogether of a judicial character, it would not be consistent for me to direct proceedings to be taken which might come before myself for determination. It will be your duty to be advised by counsel what steps should be adopted to check the evils which have come to light in Alderman Patterson's case.

I shall have a copy of the evidence as it was printed laid before each

member of the Council in the early part of the week for their perusal and consideration, who will be at liberty either to assent to or dissent from this report, according to his own conscience, the object of this report being to obtain an expression of opinion from me on the bearing of the evidence, and the weight and reliability thereof.

All of which is respectfully submitted.

J. E. START,
Recorder of the City of Hamilton,

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THE EVIDENCE.

JOHN S. ARMSTRONG, sworn.—I know nothing personally against the character of either the Chief of Police or Ald. Patterson. On or about the 22nd of January last, when in company with Taylor, now in the Penitentiary, he showed me, at the International Hotel, a key which he had broken in some door, which caused a failure in the attempt then made; he said that they, meaning his party, were all right, because they had excellent friends in Hamilton; he said they had the Chief of Police and an Alderman; did not mention any name; he said they (the Chief of Police and the Alderman), knew all about them, and would not expose them. That evening or the next day I was at Parker's house; he was then living on Catherine street; Mrs. Parker said the leading man among them was then sick with a sore throat, and that he had made arrangements with the Chief of Police and an Alderman in case they should be exposed at any time; they could work perfectly safe, as they had those influential men on their side. Shortly after this Parker himself came in; he stated the same thing; alluding to the man who was said then to be sick, he stated that he was better known in the city than they were, and that he had arrangements made with, and paid the Chief of Police and the Alderman for protecting them in their operations; he said that this Alderman had licensed some of their blacklegs at the time of the Provincial Show, and made a pretty good thing of it, for he did not hand over all the money he collected. He had made this arrangement with the Alderman: that he was to take from them all the watches they got hold of, giving them \$8 each for the yellow ones, and either \$3 or \$5, I think \$5, for the white ones. They had also, he said, introduced a number of gamblers and thieves, who were strangers to the Chief of Police. On the first day of February I was at Jeffrey's house, there was a woman introduced to me there as Mrs. Jeffrey; she said that Jeffrey was in Toronto that day, and that an Alderman went with him; he was a particular friend of Jeffrey's, she said, and both he and the Chief of Police knew all about Jeffrey, and would not allow him to be hurt. That evening I called again; Jeffrey, Parker and Murphy were then present; on the first salutation Jeffrey shewed me a skeleton key, which he said was already fitted; did not say for what place intended. In answer to something said as to danger of being caught, he said he could not be, as he had paid the Chief of Police and an Alderman for protecting him; he said he paid ten per cent.; any night he went to a store to rob it, the Chief of Police stood sentry and watched for them; he was quite intimate with the Chief, saw him every day; several times afterwards he intimated to me the same thing. The night previous to the arrest, that is, on the 23rd of February, I was at Jeffrey's until nine o'clock: Jeffrey said he was sick, and could not attend to it, and said Parker would. I went over to the Royal Hotel, to report to Messrs. Childs, Ball and O'Brien, who were then awaiting me; I at that time said to these gentlemen that Parker had just said to me that Alderman Patterson and the Chief were then at Jeffrey's, he had just left them there; this was the night of the 23rd, the arrest was on the morning of the 24th; Messrs. Childs, Ball and O'Brien were then waiting for me at the Royal Hotel to report to them:

Alderman Patterson's name was first named to me by Mrs. Jeffrey: she pointed him out saying, "that is the Alderman we told you of; he took you for a Methodist minister"; this was probably between the 17th and 20th of February; I once saw Alderman Patterson in the house; I had been up stairs with Jeffrey and on coming down saw Alderman Patterson and Mary Edwards together below; he was in about two hours afterwards when I went back, on which occasion he mentioned the Alderman's name to me, and the remark concerning me he had made: after the arrests, I was informed by Murphy, in Toronto, that Carruthers and McGlogan had cautioned McDowell to beware of me, as I was a detective: McDowell, he said, had been requested to inquire of Captain Prince, and let them know; on my telling this to Mr. O'Brien, he informed me that the enquiry referred to had already been made by McDowell a few days before; Murphy had said that McDowell had been asked to enquire about me, and notify the "boys" accordingly; Mr. O'Brien said that Captain Prince had written to Mr. McMiiken, and received for answer, from the latter that he knew nothing at all about me; this, as I understood, was done to keep my real character from becoming known; when Murphy heard this, he was better pleased and more communicative than ever; he told me so after he had received the information asked for; this was on the 14th of April; I continued in the confidence of the gang up to the morning of the 24th of May. Murphy told me that McDowell, the night before, told him that he had information from Carruthers and McGlogan that I was a detective sure: he would have nothing more to do with me: the project then talked of between us was that of going to Montreal to a silk store, which had already been "fitted" with keys, and \$2,000 worth of goods "weeded out," a big finishing haul was to be made, and the premises fired; Jeffrey has showed me a good many keys; the evening of the first of February he showed me one; he said he had gone into a store with Alderman Patterson early in the morning, when first opened; Patterson asked to be shown some goods; while they were gone to look at the goods, Jeffrey said he took an impression of the key in wax, which he had with him prepared. I have always in my experience among thieves, found that when they made assurances of complicity with them on the part of policemen, these assurances turned out well founded, invariably so. They looked upon me as what they called "all right," as a purchaser of their stolen goods. I have enquired of them, in the course of conversation, as to the safety or possible danger to all concerned of their proceedings: I professed to be very cautious; I have asked more than once if there was any danger of detection; from the first they volunteered the information as to the grounds of their security. I frequently, after hearing their assurances, made further inquiries in the hope of getting more information. I found always what they told me relative to such things as I was able afterwards to satisfy myself, to turn out true to the letter, but they would never tell me about the building robbed or to be robbed. Could not say precisely how often I was at Jeffrey's house; have been there quite frequently; I think it was about ten o'clock in the forenoon when I saw Alderman Patterson at Jeffrey's; never saw Patterson or Carruthers there any other time; never saw Carruthers there at all. Parker told me the Chief of Police would watch for them. This was on the 23rd; he said the Chief had watched for them on the occasion of the first robbery, and would do so again.

Mr. Freeman—Having heard all this, why did you not watch them?

Witness—For fear of alarming them. The matter was discussed between myself, Mr. Childs and Mr. Ball, and we judged best not to attempt watching, for fear of being ourselves seen and suspected. I cautioned Milne, the Shariff's officer, about placing his men the night before the arrests were made.

Cross-examined.—I commenced my investigation as a detective on the 24th of

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December last. I never saw any of the gang in company with Carruthers or any of the Police; I never met the Chief to know him till I was myself arrested. Parker said he was known to Carruthers, but what was done with Carruthers was through Jeffrey's influence.

To Mr. Freeman—I know that I was to be arrested; Mr. Richardson told me on Sunday morning, the 23rd, that McGlogan had called on him and told him that I was to be arrested; I was arrested on the 27th of February; I communicated this to yourself (Mr. Freeman); Richardson said that he had known me for a while; thought I was a right sort of a man; was certainly innocent of what was charged against me, and that it would be nothing more than right he should let me know.

Mr. Freeman—They gave you a good chance to get away?

Yes; it was Saturday night that McGlogan called Richardson up out of bed, and told him of my intended arrest; he did not think they wanted me very badly; I thought it odd that McGlogan should let Richardson know on Saturday night, I and Richardson being so intimate, that he was going to arrest me on Monday morning.

To Mr. O'Reilly—My experience before as to complicity of policemen with thieves was all in the United States; there I always found the thieves to tell the truth when they had occasion to mention about having policemen in league with them.

EDWARD R. O'BRIEN, SWORN—I am Inspector for the British America Insurance Company; in that capacity I became acquainted with Armstrong; have heard his statement made to-day: everything he has stated to-day is true, as far as I know; it was Mr. Childs, of Niagara Falls, who was the first means of employing Armstrong; witness read a letter which he received from Mr. Childs, giving the first information furnished by Armstrong of the existence of an organized band of thieves and incendiaries; the letter intimated that it was discovered that prominent persons were implicated, and members of the police in London and Toronto.

To Mr. O'Reilly—In that letter nothing is said about the Hamilton police; Armstrong reported to Mr. Childs and myself at my room at the Royal; Armstrong then said the night previous to the arrest, at about 9:30 or 10 o'clock, that Parker had just told him that he had left Alderman Paterson and Carruthers at Jeffrey's; Armstrong was consistent; he never professed to have personal knowledge, other than from hearsay from the gang themselves, of the complicity referred to; he, Armstrong, told us he used to go out driving with Parker; it was not later than ten o'clock when Armstrong told us this about Paterson and the Chief; I went right off afterwards to Mr. Freeman's.

