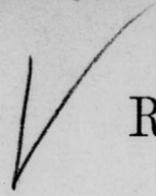


Quebec (Province) Legislature. Legislative Assembly

185-1816



RETURN

1/2 J. Brown
S. G.

TO AN

ADDRESS OF THE LEGISLATIVE ASSEMBLY TO HIS EXCELLENCY,
THE GOVERNOR GENERAL, 14

RELATING TO THE

MARINE AND EMIGRANT HOSPITAL, QUEBEC.

PRINTED BY ORDER OF THE LEGISLATIVE ASSEMBLY.



TORONTO:

LOVELL AND GIBSON, FRONT STREET.

1851



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RETURN

TO AN ADDRESS of the Legislative Assembly to His Excellency the Governor General, dated 3rd July, 1851, for "Copies of all Correspondence between the Government, the Board of Trade, Dr. James Douglas, the Commissioners, House Surgeon and Visiting Physicians of the Quebec Marine and Emigrant Hospital, and other parties, touching the management of the said establishment."

By Command,

J. LESLIE,
Secretary.

SECRETARY'S OFFICE,
Toronto, 17th July, 1851.

MEMORANDUM

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By Command

J. ...

Secretary of State
London, 17th July, 1951

MARINE AND EMIGRANT HOSPITAL, QUEBEC.

MARINE AND EMIGRANT HOSPITAL,
QUEBEC, 18th January, 1851.

SIR,

I am directed by the Commissioners of the Marine and Emigrant Hospital to inform you, that complaints of a serious character having been made by the House Surgeon against the Steward, Mr. Cutter, they thought it their duty to have an investigation on the subject, and finding by the result of the investigation that his conduct had been both immoral and fraudulent, and that he had appropriated to himself the goods of the Hospital and goods and moneys of the sick and dead patients, and fearing he might do away with all the things in the Hospital, they ordered him to deliver up the keys, books and effects to the House Surgeon, which he refused to do. Under these circumstances they pray for an order to suspend him until the pleasure of His Excellency the Governor General be known, upon the evidence in support of the charges made against him by the House Surgeon, and which will be transmitted with the least possible delay.

I have the honour to be,

Sir,

Your obedient servant,

N. CASALT,
S. T. C. M. & E. H.

To the Honorable James Leslie,
&c., &c., &c.,
Toronto.

MARINE AND EMIGRANT HOSPITAL,
 QUEBEC, 17th January, 1851.

SIR,

I have the honour to state to you for the information of His Excellency, that in April, 1849, His Excellency appointed me Steward of the Marine and Emigrant Hospital in this city, and since that period I have faithfully and diligently performed my duties to the best of my ability, and without any complaint from visiting Physicians or Commissioners. That last November, complaints were made by Dr. Lemieux, House Surgeon, copy of which, with my answer, I have the honour to enclose. That I have been deprived by the Commissioners of a fair and impartial hearing: That evidence quite foreign to the charges has been received, and that I have been refused an opportunity of rebutting it. That the charges which by desire of the Commissioners I preferred against the House Surgeon, and the proof of which is essential to my defence, have not been investigated at all. Under these circumstances I trust that His Excellency will be pleased to direct that I have a full opportunity of vindicating my conduct before unprejudiced and impartial judges, who will be influenced by fear, favour or affection for no one, and who will consider only the interests of the Hospital.

I have the honour to be,

Sir,

Your very obedient servant,

(Signed,)

ISAAC H. CUTTER,
 Steward, M. & E. H.

To the Honorable Jas. Leslie,
 Secretary to the Province,
 Toronto.

MARINE AND EMIGRANT HOSPITAL,
QUEBEC, 14th January, 1851.

To the Commissioners of the
Marine and Emigrant Hospital.

GENTLEMEN,

All my acts as Steward have been done under the immediate notice and with the full knowledge and approval of my superior officer, the House Surgeon. Had any improper conduct been shewn, it was his duty at once to have called my attention to it, and to have reported it, without delay, to the visiting Physicians or Commissioners. During the whole of my time as Steward, my conduct and acts have been squared on the advice and example of the House Surgeon, who never on any occasion or in any way made any complaint whatever. I was prepared to prove these facts by witnesses, but your Board, having decided to hear nothing in my defence tending to criminate Dr. Lemieux, desired me to make my charges against him in writing. I have done so, and respectfully submit that as the investigation of these charges is essential to my defence, that it may not be considered as closed until my witnesses have had a full and fair hearing. Crippled as I have been by this decision of your Board, I have yet been able to disprove the more serious of the charges, and I have just cause of complaint that during your investigation of these charges, other and more grave ones have been allowed to be brought forward, and evidence in their support has been in my opinion most unjustly and improperly taken down, while at the same time I have been refused an opportunity of rebutting them, and of proving the motives which have caused them at this time to be brought forward. Strict justice demanded either that your investigation should have been confined strictly to the charges, of which I received a copy, or that it should have embraced every thing affecting the interests and

good government of the Hospital, without regard to the feelings or character of any delinquent. Charge 1st, That the diets prescribed by visiting Physicians were not given to patients, is absurd on its very face. The diets are publicly ordered by the visiting Physician, and as publicly given to the patients every week; the amount of diets and extras given to each patient is verified by the signature of the visiting Physician; the diet of any one patient could not be diminished or withheld for a single day without the notice of the House Surgeon and the visiting Physicians. This is so evident that any one connected with the management of a public institution would laugh at the charge. Charge 2nd. The money for the payment of the wages, &c., has been received by me very irregularly, and never when due. I have been often obliged to advance small sums to servants, and sometimes to pay them when leaving the Hospital, out of my own funds. Charge 3rd is utterly false as far as the book of entry is concerned, as a reference to it will prove. This charge comes with a very bad grace from the House Surgeon, who himself has been guilty of fraudulently appropriating to himself the money and effects of patients dying in Hospital. 4th Charge is untrue and malicious. In one case only was money refused to an heir, and then for want of the necessary order from the master of the vessel. I was cleared from any suspicion of improper motive by Dr. Douglas, the visiting Physician in charge, whose testimony in this matter has strangely been omitted to be taken down. These, gentlemen, are the charges preferred against me by Dr. Lemieux, and upon these charges only can I now be judged; any others which have grown out of your investigation of these, are separate and distinct, and should, according to your own decision in Dr. Lemieux' case, form the subject of a separate and distinct inquiry; and to this inquiry I am ready and willing to submit myself. With respect to the evidence adduced by Dr. Lemieux in

