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J. C. Sullivan

MINUTES OF PROCEEDINGS

OF THE

COUNTY OF LOTBINIERE ELECTION COMMITTEE.

MINUTE OF THE PROCEEDINGS

OF THE

COUNTY OF LOTBINIERE ELECTION COMMITTEE.

1st. SESSION, 5th PARLIAMENT, 1854.

LEGISLATIVE ASSEMBLY,
Committee Room.

The Select Committee appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the County of Lotbinière, and the Petition referred to them by the House relating to the said Election, met, pursuant to an Order from the House, on Friday 27th October, 1854.

PRESENT :

JOSEPH CAUCHON, Esquire,
(*Chairman.*)
Mr. Gill,
Mr. Taché,
Mr. Mattice,
Mr. Meagher.

The Petition of Joseph Laurin, Esquire, and others, was read.

Ordered,—That the sitting Member and the Petitioner Joseph Laurin, Esquire, be notified to appear before the Committee, at $\frac{1}{2}$ past 10 o'clock to morrow morning.

At 11 o'clock A. M. the Committee adjourned until $\frac{1}{2}$ past 10 o'clock A. M. on Saturday the 28th instant.

Saturday, 28th October, 1854.

The Committee met this morning at ten minutes to 11 o'clock A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
(*Chairman.*)
Mr. Gill,
Mr. Taché,
Mr. Mattice,
Mr. Meagher,

The sitting Member John O'Farrell, Esquire, and the Petitioner, Joseph Laurin, Esquire, appeared before the Committee, pursuant to the Order of yesterday.

Mr. Taché moved and it was resolved unanimously,—That this Committee do now proceed separately upon that head of the Petition, which relates to the qualification of the sitting Member.

At 12 o'clock, the Committee adjourned until Monday next at 10 o'clock, A.M.

Monday, 30th October, 1854.

The Committee met this day at 11 o'clock, A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
(*Chairman.*)

Mr. Gill,
Mr. Taché,
Mr. Mattice,
Mr. Meagher,

At noon the Committee adjourned till to morrow at 10 o'clock, A. M.

Tuesday, 31st October, 1854.

The Committee met this day at 11 o'clock, A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
(*Chairman.*)

Mr. Gill,
Mr. Taché,
Mr. Mattice,
Mr. Meagher,

Mr. Taché moved, That the allegations mentioned in the Petition, comprise the whole question of the qualification of the sitting Member, and that the parties be notified to appear in order to proceed to the evidence.

Mr. Cauchon moved in amendment,—That all words after the word "That" in Mr. Taché's motion be struck out and the following inserted in their stead, "the Petitioner not having alleged in his Petition, that Mr. O'Farrell the sitting Member was not in possession of the property upon which he was qualified at the last Election of the County of Lotbinière, cannot be admitted to bring proof on that head.

Which being put the vote, the amendment was carried.

Yeas.
Messrs. Cauchon,
" Gill,
" Mattice.

Nays.
Messrs. Taché,
" Meagher.

At noon the Committee adjourned until Thursday next at 10 o'clock, A. M., to-morrow being a Statutory Holiday.

Thursday, 2nd November, 1854.

The Committee met this day at 11 o'clock, A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
(*Chairman.*)

Mr Gill,
Mr. Taché,
Mr. Mattice,
Mr. Meagher,

The Committee adjourned till to morrow at half past 10 o'clock, A. M.

Friday, 3rd November 1854.

The Committee met this day at $\frac{1}{2}$ past 11 o'clock, A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
(Chairman.)

Mr. Gill,
Mr. Taché,
Mr. Mattice,
Mr. Meagher.

Mr. Taché moved to resolve, "That, inasmuch as the Petitioner is willing to adduce evidence as to his qualification to be a seated Member, by producing his titles, and as long as the sitting Member admits that the Petitioner was a Candidate, but denies his qualification to be seated, it be ordered that the Petitioner do produce the titles of his properties before this Committee, before the sitting Member enters into recriminatory evidence against the qualification of the Petitioner to be seated, if he chooses so to do."

Mr. Cauchon moved, in amendment, "That all the words after the word *That* in Mr. Taché's motion be struck out, and the following inserted in their stead.

1stly. Mr. O'Farrell has admitted that Mr. Laurin was a Candidate at the last Election for the County of Lotbinière.

2diy. That Mr. Laurin be ordered to produce the titles of the properties upon which he was qualified.

Which being put to the vote, the amendment was carried.

Yeas :
Messrs. Cauchon,
Gill,
Meagher,
Mattice.

Nay :
Mr. Taché.

Mr. Gill moved, and it was unanimously resolved,—That leave be asked from the House to adjourn the Committee on the Contested Election of Lotbinière until Thursday the ninth day of November instant, at half past ten o'clock in the morning, as the Petitioner asks for delay to procure evidence. At $\frac{1}{4}$ past 1 P. M. the Committee adjourned till this afternoon at half past three.

$3\frac{1}{2}$ o'clock P., M.

The Committee met this afternoon pursuant to adjournment.

PRESENT :

JOSEPH CAUCHON, Esquire,
(Chairman.)

Mr. Gill,
Mr. Taché,
Mr. Mattice,
Mr. Meagher.

Mr. Taché moved and it was unanimously resolved,—That this Committee do stand adjourned until Thursday the ninth of November instant, at half past ten o'clock, A. M.

Thursday, 9th November, 1854.

The Committee met this day at 11 o'clock A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
(*Chairman.*)

Mr. Gill,
Mr. Taché,
Mr. Mattice,
Mr. Meagher.

Mr. Laurin the Petitioner produced the titles of his properties in accordance with the order from the Committee.

The Committee, at half past eleven, adjourned till to-morrow at half past ten o'clock A. M.

Friday, 10th November, 1854.

The Committee met this day at twenty minutes past eleven o'clock, A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
(*Chairman.*)

Mr. Gill,
Mr. Taché,
Mr. Mattice,
Mr. Meagher.

Ordered,—That at the request of the sitting Member and with the consent of the Petitioner, a delay of four days be granted to the sitting Member to examine the titles produced.

The Committee then adjourned till to-morrow at half past ten o'clock, A. M.

Saturday, 11th November, 1854.

The Committee met this day at half past eleven o'clock A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
(*Chairman.*)

Mr. Gill,
Mr. Taché,
Mr. Mattice,
Mr. Meagher.

The Committee then adjourned till Monday at half past ten o'clock A. M.

Monday, 13th November.

The Committee met this morning at half past eleven o'clock A. M.

PRESENT:

JOSEPH CAUCHON, Esquire,
(*Chairman.*)

Mr. Taché,
Mr. Gill,
Mr. Mattice,
Mr. Meagher.

The Committee adjourned till to-morrow at half past ten o'clock A. M.

Tuesday, 14th November, 1854.

The Committee met at twenty minutes after eleven o'clock A. M.

PRESENT:

JOSEPH CAUCHON, Esquire,
(*Chairman.*)

Mr Taché,
Mr. Gill,
Mr. Mattice,
Mr. Meagher.

The sitting Member, having examined the titles of the property, filed by Mr. Laurin the Petitioner, contended that there being dower on the property on which is the qualification, the qualification was not good.

Mr. Taché moved "That no evidence or argumentation are to go on recriminatory evidence at the actual stage of the proceedings on the general matter of the controverted election; except so far as already entered into by the production of titles, by consent of the Petitioner, in as much as the Petitioner is admitted by the sitting Member to have been a candidate at the election now controverted."

Mr. Cauchon moved in amendment; That all the words after "That," in the said motion, be struck out and the following be inserted in their stead; "the Committee having ordered Mr. Laurin to produce the titles of the properties, upon which he was qualified, has admitted the right of the sitting Member to contest the qualification of the Petitioner"

Whereupon the Committee divided, and the yeas and the nays were as follow:

Yeas:
Messrs. Cauchon,
Mattice,
Gill,
Meagher.

Nay:
Mr. Taché.

So the main motion as amended was carried.

The Committee then adjourned until to-morrow at half past ten o'clock A. M.

Wednesday, 15th November, 1854.

The Committee met this day, at half past eleven o'clock A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
(*Chairman.*)

Mr. Taché,
Mr. Gill,
Mr. Mattice,
Mr. Meagher.

Mr. Cauchon moved, and it was resolved unanimously,—That the dower stipulated in the contract of marriage of the Petitioner, in favor of his wife, does not affect the property upon which he was qualified.

The sitting Member declares that he does not contest the property qualification of the petitioner, owing to the Resolution come to by the Committee this day, on the subject of the dower.

The sitting Member declares that he intends entering into recriminatory evidence as to the disqualification of the Petitioner, on the score of bribery and corrupt practices, and requests the issue of a Commission for that purpose.

Mr. Taché moved to resolve :

1st. " That the admission of the sitting Member that the Petitioner was a Candidate at the last Election for Lotbinière, establishes the right on the part of the Petitioner to proceed at once with the merits of the allegations of his petition."

2nd. " That the request on the part of the sitting Member to enter provisionally into recriminatory evidence, is anticipated."

3rd. " That the sitting Member will have the right to enter into the proof of ineligibility of the Petitioner, when the Committee shall have decided the merits, in the first place, of the petition ; until then, the Petitioner claims the seat of the sitting Member."

The Committee then adjourned till half-past ten o'clock, A. M., to-morrow.

Thursday, 16th November 1854.

The Committee met this day, at twenty minutes past 11 o'clock, A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
(*Chairman.*)

Mr. Mattice,
Mr. Taché,
Mr. Gill,
Mr. Meagher.

The discussion on Mr. Taché's Resolutions was continued until to-morrow. The Committee then adjourned till to-morrow, at half-past 10 o'clock, A. M.

Friday, 17th November, 1854.

The Committee met this day at half-past 11 o'clock, A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
(Chairman.)

Mr. Taché,
Mr. Mattice.
Mr. Gill,
Mr. Meagher.

The Committee took up the discussion on Mr. Taché's Resolutions.

Mr. Cauchon moved in amendment,—That all the words after "That" be struck out in the said Resolutions, and the following inserted in their stead.

"This Committee still adhere to their former decision, that the sitting Member may control the ineligibility of the Petitioner, before being forced to enter into the question of his own qualification and right to his seat in the House."

And upon division, the amendment was carried.

Yeas :
Messrs. Cauchon,
Mattice,
Gill.

Nays :
Messrs. Taché,
Meagher.

The Committee took into consideration the sitting Member's application for a Commission to enquire into the disqualification of the Petitioner, on the score of bribery, and after a deliberation, postponed the decision until to-morrow.

The Committee then adjourned till to-morrow, at half-past 8 o'clock, A. M.

The Committee met this day at half-past 9, A. M.

Saturday, 18th November, 1854.

PRESENT :

JOSEPH CAUCHON, Esquire,
(Chairman.)

Mr. Mattice,
Mr. Gill,
Mr. Taché,
Mr. Meagher.

Mr. Mattice moved, and it was unanimously Resolved :

"That the sitting Member be ordered to furnish on Monday the names of his witnesses to prove the bribery and corrupt practices of which he accuses the Petitioner."

The Committee then adjourned till Monday at half-past 9 A. M.

Monday, 20th November, 1854.

The Committee met this day at 10½ o'clock, A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
(*Chairman.*)

Mr. Mattice,
Mr. Gill,
Mr. Taché,
Mr. Meagher.

On motion of Mr. Gill, it was unanimously, resolved ;—That a further delay of twenty-four hours be granted to Mr. O'Farrell to furnish the names of his witnesses to prove the bribery and corrupt practices of which he accuses the Petitioner.

The Committee then adjourned till to-morrow at 10½ o'clock, A. M.

Tuesday, 21st November, 1854.

The Committee met this day, at half-past 11 A.M., pursuant to adjournment.

PRESENT :

JOSEPH CAUCHON, Esquire,
(*Chairman.*)

Mr. Mattice,
Mr. Tache,
Mr. Gill,
Mr. Meagher

The sitting Member furnished the names of witnesses, pursuant to order of Committee, and made application for further delay till Monday, the 28th November instant, to complete the list of witnesses, which application was taken into consideration.

Mr. Mattice moved, and it was unanimously Resolved,

“ That the Reverend James Nelligan and Felix Fortier, Esq., be summoned to appear before this Committee to-morrow, at half-past ten o'clock, A.M., to give evidence.” The Committee then adjourned until to-morrow, at half-past ten A.M.

Wednesday, 22nd November, 1854.

The Committee met this day, at twenty minutes past 11 o'clock, A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
(*Chairman.*)

Mr. Mattice,
Mr. Gill,
Mr. Taché,
Mr. Meagher.

Ordered That the Rev. James Nelligan and Felix Fortier, Esq., C. C. C., be summoned a second time to appear before this Committee to give evidence.

The Committee then adjourned till to-morrow at 10½ A. M.

Thursday, 23rd November, 1854.

The Committee met this day at twenty minutes past 11 o'clock, A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
(Chairman.)

Mr. Mattice,
Mr. Gill,
Mr. Taché,
Mr. Meagher.

Felix Fortier, Esq., Clerk of the Crown in Chancery, appeared before the Committee, and produced the writ and return for the County of Lotbinière, at the last general election, together with the poll-books, nine in number, as also the protest of Daniel Byrne and others, and the qualifications of Mr. O'Farrell and Mr. Laurin.

Felix Fortier, Esq., Clerk of the Crown in Chancery, being sworn, did depose and say.

I now produce the protest which I have received from the Returning Officer for the County of Lotbinière, at the last general election, with the other papers concerning the election of Lotbinière, to wit: the writ and return, the qualifications of Mr. Laurin and Mr. O'Farrell, and the poll-books, nine in number.

Ques.—Are you certain of the authenticity of the said document?—All I can say is this, that the said document was transmitted to me with the other papers, but I cannot say if it is authentic, and if the signatures at the foot of the said document are authentic, not knowing them,—I know nothing else about the said document, concerning the signatures.

Ques.—Can you say by whom the body of the protest was written?—To the best of my knowledge it is the Petitioner's (Mr. Laurin's) writing.

Ques.—Can you state by whom, to the best of your knowledge and belief, the signature, "Daniel Byrne, N. P.," was written?—I have seen Mr. Byrne's signature. The one at the bottom of the protest, of the twenty-sixth of July, one thousand eight hundred and fifty-four, by me produced to the Committee (and erased by two lines) is, to the best of my knowledge, the signature of Mr. Byrne the Notary, who used to reside at St. Sylvester.

The Rev. James Nelligan of the City of Quebec, a witness summoned before the Committee, having affirmed, did depose and say.

Ques.—Is that Mr. Laurin's writing in the body of the protest?—I do not know enough of Mr. Laurin's writing to say whether it is his writing or not.

Ques.—Whose is the signature, "Daniel Byrne, N. P.," (erased by two lines) to be found at the bottom of the said protest?—To the best of my knowledge, it is the signature of Mr. Daniel Byrne, of St. Sylvester, Notary.

Ques.—Is the signature of Laurent Paquet, of St. Sylvester, J. P. known to you?—I can not say positively, though I have seen his writing.

Ques.—State, to the best of your knowledge and belief, whose is the signature, "Laurent Paquet, J. P.," at the foot of the said protest?—My impression, and that impression is vague, is, that it is the signature of Mr. Laurent Paquet, of St. Sylvester, farmer. This Mr. Paquet is also, I believe, a Justice of the Peace, and resides on the Craig road.

Ordered, that F. Lemieux, Esq., M. P. P., and H. N. Delaire, of Point Levi, Esquire, J. P., be summoned to appear before this Committee, to-morrow, at 10½ o'clock, A. M. to give evidence.

Mr. Laurin admitted the following fact:—That the body of the protest was written by him, at St. Antoine, and also, that the signatures, "Daniel Byrne"

(erased by two lines) at the bottom of the protest, "Laurent Paquet, J. P." and "L. N. Grénier, J. P.," also at the bottom of the said protest, are the signatures respectively of Daniel Byrne, of St. Sylvester, Notary, of Laurent Paquet, of St. Sylvester, farmer, and of Louis Urbain Grénier, of Lotbinière, Physician.

The Committee then adjourned, till to-morrow at 10½, A. M.

Friday, 24th November, 1854.

The Committee met this day at half-past 11 o'clock, A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
(*Chairman.*)

Mr. Mattice,
Mr. Gill,
Mr. Taché,
Mr. Maegher.

Etienne Dallaire, Esquire, of Point Levi, J. P., appeared before the Committee after having been duly sworn did depose and say:—I am the father-in-law of the Petitioner. I remember the late election for Lotbinière. I went to St. Croix in the County of Lotbinière on the day of the nomination of the Candidates. I went to St. Sylvester on a Sunday about eight days before the election. Mr. Laurin my son-in-law was with me. When we arrived there, Mr. Laurin addressed the people at the church door. I have no knowledge of any person having addressed the people on the same day in favor of Mr. Laurin at the church door. Mr. Byrne did not speak on that Sunday. I enquired at the church door if he were there and was told that he was not. I do not recollect having spoken to Mr. Laurent Paquet. I do not remember Mr. Laurin having spoken either to Mr. Byrne or Mr. Paquet. Mr. Laurin told me that he had friends at St. Sylvester, but I do not recollect his having named any one. I do not remember Mr. Laurin having said that he had written to Mr. Byrne. We were at St. Croix on the day of the nomination. Mr. Lemieux, M. P. P., was there also. We there met Dr. Grenier of St. Louis de Lotbinière, as also Mr. Goudreault, Notary, of St. Jean Deschaillans. I remember that the Petitioner had a conversation respecting the election with Messrs. Goudreault and Grenier at Mr. Demers' house at St. Croix, where we boarded. This conversation was not restricted to the Petitioner and the two gentlemen I have mentioned. It was general and between Mr. Laurin's principal friends who were there present. I think I recollect that Dr. Grenier told Mr. Laurin that he thought he would get the majority of the votes in Lotbinière. I do not recollect whether Dr. Grenier on that occasion said that he would take an active part in the election. He, however, appeared to me to take an interest in it. I have no knowledge of Mr. Laurin's having forbidden Dr. Grenier to meddle in it. I think that the Petitioner was not displeased at having Dr. Grenier's influence. I remember that on that occasion Mr. Goudreault the Notary said that he would take part in it or that he would interest himself on behalf of the Petitioner. The Petitioner did not tell Dr. Goudreault not to interest himself for him. No account was sent either to Mr. Laurin or to myself to my knowledge. One day, about a month after that time, I received a letter from Dr. Grenier in which he asked me to lend him a certain sum of money, the amount of which I do not recollect, to pay part of the expenses incurred during the Lotbinière election, when Mr. Laurin and the sitting Member were the Candidates. He stated in the letter that he would refund me the money at a later period. I do not know whether he asked me for this money to pay the expenses of Mr. O'Farrell or of Mr. Laurin. I

do not recollect having spoken to any one in Point Levi about this business. I am unable to state whether the letter is still in my possession or not, but I do not think that it is. I have always thought that Dr. Grenier interested himself in the election in support of Mr. Laurin. I did not lend him the money. I neither lent nor gave nor promised any person whomsoever a shilling towards the expenses of the election at Lotbinière. I told Mr. Laurin that I had received a letter from Dr. Grenier, and shewed it to him. I shewed him the said letter before answering Dr. Grenier. I got the said letter from the Post Office at Quebec. I came to Quebec on my own business and not to see Mr. Laurin, but when I did come to town, I shewed it to Mr. Laurin in his office.

Ques.—Was £30 or £32 the amount asked of you by Dr. Grenier?—I do not remember the amount, but it was certainly less than that. It was not agreed that the money necessary to defray the expenses of the late election should be advanced by me either as a loan or otherwise. I do not know from what source the money for that purpose was to have come. Mr. Laurin told several electors in my presence that he did not want to compromise himself, and that he would promise nothing. I do not know whether any other letters relating to accounts for the election were written: I did not receive any other. I do not recollect having heard any conversation in my presence relative to the sending of Mr. Hearn or Mr. Charlton to Lotbinière.

Cross-Examined.

I was never authorised by Mr. Laurin or by any other persons to pay or promise to pay the expenses of the election either before or after the late election for Lotbinière; Mr. Laurin always requested me not to give any thing or to promise to give any thing for his election and it is to my knowledge that he told several persons that he could promise nothing because it was against the law and that perhaps if he did so, it might be brought against him later as a pretext to contest his election.

Received this day, a document filed by Mr. O'Farrell, entitled, "List of sitting Member's witnesses on issue of corrupt practices against Petitioner."

The said document marked A.

Mr. Cauchon moved, "That Etienne Dallaire, Esquire, be ordered to produce the letter referred to in his evidence, so far as it relates to the Lotbinière Election."

And, upon a division, it was carried.

Yeas:
Messrs. Cauchon, Chairman.
" Gill.
" Mattice.

Nays:
Messrs. Taché.
" Meagher.

Mr. Cauchon moved, "That leave be asked from the House that, with the consent of parties, when the Committee do adjourn to-morrow, it stand adjourned until Tuesday at half-past 10 o'clock, A. M." Carried unanimously.

The Committee adjourned till to-morrow, at half-past ten o'clock, A. M.

Saturday, 25th November, 1854.

The Committee met this day at half-past eleven o'clock, A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
Chairman.

Mr. Mattice,
Mr. Gill,
Mr. Taché,
Mr. Meagher.

Mr. Dallaire appeared a second time before the Committee, pursuant to order of yesterday, and his examination was resumed :

I made a diligent search for the letter I referred to in my evidence of yesterday. After having looked for it myself I told another person to search for it. It was my daughter, Camille Dallaire, whom I told to look for the letter, and she told me that she could not find it. I could not find it myself. I was under the impression that the letters did not exist, as I am in the habit of destroying all the papers I am not in want of.

Ordered that F. Lemieux, Esquire, M. P. P., and Murtough Doyle, of Quebec, carter, be summoned to appear before this Committee, on Tuesday, the 8th November instant, at half-past ten o'clock, A. M., to give evidence.

Tuesday, 28th November, 1854.

The Committee met this day at eleven o'clock, A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
Chairman.

Mr. Mattice,
Mr. Gill,
Mr. Taché,
Mr. Meagher.