To Mr. Freeman—Jeffrey, Parker, and Mary Edwards were all reported to us by Armstrong as having spoken of the complicity of Alderman Paterson and Chief Carruthers with the gang.

To Mr. O'Reilly—It was about nine o'clock that Armstrong had seen Parker, as he said; Parker said he had left them there that evening—thought he meant that he had just then left them, but he might have meant a little before.

WILLIAM MILNE, Sheriff's officer, sworn—When I arrested Mary Edwards, she said she wished to see the Chief of Police; she said she knew he would go her bail; I told her I could not take bail: she then said she wished me to send for Alderman Paterson; she afterwards asked if I was going to take Jeffrey; this was not where Jeffrey was: he was then sick in bed; there were two or three others present, I think; she said Jeffrey had no one to attend to him but her and she could not go; she said also that Alderman Paterson and the Chief of police had

been there the night before, knew them well, that they were all right, and would go their bail; she said that Alderman Patterson had been there quite late the night before; did not mention any hour: I understood her to mean that Patterson and Carruthers knew there could be no charge against them; that Patterson was in every day to see Jeffrey, sometimes twice a day; when I told her she would have to go, she wished to see Mr. Sadleir to know the law of the case; she said the Chief had been frequently in to see Jeffrey in his sickness; I did not know Jeffrey personally:

To Mr. O'Reilly—I had a warrant for Jeffrey; knew that he was very ill: this was on the 24th of February.

CONSTABLE WILLIAM WEST, sworn—Have known Jeffrey some ten years; lately he kept a tavern during some two years; he has also kept a saloon on King st. before that he kept a house of ill fame on Hughson street; he was known also to be a gambler; all the policemen knew this to be his reputation; can't say just how long he has lived in his present home on Market street; know Mary Edwards; I think she was with him on King street; don't remember of her before; Jeffrey was keeping the house of ill-fame on Hughson street before he kept the tavern on Market street; I understood his wife was in the country; the Chief of police has full control over the force; before night we are detailed for duty by the Chief; don't know that any minutes of these details are kept; there was just one man out and one man left in the office; there were eight men in the police force altogether: one of the stations is at the railway bridge on James Street, the other on King William street; there were then two men at the lower station, one for the day and the other for the night; on the night of the 21st February I went to a house of ill-fame—McGlogan, Kavanagh, Graham, Bible, and myself; it was up Queen street; we left the police station a little after nine o'clock; don't know who laid the information; I think McGlogan had a warrant with him; it was my turn to have gone home to bed that night: we got back about ten or half-past; when we came back Carruthers and Ferris were at the station; it was about twelve o'clock when I went home; I left the Chief, Bible, and Ferris there when I came away; Graham and I went home together; when I am on duty I see the Chief at the office till twelve or later; I think it was that night Bible's turn to be out and Ferris' to remain in the office.

To Mr O'Reilly—The evening of the 23rd I was round the office from half-past seven till a quarter or twenty minutes past nine; the Chief was at the office all that time; I remember thinking and speaking of this the next morning after the arrest; I saw the sheriff's officers that morning; am quite clear that I was there on the night of the 23rd, and that the Chief was in the office also; the afternoon of the 21st I had been in the country on duty, and had only been back a quarter of an hour when I went with the rest to the house up Queen street; on that occasion Ferris and the Chief remained behind; I remember the Provincial Fair; did not do duty on the ground, but in the city, except a part of the last day; the only complaint of robbery of a watch we heard of was that of Mrs. Geddes' watch; one comes on at 7 another at 8—off at 1 on at 7—off at 9; about 7 or 8 years ago the Chief, myself, and others went to Jeffrey's house to seize everything, and to break up the concern as a gambling house.

Mr. Freeman—relate the conversation between yourself and Carruthers.

I spoke to him about the robbery; he said it was a pity that Parker had escaped; said if we had been there he would not have escaped; Carruthers did not say where he had been that night that I remember.

CONSTABLE PETER FERRIS, sworn—I remember the night of the 23rd of February; I was on duty at the King William street station; went there at 9 o'clock

and remained till 7 o'clock next morning; Chief Carruthers and Bible were there; Bible was out on King street; King and James streets form Bible's beat and mine; think Bible went out without any special order, according to his usual routine; don't remember precisely when the Chief left that night, think he remained till after one; don't recollect where Bible was after Carruthers left, think he was on King street; am sure Bible came in after 12 o'clock; he came in and out as usual; I recollect that the Chief left that night between one and two.

To Mr. O'Reilly—I remember when, on the night of the 21st, the prisoners were brought in; the Chief was there, and counted the money taken from the parties; it occurred to us as odd, when we heard of the arrest on the 24th, that none of us had been employed.

At the conclusion of this witness's evidence the court was adjourned till three o'clock.

At three o'clock the investigation was resumed.

POLICE CONSTABLE ROBERT BIBLE, sworn—I know Jeffrey; he has lived in several houses in the city; at the time of the Provincial Fair I think he had two houses in his occupation; one was kept as a gambling place exclusively, and I believe the other was kept as a tavern; the tavern was on McNab street, and the gambling house on Market street; the latter is a frame house, the same he lived in when arrested; he continued to keep the tavern for some time after the close of the fair; don't know just when he moved to the Market street house to live; don't know the landlord of this latter house; I knew at the time of the fair that the frame house was a gambling house; I knew it because I went there the first night of the fair to make an arrest; Jeffrey seemed to be the master of the house; we remained there a considerable while; we had a warrant for a man for illegally obtaining money by gambling from one Hugh Boyd; it was Policeman Ferris and I who were together; don't remember the name of the man we had the warrant for; after we had searched all the premises, we took a look at what was going on; we saw gambling going on. The players seemed to be excited when they saw us come in, but became quiet again, and went on with their game. We were in but four or five minutes.

Mr. Freeman—That is a very short time compared with what I understood you to say at first.

Witness—We were not in long; there were a good many there; don't know how many; can't name any one who was there but Jeffrey; they were strangers to us; was never in the house but on that occasion; where they played was in a back room, below stairs, right hand going in; they were not playing up stairs; we did not go up stairs.

Mr. Freeman—I thought you went there to search all over.

Witness—We did not know the man we were in search of; the complainant was with us to point him out; the crowd rushed out to the back door; there was quite a rush of them, all together; the night of the 21st of February we went to "Madame Rochelle's" house, up Queen street, off William street; this woman was sometime known as Mrs. McElroy, from her connection with McElroy, who is now in the Penitentiary for shooting at Mr. Mewburn; it was McGlogan who told me to go with the rest; we left the Chief in the office; we lost considerable time there; at eleven o'clock we got back; I then remained all the rest of that night in the office; the Chief remained there about two hours; don't know where

he went when he left; I was the only one left in the office when the Chief went away; Ferris was not on patrol that night; I remember the night of the 23rd; did not hear of anything particular that night; heard next day of the robbery and the arrests; the morning I went home at seven o'clock, I returned to the station about two that afternoon; first heard of the robbery and the arrests on my way down to the office; I have seen Armstrong, sometimes called Barber, but did not know him then; the first time I saw him, to know him, was when he appeared at the Police office after having been arrested; I had heard of him before that; don't know from whom I had heard of him before that, nor in what way; after all, I am not sure that I had heard of him before that; cannot be sure on this point; don't think I did hear of him before his arrest: I never heard before that from whom the information came about the robbers: never thought how Taylor happened to be convicted: could not tell now from whom I heard about the robbery and arrests; when such affairs are fairly in the hands of the superior authorities we do not concern ourselves. The people who disturb the community are those we are in search of. We went (the time of the Fair) to Jeffrey's house to arrest a man. We all knew that Jeffrey's house was a notorious gambling house, and that he was a notorious gambler: don't know that that was his only means of making his living; the blacklegs and thieves generally congregated at Jeffrey's; we all knew it, but by hearing; we often suspect that hard characters go to such houses: our business leads us to all sorts of houses, good or bad.

MATTHEW LEGGATT, sworn—I was on the Grand Jury at the last Recorder's Court: we visited the jail: we saw Jeffrey: in the course of a conversation he said that the Chief of Police and Alderman Patterson used to be his companions: others of the Grand Jury were present: I recollect Mr. Edgar and Mr. Roy: Mary Edwards made no statement that I know of: he was asked if he was the notorious Jeffrey: he said he supposed he was the man: I did not know him: I looked upon his statement as to Patterson and Carruthers as a voluntary one entirely, unprovoked by anything that had been addressed to him.