support of his charges, I can only say it is of a piece with the charges themselves. The first witness, Sarah Garland, was a nurse discharged, on her own admission, for improper conduct to the matron, and stands charged by visiting Physician, Dr. Douglas, with robbing the patients of money with the knowledge of Dr. Lemieux, when he brought her before you. 2nd witness, James Pines, stands before you convicted of wilful falsehood, and I am prepared to prove the remainder of his testimony equally false. 3d witness avows having been "put up" to demand her wages twice; it is very evident that the same influence put her up to say what she did. I have cause of complaint against your Secretary, Mr. Casault, that he induced me to pay this witness a second time, though he knew she had given an attested receipt. 4th witness, Mary Mitron, is proved by John McDonald, the porter, to have been guilty of wilful and deliberate falsehood in stating that I threatened her the day she gave in her testimony: the rest of her evidence is disproved by her own receipt attested by two witnesses, a copy of which accompanies this. 5th witness stated that she received a sovereign from Reverend Mr. Clark on the morning of the 17th October. This statement was made in evidence before Dr. Morrin, and, contrary to my most urgent entreaties, was not taken down by the Secretary at the time: the letter of Reverend Mr. Clark, (or his certificate rather,) dated January 4th, the original of which I gave you at your last meeting, will falsify this witness' testimony. Cleophas Beaubien gives testimony on matters quite foreign to the charges, and which testimony I am quite prepared to disprove when called on. I am also quite prepared to prove his complicity in many of the disgraceful scenes and occurrences which have been going on in Hospital during the past two years. 6th witness, Dr. Lemieux, had the modesty to volunteer his own evidence in support of his own charges. His statement

in the matter of Richard Edmonds was proved before you to be false and malicious. This, of itself, according to the well known rules of evidence would render the whole worthless, even were his character not such as to render it notoriously so. This witness, Dr. Lemieux, stands charged before you with the most grossly immoral conduct to female patients and servants ; with outraging common decency by beastly practices ; with fraudulently appropriating Hospital provisions, with contempt of public decorum and religious feeling and observances, by burying bodies of different religious belief in the same coffin ; with ordering a female child of respectable parents to be buried in the rear of the Hospital without a coffin at all ; with causing a female child to be buried between the legs of a negro. Dr. Lemieux also stands charged before you with having robbed the patients of their moneys and effects, and with having connived at the same practices in the nurses ; and this man, to whose crimes and misdemeanors the matters charged by him against me are but as dust in the scales, comes unblushingly forward to give evidence. The pending investigation into his conduct will prove to you how much reliance is to be placed on his word in any matter or on any occasion.

I have merely further to complain of the very unfair and partial manner in which the evidence was taken down by your Secretary. The careful and precise way in which the evidence against me is put down, contrasts very strongly with the loose and confused way in which the evidence in my favour appears ; a reference to the Secretary's notes will show this, and the refusal altogether of any evidence which tended to implicate others, will more strongly evince the want of fairness and straightforward intention on the part of the Commissioners.

As soon as the witnesses brought forward by me have been fully heard in the charges against the

House Surgeon, I will lose no time in closing my defence.

I have the honour to be,

Gentlemen,

Your very obedient servant,

ISAAC H. CUTTER,
Steward, M. & E. H.

QUEBEC, 18th January, 1851.

SIR,

Great complaints have been made against the officers in charge of the Marine Hospital, founded or unfounded, I cannot tell, but they are of such a character as to require a more formal investigation than the one lately had by the Commissioners, at which I understand only one of them attended. The charges are of such a serious nature that a meeting of the Board of Trade will be called for the purpose of addressing His Excellency upon the propriety of having an investigation in the presence of disinterested persons to be named by the Government. My object in addressing you is to request that no action be taken in this matter for a day or two, when the Board of Trade will have had the matter under consideration, and address the Government on the subject of these complaints.

I have the honour to be,

Sir,

Your most obedient servant,

(Signed,) ARCHIBALD CAMPBELL,
Agent, Shipping Interest.

The Honourable James Leslie,
Provincial Secretary,
Toronto.

SECRETARY'S OFFICE,
TORONTO, 25th January, 1851.

SIR,

In reply to your letter of the 18th instant, I have to inform you that the Governor General is pleased to order that Isaac H. Cutter, Steward of the Marine and Emigrant Hospital, be, until further orders, suspended from his charge, as requested by your letter on behalf of the Commissioners of the Hospital, in consequence of certain grave charges brought against him.

I have the honour to be,

Sir,

Your most obedient servant,

(Signed,)

J. LESLIE,
Secretary.

N. Casault, Esq.,

S. T. C. Marine and Emigrant Hospital,
Quebec.

SECRETARY'S OFFICE,
TORONTO, 25th January, 1851.

SIR,

In consequence of a communication from the Commissioners of the Marine and Emigrant Hospital, relative to certain grave charges made against you as Steward of the Hospital, I have to notify you that the Governor General has thought proper to order your suspension from that situation. You will therefore immediately deliver up every property of the Hospital in your possession into the hands of the House Surgeon, and

wait for the signification of His Excellency's final determination in the matter.

I am, Sir,

Your obedient servant,

(Signed,)

J. LESLIE,
Secretary.

Mr. I. H. Cutter,
Steward, E. & M. Hospital,
Quebec.

SECRETARY'S OFFICE,
TORONTO, 25th January, 1851.

SIR,

With reference to your letter of the 18th instant, relative to certain complaints made against the officers in charge of the Marine and Emigrant Hospital, I have the honour to inform you that the Governor General, upon a communication from the Commissioners, has thought proper to order the suspension of the Steward of the Hospital, waiting for further action until the requisite information has reached the Government.

I have the honour to be,

Sir,

Your most obedient servant,

(Signed,)

J. LESLIE,
Secretary.

Archd. Campbell, Esquire,
Quebec.

MARINE AND EMIGRANT HOSPITAL,
21st January, 1851.

SIR,

I have the honour herewith to transmit to you, by order of the Commissioners of the Hospital, copies of the complaints brought by Dr. Lemieux against Mr. Cutter, the Steward, and of the enquiry which the Commissioners have thought proper to institute into these complaints, as well as a copy of other documents produced during the investigation, together with a report on the whole, and to beg of you to submit the whole to the consideration of His Excellency the Governor General.

I have the honour to be,

Sir,

Your very humble servant,

(Signed,)

N. CASAULT,
S. T. C. M. and E. H.

The Hon. James Leslie,
Provincial Secretary,
Toronto.

REPORT

On the charges preferred against Isaac H. Cutter, the House Steward of the Marine and Emigrant Hospital, by C. Eusèbe Lemieux, the House Surgeon, and on the charges brought against the House Surgeon by the House Steward, and upon the investigation thereon.

THE Commissioners of the Marine and Emigrant Hospital, having received from the House Surgeon a letter complaining of the Steward's conduct, investigated into the facts therein alleged, and heard the defence of the Steward; after patient examination and mature consider-

ation of the evidence in support of the charges, as well as that for the defence, are of opinion :

That the charges brought against Mr. Cutter by Dr. Lemieux have been proved in a forcible manner, and that the witnesses examined on the part of Mr. Cutter have, with a few exceptions, merely corroborated the evidence produced by Dr. Lemieux.

That the result of this investigation is :

1st. That female patients and servants have been exposed to Mr. Cutter's indecent insults.

2nd. That he has frequently curtailed the diet of the sick, and that for his own profit.