Murtough Doyle, carter, a witness summoned on behalf of the sitting Member, appeared before the Committee, and having been duly sworn, did depose and say :

I know John Hearn and Edward John Charlton, of the City of Quebec. On Sunday evening, the day before the Election at Lotbinière, I drove the said John Hearn and Edward John Charlton from Quebec to some part in the County of Lotbinière. To the best of my knowledge they were acting for a Candidate called Mr. Laurin, but I cannot swear that they were not acting for Mr. O'Farrell. I did not hear them speak in favor of the sitting Member; I heard them speak in favor of Mr. Laurin. I took no part and had no interest whatever in the said Election.

François Lemieux, Esquire, M. P. P., a witness also summoned on behalf of the sitting Member, appeared before the Committee, and being duly sworn, did depose and say :

I did not hear Mr. Laurin, in a house in St. Croix, after the nomination of the late Election in that County, say that he would send Edward John Charlton and John Hearn to St. Sylvester, or either of them, nor did he say any such thing, to my knowledge, at any place in the Parish of St. Croix. I know Mr. Mackie, late of Quebec, Advocate. I have no recollection of Mr. Laurin having said any such thing in that Parish in my presence, or in presence of Mr. Mackie. I recollect that when we arrived at St. Antoine, in the course of the afternoon, Mr. Mackie came to see Mr. Laurin and myself. The conversation which then took place between Mr. Laurin, Mr. Mackie, and myself was, that Mr. Mackie wanted us to persuade Capt. Rhodes to retire from the County of Megantic. He said that in that case Mr. O'Farrell would not present himself for Lotbinière. I do not recollect having heard any thing said, either by myself or Mr. Laurin, about sending John Hearn or Edward John Charlton, or either of them, to St. Sylvester; and no mention was made, to my knowledge, of either of those gentlemen on the two occasions above referred to, and if it was said, it in no way attracted my attention. On my return to Quebec, I took no steps to send either Mr. Hearn or Mr. Charlton to St. Sylvester.

Ques.—Did you, on any occasion, ask Mr. Laurin, the Petitioner, why he was not in his County, electioneering, or something to the same effect, and state about what time?—On the first day of the voting, I saw Mr. Laurin in the afternoon, and reproached him with not being in his County, upon which he gave me some reason for not being there, of which I do not remember the substance.

Ques.—Did you, a moment ago, give any other and what answer not taken down in writing, to a question similar to the last preceding question?—I said, a moment ago that I thought Mr. Laurin had told me on that occasion that Mr. Hearn and Mr. Charlton had gone to St. Sylvester for him. Upon reflection, I say that I do not think that Mr. Laurin told me so on the day I mentioned. It was told me on another day—whether by Mr. Laurin or by another, I cannot say.

Ques.—Have you any knowledge whether or not the Office of Shipping Master, at Quebec, was promised to the said John Hearn, as a consideration for his rendering assistance at the late general Election to Mr. Laurin and other Ministerial Candidates?—No.

I took no steps to have a letter written to Mr. Johnston, Superintendent of the works on the Grand Trunk Railway in that County, in favor of Mr. Laurin and against the sitting Member.

The Committee then adjourned until to-morrow, at a quarter to ten o'clock, A. M.

Wednesday, 29th November, 1854.

The Committee met this day at a quarter to 11 o'clock, A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
(Chairman.)

Mr. Mattice,
Mr. Gill,
Mr. Taché,
Mr. Meagher.

At ten minutes to 11 A. M. the Committee adjourned till to-morrow at half-past 10 o'clock A. M.

Thursday, 30th November, 1855.

The Committee met this day at half-past 11 o'clock, A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
(*Chairman.*)

Mr. Mattice,
Mr. Gill,
Mr. Taché,
Mr. Meagher.

Ordered.—That John Hearn and Edward John Charlton be summoned to appear before this Committee on to-morrow.

The Committee then adjourned till to-morrow, at half-past 10 o'clock, A. M.

Friday, 1st December, 1854.

The Committee met this day, at half-past 11 o'clock, A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
(*Chairman.*)

Mr. Mattice,
Mr. Gill,
Mr. Taché,
Mr. Meagher.

John Edward Charlton, a witness summoned on behalf of the sitting Member, appeared before the Committee, and after having been duly sworn, did depose and say :

I remember going up to St. Sylvester in company with Mr. Hearn, during the late election. The motive that induced us to go, was that we understood that the sitting Member was playing into the hands of Mr. Joly, and of Mr. Clapham, by standing for two Counties at the same time. It was a matter of current report that such was the case. Mr. Laurin was the first that informed me that Mr. O'Farrell was starting for Lotbinière. The substance of the conversation with Mr. Laurin was that the sitting Member had addressed the electors of Lotbinière on the preceding Monday, being the nomination day. He mentioned that the sitting Member was very much favored by Mr. Joly, although there was in the field another candidate, Mr. Thurber, who was generally understood to be Mr. Joly's nominee. He also, said that the effect of Mr. O'Farrell's remaining in the field, would be to elect Mr. Thurber, as he, Mr. Laurin, would be likely to obtain the votes of the electors of St. Sylvester, who on the previous occasions, had always voted for him. He then asked me if I could do anything with the electors of St. Sylvester, or if I could go there. I told him that I would speak to Mr. Hearn, and that if he would go with me, I would go ; otherwise, I would not. This is all that passed between Mr. Laurin and myself at the time, and I did not again see him until after the proclamation. I subsequently spoke to Mr. Hearn, and we both determined to go to St. Sylvester to induce the electors not to vote for Mr. O'Farrell, in case Mr. Joly or Mr. Thurber were candidates. Mr. Laurin told me at that time that the sitting Member had stated on the nomination day, that he would not remain in the list if Mr. Thurber also re-

mained, but that he did not believe what Mr. O'Farrell then said. The night I went up with Mr. Hearn, we slept in the house of one Maguire, on the road between St. Giles and St. Sylvester. I took my supper and remained for a couple of hours at my uncle's, Mr. Fitzgerald's, in St. Sylvester.

Ques.—Was any promise of place made to you on condition of your supporting Mr. Laurin?—No, I never promised to support Mr. Laurin at all.

Ques.—Had you at any time, before the last general election a conversation with Mr. John Egan, M. P. P., at the toll gate, Champlain Ward, about receiving a place in consideration of supporting Mr. Laurin?—No, I never applied for a place either from Mr. Egan or any body else, neither did he promise me a situation.

Cross-examined by Petitioner.

Ques.—Were you been employed as my Agent during the last election for the County of Lotbinière?—No.

Ques.—Did you promise the Petitioner to work for him against Mr. O'Farrell at the late election for the County of Lotbinière?—No.

John Hearn, a witness summoned on behalf of the sitting Member not appearing, was ordered to be summoned for to-morrow.

The Committee then adjourned till to-morrow, at half-past 10 o'clock, A. M.

Saturday, 2nd December, 1854.

The Committee met this day at half-past 11 o'clock, A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
(Chairman.)

Mr. Mattice,
Mr. Gill,
Mr. Taché,
Mr. Meagher.

John Hearn, a witness summoned on behalf of the sitting Member appeared before the Committee, and, after having been duly sworn, did depose and say.

I was asked by several parties, previous to the late general election, if I intended to go to Lotbinière. I had no intention whatever of going, as I felt no interest in the result of the election, until the Saturday evening previous, on which day the Québec election closed. I do not recollect the exact words used by Mr. Charlton to me on that day, but the substance was, that he would go to Lotbinière to oppose Mr. O'Farrell, if I would accompany him. I told Mr. Charlton that I would not go and support Mr. Laurin in opposition to Mr. O'Farrell. In answer to some remarks made by Mr. Charlton, I said that, notwithstanding my long and intimate knowledge of Mr. O'Farrell, and though I felt convinced that he ought not to be entrusted with the representation of any County, I would not go there to support Mr. Laurin in opposition to Mr. O'Farrell, as I knew nothing of Mr. Laurin : besides, I felt annoyed at Mr. Laurin's having made use of my name to the people of St. Sylvester, as being a person who would support him, without having asked my consent. I, however, consented to go, in consequence of being informed by credible parties, that Mr. O'Farrell's object in going to oppose Mr. Laurin, was not to obtain a seat for himself in Parliament, but to secure the election of Mr. Joly for that County. This was the principal reason that induced me to go to St. Sylvester. I was asked to go by Mr. Charles Alleyn and others. I recollect meeting Mr. O'Farrell on the Steamboat crossing to Point Levy previous to the election.

Wednesday, 6th December, 1854.

The Committee met this day at half past eleven o'clock A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
(Chairman.)

Mr. Mattice,
Mr. Gill,
Mr. Taché,
Mr. Meagher.

Ordered,—That the resolution of the Committee of Saturday last, relative to the issuing of a Commission be put into force this day.

Mr. Cauchon moved to resolve, "That, if a witness heard before the Commissioner mentions the name of any person having made promises or given money or any consideration whatever to him, to make him vote in favor of the petitioner, and the name of such person be not on the list of the witnesses of the sitting Member, the Committee reserve to themselves the right of hearing such said person."

Which motion being put to the vote, was carried ;

<i>Yeas.</i>	<i>Nay.</i>
Messrs. Mattice, Meagher, Gill, Cauchon.	Mr. Taché.

Mr. Cauchon moved, and it was unanimously Resolved; That William Power, Esq., one of the Circuit Judges for the District of Quebec, be appointed Commissioner to investigate as to the fact of bribery and corrupt practices having been made use of on the part of Mr. Laurin or his authorised agents, at the late Election for the County of Lotbinière.

Mr. Cauchon moved and it was unanimously resolved, "That the Commissioner be ordered to sit on the twenty-seventh day of December instant.

On motion of Mr. Cauchon, it was ordered, "That leave be asked from the House to adjourn this day, till the first day of February next, if the House be then sitting, and if not, to the tenth lawful day thereafter on which the House shall sit, and also, that the House be informed of the fact of a Commission having been issued.

The Committee then adjourned until 6 o'clock P. M., this day.

Wednesday evening, 6th December, 1854.

The Committee met at ten minutes past six o'clock, P. M., and adjourned till 7 o'clock P. M.

8 o'clock P. M.

The Committee met pursuant to adjournment. Copies of the recognizance of the sitting Member for the defraying of the expenses of the Commission, certified by the Speaker, were laid before the Committee.

On motion of Mr. Cauchon, it was Ordered,—That this Committee do stand adjourned till the first day of February next, if the House be then sitting, and if then not sitting, to the tenth lawful day after the House shall sit.

Ques.—Were you promised the situation of Shipping Master on condition of your supporting Mr. Laurin?—No, no one ever offered me the situation accompanied with the provision that I would support Mr. Laurin, because all those acquainted with me would know that it would not be safe for them to ask me to support any man for a consideration.

Cross-Examined by Petitioner.

I was never spoken to in my life, previous to the Election, by Mr. Laurin. Mr. Laurin spoke to me for the first time after the proclamation. I was not employed by petitioner as his agent or otherwise during the late election.

Mr. Taché moved, and it was unanimously resolved;—That the Committee do issue on Monday next a Commission to examine the witnesses mentioned in the list furnished by the sitting Member. That the Clerk be held to inform the parties of this decision and to lay before the Committee a certified list of the Circuit Judges for Lower Canada.

Ordered,—That the sitting Member be required to produce before the Committee on Monday the 4th instant, the necessary securities for the issuing of a Commission.

The Committee, at 1 o'clock, adjourned till Monday at half-past 10 o'clock, A. M.

Monday, 4th December, 1854.

The Committee met this day at 11 o'clock, A. M.

PRESENT :

JOSEPH CAUCHON, Esquire,
(*Chairman.*)

Mr Mattice,
Mr. Gill,
Mr. Taché,
Mr. Meagher.

The issuing of the Commission for the examination of witnesses was postponed till to-morrow.

At noon the Committee adjourned till to-morrow at $\frac{1}{2}$ past 10 o'clock, A. M.

Tuesday, 5th December, 1854.

The Committee met this day at half-past eleven o'clock, A. M.

PRESENT :

JOSEPH CAUCHON Esquire,
(*Chairman.*)

Mr. Mattice,
Mr. Gill,
Mr. Taché,
Mr. Meagher.

The sitting Member having obtained the security required by law for the issuing of a Commission, it was Ordered,—that the petitioner be allowed till to-morrow for the purpose of inspecting the recognizance.

The Committee then adjourned till to-morrow at half-past ten o'clock, A. M.

Thursday, 1st March, 1855.

The Committee met this day at half past ten o'clock A. M. in obedience to M. Speaker's Warrant.

PRESENT :

Mr. Gill,
Mr. Taché,
Mr. Mattice,
Mr. Meagher.

The Honorable Mr. Cauchon, the former Chairman of the Committee, having accepted office and vacated his seat as a Member of the House and of the Committee, the Committee proceeded to elect a new Chairman in accordance with the 85th Section of the Election Petitions Act of 1851.

Mr. Taché proposed that I. Gill, Esq., be Chairman of this Committee.

Mr. Meagher moved in amendment;—that J. C. Taché, Esq., do take the Chair of the Committee.

Whereupon the Committee divided and the Yeas and Nays being called for were as follow, viz :

Yeas :
Messrs. Gill,
Mattice,
Meagher,

Nay :
Mr. Taché.

So it was carried in the affirmative and J. C. Taché, Esquire, was duly elected Chairman.

The Commissioner's return was then opened and read. (For Commissioner's Return, see Appendix.)

At noon the Committee adjourned till to morrow at 10 o'clock, A. M.

Friday, 2nd March, 1855.

The Committee met this day at half past ten o'clock A. M.

PRESENT :

J. C. TACHÉ, Esquire,
(*Chairman.*)

Mr. J. Gill,
Mr. W. Mattice,
Mr. J. Meagher.

On motion of Mr. Gill, seconded by Mr. Meagher, it was Ordered;—That leave be asked from the House to adjourn till Tuesday the 13th instant at 10 o'clock, A. M., in order to give the parties to the contestation sufficient time to prepare their arguments on the report of the Commissioner now before the Committee.

On motion of Mr. Taché, seconded by Mr. Mattice, it was ordered;—That both the Petitioner and the sitting Member be notified to appear before the Committee on Tuesday the 13th instant, to be heard on their arguments as to the evidence taken before the Commissioner.

At noon the Committee adjourned till 6 o'clock P. M.

Friday, 6 o'clock, P. M.

The Committee met at 6 o'clock, P. M., pursuant to adjournment.

PRESENT :

J. C. TACHÉ, Esquire,
(Chairman.)

Mr. Mattice,
Mr. Gill,
Mr. Meagher.

The Committee adjourned till Tuesday, the 13th instant, at 10 o'clock, A. M.

Tuesday, 13th March, 1855.

The Committee met this day at half-past 10, A. M.

PRESENT :

J. C. TACHÉ, Esquire,
(Chairman.)

Mr. Gill,
Mr. Mattice,
Mr. Meagher.

The sitting Member fyled an objection to the jurisdiction of the four Members composing this Committee.

The sitting Member was heard on his arguments upon the evidence taken before the Commissioner.

The Committee then adjourned till to-morrow at 10 o'clock, A. M.

Wednesday, 4th March, 1855.

The Committee met this day at half-past 10 o'clock, A. M.

PRESENT :

J. C. TACHÉ, Esquire,
(Chairman.)

Mr. Gill,
Mr. Mattice,
Mr. Meagher.

The Petitioner was heard on his arguments upon the evidence taken before the Commissioner.

On motion of Mr. Meagher, seconded by Mr. Mattice, it was unanimously Resolved,

1st. That, in the opinion of this Committee, there is nothing proved against Mr. Laurin the Petitioner, to disqualify him from being a Candidate or a Petitioner.

2nd. That Mr. Laurin the Petitioner be notified that he is allowed to go on with the matter of his case, and that such a notification be also given to Mr. O'Farrell, the sitting Member.

The Committee then adjourned till to-morrow at 10 o'clock, A. M.

Thursday, 15th March, 1855.

The Committee met this day at 11 o'clock A. M.

PRESENT :

J. C. TACHÉ, Esquire,
(*Chairman.*)

Mr. Gill,
Mr. Mattice,
Mr. Meagher,

Mr. Laurin fyled a petition praying the Committee to allow him to proceed immediately and separately on that head of the petition which relates to the qualification of the sitting Member, as was unanimously decided by the Committee on the 28th October, 1854.

The Petitioner fyled his list of witnesses against the qualification of the sitting Member.

Ordered, That George Benson Hall, Esquire, and Jean Langevin, Esquire, be summoned to appear before the Committee on to-morrow, at 10 o'clock, A. M.

The Committee then adjourned till to-morrow at 10 o'clock, A. M.

Friday, 16th March, 1855.

The Committee met this day at half-past 10 o'clock A. M.

PRESENT :

Mr. Gill,
Mr. Mattice,
Mr. Meagher.

J. C. Taché, Esquire, a Member and the Chairman of the Committee not being present, it was ordered that his absence be reported to the House.

Ordered,—That the witnesses summoned to appear before the Committee on to-day be notified to appear on Monday, at 10 A. M.

The Committee then adjourned till to-morrow at 10 o'clock, A. M.

Saturday, 17th March, 1855.

The Committee met this day at half-past 10 o'clock A. M.

PRESENT :

Mr. Gill,
Mr. Mattice,
Mr. Meagher.

J. C. Taché, Esquire, Chairman of the Committee being still absent, it was ordered that his absence be reported to the House.

The Committee then adjourned till Monday the 19th at 10 o'clock, A. M.

Monday, 19th March, 1855.

The Committee met this day at half-past 10 o'clock A. M.

PRESENT :

J. C. TACHÉ, Esquire,
(Chairman.)

Mr. Gill,
Mr. Mattice,
Mr. Meagher.

George Benson Hall, a witness summoned, appeared before the Committee and after having been duly sworn, did depose and say :

Ques.—Do you know lot No. 30, in the 11th range of the Township of Somerset?—I know the lot in question from its having been purchased by the late Mr. Peter Paterson on the 8th March, 1847.

Ques.—Have you any right or claim upon the said lot?—Upon this question the Committee divided, and the Yeas and Nays being called for, were as follow :

Objected to by
the sitting
member, per
attorney.

Yeas :
Messrs. Taché,
Mattice,
Meagher.

Nay :
Mr. Gill.

So it was carried in the affirmative and the question was put.

Ans.—I had, as executor to Mr. Patterson's estate, but have disposed of it about a month ago.

Ques.—What right or what claim had you upon the said lot in your quality of executor to the will of the late Mr. Peter Patterson?—I have been proprietor in possession of it since the date of purchase on the 8th March 1847, since the death of Mr. Patterson. The deed was passed before O. Campeau, and colleague, Notaries.

Ques.—Had you the said right or claim to the said land on the 24th day of July, 1854?—Yes.

By Mr. Taché.

Ques.—Do you know of any other claim or claims than Mr. Patterson's and yours, on the said lot No. 30 in the 11th range of Sommerset from the year 1847, to the date of about a month ago.

Upon this the Committee divided and the Yeas and Nays were as follow :

Yeas :
Messrs. Taché,
Meagher,

Nays :
Messrs. Gill,
Mattice.

Mr. Taché, the Chairman then gave his casting vote in favor of the question being put, and it was carried accordingly.

Ans.—I do not.

The Committee then adjourned until a quarter to 12 o'clock M.

The Committee met at 12 o'clock M. pursuant to adjournment.

PRESENT :

J. C. TACHÉ, Esquire,
(Chairman.)

Mr. Gill,
Mr. Mattice,
Mr. Meagher.

Mr. Hall's evidence resumed.

Ques.—Do you know lot No. 21, in the 11th range of Sommerset?—I do not. It does not belong to me.

Ques.—Do you know the value of the lot No. 30 in the 11th range of the Township of Sommerset?—Yes, I consider that it is worth \$2 per acre. The contents of the lot are, I believe, 225 acres.

Cross-Examined by Sitting Member, per Attorney.

Ques.—What were the acts of possession which you made on lot No. 30, 11th range of Sommerset?—I made no act of possession myself upon that lot, but to the best of my recollection, soon after Mr. Patterson purchased it, he lumbered on it for about two years, but I cannot say positively that it was on that lot.

Ques.—Did you go in person on to the said lot when Mr. Patterson was lumbering there, or was it not from having heard it from parties who were lumbering there, that you say, that, to the best of your recollection, Mr. Patterson lumbered there?—I have never been on and the information I got, I held from Mr. Patterson's agent there.

Ques.—Is there not a Railroad Depôt or Station at or near Sommerset?—Yes, in the 7th range.

Ques.—Has not that Depôt or Station considerably augmented the value of land in the said Township since about one year?—Yes, but I consider that, notwithstanding, the value which I set upon the lot, is its full value.

By Mr. Meagher.

Ques.—Do you know of the sitting Member having any right or claim to that lot previous to the late election?—I do not. I have never heard of any pretensions on the part of any person to the said lot.

Jean Langevin, Esquire, of Quebec, being duly sworn did depose and say :

Ques.—Are you not one of the officers in the Crown Land Department for Lower Canada?—I am.

Ques.—Since how many years have you been in the said Department?—I have been there nearly twelve years.

Ques.—As such officer, do you know the value of Crown Lands in the Townships of Lower Canada?—I do.

Ques.—Do you know the value of lot No. 11, in the seventh range of the township of Ireland, in the County of Megantic?—If a Crown lot, I do, viz : 3s. per acre, but if sold, I cannot state the actual value.

Ordered, That James Donovan, Patrick Murphy, and Wm. Lampson, Esqrs., be summoned to appear before the Committee on to-morrow, at 10 o'clock A. M.

The Committee then adjourned till to-morrow at 10 o'clock, A. M.

Tuesday, 20th March, 1855.

The Committee met this day at half-past 10 o'clock, A. M.

PRESENT :

J. C. TACHÉ, Esquire,
(Chairman.)

Mr. Gill,
Mr. Mattice,
Mr. Meagher.