ROBERT ROY, sworn—I was on the Grand Jury on the occasion referred to by Mr. Leggatt: did not know Jeffrey till I saw him in the goal: I saw Mr. Leggatt talking to Jeffrey: heard Jeffrey say to Mr. Leggatt that Alderman John Patterson and Chief of Police Carruthers ought to be there with him: I was aware previously, by public report, of their having been implicated: my impression was that Jeffrey spoke truthfully, and as he thought, without at all such a sense of his meaning as that he merely intended to say that they were of course innocent, and that he was as innocent as they were.

FREDERICK W. WYLD, sworn—A year ago last fall I received information of goods that had been stolen from my store: I was told by a certain person that the goods had been traced to Jeffrey's house: I went there with a policeman, I think Constable Bible: had been told that the parties who had stolen the goods were there: when we went in I asked Jeffrey if he had seen any one come in with a large bundle of goods; Jeffrey made signs for us to go immediately for the Chief of Police: the Chief and I went together to Jeffrey's: we saw him outside: Jeffrey said the parties who had taken the goods were gone down to one Jerry Farnell's: I saw no particular reason why Bible should go away after the Chief, leaving Jeffrey's house at the very moment when, as I afterwards understood, the goods and the thieves were both in the house.

Mr. Freeman—That was very strange of Bible not to go straight in at first.

To Mr. O'Reilly—My clerk saw some one go towards Jeffrey's house, and go in there with a bundle of goods: the first information may have come from some one else: one of my clerks was up stairs, and one down stairs in the shop at the time of the theft of the goods: Bible went right off for the Chief when told to do so by Jeffrey: I thought it strange that he did so: nothing passed between Jeffrey and the Chief aside from me that I know of.

To Mr. Freeman—I distinctly gave Carruthers, Bible, and Jeffrey, each of them, to understand that goods had been stolen from me, and that I believed the thieves and the goods to be in Jeffrey's house.

To Mr. O'Reilly—I thought Jeffrey sending Bible away after the Chief was a blind to give the thieves a chance of getting away with the goods; that is, I thought so afterwards, when I saw how it had been worked.

To Mr. Freeman—Chief Carruthers seemed to take Jeffrey's statement to be true. I wanted him to go to the other house; he objected, saying it would be a wild-goose-chase to go to a house to arrest any person if I could not describe the property lost.

CHARLES DALLYN sworn—Live on James street: am learning the blacksmith business: I know Mr. Carruthers and Mr. Patterson: I remember something about the robbery at Gates' in February last: do not know where either of these men named were on the night of the robbery: my father keeps a tavern down James street: I saw Jeffrey down at my father's a few days before his last arrest; the Chief of Police was with him: they came in together: did not then see Mr. Patterson: it was between half-past ten and eleven, a week ago last Saturday: Jeffrey was not then in custody: they came up to the bar and called for something to drink: can't say which of them called for it: my father's house is on James street, the first corner above the railway bridge: it was Saturday night; now when I think of it, it was last Saturday two weeks; it was certainly before Jeffrey was arrested this last time: I have often been in Jeffrey's house, but not of late years.

To Mr. O'Reilly—Don't know whether Jeffrey was in custody then or not.

Mr. O'Reilly—It was really after Jeffrey's arrest when this happened; Carruthers was then accompanying him, having him in custody while going down to his sister's house to get her to come up and look after the children.

JOHN PEACOCK, sworn—I placed in Mr. Carruthers' hands a search-warrant to look for a silk or satin dress stolen: it was on the 29th of January, 1864: it was about between six and seven in the evening when the warrant was handed to the Chief by the constable who accompanied me: before I got the warrant he said it was too late, that it would not be safe to go to that place after dark: I named the supposed thief, and the house where he was said to be, which was Mrs. Marshall's, down Hughson street: this was on Saturday, and there was no search made till next Wednesday or Thursday: I was made aware of this from daily conversations with McGlogan and enquiries made: don't remember that I spoke again to the Chief on the subject: I objected myself to going on Sunday; I was ready to go on Saturday night, but Chief Carruthers would not go or send a force with me; he said I might go, but it would not be safe.

To Mr. O'Reilly—I think it was Bible who went with me to Carruthers after the warrant was issued: don't know that the warrant was really handed to the Chief or retained by Bible.

Mr. O'Reilly—Did not McGlogan go to you to ask you to go with him?

Witness—No: I met him on the street: did not after that appoint any time to go: I did not go at all.

To Mr. Freeman—Some six months afterwards a person told me about where the dress might be found, but added that I must not get Carruthers to look for it, as he was in the pay of the party in Hughson-street: I went with Carruthers to the house: he searched without finding anything: there were some boxes locked, but the woman who had the key was not in; I was told they could not be opened till she came back, which would be about nine o'clock: I came away about seven, having to return to my shop, and sent my clerk to wait there till the boxes were opened, when nothing belonging to me was found: six months afterwards a girl named Margaret Palmer told me a dress was taken to Mrs. Marshall's: that directly they had information the same evening from the police office that a search warrant was out for it: it was then sent up to Jeffrey's, to be out of the way, but Jeffrey refused to take it in: this was the same night it was stolen: it was afterwards taken away in a cab to a Mrs. Martin's, a relation of the cabman; I was advised not to push the matter then; the same girl afterwards told my young man Barnard that the dress was since taken to Jeffrey's, and from there somewhere to the country; can suggest no reason why she gave me this information; gave it quite voluntarily during her occasional calls at my store.

CONSTABLE ROBERT GRAHAM, sworn—I belong to the Police Force of this city; remember the night we made the descent on the house of ill fame on Queen Street. I understood the neighbors made the complaint against the woman who occupied the house; brought her down between 11 and 12 at night; afterwards went home, as also did Constable West; the night of the 23rd of February was my night to be at home, so knew nothing of what was transpiring; generally go home at nine; nothing unusual occurred that evening previous to my going home.

To Mr. O'Reilly—Brought four men and three women from the house on Queen street.

Mr. CAHILL, sworn—Jeffrey was some time ago brought up before me on a charge of crimping for the American army; Alderman Patterson, Mullin, Crawford, and Chisolm were on the Bench with me on that occasion; Mr. Patterson did not suggest that Jeffrey should be fined, and the fine divided amongst us; Mr. Patterson never proposed such a thing; the law as it then stood did not admit of summary disposal of such cases by the Magistrates: all such had to be sent to a higher court, if the evidence did not seem to clear the accused at once; we could not have thought of fining Jeffrey for the law did not allow us to do so.

Mr. Freeman—I am well aware of what the law then was, but that is not what I want to know; I want to know if you heard anything of or knew anything of a proposal from anybody to fine Jeffrey and divide the fine.

Mr. Cahill—There was no such proposition made.

Mr. Freeman—Did you tell Mr. Milton Davis or Mr. Patrick Crawford that Mr. Patterson had made such a proposal?

Mr. Cahill—No; I never said so to any one.

To Mr. O'Reilly—I have been Police Magistrate of Hamilton for about two years: have known Mr. Carruthers for a long time; he has before held an office similar to his present one. He brought excellent testimonials here from Liverpool. I was Chairman of the Police Committee when he was appointed. Remember granting Mr. Peacock a search warrant; do not remember making any arrangements about when it was to be executed; it could not have been done that night as it was after sundown. The Chief is well up in points of law, and knows that it could not have been properly executed that night; he is in the habit of staying very late at the office; have found him there as late as 11 o'clock. Remember the night the warrant was issued for Jeffrey; I went myself to the office

and asked Mr. Carruthers to walk out with me; there was no one left at the station except one of the men of the new force; met Constable Graham on the street; took them both into a store and gave the warrant to the Chief, with instructions to execute it immediately; this was about nine o'clock; the arrest was accordingly made. From my knowledge of Mr. Carruthers I could not say whether he had any complicity with robbers, but do not think he would. Never have seen anything that would cause me to suspect him. He has frequently told me of getting information from Jeffrey with regard to crimes committed and the criminals; he said he had often made use of such information.

MARGARET PALMER, sworn—I have seen Mr. John Peacock; remember hearing about a dress that was stolen; I did hear that the dress was taken to Mrs. Marshall's; never heard whether the dress was found or not; I told Mr. Peacock that I heard it was taken to Jeffrey's; never told Mr. Peacock that intimation had been received at Mrs. Marshall's that a search warrant was issued; I told him he might find it at Jeffrey's; I do not remember saying that the warrant had better not be given to Carruthers; had no reason to do so.

TUESDAY, June 13.

Investigation resumed.

WILLIAM EDGAR sworn—I was foreman of the Grand Jury at the last term of the Recorder's Court. When we visited the gaol, I was the first to enter the cell of Jeffrey. Witness repeated the conversation that occurred on the occasion:—

Witness—"Well, Jeffrey, how are you getting along here?"

