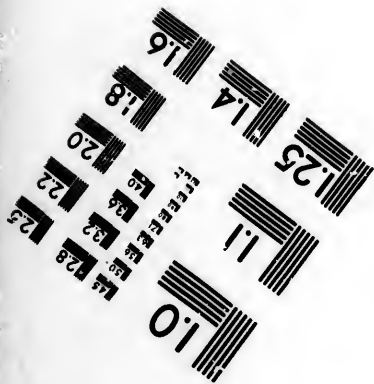
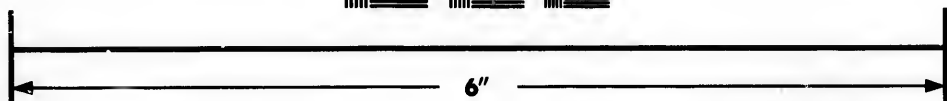
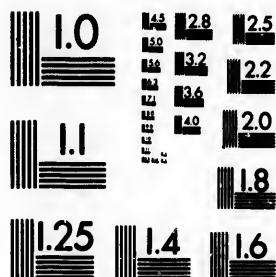


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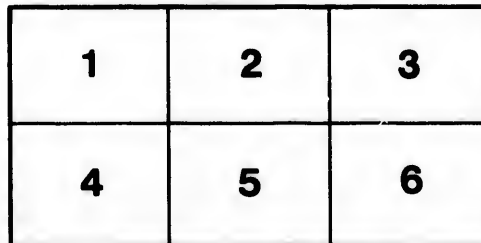
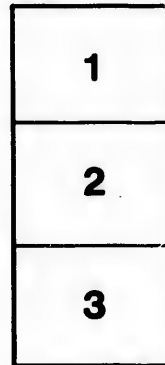
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OF

## OFFICIAL COMMUNICATIONS, REPORTS

AND OTHER DOCUMENTS,

HAVING reference to the Occurrences which took place in Montreal, on the 21st May, 1832, and during and after the Election of a Representative for the West Ward of the said City.

[Several of these Documents being already printed among the first Documents laid before the House, the Titles only of these, will be here given.]

Depositions of *James Breckanridge.*  
" *William Carmichael.*  
" *Thomas Barron.*

### DISTRICT OF MONTREAL :

Personally appeared before me, one His Majesty's Justices of the Peace in and for the said District, *Joseph Bowron*, Esquire, of the Township of Godmanchester, who being duly sworn, deposed and saith : that on Monday the twenty first instant, he was present on the Place d'Armes of this City to witness the proceedings at the Poll, for the election of a Representative for the West Ward, and that he continued there from half past four until the close of the Poll, and the end of the subsequent riot. The facts which he witnessed were as follows : Tracey, one of the Candidates accompanied by a party of his supporters at the close of the Poll, first left the place in which the Poll was held, and instead of, as usual, pursuing their route homewards by St. James street to the West Ward, they proceeded into the center of the Place d'Armes, and immediately formed a line in front of the Church within the precincts, and under the Porch of which the Special Constables were then stationed, and as it appeared to the Deponent, put themselves in an attitude of defiance, with *hurra's and shouting*. Afterwards Tracey and his party moved off into St. James street, in a westerly direction, as they should have originally done according to custom, and Mr. Bagg, the other Candidate, with his friends and supporters commenced proceeding as usual towards their destination, with shouts and hurra's—whereupon the partizans of Tracey returned, and immediately assailed Mr. Bagg and his friends with showers of stones and every kind of missile weapon, upon which occasion and in consequence of the dangerous situation in which the Deponent found himself between the two conflicting parties, he was obliged to take refuge in the shop of one Henderson, and even there in consequence of the number of stones that passed through the doors and windows, he was obliged for personal safety to conceal himself under the counter. Shortly afterwards, this Deponent saw the soldiers march from the front of the Church, where they had been stationed, and were drawn up in front of St. James street, facing to the west, and marched in the direction of the Rioters, to the west, at least two hundred yards, with a

view of dispersing them—all the time receiving showers of stones from the Rioters. They then halted, and as this Deponent verily believes, the Officer who immediately put himself in front of the military, commanded and endeavoured to persuade the Rioters to disperse, but his persuasions proving ineffectual he returned to his proper station and gave orders to fire. The first fire as the Deponent believes was in the air, the Rioters still continued throwing stones, but the next volley taking effect, the mob immediately dispersed: And further this Deponent saith not, and has signed.

(Signed,) JOSEPH BOWRON.

Sworn before me, this 24th of  
May, 1832, at Montreal,

(Signed,) T. Davis, J. P.

True Copy.

Jno. Delisle, Clk. P.

Depositions of *Louis Lachance.*  
" *William Farquhar.*  
" *Robert S. Piper,*  
" *Robert Howard,*  
" *George Moffatt.*  
" *Robert Fowler.*  
" *Samuel Stone.*  
" *William Robertson.*  
" *Isaac Aaron.*  
" *James Carsuel.*  
" *William Sharpe.*  
" *Alexander F. Macintosh.*  
" *George Rhynas.*  
" *Charles Mittleberger.*  
" *D. Arnoldi.*  
" *Charles Try.*  
" *John James Day.*  
" *William Boston.*  
" *George Fowler.*  
" *Henry M'Kenzie.*

Robert

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*Robert Noxon*, of Montreal, Hatter, being duly sworn, saith: That on Monday, the 21st instant, he was ordered, as Special Constable, having been previously sworn in, and was one of the persons placed near the Poll; that by the actions of the partisans of Mr. Tracey, he was strongly impressed with the idea that riotous conduct would be resorted to in the course of the day, and that about three o'clock in the afternoon, he saw Mr. Perrin followed towards the Catholic Church by a mob which he identified as the supporters of Mr. Tracey, and that he saw the said Mr. Perrin knocked down and much beaten and abused by the said mob; that they then returned towards the Poll, and commenced abusing the Special Constables, and particularly the High Constable; that about the same time he saw the Returning Officer come forward and heard him command the peace; that the aforesaid mob then hooded and hissed the Returning Officer, and cried, "Kick him out, and we will peace him," and that in discharge of his duty as Special Constable, the Deponent received a severe blow on the head with a stick, when he retired to Mr. Henderson's store to have his wound dressed, at which time he saw a few soldiers arrive, he then saw the mob advance towards the soldiers, and in a violent and threatening manner hold up sticks and fists, and dare the soldiers to advance or fire, during which riotous conduct the Deponent retired, and further saith not. The Deponent is not an Elector in the West Ward.

(Signed,) ROBERT NOXON.

Sworn before me, this  
28th day of May, 1832.

(Signed,) *Benj. Holmes*, J. P.

(True Copy.)  
*John Delisle*, Ck. P.

Deposition of *John Spencer*,  
" *Daniel White*.

*John Graves*, of Montreal, Gentleman, being duly sworn, deposeseth: That on Tuesday morning, the 22d instant, he heard Mr. Fr chet te, one of Mr. Tracey's partisans, say, that Mr. Bagg dared not go to the Poll, and if he did he would be murdered; and that he would bet one hundred dollars to five that such would be the case, if Mr. Bagg did go to the Poll.

This Deponent further saith, that from the general tenor of Mr. Fr chet te's conduct, gesture, and conversation, he was fully impressed with the opinion that Mr. Bagg and his adherents would be driven forcibly away from the Poll, and if he or they resisted, they would be murdered.

The Deponent is not an Elector of the West Ward of Montreal.

(Signed,) JOHN GRAVES.

Sworn before me, at Montreal,  
this 28th May, 1832.

(Signed,) *John Fisher*, J. P.

(True Copy.)  
*John Delisle*, Ck. P.

*William Bain*, of Montreal, Merchant, being duly sworn, deposeseth and saith: That on Monday, the 21st instant, as this Deponent was passing the Poll, held on the Place d'Armes, in the City of Montreal, for the Election of a Member to represent the West Ward of this City, at, on, or about the hour of three o'clock in the afternoon, he, this Deponent, saw one Malo, a bailiff, having a man in his custody—great disturbance existed before the arrest of the man, and continued for some time afterwards; at this time, a man rushed forward from the crowd towards Malo to rescue the prisoner in charge, and was in the act of striking the Constable in the execution of his duty, when this Deponent interfered and prevented the blow, and was himself struck at by the man who had struck at Malo—Immediately afterwards, a rush was made upon the Civil Power—a short time afterwards, this Deponent saw Dr. W. Robertson, one of the Magistrates, advance and read the Riot Act.

(Signed,) WILLIAM BAIN.

Sworn at Montreal, this 23th  
May, 1832, before me,

(Signed,) *Austin Cavillier*, J. P.

(True Copy.)  
*John Delisle*, Ck. P.

Deposition of *William Caldwell*.  
" *Alexander McMillan*.  
" *Jeremiah Wilkes Dawson*.  
" *Alexander Fisher Macintosh*.  
" *Jeremiah Wilkes Dawson*, (2.)

PROVINCE OF LOWER CANADA,  
District of Montreal.

*Daniel Salmon*, Esquire, Advocate, of the City of Montreal, being duly sworn on the Holy Evangelists, deposeseth and saith: That on Monday, the 21st of May instant, about three o'clock in the afternoon, being with one of his friends in a house at the corner of St. Gabriel street, he there saw Troops passing towards the Place d'Armes, and the gentleman who was with him, the said Deponent having observed to him that they were going to the Poll, because he had heard that there was some noise there; the Deponent immediately went to the Place d'Armes, to see what was going on there; when he arrived at the place he saw the Troops there, who had just arrived through Notre Dame Street; Deponent then went into the shop of Mr. Howard, Merchant, on the Place d'Armes, and stood inside at the shop door of Mr. Howard's until the close of the Poll. While the said Deponent was at Mr. Howard's, he had an opportunity of seeing and hearing a great deal of disturbance at the Poll, and he also, at the same time, saw passing opposite the shop of Mr. Howard, an individual whom he thought to be an Irishman; this man seemed somewhat tipsy, and having given a handkerchief which he held in his hand, and apparently containing something, to a woman who followed



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followed him; Deponent heard this man say to the woman, in English, "Take that," swearing and crying hurra for Tracey; he said that he was going to the Poll to join the crowd and fight for Tracey; and as this individual was going to the Poll with the apparent determination of kicking up a row, and of creating trouble, Deponent then saw Mr. Try, one of the Special Constables, who seized him by the collar of his coat or surtout, he told him not to go to the Poll to make a noise, because there were enough there already or something to that effect, and then Mr. Try carried back the man some distance; and as he shewed some unwillingness to go, another Constable came up to the assistance of Mr. Try, and Deponent saw both of them drag him to the entrance of Notre Dame Street, where Deponent then lost sight of them; and Deponent is positive in saying, that in his presence, there was no violence whatever committed by Mr. Try, or any other person whatever, on the said individual.

That in a moment after, Deponent having heard of the close of the Poll, he left Mr. Howard to see the Candidates go from it, and when he arrived at the corner of the house occupied by one Mr. Henderson, precisely opposite the house occupied by the Beadle of the Parish of Montreal, he went on the foot-path among those who were then there; then he saw Mr. Tracey immediately come out from the Poll, in company with Mr. Lafontaine, linked arm in arm, and Deponent saw them both followed by an immense crowd in great haste, on the path-way, or extremely near the path-way, where Deponent was standing with a certain number of other persons, and continued their route to near the end of the foot-path, where Deponent had never seen them pass on any former and similar occasion, although he had occasion frequently to meet them at the Poll, and to see Mr. Tracey come out from the Poll when it closed.

Deponent further states, that it appeared evidently to have been the intention of a great number of those who followed Mr. Tracey, to turn off the foot-path all those who appeared to support Mr. Bagg's party; also Deponent, as well as many others, were pushed with violence, and even crushed against the house of Mr. Henderson.—Deponent then quickly withdrew with several others, to the corner of Mr. Henderson's house, to avoid being crushed by the crowd, and afterwards, with a number of others, continued to return to the house of Mr. Dubois; but having come there, he heard cries of, "Take care of the stones;" when looking behind him, he saw a volley of stones ready to fall upon him and those about him, and a crowd of people who were lying in the same direction, to save themselves; then he hurried down St. Joseph street, down the hill to the Creek, where he saw a number of persons running to save themselves from the stones which were falling in great quantities. While Deponent was going down this street, and nearly opposite the house belonging to the widow Leodel, he looked behind him, and saw a person throwing stones from the corner of the street at those who were running down; and Deponent having stopped, saw this man take up a great stone, and throw it at him, Deponent, with such force, that if he had not stooped down to avoid the stone, he believes he would have been mortally wounded. Deponent seeing that retreating only served to encourage those who were throwing the stones, to throw more, immediately turned back, firmly determined to throw them at whoever should throw them at him, and ran up the hill to the corner of the house of Mr. Dubois, without, however, throwing one, and when arrived at the corner, he perceived opposite Mr. Henderson's, a crowd of people, and a quantity of stones which appeared to be thrown at them from the opposite side. Deponent then ran in among the crowd,

and followed the Troops to the front of Dr. Robertson's house, and remained behind the Troops until they had fired; and during this time, Deponent continually saw stones flying from the party which followed Mr. Tracey, and in such quantities, that he believes if the Troops had not interfered, the lives of citizens were in imminent danger, and probably many murders would have been committed.

Deponent having read the present deposition, says it contains the truth, persists therein, and hath signed.

(Signed.) D. SALMON.

Sworn before me,  
Montreal, May, 1832.

(Signed) J. De Rocheblave, J. P.