William Lampson, Esq., a witness summoned on behalf of the Petitioner, appeared before the Committee, and after having been duly sworn, did depose and say :

Ques.—Do you know a lot of ground or emplacement situated in the place called Cap Blanc, in the Lower Town of Quebec, of 22 feet in front English measure, upon all the depth that there is from Champlain Street to the foot of the Rock ; bounded in front by the said Champlain Street, in the rear, by the foot of the Rock ; on one side, on the South West, by Michael Stapleton or his representatives ; on the other side, the North East, by Patrick Kennedy, with a two story wooden house thereon erected, circumstances and dependencies ?—Yes, I know the lot perfectly well, though I am under the impression that there is an error of about three feet in the description of the frontage. I leased all the lots mentioned to these persons on bail emphyteotique for 21 years. The lot in question I leased to one Joseph Hogan, in 1847 or 1848. Joseph Hogan transferred his lease to one John Donovan. John Donovan borrowed, as I understand it, a sum of sixty pounds from one Murphy, to build a house on the said lot. This Murphy sued Donovan, to recover his sixty pounds, and seized the lot and house. They were sold by the Sheriff on that judgment. I failed or neglected to put in an opposition to stop the sale of that property, supposing that a person could not have sold more in a property than he held by his lease. I put in an opposition, and stopped the money in the Sheriff's hands, where it still remains, if the money was ever paid over. Murphy or his Attorney, Mr. O'Farrell contested my opposition, and the matter is still before the Court. The sale by the Sheriff took place several years ago.

Ques.—Have you any mortgage upon the said lot since the property was sold by the Sheriff?—None, except the one that I have described in my former answer, in virtue of the bail emphytéotique.

Ques.—What was the annual rent of the said lot specified in your favor?—Six pounds.

Ques.—Do you know of any other claim or claims, or mortgages than your's on the said lot, since it was sold by the Sheriff, up to the month of July last, inclusive ?—I know nothing about it since then.

Ques.—What was the value of that lot in July last ?—I consider that it was worth from £100 to £150 as it was at that time, this being in my opinion, its full value.

Ques.—Do you know for what sum the said house and lot are let for this year ?—I do not know.

Cross-examined by Sitting Member.

Ques.—Do you know the adjoining lot now occupied by Patrick Kennedy, Objected to by and, if so, what is its value ?
Petitioner.

The Committee divided as to the propriety of putting this question to the witness, and the yeas and nays being called for, were taken down as follow :

Yeas:
Messrs. Gill.
" Mattice.
" Meagher.

Nay:
Mr. Taché.

So it was carried in the affirmative, and the question was put.—I know the lot perfectly well, and consider it of rather less value for the reason that the earth in the rear has forced it more than the lot in question. Mr. Kennedy offered to resiliate the lease in my favor for £130, but I declined the offer. I am under the impression that all the lots are 25 feet, English measure. At the time that Mr. Kennedy so offered to rescind the lease in my favor, the lease had, to the best of my impression, fourteen or fifteen years yet to run.

Ques.—Have you taken any steps to annul the sale by the Sheriff of the lot in question?—The only thing I did was to protest verbally to the Sheriff at the time of the sale against his selling any more than the lease or the rights contained in the lease.

Ques.—Did the opposition you speak of, claim the whole or a part only of the proceeds of the sale by the Sheriff of the lot in question?—I claimed the whole proceeds and still do.

Ques.—Do you also claim the lot?—I have never relinquished any claim I had upon the lot, unless the effect of my opposition does so.

Ordered, That George Desbarats, Esquire, and Patrick Murphy be summoned to appear before the Committee on to-morrow at ten o'clock A. M.

The Committee then adjourned till to-morrow at ten o'clock A. M.

Wednesday, 21st March 1855.

The Committee met this day at half past ten o'clock A. M

PRESENT.

J. C. TACHÉ, Esquire,
(*Chairman.*)

Mr. Gill,
Mr. Mattice,
Mr. Meagher,

The minutes of yesterday were read.

George Desbarats, Esquire, of Quebec, having been duly sworn, did depose and say.

Ques.—Do you know the value of lands in the Township of Ireland, County of Megantic?—I have purchased a number of lots in that Township within the last few years at various prices from six pence per acre to two shillings.

Ques.—Will you examine the plan now shewn to you and state whether you know the value of lot No. 11 in the 7th range of Ireland?—I purchased the half of the lot next adjoining, that is, the South West half of lot No. 9 in the 8th range for the sum of £5 per hundred acres. I should value lot No. 11 in the 7th range at two shillings per acre, if there be no improvements on the lot.

Ques.—Do you know the value of lands generally in the Township of Nelson, County of Megantic?—Lands were offered to me in the Township of Nelson in the course of the last two years, at prices varying from five shillings to seven and six pence per acre, but I do not know further.

Ques.—Do you know the value of lands generally in the Township of Sommerset, County of Megantic?—I do not know the value of lands generally. Some lands were offered to me in Sommerset at five shillings per acre, but I under-

stand that sales have been made as high as two dollars, according to the quality of the soil. This of course applies to lands in their natural state.

Ques.—Are you of opinion that lot No. 21 in the 11th range of the Township of Sommerset, is worth more than the price you have just mentioned?—I cannot say without referring to the plan of the Township,

Ques.—Are you of opinion that lot No. 7 in the 13th range of Nelson is worth more than the amount you have just mentioned?—My last answer will apply to that lot also.

Cross-Examined by sitting Member.

Ques.—What lands have you bought in the Township of Ireland at prices varying from six pence per acre to two shillings,

Mr. Desbarat's examination was here postponed till to-morrow at ten o'clock A. M.

Patrick Murphy, a witness summoned appeared before the Committee and was ordered to re-appear on to-morrow at ten o'clock A. M.

The Committee then adjourned till to-morrow at ten o'clock A. M.

Thursday 22nd March 1855.

The Committee met this day at ten o'clock A. M.

PRESENT :

J. C. TACHÉ, Esquire,
(Chairman.)
Mr. Gill,
Mr. Mattice,
Mr. Meagher,

The minutes of yesterday were read.

Mr. Desbarat's examination was resumed.

Ans.—The half of lot No. 9, in the 8th range; the half of 5, in the 8th range; the half of 4, in the same range; the half of 20, in the 9th; the half of 17, in the 10th; the half of 9, in the 9th range. This last lot I purchased last summer for the sum of ten pounds.

Ques.—How often and when, have you been in the Township of Ireland?—I have never been there.

Ques.—Have you ever sold any lands situate in the Township of New Ireland?—I have not been able to sell any as yet, the demand being so limited, and the Government having a large extent in that Township to be disposed of at one shilling per acre.

Ques.—What would you sell your half of lot No. 9 in the 8th range for, if you were selling?—If I got cash for it, I would be very happy to give it for three shillings per acre.

Ques.—When did you buy the last mentioned lot?—I must have bought it, I suppose, ten years ago, and gave £5 for it.

Ques.—Are there any improvements on lot No. 9 in the 8th range?—Not that I am aware of.

Ques.—Have you ever been in the Township of Nelson?—I have passed through it by Railroad, if the Railroad passes through it; otherwise not.

Ques.—Can you judge of the quality of lands in Nelson?—Not without seeing them.

Ques.—Are you at this moment in a position to judge of the quality of lands in Nelson?—I am not.

Ques.—Are you at this moment in a position to judge of the quality of lands in the Township of Sommerset?—I recollect sending out a Surveyor to Sommerset to examine a block of land of about 1400 acres that I was about purchasing. The result was his report that the whole of that block was a cranberry marsh; but I understand, and in fact, am aware that there are some good lands in Sommerset.

Ques.—Have you ever been in the Township of Sommerset, and when?—I have passed through there lately, within a month, by Railroad, which could give me no idea of the value of the land there.

Ques.—Have you any personal knowledge of any sales being effected in the Township of Sommerset?—I have effected no sales neither have I seen any deeds of sale.

Ques.—Is the value of land influenced by the timber that may be upon it?—Necessarily.

Ques.—Is the value influenced by any other circumstances?—Yes. Quality of soil, proximity to a town or market, cultivation, deposits of minerals, if any be contained in it.

Patrick Murphy, of Quebec, Ship-Carpenter, a witness summoned on behalf of the Petitioner, having been duly sworn, did depose and say.

Ques.—Do you know a lot of ground or emplacement situate in the place called Cap Blanc, in the Lower Town of Quebec, of 22 feet front, English measure, upon all the depth that there is from Champlain Street to the foot of the rock; bounded in front by the said Champlain Street; behind, by the foot of the rock; on one side, on the south west, by Michael Stapleton, or his representatives; on the other side, the north east, by Patrick Kennedy, with a wooden two story house thereon erected, circumstances and dependencies?—Yes, I do.

Ques.—How do you know the said lot?—By having lent John Donovan, who built the house on the said lot, money.

Ques.—What was the amount of the money you lent Donovan?—Fifty-two pounds. I lent him the money about six years ago. I have received it all back with the exception of two pounds. I have been paid the said amount during the last three years.

Ques.—Had you any mortgage upon the said lot in July last?—I purchased the said lot at Sheriff's sale. I then sold it to Mr O'Farrell for the sum of £108. I have been paid £50 previous to July last, and there is still a balance of £58 due to me, and guaranteed by the deed of sale.

Ques.—What was the annual rent of the ground to Mr. Lampson?—Six pounds.

Ques.—Do you know of any other claim or claims, or mortgages than yours on the said lot since it was sold by the Sheriff, up to the month of July last, inclusive?—I do not know of any other.

Ques.—What is the rent of the house and lot?—Twenty-four pounds a year.

Cross Examined by Sitting Member.

Ques.—Is it stipulated in the deed of sale between you and Mr. O'Farrell, that the lot in question shall be hypothecated or mortgaged in your favor for any sum?—I cannot say.

Ques.—Did you ever cause that deed of sale by you to Mr. O'Farrell to be registered?—I did not.

Mr. Laurin filed a Petition, praying that, for certain reasons therein mentioned, Lot No. 30, in the eleventh Range of the Township of Sommerset, be struck out from the qualification of the Sitting Member.

The said Petition was not entertained.

The Committee then adjourned till to-morrow at 10 o'clock, A. M.

Friday, 23rd March, 1855.

The Committee met this day at half-past 10 o'clock, A. M.

PRESENT :

J. C. TACHÉ, Esquire,
(Cairman.)
Mr. Gill,
Mr. Mattice,
Mr. Meagher.

The Petitioner fyled two Certificates of Registration—one by Mr. Montizambert, and the other by Mr. Lambly.

The Petitioner fyled a motion by which he declared that he abandons all further proceedings against the qualification of the Sitting Member.

Resolved, That Mr. Laurin, the Petitioner, having abandoned all further proceedings against the qualification of Mr. O'Farrell, the Sitting Member, the said qualification is held good to all intents and purposes, and that the costs incurred on that point by the Petitioner are not to be incurred by the Sitting Member.

Mr. Laurin fyled a list of the voters he objects to in the Parish of St. Sylvester, as being illegal and fictitious.

Mr. Laurin also fyled the Official Census Returns for the years 1851-52.

The Committee then adjourned till to-morrow, at 10 o'clock, A. M.

Saturday, 24th March, 1855.

The Committee met this day, at a quarter to 11 o'clock, A. M.

PRESENT :

J. C. TACHÉ, Esquire,
(Chairman.)
Mr. Gill,
Mr. Mattice,
Mr. Meagher.

The Petitioner fyled the lists of the voters in St. Agathe he objected to.

The Petitioner fyled a Factum by which he represents that it is his intention to proceed on that count of the Petition which relates to violence, threats and illegal votes having been made use of by the Sitting Member, or his Agents, in the Parish of St. Sylvester and Ste. Agathe.

He also fyled a list of his witnesses.

Ordered, That T. Lloyd, Esquire, be summoned to appear before the Committee on Monday the 26th instant ; that Augustin Dugal, late poll Clerk at Ste. Agathe, and now residing at Lotbinière, and Magloire Parent, late Deputy Returning Officer at St. Sylvester, Bailiff, residing at Ste. Croix, be summoned to appear on Wednesday the 28th ; and Daniel Byrne, Esquire, Notary, and James Mulla-vey J. P., both residing at St. Sylvester, to appear before the Committee on Thursday, the 29th instant, at ten o'clock, A. M.

The Committee then adjourned till Monday, at 10 o'clock, A. M.

Monday, 26th March, 1855.

The Committee met this day, at a quarter to 11, A. M.

PRESENT.

J. C. TACHÉ, Esquire,
(Chairman.)

Mr. Gill,
Mr. Mattice,
Mr. Meagher,

The Petitioner filed a statement shewing the number of votes registered for the Parishes of St. Sylvester and Ste. Agathe, at the late Election of the County of Lotbinière, together with the population of the said Parishes according to the Census of 1851-52.

T. Lloyd, Esquire, a witness summoned on behalf of the Petitioner, appeared before the Committee, and after having been duly sworn, did depose and say :

Ques.—Did you vote at the late Election for the County of Lotbinière, at the poll of Ste. Agathe?—Yes, my name appears in the poll book. That entry however is wrong. I was canvassing in the neighbouring County of Megantic, and had occasion to pass through the Parish of Ste. Agathe, to go from one concession of Nelson to another. On approaching the place where the poll of the Parish of Ste. Agathe was held, I observed a number of people in a house about half a mile distant from the poll. I ascertained from these people, who were Canadians, that they had assembled there for the purpose of proceeding to the poll in order to vote for Mr. Laurin, but were deterred by violence and threats. They advised me not to proceed in that direction. I, however, persisted. On approaching the house where the poll was held, a number of men rushed out from an out building and seized my horse by the bridle and myself by the legs, cheering and insisting upon my going in to vote. I remonstrated with these people, assuring them that I had no legal right to vote and would not vote. In this way, I was conducted to the door of the house where the voting was going on. Of course I offered no resistance, which would have been quite hopeless. I was accompanied by a man of the name of McCulloch, who advised me not to offer any resistance. When I was at the poll door, I told the people that I would go in, but would not be permitted to vote. On arriving at the door of the house, I was immediately asked my name by a person whom I took to be the Deputy Returning Officer, although I did not know him. He was within an enclosure which separated a part of the room from where the people came to vote. The answer was given by twenty different people, although I did not answer it myself. I particularly observed a man of the name of John Largie, who called out my name in a very loud voice. The name was then written down by the poll clerk. The next question was asked by the same person who had asked me my name, and was ; What is your occupation and residence ? I answered myself that I was an Advocate by profession, and resided in Quebec. A number of persons called out at the time that I was answering, some that I was a gentleman, some that I was a farmer, and others that I was miller, as I own mills in the neighbouring Township of Inverness, in the County of Megantic. I was then asked for whom I voted, when John Largie again answering, named Mr. O'Farrell. I was then hustled out much in the same day that I was hustled in. This man Largie was one of those who was the most intoxicated and cried out that I had bought my land from him. This occurred some time during the afternoon at about 3 o'clock.

By Mr. Meagher.

Ques.—Do you know of Mr. Laurin's partisans not having been allowed to vote at the poll of Ste. Agathe?—Nothing from my own observation, but Mr. O'Farrell's partisans told me a day or two after, that they had prevented Mr. Laurin's voters from coming to the poll.

(This latter part of this answer was objected to by the sitting Member. Objection overruled.)

By Mr. Meagher.

Ques.—Did you inform the Deputy Returning Officer that you had no right to vote?—No, I had no time to do so.

By Mr. Meagher.

Ques.—Might there not be a person in the Parish of Ste. Agathe of the name Thomas Lloyd, a farmer?—I think it very likely. I have seen the name of Lloyd frequently, but whether it is Thomas Lloyd or not, I cannot state. I should wish to add that in looking over the poll book, I do not think that the name "Thomas Lloyd, Cultivateur," residing at St. Agathe, Proprietor, is mine, as I distinctly stated to the Deputy Returning Officer, that I resided in Quebec, and was an Advocate.

Ques. by Mr. Meagher.—Was there any representative of Mr. Laurin at the Poll, and was there any objection uttered by any person against your voting? I did not know one of the persons in the enclosure. No objection whatever was made to me and the persons within this enclosed space appeared to me to be under the influence of fear.

Ques.—by Mr. Meagher,—Why did you give your name and profession when you had no right to vote?—Because I was in hopes that it would afford me an opportunity to explain that I had no right to vote.

Cross-Examined by sitting Member.

Ques.—What is the Christian name of the McCulloch you spoke of?—James, I believe.

Ques.—Have you any personal knowledge of the persons whom you met half a mile from the poll, being Mr. Laurin's partisans? No.

Ques.—Have you any personal knowledge whose partisans those persons were who spoke to you at the poll, and one or two days afterwards, as you have before stated?—Their conduct at the poll shewed me distinctly that they were partisans of Mr. O'Farrell.

Ques.—I thought I understood you to say a few moments ago, that the persons who spoke to you at the poll are different from those who spoke to you afterwards?—The persons who spoke to me at the poll and those who spoke to me afterwards were different persons. The former insisted on my voting for Mr. O'Farrell, and the latter told me that they were partisans of his and had prevented the partisans on the other side from voting.

Ques.—What was the conduct of the persons at the poll, that induced you to believe that they were partisans of Mr. O'Farrell?—That which I have already described.

Ques.—Have you any lands in the Township of Nelson?—The Committee having divided as to the propriety of putting this question to the witness, the yeas and nays were taken down as follow :

Yeas.
Messrs. Gill,
" Mattice,
" Meagher.

Nay.
Mr. Taché.

So it was carried in the affirmative, and the question was put to the witness.

Ans.—I have a piece of land in the Township of Nelson, for which I hold a title from Mr. Clapham.

Ordered,—That Edouard Noël, Deputy Returning Officer of Ste. Agathe, living in St. Antoine de Tilly, be summoned to appear before the Committee on Thursday the 29th instant at 10 o'clock, A. M. The Committee then adjourned till to-morrow at 10 o'clock, A. M.

Tuesday, 27th March, 1855.

The Committee met this day at $\frac{1}{2}$ to 11 o'clock, A. M.

PRESENT :

J. C. TACHÉ, Esquire,
(*Chairman.*)

Mr. Gill,
Mr. Mattice,
Mr. Meagher.

The Committee adjourned till to-morrow at 10 o'clock, A. M.

Wednesday, 28th March, 1855.

The Committee met this day at $\frac{1}{2}$ past 10 o'clock, A. M.

PRESENT :

J. C. TACHÉ, Esquire,
(*Chairman.*)

Mr. Gill,
Mr. Mattice,
Mr. Meagher.

The minutes of yesterday were read.

Magloire Parent, late Deputy Returning Officer at St. Sylvester, Bailiff, of Ste. Croix, a witness summoned on behalf of the Petitioner, after having been duly sworn, did depose and say.

Ques.—What is your Christian and family name?—Magloire Parent. I am a Bailiff and of the Parish of Ste. Croix, County of Lotbinière.

Ques.—Did you act as Deputy Returning Officer for the Parish of St. Sylvester at the late election of a Member for the County of Lotbinière in July last?

Yes.

Ques.—On what days was the Poll held in the said Parish?—On the 24th and 25th of July last.

Ques.—Do you recognise the poll books now shewn to you as being those for the Parish of St. Sylvester, in the County of Lotbinière?—I do.

Ques.—Who took down the names in the said poll book for the Parish of St. Sylvester?—Louis Jacques Piteau, who acted as poll clerk.

Ques.—Were all the names in the said poll book for Ste. Agathe written by Mr. Piteau?—Yes, they were all written by him.

Ques.—Will you state how many votes were registered at the poll of St. Sylvester on the first day of the voting?—One hundred and fifty-five.

Ques.—How many votes were registered for Mr. O'Farrell at the said poll on the first day of the voting?—Fifty-seven.

Ques.—How many were registered on the same day for Mr. Laurin?—Ninety-eight.

Ques.—How many votes were registered at the poll at St. Sylvester on the second day of the voting?—Nine hundred and seventy-seven.

Ques.—How many were registered on the second day at the poll of St. Sylvester in favor of Mr. O'Farrell?—Nine hundred and seventy-six.

Ques.—How many were registered on the same day at that poll for Mr. Laurin?—One.

Ques.—Is the poll book for the Parish of St. Sylvester, in the said County, now shewn to you, certified and signed by you in your quality of Deputy Returning Officer?—It is.

Ques.—How many votes in the said poll book for the Parish of St. Sylvester are registered on the large sheets of paper?—Six hundred and thirty-five.

Ques.—How many votes in the said poll book for the Parish of St. Sylvester are registered on the small sheets of paper?—Four hundred and ninety-seven.

Ques.—Do you think that the number of votes registered for St. Sylvester is greater than that which should have been registered with regard to the number of electors qualified to vote in the said Parish?—I do not know the population of St. Sylvester. I however, did not expect so large a number of votes.

Ques.—Do you, in your quality of Deputy Returning Officer for St. Sylvester, know that persons voted several times at the said poll under different names?—I cannot swear positively as to that, because I do not know the people, but I think that there were some who did so.

Ques.—Did you yourself see the persons who voted?—It might have happened that I sometimes did not look at the voter in the face.

Ques.—Did you allow any women to vote at the said poll for and in the name of their husbands who were absent?—No. One came to vote, but I would not allow her.

By Mr. Taché.

Ques.—Have you any knowledge of violence and threats having been offered by the partisans of either of the candidates?—There was a great deal of violence in the first day. From what I could see, the violence was used on both sides. On the morning of the first day before the opening of the poll Mr. Byrne and Mr. Paquet sent for me, stating that they were Mr. Laurin's Agents, and desired to have a placard which had been placed over the hustings, removed. It caused it to be taken down and this excited the partisans of Mr. O'Farrell so much that they forced Messrs. Byrne and Paquet to withdraw from the poll and I did not see them there afterwards either on the first or the second day.

By Mr. Taché.

Ques.—Could Mr. Laurin's partisans get to the poll on the second day and were his friends able to object to the votes that were being registered?—I have no knowledge of there having been violence made use of during the second day in the immediate vicinity of the poll. I however saw a disturbance at about an acre and a half from the poll which was caused, I think, by some one not having been permitted to go and vote. There were few persons at the place where the riot took place, but there were a great many at the poll. I think that all the persons who were at the poll were partisans of Mr. O'Farrell. There was but one person who came to vote for Mr. Laurin and he came at the end of the voting. He voted without being molested. The row of which I have spoken, took place at about twelve o'clock on the second day. Mr. Laurin had Mr. Mullavey a parti-

san of his as a friend in the poll. This gentlemen did not object to the voters who presented themselves, although I asked him several times if he had any objections to makè to the votes given. I have no knowledge of his having been threatened. He appeared to be respected by both parties.

Ques.—Were you requested to swear in special Constables when the disturbance took place on the first day, and did you do so?—I do not recollect having been asked to swear in special Constables. I myself swore in two, and kept them under my orders during the two days.

Ques.—Did Mr. Mullavey, of whom you have spoken, remain at the poll on the first day, and was the voting free on both sides?—Mr. Mullavey was present at the poll on the first day, and the voting was free for both sides.

The Committee then adjourned till 1 o'clock, P. M.