3rd. That he has on different occasions appropriated to his own use the stores of the Hospital.

4th. That he has sometimes paid the wages of the servants by small amounts, has offered them goods from the stores in lieu of their wages, and in some instances has not paid them at all ; and that amongst other facts of this kind, it appears by the admission of Mr. Cutter, and by the production of the pay list, that he charged eight dollars a month for a servant to whom he paid only six.

5th. That he has taken and appropriated to himself moneys belonging to the sick, and also sums which had been placed in his hands and belonging to deceased patients ; that the facts which have come to the knowledge of the Commissioners in the investigation, together with the complaints addressed to them on this subject as well by the House Surgeon as by the Emigrant Agent, do not leave a doubt in their mind that Mr. Cutter was in the habit of carrying on those dishonest practices, and they are confirmed in this opinion by the fact, that Mr. Cutter used to receive sums of money from the patients without mentioning it to the House Surgeon, and without making entries of the same in the books kept for that purpose, as provided by the regulations, and though his attention has

been repeatedly called to that subject by the Commissioners.

That Mr. Cutter is altogether unworthy of the situation of Steward, and that it is impossible that he should remain longer in the Hospital, as he would bring upon that institution the disgrace and contempt which must necessarily follow such conduct, and as it would also be the cause of encouraging and continuing depredations and scenes of immorality which in the position of Steward he may daily perpetrate, notwithstanding the most severe scrutiny.

That a copy of the documents produced at the investigation, and of the investigation itself, be transmitted without delay to the Executive, with a request for the discharge of Mr. and Mrs. Cutter from their situations of Steward and Matron, and for the appointment of efficient successors.

That these charges and injuries have caused, on the part of the Steward, a hatred towards the House Surgeon, and have raised between them contentions and misunderstandings which form an obstacle to the proper management and good order of the Hospital, and that under these circumstances the Commissioners believe it imperative on them to suspend immediately Mr. and Mrs. Cutter from their duties, which shall be fulfilled by the House Surgeon with the assistance of the House Pupil, until the pleasure of His Excellency the Governor General shall be known.

That should it please His Excellency to dismiss Mr. and Mrs. Cutter, and to appoint other persons in their place, the Commissioners should respectfully submit that, in their opinion, Mr. and Mrs. Patrick Wheelan, who fulfilled during many years, before the nomination of Mr. and Mrs. Cutter, the situations of Steward and Matron, are the most proper persons to be appointed, and that while their uprightness, their acknowledged morality of

conduct, their long and faithful services, the poverty which they are now suffering, claim for them a re-establishment in those situations. The two principal causes of their removal have long ceased to exist, that is, their prostration of mind after the private sufferings and the fatigue they had undergone in the calamitous season of 1847, and their large family, which is now reduced to two children.

The Commissioners having moreover taken communication of the complaints made against Dr. Lemieux by Mr. Cutter in his letter, of the 1st instant, and of Dr. Lemieux' two letters of the 10th and 13th instant, are also of opinion ;

That Mr. Cutter, by waiting till he himself should be found guilty of all the charges preferred against him, and by bringing against Dr. Lemieux charges which went to prove his own guilt, being, by the rule of the Hospital, alone intrusted with the stores and interments, has merely shewn a desire of revenge, and proved that very little confidence should be placed in his accusations.

That the answers given by Dr. Lemieux are so satisfactory as to render it unnecessary for the Commissioners to make further enquiries, unless directed to do so by Government.

Quebec, 23rd January, 1851.

(Signed,) F. X. PARADIS,
 " RICHARD J. ALLEYN,
 " J. J. NESBITT,
 " T. KELLY.
 N. CASAULT,
 S. T. C. M. and E. H.

[*Translation.*]

(*Document No. 1.*)

MARINE AND EMIGRANT HOSPITAL,
 QUEBEC, 14th November, 1850.

MR. SECRETARY,—I have the honour to transmit to you

a certificate and a letter dated the 7th and 8th October, from some sailors who have been patients in the Marine Hospital, and who complain that they did not receive from the Superintendent the daily rations prescribed by the visiting physicians.

I avail myself of this opportunity to beg of you to apprise the Commissioners in my name of some facts relating to the conduct of Mr. Cutter, as Superintendent of the Hospital. I have perceived for a long time that the patients have not had the articles of diet prescribed by the visiting physicians, and that, notwithstanding, they are charged in full to the account of the Hospital. Quite lately the patients again complained to me that they did not receive the diet prescribed. I went to the ward, weighed the diets in presence of the patients, the nurse and the apothecary, and found only half the weight of the articles of diet prescribed—a fact which Mr. Cutter himself acknowledged.

Moreover, Mr. Cutter has kept and still keeps servants whom I had ordered him to discharge, when I considered them useless. He has, to the injury of the servants employed, paid them their wages in small sums, and not till he had been frequently requested to pay them; whereas he ought to pay them in full every time he receives money for that purpose from the Secretary-Treasurer.

I am also aware that money belonging to deceased patients has been deposited in Mr. Cutter's hands, and that he has never informed me of it. He has even gone so far as to neglect to render account to the lawful heirs, who made themselves known, for the moneys which ought to have been handed over to them.

There are a great number of other facts equally important, relative to the conduct of the Superintendent, which it would take too long to detail in a letter, but which might be brought to light by an inquiry if thought advisable by the Commissioners.

I conclude by expressing my regret that my official position obliges me to perform so painful a duty.

I have the honour to be,

Sir,

Your very humble servant,

C. E. LEMIEUX,

House Surgeon M. and E. H.

True copy.

(Signed,) N. CASALTY,
S. T. C. M. and E. H.

(Document No. 2.)

I, Frederick Wathen, mate of the brig Thorney Chape, do hereby declare that I was defrauded of my provisions until I made a complaint to the Doctor. I then had three times the quantity tendered to me, which I found quite sufficient. Previously I was in a state of starvation.

(Signed,) FREDERICK WATHEN.

True Copy.

(Signed,) N. CASALTY,
S. T. C. M. and E. H.

(Document No. 3.)

We the undersigned seamen, who have been inmates of the Marine Hospital at Quebec, do respectfully beg leave to submit the following statement, with a request that you will have the charges investigated, with the view to serve others of our class who may have the misfortune to be in that institution hereafter.

We beg to state that we have been very much curtailed of our rations and of which you must be aware, as we had occasion to call on you, and laid our grievances before you, when you were so kind as to see the rations weighed,

and on that occasion we had a sufficiency, previous to which we had not the one third as much, and were nearly exhausted for the want of food, owing to Mr. Cutter, the Steward, in conjunction with the cook, who have pigs on the premises, and who curtail the provisions from the sick to feed them.

We beg also to remark that on one occasion Cassidy called your attention to Mr. Cutter's maid taking the cream off the milk intended for the sick, thereby depriving it of its strength, upon which you called her to order. We have several other grievances to complain of, but particularly the soup, which has been curtailed of part of its ingredients, particularly the barley, which has been devoted, by the connivance of the Steward, to the use of his swine. We certainly feel aggrieved to see such embezzlement carried on in a public institution, supported in great measure by the contributions of the seamen arriving at this port; and it is more with a view to uphold the respectability of the institution that we submit this statement, than from any other motive.