(True Copy.)  
(Signed,) J. Delisle, Ck. P.

#### DISTRICT OF MONTREAL :

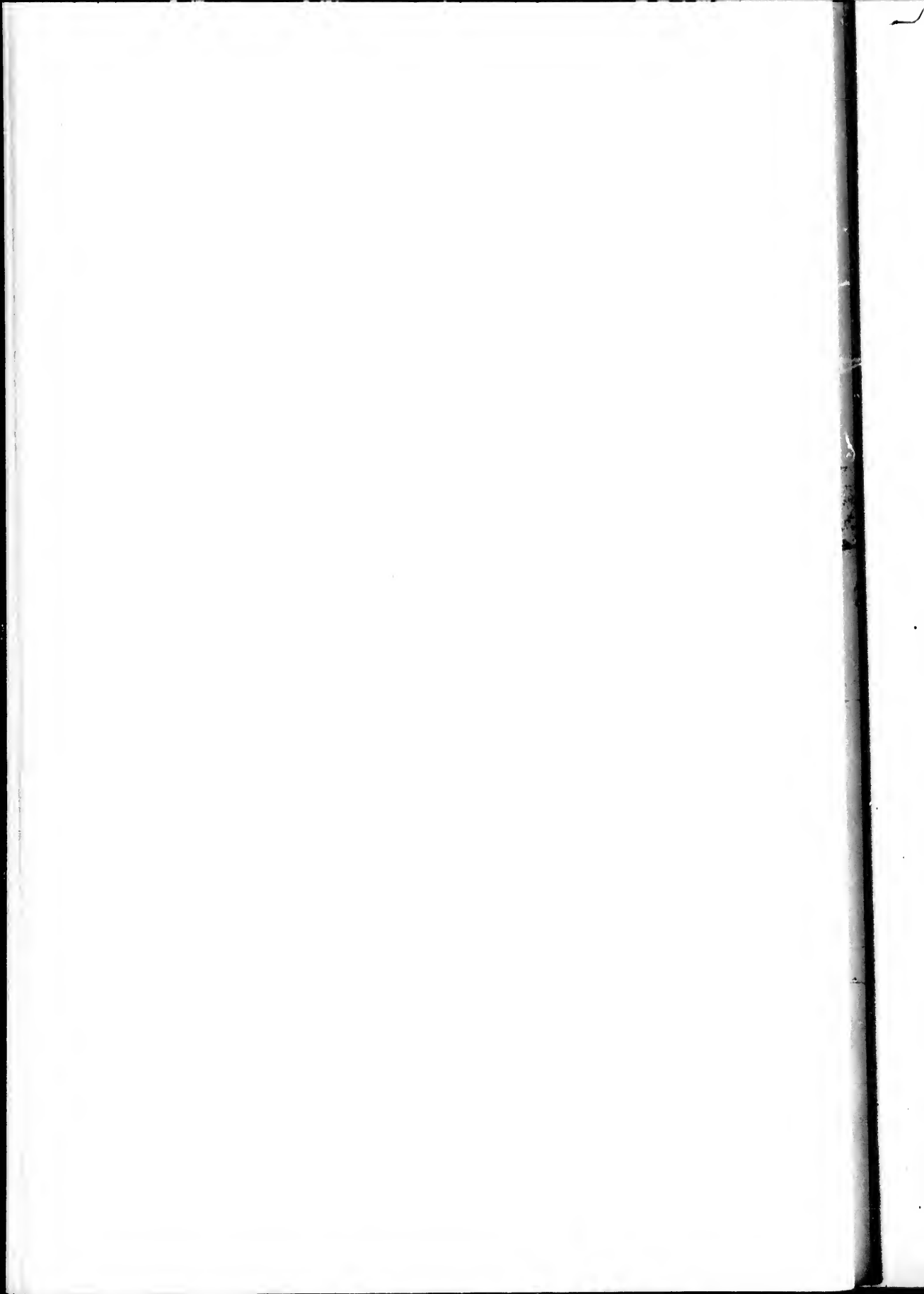
James Fraser, Esquire, of the City of Montreal, being sworn upon the Holy Evangelist, deposes and saith: that for several evenings, and most particularly on Saturday the twenty eighth, and Monday the thirtieth of April last, a considerable assemblage of people, exceeding fifty, and headed by John M'Donald, Esquire, Advocate, of this City, and a gentleman of the name of De Loremière, passed in front of the House of Deponent, which is situated in the centre of St. Antoine Suburb of this City, disturbing the peace and public tranquillity, by shouts and threats, and putting persons in danger of their lives: That on Saturday the twenty eighth of April last, a considerable assemblage of people halted in front of Deponent's House—made a great many threats, troubled the public peace—threw a quantity of stones at the windows and doors of the house of Deponent,—wounded with the blow of a stone, a servant of Deponent, then in his house, and by their threats and violent and tumultuous conduct, placed the life of Deponent and his family in jeopardy: that on Monday last, a similar assemblage to that of Saturday last, again halted before his house shouting and making a great noise and tumult, disturbing the peace and public tranquillity: that one of them flung a stone through the blind of the window, which said stone struck a second time, the servant of the Deponent: that on Saturday last, he heard the said John M'Donald ask the said assemblage if they were all friends, and being answered in the affirmative, the said John M'Donald then exclaimed, "Let us Destroy him:" that Deponent firmly believes that the said John M'Donald when he cried to the populace "Let us Destroy him," or "Destroy him," he alluded to Deponent, and excited the said populace to commit some act of violence on the person of Deponent, and to destroy or injure the house which he was occupying: that Deponent declares on his said oath: that the life of his wife is in danger from the fear occasioned by the occurrence of the night before: that Deponent has reason to fear, and really fears the renewal of the same disorders and acts of violence committed at his dwelling—really fears that he will be molested, and that attempts will be made on his life and that of his family, and requires the protection of the laws accordingly.

(Signed,) JAMES FRASER.

Sworn before me, at  
Montreal, this 1st of May, 1832.

(Signed,) Austin Cuivillier, J. P.

DISTRICT



DISTRICT OF }  
MONTRÉAL. }

*George J. Stanky*, of the City of Montreal, gentleman, being duly sworn upon the Holy Evangelists, deposeseth & saith: that on Saturday last, the twenty eighth day of April last, at the hour of about nine or ten in the evening, Deponent happened to be near the house of James Fraser, of Montreal, aforesaid, gentleman, situate in the St. Antoine Suburbs of the said City, where a great number of persons were assembled, opposite the house of the said James Fraser, then and there threatening to use violence against the said James Fraser; that at the same time deponent entered the house of the said James Fraser, with the intention of protecting the said James Fraser and his family, from any violence which might be offered on the part of the crowd so assembled opposite the door of the said James Fraser. That deponent heard the said James Fraser address himself to the crowd and say if you attempt any violence against myself and my property, I shall have you all arrested to-morrow—that the crowd notwithstanding the warning given by the said James Fraser, still continued to menace, abuse and ill-treat the said James Fraser, that among the crowd deponent recognised Henry Desrivieres, of Montreal aforesaid, Esquire, who was then and there taking a very active part in the riot then committing; that deponent heard a person from among the crowd cry out, " *my name is De Lorie-mier, and I do not care a damn who knows it,*" or something to that effect in the French language, that deponent verily believes he also heard proceeding from the crowd the voice of John M'Donnell, Esquire, also of Montreal aforesaid, advocate, who also appeared to be taking a very active part in the riot and disturbance of the public peace, then committing. That deponent verily believes, that if he had not pointed and levelled a walking stick to the crowd in the manner he would have done with a gun, and threatening to fire at them, (which had the desired effect of dispersing the crowd) an assault would have been committed on the person of the said James Fraser and his family, and the house occupied by the said James Fraser would in all likelihood have been materially injured.

That yesterday evening the thirtieth day of April last, deponent being in the house occupied by one George Mackin, and adjoining that occupied by the said James Fraser, a great noise and disturbance of the public peace was again committed opposite the house of the said James Fraser; that at the same time deponent heard something breaking at the house of the said James Fraser, which deponent has since been informed was the blinds of the house of the said James Fraser, and deponent further saith that on hearing the noise he would have gone to the assistance of the said James Fraser as he had done on the Saturday previous, had he not considered his life to be in danger if he had ventured out, and deponent further saith not.

(Signed) G. J. STANLEY.

Sworn before me, at Montreal,  
this 1st May 1852.

(Signed) C. W. Grant, J. P.

True Copy.

Jno. Delisle, Clk. P.

DISTRICT OF }  
MONTRÉAL. }

*Peter H. Teulon*, of the City of Montreal, Merchant, and *François Benjamin Blanchard*, of the same place, Merchant, being severally sworn upon the Holy Evangelists, deposeseth and saith: that this morning at about nine o'clock, Deponents being in the passage of the Court House, Robert Nelson, of Montreal, Physician, addressed himself to deponents, and said that there was no necessity for their remaining to be sworn in as Special Constables, and advised deponents to return to their respective houses, stating that there was no Law to compel deponents to act as special constables, and that he would pledge his honour to that effect—And the said P. H. Teulon, one of the deponents further saith—that the said Robert Nelson also told him, that it was contrary to the Law of Elections for any person, whether constables or otherwise, to appear with any staff or badge of distinction, and that the parties so appearing were liable to a prosecution.

(Signed) P. H. TEULON,  
FRS. B. BLANCHARD.

Sworn before me, at Montreal,  
this 7th May, 1852.

(Signed) Benj. Holmes, J. P.

True Copy.

Jno. Delisle, Clk. P.

*Thomas Coyle*, of the City of Montreal, Labourer, being duly sworn on the Holy Evangelists, deposeseth and saith: that this day, between the hours of four and five o'clock in the afternoon, as he was passing in Notre Dame street, near St. Gabriel street, he heard two gentlemen conversing on the subject of the Election of the West Ward of this City, one of whom said to the other, " We shall have fine sport on Monday morning, for the Captains of the Ships now in Port volunteered to send all their Sailors to the Poll to beat all the *darned* Irish and Canadians" to which the other replied, that is right, we were thinking of that yesterday—or some words to that effect; that he could not recognize the said gentlemen having their backs turned to him, and further this deponent saith not, and has signed.

(Signed) THOMAS COYLE.

Sworn before me, at Montreal,  
this 19th May, 1852.

(Signed) P. Lukin, J. P.

True Copy.

Jno. Delisle, Clk. P.

DISTRICT



DISTRICT OF }  
MONTREAL, }

*William Foster*, of the City of Montreal, Pallar, being duly sworn upon the Holy Evangelists, deposeseth and saith: that yesterday (Sunday) as deponent happened to be in a street, near the Hay-market of this City, where a large assemblage, of people were assembled together, he deponent heard several persons addressing the assemblage and among whom he heard one whose name he was then and there informed was Doctor Tracey, and who deponent believes he would know if he saw again, say to the people, "That Mr. Bagg's conscience was greater than his abilities; also tell the people to be quiet for some time the next morning, but that they would be nothing the worse for making use of their *Shillelah*, during the course of the day" or something to that purport—And deponent further saith not.

(Signed) WILLIAM FOSTER.

Sworn before me, at Montreal,  
the 21st May, 1832.

(Signed) *Jos. Shuter, J. P.*

True Copy.

*Jno. Delisle, Clk. P.*

*Louis Blanchard*, of Montreal, Hatter, being duly sworn, deposeseth and saith: that he was on Monday morning the 21st instant, sworn in as Special Constable, and was one of those placed at the Poll, then open for the election of a Representative for the West Ward of this City. Mr. Bruneau in a short time observed to this Deponent, with many significant gestures, that they the Special Constables, had no business there, and that in a short time (they, he and Mr. Tracey's friends,) would drive them away, or sweep them off. Deponent saw much excitement and violence very frequently during the day;—about two o'clock the Deponent left the square to get something to eat; about half past four o'clock, this Deponent was again at his post, when two men, Irishmen, and with, and of the party supporting Mr. Tracey, said to the Deponent that they were glad to see the military called in, as they cared no more for soldiers than for straws—they had acted against soldiers before. About five o'clock the Poll closed, a number of Mr. Bagg's friends were then standing at and near Henderson's corner;—Mr. Tracey and his party, pushed forward in an unusual manner towards Henderson's corner, crowding and pushing Mr. Bagg's friends; immediately disturbance ensued. Mr. Tracey, however, with some of his followers, turned and took the line of St. James street;—the fighting became more violent, and Mr. Bagg's friend's were compelled to fly for shelter into Henderson's house;—the civil power after exerting themselves to prevent further disturbance, were overpowered, and fled, upon which an attack was made upon Henderson's house;—just before the attack upon Henderson's house, saw those of Mr. Tracey's party who had left a few minutes before, return down St. James street, throwing stones and committing every possible outrage, and join in the attack;—that alternately this Deponent and all others who had not succeeded in entering Hen-

derson's house, or other places, fled towards the Church for safety;—on his arrival there, heard many persons cry out for God's sake advance and protect the lives and property of the persons attacked, and various other solicitations to the military to advance, which they did, and halted near the Poll;—subsequently they again advanced. The military were pelted with stones the whole time of their advancing, and also when they halted and again advanced. This Deponent continued in the square after the advance of the military, and heard the firing, which took place a considerable distance down St. James street. This Deponent is not an Elector. Further this Deponent saith not.

(Signed,) LOUIS BLANCHARD.

Sworn before me, at  
Montreal, the 28th May, 1832.

(Signed,) *John Fisher, J. P.*

True copy.