Jeffrey—"Oh, first-rate; but there are some others who ought to be here along with me."

Witness—"To whom do you refer?"

Jeffrey—"To Alderman Patterson and the Chief of Police."

One of the Jurors—"Why, you do not consider them guilty?"

Jeffrey—"Well, if I am guilty, they are guilty too."

A Juror—"Then you acknowledge your guilt?"

Jeffrey—"Oh, no one is going to own up his guilt; but they are guilty if I am."

The prisoner was rather in a jovial mood during the conversation, and smiled when he made the allusion to Alderman Patterson and the Chief of Police.

In consequence of the absence of Mr. Freeman, owing to engagements at the County Court, now in session, an adjournment was asked for until four o'clock this afternoon.

The Court was then adjourned to four o'clock this afternoon, at the Council Chamber.

TUESDAY, June 13, 4 p. m.

Investigation resumed. The first witness called was Coun. McKinnon, at the instance of the Chief of Police.

COUN. MCKINNON—On the 9th of March last, Mr. Carruthers visited Windsor in company with witness, on special detective business; on arriving there they visited a saloon with Detective Gates of the Great Western Railway; while there, Gates heard parties speak of the whereabouts of Parker; that night and the following day enquiries were made in the matter in connection with their other business, and information was obtained that Parker was then in Buffalo; Mr. Carruthers appeared to be much pleased on obtaining the clue, and was evidently anxious to secure the arrest of Parker; witness believed that Carruthers desired to arrest Parker as a matter of pride, from the fact that he had eluded the efforts of the Sheriff's officers; on the way back from Windsor, Carruthers several times told witness that he did not know Parker by sight.

CHIEF OF POLICE CARRUTHERS sworn—I never knew Parker or Taylor; only saw the latter once, when he was on trial; I have no connection with these burglaries, either directly or indirectly; I was not at Jeffrey's place in company with Ald. Patterson, or any other person, on the 23rd of February last; I had no knowledge that a system of robbery had been carried on in the city in a manner termed "weeding;" on the night of the 23rd of February last I was engaged at the office until after 12 o'clock, when I went home and shortly after retired; on the night of the 23rd of February last I came to the office about eight o'clock, and went home again early and retired; I was unwell at the time; I never received hush money or ten per cent. on any robberies whatever—the whole story is a fabrication of falsehoods—nothing can be more false; I have heard imputations cast on American officers frequently; I heard one thief remark that there was not a policeman in the United States that he could not buy; it is an utter falsehood that I was introduced to thieves at the time of the Provincial Fair—I did not know there were such men in the city; I have applied to Jeffrey frequently during the past six or eight years for information regarding suspicious characters, and generally found his representations were truthful; I never was at Jeffrey's place on Market-street, in company with Alderman Patterson; we have met at his tavern on McNab street; I can imagine no reason why Mary Edwards should desire to see me when she was arrested; the last time I saw Jeffrey previous to his arrest by the Sheriff's officers was at the nomination of the city member on the 10th of February; on the night Jeffrey was last arrested I went to his house in company with Constable Graham; we arrested Mary Edwards, and I went into the saloon adjoining to find Jeffrey, who was not at home at the time; I found him there, and arrested him; he asked that I should accompany him to his sister's place, to get her to come and take charge of his children, as they would be left alone

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in the house; I consented, and on the way he wanted to take a glass of gin, stating that he was unwell; we went into Dallyn's place and drank; it is a part of the necessary duties of the police to visit all manner of places in the city, to learn the haunts of bad characters; I remember the case of Mr. Wyld; Bible told me that Jeffrey wanted me, and I was to call at Wyld's; I was surprised that Bible had left that house; I went up immediately when Bible told me; there did not appear to be any watch on the house; I looked in, but did not see anybody; Jeffrey told us the name of the parties; Wyld heard all that passed; Wyld did not know that he lost anything, and the clerk did not see the things taken away; I thought the whole thing spoiled before I got there; he don't know to this day that he has lost anything, and there was nothing to guide me in making enquiries; regarding the statement in the evidence of John Peacock, myself and McGlogan were in the office, when that gentleman came in and said that he had lost a piece of satin, and gave the name of a female whom he suspected; I asked him why he did not come earlier, as it was too late to make a search that night; McGlogan went to the Magistrate's house to get a warrant, with the understanding that it was to be served on the Monday following, this being Saturday night; Mr. Peacock did not come to the station on Monday as he engaged, and the search was delayed until Wednesday, when McGlogan made the search by himself; I never knew an instance of information being conveyed to parties through the police of the intended serving of a warrant; I assisted in the arrest of Armstrong; I did not know his name at that time; I was aware of the fact that McGlogan was watching Armstrong; I saw Mrs. Parker once previous to her arrest; I was directed to visit the premises on a suspicion that her place was a disreputable house; I have been anxious to secure the arrest of Parker, and have used every effort to that end; I had not the slightest suspicion at the time Armstrong was arrested of his true character; after he was arrested I got intimation that he was employed by the insurance agents.

To the Recorder—When we were getting information from Jeffrey we were not aware that he was keeping a gambling den; he gave up his tavern on McNab street last fall; he occupied the tavern and his place on Market-street at one time for a term; I suspected his place on Market street as a gambling den; I have never given any special directions to the police to watch the place; the first time I knew positively that Jeffrey kept a gambling place was during the Fair, when several of the police visited the house on Market street, and saw parties gambling there; the police have not been instructed by me to keep any particular surveillance on the house since that time; I have had suspicions of Jeffrey, but never obtained any conclusive evidence that he was interested in robberies; regarding the information we used to get of Jeffrey, on one occasion Geo. Sharp was robbed of his watch, and reported that he believed Jeffrey could give some information of the thieves; McGlogan and myself inquired of Jeffrey if he knew the party who had committed the theft, and he informed us that it was probably

three men from Buffalo; he described them to us, and we were thus enabled to effect their arrest and recover the watch; on another occasion he put us on the track of a party of burglars from the United States, and we arrested them, and found burglar's tools upon them; the statement which Jeffrey made to the Grand Jurors, in the gaol, was without cause; I cannot tell his reason for making such an insinuation.

WILLIAM RUTHERFORD, sworn.—On the evening of the 21st February last, I visited Dundas in company with the daughter of Mr. Carruthers; we returned about 11 o'clock; I left Mr. Carruthers's place about half-past 11; Mr. Carruthers had not come home when I left.

MARY CARRUTHERS, sworn.—I remember visiting Dundas with Mr. Rutherford on the evening of the 21st of February last; we returned about 11 o'clock, and I remained up until my father came home; he came in between 12 and 1 o'clock; when I retired, my father and mother were still sitting up; Mr. Rutherford departed before my father returned.

MRS. JANE CARRUTHERS, sworn.—I remember the evening of the 21st of February last; my daughter and Mr. Rutherford returned about 11 o'clock from Dundas; Mr. Carruthers came home about 20 minutes past 12 o'clock; I remember the time, as he took out his watch to tell my daughter the time; after eating we retired, and Mr. Carruthers did not go out again that night; he came in later than usual that night, and said he had been detained by business at the office; he was in ill health at the time; the evenings following he returned home much earlier.

The investigation was then adjourned.

MONDAY, June 19th, 1865.

Investigation resumed.

THOMAS TAYLOR, sworn.—I came to Hamilton some time in 1864; when I came here, my sister and brother-in-law (Parker and his wife) lived on Main street; I was here when they moved from thence to Merrick street; know Mr. Murphy, he lives in Toronto; know a person named Jones; don't know where he lives; was introduced to him by Murphy at Toronto two or three years ago; have known Murphy a long time; never saw Jones in Hamilton, but have seen Murphy in Hamilton; recollect now that I did see Jones in Hamilton; knew Barber, but understood that was not his real name; don't know why he went under an assumed name; saw him first at Hamilton at the International; Murphy told me to go and meet with Barber there; can't say what day or month; it was about a month before I was arrested; was coming down John street when I met Murphy; I suppose he had just come from Toronto, but don't know; did not know before hand that Murphy was coming to Hamilton; don't know who he particularly came to see; Murphy said he had a couple of friends at the International he would like to introduce me to; went there for that purpose; saw Barber and Jones there; Murphy introduced me to Barber; Jones I had seen three years or so before; we saw Jones first; he went up stairs and brought Armstrong with him; Murphy said that they were his friends; directly after we came together Murphy said he would leave us, as he had to return to Toronto by the seven

clock train, it then being near evening: don't know Smith, sometimes called Capt. Smith: understood that Murphy had a partner, but did not know the man, or who he was: when I left for home, Barber and Jones came with me a short distance: met them afterwards that same evening, and had oysters together, in a place near the Post office: they did not then tell me what they wanted, or what they came for: don't know how long they remained in Hamilton: was drinking just afterwards, and got hurt: can't say how long they remained; the next Sunday after that Barber was at Parker's, and they had oysters there together: I was then too ill to join them: during that week Barber was at Parker's several times: they did not let me know their business: but I understood that it was something not right.

