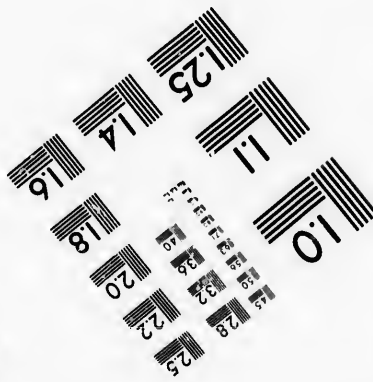
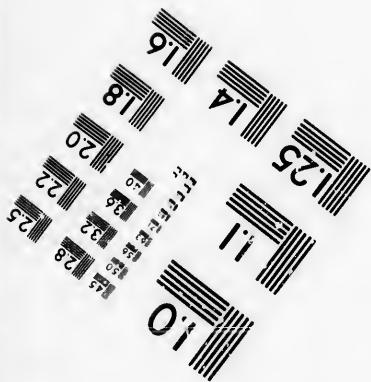
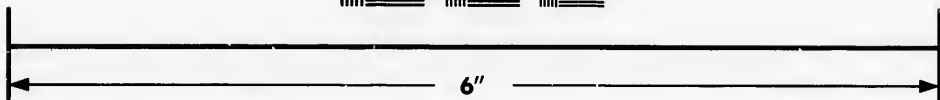
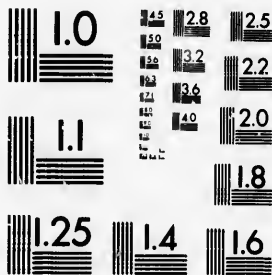


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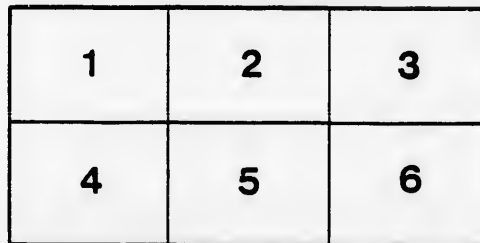
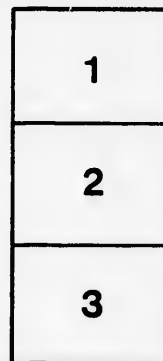
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## FOR PUBLIC INFORMATION.

**I**F my case was the first instance of abuse experienced of Judges belonging to the Courts of this Province, my impatience would be increased at any delay of being permitted to refer it to my country, in order to obtain substantial justice; and to shew the public what I am suffering without a shadow of reason given to justify the sentence under which I am deprived of my liberty, and refused the benefit of the *Habeas Corpus* Act; as appears by the disregard of my Memorials of the 16th and 23d *Ultimo*, to his honor the Chief Justice of the Province, who hath not condescended to give any answer, altho' it is impossible to conceive any reason for it, or to imagine that his compliance could be in the smallest degree derogatory of his dignity or inconsistent with his professional duty; being charged with the chief care to preserve the rights and tranquillity of the Public, or those feelings that humanity excites in the impartial Breast of a man desirous to imitate his God, by considering the meanest of his fellow creatures, not unworthy of regard and care; of which the Public will be enabled to Judge by publishing my said Memorials a copy of the attachment of my person, and copy of the interrogatories I was compelled

to answer by my adversaries, and the Sentence and warrant of commitment which they gave. By which it will appear that I am the only evidence examined to discover any matter they might turn to my disadvantage, and they made themselves, at same time, Judges and parties.

I am induced to take this mode to remove imposition, that has been practised on the public in various artful shapes to bewilder and divert their enquiries from the truth concerning me, about which much pains has been taken and by other oppression, than my confinement, endeavours to compel me by servile acquiescence to yield up the right and Liberty of my fellow Citizens.

I had wrote the foregoing when Mr. Young the keeper of the Common prison addressed me in a set of words that I could not comprehend any meaning from, except something doubtful, whether or not what he said was to be considered as a message from the Sheriff EDWARD WILLIAM GRAY Esqr. who I wrote to for certain information, if it should please him to favor me therewith in writing, to which he gave my servant (as he says) an angry verbal answer. That his *Master* knew very well what Mr. Young meant, and there was

no occasion to write him. About two hours after my servant brought me a word that he had met the Sheriff in the street in a Cabash, who stopped and told him he would call upon his master next day; but instead of his doing so I received from him the following Letter.

*Montreal 29th, August 1790.*

S I R.

“ The message I sent to you by Mr. Young was that the Chief Justice desired me to cause to be intimated to you, that you had made two very improper applications for a Habeas Corpus *by Letters* that you should apply to Counsel to be put into a right course no such correspondences were proper.”