The authenticity of the foregoing can be proved on oath, if necessary.

(Signed,)	FRED'K WATHEN, Mate of Brig Chape.
"	JOHN CASSIDY,
"	JOHN PRICE,
"	SAMUEL DAVIS,
"	THOMAS BURNS,
"	THOMAS ^{his} X JOYCE,
"	THOMAS ^{mark.} MILLER.
"	THOMAS GRIFFITHS.

QUEBEC, 8th Nov. 1850.

The House Surgeon, Marine Hospital,
Quebec.

True copy.

(Signed,)

N. CASAULT.
S. T. C. M. and E. H.

(Document No. 4.)

MARINE AND EMIGRANT HOSPITAL,
QUEBEC, 12th December, 1850.

SIR,

I have the honour to transmit herewith for your information and consideration copies of three documents containing several charges against you as Steward of the Hospital, and you are required to let me know when you shall be ready for an investigation.

I have the honour to be,

&c., &c., &c.,

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

To Mr. Isaac H. Cutter,
Steward M. and E. H.

True Copy.

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

(Docement No. 5.)

MARINE AND EMIGRANT HOSPITAL,
QUEBEC, 15th December, 1850.

SIR,

I have the honour to acknowledge the receipt of your letter of the 12th inst. with its enclosures, and to state for the information of the Commissioners that the charges therein contained are false and malicious, and to request that I may be afforded an opportunity of having them investigated at as early a day as may be convenient.

I have, &c., &c.,

(Signed,) ISAAC H. CUTTER,
Steward M. and E. H.

N. Casault, Esq., Sec. M. and E. H.,
Quebec.

True copy.

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

(Document No. 6.)

MARINE AND EMIGRANT HOSPITAL,
QUEBEC, 21st December, 1850.

INVESTIGATION

On the charges and complaints brought against Isaac H. Cutter, Steward of the Marine and Emigrant Hospital at Quebec, by Dr. Eusèbe Lemieux, House Surgeon of the said Hospital, in his letter dated 14th November, 1850.

CHARGES.

1st. The diets prescribed by the Visiting Physician were not given to the patients, though they were all charged in Mr. Cutter's accounts against the Hospital.

2nd. Notwithstanding Mr. Cutter receives the whole of the wages due to the servants, he does not pay them at the time, but gives it to them by small sums, and not until he is dunned by the servants for them.

3rd. That he is in the habit of receiving money and other valuables without having them entered in the book and countersigned by the House Surgeon at the time, as required by the rules, and his attention having been repeatedly called to that by the Commissioners.

4th. That monies have been detained by him belonging to deceased patients, without mentioning to the legal heirs when they called for information, that he had any in his possession.

Mr. Cutter having been called, in the presence of the Commissioners, and the foregoing charges having been read, he denied them all, and the following witnesses were then examined in his presence.

EVIDENCE :

Sarah Garland.—I was engaged as nurse at the Marine Hospital last May. I was recommended by the House Surgeon and engaged by Mr. Cutter, the House Steward. I was placed in wards 42 and 43, containing male patients. The full diets were according to the table now submitted. The beef given to me during the greater part of the summer as full diets, consisted of three small pieces the patients have taken up in their fingers and said that they could see through. The bread, I have reason to believe the full quantity was given. The potatoes consisted of four of ordinary size. The soup during the whole summer was very bad; seldom did there appear to be many, if any vegetables. Generally the tea was very weak. Milk in the tea I have no remark to make about. The tea given to the servants was rather better than that given to the patients. From the time I first came to the Hospital up to within five or six weeks back, very generally the diets were such as I described above. The patients were constantly complaining until when the House Surgeon and Mr. Cutter came into the wards; some explanations then took place. The diets were weighed, after which they materially improved and the patients appeared satisfied. I have myself seen both her* and Mrs. Cutter remove at mid-day the cream from out the milk intended for the patients who were on milk diets, thereby depriving them of it. The Steward had three pigs, and the cook told me he had permission to keep two, and the potatoes which were left after dinner with the soup, amounting to a good large tin pan (*chaudière*) such as just shown to me, I have repeatedly seen during the summer carried out to the pigs after dinner, which appeared to me to consist of a larger quantity than the one given to the patients. At the time the patients were complaining of the diets, the potatoes and soup were carried out to the pigs. I am aware that the patients complained to Dr. Jackson and Dr. Robitaille, and that they were ordered on full diets, which in the latter part of the summer consisted of what I above describe.

**Sic.*

SCALE OF DIETS.

FULL DIET.		HALF DIET.		LOW DIET.		SPOON DIET.		MILK DIET.		
	lb.	oz.		lb.	oz.		lb.	oz.		
Beef	1		Meat		4	Bread		4	Bread	12
Bread	1		Bread		8	Tea		1 1/4	Tea	1 1/4
Potatoes	1	8	Potatoes		8	Sugar		1 1/2	Sugar	1 1/2
Barley		2 1/4	Barley		2 1/4	Oatmeal		2	Milk	from 1 pt. to 3 pints per day as ordered by Physicians.
Sugar		1 1/2	Tea		1 1/4	Salt		1 1/4		
Tea		1 1/4	Sugar		1 1/2	Milk	3gill			
Salt		1 1/4	Salt		1 1/4					
Milk	1gill		Milk	1gill						

Diets for Servants, in addition to full diet, 14 oz. butter per week, 2 oz. per day.

A true Copy.

(Signed,)

N. CASAULT,

S. T. C. M. & E. H.

John Kalher, a patient who had been above two months in my ward, the morning he died, told me he had some money in his trowsers pocket in his bed, which I took out amounting to 16s. 3d. in silver, and coppers, how many I cannot say, which I handed to Mr. Cutter, telling him that Kalher wished it to be given to his brother in law, if he called, if not, to the man of the boarding house with whom he had boarded, and who would give directions as to what was to be done with it. Within a month after, the brother in law did call, and did receive some clothing, and returned to the ward telling me he had received no money, and that it was very cruel to keep the money of the deceased, for the mother of the deceased was a very poor old woman.

Cross-questioned by Mr. Cutter.—The deceased told me what I have stated above; the man died on the 27th August. About a fortnight or three weeks ago the Steward handed me the same amount, and desired me to go up and to hand the money back to him, in the presence of Dr. Lemieux, the House Surgeon. I cannot tell exactly what reason Mr. Cutter gave for doing so, but I remember he said he wished it to be given to him in the presence of the Doctor, for the Doctor to put his name into a book.

Examined in chief.—During the summer I took from a patient named McIntosh twenty dollars, which I handed to the Steward. McIntosh died on the 28th September, 1850, and the same amount was handed to me on the same day to go through the same ceremony that I have stated in Kalher's case; that is, to hand it over to Mr. Cutter in the presence of the Doctor.