Mr. Freeman—What did you suspect it was?

Witness—I can't answer the question; Barber got some goods from Parker—some twenty odd dollars worth, I believe; Barber himself took the goods away; I went with Barber to the hotel when he took the goods; don't remember any one having to go back for the key of a valise; don't remember showing Barber how to open it with the aid of a knife, without a key; don't remember showing Barber samples of goods that Parker had to sell; Barber went away; Parker told me he was coming back; remember the morning I was arrested, but not the date.

Mr. Freeman—It was the 24th day of February.

Witness—Barber was at Parker's the evening before; there was a lady with him—his wife, I suppose; Barber proposed to Parker to rob some house where there was \$12,000 in gold; this was some days before I was arrested; the two went out together to look at the house; recollect that Barber was at Parker's two nights or three before I was arrested; he was there about every night; my knowledge of the projected robbery of which I have just spoken was from Parker's telling me; the night of the 23rd, while Barber and the lady were at Parker's house, Parker went out for a while; he brought a bundle with him, but no dark lantern that I saw; do not know what it was that Parker brought with him; I am speaking now of one or two nights before my arrest—the 21st, probably; Parker had a friend in town named Jeffrey; it was to Jeffrey's he went; I knew before that he was going there; understood that Parker went to get something from Jeffrey, who was then sick; the night I allude to Barber stayed till about half-past nine o'clock; he came back next day; Armstrong pulled a memorandum book out of his pocket, and he and Parker went up stairs together; I knew that Jeffrey and Parker were friends; when Parker came back from Jeffrey's, the evening of the 23rd, he mentioned this, that he had just come from there; he said he had seen different persons there; had seen the Chief of Police and Alderman Patterson there.

Mr. Freeman—Did not Parker, on the evening of the 23rd, say when he came in, that he had just seen the Chief of Police and Alderman Patterson there, and that they had all been talking the matter over, about the robberies?

Witness—Not that I recollect.

Mr. Freeman—Did he not say so on some other occasion?

Witness—I don't remember it; I knew the Chief of Police, and knew Alderman Patterson; the Chief did not know me that I am aware of; Alderman Patterson may have known me, from meeting me with Bostwick; knew Jeffrey, and his house on Market street; Barber and I went there together one afternoon; understood that Barber had been "cutting up" with Mrs Jeffrey, and she would not let him in; don't remember that I ever went to Jeffrey's to meet with Barber

in place of Parker going; Jeffrey and Parker were friends; I have known Jeffrey for 15 or 16 years; met him at Halifax about that time ago, just after his discharge from a man-of-war, on board of which he had served; have heard Parker say that Jeffrey had friends in town; he mentioned Crawford, who is a gambler, and Robert Bostwick, a young man belonging to Hamilton, that I was acquainted with; Parker named to me the Chief of Police and Alderman Patterson as good friends of Jeffrey's, who would not see him get into any harm in the way he was going on—that nothing would happen to him; I knew that something was being done between Jeffrey and the police that was wrong.

Mr. Freeman.—What made you suspect anything wrong?

Witness.—I decline to answer that; Jeffrey and Parker were connected together in some kind of business or other; remember only once seeing Murphy here; I had nothing to do with Murphy, Jeffrey and Parker, in their business, whatever it was; don't know who aided Parker; there were a number of young men who came to his house.

Mr. Freeman.—Name some of them.

Witness.—There was a Mr. Wilson, who stayed at the International, where Armstrong was; once after Barber went out, Parker made the remark that he thought him a detective; understand that Wilson came from Detroit; don't know much about him; Wilson said to Parker that Barber was all right, but that he was a "thickhead;" I don't know of any robbery on the night of the 23rd; don't know that I ever spoke to the Chief of Police or Alderman Patterson in my life, or that they knew me; Parker might have told Barber about them, but don't remember that he did, he told me, however, as I have already mentioned.

To Mr. O'Reilly.—Parker said to me that Jeffrey told him he was acquainted with the Chief and Mr. Patterson: don't think that I myself ever intimated anything about them to Barber: I might have said so. I never told Barber that the Chief and Mr. Patterson were paid for protecting robbers, or anything to that effect. I have heard Parker say that Jeffrey told him that he (Jeffrey) always got the first intimation about any one that was suspected. I am not aware that I ever said that these men were paid for giving information. When I knew Barber first he said he was a farmer from about Owen Sound. He bought goods twice from Parker; have heard Jeffrey say that he has given the Chief money many a time: the time that Gray, the pickpocket, was here, heard him say so.

Mr. Freeman.—Can you explain why Jeffrey gave money to the Chief of Police?

Witness.—Have heard Jeffrey say that he, Jeffrey, had often given presents to the Chief of Police; also that the "little doctor" Fitch had done the same; heard Jeffrey tell Parker that the Chief had got a five dollar gold piece out of Gray's money for getting it back out of custody to return it to Gray's wife. Jeffrey said he had fought for the Chief, that he would do anything for the Chief, and that the Chief would do anything for him. Heard Jeffrey say he had plenty of friends in town, mentioned Alderman Patterson as one: have often heard him speak of Mr. Patterson and the Chief.

Mr. Freeman.—I suppose you don't know that Jeffrey ever did rob anybody?

Witness.—I don't wish to answer that question. Barber got some watches from Parker. Don't know that Parker ever borrowed money from Alderman Patterson on watches; never heard of any bargain with Patterson about watches; know that Armstrong bought a lot of watches; I never spoke to Patterson in my life.

Mr. O'Reilly.—Did you ever tell Barber that the Chief had introduced you to two gangs of thieves here at the Provincial Fair?

Witness.—Not that I am aware of.

The witness Taylor was then removed, and Jeffrey was sent for. On his taking his seat the Recorder informed him, as he had informed Taylor, that he was not compelled to testify anything criminating himself; and further, that anything he might then testify to would not be used as evidence against him.

James Jeffrey, sworn.—I know one Joseph C. Parker and one Thomas Taylor; I don't know Murphy; have known Parker since about a month before the fair; my first acquaintance with Taylor was in Hamilton, about three years ago; have been on a man-of-war, but never saw Taylor at Halifax. I suppose I have told Taylor I had been a man-of-war's man; don't know what Taylor was doing, nor Parker either; have seen a man called Barber; first saw him at my house last winter; Parker came with him; never heard Parker or Taylor say they had friends here who would protect them.

Mr. Freeman.—Was either the Chief of Police or Alderman Patterson an intimate friend of yours?

Witness.—In what way? I have a good many friends in Hamilton; never told Parker or Taylor, or anybody else, at any time, that either the Chief of Police or Alderman Patterson were my friends and would protect me; never told Parker so; knew him to be a notorious villain. I went to Toronto last winter to have an operation performed; cannot say the date; it was on a Monday I went; I went alone; Mr. Patterson did not go with me: he was not on the train; Parker may have been at my house four or five times; I understood that Parker was a burglar or thief, and that Barber was buying stolen goods. Barber asked me if I had any goods to sell; I was sick then; it was after I had been at Toronto; the first time when Barber and Parker came to my house, it was before I went to Toronto, I told Barber I had nothing for him, and had no way of getting him anything; don't know Jones. Barber said to me that he had been informed I could furnish him all the goods he wanted. He said "I am a fence, I suppose you know what that is." He talked a good deal of thieves' slang; I understood some of what he said from reading the *National Police Gazette*; he spoke of Mr. Jones; this was in the evening; Barber, Parker and Taylor were together at my house; Barber talked a great deal about robberies, burglaries, and such like, and insisted on getting goods from me. I kept my bed from early in February to April. I might have told Taylor that I had good friends in town; never mentioned the Chief of Police or Alderman Patterson to him, or to any one, as my friends. I have seen the Chief offered a \$10 gold piece, but he would not take it, it was from the wife of Gray, the pickpocket, it was when the Chief was handing her the money found on Gray. The Chief has called in several times when I was on Macnab street. Did not see Parker the night before the arrests; think he was in my house the Friday night previous, with his wife. Mr. Patterson has called to see me once or twice, when I was in bed sick; have no reason to think that the Chief or Alderman Patterson could protect me in anything unlawful or wrong; never told Barber that I was sorry I could not go out, because the "boys" could not "weed out" as well as I could.