*Jno. Delisle, Clk. P.*

DISTRICT OF MONTREAL:

*Louis Malo*, Constable of the City of Montreal, being duly sworn upon the Holy Evangelist, deposeseth and saith: that on Friday last, the twenty fifth instant being in one of the rooms of the Court House, next to that in which were confined twelve Jurymen in deliberation upon a trial of which they had taken cognizance, and relating to the events of the twenty first instant, heard one named Louis Trudeau, Constable, having under his keeping the said Jurors, and being then and there at the door of the said Jury-rooms, say that the house of Mr. Dubois, (one of the said Jurors,) had been robbed of all his money, and that his daughter had been maltreated, and that she was very unwell: that Deponent having on several occasions during the course of the day, heard the said Louis Trudeau repeat the same thing, and even when any of the said Jurors left the said room to go into the yard, he remarked to him how improper and out of place such observations were on his part, and how they would tend to influence the mind of Mr. Dubois, and asked from whom he received such information, upon which the said Louis Trudeau replied, that "He'd be damned if he would, and that no person could oblige him to tell," or something to that effect; that Deponent took down this reply of the said Louis Trudeau—believes sincerely that he made use of such language to influence the mind of Mr. Dubois and to cause him to render a verdict sooner than he would have done otherwise.

(Signed,) LOUIS MALO.

Sworn before me, at Montreal,  
this 28th of May, 1832.

(Signed,) *Joseph Shuter, J. P.*

True copy.

*Jno. Delisle, J. P.*

DISTRICT



DISTRICT OF }  
MONTREAL: }

*Antoine Lafreniere*, of Montreal, Constable, being duly sworn upon the Holy Evangelists, deposes and saith:—That, at about six o'clock in the evening of Friday, the twenty fifth day of May instant, as deponent was in a room adjoining that in which were the Special Jurors, then under deliberation in the said room in the Court House; he heard a Constable named Louis Trudeau, under whose charge were the Special Jurors, say in a tone loud enough to be over heard by the said Jurors, in the said adjoining room, that Mr. Dubois, (one of the said Jurors,) house had been broken open and robbed the night before: that deponent verily believes, that the said Louis Trudeau's intention in saying so, was to influence the mind of Mr. Dubois, and make him agree with his brother Jurors, in rendering a verdict sooner than he perhaps would have done otherwise; that at the same time it was remarked by Emmanuel X. D'Aubreville, then and there present, that it might have the effect of influencing the mind of the said Mr. Dubois, and that it was not proper, or something to that effect, upon which the said Louis Trudeau made answer that it had been reported in the said room by persons who came in there, throughout the whole day and that they might have over heard it, as well then as now.

That shortly after deponent left the said room to go out, and having got on the gallery of the Court House, he heard Chs. S. De Bleury, Esquire, repeat that Mr. Dubois' house had been broken open and robbed, and add that a girl living in the said Mr. Dubois' house had been ill-treated and abused, or something to that effect.

(Signed) ANTOINE LAFRENIERE.

Sworn before me, at  
Montreal, this 28th May, 1832.

(Signed) Jos. Skuter, J. P.

True Copy,  
*John Delisle*, Ck. P.

DISTRICT OF }  
MONTREAL: }

*Paul Kusntz*, of the City of Montreal, Inn Keeper, being duly sworn upon the Holy Evangelists, deposes and saith:—That this morning he heard Robert Nelson of Montreal aforesaid, Physician, say to some persons who were assembled in the passage of the Court House, and who had been called there as Special Constables, that there was no law authorising the Magistrates to call upon them as Special Constables, and that it was a voluntary act on their part if they were sworn in, or something to that purpose, and deponent further saith not.

Sworn before me, at  
Montreal, this May, 1832.

True Copy,  
*John Delisle*, Ck. P.

DISTRICT OF }  
MONTREAL: }

*John Riddel*, of the City of Montreal, Grocer, being duly sworn upon the Holy Evangelists, deposes and saith:—That this day, between the hours of two and three of the clock in the morning, deponent's house, situated in the main street of the St. Lawrence suburbs, of the said City, was assailed and attacked by persons who were then in the street with stones, and other missiles, whereby deponent's windows were broken and smashed to peices, and his life and that of his family were greatly endangered, that the said persons also made use of menacing and threatening language, and deponent further saith not.

(Signed) JOHN RIDDEL.

Sworn before me, at  
Montreal, this 12th May, 1832.

(Signed) P. De Rocheblave, J. P.

True Copy,

*John Delisle*, Ck. P.

PROVINCE OF LOWER-CANADA, }  
DISTRICT OF MONTREAL.

*Emmanuel Xavier d'Auberville*, of the City of Montreal, in the said District, being sworn upon the Holy Evangelists, deposes and saith:—That on Monday, the fourteenth instant, being at the close of the Poll, (now holding for the Election of a Member to represent the West Ward of the City of Montreal,) he saw with his own eyes, one named Pantaleon Cadieux, of the said City of Montreal, assault and strike Stanley Bagg, Esquire, one of the Candidates to represent the West Ward of the City of Montreal in Parliament, and saw the said Pantaleon Cadieux run after the said Stanley Bagg, Esquire, and that without any provocation whatever on the part of the said Stanley Bagg, Esquire. The present deposition being read to said Deponent, he saith that it contains the truth, persists therein, and hath signed.

(Signed) E. XAVIER d'AUBERVILLE.

Sworn before me, at Montreal,  
14th May, 1832.

(Signed) *Austin Cuvillier*, J. P.

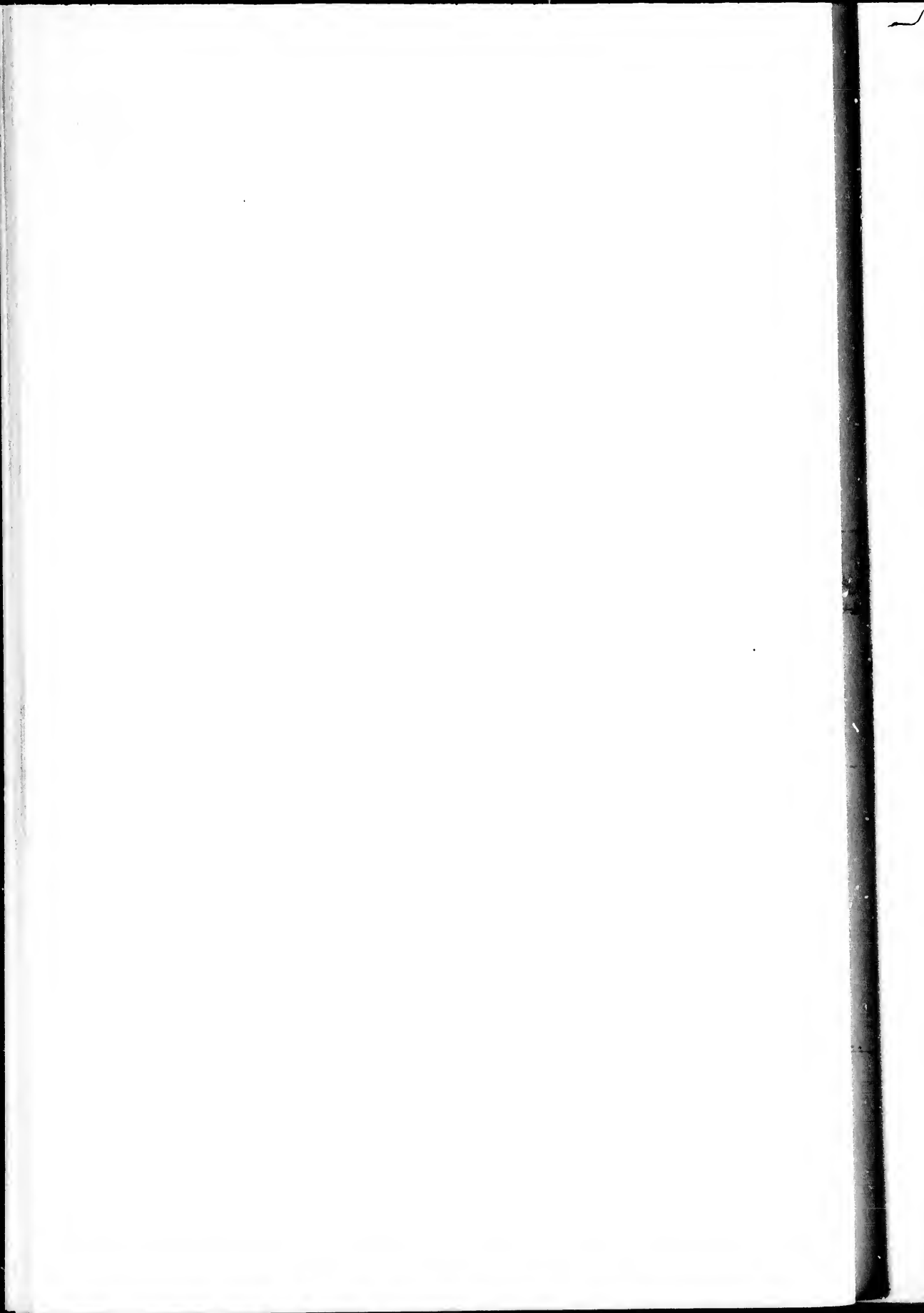
True Copy,

(Signed) *J. Delisle*, C. P.

DISTRICT OF }  
MONTREAL: }

Know ye all men, that on the fifteenth day of May, in the second year of the reign of our Sovereign Lord, King William the Fourth, of the United Kingdom of Great Britain and Ireland, Defender of the Faith, &c.—Pantaleon Cadieux, of the Parish of Montreal, in the County of Montreal, in the said District, and Chevalier De Lorimier, of the Parish of Montreal, in the County of Montreal, in the said District, appeared before Pierre Lukin, Esquire, one of His Majesty's Justices of the Peace for the District aforesaid, who have acknowledged themselves indebted to our said Sovereign Lord the King, to wit:—





the said Pantaleon Cadieux in the sum of ten pounds, the said François Marie de Lorimier, and Charles de Lorimier, each in the sum of five pounds, current money of the Province, to be levied severally on their estates, moveable and immoveable, present and to come, to the profit of His Majesty, His Heirs and Successors, in case the said Pantaleon Cadieux do fail in the conditions following:—

That the said Pantaleon Cadieux do appear at the Quarter Sessions of the Peace, to be holden in the Court House of this City, on the tenth of July next, and that he do attend, day by day, until he shall be duly discharged; and that the said Pantaleon Cadieux do keep the peace to all His Majesty's subjects during all such time, and more particularly towards Stanley Bagg of Montreal, and shall be of good behaviour until said time: which doing these presents shall be null and void, otherwise they shall remain in full force and effect.

(Signed) P. CADIEUX.  
 (Signed) F. M. CHEVALIER DE LORIMIER.  
 (Signed) CHEV. DE LORIMIER.

Before me, at Montreal, the day  
 and year before mentioned

(Signed) P. Lukin, J. P.

True Copy,

(Signed) J. Delisle, C. P.

PROVINCE OF LOWER CANADA, }  
 DISTRICT OF MONTREAL. }

Daniel Salmon, Esquire, Advocate, of the City of Montreal, in the said District, being sworn upon the Holy Evangelists, deposeth and saith:—That yesterday, the 14th of May inst., when he left the Poll (now holding at Montreal, for the Election of a Member to represent the West Ward of the City of Montreal in Parliament) with Stanley Bagg, Esquire, one of the Candidates to represent the said West Ward, and that without any provocation whatever on the part of said Deponent, he was assaulted by a crowd of individuals of all descriptions, and that he was then and there assaulted and kicked, by one named François Xavier Rodier, Carpenter, of the said City of Montreal.

Deponent having read the present Deposition, says that it contains the truth, further the Deponent saith not, persist therein, and hath signed.

(Signed) D. SALMON.

Sworn before me, at Montreal,  
 15th May, 1832.

(Signed) Austin Curviller, J. P.

True Copy,

(Signed) J. Delisle, C. P.

DISTRICT OF MONTREAL, }  
 PROVINCE OF LOWER-CANADA. }

William Farquhar, of the City of Montreal, in the District aforesaid, one of the Special Constables of our Sovereign Lord the King, appointed to keep the peace, at or near the Poll, now held for the West Ward of the said City, at the request and by permission of the Returning Officer presiding thereat, after being duly sworn upon the Holy Evangelists, deposeth and saith:—That in the execution of his duty as such Special Constable, and acting under the authority of the High Constable, he was assaulted, jostled, and obstructed in keeping the King's peace, by

one Daniel Ryan, of the said City, Carpenter;—wherefore the Deponent prays that process should issue to compel the said Daniel Ryan to answer for the said offence. This Deposition being read to the Deponent, persists therein, and has signed.

(Signed) W. FARQUHAR.

Sworn at Montreal, the 16th May,  
 1832, before me

(Signed) Austin Curviller, J. P.

True Copy,

(Signed) J. Delisle, C. P.