Cross-questioned by Mr. Cutter.—McIntosh offered me the money some time previous to his death, but I refused to accept it. About a fortnight after I told him he was dying. I went for the Steward, who came to the man's bed side, received the twenty dollars, and took down in

a small book some directions about where the money and his clothes were to be sent (to his mother). The only other circumstance that I can recollect was the exchanging a pipe, which McIntosh told me he paid fourteen shillings for, by Mr. Cutter, for another placed near him, and worth a few pence. The man seemed to regret the exchange even to tears and said it was a Yankee trick.

(Signed,) SARAH GARLAND.

At the request of Mr. Cutter the said Sarah Garland was sworn, and after having heard the foregoing deposition read through, persists therein, declaring that it contains nothing but the truth.

(Signed,) N. CASAULT,
S. T. C. M. & E. H.

—
23rd December, 1850.

2nd witness.

James Pines, of Quebec, the late cook in the Hospital.—I was employed as cook in the Hospital about eight or ten days, I believe in July last, in the place of Richard Edmunds, who was to get married. I took his place for the time above mentioned, with the knowledge and consent of the Steward. The patients during that time complained to me about the bad quality of the soup. I was given on one day one half a cabbage, one carrot, one onion, one turnip, to make the soup for all the patients.* The House Surgeon asked me if it was all the vegetables I was to make the soup with. On my answer in the affirmative, he went out, and immediately after the Steward came in and ordered me to put the other half a cabbage in the soup, which I did. There might have been ninety or more patients then in the Hospital, but I cannot tell. Before that time I had only put one half a cabbage in the

* N.B. One farthing is allowed per head for vegetables.

(Signed,) N. CASAULT,
S. T. C. M. & E. H.

soup ; after that I always put one full cabbage. The potatoes which were cooked were all sent up to the wards ; three large ones for full diets, and four small ones for half diets, which four weighed about one pound. After the patients were served, the remainder of the soup, sometimes three or four gallons, and also the remainder of the potatoes, when there was any, were kept for the pigs. There were three pigs. I always got three pints of milk for the tea of both patients and servants, morning and evening.

Cross examined by Mr. Cutter.—The Steward did not give me the vegetables, but told me to go and cut one in two and put one half in the soup. I did so on his order.

(Signed,)

JAMES PINES.

(Signed,)

N. CASAULT,
S. T. C. M. & E. H.

3rd witness.

Jane Hamilton.—I have been a nurse in the Hospital for two years next May. I was engaged by the Steward and the House Surgeon. I had care of the wards, Nos. 63 and 64, in which were males. I complained to the visiting Physicians of the insufficiency of the diets, and the patients under my control complained also. The diets were always the same, till about six weeks ago, when complaints having been made by the patients to the House Surgeon, he called into the wards, weighed the diets, and there was not one half of the weight required. After that day the diets were increased to at least more than one half, and continued so up to the present day. The patients, who were dissatisfied before, were very satisfied since that period. After dinner, potatoes, about half a bushel, which had not been brought up to the wards, were given to the pigs, and that when patients complained that they

had not enough, and were so much complaining as to induce me to give them some out of my own ration. The quantity of milk given to the patients was not the one specified by the diet's scale, and twelve ounces were wanting on the three pints a day allowed. I saw it weighed myself. I often saw Mrs. Cutter and her girl taking away the cream from out the milk of the patients. The tea was very weak, improved a little at the time the diets were weighed by the Doctor, but did not continue so. I myself took the tea down to Mr. Cutter, and got some more sugar in it, for it was not drinkable. The patients complained of everything about the diets, which have, as I said before, very much improved since about three weeks.

Cross-questioned by Mr. Cutter.—I did not always receive the full pints of milk for the diets. I saw Mr. Cutter himself taking the cream from out the milk, and saw no one else but himself, Mrs. Cutter and her servant. My wages were not well paid. I never got my money for three months at a time. I received a boar for two pounds and ten shillings, and fifteen shillings in cash. Afterwards I was offered by Mrs. Cutter, a pair of old boots. I did not think I was to pay for them till I was charged seven shillings and six pence for them, which amount was kept from my wages. I received by small payments twelve shillings, and six pounds one shilling and eight pence at a time. This was all that I received for eleven months' wages, with the exception of one dress which Mrs. Cutter bought for me at thirteen shillings, and a shawl at fifteen shillings. I claimed more for my wages, but was told by Mr. Cutter I had received them all. I complained to the Doctor, who advised me to see Mr. Cutter about it. Mr. Casault wrote to Mr. Cutter, who paid me two pounds seven shillings and nine pence. I am sure that those nine dollars, two shillings and nine pence were due me on my wages. I remember Mr. Cutter having told one of the

servants he had no money, but would pay him out of the goods from the store of the Hospital, tea, sugar and bread. One of the nurses in the time of the cholera in summer, 1849, named Bridget Rowneen, complained very much to me and others about her wages, saying that she did not receive but a pair of boots (ten shillings), a shawl, an old gown and an old bonnet; she even said the gown was torn. Helen Headlock, who died about three weeks ago in the Nunnery's Hospital, told me she did not receive the whole of her wages from Mr. Cutter, and begged from me to ask Mr. Cutter to send her some money. I told her I would not ask it, and brought her what she required.

Cross-questioned by Mr. Cutter.—I never told Richard Edmunds that only five shillings were due me upon the month of April last, nor that thirteen dollars only were due me on the quarter ending the 30th of June, having received five dollars in the month of April, and that the thirteen dollars were all that Mr. Cutter owed me up to that time. I never said to Richard Edmunds or his wife that I would not have demanded the nine dollars, had I not been put up to it.

I was to leave the Hospital in April last, on account of Mr. Cutter having insulted me several times.

Re-examined in chief.—Mr. Cutter insulted me in my room day and night several times.

(Signed,) JANE ^{her} HAMILTON.
mark.

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

[*Translation.*]

4th witness.

Marie Mitron, wife of James Pines.—I have been employed as nurse in the Hospital. I have also been employed as char-woman. My wages were not regularly

paid me. A year ago, last summer, I worked nine days in July and was paid in October. In October I worked 27 days; for these 27 days I have never been paid at all. In February last I received one and six pence from Mr. Cutter, and he told me that that sum, with the fifteen shillings given me in October, was all he owed me for the work I had done in October last. I was employed as nurse for 14 days in November, and received twelve shillings and six pence in December, for those 14 days. Mrs. Cutter offered to pay me in goods, that is to say in bread, butter and meat, telling me she had no money; this I refused. I saw Mr. Cutter's servant every morning when I came to work, skim the cream from the milk and put it into the milk jug for the morning coffee. I have also seen Mrs. Cutter put water into the milk for the patients. I have seen her put in half a gallon of water in one day, and have often seen her do this every three or four days. I have seen Mrs. Cutter take from the store-room where the provisions for the patients were kept, ten pounds of sugar from a cask which was there, and use it for making preserves, and I have seen her take the same quantity this year for the same purpose, and from the same place.