Mr. Freeman—did you say to the Grand Jurors or Mr. Edgar, that you should not be there alone, but that others should be there too?

Witness—No, Sir, I did not; I will tell you what I did say. Mr. Edgar said "Hallo, Jeffrey, what are you here for?" I asked him if he had read the papers;

he said yes, and that there were other names mentioned in the papers as well as mine; I answered that if it was believed others were guilty, why were they not there as well as me: it was Mr. Edgar who first spoke of the Chief and Alderman Patterson, and in a sneering way; it was he who introduced the subject about others, and not me; think I was insensible the night of the 23rd of February; was very ill; can't remember what I was doing; the Chief was not in my house when on Market street; I had nothing to do with the gambling apparatus; it was put up before I went to Market street; there was no faro game ever dealt there; I knew there wasn't; the machinery was never intended for faro playing.

To Mr. O'Reilly.—Carruthers had me up once or twice and fined pretty severely, which does not seem very friendly. It was about seven in the morning of the 24th when I heard about the arrests; was too ill the night before to remember anything; Carruthers and Patterson were never together at my house that I know of; never told any one that I had given presents to the Chief; have no knowledge of his receiving such from anybody; never told anyone that I was in the habit of giving them a percentage on anything; Barber spoke of doing this, saying that he thought he could get the Chief over by such an arrangement. Ald. Patterson had no connection with any business between myself and Robert Bostwick, either about mortgages or anything else. Don't believe the Chief knew either Parker or Taylor, or Barber; never told Barber that on one occasion I was engaged in a robbery and nearly caught, and that another who was with me was caught: never had any confidence in Barber at any time. Remember the attempted robbery of McInnis's two or three years ago; will not tell in public, but have no objection to tell Mr. Freeman privately how information was received of the attempt, and how it was frustrated; never in my life told anybody that the Chief had got presents from any parties; I was in Toronto nearly a week when I went there to have the operation performed; did not see Ald. Patterson there; do not think he was there.

Mr. O'Reilly.—Did you ever give information against thieves to the Chief?

Witness.—I cannot answer that question now; I have had to carry a revolver for twelve months on account of having been threatened.

MARY EDWARDS, sworn.—Do not remember of Barber coming to our house and of my telling him that Jeffrey was gone to Toronto; never told him that Patterson was a friend of Jeffrey's.

Mr. Freeman.—Did you ask Milne, when you were arrested, to send for either of them?

Witness.—I thought they were leading men who were in authority, and would see justice done; I never told Milne that Carruthers or Patterson had been there the night before; never saw Barber there but three times; he wanted me to go off with him.

To Mr. O'Reilly.—Barber wanted to leave three trunks at our house; I told Jeffrey of it and he said he would not allow it; said he did not want Barber there at all; Barber was there the day before the robbery; Barber offered me two counterfeit bills once, and said I could pass them; he said it was a pity that Jeffrey was not a good scholar, if he had been he, Barber, could show him how to make a good deal of counterfeit money; Barber told me was a Methodist minister: he wore a white choker; I never told Barber that Alderman Patterson or any other Alderman had gone with Jeffrey to Toronto; it was the second time he came that he proposed that I should go away with him; Barber never saw Mr. Patterson in our house; Mr. Patterson was asked to go bail for Jeffrey and refused; Mr. Patterson and McGlogan were never together in our house on Market

street; never told Barber that either Patterson or the Chief was a particular friend of Jeffrey's, nor anything of the sort.

C. A. SADLER, sworn.—When Jeffrey was sick, in the beginning of February he sent for me to receive instructions about drawing his will, &c.; saw him a number of times soon afterwards; once while I was with him Mary Edwards spoke about a man who she said had been there on the business, as he professed, of buying stolen goods, if he could get such to buy; she described him as a stout man, somewhat stooped in the shoulders, wearing a white choker, and looking like a Methodist preacher. I thought nothing of this at the time, but afterwards, when the arrests were made, and when Parker had escaped, I remembered what I had heard about the man who was said to be buying stolen goods; I mentioned about this to the Chief of Police or McGlogan, and I believe it was from this information, in the first place, that they were led to suspect Barber, then at the International Hotel, of being the person. It was by my advice that Jeffrey went to Toronto to see Dr. Hunter there; it was directly after that that he became very much worse; Dr. Ridley was called to see him on or about the 3rd of February; on the evening of the 13th February, about eight o'clock, I was sent for to go to Jeffrey, as he was said to be dying; I finished his will ready for signature, but he was in such a state that, as a legal precaution, I could not have it signed by him unless in presence of, or after examination by a medical man; when Dr. Ridley arrived, he could only with difficulty satisfy himself that Jeffrey was yet in a state to admit of his making valid execution of a will. I remember that Jeffrey was very ill when he went to Toronto, and of hearing how he was muffled up when he went; remember also the same day making a remark to Mr. Patterson and another gentleman, that it was a wonder Jeffrey had ventured off to Toronto when in such a state as he then was and in such cold weather. Have had good opportunities of knowing and hearing of how Mr. Carruthers performed his duties; as City Solicitor I conducted the city original business in the Recorder's Court, before the County Attorney was appointed; from the knowledge of and acquaintance I have with him, I do not believe him capable of what he has been charged with. When I got the order from Judge Logie to take bail for Jeffrey, it was a very cold day, and Mr. Cahill was not at hand; Mr. Patterson being near by, I asked him if he, as an Alderman, could not take the bail; he said he could not, that Mr. Cahill only could attend to that; Mr. Patterson had nothing whatever to do with any mortgages held by Jeffrey; I did the conveyancing for Mr. Armstrong, the person who made a purchase of land from Robert Bostwick; I saw that Mr. Patterson had a mortgage upon it, and of course insisted on its being paid off, which was done.

WILLIAM CARRUTHERS, sworn.—Am son of the Chief of Police, and employed by the Great Western Railway Company at Dundas; I remember the evening of Friday, the 24th of February; I used to go up to Dundas in the morning and come home at night; I had bought a ticket for a ball which was to be on the night of the 24th. [A ticket was here produced dated as mentioned.] I remember the night previous to this—the 23rd; I remember it particularly, on account of my mother having to get some shirts ready for me for the occasion; remember that I was at home on the evening of the 23rd, that my father was home that night earlier than usual, and did not go out again that I know of.

Mrs. CARRUTHERS, sworn.—I remember that the night before the ball I had

to get my son's shirts ready for the next day or evening; that night, the 23rd, my husband was home early and did not go out again.

To Mr. Freeman—What I say is of my own recollection.

The Court adjourned for an hour.

At 4 o'clock the Court resumed.

NEVIN JONES, sworn—I know Richard Murphy; I also know Barber, whose proper name is Armstrong; they met at Toronto, and by appointment; Barber was to come up here to see Parker and Taylor, who were to furnish him with goods; I was with them; Barber and I came up together to Hamilton, and Murphy came up the next day. I had seen Taylor once before that—some three years ago; I heard Taylor say that the Chief of Police in Hamilton and an Alderman were combined with the Parker gang in the robbery of goods; heard the same from Parker; recollect having oysters with them and Barber the night after I came up; I remember hearing once of a certain Mrs. Shaw in Toronto, in connection with some goods which had been burnt to prevent detection; this was about three years ago; I understood that an arrangement existed with the police of Hamilton by which the thieves were to have three hours' notice from the police officers of any proceedings or search being instituted; Murphy said that Sergeant-Major McDowell was his friend, and that he could rely on him; don't know Jeffrey; understood from Parker and Taylor that their proceedings were interfered with last winter by the sickness of some one here who was lying ill with a sore throat; I have heard Taylor say that they had two as good men as there were in Hamilton at their backs—the Chief of Police and an Alderman; heard Parker say the same thing; I only know what Parker and Taylor said about this.

To Mr. O'Reilly—Barber and I went from Esquesing to Toronto, then back to Esquesing, and then from thence to Hamilton; we went to Toronto to get Barber made acquainted with Murphy, to get goods from him; the purpose of our going was to get stolen goods; I got some goods from Armstrong, but from no one else; all I know about Sergeant McDowell's alleged connection with the thieves is what Murphy told me.

DAVID MCKINNON, sworn before—Lately, when I was up west, Mr. Carruthers was with me, I requiring his services; Mr. Gates, the Great Western detective, was with us at Detroit; some conversation relating to Parker's escape, and where he might be, was overheard by Mr. Gates; the drift of what was overheard was that Parker was then in Buffalo, and that a messenger to him was about starting from Detroit; I proposed to the Chief to telegraph after him to Hamilton, so that a police officer might go from there ahead of this man, and take Parker. I offered to pay the expense; he did not think it necessary to do so, declined telegraphing, and it was not done; this was on Friday. Understood that McGlogan went to Buffalo after Parker, but not till Monday.