“ I am Sir your humble Servant,  
“ (*Signed*) Edwd. Wm. GRAY.”

I declare I never had in my life wrote a Letter to the Chief Judge or wrote him on any subject other than my memorials of the 16th, and 23d, ultimo for a writ of Habeas Corpus, to relieve me from my confinement, and allow me an opportunity of appealing to my Country, in order to obtain strict and substantial Justice, not only in my own behalf, but in that of the whole



community. But if my application had even been by Letter, or otherwise defective in form, it ought not to deprive me of Justice, and the benefit of a Law, which Englishmen rates of the most importance, of any of those which governs and protects their society. It is intimated in Mr. Grays Letter that I should employ counsel, that is I suppose, that I ought to employ a Lawyer. Indeed I confess I should be exceedingly willing to do so, if I could have one that would do his duty and not betray me, and in such case, I should consider it not a hard tax neither on myself nor the public to be obliged to employ them in every business in Courts, altho' the parties were always capable of transacting for themselves, and should be desirous of seeing people live by their profession if they discharge their duty faithfully and not rapaciously and I consider myself capable of transacting my own business and am deterred by what I have seen my Brother suffer, to trust any one else.---But as the sentence which I am suffering under is an abuse of his Majestys Commission and an oppression that must make every one of the public tremble for their safety, I consider it the duty of his Majestys Attorney general to prosecute as the Law directs in such case to

obtain satisfaction and redress for the public; and he has been accordingly amply informed which ought to be considered as having complied with the directions of the Chief Judge intimated to me by Letter from Edward William Gray Esqr. as above mentioned.---The Attorney General's answer and resolution will appear in my third memorial annexed; addressed to his Honor the Chief Judge dated 4th Instant.

THOMAS TAYLOR.

*Montreal, 11th September, 1790.*

*District of } Edward William Gray, Esqr.  
Montreal } Sheriff of the said District.*

To Jacob Marston and all and every my Deputies Bailiffs or Huiffiers for the said District GREETING. By virtue of his Majesty's writ of attachment, to me directed, I do hereby authorize and command you that you attach Thomas Taylor, Angus M'Donald and Louis Chaboiller, Notary public, of Montreal, so that I may have their bodies before the Judges of His Majesty's Court of Common Pleas, at the Court-House in the town of Montreal, on saturday the fourteenth day of August instant, to answer our Sovereign Lord the King of and upon such things as on his Majesty's behalf shall then and there be objected against them; and how this my warrant shall be executed you shall make

known unto me immediately after you shall have executed the same; hereof fail not; this is your warrant. Given under my hand and the seal of my Office, dated the thirteenth day of August one thousand seven hundred and ninety.

( Signed )

EDW. WM. GRAY, Sheriff.

A true copy from the original which I have by virtue thereof attached Mr. Thomas Taylor's body and am in pursuit of the others Mr. Angus M'Donald and Louis Chaboiller, and which I had no copy furnished me of the original by Edward William Gray, Esq: Sheriff to furnish the said Thomas Taylor with.

( Signed )

J. MARSTON, Bailliff.

—————  
DISTRICT of } Court of Common Pleas, Saturday,  
MONTREAL. } 14th. August 1790.

P R E S E N T

The Hon. { JOHN FRASER, } Esq:  
          { HERTEL DE ROUVILLE, }

On an attachment issued against Thomas Taylor of Montreal, Merchant to answer upon oath to certain interrogatories to be exhibited against him for a contempt of the persons of the Judges of this Court, in delivering to them a certain paper

writing signed Wm. Taylor, tending to create in the minds of his Majesty's subjects a disregard of their authority.—The Sheriff returned the writ and brought up the body as in and by the said writ it was commanded him.—Whereupon the Court exhibited to the said Thomas Taylor the following interrogatories.

Interrogatories to be administered to Thomas Taylor in his Majesty's Court of Common Pleas concerning a contempt supposed to have been committed by him against the said Court.

1st. Did you, on the first day of July, last leave at the house of Mr. Frazer, one of the Judges of this Court, to be delivered to him, the paper now exhibited to you, signed Wm. Taylor, marked A. declare the truth of all and every the matter inquired of this interrogatory.

2d. Did you on the same day deliver such an other paper, to Mr. de Rouville one of the Judges of this Court, at this house declare &c.

3d. Did you know the contents of each of the said papers, declare &c.

4th. Did you on, the said first day of July last, deliver to the Clerk of this Court during the setting of the Court, the letter now shewn to you marked B. declare &c.