Mr. Cutter gave me permission to go to the cellar and choose a pair of shoes which had belonged to patients who died, and wished to sell them to me for two shillings and sixpence; on my refusing to pay him that price, he told me to take them away.

Quite lately in the present month, one Saturday night, Mr. Cutter the evening before I left the Hospital, made proposals to me of a dishonourable nature, and even offered me ten shillings if I would yield and submit to his desires. I refused, telling him at the same time that I had other means of gaining a livelihood. Mr. Cutter told me to day, as I came into the Hospital, that if I dared to say a word of the proposals which he had made me, I

me when asked for money, that he had none at the time, but that he would give me tea, sugar, beef, butter or bread in the room of my payment.

Cross-questioned by Mr. Cutter.—We were during one month two cooks in the Hospital, a boy of about 18 years and myself. The boy told me he had eight dollars a month, and I had six dollars a month.* I never had more. The boy went by the name of Hume.

Upon the Steward's request, the deponent being sworn, says that the above deposition is true and hath signed.

(Signed,) JAMES PINES.

(Signed,) N. CASALT,
S. T. C. M. and E. H.

5th witness.

Catherine Halleran, a patient in the Hospital, was admitted on the 17th of October. On the night I came in the Hospital, I was asked by a man whom I did not know at the time, but whom I ascertained after to be Mr. Cutter, if I had any money about me. On my answering in the affirmative, and giving him my purse and a sovereign in the purse, he told me that the sovereign was for my expenses during my stay in the Hospital. Two or three days after, I spoke to Jane Hamilton (a nurse) about my money. After repeatedly speaking to the nurse about it, she went and brought the Doctor up to the ward, and I told the Doctor I was anxious about my money, and sent to him more to assist me in getting it back. I told him at the time I should know the person to whom I had given it. Having repeatedly seen Mr. Cutter since that, I repeat that I have no hesitation in saying it was to him I gave it, and the book he now holds in his hands is the book in which he entered something at the time I gave him the money.

*Mr. Cutter having admitted that Pines had received six dollars a month, was called to produce the pay list where Pines is charged eight dollars a month.
(Signed,) N. C.

Cross-questions by Mr. Cutter.—No answer which Mr. Cutter wished to be taken down.

(Under re-examination on this day the 9th of January 1851) the said deponent persists in saying she gave her sovereign to a clergyman when she landed at Grosse Isle. Two days before leaving he returned it to her. She does not know his name, nor is she positive that he was a Catholic priest or not. She does not think he wore the same dress as the priest who visits this Hospital, but she persists in declaring that what she stated before is correct.

(Signed,) CATHERINE ^{her} HALLERAN.
mark.

(Signed,) N. CASALT,
S. T. C. M. and E. H.

(*Translation.*)

6th witness.

Eusèbe Lemieux, House Surgeon—I was House Surgeon to the Hospital some time before the coming in of Mr. Cutter as Steward. Everything appeared to go on satisfactorily and correctly until about four or five months after the appointment of Mr. Cutter. The first circumstance that attracted my attention to the conduct of Mr. Cutter, was his manner towards the young German girl mentioned by Marie Mitron, who has already been heard—that young girl having told me that she was about to leave the Hospital, and the abode of Mr. Cutter which she had entered as his adopted daughter, after an attack of cholera which had brought her to the Hospital in 1849, and that it was in consequence of insults which Mr. Beaubien the apothecary had put upon her. I pressed her to explain, in order to satisfy myself whether there was any foundations for her charge against the apothecary, who is under my control and my student. Upon my cross questioning her repeatedly, she told me that Mr. Cutter had told her

to say that Mr. Beaubien had seduced her, in order not to distress Mrs. Cutter whom she called "Mama." She then told me that she was pregnant by Mr. Cutter. Mrs. Cutter had been absent for three or four weeks on account of her health, and the conversation which I have just mentioned took place two or three days after her return. The girl disappeared the same week, and it is Mr. Cutter I think, who took her away from the Hospital. I never had anything else to reproach him with, with regard to his conduct, until the following Spring, except a few complaints made from time to time by the patients relative to their diet, and of which I gave notice to Mr. Cutter. Jane Hamilton, one of the nurses, complained to me, once or twice, that Mr. Cutter had entered her room both night and day, upon which I told her to fasten her door, so as to prevent his doing so again.

26th December, 1850.

I have often had complaints made to me with regard to the diets. I mentioned them each time to Mr. Cutter, but perceiving that the complaints continued, and that Mr. Cutter was accused of giving to his pigs what had been provided for the patients, I weighed them three or four times: the first time I did so was about two and a half or three months ago. I then found only the one half of the meat and potatoes. There was wanting in the milk diets almost an eighth (two or three ounces in the pint.) I once perceived that there was almost a third part water in the milk, and the nurses frequently complained that there was water in the milk. I found the same results whenever I weighed the diets. Upon being told one day that Mr. Cutter's servant had skimmed the milk provided for the patients, I reprimanded her for doing so, and told her not to do so again; upon which she told me that she was not under my control, and that she had done so

by order of Mr. Cutter; and in spite of my orders, the girl, who is Mr. Cutter's private servant, continues to go as usual into the store room where the provisions for the patients are kept. My attention, as I before stated, having been directed to the circumstance that part of the diet of the patients was given to Mr. Cutter's pigs, I watched carefully, and during eight or nine days' minute observation, I constantly found every day the thick part of the soup, that is to say the barley and the potatoes, in the pig trough, and this after I had remarked that the soup was preposterously thin, and while the patients were complaining of the insufficiency of their rations. This was immediately before I forwarded the complaints which form the object of this investigation.

A complaint made by the patients respecting the inferior quality of the tea, led me to investigate the circumstance. The tea, so to speak, was nothing more than water. That of the servants was of much better quality, and Mr. Cutter acknowledged it. The cook afterwards confessed to me, that throughout the whole summer she had made the servant's tea better than that of the patients.

One of the nurses (Jane Hamilton), having complained that Mr. Cutter did not pay her her wages, and he having told her that she wished to rob him and to be paid twice over, I advised the girl to go and complain to the Commissioners, and she called on the Secretary. Some days after, Mr. Cutter came to reckon with her in my presence, and paid her something over nine dollars.

Marie Mitron also complained that she had received no pay for twenty seven days' work she had done in the autumn of 1849, and that she had received only twelve shillings and six pence instead of fourteen shillings which were due to her, as nurse for fourteen days.