DISTRICT OF }  
 MONTREAL. }

Know ye, that on the sixteenth day of May, in the second year of the reign of our Sovereign Lord, King William the Fourth, of the United Kingdom of Great Britain and Ireland, Defender of the Faith, &c.—Daniel Ryan, of the Parish of Montreal, in the County of Montreal, in the District of Montreal; Ignace Restaire, in the County of Montreal, in the said District of Montreal, Parish of Montreal; Louis Rodier, of the Parish of Montreal, in the County of Montreal, in the said District, appeared before Pierre Lukin, Esquire, one of His Majesty's Justices of the Peace, for the District of Montreal, who have confessed themselves indebted to our said Sovereign Lord the King, to wit:—Daniel Ryan, in the sum of twenty pounds; the said Ignace Restaire in the sum of ten pounds; the said Louis Rodier also in the sum of ten pounds, currency of this Province, to be levied severally on the estates, moveable and immoveable, present and to come, in the benefit of His Majesty, his Heirs or Successors, in case the said Daniel Ryan do not fulfil the conditions, as follows:—

The condition of the recognizance is such—that if the said Daniel Ryan do appear in person at the next General Court of Quarter Sessions of the Peace, which shall be holden for the said District, in the Court House, in the City of Montreal, and if he do assist from day to day in the said Court, until he shall be duly discharged, there and then to answer to all complaints or informations which shall be made against him, on the part of our said Sovereign Lord the King, and to keep the peace to all His Majesty's subjects, during the whole time, and more especially towards William Farquhar, and is well behaved until said time: which doing, these presents shall be null and void, otherwise, they shall remain in full force.

(Signed) DANIEL RYAN.

(Signed) IGNACE RESTAIRE.

(Signed) L. G. RODIER.

Before me, at Montreal, the day  
 and year above mentioned.

(Signed) P. Lukin, J. P.

True Copy,

(Signed) J. Delisle, C. P.

James Fraser, Esquire, of the City of Montreal, in the District of Montreal, being duly sworn upon the Holy Evangelists, deposeth and saith:—That this evening, on or about six o'clock, standing at the door of his house, situate in the St. Antoine Suburbs of this City, perceiving three men apparently much agitated, and entering several houses, he the Deponent enquired from them, if there was any thing extraordinary had occurred, whereupon



one of them made answer,—“*Vous savez tres bien ce qui est arrivé.* You know very well what has occurred, and we are now warning Mr. Tracey's friends to meet at his house this evening, to revenge the injury done to his party, and you shall be the victim.” That at that time the Deponent did not know of what had occurred in Town; from what has already occurred, the Deponent entertains serious apprehensions that some evil is intended towards himself and family, and prays protection on the premises.

(Signed) JAMES FRASER

Sworn at Montreal, this  
21st day of May, 1832.

(Signed) P. Lakin, J. P.

True Copy,  
(Signed) J. Delisle, C. P.

DISTRICT OF }  
MONTREAL }

Thomas Burton, of Montreal, Cabinet-Maker, and Robert Fowler, of the same place, Cabinet-Maker, being severally sworn upon the Holy Evangelists, depose and say: that yesterday, Deponents being acting as Special Constables, and stationed on Notre Dame Square, they saw one Michael Deegan, a Cooper, in the act of throwing stones, and disturbing the peace and tranquillity.—That Deponents, pursuant to their orders, arrested the said Michael Deegan, and conducted him to the common Gaol of this City.

(Signed.) THOMAS BURTON.  
(Signed.) ROBERT FOWLER.

Sworn before me, at Montreal,  
this 22nd May, 1832.

(Signed) John Fisher, J. P.

True copy,  
(Signed) J. Delisle, C. P.

DISTRICT OF }  
MONTREAL } ss.

Be it remembered, that on the twenty-second day of May, in the second year of the reign of our Sovereign Lord William the Fourth, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, &c., Michael Deegan, of the Parish of Montreal, in the County of Montreal, and District aforesaid, Cooper, and Edward Kelly, of the Parish of Montreal, in the County of Montreal, and District aforesaid, Innkeeper, and John Deegan, of the Parish of Montreal, in the County of Montreal, and District aforesaid, Tailor, personally came before Pierre Lakin, Esquire, one of His Majesty's Justices, assigned to keep the Peace in and for the District of Montreal, and acknowledged to owe to our said Lord the King,—that is to say, the said Michael Deegan,—the sum of Ten Pounds; and the said Edward Kelly and John Deegan, each the sum of Five Pounds, separately, and of good and lawful money of this Province, to be made and levied of their Goods and Chattels, Lands and Tenements, respectively, to the use of our said Lord the King, his heirs and successors, if the said Michael Deegan shall make default in the following condition:—

The condition of the above written Recognizance is such, that if the above bounded Michael Deegan shall appear in person at the next Court of Quarter Sessions of the Peace, holding criminal pleas, in and for the said District,—to be holden at the Court House in the City of Montreal, on the tenth day of July next,—and shall appear from day to day, until he be duly discharged; then and there to answer to such complaint, charge, or charges, as shall be, on the part of our Sovereign Lord the King, then and there preferred against him, then this Recognizance

shall be null and void, otherwise to remain in full force and virtue.

(Signed) MICHAEL DEEGAN.

(Signed) EDWARD KELLY.

(Signed) JOHN ~~X~~ DEEGAN.  
mark.

Taken and acknowledged before me,  
at Montreal, the day and year  
first above written.

(Signed) P. Lakin, J. P.

True copy,

(Signed) J. Delisle, C. P.

Petition of Alexander F. Macintosh to the Chief Justice of the Court of King's Bench at Montreal, praying the benefit of *Habeas Corpus*.

Petition of Henry Temple, on the same subject.

Deposition of Alexander F. Macintosh, in support of his Petition.

Supplementary Deposition and Explanation of the same person.

DISTRICT OF }  
MONTREAL } TO WIT:—

[L. S.]

WILLIAM THE FOURTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland King, Defender of the Faith.

To Benjamin Delisle, High Constable of the District of Montreal, greeting.

We command you, that the bodies of Alex. F. Macintosh, Lieutenant Colonel of His Majesty's Fifteenth Regiment of Foot, and Commanding Officer of the Garrison of Montreal, and Henry Temple, Captain in His Majesty's said Regiment, in your custody, as it is said, detained together, with the day and cause of their capture and detention, by whatsoever name they may be called, in the same you have before the Honourable James Reid, Chief Justice, and George Pyke, one of our Justices of our Court of King's Bench, immediately after the receipt of this Writ, to do and receive what our said Justices shall then and there consider concerning them in this behalf. And have you then and there this Writ.

By virtue of an  
Ordinance passed in  
the 14th year of  
His Majesty King  
George the Third.

(Signed)

J. REID,  
Ch. J. K. B.

GEORGE PYKE,  
J. K. B.

Witness the Honourable James Reid, our Chief Justice of our said Court at Montreal, aforesaid, this twenty-sixth day of May, 1832, in the year of our Lord, one thousand eight hundred and thirty two.

(Signed) John Delisle, Clk. Cr.

(A true Copy.)

(Signed) John Delisle, Clk. Cr.  
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The return of this His Majesty's Writ of Habeas Corpus, appears by the Schedule herunto annexed.

DISTRICT OF }  
MONTREAL. }<sup>no.</sup>

(Signed,) *Benj. Delisle*, High Constable,

Montreal, 20th May, 1832.

(A true Copy.)

(Signed,) *John Delisle*, Clk. Cr.

Warrant of *D. Moutelet*, Esquire, Coroner, for the arrest of  
*A. F. Macintosh* and *Henry Temple*, Esquires.

DISTRICT OF }  
MONTREAL. }<sup>1.</sup>

Be it remembered, that on the 20th day of May, in the second year of the Reign of our Sovereign Lord, William the Fourth, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, *Alexander F. McIntosh*, of the Parish of Montreal, in the County of Montreal, in the District aforesaid, Lieutenant-Colonel of His Majesty's 15th Regiment of Foot, and the Honble. *John Forsyth*, of the Parish of Montreal, in the County of Montreal, and District aforesaid, Esquire, and *Samuel Gerrard*, of the Parish of Montreal, in the County of Montreal, and District aforesaid; Esquire, personally came before The Honble. *James Reid*, Esquire, Chief Justice of His Majesty's Court of King's Bench, for the District of Montreal, and The Honble. *George Pyke*, Esquire, Justice of the said Court, and acknowledged to owe to our said Lord the King, that is to say, the said *Alexander F. McIntosh*, the sum of one thousand pounds, and the said *John Forsyth*, and *Samuel Gerrard*, each the sum of five hundred pounds, separately, and of good and lawful money of this Province, to be made and levied of their goods and chattels, lands and tenements, respectively, to the use of our said Lord the King, his heirs and successors, if the said *Alexander F. McIntosh* shall make default in the following condition:—

The condition of the above written Recognizance is such that if the above bounden *Alexander F. McIntosh*, shall appear in person, at the Judges' Chambers, at the Court House, in the City of Montreal, on the twenty-ninth day of May instant, at the hour of ten of the clock, in the forenoon, then and there to answer to such complaints, charge, or charges, as shall be, on the part of our Sovereign Lord the King, then and there preferred against him, then this Recognizance shall be null and void, otherwise to remain in full force and virtue.

(Signed,) *A. F. MACINTOSH.*  
(Signed,) *J. FORSYTH.*  
(Signed,) *S. GERRARD.*

Taken and acknowledged before us,  
at Montreal, the day and year  
first above written.

(Signed,) *J. Reid*, Ch. J. K. B.

(Signed,) *George Pyke*, J. K. B.

True Copy.

*J. Delisle*, Clk. Cr.

Be it remembered, that on the 26th day of May, in the second year of the Reign of our Sovereign Lord, William the Fourth, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, &c., *Henry Temple*, of the Parish of Montreal, in the County of Montreal, and District aforesaid, Captain in our said Lord the King's 15th Regiment of Foot, and The Honble. *John Forsyth*, of the Parish of Montreal, in the County of Montreal, and District aforesaid, Esquire, and *Samuel Gerrard*, of the Parish of Montreal, in the County of Montreal, and District aforesaid, Esquire, personally came before The Honorable *James Reid*, Esquire, Chief Justice of His Majesty's Court of King's Bench, for the District of Montreal, and The Honorable *George Pyke*, Esquire, Justice of the said Court, and acknowledged to owe to our said Lord the King, that is to say, the said *Henry Temple* the sum of one thousand pounds, and the said *John Forsyth*, and *Samuel Gerrard*, each the sum of five hundred pounds, separately, and of good and lawful money of this Province: to be made and levied of their goods and chattels, lands and tenements, respectively, to the use of our said Lord the King, his heirs and successors, if the said *Henry Temple* shall make default in the following condition:—

The condition of the above written Recognizance is such, that if the above bounden *Henry Temple* shall appear in person at the Judges' Chamber, in the Court House, in the City of Montreal, on the twenty-ninth day of May instant, at the hour of ten of the clock, in the forenoon, then and there to answer to such complaint, charge, or charges, as shall be, on the part of our Sovereign Lord the King, then and there preferred against him, then this Recognizance shall be null and void, otherwise to remain in full force and virtue.

(Signed,) *HENRY TEMPLE.*  
(Signed,) *JOHN FORSYTH.*  
(Signed,) *SAMUEL GERRARD.*

Taken and acknowledged before us,  
at Montreal, the day and year  
first above written.

(Signed,) *J. Reid*, Ch. J. K. B.  
(Signed,) *G. Pyke*, J. K. B.

True Copy.

(Signed,) *John Delisle*, Clk. Cr.

DISTRICT OF }  
MONTREAL. }<sup>no.</sup>

Be it remembered, that on the second day of June, in the second year of the Reign of our Sovereign Lord, William the Fourth, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, &c., *Alexander F. McIntosh*, of the Parish of Montreal, in the County of Montreal, and District aforesaid, Lieutenant-Colonel of His Majesty's 15th Regiment, and *Samuel Gerrard*, of the Parish of Montreal, in the County of Montreal, and District aforesaid, Esquire, and the Honble. *John Forsyth*, of the Parish of Montreal, in the County of Montreal, and District aforesaid, Merchant, personally came before The Honorable *George Pyke*, Esquire, one of His Majesty's Justices of the Court of King's Bench, for the District of Montreal, and acknowledged to owe to our said Lord the King, that is to say, the said *Alexander F. McIntosh* the sum of two hundred pounds, and the said *Samuel Gerrard*, and the Honble. *John Forsyth*, each the sum of one hundred pounds, separately, and of good and lawful money of this Province, to be made and levied of their goods and chattels, lands and tenements, respectively, to the use of our said Lord the King, his heirs and successors, if the said *Alexander F. McIntosh* shall make default in the following condition:—

The condition of the above written Recognizance is such, that if the above bounden *Alexander F. McIntosh* shall appear in person, at the next Court of King's Bench, holding criminal pleas

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in and for the said District, to be holden at the Court House, in the City of Montreal, on the twenty-seventh day of August next, abide the finding of the Coroner's Inquest, adjourned to that day, then this Recognizance shall be null and void, otherwise to remain in full force and virtue.

(Signed,) A. F. MACINTOSH, Lt.-Col.  
(Signed,) S. GERRARD.  
(Signed,) J. FORSYTH.

Taken and acknowledged before me,  
at Montreal, the day and year  
first above written.

(Signed,) *George Pyke, J. K. B.*

True Copy.

(Signed,) *John Delisle, Clk. Cr.*

DISTRICT OF }  
MONTREAL } ss.

Be it remembered, that on the second day of June, in the second year of the Reign of our Sovereign Lord William the Fourth, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, &c., Henry Temple, of the Parish of Montreal, in the County of Montreal, and District aforesaid, Captain in His Majesty's 15th Regiment, and Samuel Gerrard, of the Parish of Montreal, in the County of Montreal, and District aforesaid, Esquire, and the Honorable John Forsyth, of the Parish of Montreal, in the County of Montreal, and District aforesaid, Merchant, personally came before the Honorable George Pyke, Esquire, one of His Majesty's Justices of the Court of King's Bench for the District of Montreal, and acknowledged to owe to our said Lord the King, that is to say, the said Henry Temple the sum of two hundred pounds, and the said Samuel Gerrard, and John Forsyth each, the sum of one hundred pounds separately, and of good and lawful money of this Province, to be made and levied of their goods and chattels, lands and tenements, respectively, to the use of our said Lord the King, his heirs and successors, if the said Henry Temple shall make default in the following condition.