1 o'clock, P. M.

The Committee met pursuant to adjournment.

PRESENT :

J. C. TACHÉ, Esquire,
(*Chairman.*)

Mr. Gill,
Mr. Mattice,
Mr. Meagher,

Auguste Dugal, of the Parish of Ste. Croix, County of Lotbinière, Merchant, having been duly sworn, did depose and say.

Ques.—Did you act as poll clerk for the Parish of Ste. Agathe at the late election of a Member for the County of Lotbinière?—I did.

Ques.—Do you recognise the poll books for the Parish of Ste. Agathe, County of Lotbinière, now shewn to you?—I do.

Ques.—Who took down the names which are in the said poll book?—The Deputy Returning Officer and myself. The greater part of them were written by me, and the remainder by the Deputy Returning Officer. I was absent for a few minutes. During that time the Deputy Returning Officer may have entered some names. With this exception, the names were written by me or in my presence.

Ques.—Do you think that the number of votes registered at Ste. Agathe during the two day's polling is greater than that which ought to have been registered as regards the number of voters qualified to vote in the said Parish?—I do not know the population of Ste. Agathe. It was the first time I had been there, and I knew nothing about it.

Ques.—Did you notice that several persons voted several times at the Poll of Ste. Agathe?—Although I do not know who the persons are, still I have a personal knowledge of persons having voted several times without the representatives of the Candidates having made any objections to their so doing. I do not mean to say that there were no objections at all made to the voting, but merely, that they seemed to me to tolerate this repetition of votes.

Ques.—For whom did these persons vote under different names?—Some voted for Mr. O'Farrell, and some for Mr. Laurin.

Ques.—How many votes were given for Mr. Laurin during the two days of the voting at Ste. Agathe?—Eight for Mr. Laurin, and two hundred and twenty-eight for Mr. O'Farrell.

Ques.—Have you any knowledge of violence or threats having been made use of by the partizans of Mr. O'Farrell at the Poll of St. Agathe?—I have no

knowledge of violence, but I have heard threats made use of by the partisans of Mr. O'Farrell.

Ques.—Do you think that these threats had the effect of intimidating the electors of Mr Laurin, and of preventing them from going to vote at the poll of Ste. Agathe?—I think that these threats may have had the effect of intimidating Mr. Laurin's electors, but I must add that the number of Mr. Laurin's electors at the poll was very small.

By Mr. Taché :

Ques.—Do you know the number of Mr. Laurin's partisans in the parish of Ste. Agathe?—I do not, nor do I know the number of Mr. O'Farrell's partisans.

Ques.—Were both the Candidates represented at the poll, and was the voting free during both days of the registering of the votes?—Both Candidates were represented at the poll on the first day, and the total number of votes registered on that day was forty-two, thirty-eight of which were for Mr. O'Farrell, and four for Mr. Laurin. Mr. O'Farrell was represented on the second day during all the time of the voting, and Mr. Laurin only during a certain time. I cannot specify the length of time. There were threats made use of on the first day, as I have already stated. I do not think that any of Mr. Laurin's partisans were present at the poll on the second day. The reason that induces me to believe this, is, because there was no disturbance on the second day, and that every one present appeared to me to belong to the same party. The people cheered outside the poll. I think that there were a few persons under the influence of liquor; the majority, however, of the people were sober. When I say that they were under the influence of liquor, I mean to say, that they were a little merry. Mr. Carrier was Mr. Laurin's representative on the first day. I do not know the name of the person who represented him during a certain time on the second day. I will add, that, on the second day, at the opening of the poll, there was no one present to represent Mr. Laurin, and that then, this person whom I have mentioned told us that he would represent Mr. Laurin. I do not know whether he was a partisan of Mr. Laurin or of Mr. O'Farrell. I do not know whether he voted for Mr. O'Farrell or for Mr. Laurin, because there were some persons who voted, first for Mr. O'Farrell, and then for Mr. Laurin.

Ques.—Do you know the reason which prevented Mr. Carrier from representing Mr. Laurin at the poll at Ste. Agathe, on the second day of the voting, and state what you know on the subject?—I understood that Mr. Carrier did not come forward to represent Mr. Laurin on the second day of the voting, because he had been threatened, though I did not hear the threats made use of myself.

By Mr. Mattice.

Ques.—Can you name the person or persons who voted at the same time for both Candidates?—I know neither the names nor the number of these persons, but I know that they voted in this manner under different names.

By Mr. Taché.

Ques.—Have you any knowledge of the registering of the vote of Mr. Thomas Lloyd. Please state what you know on that subject?—I do not know Mr. Lloyd or anything about it, as I was engaged in writing down the names and do not know the people of the place.

Thursday, March 29th, 1855.

The Committee met this morning at half-past 10 o'clock, A. M.

PRESENT.

J. C. Taché, Esq.,
(Chairman.)

Mr. Gill,
Mr Mattice,
Mr. Meagher.

Edward Noel, of the Parish of St. Antoine, County of Lotbinière, merchant, a witness summoned on behalf of the Petitioner, having been duly sworn, did depose and say,

Ques.—Did you act as Deputy Returning Officer for the Parish of St. Agathe in July last, at the late Election of a Member to serve for the County of Lotbinière?—I did.

Ques.—Do you recognise the poll books for the Parish of Ste. Agathe, now shewn to you?—I do.

Ques.—Who took down the names in the said poll book?—My poll clerk Mr. Dugal and myself.

Ques.—Do you think that the number of votes, registered at Ste. Agathe during the two days of the voting is greater than that which should have been registered, considering the number of voters qualified to vote in the said Parish? I neither know the Parish Ste. Agathe, nor the number of voters in the said Parish.

Ques.—Did you notice that some persons voted several times under different names at the poll of Ste. Agathe?—I only know seven or eight persons in the Parish of Ste. Agathe, but it might have happened that some persons voted several times, under different names. I had some suspicion that such had been the case. It may happen when a person does not know the people, that persons may vote without being noticed.

Ques.—Did you yourself ask the questions required by law, of the persons who came to vote?—These questions were put sometimes by me, and sometimes by my poll clerk.

Ques.—Can you state that the answer to these questions were given by the persons themselves who came to vote?—I took special care to make the persons themselves who came to vote answer, but it may have happened, that some names and answers were given by other persons than the voters, without my perceiving it.

Ques.—Did the persons who voted approach the place where you were standing to give their votes, and were they not prevented from approaching, on account of the crowd there was in the poll house?—No. The people approached the railing, inside of which I was, and no person, to my knowledge, prevented them from coming up.

Ques.—For whom did the persons, whom you suspected of having voted several times under different names, vote?—I think they voted for Mr. O'Farrell and it might have happened at the same time that there were some who voted several times for Mr. Laurin. I am under the impression, that, on the second day persons voted for Mr. Laurin after having voted for Mr. O'Farrell.

Ques.—Have you any knowledge of threats or violence having been made use of by the partisans of Mr. O'Farrell at the poll of Ste. Agathe and state what you know on the subject?—No, I do not know of any.

Ques.—Was Mr. Laurin represented at the poll of Ste. Agathe during the two days of the polling and by whom?—Mr. Laurin was represented at the poll of Ste. Agathe on the first day by Messrs. Carrier and Morissette. On the second day, a

person came and asked Mr. O'Farrell's representative whether he would allow him to represent Mr. Laurin, but I do not know his name. He remained at the poll for about half an hour or more to the best of my knowledge. As far as I can recollect, Mr. O'Farrell's representative told him, at the time he asked him, that he had no objections to him representing Mr. Laurin at the poll. I think that the person who thus represented Mr. Laurin at the poll, on the second day, had voted before for Mr. O'Farrell and I afterwards suspected him of being the person who voted in the second instance for Mr. Laurin. He did not make any objections to the voters who presented themselves.

Ques.—Do you know the reason which prevented Messrs. Carrier & Morissette from coming to the poll on the second day to represent Mr. Laurin, and state what you know on the subject?—I remember that, on the morning of the second day, Mr. Carrier told me that he would not come to the poll, because he was afraid of being ill-treated. I do not remember if Mr. Morissette told me the same thing. When Mr. Carrier spoke to me, as I have said above, I answered him that I had a constable and that he need not be afraid. He replied that I did not know the people and that they might ill-treat him. I have no knowledge of Mr. Carrier's having been threatened.

Ques.—Did you hear any noise or shouts at or near the poll during the two days of the pollin?—All that I can recollect is that, on the second day at the closing of the poll, the people gave three cheers.

Ques.—Will you state who wrote the name "*Thomas Lloyd*" in the poll books of Ste. Agathe?—I think that the name "*Thomas Lloyd*" was written by my poll clerk, but I do not know who wrote the word "*Cultivateur*" in the column of "*Their legal addition.*" I do not recollect the circumstances attending the registering of the said vote.

The Committee then adjourned till 1 o'clock, P. M.

Quarter to 2 o'clock, P. M.

The Committee met at a quarter to 2 o'clock, P. M.

PRESENT:

J. C. Taché, Esq.,
(Chairman,)

Mr. Gill,
Mr. Mattice,
Mr. Meagher.

James Mullavey, of the Parish of St. Sylvester Esquire, Justice of the Peace, having been duly sworn, did depose and say:

Ques.—Were you present at the poll, at St. Sylvester, at the late Election of a Member to serve for the County of Lotbinière, during the two days of the voting, and state all you know on that subject?—I was present at the poll at St. Sylvester, on the first day, and the forepart of the second day. My reason for not remaining at the poll during the whole of the second day was, because I saw that I could not be of any service to Mr. Laurin, and was disgusted with the conduct of Mr. O'Farrell's voters. On the morning of the second day, the poll was opened before I got there. The first man that came forward to vote was a man of the name of William Coyle, who had voted for Mr. O'Farrell on the previous day. I objected to his vote, and he withdrew, and did not come back to vote to my recollection. Two women then came to vote for their husbands, who were absent. I objected to their votes being recorded, and referred to the Deputy Returning Officer, through the means of the Clerk, who spoke English. The Deputy Returning Officer could

not speak English. The Deputy Returning Officer recorded the names of the husbands in my presence. When I was objecting to the women's votes being registered, threats were made against me by persons standing outside of the window, through which the names were taken in. As near as I can recollect, the precise words were, "that if I did not let the women's votes pass on behalf of their husbands, they would haul or drag me out of the house." I defied them to do so, because I was not afraid of them, and knew them all, and could know where to find them if they attempted violence.

Ques.—Are you aware that Messrs. Byrne and Paquet, the Agents of Mr. Laurin, were driven away by violence from the poll of St. Sylvester, by the partisans of Mr. O'Farrell?—Yes, I was present. They were driven, by acts of violence, from the poll. When I saw that Mr. Laurin had no one to represent him at the poll, I thought I would do so myself, although not requested by any person. They were fighting in the Poll-house at the time. The men that broke open the door were beating a man of the name of Patrick Sheridan, who, I think, was a partisan of Mr. Laurin's. My reason for believing so, is, that he voted for Mr. Laurin afterwards. All this occurred on the first day of the Election, immediately after the poll was open. There was not a vote registered at the time. Mr. Byrne told them he was a delicate man, and that if they would promise him no ill-usage, he would leave the poll according to their orders, where he was representing Mr. Laurin, or words to that effect. They answered that they would not ill-use him, but that he should leave the house. I do not know how Mr. Paquet got out of the house, as they were fighting at the time. This is all that I recollect having happened on the first day. After that, everything went on very quietly and in an orderly manner during the remainder of the day. What I have stated relative to Coyle and the women, took place on the second day. When I saw that I could no longer be of any use to Mr. Laurin on the second day, as the votes were taken down, whether I objected to them or not, for I objected to the whole of them for a time, knowing that the persons names.

It being now 3 o'clock, P. M., the Committee adjourned till to-morrow at 10 o'clock, A. M.

Friday, 30th March, 1855.

The Committee met this day at half-past 10 o'clock, A. M.

PRESENT :

J. C. TACHÉ, Esquire,
(*Chairman.*)

Mr. Gill,
Mr. Mattice,
Mr. Meagher,

The examination of Mr. Mullavey was resumed.

When I say the whole of them, I mean to say the whole of those that I knew to be bad. There were fifty or more of these votes that I knew to be bad, recorded in my presence. When I speak of those fifty or more names illegally recorded, I allude to names of persons being not at all Parishioners of St. Sylvester. Those names were given by a few persons. I noticed that the name of a Mr. Russell, whom I know well, was given from the window by a lad or a small chap. This vote was recorded for Mr. O'Farrell. This Mr. Russell is a Parishioner of St. Sylvester, and is a voter. I did not see Mr. Russell at the Election, and do not think he could have come there without my knowledge. I spoke to him on the

subject, and told him that his name was on the Poll-book. He said that he was not at the poll. There are no other Russells in the Parish, except his family, and his children are minors.

Ques.—Are you aware of the number of the real and legal voters in the Parish of St. Sylvester?—To an approximation, there are about five hundred and twelve. In the previous Election in 1851, when Mr. Laurin was opposed by Mr. Joly, he had all the voters that could be collected in that Parish. I do not think that the number of votes polled on both sides amounted to five hundred. I speak to the best of my recollection. Both parties, I think, had used their utmost exertions to collect all the votes that could be got in the said Parish. Very few remained at home. Some, however remained, as is always the case. The number of votes has increased in St. Sylvester very little since 1851, because there is not much room in the Parish for new settlers. There might be a few non-resident voters in the said Parish, and those that voted did not vote for Mr. Laurin on the first day. A few voted for Mr. O'Farrell on the second day.

Ques.—Are you aware that Louis Vallières, of the Township of Broughton, in the County of Megantic, was compelled by force to vote in his own name and for several others, for Mr. O'Farrell on the second day, and state all you know on that subject?—I saw him vote for Mr. O'Farrell on the second day. I do not recollect seeing violence resorted to to compel him to vote, further than inviting him strongly to come forward and vote. They told him that, if he did not come to vote, it was better for him not to be there. I think that he voted against his will. I believe that he gave the names of several other voters, the number of which I cannot tell, to the poll Clerk and I saw the said names recorded. I cannot say that I saw the said names recorded but I can say that when he was speaking, the Poll Clerk was writing. I think that, according as he gave the names in, the Returning Officer asked him, "For whom do you vote, sir?" He continued to give successively the names of the individuals he was made give in.

Ques.—Did the Returning Officer during the time you were at the poll himself ask those persons who presented themselves to vote, the questions required by law?—If he did, I do not recollect it.

Ques.—Had you any conversation with Mr. O'Farrell at the poll on the second day, relative to the Election, and, if so, give us that conversation?—Yes, Mr. O'Farrell asked me to dinner with him, and asked me not to go on with my objections to the voters, but to let Mr. Laurin put him out by law, or something to that effect. This conversation took place in the poll on the second day of the Election.

Ques.—Did Mr. Parent, the Deputy Returning Officer, appear to you to act at the poll under the influence of Mr. O'Farrell?—I have a bad opinion of Mr. Parent in his capacity of Deputy Returning Officer. He was standing at a certain time looking out through the window, where he must have seen a man give in either three or four names, and if I could have spoken French, I would have told him of his error at the time. This is the second reason I have for having suspicions against Mr. Parent.

By Mr. Mattice.

Ques. Do you know the names of the two husbands whose wives voted for them?—Yes I do, their names are John and Edward Fitzpatrick.

Cross-examined by sitting Member.

Ques.—About what hour on the second day did you leave the poll?—I cannot say.

Ques.—Was it before or after noon?—It was after noon.

Ques.—Was it long or shortly after noon?—It was a good while in the afternoon.

Ques.—Did you make any and what objections to votes given there on the second day?—I objected to them, because the persons whose names were given were not there at all. I made the objection in a loud voice to the Returning Officer, and my objection was, to the best of my belief, translated to him by the Clerk. When the people outside heard me making objections, why could not the Returning Officer.

Ques.—Did you make any objection to any other voters than the two women you have spoken of, and to whom, in such a manner as to be heard by the Returning Officer or his poll clerk?—William Coyle was the first to whom I objected. I next objected to the two women, and when I saw that my objections were of no avail, I ceased making any.

Ques.—Did you see William Coyle vote on the first day?—To the best of my belief, I did.

Ques.—Are you positive in stating that Mr. Paquet was in the poll house on the morning of the first day at the opening of the poll?—Yes, I was speaking to him in the house.

Ques.—Did any body strike either Mr. Byrne or Mr. Paquet on the morning of the first day?—I did not see any one strike them. I did not see any one shove or push either of them, but heard some one say, "Cut the devil of any one that would vote for Mr. Laurin." The next words were, "Where are the blackguards?" I do not know who made use of these expressions.

Ques.—Where does the Patrick Sheridan spoken of by you, reside?—He resides on the road between St. Patrick's Mill and the Parish Church, to the left hand side as you go from the mill to the church. He is a School Commissioner.

Ques.—Do you know whether or not Mr. Byrne and Mr. Paquet insisted on the removal of a placard which was on the poll house?—I saw Mr. Byrne insist, with several others, on having the placard taken down. I did not see Mr. Paquet there at the time. At all events, the placard was taken down by the poll clerk. It was after that, I saw Mr. Paquet at the poll.

Ques.—Did you see any person and whom, pushed or struck on the second day?—No, I believe not. They were almost all Mr. O'Farrell's party who were there at the time, and if any of Mr. Laurin's men were there, they said that they were afraid to come forward and give their vote, except one Mr. McCaffrey who voted.

Ques.—Do you swear that the person whom you saw give in Mr. Russell's name was not 21 years of age?—I will not swear as to his age. I only alluded to his having given in Mr. Russell's name. I will now say something I have not said before. A lad of the name of James Boyle, a nephew of mine, gave in several names in favor of Mr. O'Farrell, and they were recorded by the Returning Officer.

Ques.—What is the occupation of the Louis Vallieres you have spoken of?—I do not know.

The Petitioner declared that he hereby closes his proof, and abandons all claims against the seat of the sitting Member, and asks that the election be declared illegal, irregular and void.

The Committee then adjourned until to-morrow at 10 o'clock, A. M.

Saturday, 31st March, 1855.

The Committee met this day at half-past 10 o'clock, A. M.

PRESENT:

J. C. TACHÉ, Esquire,
(*Chairman.*)
Mr. Gill,
Mr. Mattice,
Mr. Meagher,

The sitting Member filed a list of his witnesses.

On motion of Mr. Mattice, it was resolved,—That whereas it has been proved that the allegations set forth by the sitting Member as to bribery and corrupt practice having been made use of by the Petitioner, are unfounded, the costs and expenses incurred on the said points be defrayed by the sitting Member.

Ordered,—That Louis Val'ieres, of St. Sylvester or Broughton, James Boyle, of the same place, and James McCullough, Junior, of the same place, be summoned to appear before the Committee on Wednesday the 4th April next, at 10 o'clock, A. M.

The Committee then adjourned till 10 o'clock, A. M., on Monday.

Monday, 2nd April, 1855.

The Committee met this day at half-past 10 o'clock, A. M.

PRESENT :

J. C. TACHÉ, Esquire,
Chairman.

Mr. Gill,
Mr. Mattice,
Mr. Meagher.

The minutes of Saturday were read.

The Committee then adjourned till to-morrow at 10 o'clock, A. M.

Tuesday, 3rd April, 1855.

The Committee met this day at half-past 10 o'clock, A. M.

PRESENT :

J. C. TACHÉ, Esquire,
Chairman.

Mr. Gill,
Mr. Mattice,
Mr. Meagher.

On motion of Mr. Taché, it was resolved,—That Mr. O'Farrell, the sitting Member, be notified that the Committee will sit on to-morrow, and all the day on Thursday and Saturday, and that he must bring all his witnesses in order to proceed to the closing of his evidence, and that Mr. Laurin, the Petitioner, be also notified of that decision.

Ordered,—That the sitting Member's witnesses, mentioned in his list, be summoned to appear on Thursday and Saturday next, the 5th and 7th instant, at 10 o'clock, A. M.

The Committee then adjourned until 10 o'clock, A. M., to-morrow.

Wednesday, 4th April, 1855.

The Committee met this day at 11 o'clock, A. M.

PRESENT :

J. C. TACHÉ, Esquire,
Chairman.

Mr. Gill,
Mr. Mattice,
Mr. Meagher.

The witnesses summoned for this day not having appeared, the Committee adjourned until 1 o'clock, P. M.

Half-past 1 P. M.

The Committee met pursuant to adjournment.

PRESENT :

J. C. TACHÉ, Esquire,
Chairman.

Mr. Gill,
Mr. Mattice,
Mr. Meagher.

The Reverend Joseph Neil Campbell, of Quebec, a witness summoned on behalf of the sitting Member, appeared before the Committee, and after having been duly sworn, did depose and say.

Ques.—In any visit that you ever made to St. Sylvester, did anything, unconnected with your ministry, transpire in relation to the character of James Mullaney, Esquire, and state what it was?—Nothing transpired to my personal knowledge, but what I heard from some persons on one occasion, who were dissatisfied with his conduct as a magistrate.

Ques.—Does the said Mr. Mullavey enjoy a good reputation in the Parish?—I believe not generally. The reputation I have heard of him, I would consider unsatisfactory.

Cross-Examined by Petitioner.

Ques.—Do you consider Mr. Mullavey a person not to be believed on his oath?—In any case in which he would himself have an interest or be interested in, I would be very much inclined to have strong doubts as to his testimony. What I have stated above is from mere hearsay.

There being no other witness in attendance, the Committee adjourned till tomorrow at 2 o'clock, P. M.

Thursday, 5th April, 1855.

The Committee met at half-past 2 o'clock, P. M., pursuant to adjournment.

PRESENT :

J. C. TACHÉ, Esquire,
Chairman.

Mr. Gill,
Mr. Mattice,
Mr. Meagher.

James Thurber, Esquire, of the Parish of Ste. Croix, a witness summoned on behalf of the sitting Member, appeared and after having been duly sworn, did depose and say :

Ques.—Do you know Magloire Parent, who was Deputy Returning Officer for St. Sylvester at the late Election?—I do, during at least twelve years past.

Ques.—Is he a person worthy of being believed on oath?—I should think he was.

Cross-Examined by Petitioner.

Ques.—Did Mr. Parent tell you that several persons at St. Sylvester had voted a number of times at the late election?—He told me he thought that several persons had voted several times, and that such was his impression.