To Mr. O'Reilly—It was the 9th of March I was at Detroit: came down on the 10th.

MR. SHERIFF THOMAS, called for by Mr. O'Reilly—Do not remember Carruthers coming to my office on Monday morning, the 10th of March, to get Milne to go with him to Buffalo. Carruthers' character has always stood well with me until this time: he had my full confidence as an officer.

DR. RYALL, senior, sworn—Have known Mr. Carruthers fifteen or sixteen years: must say here that my presence on this occasion is quite accidental: Mr.

Carruthers was always of good repute, I always had a good opinion of him, and thought him a man that attended faithfully to his duty; have attended the family as a medical man.

The investigation was then adjourned.

MONDAY, June 20th, 1865.

Investigation resumed.

ROBERT GALLAGHER, sworn—I lost a watch about a year ago, in June, 1864, the day the 47th regiment passed through the city for London. I went to VanNorman's and got the number of the watch, and told the Chief of Police; I informed him that I believed it was taken at the canteen; the watch was worth \$42; I offered \$10 reward to any person who would recover the watch for me; I told the Chief that I would give \$10 for its recovery; the Chief was very cool on the subject, and said I might have lost it elsewhere; about a week after the loss, the Chief came to my house, and stated if I would give him \$20 he thought he could recover the watch for me; I told him I would think of it and see him again; shortly after Constable Ferris brought me a note from the Chief, requesting me to come down to the office, and I would hear of something to my advantage; when I went to the station, the Chief showed me an old watch not worth \$3, and asked me if it was mine; I thought it strange that he should have offered me this watch, as he knew it was not the same number I gave him; I did not give him \$20, and heard nothing more of my watch; I do not know for what purpose the Chief wanted the \$20: he did not say the \$20 was to be used as a reward, but merely said if I would give him the sum he thought he could recover the watch for me.

To Mr. O'Reilly—Had been "taking something" that day, but not to make what would be called drunk; was not that I remember of in a house of bad repute; believe that I was in a certain house which, though I did not then know what it was, was afterwards described to me as such; went with Constable Ferris to a number of houses in the search for the watch; it was in my house that Carruthers suggested that I should offer \$20 instead of \$10 of a reward; he said distinctly that he thought if I would give \$20 I would get the watch; it might have been at his suggestion that I offered the \$10 reward; am positive that the next day I left with Mr. Carruthers the number of the watch; got the number from Mr. VanNorman the jeweller, from whom the watch had been purchased by the person from whom I obtained it; when Carruthers sent for me to look at a certain watch, I thought he intended to get the \$20 from me for nothing; had my own reasons for thinking this; don't know that I told Carruthers anything about my having gone astray; it is true that I once asked Carruthers to sign a petition to the Governor on behalf of a friend of mine, and that he refused; I had not on that account any ill-will against him: don't know that any one was present in the Police Office besides ourselves when Carruthers asked me there to offer \$20; do not recollect saying that it was in consequence of having fallen in with bad company that I was led to go to the house in question.

BENJAMIN BURKE, colored man, sworn—Know Alderman Patterson: have talked with him about a case I had in the Police Court: it was about a year ago, or more: I met him while going to the Police Office, and asked him if he would do something for me that day by sitting on the bench with Mr. Cahill: asked him what he would ask from me to get me clear: I offered him first \$5, and then \$10 to get me clear; I gave him \$10: can't say which of us spoke of money first: he asked me what I would give to get me clear: I made offer of \$5: he said I must give him more than that: said to me to meet him at Goering's saloon:

the bargain was made that I should pay him \$10; it was myself who named the \$10, when he objected to \$5 as not enough; at Goering's I met him, and there paid him \$5 in silver, and \$5 in American bills, on the bank of Rochester; the bills were not counterfeit, they were good American money; the money was given him to get me clear of a charge of enlisting men for the American army; I saw Alderman Patterson at the Police Court; I was there, but not while my case was going on; I waited outside, till Mr. Patterson came down, when I went up, and Mr. Cahill told me that the charge against me was dismissed; Mr. McKelcan was to appear as a lawyer on my behalf; I had left about \$200 American money with Mr. Hardiker, to pay Mr. McKelcan for my defence; Mr. Patterson said to me afterwards that Mr. McKelcan came very near spoiling the whole thing; I was summoned last fall before the Grand Jury to give evidence; I was at Jeffrey's when I got the summons from Mr. Carruthers; Patterson was there too; Mr. Patterson told me to tell the Grand Jury that the \$10 I had given him, already referred to, was for Mr. Sadleir, as a lawyer to get me clear; what I said to him was, that I objected to going off for the purpose of keeping out of the way, unless he would guarantee me that if I was arrested when I came back I would be bailed out; he did not come out straight on this particular point, and therefore I did not go away; on Sunday night Mr. Patterson gave me \$14 to leave; saw him again on Monday, and told him I did not care about going over; he said he had seen Mr. Sadleir, and that if I stated before the Grand Jury that the \$10 was for Mr. Sadleir, this statement would never be called in question; I told the Grand Jury that I gave the \$10 to Mr. Patterson; then they asked me if it had been handed to Mr. Sadleir, to which I replied that I did not know; Mr. Carruthers did not advise me at all to go away; said he would have nothing to do with the business with either Patterson or me; Carruthers knew that Patterson was trying to get me to go away; was frequently at Jeffrey's house during the fair; think I saw Patterson only once there during the fair; did not see Mr. Carruthers there at that time; the Thursday evening of the fair week I saw Parker at Jeffrey's; he was in a back room, and Mr. Patterson was in the front room; the time that Carruthers served me with a subpoena in Jeffrey's house, there was only he, Mr. Patterson, Jeffrey, Mary Edwards, and myself; was not sent away to Buffalo lately to keep out of the way; the place I refer to is Jeffrey's house on Market street.

To Mr. O'Reilly—I told Mr. Patterson I had Mr. Mackelcan employed as my lawyer; there was another man named Price charged also with me; I swear that the \$10 I gave to Mr. Patterson was not for the purpose of paying Mr. Sadleir or any lawyer for his services; don't think that I gave the Grand Jury to understand that the \$10 was to pay a lawyer; would'nt be positive whether I intended the Grand Jury to believe that the money was to pay a lawyer; am not positive; don't think I told the Grand Jury that the \$10 was for Mr. Sadleir; I don't exactly remember; don't think that precise question was asked of me; if I said that the money was to pay a lawyer it was false;

don't know whether Mr. Patterson was on the bench when my case came up in the Police Court; I never returned the \$14; I swear that Patterson gave me the \$14 on Sunday night at the Gore; I was to meet him in the Gore; he told me to wait there for him; to be there about 8 o'clock; it was Mr. Cahill who told that the case against me had been dismissed; I do not know that Mr. McKelcan was paid, but he told me himself afterwards that he was; several parties have asked me about my giving the \$10 to Mr. Patterson; Mayor Magill spoke to me about it, and so did Alderman Davis; don't know Armstrong or Barber; he did not ask me to come here this time to give evidence; Mr. Dean spoke to me about coming; various persons asked me about the business, and spoke to me about coming to give evidence; I was subpoenaed. Mr. Davis was the first, I think, that spoke to me about coming here this time; when I went up into the Police Court, it was my own accord, and Mr. Cahill told me the case was dismissed; don't know who informed against me; or prosecuted me in the crimping case.

To Mr. Freeman—I had a contract for whitewashing the Police-office building last summer; one morning I met Alderman Chisholm; he told me that my bill for the whitewashing, which was \$14, was passed by the Council; afterwards, the same day, I saw Mr. Patterson; I said I supposed I would now be paid my bill, as Mr. Chisholm had told me it was passed; he replied that Chisholm did not know about the matter, that I could not get the money yet; he said he would give me the money, if I wanted it badly, but not in full; he said he would give me \$13 in silver; I said I would take it, and he gave me that much, upon which I signed an order for him to receive payment of the bill from the clerk; with the difference of exchange added to the \$1, he made about \$1.60 out of me by the operation; understood afterwards that I could have got my \$14 in bills that very day, by going to the clerk's office, as my bill had been passed, and ordered to be paid; understood, also, afterwards, that Mr. Patterson knew it had been passed when he took it from me for \$13.

To Mr. O'Reilly—Don't know who were the Finance Committee; somebody did lately suggest to me that now was a good chance to make \$100 out of Patterson; don't know the man, he was a stranger to me; I did not swear what was false before the Grand Jury.

To the Recorder—What I said to the Grand Jury was said so that it might make Mr. Patterson clear.

To Mr. Freeman—It was Mr. Chisholm who employed me to do the whitewashing.