The condition of the above written Recognizance is such, that if the above bounden Henry Temple shall appear in person, at the next Court of King's Bench holding criminal pleas in and for the said District, to be holden at the Court House in the City of Montreal, on the twenty-seventh day of August next, to abide the finding of the Coroner's Inquest adjourned to that day, then this Recognizance shall be null and void, otherwise to remain in full force and virtue.

(Signed,) H. TEMPLE,  
Capt. 15th Regt.  
(Signed,) S. GERRARD.  
(Signed,) J. FORSYTH.

Taken and acknowledged before me,  
at Montreal, the day and year  
first above written.

(Signed,) *George Pyke, J. K. B.*

True Copy.  
(Signed,) *J. Delisle, Clk. Cr.*

LETTER (1.) from Col. Macintosh to the Military Secy.

(Copy.)

*Montreal, 22nd May 1852.*

Sir,

I have the honor to report to you for the information of His Lordship the Commander of the Forces,

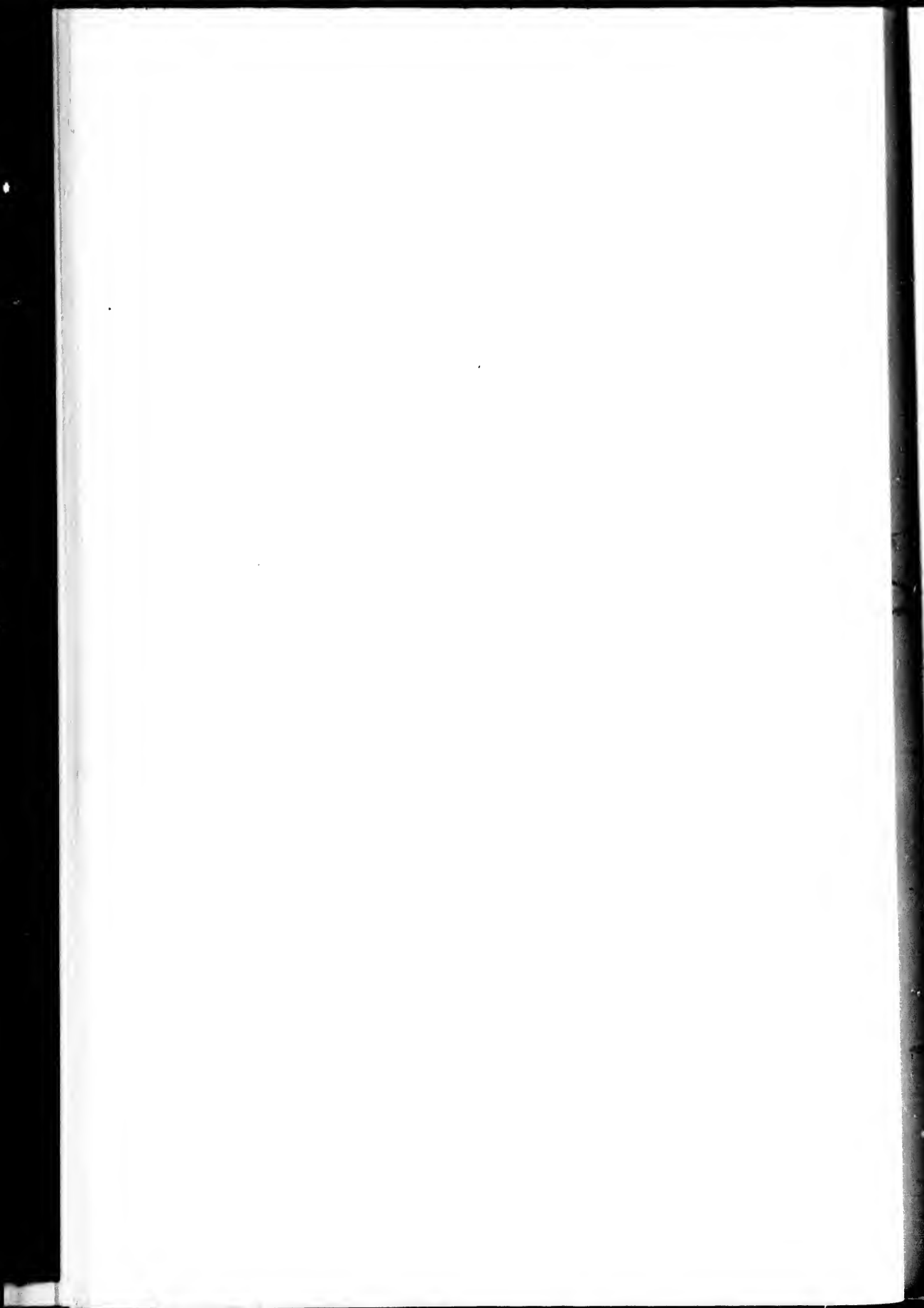
that on Sunday evening, the 20th instant, I received a visit at about half past 10 o'clock, from the Honble George Moffatt and William Robertson, Esquire, Magistrates of this place, who communicated to me, that a meeting of the Magistrates, had just taken place, and that it had then been resolved by them, to represent to me as the Officer commanding this Garrison, the necessity of being fully prepared for most serious disturbances connected with the pending Election in this City, on the ensuing 1. y. These Gentleman at the same time, acquainted me that it was the earnest wish of the Magistrates who had attended the meeting, that a Captain's Guard should be substituted for the usual Main Guard, at the head of the New Market, acquainting me that towards the hour of the daily close of the Poll, to wit 5 o'clock, P. M., the most serious infraction of the peace might be apprehended. Early on the following morning, I received a specific Statement of the Magistrates Resolutions herewith enclosed (No. 1;) and a Captain's Guard, consisting of one Subaltern, one Sergeant, one Bugler, and forty two Rank and File, accordingly mounted the Main Guard at eleven o'clock, A. M. I considered it expedient to have the remaining portion of the Regiment kept in Barracks, ready to turn out at a moments notice.

At three o'clock, P. M. Captain Temple who commanded the Main Guard, received the enclosed requisition (No. 2,) signed by two Magistrates, calling upon him to proceed to the Place d'Armes (in the vicinity of which the Poll was carried on) for the purpose of aiding the civil power. This circumstance, Captain Temple reported to me at my quarters, and I lost no time in proceeding to the spot. I there found a large and apparently ill disposed crowd assembled, and it was stated to me, by Doctor Robinson and Captain Temple, that many acts of violence had already been committed, and that many of them were in possession of fire arms; the former informed me at the same time, that he had deemed it expedient to read the Riot Act on the spot, but this appeared to have produced no effect in dispersing the crowd.— Under these circumstances I suggested the propriety of strengthening the party, in which Dr. Robertson and other Magistrates fully concurred with me and which was done almost immediately, by the addition of the Light Company, under Captain Smith of the 15th Regiment.

The appearance of the troops produced a temporary tranquillity among the rioters assembled round the Hustings, and as it rained heavily, I drew up the Guard and Light Company under the portico of the French Catholic Church which is enclosed by a semi-circular wall, having five gates opening upon the Place d'Armes.

For upwards of an hour the crowd assembled in the Place d'Armes, appeared comparatively quiet, and it was not until 5 o'clock, P. M. that the Magistrates found it necessary to interfere actively—at this period, however, a violent affray took place in the Place d'Armes, and the Magistrates attended by the Constables, proceeded to quell it and restore order. In this, they however, altogether failed, and were driven back upon the party which I commanded, in complete confusion; followed some paces into the enclosure by the rioters. On perceiving this, I immediately ordered the troops to load with ball cartridge, and accompanied by the Magistrates, advanced into the Place d'Armes, forming a column of two divisions. At this moment I was informed that the rioters were in the act of murdering a man on the side of the place opposite to St. James Street; the troops then advanced steadily in that direction, proceeding down St. James Street, which is nearly half a mile in length, I giving full time for





for all but ill disposed persons to withdraw themselves from the space in front, and with this object altho' heavily assailed with large stones, with which the streets had been recently repaired. I ordered them to halt for several minutes—perceiving however that the dense crowd, in front which appeared to be composed of many hundred persons, and the greatest part of which appeared to have recently arrived in a body on the spot, and to be led in a systematic manner, was becoming nearer and nearer to us as we advanced, showering quantities of large stones on the civil and military force around me, by one of which Lieutenant and Quarter Master Downs, (who was most active and useful on the occasion) received a severe blow, and several struck my own person, it became necessary to order the troops to "fire," loudly giving notice before hand, that it was intended to do so. Less than one round from the first division (consisting of sixteen Rank and File of the Main Guard party), was accordingly discharged and took effect to an extent which could hardly have been anticipated, and I regret to say I have been since informed in several instances fatally.)

From the serious aspect of affairs, I had considered it necessary to despatch Ensign and Adjutant Hay, (whose zeal and intelligence on this occasion were particularly useful to me) with directions that the remainder of the Regiment, which as a precautionary measure had been drawn up in the Champ de Mars, under Major Grierson, should be advanced towards the Place d'Armes, and that Mr. Hay himself should without delay, join me with the Grenadier Company, the Captain and other Officer of which were absent on duty, which he did, with very great celerity, and they arrived a few minutes after it had become necessary to act against the mob. In a short time the rioters were dispersed and completely appeased, and tranquillity was maintained during the remaining part of the afternoon. Before relieving the troops, I consulted with the Magistrates at their request, relative to the propriety of establishing a strong post for the night in the direction of the western Suburbs; and Brigade Major Pritchard, who very promptly proceeded at my request to the Island of St. Helens for the purpose of communicating with the Officer commanding at that post, soon after returned with the report that Captain Anderson was making every exertion in crossing the river with two six-pounders, which arrived in a very short space of time on this side of the river, and were stationed for the night at the head of St. James street, covered by the Light Company of the 15th Regiment. Nothing could be more satisfactory than the soldierlike and alert manner in which all the Officers and men of the Royal Artillery and 15th Regt. employed, conducted themselves on this occasion, as also the Town Major, Captain Rooth.

A party of the Montreal Cavalry, under Major Gregory, continued to patrol thro' the streets during the night.

For fear of misunderstanding, I consider it proper to observe that I received distinct authority from Doctor Robertson, for "firing" before it was resorted to.

I consider it my duty in conclusion from what I saw on this occasion, most respectfully to observe, that the number of troops in this Garrison does not appear to me sufficient, in the event of serious riots, entirely to prevent the destruction of property throughout the Town and Suburbs. Owing to the large space which they cover, and the straggling manner in which the latter are built, but where there is however much valuable property situated.

The Post in St. James Street was this morning removed by the authority of a Magistrate in consc-

quence of the continuance of tranquillity throughout the town.

I have the honor to be

Sir,

Your most obedient humble servant,

(Signed) A. F. MACINTOSH,

Lt. Colonel 15th Regiment.  
Commg. H. M. troops at  
Montreal.

The Military, Secy.  
&c., &c., &c. Quebec.

(2.) Montreal, 23d May, 1832.

Sir,

I have the honor to enclose, for the information of His Lordship the Commander of the Forces, a copy of a Communication which I received yesterday evening, at half past seven o'clock, from the Magistrates assembled in Special Sessions. Every precaution was afterwards taken, but the tranquillity of this place has not been again disturbed, and all, apparently, remains quiet to-day.

I have the honor to be,  
&c. &c.

(Signed,) A. F. MACINTOSH

Lt. Col. 15th Regt. commanding His Majesty's  
Troops at Montreal.

To the Military Secretary,  
&c. &c. &c. Quebec.

*Proceedings of the Magistrates of Montreal, on Sunday, 20th May, 1832, (printed among the first Documents, by error, 28th May)*

Requisition signed by Messrs. Robertson and Lukin, for the troops to advance.

(3.) Montreal, 24th May, 1832.

4 o'clock, P. M.

Sir,

I have the honor to enclose the copy of a Communication which I received yesterday afternoon, signed by thirteen Magistrates, assembled in Court of Special Sessions of the Peace, and to report that due precautions were in consequence, taken for the night, which passed tranquilly, with the exception of some windows having been broken at the house of a Special Constable.

This



This morning further riots were apprehended, but none have occurred up to this date.

I have the honor to be  
&c. &c.

(Signed,) A. F. MACINTOSH,  
Lt. Col. 15th Regt. com-  
manding His Majesty's  
Troops at Montreal.

To the Military Secretary,  
&c. &c. &c., Quebec.

*Proceedings of the Magistrates of Montreal on Wed-  
nesday, 23d May, 1832.*

(4.)

Montreal, 20th May, 1832.

Sir,

I have the honor to enclose two Communications, signed by Magistrates of this place, assembled in Special Sessions, dated 24th and 25th May, and to report that the precautions therein required to be taken to ensure the public peace of this City, have been complied with.

I have the honor to be,  
&c. &c. &c.

(Signed,) A. F. MACINTOSH,  
Lt. Col. commanding His Ma-  
jesty's Troops at Montreal.

To the Military Secretary,  
&c. &c. &c., Quebec.

MONTREAL:

COURT OF SPECIAL SESSIONS OF THE  
PEACE.

Monday, 24th May, 1832.