François Legendre of the Parish of Ste. Croix, Farmer, a witness summoned on behalf of the sitting Member, having been duly sworn, did depose and say :

Ques.—Do you know Magloire Parent the Deputy Returning officer for St. Sylvester at the late election, and state how long you have known him?—I have known him for fifteen years more or less.

Ques.—Is he an honest man and worthy of being believed on his oath?—I know Mr. Parent to be a perfectly honest man and I would believe him on his oath.

Narcisse Thibaudeau of Ste. Croix, Merchant, being duly sworn, did depose and say.

Ques.—Do you know Magloire Parent the Deputy Returning Officer for St. Sylvester at the late election, and state how long you have known him?—Yes. I have known him for eight years.

Ques.—Is he an honest man and a person worthy of being believed on oath?—Yes.

François Boisvert of the Parish of Ste. Croix Merchant, having been duly sworn, did depose and say.

Ques.—Do you know Magloire Parent, who acted as Deputy Returning Officer at St. Sylvester at the late election and state how long you have known him?—I have known him for about twelve years.

Ques.—Is he an honest man and a person to be believed on oath?—Yes.

George McCrea, of the Parish of St. Sylvester, Trader, being duly sworn, did depose and say :

Ques.—Were you in the Parish of St. Sylvester during the two polling days, at the late election for the County of Lotbinière?—Yes I was.

Ques.—Were you in a position to judge whether or not there was any violence used by Mr. O'Farrell's supporters at the said Election?—No, I was not in a position to judge whether Mr. O'Farrell's party used violence or not, as I was in my own house, which is about three acres distant from the poll. I could see from my house where the poll was kept. All the violence I saw from my own house, was one of Mr. Laurin's men, whose name was Edward Donaghue, chasing one of Mr. O'Farrell's party, whose name was Francis Donaghue. They were coming from the poll.

Ques.—Do you know James Mullavey, Esquire, J. P., who resides in the Parish of St. Sylvester, and during what length of time?—Yes, we were school-boys in Ireland. We have been living in the same Parish for the last twelve years, more or less.

Ques.—Is the reputation of that gentleman good or bad in the Parish?—I cannot say. I have had no dealings with him. Some people in the Parish speak well of him whilst others speak ill.

Cross-examined by Petitioner.

Ques.—Do you consider Mr. Mullavey a person to be believed on his oath?—I never heard any thing against him or his oath, because I never heard of his having taken an oath at any time, about which any talk could arise, except when Judge Power was up at St. Sylvester Church as Commissioner.

Ques.—Would you believe him yourself on his oath?—I do not know. I cannot say much about that.

Ques.—Did you not keep an open house at the late Election, for the electors of Mr. O'Farrell, and did not this prevent you, on account of your being busy furnishing them with refreshments, from seeing what was going on outside your house?
Overruled by the Committee as being irrelevant.

To-morrow being a legal Holiday, the Committee adjourned until Saturday, at 10 o'clock, A. M.

Saturday, 7th April, 1855.

The Committee met this day, at a quarter past 10 o'clock, A. M.

PRESENT :

J. C. TACHÉ, Esquire
 (Chairman.)

Mr. Gill,
 Mr. Mattice,
 Mr. Meagher,

On motion of Mr. Taché, it was Resolved,—That no further evidence be allowed on the part of the sitting Member about the credibility and honesty of Mr. Parent, a witness examined before the Committee. A sufficient number have been already heard on that point.

The Sitting Member, declared that, owing to the decision of the Committee on the inadmissibility of any further evidence as to the credibility on oath of Mr. Parent, he, the Sitting Member, is forced to forego the evidence of the Reverend Mr. Belleau, R. S. Noel, Esquire, and C. F. Dionne, Esquire, whom he had summoned to prove that fact.

C. F. Dionne, Esquire, of the Parish of St. Antoine, appeared before the Committee, but was not examined.

Jean Simard, of the Parish of St. Sylvester, Carpenter, having been duly sworn, did depose and say :

Ques.—Were you present at St. Sylvester on the two days of the voting at the late Election for the County of Lotbinière?—Yes.

Ques.—Did Mr. O'Farrell's partisans use any violence to keep off the voters of Mr. Laurin?—No, I did not see any.

Ques.—Was the poll free for both parties during both days of the voting?—On the first day the voting was free. There was a little noise on the first day, but none on the second. The first day the noise was by both parties and on the second, there was no noise at all, The parties appeared agreeable. I was there during the two days of the Election from the beginning to the end. From what I could judge, both parties were present on the second day. There were a number of Protestants who came out to this Election to vote and who did vote, who had

not voted at the previous election. I do not know whom they voted for at the election in question. From my elevated position, where I was working at a window of the church, I could the whole time see what was going on at the poll which was held on the other side of the street.

Cross-Examined by Petitioner.

Ques.—Can you state whether or not Mr. Patrick Sheridan was beaten at the poll?—I can tell you that he was beaten once outside the poll. I know nothing about what may have happened inside the poll-house.

Ques.—Was he not beaten by the partisans of Mr. O'Farrell?—Yes, Sheridan was struck by a man of the name of Doran, his nephew by marriage. Sheridan was insulting Doran, telling him that he was the greatest rascal and drunkard of the Parish and a disgrace to his family. This was in the morning before the poll was opened or at the beginning of the poll.

Ques.—Do you know Joseph Canac de Marquis of St. Sylvester, and do you know whether he was beaten near the poll on the second day of the voting, when he went to vote for Mr. Laurin?—Yes, I know him. I heard some one speak about him, but I did not see him beaten, or hear that he had been beaten at the poll. I do not know whether he voted or not.

Ques.—Can you swear that Mr. Laurin's partizans were at the poll on the second day of the voting?—I know nothing about it. There were great numbers of persons who voted, but I do not know for whom they voted nor of which of the two Candidates they were partisans.

By Mr. Taché.

Ques.—Are you aware there were a great many more votes recorded at the polling at St. Sylvester at the late Election than the real number of legal voters?—I am not aware of that.

By Mr. Taché.

Ques.—Do you swear positively that there was no violence and no illegal extraordinary proceedings at the poll of St. Sylvester at the late Election?—There was no violence of any consequence and I may call it nothing. I do not know of any person having voted more than once. I was too far from the poll to notice it.

By Mr. Mattice.

Ques.—Do you know if there was any violence or threats made use of by the partisans of Mr. O'Farrell on the morning of the first day about a placard over the door of the hustings, and did you see the door of the poll-house broken open?—No, I could not see the door, as I was on the north side, and the door was on the south side. I could see the voters but not the door. I did not hear or see any violence by Mr. O'Farrell's partisans about the placard. The voting was carried on at the window and not at the door of the hustings, and I could see the window and the people outside from where I was working.

John Monaghan of the Parish of St. Sylvester, Tailor, having been duly sworn, did depose and say :

Ques.—Were you present at the two days polling at St. Sylvester?—I was.

Ques.—Did you see any violence resorted to by the supporters of Mr. O'Farrell to prevent Mr. Laurin's supporters from voting as they pleased?—No, I did not.

Ques.—Did you hear any threats made use of by the supporters of Mr Laurin, on the first day, and, if so, state whom?—I did. They were made at about noon by a supporter of Mr. Laurin, whose name I do not like to mention, as we

are neighbors. The words made use of, were, that we would be kicked and smashed if we did not clear out of the poll and not uphold Mr. O'Farrell. Mr. Laurin's partisans at that time were more numerous than those of Mr. O'Farrell. There were few of the Irish there at that time and none of the Protestants,

Ques.—Were you at the opening of the poll on the first day?—I was.

Ques.—Did you see the door of the hustings broken in, or forced open by Mr. O'Farrell's partisans?—No, I did not.

Ques.—Had the door of the hustings been so broken in, or forced open, would you have perceived it at the opening of the poll on the first day?—I would have seen it, and it was not broken open.

Cross-examined by Petitioner.

Ques.—Was there not some fighting or disturbance at the opening of the poll on the first day about a placard that had been placed on the door of the hustings.—I know nothing about it.

George Murtough of St. Sylvester, Farmer, having been duly sworn, did depose and say :

Ques.—Were you present at the late Election for the County of Lotbinière. at St. Sylvester?—I was there on the second day.

Ques.—Did you see any violence resorted to by the partisans of Mr. O'Farrell, to prevent the Electors of Mr. Laurin from voting as they pleased?—None whatever.

Ques.—If any such violence had been resorted to, is it likely that you would have seen it?—I think I would.

Cross-examined by Petitioner.

Ques.—Do you know whether any persons voted for Mr. Laurin on the second day of the poll, and if so, how many?—I do not know. The poll was thronged, and I did not know whom they voted for.

Ques.—Did you see any of Mr. Laurin's partisans at the poll on that day, and were they in great numbers?—I cannot say any thing about that, as I do not know who Mr. Laurin's partisans were.

Francis Macalasher of St. Sylvester, Farmer, having been duly sworn, did depose and say :

Ques.—Do you know Louis Vallières of the Township of Broughton?—I do.

Ques.—Was Louis Vallières threatened or forced to vote at the late Election for the County of Lotbinière?—No, I saw him vote, and he voted freely.

Ques.—Were there any supporters of Mr. Laurin present at the poll, on the second day?—There were.

Ques.—Were they prevented from coming to the poll or from voting as they pleased?—I saw no one prevented from voting.

Ques.—What is the general reputation of Mr. Mullavey, J. P., in the Parish?—That he is inclined to be a hurtful man, since he has got to be a Magistrate.

It being now half-past twelve, the Committee adjourned until half-past one.

Half-past 1 o'clock, P. M.

The Committee met pursuant to adjournment.

PRESENT :

J. C. Taché, Esq.,
(Chairman.)
Mr. Gill,
Mr. Mattice,
Mr. Meagher.

James McCullough, Junior, of the Parish of St. Sylvester, Gentleman, being duly sworn, did depose and say :

Ques.—Were you present at St. Sylvester on the two days polling at the late election for Lotbinière?—I was present only on the first day's polling.

Ques.—Was any violence resorted to on that occasion, by Mr. O'Farrell's supporters to keep Mr. Laurin's supporters from coming the poll, or from voting?—None whatever. I was not inside, but outside the poll at the beginning, and remained outside all the day, with the exception of some instance now and then.

Ques.—Do you know James Mullavey J. P., of St. Sylvester?—I do.

Ques.—Is his general reputation good or bad in the Parish?—As far as I can understand, it is not very good.

Cross examined by Pétitioner.

Ques.—Do you know the reason on account of which you understand that Mr. Mullavey's general reputation is not very good?—He is Commissioner in the Court and it is reported that he does not do justice in all cases.

Ques.—Do you think that Mr. Mullavey is a person worthy of being believed on oath?—I do not and I will give you my reasons for it. I understand that he must have property to a certain amount to qualify himself as a Magistrate and he is not worth £150 in real estate, the amount required.

By Mr. Taché.

Ques.—Do you know all the properties owned by Mr. Mullavey in St. Sylvester and how do you know so?—I know by report and have been several times at his place and I think that his place is not worth that sum.

Ques.—Do you know the properties upon which Mr. Mullavey has qualified himself and are you aware that Mr. Mullavey has no property elsewhere than in St. Sylvester?—As far as I can understand, it is on the property he resides upon, but I have no personal knowledge of the fact and am not aware that Mr. Mullavey has property elsewhere than in St. Sylvester. He may or he may not.

Ques.—Are you aware that there were a great many more votes recorded in St. Sylvester at the election than the real number of legal voters?—I am not.

Ques.—Do you swear positively that there was no violence or threats offered to any body and no illegal and extraordinary proceedings at the poll of St. Sylvester during the late election?—Yes, there was violence and threats offered by the supporters of Mr. Laurin. The evening previous to the election, they threatened that they would drive Mr. O'Farrell's partisans away from the poll before ten o'clock on that day, and that they would carry the election as they did the former one. They endeavoured to drive them away but were stopped by the Reverend Mr. O'Grady, who told them not to use any violence. The scuffle took place in the front of the polling window opposite the church. Mr. O'Farrell's partisans were prevented from voting for a few minutes, but voted afterwards.

John Nugent of the Parish of St. Sylvester, Farmer, having been duly sworn, did depose and say.

Ques.—Were you one of the two constables employed by the Deputy Returning Officer at St. Sylvester during the late election for Lotbinière?—I was one of the two constables, employed by the Deputy Returning Officer at St. Sylvester at the late election.

Ques.—Were you present in the poll house during the two days voting at that election in St. Sylvester?—I was.

Ques.—Did you see any violence offered by the partisans of Mr. O'Farrell to the partisans of Mr. Laurin to prevent the latter from voting?—I did not.

Ques.—Can you, and if so, please state how the difficulty with Patrick Sheridan began?—I know nothing of the affair of all. I was inside the poll. We

were two constables and sometimes one remained inside and the other outside the poll.

Ques.—Did the partisans of Mr. O'Farrell on the first day break open or force open the door of the polling House?—No, they did not in my time and I never heard of it and it could not have happened in my absence without my knowing of it on my return. I saw no marks on the door. There was only one door to the poll house.

Ques.—Did you get communication of Mr. Mullavey's qualification, and by whom?—I heard it read in Quebec to day by a person whom I do not know. I believe it was in the Court House. There was only one lot of three acres front described in the paper which was read to me. The said lot is near St. Patrick's mill in St. Sylvester and is the lot he lives on.

Ques.—Do you know Mr. Mullavey, and if so, what is his general reputation in the Parish?—I do, he has never done anything to me, and I cannot call him dishonest.

(By Mr. Gill.)

Ques.—Would you think Mr. Mullavey a person to be believed on his oath?—I could not disbelieve him on his oath.

Cross-examined by Petitioner.

Ques.—Did you notice that several persons voted at the poll of St. Sylvester, on the second day of the polling more than once, under different names?—I was inside and did not take notice.

(By Mr. Mattice,)

Ques.—Did you see Mr. Byrne there, and do you know whether he was threatened and forced to leave the poll?—I did. I did not see him threatened by any person, and he walked away of his own accord.

(By Mr. Taché,)

Ques.—Are you aware that there were a great many more votes recorded at the polling of St. Sylvester than the real number of legal voters?—I know nothing about the votes.

William Hume, Esq., of Leeds, County of Megantic, Public officer, having been duly sworn, did depose and say.

Ques.—Are you the Agent of the Seigniory of St. Giles de Beau Rivage?—I am.

Ques.—Can you state the number of lots of land dependant upon that Seigniory, which have been conceded in the Parish of St. Sylvester?—I think that there are about 800, or perhaps upwards of conceded lots in the Parish of St. Sylvester.

Ques.—Can you state how many lots of ground or emplacements dependant on that Seigniory, have been conceded in the said Parish of St. Sylvester?—There have been none conceded by the Seigniors, but some have been bought from the proprietors. I cannot state the number of emplacements that there are. I wish to correct myself by saying that there are about twelve or fourteen emplacements conceded by the Seignior. There is altogether a good number of emplacements in the said Parish.

(By Mr. Taché)

Ques.—Are there two or more lots conceded in several instances to the same person?—Yes. In several instances there are two or more lots conceded to the same person.

Ques.—Are you aware of the number of legal voters in the Parish of St. Sylvester?—I should say about the number of conceded lots, on account of the division of property after the concessions have been made.

William Coyle of the Parish of St. Sylvester, Farmer, having been duly sworn, did depose and say :

Ques.—Were you present at St. Sylvester, during the two days polling, at the late election?—I was.

Ques.—Did you see any violence resorted to by Mr. O'Farrell's supporters?—Not any in my presence.

Ques.—Upon which of the two days polling did you vote?—On the second day. About half an hour after the poll house was opened on the first day, there was a slight scuffle, occasioned by two of Mr. Laurin's supporters having assaulted one of Mr. O'Farrell's. I myself was insulted by Mr. Laurin's supporters and did not vote on that day. The scuffle did not last more than four minutes at the most. I saw no others than the two persons I have mentioned, use any violence during both days of the polling, and the polling was free for both parties during the two days. I saw Louis Vallières there on the second day. He was walking up and down before the poll. I did not see him vote, do not know whom he voted for.

Ques.—Do you know Mr. Mullavey, and what is his general reputation in the Parish of St. Sylvester?—I am acquainted with him. His general reputation is bad, and not one out of a hundred, would give him a good character.

Ques.—Is it not to your knowledge that, at the late election, large numbers of persons gave their votes to Mr. O'Farrell who had not voted at any previous election?—I saw a great many persons vote at the late election whom I had never seen vote at any previous election.

Cross-Examined by Petitioner.

Ques. Do you know whether Mr. Laurin's partisans were present at the poll on the second day of the voting?—I saw some of them there and some were not there.

Ques.—Why did not those who were at the poll on the second day, vote for Mr. Laurin?—They had voted on the first day.

John Hogan of the Parish of St. Agathe, Farmer, being duly sworn, did depose and say :

Ques.—Did you make the Census of the Parish of St. Agathe, in company with the Reverend Mr. Richardson lately?—Yes, on the New Year's visit.

Ques.—How many heads of families did you find in the said Parish under the direction of the Reverend Mr. Richardson?—There are between two hundred and fifty and two hundred and sixty.

Cross-Examined by Petitioner.

Ques.—Has there been any large increase in the number of proprietors in the Parish of St. Agathe since the first of January, 1852, and please state about how much?—There has been a large increase on account of the railroad, etc. I think that the number of proprietors has been very nearly doubled.

Ques.—Does not one part of the Parish of Ste. Agathe belong to the County of Megantic?—The sixth and seventh ranges of Leeds belong to the County of Megantic. There are only about six or seven proprietors who reside in that part of Nelson which is attached to Ste. Agathe.

Ques.—Do you know whether all the persons who were entitled to vote at St. Agathe at the last election did vote?—I think they did, with a few exceptions.

By Mr. Taché,

Ques.—Did you notice a gentleman of the name of Thomas Lloyd from Quebec, vote?—I did. He voted freely and of his own accord. Mr. Laurin's represen-

tative, Mr. Carrier, told him when he come to vote that he was not qualified to vote. Mr. Lloyd persisted and said he had land in the Parish and did vote. This happened on the first day.

Ques.—Do you know why Mr. Carrier who had represented Mr. Laurin on the first day, did not represent him on the second?—I cannot say.

It being now 6 P. M., the Committee adjourned till 7 P. M.

7, P. M.

The Committee met pursuant to adjournment.

PRESENT.

J. C. TACHÉ, Esquire
Chairman.

Mr. Gill,
Mr. Mattice,
Mr. Meagher,

Denis Smith of Ste. Agathe, Farmer, having been duly sworn, did depose and say :

Ques.—Were you present at the two days polling in the Parish of Ste. Agathe, at the last election for Lotbinière?—I was.

Ques.—Did you see any violence resorted to at that poll during those two days?—I did not. There was no noise that I would call a noise. I was about an hour and a half at the poll when I gave my vote. I was there, however, on both days and went backwards and forwards. I live about three acres from the poll. If there had been any noise of fighting during the two days, I should have heard of it, as I live quite close at hand.

Daniel McCaffrey of St. Agathe Farmer, having been sworn, did depose and say.

Ques.—Do you know Thomas Lloyd Esq., Advocate?—I do.

Ques.—Can you state whether or not any violence or intimidation was resorted to by the supporters of Mr. O'Farrell at St. Agathe to make him vote at the late Election in that Parish?—No violence or intimidation whatever was resorted to, to induce him to vote.

Ques.—State the circumstances of his going to the poll to vote on that occasion?—I was there on the first day and I saw Mr. Lloyd standing on the road. He had a horse with him, but the horse was tied to a shed about two acres and a half from the poll. I walked over to him on the road where he was standing and shook hands with him. I asked him whether he was going up or down the road. He said he was going to see how we were getting on with our Election, as he was going to be employed with one himself up at Mr. Hale's in the County of Megantic. I told him I was sorry that he could not give us a vote or asked him to come and give us one, or words to that effect. He said he would come and give Mr. O'Farrell a vote, because he was a fitting person to represent the County and more so than Mr. Laurin. I told him I did not think he had any property in the County of Lotbinière. He upon that, said it was nothing to me if he passed a vote there and told me I might go up to Mr. Hales on the first day of the polling there and give him a vote to support Mr. Rhodes. I told him I was not qualified to vote in the County of Megantic. We then both walked into the Poll house together. Mr. Carrier, the man who represented Mr. Laurin, put some questions to him in French which I did not understand and he then gave in his own name and voted.

John Malone of the Parish of St. Agathe, Farmer, having been duly sworn did depose and say.

Ques.—Were you at the Poll of St. Agathe on the days of the polling of the late Election for the County of Lotbinière?—I was there. I went there on the first day and voted, but did not remain there half the day. On the second day, I remained there a considerable time.

Ques.—While you were there, did you see any violence or intimidation used by Mr. O'Farrell's supporters?—I saw nothing but the best of behaviour.

At a quarter past 8, P. M. the Committee adjourned till half past 8 P. M.

8½ P. M.

The Committee met pursuant to adjournment.

PRESENT.

J. C. Taché, Esq.,
(Chairman.)

Mr. Gill,
Mr. Mattice,
Mr. Meagher.

There being no witness in attendance, the Committee adjourned until 10 o'clock A. M. on Monday.

Monday, 9th April, 1855.

The Committee met this day at 10 o'clock A. M.

PRESENT.

J. C. Taché, Esq.,
(Chairman.)

Mr. Gill,
Mr. Mattice,
Mr. Meagher.

James McCullough, of the Parish of Nelson, County of Megantic, having been sworn did depose and say.

Ques.—Are you the James McCullough who accompanied Mr. Lloyd of Quebec, on part of his canvass through Megantic, and afterwards to the poll at St. Agathe on the first days polling in that Parish, during the late election of a Member for Lotbinière?—I am and was with him when he voted at St. Agathe.