I am aware that Mr. Cutter has received sums of money without entering them in the book kept for that purpose, and this I know in consequence of the particular attention

I have paid to the subject after the charge brought against Mr. Cutter, towards the end of July last, by the Emigrant agent, who accused him of having kept half a sovereign which had been deposited in Cutter's hands by a man of the name of John Cullan, on his entering the Hospital. I then gave orders to the nurses never to hand over to Mr. Cutter any money which they received from the patients without informing me at the time. On the 27th August, one of the nurses, Sarah Garland, told me that she had paid over to Mr. Cutter thirteen shillings and six pence sterling, which had been given her by John Kalher before his death, with a request that she would give it to Mr. Cutter to be delivered to his brother-in-law, whom he always called his brother, or to his landlady, who would know how to dispose of it. On the first day of October the brother-in-law came and claimed what belonged to Kalher. Mr. Cutter, who had never spoken to me of the money, told him in my presence, having made him sign a receipt for his effects ("clothes and wearings,") that he had no money, and the man went away without Mr. Cutter having given him any money. The same nurse also told me that she had deposited in Mr. Cutter's hands five pounds which had been given her by a man named William McIntosh, and it was not until a long time after the death of McIntosh, and quite a short time ago, that Mr. Cutter spoke to me with regard to this money, which was not entered in the book. Since the complaints were made which form the subject of this investigation, Mr. Cutter has made use of cunning to induce me to sign the entry of this money. He handed back the money to the nurse, and desired her to come and deliver it over to him a second time in my presence: this she did, but I refused to sign the entry.

Catherine Halloran also made the same complaints to me which she states in her evidence, and in the same terms in which she herself spoke of it.

Richard Edmunds was kept in the Hospital four or five weeks, from the end of September until the end of October, with no other occupation than that of taking charge of Mr. Cutter's horse, excepting perhaps about the fourth part of his time. I told Mr. Cutter about the beginning of October to discharge him, and he told me that he should keep him until the end of the month. For almost three weeks (from 27th October till 15th November,) he kept a man of the name of Graham Moorhead, "in order," as he said "to supply the Hospital with water." For three quarters of his time he did nothing, and Mr. Cutter refused to discharge him on my suggestion to that effect.

Cross-examined by Mr. Cutter.—Some time last spring I had expressed my desire to Mr. Cutter to have servants who would not leave the Hospital as soon as they became accustomed to it. Moorhead entered first of all as nurse in the Surgery wards, but he was so utterly incapable that I did not think it proper to entrust him with serious cases.

(Signed,)

C. E. LEMIEUX,

House Surgeon, M. and E. H.

(Signed,)

N. CASALT,

S. T. C. M. and E. H.

(*Translation.*)

7th witness.

Cleophas Beaubien, pupil and apothecary to the Hospital since 1st May, 1848:

Mr. Cutter told me himself that he had seduced the young German girl mentioned in the evidence of Marie Mitron, and of Dr. Lemieux. This young girl, as the two former witnesses have declared, called Mr. and Mrs. Cutter her father and mother. She came into the Hospital in the manner described by Dr. Lemieux. A Mr. Boudreau, at present a physician, told me that this young girl (Marie

Lebmann) had since declared, in a hospital in which she was in Montreal, that she was pregnant by Mr. Cutter, and that, as student or secretary of the hospital in question, he had himself written to Mr. Cutter on that subject. Jane Hamilton complained in my presence to Dr. Lemieux, that Mr. Cutter used to go into her room, and I have seen him myself frequently enter this girl's room at night. And last spring Mr. Beaubien, formerly chaplain of the Hospital, told me that he had seen the young German girl at Montreal, and that she had declared to him that she had only accused me of her seduction in order not to distress Mrs. Cutter, but that in fact it was Mr. Cutter who had seduced her. I have often heard the patients complain of their rations, and more particularly in the month of October last, at the time that Dr. Lemieux weighed the rations. I was present when the rations were weighed by Dr. Lemieux, and I am positive when I say, that the quantity he has spoken of in his evidence, which has just been read to me, as then short, in the meat, potatoes and milk is correct, that is to say, almost the half of the meat and potatoes and one-eighth of the milk. I have, as well as the Doctor, examined what was given to the pigs, have visited their sty with him, and have on every occasion seen the barley or thickening substance of the soup and the potatoes, and this at a time when there were complaints as he has before stated, and when the soup was, as he has described it, preposterously thin. I was also present at the conversation between the Dr. and Mr. Cutter's servant girl relative to the cream, and she then said, that it was by order of Mr. Cutter that she took it away. I have also tasted the patients' tea, and there was a great difference between it and that of the servants: that of the patients was hardly more than warm water. The Doctor then made some of the patients taste the servants' tea, on which they declared that they found it excellent. This took place about the end of October. I also know when Jane Hamilton complained

of the non-payment of her wages, and I was present when Mr. Cutter paid her the nine dollars and odd shillings, which she asked for. I also heard Marie Mitron complain of the twenty-seven days' work which she asserted Mr. Cutter had not paid her for. I was present when John Kalher's brother in law came to fetch away what had belonged to him, and when Mr. Cutter, after having made him sign the receipt for his clothes, told him that the deceased, that is to say, Kalher, had no money; and when Mr. Cutter was gone, the brother in law of Kalher said in my hearing, that Kalher's mother was very poor, and that he should have liked to have had it in his power to give her her son's money, if he had had any. I was one day asked by the nurse to console McIntosh who was crying: he told me that the reason of his tears was that Mr. Cutter had taken away his own pipe of the value of fourteen shillings, and had given him in its place one of the value of four pence, and of so small a value that he could not smoke with it. He told me at the time that it was a "Yankee trick." Dr. Lemieux being informed of it by me, promised the man to have his pipe restored to him, and spoke of it to Mr. Cutter, who however, refused to do it. With regard to Richard Edmunds and Moorhead, the servants, I was present when Dr. Lemieux told Mr. Cutter he ought to discharge them, and when Mr. Cutter refused to do it immediately: this took place I think in the month of October. These two servants did hardly any thing, and were of no use to the Hospital. Moorhead remained thus unnecessarily from 26th October until the 15th November: as to the other I cannot speak positively as to the time.

Mr. Cutter declares he does not desire to cross-examine the witness.

(Signed,)

T. C. BEAUBIEN,
House pupil.

(Signed,)

N. CASALT,
S. T. C. M. & E. H.

8th witness.

Thomas Burns, a patient in the Hospital.—The signature “*Thomas Burns*” at the bottom of the letter dated the 8th November, 1850, and addressed to Dr. Lemieux by me and several others, is my signature. The contents of this letter are true, and the facts therein alleged are all true and founded in fact, and they were all to my knowledge, except what is said about the cream, of which fact I have no personal knowledge. Before writing the above mentioned letter, we complained verbally to Dr. Lemieux about the diets. He then weighed them, and the next day they were double in weight. Since then the diets were very much improved, and I am perfectly satisfied of them. The tea was very bad before those complaints, and also improved since. I saw the cook taking as much as three pints of milk out of the same pan from which she took the milk for the tea; and on those days there was not as much milk in the tea as in other times. The tea often wanted sugar to be drinkable. We had for full diets four or five middling size potatoes. One day I saw Mr. Cutter ordering the cook to take one potato from a plate where there were five and to put a small one in the place. I saw four or five pigs on the Hospital premises, some belonged to Mr. Cutter, some to the cook. I saw the cook, in October last, taking the potatoes from the same dish we got ours and put them in a tub for the pigs. I saw her doing that two or three times and on occasions on which we had not enough potatoes. The potatoes which she so gave the pigs had not been brought to the wards. On the days I saw the cook taking the potatoes as above mentioned, the pigs were served with potatoes, barley, greens and soup. The signatures at the bottom of the letter alluded to were all written in my presence, and were affixed to the said letter by Wathers, Cassidy, Price, Davis, Miller

and Griffiths themselves. Joyce made his mark also in my presence.