PRESENT:

Honbles. T. Pothier, Honbles. P. De Rochab v e,  
S. De Beaujeu, Joseph Shuter and  
John Forsyth. Jules Queanel, Esquires.  
John Molson,

*Resolved*, That it is the opinion of this Meeting, that necessity still exists for precautions being taken to ensure the public peace of this City. It is therefore ordered that application be made to the Commandant to reinforce the Main Guard with a Piquet, under the command of an Officer, there to remain from sun-down to day-light, to-morrow.

*Resolved*, That twenty four Constables with their Staffs, be added to the Watchmen to form a Patrole for this night, and to continue to perform that duty till further orders.

*Resolved*, That in case of necessity, the Officer of the Watch send to the nearest Magistrates.

*Resolved*, That a Copy of the foregoing Resolutions be immediately transmitted to Lieut. Col. Macintosh.

A true Copy from the Minutes.  
Jno. DELISLE, Clk. P.

A true Copy.

(Signed,) F. A. Macintosh,  
Lt. Col.

MONTREAL:

COURT OF SPECIAL SESSIONS OF THE  
PEACE.

Friday, 25th May, 1832.—7 o'clock, P. M.

PRESENT:

Honble. Toussaint Pothier, Jos. J. Winter,  
" John Forsyth, John Fisher,  
" George Moffatt, Jules Queanel,  
John Molson, John McKenzie,  
William Robertson, Joseph Roy, and  
Adam L. McNider, Benjamin Holmes, Esqrs.

*Resolved*, That it be communicated to the Com-  
mandant, that the Magistrates are desirous of con-  
tinuing the reinforcement of the Main Guard; in  
conformity with the Resolution, in Special Sessions,  
dated 24th instant, until such time as a communication  
be made by the Magistrates to Lieut. Col. McIntosh,  
that the said precaution is no longer necessary.

*Resolved*, That a copy of the foregoing Resolution  
be immediately transmitted to Lieutenant Colonel  
McIntosh.

A true Copy from the Minutes,

(Signed) JOHN DELISLE, Clk. P.

True Copy,

(Signed) A. F. McIntosh, Lt. Col.

(EXTRACT.)

Montreal, 20th May, 1832.

Sir,

I have the honor to report, for the information of his Lordship, the Commander of the Forces, that on Saturday last, the 20th instant, Mr. Mondelet, the Coroner of this District, issued a Warrant for the apprehension of myself and Captain Temple, of the Regiment under my command; and hearing that this was the case, without waiting for the service of the Warrant, we forthwith went forward, and presented ourselves to the Judges, who immediately admitted us to bail, to re-appear when they should have considered the various affidavits, and other documents put in.

I feel called upon to state, that much appearance of partiality on the part of the Coroner, and of party-spirit on that of the Jury, was evinced during the Inquest: the former wishing to confine the evidence to the simple fact, of the deceased having been killed by the fire of the Troops, instead of also investigating what occasioned that fire, namely, the previous and then-existing Riot, and the requisition made by the Magistracy, for military assistance in aid of the Civil power, to put down Riot, and maintain order.—It was the duty of the Coroner to hear evidence for, as well as against; and before it was possible to assign the true character to be ascribed to the acts which had taken place, it was indispensably necessary, to examine the causes which led to the results, as much as to ascertain the results themselves.

The Coroner, (as counsel have informed me,) instead of following the course which the Law and his duty required, stated several times, that the only subject of enquiry, was, by whom, and in what manner the deceased came to their death, and not the causes which led to it: as if all cases of homicide, and not the felonious, would not by such a mode, be reduced to a common level; and *quod*, as amongst the Chinese, be

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be universally imputed, wherein loss of life occurred. Notwithstanding this extraordinary procedure on the part of the Coroner, I am also assured by counsel who attended there, that the most conclusive evidence came before the Coroner's Court, and proved that the Troops acted against the Rioters, during a Riot, by the orders of the Magistracy, and were by them empowered to fire: to which they would have been, at any rate, compelled, in self-defence.

The Jury, however, after deliberating for several days, came to no decision: and the Coroner, who, I have been informed by counsel, can only lawfully issue a Warrant on the verdict of the Jury, did so, on the strength of the evidence given before him.

Under these circumstances, so truly harassing to myself, and to the officers and men under my command, I can only trust to the protection of his Excellency, the Commander of the Forces, so eminent, called for at the existing moment, to meet the persecution which is directed against me, for the faithful discharge of my duty: feeling convinced, that the good of the service must be materially affected by what may now occur, should the Troops be ever called upon to act in a similar manner.

So violent a spirit of party exists here at this moment, that justice from those opposed to Government is not to be expected.

I have the honor to enclose copies of two very strong affidavits, made by William Robertson, Esquire, Justice of the Peace, and Captain Piper of the Royal Engineers: the former of which sets forth the circumstances, under which the Magistrates ordered the military to act, and the latter describes the manner in which that duty was performed, and the attack made upon the military by the mob.

I have the honor to be, Sir,

Your most obedient, humble Servant,

(Signed) A. F. MACINTOSH,  
Lieut.-Colonel,  
Commanding His Majesty's Troops  
at Montreal.

To the Military Secretary,  
Quebec.

Deposition of Robert Sloper Piper.

Deposition of William Robertson.

Montreal, 9th June, 1832.

Sir,

With reference to my Reports dated 22nd and 29th May, ultimo, and to your replies dated 24th May 1832, and 1st June 1832, I have the honor very respectfully to represent, for the information of His Excellency, the Commander of the Forces, that I have as yet received no communication conveying His Excellency's pleasure on the subject of which they treat; nor expressing any sentiment of approbation either of my own conduct, or that of the Troops which I had the honor to command on that trying occasion. I have been since then subjected to much persecution, by the disaffected, in consequence of having then performed my duty: and with a deep responsibility attached to my present Command, I find myself, assailed as I am by the unbridled and disaffected Press of the Province, with every variety of calumny and libel; held up daily to the Troops under my command, as a murderer and a coward: to be totally unfitted for doing what I believe to be my duty, and properly maintaining the discipline and efficiency of the Troops, until supported and re-assured by the declaration of His Excellency's approbation.

The sentiments expressed in the Newspapers alluded to, it is impossible to prevent from being daily conveyed to the non-commissioned officers and soldiers of the Garrison, and very frequently the Newspapers themselves; and being tied down for a

period of several months by judicial proceedings, in consequence of the faithful performance of my duty, so as to prevent my protecting my character generally, I am compelled very respectfully to entreat, that His Excellency may be pleased to relieve me from further professional responsibility, until he shall have satisfied himself by judicial enquiry, of a civil or military nature, of the character of my proceedings on the 21st May.

In corroboration of my statement relative to the proceedings of the Press in this part of the Province, I have the honor to enclose No. 97, of the Vindicator Newspaper, published on the 8th June, 1832.

I have the honor to be, Sir,

Your most obedient, humble Servant,

(Signed) A. F. MACINTOSH,  
Lieut.-Col., 15th Regiment,  
Commanding His Majesty's Troops at Montreal

To the Military Secretary,  
Quebec.

Montreal, 17th September, 1832.

Sir,

I have the honour to enclose for the information of His Lordship the Commander of the Forces, the copy of a Petition from myself and Captain Temple of the Regiment under my command, which we addressed to the Honourable the Chief Justice of the Court of King's Bench, for this District, in consequence of our being again arrested on account of the occurrences which took place here on the 21st of May last. The warrant under which we were taken into custody, was issued by Joseph Roy, Esquire, J. P., and having been fully discharged this morning by their Honors. From the operation of this illegal arrest, it is my intention to take immediate steps to recover from that Magistrate, the penalty for which he has made himself liable by Act of Parliament.

I have the honour to be,

Sir,

Your most obedient

Humble Servant,

(Signed) A. F. MACINTOSH,  
Lt. Col. Com. 13th Regt.

Lieut. Col. Glegg, &c. &c. &c.  
Quebec.

MONTREAL, KING'S BENCH,

To the Honourable the Chief Justice of His Majesty's Court of King's Bench, for the District of Montreal.

The Petition of Alexander Fisher Macintosh, Lieutenant Colonel of His Majesty's Fifteenth Regiment of Foot, and Commandant of the Garrison of Montreal, and of Henry Temple, Captain in His Majesty's said Regiment;

Respectfully Sheweth,

That your Petitioners have lately been arrested by virtue of a warrant issued out by Joseph Roy, Esquire, one of His Majesty's Justices of the Peace for the said District, setting forth in substance, that information had been laid before him, the said Joseph Roy, Esquire, that your Petitioners on the twenty first day of May last, with divers Soldiers and others, whose names



names are unknown, wilfully, feloniously, and of malice aforethought, advanced upon and assaulted divers of His Majesty's peaceable subjects, there being in St. James Street, in the said City of Montreal, and that divers of the said Soldiers under the direction of, and commanded by your Petitioners, feloniously, wilfully, and of their malice aforethought, shot off, and discharged a number of fire arms, loaded with powder and ball, at and against Casimir Chauvin, Pierre Billet, and François Languedoc, and thereby inflicted upon them several mortal wounds, of which they immediately afterwards died, and that your Petitioners then and there feloniously, wilfully, and of their malice aforethought, were present, aiding, helping, abetting, assisting, and maintaining the said Soldiers in committing the felonies and murders aforesaid.

That the circumstances and alleged offences in the said Warrant referred to, relate to the conduct of your Petitioners, in having with a small Detachment of the Military, upon the requisition and under the direction of the Civil Authorities of the City of Montreal, suppressed a Riot at the time and place in the said Warrant mentioned.

That for the same alleged offences in suppressing the said Riot, your Petitioners were arrested nearly four months ago, and held to bail;—and were again held to bail, upon the same charges before the Court of King's Bench, holding Criminal Pleas, for the said District, in August last;—That during the Session of the said Court, three Bills of Indictment were presented before the Grand Jury thereof, against your Petitioners upon the same charges, which Indictments were, by the said Grand Jury, after long investigation of the accusations therein set forth—rejected, and the said rejection accompanied by a Presentment of the said Grand Jury, declaring in substance, the deaths of the persons before named, to have been occasioned by the necessary employment of force, under the requisition and direction of the Civil Power, in quelling a Riot, and in consequence absolving your Petitioners from all culpability, and approving of their conduct. That thereupon your Petitioners, upon motion of their Council, and after proclamation in open Court, were discharged.

That your Petitioners do not conceive, after the solemn and public proceedings and investigations regarding the same imputed offences, before Superior Functionaries, Courts, and Grand Juries, which have been had in their cases, all terminating not merely in their exculpation, but in the approval of their conduct, that it can be legally competent to any Justice of the Peace by their sole mandate, or authority, to renew arrest and proceedings upon the same accusations, which have been previously dismissed by higher authority. Could such renewal of arrests, under such mandates, be sanctioned after the solemn rejection of the charges by the highest accusatory authority—the subordinate would become the superior power;—the same renewals of arrests might be repeated in endless succession, for the advancement of seditious and vindictive purposes, and a system of persecution would be established, under which no laws could long be enforced or Government subsist.

That your Petitioners, under the circumstances, humbly conceive themselves entitled to an absolute discharge from the aforesaid arrest, under the warrant aforesaid;—and thereupon humbly pray that your Honour will be pleased to award and grant a writ of Habeas Corpus, under the seal of the Court of King's Bench, directed to Benjamin Delisle, High Constable of the District of Montreal, at the City of Montreal, commanding him to bring before your Honour the bodies of your Petitioners, immediately to do and receive all those things which your Honour shall then and there consider of them in this behalf.

Montreal, 15th September, 1832.

(Signed) A. F. MACINTOSH, Lt. Col.  
(Signed) HENRY TEMPLE, Capt.

A true Copy.

(Signed) A. F. Macintosh, Lt. Col.

DISTRICT OF }  
MONTREAL. }

COURT OF KING'S BENCH HOLDING  
CRIMINAL JURISDICTION.

Monday, 27th August 1832.

PRESENT:

The Honble Chief Justice Reid.  
" " Mr. Justice Pyke.  
" " Mr. Justice Eolland.

The Coroner for this district, Jean Marie Mondelet, Esquire, presented to the Court, a report of his proceedings, upon a certain inquest held by him, to ascertain the cause of the death of François Languedoc, Pierre Billet and Casimir Chauvin, which was received and filed, whereupon the same was read, and it appearing that in consequence of the said Jury not having agreed as to their verdict, the said Coroner had adjourned the said inquest into this Court and taken recognizances of the persons composing the said Jury to appear this day. The said persons were thereupon called, viz:—Pierre Charles Dubois, Alexander Dewer, Louis Narcisse Roy, Grégoire Féré, James Mathers, Théodore Desautels, Frederick Glackmeyer, Edward Talon, François Desautels, Prudent Vinet, Augustin Perrault and Joseph Beauchamps, when Alexander Dewer, Théodore Desautels, Edward Talon, and Augustin Perrault, made default, but it appearing by the return of the said Coroner that since the said inquest and adjournment, one of the said absentees, namely Louis Narcisse Roy, had departed this life; so that no verdict could legally be now given by the said Jury. It is therefore considered that the said mentioned Jurors be discharged—and they were discharged accordingly.

A true Copy.

JOHN DELISLE,

Ck. Cr.

Recognizance.

Alexander McIntosh, entered into recognizance towards our Sovereign Lord the King in the sum of two hundred pounds, current money of this Province, Samuel Gerrard, of Montreal, Esquire, and William Caldwell of the same place, Surgeon, each in the sum of one hundred pounds like currency, for the personal appearance of him the said Alexander McIntosh in this Court, from day to day, during the sitting of the said Court, till discharged by due course of law.