Ques.—Was any violence or intimidation resorted to on that occasion by Mr. O'Farrell's supporters to make Mr. Lloyd vote for Mr. O'Farrell, and state the circumstances from the time of his arrival until after he had voted?—Mr. Lloyd was canvassing for Mr. Rhodes in the County of Megantic. I was in his company and we were travelling on horse-back. We went to the Parish of St. Agathe and Mr. Lloyd asked me to stop at the house of one Simoneau to have a glass of bitters, as the day was warm. After a while I asked Mr. Lloyd if he were ready to start. He said "Wait, I want to vote." Simoneau's house was about two arpents from the poll at St. Agathe. A few persons were in company with Mr. Lloyd on the road from Simoneau's to the poll. Mr. Lloyd hitched his horse near the poll house and then walked into the poll house. The horses were left at the place above mentioned before going into Simoneau's house to have a drink and

we walked down from Simoneau's to the poll when Mr. Lloyd entered the poll. I stood on the steps and saw him vote. I noticed no kind of violence or threats offered to Mr. Lloyd in my presence, either before, during or after he had voted. To the best of my knowledge, there were about fifteen persons in or about the poll. Some were standing and some were smoking, some inside and some outside. During the time I was there, there was no noise. When this was over, we mounted our horses and pursued our way. On the road, Mr. Lloyd spoke to me about what had taken place and used the following words: "If Mr. Laurin finds out this, he will be mad with me."

By Mr. Meagher.

Ques.—Did you hear Mr. Lloyd give in his name and profession and residence to the Returning Officer when he went to vote?—I heard myself Mr. Lloyd give in his own name, "Thomas Lloyd," to the Returning Officer, and give in "Quebec," as his residence. I heard nothing about his profession.

By Mr. Taché.

Ques.—Did you hear Mr. Lloyd distinctly say "I vote for Mr. O'Farrell," or some words to that effect?—I think that I heard the name of Mr. O'Farrell then pronounced by Mr. Lloyd.

Cross-examined by Petitioner.

Ques.—Did you hear the Deputy Returning Officer ask him if he was a proprietor in that part of Ste. Agathe which forms part of Lotbinière?—He said himself that he was a proprietor.

Ques.—Do you know whether Mr. Lloyd has any property in that part of Ste. Agathe which forms part of Lotbinière?—I do not know.

Ques.—Did he tell you that he had property there?—No, he did not.

Ques.—Before coming to Simoneau's, did not Mr. Lloyd meet a number of Canadians assembled together in a house about half a mile from the poll?—There were some Canadians on the road who were working at a *corvée* about two miles from the poll. Some of them were working. Mr. Lloyd spoke to them and wanted them to vote for Mr. Rhodes in Megantic. I heard no other conversation than this one. Mr. Lloyd did not speak at all to them about the voting at Ste. Agathe. From the place where the men were working to the poll house, or the immediate neighbourhood, we met only one man with his horse, who had on his collar upside down. This we remarked and laughed at.

Ques.—When you came to Simoneau's, did not several persons go out of the house, who seized Mr. Lloyd's horse by the bridle and himself by the legs, and who cried out and insisted that he should go to the poll to vote, and did he not answer them that he had no right to vote in that Parish?—No.

Ques.—Did you not advise Mr. Lloyd not to make any resistance, if the friends of Mr. O'Farrell wanted to force him to vote?—No.

Ques.—Did you hear a number of persons call out Mr. Lloyd's name at the poll when the Returning Officer asked him his name, and did you not notice that one John Largie gave in Mr. Lloyd's name in a very loud voice?—No.

Ques.—Did you not hear at the same time some persons answer that Mr. Lloyd was a gentleman, others that he was a farmer, and others that he was a miller?—No.

Ques.—When the Returning Officer asked Mr. Lloyd for whom he voted, did not John Largie answer that he voted for Mr. O'Farrell?—No.

Ques.—Did you notice several persons at the poll of Ste. Agathe under the influence of liquor?—None to my knowledge.

Ques.—Did Mr. Lloyd tell you the reason that induced him to vote for Mr. O'Farrell at the poll of Ste. Agathe?—No.

Ques.—Were you a partisan of Mr. O'Farrell at the late election of Lotbinière?—I voted for him at the late election at Ste. Agathe, but did not canvass for him during the said election.

Patrick Barden, a witness summoned appeared, but was not examined. The Committee then adjourned until 7 o'clock this evening.

7 o'clock, P. M.

The Committee met pursuant to adjournment.

PRESENT :

J. C. TACHÉ, Esquire,
Chairman.

Mr. Gill,
Mr. Mattice,
Mr. Meagher.

The sitting Member having closed his evidence, both parties were heard upon the evidence before the Committee.

O. Stuart, Esquire, Advocate, appeared as Counsel for the sitting Member, and addressed the Committee on his behalf.

The Committee, at 10 o'clock P. M. adjourned till to-morrow at 10 o'clock A. M.

Tuesday, 10th April, 1855.

The Committee met this day at 10 o'clock A. M.

PRESENT :

J. C. TACHÉ, Esquire,
Chairman.

Mr. Gill,
Mr. Mattice,
Mr. Meagher.

On motion of Mr. Taché, it was unanimously Resolved,

1st. That the Petitioner Joseph Laurin, Esquire, having limited his proof to the mere examination of the proceedings at the late election for the county of Lotbinière, as regards violence committed and the polling of illegal votes, without entering into a scrutiny of the votes, the Committee are unable, on the face of the evidence adduced before them, to declare whether or not there was violence used to such an extent as to affect the result of the Election. That it has been proved to your Committee that illegal votes were polled, but not to such an extent as to lead the Committee to believe that the legal majority of votes does not belong to the sitting Member.

2nd. That for the above reasons and relying on the evidence adduced, Your Committee cannot but confirm the Return of the Returning Officer, which Return must be held good until proof to the contrary be shewn and such proof has not been shewn to the Committee.

3rd. That the Committee declare the late Election for the county of Lotbinière to be valid, and further, that John O'Farrell, Esquire, is duly elected to represent the said County.

4th. That neither the Petition of the said Joseph Laurin, nor the defence of the said John O'Farrell, is frivolous or vexatious.

On Motion of Mr. Gill, seconded by Mr. Mattice, it was Resolved ; That the foregoing resolutions be reported to the House as the final determination of this Committee.

(Attest) W. P. POWER,
Clerk to the Committee.

APPENDIX.

PROCEEDINGS

Under the Commission of Joseph Cauchon, Esq., Member of the Commons House of Legislative Assembly, of the Province of Canada, and Chairman of the Select Committee appointed to try the merits of the election petition of Joseph Laurin, Esquire, against the election and return of John O'Farrell, Esquire, the sitting Member for the County of Lotbinière, in Lower Canada, in the said Legislative Assembly, addressed to William Power, Esquire, one of Her Majesty's Circuit Judges for Lower Canada.

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QUEBEC, *7th December, 1854.*

Letter to the Honorable P. J. O. Chauveau, Secretary, respecting expenses of Commissioner upon the contested Megantic Election, and his inability, being again Commissioner, to find a clerk for the execution of the present Commission. (See Appendix A.)

QUEBEC, *9th December, 1854.*

Letter to the Honorable P. J. O. Chauveau, Secretary, requesting an answer to Commissioner's letter of the 7th instant, so as to enable Commissioner to communicate with the Chairman of the Select Committee respecting the expenses. (Appendix B.)

QUEBEC, *11th December, 1854.*

Letter from Etienne Parent, Esquire, Assistant Secretary, stating that the Commissioner's letter of 9th instant, was not received at the Secretary Office. (Appendix C.)

Letter to Etienne Parent, Esquire, in answer to his letter of this day. (Appendix D.)

QUEBEC, *12 December, 1854.*

Letter to Joseph Cauchon, Esquire, Chairman to Select Committee, in relation to expenses. (Appendix E.)

QUEBEC, *20th December, 1854.*

Letter to the Honorable P. J. O. Chauveau, Secretary, for an advance to enable Commissioner to execute the Commission. (Appendix F.)

Henry Michael Power, of the City of Quebec, Gentleman, has this day been appointed clerk to the commission.

The sitting Member and the Petitioner have been severally notified, that the time and place of opening the Court and commencing proceedings under the Commission, will be on the 27th day of December instant, at the hour of ten o'clock in the forenoon, in the Public Hall, (*Salle Publique*.) of the Parish of St. Sylvester, in the County of Lotbinière. (Appendix I.)

QUEBEC, 23rd December, 1854.

Letter from Etienne Parent, Esquire, Assistant Secretary, informing Commissioner, that no provision for the expenses can be made by the Executive. (Appendix G.)

There being no person resident in the Parish of St. Sylvester, before whom the Commissioner could take the oath prescribed by the Statute, it is consented to by the parties, in order to avoid inconvenience and expense, that he shall this day take the said oath at Quebec before a Commissioner *per dedimus potestatem* and which he has done as follows :

I, William Power, do swear that I will without favor, affection or malice and according to the best of my skill and knowledge well and truly try and examine all such matters and things as shall be brought before me by virtue of a warrant, dated at Quebec the sixth day of December, one thousand eight hundred and fifty-four, under the hand and seal of the Chairman of the Select Committee of the Commons House of Legislative Assembly of this Province, appointed to try the merits of the Election Petition of Joseph Laurin, Esquire, against the Election and return of John O'Farrell, Esquire, the sitting Member for the county of Lotbinière in Lower Canada, in the said Legislative Assembly issued upon the application of the said sitting Member, and that I will in all things well and truly perform the duty of a Commissioner appointed to try the said matters and things according to the rules, regulations and directions contained in the Act of Parliament of this Province called the "Election Petitions Act" of 1851. So help me God.

(Signed,) W. POWER.

Subscribed and taken in presence of

JOHN O'FARRELL, Esquire, the sitting Member,  
and of JOSEPH LAURIN, Esquire, Petitioner.

(Signed,) J. O'FARRELL,  
" JOS. LAURIN.

Sworn before me at the City of Quebec this twenty-third of December, 1854.

(Signed,) ED. BURROUGHS,  
Com. per. deds. pot.

### COUNTY OF LOTBINIERE.

PARISH OF ST. SYLVESTER,  
WEDNESDAY, 27th December, 1854.

The Court met at 10 o'clock, A. M., this day, in the Public Hall (*Salle Publique*) pursuant to the notice given.

PRESENT, John O'Farrell, Esquire, the sitting Member and Daniel Byrne, Esquire, Notary, of St. Sylvester, as agent duly appointed to represent Joseph Laurin, the Petitioner.



The said Daniel Byrne, produced his power of attorney. (Appendix H.)

Read the warrant appointing William Power, Esquire, to be Commissioner and which is as follows :

CANADA, }  
to wit. }

To William Power, Esquire, one of Her Majesty's Circuit Judges in Lower Canada, and to all others whom it doth or may in any wise concern.

I, Joseph Cauchon of Quebec, Esquire, member of the Commons House of Legislative Assembly of the Province of Canada, and Chairman of the Select Committee appointed to try the merits of the Election Petition of Joseph Laurin, Esquire, against the Election and return of John O'Farrell, Esquire, the sitting Member for the county of Lotbinière in Lower Canada in the said Legislative Assembly, send—Greeting: Whereas upon the application of the said sitting member it has been ordered by the said Committee in pursuance of the powers vested in them by the Election Petitions Act, 1851, that a Commission shall issue for the examination of witnesses on the trial of such Election Petition and that you the said William Power, shall be appointed such Commissioner. These are therefore, in compliance with the said orders and in pursuance of the provisions of the said Act, to nominate constitute and appoint you the said William Power to be such Commissioner to examine and enquire into all matters and things to you for that purpose referred or to be referred by the said Election Committee or any other Election Committee that may be appointed in their place for the trial of such Election Petition, according to the provisions of the said Act, with all such powers and authority as by law belong to the office of such Commissioner, by virtue of the said Act or otherwise howsoever, and you are hereby expressly commanded with all necessary speed to repair to the said county of Lotbinière and there at such place therein as you shall for that purpose appoint, on Wednesday, the twenty-seventh day of December instant, to proceed with the examination and enquiry aforesaid and all and whatever you shall do or cause to be done in the premises, you are to return to the Honorable the Speaker of the said Commons House of Legislative Assembly for the time being, in the manner and within the time by the said Act for that purpose prescribed, and this you are in no wise to omit, under a penalty of One Hundred pounds, and such other penalties as you may by law incur, by reason of any such omission or neglect.

Given under my Hand and Seal at Quebec, in Lower Canada, this sixth day of December, in the Year of Our Lord One Thousand Eight Hundred and Fifty-four, and of Her Majesty's Reign, the Eighteenth.

JOSEPH CAUCHON,

Chairman of the Lotbinière Select Election Committee.

*Read.*—The Petition of Joseph Laurin, Esquire, transmitted to the Commissioner, with the Commission, and which is as follows :

PROVINCE OF CANADA, } To the Honorable, the House of Assembly  
District of Quebec, } of Canada.

The Petition of Joseph Laurin, Esquire, Notary Public, and heretofore Member of Parliament, for the County of Lotbinière, residing in the Parish of Ancienne Lorette, in the County of Quebec.

RESPECTFULLY SHEWETH :

That, at the late Election of a Member to serve in the present Parliament, for the County of Lotbinière, in this Province, John O'Farrell, Esquire, of the

City of Quebec, Advocate, James Thurber, of the Parish of St. Croix, in the said County of Lotbinière, Esquire, and your Petitioner were Candidates, and that your Petitioner then claimed, and still doth claim, the right to be returned at the said Election, as a member for the said County of Lotbinière.

That, under and by virtue of the Writ of Election for the said County, bearing date at the said City of Quebec, the twenty-third day of June in the year of our Lord one thousand eight hundred and fifty-four, the seventeenth day of July, in the year aforesaid, was fixed as the nomination day for the said election, upon which day Rémi S. Noel, Esquire, Registrar for the said County, there being and acting as Returning Officer for the said election, proceeded to hold the said election in the Parish of St. Croix, in the said County.

That, previous to the opening of the said election, your Petitioner, of his own free will and accord, made and delivered to the said Returning Officer the declaration in writing by law required of him as such candidate, and that after the opening of the said election and the observance of the formalities required by law in that behalf, the said John O'Farrell being as aforesaid a candidate at the election for the said County of Lotbinière, was, at the said election, to wit, on the nomination day aforesaid, called upon to make the declaration in writing required by law for that behalf as such candidate, by one of the electors and voters for the said County duly qualified to vote at such election; to wit, by Louis Urbain Grénier, Esquire, of the Parish of Lotbinière, Physician.

That on the twenty-fourth day of July last, the first day for the polling of votes for the election of a member for the said County, the said John O'Farrell made and delivered to the said Returning Officer, a certain document, purporting to be the said Declaration, a copy whereof is here transcribed.

"I, John O'Farrell, of Quebec, Advocate, do declare and testify, that I am duly seized at Law or in Equity as of freehold for my own use and benefit of lands or tenements held in free and common soccage, and that I am duly seized and possessed for my own benefit of lands and tenements held in roture in the Province of Canada of the value of five hundred pounds sterling money of Great Britain, over and above all rents, mortgages, incumbrances charged upon or due and payable out of or affecting the same, and that I have not collusively or colorably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Assembly of the Province of Canada, and I further declare that the lands or tenements above mentioned consist of:—

1st. An emplacement situate at the place called Cap Blanc, in the Lower Town of Quebec, having twenty-two feet, English measure, in front, by the distance in depth from Champlain street to the point of the Cape; bounded in front by the said street; in rear by the Cime du Cap; on one side, to the south-west, by Michael Stapleton, or his representatives, and on the other side, to the north-east, by Patrick Kennedy, with a two story wooden house and its dependencies thereon erected.

2nd. Lot number eleven, in the seventh concession of the Township of Ireland, in the County of Megantic, containing two hundred arpents in superficies, with the ordinary road allowances.

3rd. Lot number seven, in the thirteenth range of the Township of Nelson, in the said County, containing also two hundred acres in superficies, with the ordinary road allowance.

4th. Lots numbers twenty-one and thirty, in the eleventh range in the Township of Somerset, in the said County, containing two hundred and fifty-three acres in superficies, with the ordinary road allowance."

J. O'FARRELL,

St. Croix, 17th July, 1854.

Received and acknowledged before me this twenty-fourth day of July, 1854.

R. S. NOËL, Returning Officer.

That Your Petitioner is informed and has reason to believe, that on the day of the commencement of the said Election, to wit, on the said seventeenth day of July last, the lands and tenements mentioned and described in the said document, purporting to be the said Declaration in Law as aforesaid, of the said John O'Farrell, were not nor are they at this present moment, of the value of five hundred pounds sterling, over and above all rents, mortgages, charges and incumbrances, charged upon or payable out of, or affecting the said lands or tenements.

That the number of votes supposed to have been taken and registered for and in favor of the said John O'Farrell, is one thousand five hundred and seventy-five, that the number of votes given and registered for and in favor of your Petitioner is eight hundred and one, and that no vote was given or registered for the said James Thurber, at the said Election, as appears in and by the Poll-books of the said Election, thus giving an apparent majority of seven hundred and seventy-four votes, for the said John O'Farrell over the votes given in favor of your Petitioner.

That, in the Parish of St. Sylvester, in the said County, on the second day of voting, the twenty-fifth day of July last, being the second polling day for the said Election, in the said Parish, the said John O'Farrell, with his agents and partisans, took possession of the said Poll, and by force, violence, and intimidation excluded from the said poll, the representatives of the said Joseph Laurin, his voters, and electors, partisans, agents and friends; that the said Poll House in the said Parish of St. Sylvester, was so taken possession of by the said John O'Farrell, his agents and partisans, for the purpose and with the intention of facilitating the taking of illegal votes, for and in favour of the said John O'Farrell, and that in fact a large number of illegal votes, to wit, nine hundred and more, of such votes were received and registered in the said Parish of St. Sylvester, in favor of the said John O'Farrell; that the actual number of votes in the said Parish of St. Sylvester is only five hundred, and that, nevertheless the said John O'Farrell at the said election received and registered in his favor in the said Parish of St. Sylvester, one thousand and thirty-three votes, and that the said Joseph Laurin, only received and registered ninety-one votes in the said Parish, notwithstanding that the said Joseph Laurin had voters and electors in the said Parish of St. Sylvester, to the number of three hundred and fifty or more.

That, in the Parish of St. Agathe, in the said County, on the twenty-fourth and twenty-fifth days of July respectively, in the Year One Thousand Eight Hundred and Fifty-four, being the polling days in the said parish for the said Election, the said John O'Farrell, his agents and partisans, took possession of the said poll, and by force, violence and intimidation, excluded from the said poll the representatives of the said Joseph Laurin, his voters and electors, partisans, agents and friends; that the said poll house in the said Parish of St. Agathe was so taken possession of, by the said John O'Farrell, his agents and partisans for the purpose, and with the intention of facilitating the taking of illegal votes, for and in favor of the said John O'Farrell, and that, in fact, a large number of illegal votes, to wit, two hundred such votes were taken and enregistered in the said Parish of St. Agathe, in favor of the said John O'Farrell; that the actual number of voters in the said Parish of St. Agatha, is only sixty, and that, nevertheless, the said John O'Farrell received and registered, in his favor, at the said Election, in the said Parish of St. Agatha, two hundred and twenty-eight votes, and that the said Joseph Laurin only received and registered eight votes in the said Parish, although the said Joseph Laurin had voters and Electors in the said Parish of St. Agathe, to the number of thirty or more.

That many persons voted more than ten times each, at the said Election, both at the Poll in the Parish of St. Sylvester. and at that in the Parish of Ste. Agathe, and that some even voted twenty times.

That the said Joseph Laurin had at the said Election, a great majority of the legal votes, and that the said John O'Farrell, having only a majority of illegal

votes, was by the said Returning Officer unduly and illegally proclaimed as having been duly elected a Member to represent the said County, in the said Legislature, and that the said Election was, and is, for the reasons set forth in the premises, null and of none effect, to all intents and purposes whatsoever.

That the great partiality and the illegal and improper conduct of Magloire Parent, Deputy Returning Officer for the said Parish of St. Sylvester, and of Edouard Noel, the Deputy Returning Officer for the said Parish of Ste. Agathe, in favor of the said John O'Farrell, have prevented the Election of the said Joseph Laurin, the said Magloire Parent as such Returning Officer, for the Parish of St. Sylvester, having taken, written down and inscribed in the poll books, of the said Parish of St. Sylvester, at the said Election, as electors and voters for the said John O'Farrell, a large number of names, to wit, of nine hundred and more persons, not qualified to vote at such Election, and also of persons who were not present at the said poll house, but who, on the contrary, were absent from the said Parish, at the time of the said Election, and also of deceased persons and of persons and names that never existed, and the said Edouard Noel, as such Deputy Returning Officer, for the said Parish of Ste. Agathe, having received, written down and inscribed in the poll books of the said Parish of Ste. Agatha, at the said Election, as electors and voters for the said John O'Farrell, a great number names, to wit, two hundred names of persons not qualified to vote, as such electors and of persons who were not present at the said polling house, but, on the contrary, were absent from the said Parish at the time of the said Election, and of persons deceased and persons and names that never existed; that the said John O'Farrell himself, his agents, friends, leaders, partisans and others, in his name, made use of corrupt and menacing means to induce persons having or claiming to have the right to vote at the said Election, to vote for the said John O'Farrell, or to prevent such persons from giving their votes, in favor of the said Joseph Laurin; that the return of the said John O'Farrell was affected by virtue of the said illegal and corrupt practices which have rendered and do render the said Election and return of the said John O'Farrell altogether null and of none effect.

Wherefore your Petitioner prays that Your Honorable House will be pleased to take into consideration the above allegations, and to decide and declare that the said John O'Farrell was not duly elected, and that the said Joseph Laurin was duly elected, and should have been returned as Member to serve in Parliament for the said County of Lotbinière, and to order that the name of the said John O'Farrell be erased from the return made by the Returning Officer for the said County of the said John O'Farrell, and that the name of the said Joseph Laurin be inserted in the place and stead of the name of the said John O'Farrell, and otherwise to do justice to your Petitioner as to your Honorable House shall seem expedient.

(Signed,) JOSEPH LAURIN.

Quebec, 8th September, 1854.

I hereby certify the above to be a true and faithful copy of the original Petition.

(Signed,) W. P. POWER,  
Clerk to Committee.

Read,—Orders of Select Committee which are as follows:—

LEGISLATIVE ASSEMBLY,

COMMITTEE ROOM, *Saturday 2nd December, 1854.*

The Select Committee appointed to try and determine the matter of the Petition complaining of an undue election and return for the County of Lotbinière, met this day at 11 o'clock, A. M.

## PRESENT :

JOSEPH CAUCHON, Esquire,  
 (*Chairman.*)  
 Mr. Gill,  
 Mr. Taché,  
 Mr. Mattice,  
 Mr. Meagher.

On motion of Mr. Taché, it was unanimously Resolved,—That a Commission be issued by this Committee on Monday next, for the purpose of hearing the witnesses mentioned in the list furnished by the sitting Member.