5th. Look at the letter now shewn to you, do you know in whose handwriting it is, and did you know the contents of the said letter and that there was a paper inclosed in it, and did you know the contents of that paper declare &c.

The said Thomas Taylor being duly sworn to declare the truth of all and every the matters

inquired of by the said interrogatories, answers as follows viz:

*Answers to the first and second interrogatories.*

I did leave this paper or such a one at the house of Mr. Judge Frazer; with his servant to be delivered to him on the first day of July last; and I delivered another paper of the same tenor on the same day to Mr. Judge Rouville. All this I did by the order of William Taylor my Brother.

*Answers to the third interrogatory.*

I read both these papers over before I delivered them.

*Answers to the fourth interrogatory.*

I did not deliver this letter to the Clerk of the Court nor do I know by whom it was delivered to him.

*Answers to the fifth interrogatory.*

It is in the hand writing of Angus M'donald.— I do not recollect at this moment to have seen this very letter, I do however remember to have seen a copy of it or of such a one at my house.

David Ross Gentleman, Clerk to Arthur Davidson, Esquire, Barrister at law, being sworn to declare the truth of all and every the matters enquired of him by INTERROGATORY, answers as follows viz.

*Interrogatory.*

Look at the letter now exhibited to you marked B. addressed to John Reid, Esquire, Clerk of this Court, did you deliver the said letter to him on the

the first day of July last, and if you did from whom did you receive it: declare &c.

*Answers.*

I did deliver or hand this Letter to Mr. Reid, at the table in Court some day last term; I cannot now particularly recollect whither it was on the first day of July or not. I received the said letter from a woman in Court meanly dressed:

The Court having examined and fully understood all and singular the premises and mature deliberation being had thereon, it is considered that the said Thomas Taylor is convicted of a contempt of this Court, by publishing and delivering to the Judges thereof writings highly derogatory to them in their judicial capacity and which demonstrates a gross want of that respect and authority which is so necessary to be preserved in all Courts of judicature.—The judgment of this Court therefore is, that the said Thomas Taylor be remanded into the custody of the Sheriff, and that he be imprisoned in the common Jail of this district for the space of one calendar month from this date.—And the keeper of the said Jail is hereby ordered to receive into his custody and confine in the said Jail the said Thomas Taylor during the period aforesaid.

By the Court,

( Signed )

J. REID, Ck.

Copy 3/6.

To the Honorable WILLIAM SMITH, Esquire,  
Chief Justice of the Province of Quebec &c.

May it please Your Honor.

The Memorial of THOMAS TAYLOR of the City of Montreal,  
Merchant, humbly Sheweth.

**T**HAT at the instance and request of William Taylor his brother, Merchant of the same place, who considered himself agrieved, as appears by the annexed challenge or exception of the Honorable Judges John Frazer, Esq: and Hertel de Rouville, Esq: Judges of the Court of Common Pleas for the District of Montreal, your Memorialist went to the dwellings of the said Judges and served them with notice as appears likewise by the oath of Angus M'Donald thereat; for this Act he is under sentence by the same Judges of one callendar month's confinement, as appears by the annexed copy thereof certified by the Jailer George Young no other being allowed as appears by the oath of Angus M'Donald annexed likewise; that in consequence of the said sentence your Memorialist is confined in the common prison amongst the criminals in an horid noxious and unhealthful situation by which his life may be in great danger and his interests of great importance to him and those of his helpless brother by the loss of sight and in an ill state of health suffers great injury, by your Memorialists being deprived of is liberty; and the comfort of visitation by his friends except such as condescend to the trouble

of applying for the Sheriff's pass for admittance into the Jail. Wherefore as there is no Judges beside the before mentioned in this City to apply to for immediate relief conformable to the statute 31 C. 2. he humbly addresses himself to your Honor at your distant residence for your interposition by authority to entitle him to Bail for his appearance before the Court of Kings Bench, first ensuing in order that he may there have justice done him in the premises.—And your Memorialist shall ever pray as in duty bound &c.

THOMAS TAYLOR.

*Montreal, 16th August, 1790.*

---

*To the Honorable WILLIAM SMITH, Esq:  
Chief Justice of the Province of Quebec.*

The Memorial of THOMAS TAYLOR, of the City of Montreal,  
Merchant humbly Sheweth.

**T**HAT whereas by Memorial under date the 16th instant representing to your Honor the injured situation of your Memorialist by description far short of what his interests and person suffer under his unprecedented confinement in the common Jail amongst criminals, under restriction that perhaps even these are not subjected to, which is being denied the permission of comfort from the visitation of friends except such as can obtain passes for admittance from the Sheriff; for a supposed contempt of Court as was explained by the documents accompanying it; praying relief



upon Bail given for his appearance before the Court of King's Bench to have ample justice in the premises determined by his country.