To Mr. O'Reilly—Can't say the exact day I got the \$13 from Mr. Patterson.

To Mr. Freeman—It was after I had been told by Mr. Chisholm that my bill had passed that Mr. Patterson told me it had not passed.

HENRY BLUE, sworn—Know Mr. Carruthers; I never saw a large quantity of goods going at night to Mr. Carruthers; never said that I had seen such a thing.

Mr. Freeman—It appears that you are not the person intended to be called at present:

FREDERICK WILLIAMS was then sworn—His evidence related to the losing of about \$27 out of a pocket-book four years ago. It did not seem in any manner to bear on the present investigation.

FREDERICK EGNER, sworn—Have lived in Hamilton six years; about two years ago got two billiard tables; it was in January; it then wanted nearly three months before the time of taking out license; Mr. Patterson came to my house: we talked about whether I would require license for the odd two or three months; he said he would make it all right if I would pay him \$5; I paid him the \$5, but not just then, and I used the tables, all being right, as I thought; I knew that Mr. Patterson was an Alderman; the license for a year is \$50 for one table, and \$30 for the next; I got two tables.

To Mr. O'Reilly.—I did not go to the license committee, or to anybody, until in March, when the new license year commenced; Patterson came to me and said, "look here, I will make it all right, no trouble for you;" neither myself nor any one went for me to any committee to see about license for the three months; can't say what date in January; this took place at my house in the Florence block; I spoke to Mr. Patterson first, as a friend; I handed him \$5, but not the first time we talked of it; I did not give him the \$5 till last September, when I was moving to John street.

SERGEANT MCGLOGAN, recalled—I remember Carruthers returning from Windsor and applying to Mr. Milne to make the proper information to secure a warrant for the arrest of Parker in Buffalo; I looked for Milne all day on Saturday and found him in the evening; I did not have time to get off on the train that evening after the warrant was issued; I then had to wait the consent of the parents of the boy whom I took with me to identify Parker; it turned out a very stormy night, and I did not get off until the train on Monday; Mr. Carruthers expected that I would start on Saturday night: he was not in the least responsible for the delay, and expressed displeasure that I did not get off on the train on Saturday evening; it would not have been practicable for Carruthers to have telegraphed the necessary directions for the issue of a warrant for the arrest of Parker from Windsor; the boy was taken to Buffalo to look at Parker as he probably would not be noticed by Parker; I got the money from Mr. Gates to go to Buffalo about 9 o'clock on Saturday night, intending to start with a horse and cutter as soon as I could get the boy to accompany me; the night turned out very stormy

T. C. MEWBURN, sworn—I know nothing about the character of Benj. Burke except by hearsay; his reputation for varacity is bad: I met Burke and Egan on Friday last, and asked the former if he was one of the fools that had my place searched: after the conversation we spoke of Patterson's case, and Burke said, "Old Milt (Davis) is death on Johnny, and is bound to have him out of the Council some way:" I said to Burke that he would probably have some swearing to do in the matter: he replied, "well, he didn't know—it depended on who paid the best:"

ALD. ROBERT CHISHOLM, sworn—Remember that Benjamin Burke had an account against the Council of \$14 for whitewashing: I one day saw him, and told him his bill was passed: at that time he could have got his money any time within office hours by calling on the clerk: it would be at a regular fortnightly meeting of the Council that it would be passed: I was then on the Fire and Police Committee, but not on the Finance Committee.

To Mr. O'Reilly—As far as I know the Council was then in the habit of paying promptly such small accounts as the one in question: it was on Tuesday

morning I told Burk his account had been passed: it was passed the day before.

MR. MCKINNON—I am positive that Mr. McGlogan attended the Council meeting on the night of the 13th March.

MR. MCGLOGAN said that Mr. McKinnon was perfectly right.

MR. ADAM BROWN, sworn.—Was on the Grand Jury when there was a charge against Alderman Patterson; I remember Benj. Burke being before us: the charge against Patterson was of receiving money improperly. Burk swore that he had given Alderman Patterson \$10 to get him off on a charge of crimping; he stated that he had met Patterson on the street, and told him that he was going to the Police Court to stand his trial; he told Patterson his lawyer was McKelcan; Patterson replied, if you give me \$10 I will get Charley Sadleir and get you off. The charge was that of preventing the ends of justice being accomplished.

MR. BARNES.—I was at Kingston at one time when Patterson was there; it was at a show six years ago; Patterson was there as one of the corporation. I was asked by the corporation while in Kingston to ride up to the Penitentiary with them; I did so; I had my nephew with me, he rode outside; I think Patterson rode outside too; about a month afterwards Patterson came into my store, and said that the cabman who drove us to the penitentiary had made a great fuss about not getting paid; I said I had not intended to pay anything as I had been asked to go; he said he paid six yolk shillings for me and that I owed him that amount; I paid it; I was afterwards told that it was Arthur's cab from this place that took us to the penitentiary, and that he was paid by the corporation for the service; I saw Arthur afterwards, and asked him if he had been paid by the corporation for driving us to the penitentiary; he said he had; I asked if Patterson had paid any money for me to him; he said he had not; I told him to go to Patterson and ask him for the six yolk shillings I had given him to pay him (Arthur) Arthur told me he went to Patterson and Patterson asked him if he had not been paid by the Mayor; Arthurs replied that he had; Patterson then said if he had been paid it was no business of his what money he (Patterson) had received.

To Mr. O'Reilly—I do not know who drove the cab I was in; it was Arthur's cab, but I do not know that he drove it; there were two cabs; Patterson did not ride in the same cab as I did; I do not know of my own knowledge that the cabman was paid by the corporation; each gentleman may have paid a portion, but I understood the corporation paid for the cabs; I did not pay anything, because I considered that I was a guest.

JOHN MOORE—I know Mr. Egener: he was licensed in 1863 to keep two billiard-tables: it was on the 2nd of April: I have no recollection of his being licensed before: I don't remember any difficulty in transferring Egener's license from King street to Main street: the Council never derived any benefit from his removal.

To Mr. O'Reilly—My opinion of Carruthers is that he is a very efficient officer and an honest straightforward man: I have been round with him nearly every Sunday since March, and very often on Saturday night.

To Mr. Freeman—I think Jeffrey had a license in the years of 1863 and 1864: he had the reputation of being a gambler, and keeping a gambling house: I had no doubt in my own mind that it was so: I do not know of anything against the house in any other way.

MR. ROBB—I find in Mr. McKelcan's Day Book an entry made on the 12th of January, 1864, in McKelcan's handwriting, of receipt of \$5 for attending the Police Court to defend Benjamin Burke on a charge of breach of the Foreign Enlistment Act.

MR. BEASLEY—Burke's account for whitewashing was passed on the 6th of

June, 1864, for \$14: the order was given to Patterson on the 9th: Patterson must have had an order from Burke to get the money: the order would be attached to the check.

To Mr. O'Reilly.—I have known Carruthers for 12 or 14 years: I have always thought him an efficient and honest officer: I have had good opportunities of judging: I do not believe the charges against him: I do not think Burke bears a very good character: there was generally a little delay about payment of accounts at that time: we had some difficulty about that time: we have often been so within the last two years, on account of the taxes not being paid, and our debt not settled.

GEORGE RUTLEY, sworn.—Evidence unimportant.

JAMES ARTHUR, sworn.—Patterson paid him for the cab hire: had no conversation with Patterson about this since the adjournment of this Court.

THOS. DEAN, sworn.—Said he had seen Patterson talking with Arthur since the Court adjourned.

JOHN HARDIKER, sworn.—Testified to the same effect.

FRED. MANNING, sworn.—Gave similar testimony.

WM. HASKINS, sworn.—Evidence unimportant.

MR. CAHILL, sworn.—I know Benj. Burk: he was brought up before me as a culprit; the witness against him was named Smith; Burk was present at the first examination; I think he was not present during the whole of the time on the second occasion; Burk's lawyer was there; Burk came in before the case was closed. Smith swore that he wanted to go himself, and that Burk did not take him over. I dismissed the case: Patterson was there: no Alderman interfered with me on that occasion: no Alderman has interfered with me since Jeffrey's affair, which I have before mentioned, because I said I would not allow it.

To Mr. Freeman—I have no doubt that Patterson was present on that occasion. The case was so plain there was no need of interference: It was quite clear by the evidence of Smith on the second occasion that there was nothing upon which to convict Burk.

To Mr. O'Reilly—I don't know who laid the information: there was nothing from first to last that would justify me in sending the case to the Court. I do not know what brought Patterson or Davis to the Court that day.

JAMES DUFF, sworn.—Mr. Freeman said he did not believe what he had heard was true.

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