Wednesday, 6th December, 1854.

The Committee met this morning, at half-past eleven o'clock, A. M.

## PRESENT :

JOSEPH CAUCHON, Esquire,  
 (*Chairman.*)  
 Mr. Gill,  
 Mr. Taché,  
 Mr. Mattice,  
 Mr. Meagher.

*Order ed.*—That the resolution of the Committee of Saturday last, relative to the issuing of a Commission, be put into force this day.

On motion of Mr. Cauchon, it was unanimously Resolved :—That William Power, Esquire, one of the Circuit Judges for the District of Quebec, be appointed Commissioner to investigate as to the fact of bribery and corrupt practices having been made use of on the part of Mr. Laurin, or his authorized agents, at the late election for the County of Lotbinière, and that the said William Power, be ordered to sit on the twenty-seventh day of December instant.

I certify the above to be a true extract from the minutes of the Lotbinière Election Committee of Saturday and Wednesday the 2nd and 6th instant.

W. P. POWER,  
 Clerk to Committee.

Wednesday 6th December, 1854.

Read,—Letter of Instruction to Commissioner from Chairman of Select Committee, which is as follows :

QUEBEC, 6th December, 1854.

SIR,—The following are the instructions necessary to guide you in the performance of your duties as Commissioner for the Lotbinière Election.

You are to enquire solely as to the fact of bribery and corrupt practices having been made use of by Mr. Laurin or his authorized Agents. You are also to limit the evidence to the Witnesses contained in the list herewith enclosed.

JOSEPH CAUCHON.

Honorable Judge Power.

Read—List of Witnesses transmitted to Commissioner by Chairman of Select Committee, which is as follows :—

*List of Sitting Member's Witnesses on issue of corrupt practices by Petitioner.*

*St. Croix.*—Julien Demers, N. P., Gregoire Desrochers, Casimir Desrochers, Frs. X. Desrochers, Honoré Desrochers, J. B. Desrochers, R. S. Noel, F. X. Boisvert, Augustin Legendre, Joseph Thibeaudeau.

*St. Antoine.*—F. Beland Ecuier, N. P., Revd. A. Beland, C. F. Dionne.

*Lotbinière.*—Dr. Grenier, M. Rival, Revd. E. Faucher, J. B. Feuilleau.

*St. Giles.*—Charles Timmony, Louis Lessuire, James Magu

*St. Jean.*—Eloi Bédard, L. F. Goudreault.

*St. Sylvester.*—D. Byrne, N. P., W. Hopkins, J. Hopkins, E. Donaghue, J. Mullavey, Luke Mullen, W. Monaghan, P. Monaghan, George McCrea, James Plunket, P. Gowley, Senr., T. Tuite, Laurent Paquet, Olivier Gregoire, James McCullough, Senr., James McCullough, Junr., James McCrea, T. Macalasher, B. McGuire, J. Monaghan.

Certified to be a true copy.

W. P. POWER,  
Clerk to Committee.

Henry Michael Power, of the City of Quebec, Gentleman, who has been appointed Clerk to the Commission, took and subscribed the following oath :

“ I, Henry Michael Power, do swear that I will, without favor, affection or malice, and according to the best of my skill and knowledge, well and truly take down in writing, the minutes of all the proceedings had before you, or any person who may be appointed Commissioner in your place, as Commissioner for taking evidence on the trial of the pending Election Petition relating to the County of Lotbinière, in as accurate a manner, and as nearly as may be in the exact words in which such evidence shall be delivered, and that I will, in all things well and truly perform the duty of Clerk to you, and to any person who may be appointed Commissioner in your place as such Commissioner, according to the rules, regulations, and directions contained in the Act of Parliament of this Province, called the “ Election Petitions Act, of 1851,” and such lawful directions as shall or may receive from you or such other Commissioner under the authority thereof.” So help me God.

Taken and subscribed, before me,

H. M. POWER,

W. POWER,  
Commissioner.

By consent of the parties hereunto subscribed, Hugh Donaghue of St. Sylvester, Trader, is appointed Bailiff to the Commission, and took and subscribed the following oath :

“ I, Hugh Donaghue, of St. Sylvester, Trader, do swear, that I will, without favor, affection, or malice, and according to the best of my skill and power, in all things well and truly perform the duty of Bailiff to you, and to any person who may be appointed Commissioner in your place, as Commissioner for taking evidence on the trial of the pending Election Petition, relating to the County of Lotbinière, according to the rules, regulations and directions, contained in the Act of Parliament of this Province called the “ Election Petitions Act of 1851,”

and such lawful directions as I shall or may receive from you, or such other Commissioner under the authority thereof." So help me God.

H. DONAGHUE.

J. O'FARRELL,  
DANIEL BYRNE,  
Agent for Petitioner.

Taken and subscribed before me.

(Signed,)

W. POWER,  
Commissioner.

Daniel Byrne, of the Parish of St. Sylvester, Esquire, Notary Public, appeared as a witness, and being duly sworn, answered to the questions proposed to him by the Commissioner, as follows :

*Ques.*—What is your name, age, profession, or occupation, and place of residence?—My name is Daniel Byrne. I am about forty years of age, a Notary Public by profession, and I reside in the Parish of St. Sylvester.

*Ques.*—Are you related, allied, or of kin to, or in the service of any of the parties to the present contestation, namely, John O'Farrell, Esquire, or Joseph Laurin, Esquire, and have you any interest in the said contestation?—I am not related, or allied to either of the said parties, nor in their service, nor in any wise interested in the event of the present contestation.

*Ques.*—Are you not the Agent of Joseph Laurin, Esquire, the Petitioner?—I am at present his Agent for the purpose of this Contestation only.

*Ques.*—Did you act as his Agent at the late Election for the County of Lotbinière?—I was requested by him to act as his Agent, at the late Election of Lotbinière, conjointly with Mr. Laurent Paquet, but was prevented from so doing by threats and menaces, and told that I would be torn in pieces, if I did not absent myself and leave the poll, and in consequence, not being able to resist, I left the poll.

*Ques.*—Did you receive any sum of money from any person, and state from whom, to enable you to conduct the Election in favor of Mr. Laurin?—I never received so much as one single farthing, or any other consideration, either from Mr. Laurin or any person whatsoever, to enable me to conduct the Election in his favor, or promote his Election.

*Ques.*—Did you receive any promise, either verbal or in writing, from any person, and state from whom, to promote Mr. Laurin's election?—I did not, nor did I ask it.

*Ques.*—Did you yourself make any promise, or offer any gratuity, reward, bill, note or any other consideration to any person, to induce him to vote for Mr. Laurin?—I did not.

*Ques.*—Did you take any steps to provide refreshments for the persons who came to vote for Mr. Laurin?—Yes. I, with James Mullavey, Esquire, Thomas McGoldric and Patrick Gormley, took some steps to treat our friends, supposing that they would vote for Mr. Laurin.

*Ques.*—Did you and the persons you have mentioned, expend any money in treating the friends whom you supposed came to vote for Mr. Laurin?—We did not expend any cash, but we gave a promissory note for twenty-five pounds currency, payable, I think, fifteen days after date, in favor of Mr. George McCrea, to liquidate the costs that we might put him to, in treating our friends, whom we supposed would vote for Mr. Laurin.

*Ques.*—Did you vote yourself at the late election for Mr. Laurin?—I did not.

*Ques.*—When you gave that promissory note, by whom did you intend it was to be paid?—I intended that each of the signers of the note would pay his proportionate share of it.

*Ques.*—Had you any correspondence with Mr. Laurin, in writing, in relation to the said Election?—I had and received a letter by which he appointed me his agent and representative, together with Mr. Paquet.

*Ques.*—At the time you gave the promissory note, to which you have alluded, to Mr. McCrea, did you tell him or any body else that the amount of it would be paid by Mr. Laurin?—I did not.

*Ques.*—Did you promise any person to procure a situation or any kind of employment for him, provided he voted for Mr. Laurin?—To the best of my memory and recollection, I never did.

*Ques.*—Were any promises of places or employment to your knowledge made by other persons to voters, to induce them to vote for Mr. Laurin?—None whatever.

*Ques.*—Did Mr. McCrea to whom the promissory note was given, vote at the late Election for Mr. Laurin?—I do not know.

*Ques.*—Did he possess, or claim the right to vote?—I cannot say.

*Ques.*—How long previous to the Election was the note given?—On the day previous being Sunday, but the note was dated the previous Saturday, to the best of my recollection.

*Ques.*—When you gave the note, were you under the impression that Mr. McCrea was favorable to Mr. Laurin's Election?—Mr. McCrea, being a trader, I thought he would remain neutral.

*Ques.*—Did you hire the services of one Marquis, and for what purpose, in relation to the late Election?—I did not. I hired no man's services.

*Ques.*—Do you know of any other person having hired the said Marquis in relation to the said Election?—I do not.

*Ques.*—Did you, on the Saturday previous to the Election, ask one Francis Donaghue, to treat persons, voters for Mr. Laurin, and charge the expense to your account?—I did not.

*Ques.*—Did you previous to the Election, and for the purpose of the Election, bring a keg of liquor into the house of Edward Donaghue, of St. Frederic's Concession?—I did not.

*Ques.*—Did you appoint any sub-agent for the purposes of said Election?—I did not.

*Ques.*—Had you any correspondence with Ferdinand Beland in relation to the said Election?—I had no written correspondence with him, but I had verbal communications with him, in relation to the said Election.

*Ques.*—In the communication with Ferdinand Beland just alluded to, was any mention made of the steps to be taken, in this Parish of St. Sylvester, to promote the Election of Mr. Laurin?—We made no mention of, nor organization for the election of Mr. Laurin.

*Ques.*—Have you any objection to produce the letters written to you by Mr. Laurin in relation to the said Election?—I have no objection, but I don't think I have any letter from him, excepting that appointing me with Mr. Paquet as his representatives at the Poll, and this I will produce, if I can find it.

*Ques.*—Will you be pleased to produce it to-morrow?—I will, if I can find it.

*Ques.*—Have you any knowledge that Mr. Laurin lent money to any of the electors, previous to the Election, or at, or during the Election, to defray the expenses of the Election?—I have no knowledge of it whatever.

*Ques.*—Have you paid any part of the note which you gave to McCrea?—Not one fraction.

*Ques.*—Did any of the signers of that note pay any part of it?—I don't think they did.



*Ques.*—Did you tell McCrea, nevertheless, that it would be paid?—I told him to assemble the signers of the note, and that we would see about it.

*Ques.*—Did you intend, when you gave the said note, or have you since intended to pay any part of it, from your own private resources?—Yes, I did, a proportionate part.

The foregoing deposition being duly read, the deponent persists therein declaring it contains the truth; and hath signed the same.

DANIEL BYRNE,  
N. P.

Taken and acknowledged in my presence.

W. POWER,  
Commissioner.

John Monaghan, a witness, appeared, and being duly sworn, answered as follows:

*Ques.*—What is your name, age, profession or occupation, and place of residence?—My name is John Monaghan. I am thirty-five years old, a tailor by trade, and reside in the Parish of St. Sylvester.

*Ques.*—Are you related, allied, or of kin to, or in the service of any of the parties to the present contestation, namely, John O'Farrell, Esquire, and Joseph Laurin, Esquire, and have you any interest in the said contestation?—I am not related, nor allied, nor of kin to, nor in the service of any of the said parties, nor have I any interest in the said contestation.

*Ques.*—Do you recollect when the late Election of a Member for the County of Lotbinière occurred, and did you vote at the said Election, and for whom?—Yes, I remember it, and I voted for Mr. O'Farrell.

*Ques.*—Who acted as Agents for Joseph Laurin, Esquire, on that occasion?—His chief agents were Mr. Byrne, the Notary, and Mr. Mullavey, the Magistrate.

*Ques.*—Are you aware of any acts of bribery or corruption committed by either of the said Agents, with a view to promote the Election of Mr. Laurin?—I have no other knowledge than by hearsay.

*Ques.*—Have you had any conversation with any or either of the said Agents, in relation to the said Election, and state what it was?—Yes, I had a conversation with the said Mr. Byrne, on the Sunday previous to the same Election, when considerable agitation prevailed in the Parish respecting the said Election, and partisans, on both sides, were haranguing the Electors, when Mr. Byrne told me to keep an open house, as I understood, for Mr. Laurin's voters, and that I should be well paid: whereupon Mr. Edward Donaghue came riding by, and said to Mr. Byrne: "Have you not already opened Mr. McCrea's house?"—to which Mr. Byrne, replied, "I have." Mr. Donaghue then said that Mrs. Donaghue's house ought also to be opened to Mr. Laurin's voters, and the money divided between the two houses, and by these means no house would be left for Mr. O'Farrell's voters. To this Mr. Byrne objected, saying that he would open no other house than Mr. McCrea's house, which was already opened. Mr. Byrne, at the same time, told me that I would be well paid if I assisted to procure the Election of Mr. Laurin.

*Ques.*—In what manner did Mr. Byrne tell you were to assist in procuring the election of Mr. Laurin, for which you were to be well paid?—I understood that I was to be paid for procuring votes for Mr. Laurin, and at the same time to inform Mr. O'Farrell's electors that, in order to prevent trouble which was likely to ensue, they were to remain at home, and that there would be no election and then to have the election quietly made.

*Ques.*—Did you possess or claim the right to vote at the said Election?—Yes, I did.

*Ques.*—Where does Edward Donaghue, of whom you have spoken, reside?—In the Concession of St. Frederic.

*Ques.*—Was Mr. Byrne in jest or in earnest when he spoke to you?—I cannot say; I did not know his mind.

*Ques.*—Do you know whether Mr. Laurin authorised Mr. Byrne to address to you the conversation you have spoken of?—I do not know.

*Ques.*—Did not Mr. Byrne's conversation to you appear to have for its object to prevent fighting, rather than to promote the return of Mr. Laurin?—He might have had both objects in view, but I believe his principal motive was to have Mr. Laurin's election secured.

The foregoing deposition being duly read, the deponent persists therein, declaring it contains the truth, and hath signed the same.

JOHN MONAGHAN.

Taken and Acknowledged in my presence.

W. POWER,  
Commissioner.

4 o'clock, P. M., adjourned to to-morrow at 10 o'clock, A. M.

W. POWER,  
Commissioner.

## COUNTY OF LOTBINIERE.

PUBLIC HALL, PARISH OF ST. SYLVESTER,

Thursday, 28th December, 1854.

10 o'clock, A. M.

The Court met pursuant to adjournment.

Present: John O'Farrell, Esquire, sitting Member, and Daniel Byrne, Agent for Petitioner.

George McCrea, a witness, appeared, was sworn, and answered as follows:

*Ques.*—What is your name, age, profession or occupation, and place of residence?—My name is George McCrea. I am aged thirty-seven years, am a trader and boarding-house keeper, and reside in the Parish of St. Sylvester.

*Ques.*—Are you related, allied, or of kin to, or in the service of any of the parties to the present contestation, namely, John O'Farrell, Esquire, and Joseph Laurin, Esquire, and have you any interest in the said contestation?—I am neither related, nor allied, nor of kin, to any of the said parties, nor have I any interest in the event of this contestation.

*Ques.*—Do you remember when the late Election for the County of Lotbinière took place, and state when it was?—I do remember it; the first day of the polling was on Monday, the twenty-fourth of July, I think, and the Election terminated Tuesday, the next day.

*Ques.*—Was your house thrown open for the accommodation of any, and which of the parties, supporters?—It was, to Mr. Laurin's supporters.

*Ques.*—From whom did you receive the order to open your house for the entertainment of voters?—From Mr. Byrne, a witness already examined, Mr. Mullavey, the Magistrate, Mr. McGoldrick, and Mr. Patrick Gormley, Senr.

*Ques.*—Who did they tell you was to pay you?—They told me that after the election I should be paid, and they gave me their joint notes for twenty-five pounds for value received, upon the understanding that, during two days, I was to furnish any voters that came to vote for Mr. Laurin with accommodation and refreshments.

*Ques.*—Did you furnish to the voters of Mr. Laurin accommodation and refreshment as agreed upon?—I did so, according as they came in, during the two days agreed upon.

*Ques.*—Have you been paid the amount of that note?—Not as yet.

*Ques.*—Have you applied to the signers of the note for payment, and what did they tell you?—Yes, I asked them all for payment, but I asked Mr. Byrne, who is my neighbour, several times, and he told me that he had received a letter from Mr. Laurin, stating that there was a contestation between him and Mr. O'Farrell, respecting the Election, and in the meantime to get all the money I could from Mr. O'Farrell, and when the contestation would have finished, that he, Mr. Laurin, would pay me the amount of the note. He added that when the contestation would be over, I was sure of my money from Mr. Laurin.

*Ques.*—Do you know, or was it notorious in the Parish of St. Sylvester the time of the Election, that Mr. Byrne was acting as Agent for Mr. Laurin?—I do, and it was so notorious.

*Ques.*—Did you possess or claim the right to vote at the said late Election?—I did.

*Ques.*—Have you any knowledge that one John Kane was engaged by, and acted as Sub-Agent for Mr. Byrne, at the said late Election?—I have no personal knowledge of it, but heard something of it.

*Ques.*—Can you swear that the Agent or Agents for Mr. Laurin, was or were authorised by Mr. Laurin to open your house, or give the note mentioned?—No, I cannot.

*Ques.*—Have you yourself seen Mr. Laurin, on the subject of the note?—Yes I did, and he told me he did not authorise the giving of the note.

*Ques.*—Was not your house opened for every body else, and for the other electors, as well as for the electors of Mr. Laurin?—Yes.

The foregoing deposition being duly read, the deponent persists therein, declaring it to contain the truth, and hath signed the same.

GEORGE McCREA.

Taken and acknowledged before me,

W. POWER,  
Commissioner.

Witness asks one dollar, which I think reasonable.

Patrick Gormley a witness, appeared, and being sworn, answered as follows:  
*Ques.*—What is your name, age, profession or occupation, and place of residence?—My name is Patrick Gormley. I am called the elder, My age is fifty-six years. I am a farmer and reside in the Parish of St. Sylvester.

*Ques.*—Are you related, allied, or of kin to, or in the service of any of the parties to the present contestation, namely, John O'Farrell, Esquire, and Joseph Laurin, Esquire, and have you any interest in the said contestation?—I am not related, nor allied, nor of kin to, nor in the service of any of the parties, nor have I any interest in the said contestation.

*Ques.*—Did you vote at the late Election, and for whom?—I did, for Mr. Laurin.

*Ques.*—Did you take any interest in the Election, or do any thing more to the success of Mr. Laurin's Election, than the giving of your vote alone?—Yes I did. I give my promissory note to Mr. George McCrea for my part of twenty-five pounds, for which eating and drinking was to be provided for myself and Mr. Laurin's voters, during two days, and we were to have the house exclusively to ourselves, but there was no grog to be given.

*Ques.*—Did you pay your share of these twenty-five pounds?—No, not a farthing as yet.

*Ques.*—Has Mr. Laurin promised to pay the amount of your share of the note?—No, never.

*Ques.*—Do you know whether John Kane was engaged by Mr. Byrne, Notary, to promote Mr. Laurin's Election on that occasion?—I have no personal knowledge of it, nor did I ever hear about it until this day.

*Ques.*—Have you any knowledge of the said John Kane having canvassed or taking such an interest in the Election, as to induce you to believe that he was acting as an agent therein?—I have not.

*Ques.*—The foregoing deposition being duly read, the deponent persists therein, declaring that it contains the truth, and hath signed the same.

Taken and acknowledged before me.

PATRICK GORMLEY.

W. POWER,  
Commissioner.

Witness came seven miles, loses one day, and asks twenty shillings.

James McCullough, a witness, appeared and being sworn, answered as follows :

*Ques.*—What is your name, age, profession or occupation, and place of residence?—My name is James McCullough. I am twenty-one years of age. I have no profession, having just left college, and I reside with my father in this Parish of Sylvester.

*Ques.*—Are you related, allied, or of kin to, or in the service of any of the parties to the present contestation, namely, John O'Farrell, Esquire, and Joseph Laurin, Esquire, and have you any interest in the said contestation?—I am not related, nor allied, nor of kin to any of the said parties, nor have I any interest in the event of this contestation.

*Ques.*—Were you present at, or have you any knowledge of what took place during the late Election for the County of Lotbinière?—I was present at St. Sylvester the first day of the Election and at Ste. Agathe the second day, and know something that occurred at those places.

*Ques.*—Do you know who were the agents who acted to promote Mr. Laurin's election on that occasion?—A few days previous to the Election, I went to the house of Daniel Byrne, Esquire, Notary, and he told me that he was getting ten dollars from Mr. Laurin, for acting as his agent, at the election. He told me he had gone to Ste. Agathe and addressed the people on behalf of Mr. Laurin, and that he had ordered them a gallon of Lemon Syrup, at Mr. Laurin's expense, and from this I inferred that Mr. Byrne was the agent of Mr. Laurin.

*Ques.*—Have you any knowledge of any other person having acted as the agent of Mr. Laurin, at that Election, besides Mr. Byrne?—Yes the day previous to the Election, I met a man named John Kane, who was going to canvass, as he told me, when one of Mr. O'Farrell's partisans solicited him not to go, but to return back, but he persisted in going on, and from thence I infer that he was acting as Mr. Laurin's agent.

*Ques.*—Have you any personal knowledge of Mr. Laurin having engaged any agents on that occasion?—I have not.

*Ques.*—Have you any personal knowledge of Mr. Laurin having made use of any means of corruption, or engaged any person to use corrupt means to promote his Election on that occasion?—I have not.

*Ques.*—Mr. Byrne requests me ask you, and pray state, whether, when he said he was getting ten dollars from Mr. Laurin, he was not hoaxing or speaking in jest?—To the best of my knowledge he spoke in earnest and sincerely.

The foregoing deposition being duly read, the deponent persists therein, declaring that it contains the truth, and hath signed the same.

JAMES McCULLOUGH.

Taken and acknowledged before me,

W. POWER,  
Commissioner.

Witness demands twenty shillings for two days.

James Mullavey, a witness, appeared, and was sworn, and answered as follows:

*Ques.*—What is your name, age, profession or occupation, and place of residence?—My name is James Mullavey. I am forty-five years of age, and am one of Her Majesty's Justices of the Peace for the District of Quebec, and I reside in this Parish of St. Sylvester.