And whereas no answer has been received your Memorialist is in duty bound in justice to himself and to the community at large for the purpose of ascertaining their rights and their liberty, safety of their persons, and security of their property from being disposed of at the will of arbitrary Judges to reiterate his said Memorial praying for such answer as may direct your Memorialist to obtain relief.—That however much your Memorialist is at a loss to conjecture the reason of his not having any answer, he is little inclined to impute it to so trivial occasion as the want of formality from a person of whom it cannot be expected he should be acquainted minutely with law forms and precedents ; any defect of which ought not to impede or delay ample and strict justice.

Your honor being pleased to condescend to comply with the humble request, your Memorialist will be in duty bound to pray &c.

THOMAS TAYLOR.

*Montreal, 23d August 1790.*

*To the Honorable WILLIAM SMITH, Esq: Chief  
Justice of the Province of Quebec.*

The Memorial of THOMAS TAYLOR, of the City of Montreal,  
Merchant humbly Sheweth.

**T**HAT notwithstanding Memorials of 16th and pr. 23d ultimo addressed to your honor, and having followed your Honor's direction as intimated in Edward William Gray, Esquire's letter on the 29:h ultimo to your Memorialist, agreeably thereto considering his Majesty's Attorney General the most proper counsel to take he was applied to, but he declined interfering officially because he said he did not consider himself obliged on the public's behalf, when men in such high office as these Judges complained of are interested, that it had never been his practice, to do, so, unless ordered by the Governor, or after application to Government, he should have its sanction for the prosecution of any executive Officer, except petty officers such as in cases of misdemeanours of common Justices of the peace, and if Memorialist's case was considered in the light of a dispute of individual nature he the Attorney General might if he chose be employed in it, but that he never was desirous of engaging in opposition to parties of such consequence in the employment of Government as these Judges are, he therefore he said declined giving any counsel in this matter unless application was made to the Governor or the Legislator; and that he should be thereby commanded, that he did not conceive

it even in the power of the Chief Judge to compel him, or that the Chief Judge could interfere in the matter any more than himself without the authority he mentioned; although he must admit he said that the matter might come before the Court of Kings Bench by presentment of the Grand Jury.

In reply to the Attorney General he was told, that the complaint was a public grievance being an abuse of his Majestys commission in contempt of the law which should preserve the tranquillity of all his Majestys subjects; and that the said Judges should be proceeded against on indictment therefore.

Your Memorialist is still suffering under confinement in the common Jail as hath been already set forth for want of being allowed the benefit of his Majestys remedial writ of Habeas Corpus as was prayed for in his said Memorials of the 16th and 23d ultimo on his giving bail for his appearance at the first ensuing Court of Kings Bench, in order to have strict justice in the premises according to law determined by his country; which prayer he humbly now again reiterates and by your Honors acquiescence your Memorialist will ever be in duty bound to pray, &c. &c.

THOMAS TAYLOR.

*Montreal, 4th September, 1790.*

N. B. On Saturday afternoon the 4th instant, the Chief Judge arrived in this City to hold the Court of King's Bench commencing Monday the 6th instant he was instantly presented with my

third Memorial; and gave for answer he would look into the matter it but was then engaged.

And in consequence of my infirm brothers impatience for my enlargement he sent him the following card accompanied by two gentlemen, who finding that his Honor the Chief Judge was engaged with Mr. Thomas Walker and some others thought proper to consult me about the delivering of it then; considering it was so late in the evening it might be given as a reason for delay I concluded to post-pone until Monday when it was delivered about Eight o'Clock in the morning, and a verbal answer given thereupon, that Mr. Taylor must employ counsel or Lawyer to be put on the right course.

Altho' my three Memorials for the benefit of his Majestys remedial writ of Habeas Corpus has been regarded as letters, and informal, and therefore I have been refused my reiterated prayer notwithstanding I can produce a late instance of a writ of Habeas Corpus being obtained on the verbal application of a friend.

Mr. William Taylor presents his most respectful compliments to his Honor the Chief Judge, first apologising for that his infirmities renders it impossible to wait upon his Honor, to solicit his taking into consideration the Memorials of Thomas Taylor and to obtain his liberty on giving Bail if his case requires it.—The length of time and situation of his confinement his sufferings thereby and his infirm brothers occasion for his assistance; and his Honors humanity will please excuse for this pressing application, which Bail accompanies to be given if necessary.

*Montreal, 4th September, 1790.*