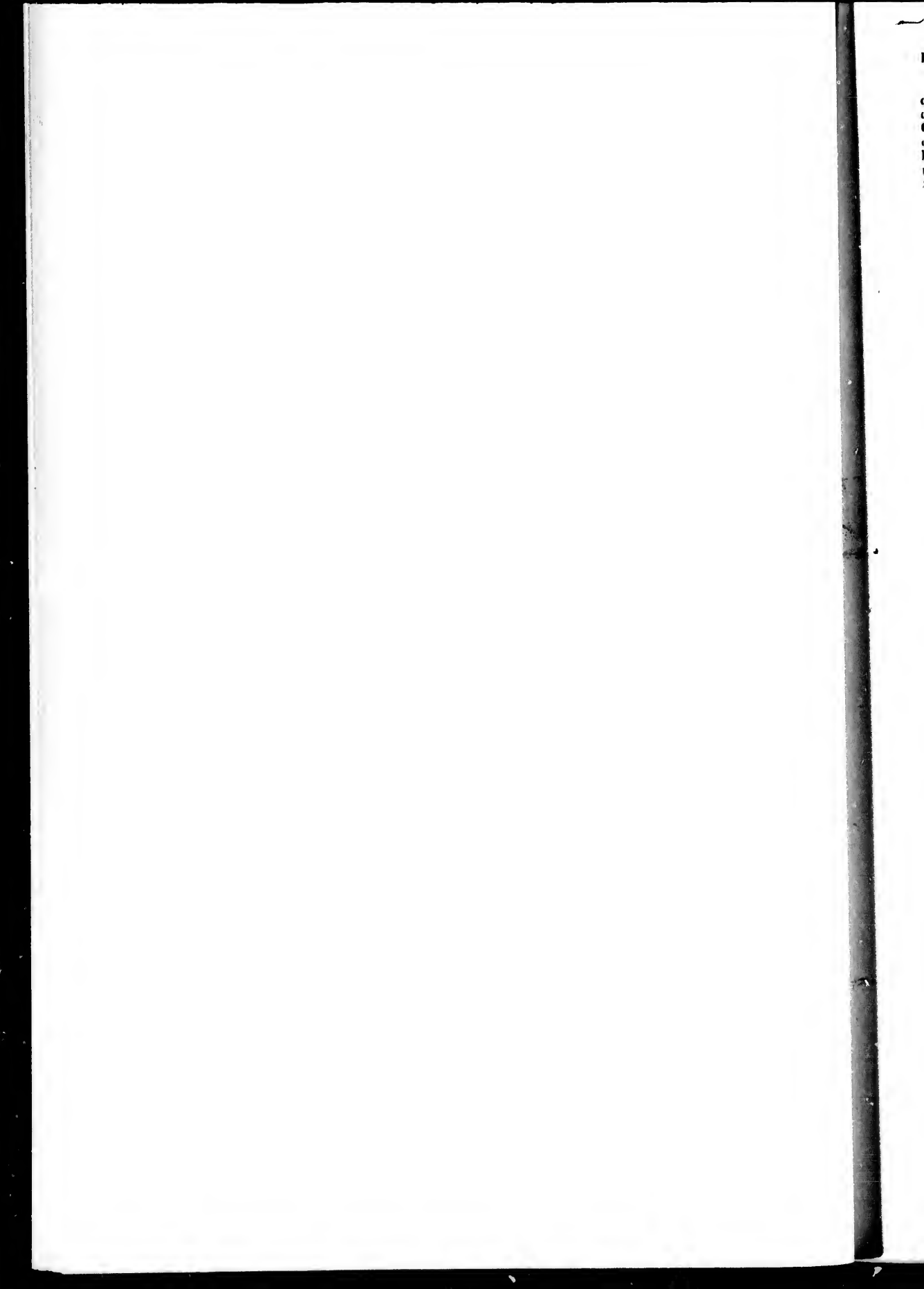
A true Copy.

JOHN DELISLE,

Ck. Cr.

Re.





**Recognizance.**

Henry Temple, entered into recognizance towards our Sovereign Lord the King in the sum of two hundred pounds, current money of this Province, Samuel Gerrard, of Montreal, Esquire, and William Caldwell of the same place, Surgeon, each in the sum of one hundred pounds, like currency, for the personal appearance of the said Henry Temple in this Court, from day to day during the sitting of the said Court, till discharged by due course of law.

A true Copy.

JOHN DELISLE,  
Ck. Cr.

**Witnesses Bound.**

Robert Armour, of Montreal, Edward E. Rodier, of the same place, Esquire, and Thomas Kollmeyer, of the same place, were severally bound by recognizance towards our Sovereign Lord the King, in the sum of fifty pounds, current money of this Province, for their personal appearance in this Court, from day to day, to give evidence on behalf of our Sovereign Lord the King.

A true Copy.

JOHN DELISLE,  
Ck. Cr.

DISTRICT OF }  
MONTREAL }

**COURT OF KING'S BENCH HOLDING  
CRIMINAL JURISDICTION.**

*Saturday, the 1st day of September 1832.*

**PRESENT :**

The Honble Chief Justice Reid.  
" " Mr. Justice Pyke.  
" " Mr. Justice Rolland.

The Grand Jury came into Court and presented the following Bills of Indictment, vizt :—

The King, vs. } William Robertson, Pierre Lukin, Alexander Fisher Macintosh and Henry Temple, }	Indictment for murder. No Bill.
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The King, vs. } William Robertson, Pierre Lukin, Alexander Fisher Macintosh and Henry Temple, }	Indictment for murder. No Bill.
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The King, vs. } William Robertson, Pierre Lukin, Alexander Fisher Macintosh and Henry Temple, }	Indictment for murder No Bill.
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*Representation of the Grand Jury, relative to Accusations against the Magistrates and Military, on the Occurrences of the 21st May, 1832.*

PROVINCE OF LOWER CANADA, }  
DISTRICT OF MONTREAL : }

At His Majesty's Court of King's Bench for the District of Montreal, begun and holden at the Court House, in the City of Montreal, for the cognizance of all Crimes and Criminal Offences, on Monday the twenty seventh day of August, in the third year of the Reign of our Sovereign Lord William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, before the Honorable James Reid, Esquire, Chief Justice of His Majesty's Court of King's Bench, for the District of Montreal; the Honorable, George Pyke and Jean Roch Rolland, Esquires, Justices of the said Court;

*Montreal to wit:—*The Jurors for our Lord the King, upon their oath, present : That an evil disposed person, (whose name to the Jurors aforesaid, is as yet unknown,) and William Robertson of the Parish of Montreal, in the County of Montreal, in the District of Montreal, Esquire, Pierre Lukin, of the same Parish, Esquire, Alexander Fisher Macintosh, of the same Parish, Esquire, and Henry Temple, of the same Parish, Esquire, not having the fear of God before their eyes, but being moved and seduced by the instigation of the devil, on the twenty first day of May, in the second year of the Reign of our Sovereign Lord William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, with force and arms at the Parish of Montreal, in the County of Montreal, in the District of Montreal, in and upon one François Languedoc, in the peace of God, and of our said Lord the King, then and there being, feloniously, wilfully and of their malice aforethought, did make an assault, and that the said person, (whose name to the Jurors aforesaid, is as yet unknown,) a certain gun of the value of ten shillings, then and there charged with gunpowder and a leaden bullet, which said gun the said person, (whose name to the Jurors aforesaid, is as yet unknown,) in both his hands then and there had and held at, and against the said François Languedoc, then and there feloniously, wilfully and of his malice aforethought, did shoot off and discharge, and that the said person (whose name to the Jurors aforesaid, is as yet unknown,) with the leaden bullet aforesaid, by means of shooting off and discharging the said gun so loaded, to, at and against the said François Languedoc, as aforesaid, did then and there feloniously, wilfully and of his malice aforethought, strike, penetrate and wound the said François Languedoc in and upon the right breast of him the said François Languedoc, then and there with the leaden bullet aforesaid, by means of shooting off and discharging the said gun so loaded, to at and against the said François Languedoc, and by such striking, penetrating and wounding the said François Languedoc as aforesaid, one mortal wound in and through the right breast of him the said François Languedoc, of which said mortal wound the said François Languedoc did then and there immediately die; and that the said William Robertson, Pierre Lukin, Alexander Fisher Macintosh and Henry Temple, then and there feloniously, wilfully and of their malice aforethought, were present, aiding, helping, abetting, comforting, assisting and maintaining the said person, (whose name to the Jurors aforesaid, is as yet unknown,) in the felony, and murder aforesaid, in the manner



manner and form aforesaid, to do and commit: And so the Jurors aforesaid upon their oath aforesaid, do say, that the said person (whose name to the Jurors aforesaid, is as yet unknown,) and the said William Robertson, Pierre Lukin, Alexander Fisher Macintosh, and Henry Temple, him the said François Langue doc in the manner and by the means aforesaid, feloniously, wilfully, and of their malice aforethought, did kill and murder against the peace of our said Lord the King, his Crown and dignity.

(Signed,) *Jno. Delisle*, Clk. Cr.

(Signed,) C. R. OGDEN,  
Sol. Genl.

A true copy.  
*Jno. Delisle*, Clk. Cr.

PROVINCE OF LOWER CANADA, }  
DISTRICT OF MONTREAL: }

At His Majesty's Court of King's Bench for the District of Montreal, begun and holden at the Court House in the City of Montreal, for the cognizance of all Crimes and Criminal Offences, on Monday the twenty seventh day of August, in the third year of the Reign of our Sovereign Lord William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, before the Honorable James Reid, Esquire, Chief Justice of His Majesty's Court of King's Bench for the District of Montreal; the Honorable George Pyke and Jean Roch Rolland, Esquires, Justices of the said Court.

*Montreal, to wit:*—The Jurors for our Lord the King, upon their oath, present: That an evil disposed person, (whose name to the Jurors aforesaid, is as yet unknown,) and William Robertson of the Parish of Montreal, in the County of Montreal, in the District of Montreal, Esquire, Pierre Lukin, of the same Parish, Esquire, Alexander Fisher Macintosh, of the same Parish, Esquire, and Henry Temple, of the same Parish, Esquire, not having the fear of God before their eyes, but being moved and seduced by the instigation of the devil, on the twenty first day of May, in the second year of the Reign of our Sovereign Lord William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King Defender of the Faith, with force and arms, at the Parish of Montreal, in the County of Montreal, in the District of Montreal, in and upon one Casimir Chauvin, in the peace of God, and of our said Lord the King, then and there being, feloniously, wilfully and of their malice aforethought, did make an assault, and that the said person (whose name to the Jurors aforesaid, is as yet unknown,) a certain gun of the value of ten shillings, then and there charged with gunpowder and a leaden bullet, which said gun the said person, (whose name to the Jurors aforesaid, is as yet unknown,) in both his hands, then and there had and held at, and against the said Casimir Chauvin, then and there feloniously, wilfully and of his malice aforethought, did shoot off and discharge, and that the said person, (whose name to the Jurors aforesaid, is as yet unknown,) with the leaden bullet aforesaid, by means of shooting off and discharging the said gun, so loaded, to and against the said Casimir Chauvin as aforesaid, did then and there feloniously, wilfully and of his malice aforethought, strike, penetrate and wound the said Casimir Chauvin in and upon the right side of

the head of him the said Casimir Chauvin, then and there with a leaden bullet aforesaid, by means of shooting off and discharging the said gun so loaded, to at, and against the said Casimir Chauvin, and by such striking, penetrating and wounding the said Casimir Chauvin as aforesaid, one mortal wound in and through the head of him the said Casimir Chauvin, of which said mortal wound, the said Casimir Chauvin, did, then and there immediately die, and that the said William Robertson, Pierre Lukin, Alexander Fisher Macintosh, and Henry Temple, then and there feloniously, wilfully and of their malice aforethought, were present, aiding, helping, abetting, comforting, assisting and maintaining the said person, (whose name to the Jurors aforesaid, is as yet unknown,) in the felony and murder aforesaid, in the manner and form aforesaid, to do and commit: And so the Jurors aforesaid, upon their oath aforesaid, do say, that the said person, (whose name to the Jurors aforesaid, is as yet unknown,) and the said William Robertson, Pierre Lukin, Alexander Fisher Macintosh, and Henry Temple, him the said Casimir Chauvin, in the manner, and by the means aforesaid, feloniously, wilfully and of their malice aforethought, did kill and murder, against the peace of our said Lord the King, his Crown and dignity.

(Signed,) *Jno. Delisle*, Clk. Cr.

(Signed,) C. R. OGDEN,  
Sol. Genl.

*Jno. Delisle*, Clk. Cr.

PROVINCE OF LOWER CANADA, }  
DISTRICT OF MONTREAL. }

At His Majesty's Court of King's Bench for the District of Montreal, for the cognizance of all crimes and criminal offences, on Monday, the twenty seventh day of August, in the third year of the Reign of our Sovereign Lord William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King Defender of the Faith—before the James Reid, Esquire, Chief Justice of His Majesty's Court of King's Bench for the District of Montreal, the Honorable George Pyke and Jean Roch Rolland, Esquires, Justices of the said Court.

