

and Mr. Spencer were compelled to give bail for their appearance at the ensuing term of the Court of King's Bench at Montreal, to be held in March 1816. In the mean time, the Company thought fit to consult their lawyers in this country on the subject; in consequence of which it appears that their agents in London, Messrs. M'Tavish, Fraser, and Co. and Messrs. Inglis, Ellice, and Co. officially apprised your Lordship, in February 1816, that "it appeared, from the best legal opinions in this country, it would be impossible to proceed further, as the defendants evidently acted under a misapprehension of authority; and that no sufficient proof could be adduced of a felonious intent."— They added, that they had therefore lost no time in writing to Canada, in order that these criminal proceedings might be dropped. Whether their letter miscarried in its way to Montreal, or whether their correspondents thought "the best legal opinions in this country" not good enough for them, I know not,—but the agents there, in place of dropping, thought fit to persist in and to renew, these prosecutions for felony.

Mr. Macdonell and Mr. Spencer appeared at Montreal in March 1816, in pursuance of their recognizances, and were then prepared to take their trials; but the prosecutors were not ready. Further recognizances were required for their appearance in September, but that period was subsequently extended by the Attorney-General on their own application. No further proceedings took place till September 1817. For some time previous to that