*Ques.*—Are you related, allied, or of kin to, or in the service of any of the parties to the present contestation, namely, John O'Farrell, Esquire, and Joseph Laurin, Esquire, and have you any interest in the said contestation?—I am not related, nor allied, nor of kin to, nor in the service of any of the parties, nor have I any interest in the said contestation.

*Ques.*—Did you vote at the late Election for the County of Lotbinière and for whom?—I did, for Mr. Laurin.

*Ques.*—Were you authorised by Mr. Laurin to act or did you act as his agent at the said Election?—I was not authorised by Mr. Laurin to act for him as his agent at the said late Election, but when Mr. Byrne and Mr. Paquet, by acts of violence, were driven from the poll, I, of my own accord, interfered and acted as one of Mr. Laurin's supporters.

*Ques.*—Were you one of the signers of a note given to Mr. George McCrea for twenty-five pounds, in furtherance of the Election of Mr. Laurin,?—Yes I was.

*Ques.*—Had you any authority, directly or indirectly from Mr. Laurin to sign that note?—None.

*Ques.*—Did you intend, when you gave the note, that you were to pay it from your own resources, or that it was to be paid by Mr. Laurin himself?—I intended when I gave it to pay my proportional part from my own private funds.

The foregoing deposition being duly read, the deponent persists therein, declaring that it contains the truth, and hath signed the same.

JAMES MULLAVEY.

Taken and acknowledged before me.

W. POWER,  
Commissioner.

Witness came four miles, lost one day and asks twenty shillings.

Daniel Byrne, Esquire, a witness examined yesterday, being recalled, answered upon oath as follows:

*Ques.*—You are desired to produce the letter of which you spoke in your examination of yesterday, appointing you the representative at the poll of Mr.

Laurin, can you produce it?—I cannot produce it; the letter in question was torn.

DANIEL BYRNE,  
N. P.

Taken and acknowledged before me,

W. POWER,  
Comissionner.

Francis Macalasher, a witness, appeared and was sworn and answered as follows:

*Ques.*—What is your name, age, profession or occupation, and place of residence?—My name is Francis Macalasher. I am thirty-eight years old, am a farmer, and reside in this Parish of St. Sylvester.

*Ques.*—Are you related, allied, or of kin to, or in the service of any of the parties to the present contestation, namely, John O'Farrell, Esquire, and Joseph Laurin, Esquire, and have you any interest in the said contestation?—I am not related, allied, nor of kin to, nor in the service of any of any of the parties, nor have I any interest in this contestation.

*Ques.*—Did you vote at the late Election for the County of Lotbinière and for whom?—Yes, for Mr. O'Farrell.

*Ques.*—Were there any agents authorised and employed at that Election by or on the part of Mr. Laurin, and who were they?—I understood that Mr. Byrne and Mr. Edward Donaghue were agents for Mr. Laurin.

*Ques.*—Have you any personal knowledge and state what, that they acted as such?—They acted the part of agents, in taking the management of the Election.

*Ques.*—In what manner and how?—In conducting the voters in favor of Mr. Laurin.

*Ques.*—Do you know of one John Kane; was he an agent at the said Election?—I know him. Two days before the Election, he came to my house and asked me to go with him to a meeting of Mr. Laurin's supporters. I declined having a cut on my knee, and being unable to walk; he then told me he would bring me in a cart, and did so. At the meeting there was Mr. Byrne and other supporters of Mr. Laurin, and I was told by the said John Kane at my own house, that if I supported Mr. Laurin, I should get a handsome reward. Mr. Byrne, on that occasion offered to treat Mr. Laurin supporters, but no liquor could be had at the place.

*Ques.*—Have you any knowledge, beyond what you have stated, of any act of bribery or corrupt practice, having been made use of by Mr. Laurin or his authorised agents, on the occasion of that Election?—I have none.

The foregoing deposition being duly read, the deponent persists therein, declaring it to contain the truth and hath made his mark hereto, declaring that he cannot write or sign his name.

FRANCIS <sup>his</sup>  MACALASHER.  
mark.

Taken and acknowledged before me.

W. POWER,  
Commissioner.

Witness came ten miles, loses a day, and asks twenty-five shillings.

Laurent Paquet, a witness, appeared, and being sworn, answered as follows :

*Ques.*—What is your name, age, profession or occupation and place of residence?—My name is Laurent Paquet. I am aged forty-two years, one of Her Majesty's Justices of the Peace for the District of Quebec, and I reside in this Parish of St. Sylvester.

*Ques.*—Are you related, allied, or of kin to, or in the service of any of the parties to the present contestation, namely, John O'Farrell, Esquire, and Joseph Laurin, Esquire, and have you any interest in the said contestation?—I am not related, nor allied, nor of kin to, nor in the service of any of the parties, nor have I any interest in this contestation.

*Ques.*—Did you vote at the late Election for the county of Lotbinière and for whom?—No, I had no liberty to do it.

*Ques.*—Do you know who were the agents for Mr. Laurin at that Election?—I was an agent conjointly with Mr. Byrne to represent Mr. Laurin at the poll.

*Ques.*—Had you any correspondence with Mr. Laurin on the subject of representing him at the poll?—I received a note from him on that subject which I cannot produce at present, but I believe it is in my house.

*Ques.*—Would you be pleased to produce it to-morrow?—If I can find it, I will do so.

*Ques.*—Have you had any conversation previous to, at the time, or since the Election with Mr. Laurin respecting the Election?—I had a conversation with Mr. Laurin after the Election and in relation to it.

*Ques.*—Did Mr. Laurin directly or indirectly ever tell you that he intended to pay or cause to have paid, a sum of twenty-five pounds due to George McCrea, for the accommodation of his, Mr. Laurin's voters, at the said late Election?—Never.

*Ques.*—Have you any knowledge of any act of bribery or illegal conduct having been made use of by Mr. Laurin or any of his authorised agents on the occasion of the said late Election?—I have not.

The foregoing deposition being duly read, the Deponent persists therein, declaring it to contain the truth and hath signed the same.

LAURENT PAQUET.

Taken and acknowledged by me.

W. POWER,  
Commissioner.

Witness came nine miles, lost one day and asks 22s.

William Hopkins, a witness, appeared, and being sworn, answered as follows :

*Ques.*—What is your name, age, profession or occupation, and place of residence?—My name is William Hopkins. I am fifty-four years old, am a farmer, and reside in the Parish of St. Sylvester.

*Ques.*—Are you related, allied or of kin to or in the service of any of the parties to the present contestation, namely John O'Farrell, Esquire, and Joseph Laurin, Esquire, and have you any interest in the said contestation?—I am not related nor allied nor of kin to, nor in the service of any of the parties, nor have I any interest in the contestation.

*Ques.*—Did you vote at the late Election and for whom?—No, I was not permitted, I believe. I was desired to go home, unless I voted for Mr. O'Farrell.

*Ques.*—You were not then a partisan of Mr. O'Farrell?—No, I was a partisan of Mr. Laurin and would have voted for him, if I had been permitted to vote at all.

*Ques.*—At whose request did you come to vote for Mr. Laurin?—I came of my own free will, having been previously acquainted with Mr. Laurin.

*Ques.*—Was it on the first or second day of the polling, that you came to offer your vote?—On the second day.

*Ques.*—Who were the agents conducting the Election in favor of Mr. Laurin?—I understood that Mr. Byrne and Mr. Laurent Paquet, were Mr. Laurin's agents. I heard so.

*Ques.*—Had you any and what conversation with either of these gentlemen, respecting your voting?—I had not.

*Ques.*—Did you receive any message from either of them in relation to your voting?—No particular message.

*Ques.*—Were you offered any sum of money, gratuity, employment, note or any advantage by voting for Mr. Laurin?—No.

*Ques.*—Do you know of any such offer having been made to any other person, and by whom, to vote for Mr. Laurin?—I do not.

*Ques.*—Have you had any conversation before, during or since the Election, or correspondence with Mr. Laurin, in relation to the said Election?—I had a conversation with him since the Election.

*Ques.*—What was the purport of that conversation?—Concerning the illegality of the Election, he saying that he would protest.

*Ques.*—Where did this conversation to which you allude take place and what induced you to see Mr. Laurin on that occasion?—I went to his office in town for the purpose of getting information and to know whether he was going to do any thing about the Election.

*Ques.*—How long after the Election did this occur?—About a month or two.

*Ques.*—Did Mr. Laurin promise to remunerate you for any services you would render him in relation to the contestation of that Election?—No.

*Ques.*—Do you know of any act of bribery or corrupt practices having been used by Mr. Laurin or any of his authorised agents, in order to promote his Election?—No.

The foregoing deposition being duly read, the Deponent persists therein, declaring it to contain the truth and hath signed the same.

WILLIAM HOPKINS.

Taken and acknowledged before me.

W. POWER,  
Commissioner.

Witness comes five miles, loses one day and asks twenty-five shillings, but will not swear that he loses that amount.

NOTE.—Oliver Grégoire, a Witness summoned but not examined, demands fifteen shillings, is a black smith, came 4 miles and lost one day.

Luke Mullen, a witness summoned but not examined, came two miles, lost one day and asks ten shillings.

Patrick Monaghan, a witness summoned, but not examined, came 5 miles loses one day and asks twenty shillings.

William Monaghan, a witness summoned, but not examined, came 5 miles loses one day and asks twenty shillings.

4 o'clock P. M., adjourned to to-morrow at 10 o'clock, A. M.

W. POWER,  
Commissioner.



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 COUNTY OF LOTBINIERE.
 

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PARISH OF ST. SYLVESTER, SALLE PUBLIQUE,

Friday, 29th December, 1854.

The Court met conformably to adjournement.

PRESENT; John O'Farrell, Esquire, sitting Member, and Daniel Byrne, Esq., agent for Petitioner.

George McCrea, a witness examined yesterday, being re-called, appeared, and answered upon oath as follows:

*Ques.*—Have you in your possession the note for twenty-five pounds, of which you have spoken in your examination of yesterday, and will you produce it?—I cannot produce it. It is not in my possession, I have negociated it, by endorsing it to a merchant in Quebec, with whom I deal. His name is James Hos-sack and he resides in the market place of the Lower Town.

The foregoing deposition being duly read, the Deponent persists therein, de-clarating it to contain the truth and hath signed.

GEORGE MCCREA.

Taken and acknowledged before me.

 W. POWER,  
 Commissioner.
 

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Edward Donaghue, a witness summoned for yesterday and this day, but by desire of the sitting Member not examined, demands twenty-five shillings, came 3½ miles lost one day and a half.

Laurent Paquet, one of the witnesses of yesterday being re-called to produce the note mentioned in his examination, did not appear.

*Acte.*—To John O'Farrell, Esquire, the sitting Member of his intention not to examine any other witness, under the present Commission, and of his desire to have the Commission now adjourned and also of his declaration that he reserves to himself the right to adduce such other evidence before the Select Committee, as the said Committee may be pleased to allow.

The Court accordingly adjourns with the consent of both the parties, here-unto subscribed, half-past 11 o'clock, A. M.

 JOHN O'FARRELL,  
 DANIEL BYRNE,  
 Notary Public.

 W. POWER,  
 Commissioner.
 

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I certify the foregoing pages, which I have carefully examined with the minutes of my proceedings, to be a copy of the said minutes and that the said copy is truly extracted and set down and contains a true, full and correct state-ment of what has been done under the Commission directed to me, in the matter of the petition of Joseph Laurin, Esquire, complaining of the undue Election and return of John O'Farrell, Esquire, the sitting Member for the county of Lotbinière in the Legislative Assembly, and contains also a true copy of the Commission to me directed, and true copies of the copies of the Petition, orders of Committee, letters of instructions and list of witnesses, transmitted to me in the said matter with the said Commission.

Witness my Hand and Seal, at the city of Quebec, this fifth day of January, one thousand eight hundred and fifty-five.

W. POWER.  
Circuit Judge and Commissioner.

*Expenses.*

|                                                                           |         |          |
|---------------------------------------------------------------------------|---------|----------|
| Commissioner.—1 day previous to his departure for St. Sylves-<br>ter..... | £2 10 0 |          |
| 4 days travelling to, remaining at and returning<br>from.....             | 10 0 0  |          |
| 1 day examining transcript for Speaker, &c....                            | 2 10 0  |          |
| Mileage, 40 miles going.....                                              | 2 0 0   |          |
| do. returning.....                                                        | 2 0 0   |          |
|                                                                           |         | £19 0 0  |
| Clerk.—7 days from 28rd December to 29th, both days<br>inclusive.....     | £7 0 0  |          |
| Transcript for Speaker at 6d. per hundred words                           | 2 15 0  |          |
| Blank books and Stationery.....                                           | 0 10 0  |          |
| Paid for printing summons.....                                            | 0 7 6   |          |
|                                                                           |         | £10 12 6 |
| Bailiff.....                                                              |         | 4 10 0   |
| Witnesses.—George McCrea.....                                             | 0 5 0   |          |
| Patrick Gormley.....                                                      | 0 7 6   |          |
| James McCullough.....                                                     | 0 10 0  |          |
| James Mullavey.....                                                       | 0 10 0  |          |
| Laurent Paquet.....                                                       | 0 12 0  |          |
| Wm. Hopkins.....                                                          | 0 7 6   |          |
| Oliver Grégoire.....                                                      | 0 15 0  |          |
| Luke Mullen.....                                                          | 0 5 0   |          |
| Patrick Monaghan.....                                                     | 0 5 0   |          |
| Wm. Monaghan.....                                                         | 0 5 0   |          |
|                                                                           |         | £4 2 0   |
|                                                                           |         | £38 4 6  |

APPENDIX A.

*Correspondence in relation to expenses, noted in the minutes of the proceedings under the Commission for taking evidence upon the contested Election for the County of Lotbinière.*

QUEBEC, 7th December, 1854.

SIR,—At the suggestion of the Honorable Attorney General East, I take the liberty to draw your attention to the expediency of having my expenses and the expenses of Mr. Hearn, as clerk to the Commission for taking evidence upon the late contested Election for the county of Megantic, paid by the Government.

The dissolution of the late Parliament (an Act of the Government) having freed the contesting parties from all liability in relation to these expenses, we petitioned the Legislative Assembly for payment, and the matter having been referred to the Committee on Contingencies, that Committee approved of our accounts and report—

ed favorably upon them, but, considering that there was no fund specially appropriated for that purpose, declined recommending the accounts as ordinary contingencies, leaving the matter, I presume, to be taken up by the Government.

The execution of the Commission having been in the first instance as you are aware, resisted by the open violence of certain persons in the Township of Leeds, I was forced to return to Quebec, and invoke the aid of Government to subdue that violence, and a perusal of the minutes of the Commission and of a number of affidavits transmitted with my return thereto, as well as of my letter to you of the 10th September, 1853, and of your answer of the 15th September, as also of your letter to the High Constable of the same 15th September, will shew the necessity of the position assumed by the Government in undertaking to have the Commission executed.

Having been at a great personal risk on that occasion, the chief instrument in allaying the popular excitement, in duly executing the Commission and maintaining the supremacy of the law, and the persons appointed to assist me in that duty, having been paid by the Government without any objection, it may seem right that out of whatever fund they were paid, the Clerk and myself ought to be paid likewise. These expenses perhaps may be considered analogous to those incurred in the quelling of a riot or for the preservation of the public peace, but in whatever point of view they may be examined, I indulge the hope that the Government will be pleased to pay them.

I have the honor to be, Sir,  
Your very obedient servant,

W. POWER.

The Hon. P. J. O. Chauveau, &c., &c., Secretary.

P. S.—I was yesterday honored with a Commission from Mr. Cauchon to take evidence upon the contested election for Lotbinière, and cannot as yet get a clerk to the Commission without an assurance to him that, in the event of another dissolution, his expenses will be paid, which assurance of course I cannot give. I offered the situation to two persons, each of whom refused to run the risk from the noise that Hearn's case has made. I will thank you for an early answer, to enable me to write to Mr. Cauchon upon the possibility of organising the Commission.

W. POWER.  
Quebec.

#### APPENDIX B.

QUEBEC, 9th December, 1854.

Sir,—With reference to the letter I had the honor to address to you on the 7th inst., I enclose a copy of the Report of the Committee in Contingencies, and beg to have it observed that it was in my quality of Circuit Judge that I executed the Commission, and that I was bound by law, without any alternative, to do so under a heavy penalty. As my limited salary does not afford the (to me) heavy disbursements incident to the execution of such Commissions, and as the proposed time for my departure to Lotbinière is very near, I would thank you to favor me with the intentions of the Government on this subject, so that I may know what to write to the Chairman of the Select Committee, respecting the Commission with which I am now charged.

I have the honor to be, Sir,  
Your obedient servant,

W. POWER,

The Hon. P. J. O. Chauveau, Secretary.

## APPENDIX C.

SECRETARY'S OFFICE,  
 QUEBEC, 11th December, 1854.

SIR,—I have the honor to inform you that the letter you refer to in yours of the 9th instant, as having been addressed to the Hon. Mr. Chauveau, was not received at this Office.

I have the honor to be, Sir,  
 Your obedient Servant,  
 ET. PARENT.

W. Power, Esquire, Circuit Judge, Quebec.

## APPENDIX D.

QUEBEC, 11th December, 1854.

SIR,—In answer to yours of this day informing me, that the letter I refer to in mine of the 9th instant, as having been addressed to the Hon. Mr. Chauveau was not received at the Secretary's Office, I have the honor to inform you, that to my own personal knowledge, and within my own view, the letter in question was handed to the Hon. Mr. Chauveau, in the Legislative Assembly, on Thursday night last, the 7th instant, by a Messenger of the Assembly, to whom I gave it, having gone myself to the House for that express purpose. If it has been mislaid, I hope the Copy which I handed you will suffice to supply its place.

I have the honor to be, Sir,  
 Your obedient servant,  
 W. POWER.

Et. Parent, Esquire, Assistant Secretary.

## APPENDIX E.

QUEBEC, 12th December, 1854.

Sir,—I am highly honored by your Commission dated the 6th instant, appointing me a Commissioner for the examination of Witnesses upon the contested Election for the County of Lotbinière, and beg leave to return thanks for the confidence in me which this appointment implies. I regret, however, to inform you that I cannot find a suitable Clerk and Bailiff to assist in the execution of the Commission, without an assurance to them on my part, which I am unable to give, that they will be paid their expenses in the event of a dissolution of Parliament.

This want of credit in the delegate of your Committee, results from the circumstance of the expenses of the Commission upon the Contestation of the Megantic Election not having as yet been paid. For my own part, having had the honor of executing that Commission at a personal risk, and under very trying circumstances, and having applied to the Honorable the Legislative Assembly, and also to the Government, for payment of my expenses, which still remain due, it would not be candid of me, were I not here to state, that my limited salary as Circuit Judge does not afford me the means of advancing the necessary expenses for the execution of more than one of such Commissions without being reimbursed.

I enclose copies of the letters which I addressed to the Honorable Secretary of the Province, and which have not as yet been answered, and abide your directions as to whether, unaided by any advance from the Legislative Assembly or from the Government, I shall be required to contrive, after this explanation, to have the Commission executed.

In awaiting your answer, permit me to assure you that although I want the pecuniary means, I am not otherwise wanting in the exercise of the strictest diligence, nor in that due respect for the high Parliamentary authority by which I am commissioned.

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

W. POWER.

Joseph Cauchon, Esquire,  
Chairman Select Election Committee for Lotbinière.

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#### APPENDIX F.

QUEBEC, 20th December, 1854.

SIR,—With reference to my letters to you of the 7th and 9th instants, to which I have not as yet had the honor to receive an answer, I beg leave to request of the Government, while the said letters are under consideration, to make me an advance of £50, in order to enable me to defray my expenses upon the Commission with which I am charged for taking evidence in relation to the Contested Election for the County of Lotbinière. I make this application, having no resources of my own wherewith to proceed upon the execution of the said Commission, in order to shew that I am using all the diligence in my power, and will thank you to let me have the advance to-day or to-morrow, if it be pleasing to the Government to afford it, and I submit whether such advance ought not to be placed to the Debit of the account of the Honorable the Speaker of the Legislative Assembly, to be afterwards credited by the receipt of the monies when recovered at Her Majesty's suit against the persons who went bail for the payment of those expenses. See Sections 15, 143, 144 and 147 of Election Petitions Act of 1851.

I have the honor to be, Sir,  
Your very obedient servant,

W. POWER.

Hon. P. J. O. Chauveau, Secretary, &c.,

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#### APPENDIX G.

SECRETARY'S OFFICE,  
QUEBEC, 23rd December, 1854:

SIR,—With reference to your application for an advance on the amount claimed by you as Commissioner for the late contested Election for the County of Mégantic, I have it in command from His Excellency the Governor General to inform you that the House of Assembly having refused to adopt a resolution to provide for the expenses of that Election, His Excellency advised that no provision can be made for it by the Executive.

In this position of affairs, you must use your own discretion as to the course you should adopt.

I have the honor to be, Sir,  
Your obedient servant,

ET. PARENT, A. S.

W. Power, Esq., Circuit Judge,  
Quebec.

I certify that the preceding pages contain true copies of the original letters upon the subject to which they relate.

W. POWER,  
Commissioner.

Quebec, 3rd January, 1855.

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#### APPENDIX H.

I appoint Daniel Byrne, Esquire, Notary, of St. Sylvester, as my Agent, to represent me, at St. Sylvester, before the Commissioner appointed to take evidence upon the contested Election for the County of Lotbinière.

JOS. LAURIN.

Quebec, 23rd December, 1854.

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#### APPENDIX I.

QUEBEC, 20th November, 1854.

GENTLEMEN,—Be pleased to take notice that the time and place of opening the Court, and commencing proceedings under the Commission of Joseph Cauchon, Esquire, Chairman of the Select Committee; to try and determine the merits of the Petition complaining of an undue Election and return for the County of Lotbinière, will be in the Public Hall in the Parish of St. Sylvester in the County of Lotbinière, on the twenty-seventh day of December instant, at the hour of ten in the forenoon.

I have the honor to be, Gentlemen,  
Your obedient servant,

W. POWER,  
Commissioner.

To John O'Farrell, Esq.,  
Sitting Member,  
and to  
Joseph Laurin, Esq.,  
Petitioner.

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Received Notice.

J. O'FARRELL, M. P. P.  
JOS. LAURIN, N. P.