*Montreal, to Wit:* The Jurors for our Lord the King upon their oath present; That an evil disposed person (whose name to the Jurors aforesaid is as yet unknown) and William Robertson, of the Parish of Montreal, in the County of Montreal, in the District of Montreal, Esquire, Pierre Lukin, of the same Parish, Esquire, Alexander Fisher Macintosh, of the same Parish, Esquire, and Henry Temple, of the same Parish, Esquire, not having the fear of God before their eyes, but being moved and seduced by the instigation of the devil, on the twenty first day of May, in the second year of the Reign of our Sovereign Lord William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King Defender of the Faith, with Force and Arms at the Parish of Montreal, in the County of Montreal, in the District of Montreal, in and upon one Pierre Bilet, in the peace of God and of our said Lord the King, then and there being feloniously, wilfully, and of their malice aforethought did make an assault, and that the said person, (whose name to the Jurors aforesaid is as yet unknown,) a certain gun of the value of ten shillings, then and there charged with

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with gun-powder and a leaden bullet, which said gun the said person (whose name to the Jurors aforesaid is as yet unknown) in both his hands then and there had and held at, and against the said Pierre Billet, then and there feloniously, wilfully, and of his malice aforethought, did shoot off and discharge, and that the said person (whose name to the Jurors aforesaid is as yet unknown) with the leaden bullet aforesaid, by means of shooting off and discharging the said gun so loaded to, at and against the said Pierre Billet as aforesaid, did then and there feloniously, wilfully and of his malice aforethought, strike, penetrate, and wound the said Pierre Billet in and upon the right side of the neck of him the said Pierre Billet then and there with a leaden bullet aforesaid, by means of shooting off and discharging the said gun so loaded to, at, and against the said Pierre Billet—And by such striking, penetrating, and wounding the said Pierre Billet as aforesaid, one mortal wound in and through the neck of him the said Pierre Billet, of which said mortal wound the said Pierre Billet did then and there immediately die; And that the said William Robertson, Pierre Lukin, Alexander Fisher Macintosh and Henry Temple, then and there feloniously, wilfully, and of their malice aforethought were present, aiding, helping, abetting, comforting, assisting and maintaining the said person (whose name to the said Jurors aforesaid is as yet unknown) in the felony and murder aforesaid, in the manner and form aforesaid, to do and commit; And so the Jurors aforesaid, upon their oath aforesaid, do say, that the said person (whose name to the Jurors aforesaid is as yet unknown) and the said William Robertson, Pierre Lukin, Alexander Fisher Macintosh and Henry Temple, him the said Pierre Billet in the manner, and by the means aforesaid, feloniously, wilfully, and of their malice aforethought, did kill and murder, against the peace of Our said Lord the King his Crown and dignity.

(Signed,) *John Delisle, Ck. Cr.*

(Signed,) *C. R. OGDEN,*  
Sol. Genl.

(A true Copy.)  
*John Delisle, Ck. Cr.*

PROVINCE OF LOWER CANADA, }  
DISTRICT OF MONTREAL. }

Joseph Roy, Esquire, one of the Justices of our Lord the King, assigned to keep the Peace within the said District;

To the High Constable, all other Constables, Peace Officers and others, the Ministers of our said Lord the King within the said District and to every of them, Greeting;

Whereas information hath been laid before me, upon oath, That on the twenty first day of May last, Alexander Fisher Macintosh, now or late of the City of Montreal, Esquire, and Henry Temple, now or late of the same place, Esquire, with divers soldiers and other persons, whose names are as yet unknown, wilfully, and of their malice aforethought, advanced upon and assaulted divers of His Majesty's subjects then being in St. James street, in the said City of Montreal, and in the peace of our Lord the King, and that divers of the said soldiers, whose names are as yet unknown, under the direction of the said Alexander Fisher Macintosh,

and Henry Temple, and commanded by them, feloniously, wilfully and of their malice, aforethought, shot off and discharged a number of fire-arms, loaded with powder and ball, at and against Casimir Chauvin, of the said City of Montreal, Printer, Pierre Billet, of the same place, Labourer, and François Languedoc, of the same place, Labourer, then and there being in the peace of our Lord the King, and thereby inflicted upon them several mortal wounds, of which the said Casimir Chauvin, Pierre Billet and François Languedoc, immediately afterwards died, and that the said Alexander Fisher Macintosh, and Henry Temple, then and there, feloniously, wilfully, and of their malice aforethought, were present, aiding, helping, abetting, assisting and maintaining the said soldiers, whose names are as yet unknown, in the doing and committing the felonies and murders aforesaid.

These are therefore to command and require you to take the said Alexander Fisher Macintosh, and Henry Temple, and bring them before me, to answer to the murders and felonies with which they stand charged as aforesaid, and to be further dealt according to Law.

Herein fail you not.

Given under my hand and seal at Montreal, this fourteenth day of September, in the third year of His Majesty's Reign.

(Signed,) *JH. ROY, J. P.*

(A true Copy.)

(Signed,) *Benj. Delisle,*  
High Constable,

(A true Copy.)  
*Jno. Delisle, Ck. Cr.*

PETITION of *Lt. Col. Macintosh and Captain Temple,*  
to the Chief Justice of the Court of King's Bench, at  
Montreal, praying for a Writ of Habeas Corpus,  
dated 15th September, 1832.

DISTRICT OF }  
MONTREAL. }

Alexander Fisher Macintosh, Lieutenant Colonel of His Majesty's 15th Regiment of Foot, and Commandant of the Troops in the Garrison of Montreal, and Henry Temple, Captain in the said Regiment, being duly sworn, do respectfully depose and say: That the allegations, matters and things contained in their joint Petition of this days date, praying for a Writ of Habeas Corpus, are in substance, to the best of their knowledge and belief, true and well founded in fact, which the Deponents conceive will be made appear by the Bills of Indictment and Documents on record, in the Office of the Clerk of the Crown, to which they pray reference.

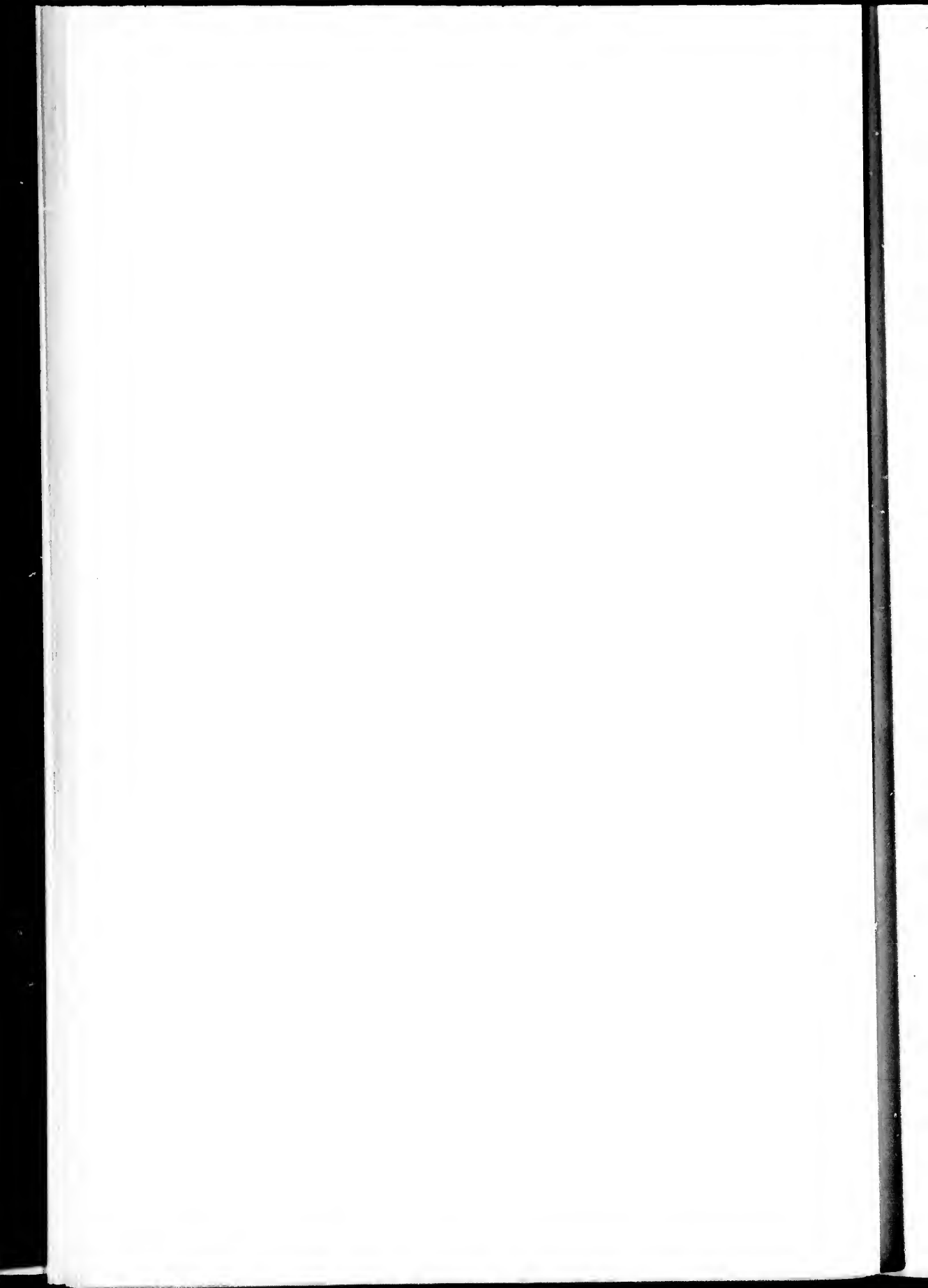
(Signed,) *A. F. MACINTOSH,*  
Lt. Colonel.  
*H. TEMPLE,*  
Captain.

Sworn before me, at Montreal,  
this 15th day of Sept. 1832.

(Signed,) *Jr. Reid, Ch. J. K. B.*

(A true Copy.)  
*J. Delisle, Ck. Cr.*

Montreal,



Montreal, 15th September 1832.

To Joseph Roy, Esquire, one of His Majesty's Justices of the Peace.

Sir,

The Judges of the Court of King's for this district, request that you will lay before them between this and Monday morning next, by ten o'clock, any depositions you may have taken or that may be in your possession, on which the warrant issued by you against Lieutenant of McIntosh and Captain Temple, of the 15th Regt. for murder, was grounded.

I have the honor to be,  
Sir,  
your most obedient and  
humble servant,

(Signed) JNO. DELISLE, Clk. Cr.

A true Copy.  
Jno. Delisle, Clk. Cr.

Montreal, 17th December 1832.

Sir,

I have the honor of acknowledging the reception of your letter of the 15th inst. whereby you inform me that the Judges of the Court of King's Bench, require me to transmit to them the affidavits upon which I issued a warrant against Lieutenant Colonel Macintosh and Captain Temple; I must observe to you that this warrant not having been executed, I do not conceive I ought to deliver up these documents, in as much as from the moment they will have been given, I will be charged with a duty of which I have not yet acquitted myself. So soon as this warrant shall be executed, I will hasten to transmit the affidavits in question.

I have the honor to be, &c.

(Signed) JH. ROY.

John Delisle, Ecuyer,  
Montreal.

A true Copy.  
Jno. Delisle, Clk. C.

DISTRICT OF } TO WIT: --  
MONREAL. }

[L. S.]

WILLIAM THE FOURTH, by the Grace of God,  
of the United Kingdom of Great Britain and Ireland  
King, Defender of the Faith,

To Benjamin Delisle, High Constable of the District  
of Montreal, Greeting:

We command you that the bodies of Alexander

Fisher McIntosh and Henry Temple, in your custody, as it is said detained, together with the day and cause of the capture and detention by whatsoever name they may be called in the same you have before the Honorable James Reid, our Chief Justice of our Court of our Bench, immediately after the receipt of this writ, to demand and receive what our said Chief Justice shall then and there consider concerning them in this behalf, and have you then and there this writ.

Witness the Honorable James Reid, our Chief Justice of our said Court, at Montreal, this fifteenth day of September, in the year of our Lord one thousand eight hundred and thirty two.

(Signed) JNO. DELISLE, Clk. Cr.  
True Copy.  
Jno. Delisle, Clk. Cr.

Of the warrant under which I have arrested and obtained the within named persons, I have herewith annexed a copy, and the said warrant is my sole authority for their arrest and detention, all which I do humbly certify and return, and also that I have their bodies here ready, as within I am commanded.

Montreal, 15th September 1832.

(Signed) BENJ DELISLE,  
High Constable.

True Copy.  
Jno. Delisle, Clk. Cr.

The within named Alexander Fisher McIntosh and Henry Temple, having been brought before us, the Honble. James Reid and George Pyke, Justices of the Court of King's Bench for the District of Montreal, by virtue of the within writ of Habeas Corpus, sued out in this behalf, and having heard the parties thereon and seen the proceedings had before the late Court of King's Bench, holding Criminal Jurisdiction in and for the said District, by which it appeared that Bills of Indictment had been presented against the said Alexander Fisher McIntosh and Henry Temple, to the Grand Jury of the said District, in that Court for the same offence and accusation as stated in the annexed return and warrant certified to us, which said Bills of Indictment had been ignored by that Grand Jury, & the said Alexander Fisher McIntosh and Henry Temple, had thereupon on the first day of September instant, been discharged by the said Court from that accusation.

We do hereby order and direct by and with the consent, and at the request of the Solicitor General appearing on behalf of the Crown, that the said Alexander Fisher McIntosh and Henry Temple, be forthwith liberated and discharged from their arrest under the aforesaid warrant without bail or main prize.

Montreal, 17th September, 1832.

(Signed) J. REID, Ch. J. K. B.  
GEO. PYKE, J. K. B.

True Copy.  
Jno. Delisle, Clk. C.