(No cross questions by Mr. Cutter.)

(Signed,) THOMAS BURNS.

(Signed,) N. CASALT,
S. T. C. M. & E. H.

True copy of the evidence produced in support of the charges.

N. CASALT,
S. T. C. M. & E. H.

QUEBEC, 31st December, 1850.

Evidence on the part of Mr. Cutter.

1st witness called by Mr. Cutter.

John Helstrip, orderly in the Hospital.—I have been employed in the Hospital since the month of June last. I have heard the patients complaining that the soup was thin, black, and that there was not sufficient vegetables in it. I had care of wards Nos. 14 and 15. They complained of the tea not being sweet enough now and then. Pines left the Hospital on the day I entered. I did not see any pigs on the Hospital premises when I came there. My wages were paid regularly. I have never heard anything against Mr. Cutter's moral character. I recollect the last day that Maria Mitron was scrubbing in the Hospital, Saturday before last. I did not see Mr. Cutter inside nor about the wards she was in. Mr. Cutter could have gone inside the wards without my seeing him.

Cross questioned.—Two or three months ago I remember that the Doctor called my attention to the bad quality of the soup. One man in my ward often complained of

the diets and the soup. Once I was asked by the Doctor to taste the tea for the patients and that for the servants, and the tea for the servants was sweeter. I complained to Dr. Lemieux that I had been paid one day short, and when he told me that I was entitled to it, I asked it from Mr. Cutter, who paid me.

(Signed,) JOHN HETSTRIP.

(Signed,) N. CASAULT,
S. T. C. M. & E. H.

2nd witness.

Catherine Moore, nurse in the Hospital since the 15th of May last, and housemaid previous to that date for more than one year. I had care of wards, Nos. 71, 72, 73, and 75. During the beginning and the middle of summer, the patients in my wards complained that they had not a sufficient quantity of meat and potatoes. I heard one patient complaining that there was water in the milk. My wages were paid regularly.

Cross questioned.—I saw Mr. Cutter's servant girl taking the cream from out the milk. There are more potatoes now on the full diets than there was during the summer; there is about double the quantity.

(Signed,) CATHERINE ^{her} ~~X~~ MOORE,
mark.

(Signed,) N. CASAULT,
S. T. C. M. & E. H.

3rd witness.

Elizabeth Edmunds, cook in the Hospital, since the 3rd of June last.

I always had vegetables for the soup, as much as I thought necessary. I heard complaints about the diets from Ward No. 42, and from no others. There was a pint or a pint and a half taken out of between twenty and fifty gallons of soup, by the servant of the Doctor. I made preserves for Mrs. Cutter, with maple and crushed sugar. I saw the nurse putting water in the patients' milk. My wages were paid regularly. Jane Hamilton told me those who advised her to ask money from Mr. Cutler a second time, were not her friends.

Cross-questioned.—There are more potatoes now on the diets than there was all the summer. I saw Jane Hamilton, Catherine Moore, and Sarah Garland putting water in the milk of the patients. There were on the premises of the Hospital during the summer, five pigs; four belonged to Mr. Cutter, and one to me.

(Signed,) ELIZABETH EDMUNDS.

(Signed) N. CASALT,
S. T. C. M. and E. H.

4th witness.

John McDonald, porter in the Hospital for the last nine months.

My wages were paid regularly. I saw Maria Mitron coming to the Hospital on Monday, the 23rd, about a quarter or twenty minutes past one. I saw her when she entered the Hospital, and saw her going up stairs. She asked me if Dr. Lemieux was in, and I saw her speak-

ing to no other. Mr. Cutter did not open the door of his office or his own, when she passed.

Cross-questioned.—I am positive that I should have heard and seen, if she had spoken to Mr. Cutter or any other.

(Signed) J. McDONALD.

(Signed) N. CASAULT,
S. T. C. M. and E. H.

5th witness.

Richard Edmunds, cook in the Hospital from November 1849, to May 1850, and since that employed as outside man until three months ago, when he was discharged, his services being no longer required.

My wages were regularly paid. I was never offered anything but money for my wages, nor did I ever hear that anything else had been offered to servants in lieu of money. Jane Hamilton told me she was paid until the last of April except of one dollar. She further told me she would not have asked the nine dollars and some shillings from Mr. Cutter a second time, had she not been put up to it. She then acknowledged she had already been paid her wages in full, and that the nine dollars she asked had been already paid her. I did not mention the circumstances to Mr. Cutter at the time, but I did three weeks after. While I was taking care of Mr. Cutter's horse in the month of October, I was not receiving wages from the Hospital, neither provisions. I did occasionally, during the summer, feed the horse, but Mr. Cutter had a boy of his own to attend it.

Cross-examined.—I was told by Dr. Lemieux not to attend to Mr. Cutter's horse, or to go near the stable, nor did I, as above stated, but occasionally when I put the harness over him. Mr. Cutter had a boy nearly all last

winter, and a good while in the summer. The time he left I cannot say. I live in the Hospital, where my wife is cook since I am employed in cutting wood, and I take my meals in the kitchen with the rest of the servants, and my wife has received tea and sugar from Robertson, the grocer, and beef from Mr. Foyer, handed to us by Mr. Cutter. I recollect preserves being made with maple sugar and crushed sugar by my wife for Mrs. Cutter. My duty was outside the Hospital. The boy who helps me to cut the wood, I feed him myself. He eats in the kitchen of the Hospital.

(Signed) RICHARD EDMUNDS.

(Signed) N. CASAULT,
S. T. C. M. and E. H.

7th January, 1851.

6th witness.

Mary Fitzgerald, from Quebec, cook at the St. John's Hotel.

I was employed as nurse in the Hospital from the beginning of July to the first of December, in the year 1849. My wages were regularly paid in cash, and I never heard of any other thing than money paid to the servants for their wages. The patients were well satisfied. I never saw Mr. Cutter skimming the milk. Mr. Cutter was always kind and good to the patients. His moral character was good. I never saw water put by Mr. Cutter, nor any of his family, in the milk, and never heard Mary Lehmann complaining of Mr. Cutter's immoral conduct.

(Signed) MARY ^{her} ~~×~~ FITZGERALD, _{mark}

(Signed) N. CASAULT,
S. T. C. M. and E. H.

7th witness.

Catherine Donnelly, Mr. Cutter's servant.—I never received orders from Mr. Cutter to skim the milk, and never told Dr. Lemieux that I had such orders. I never saw neither Mr. nor Mrs. Cutter taking the cream from the milk. I never saw any one but the nurses putting water in the milk (Catherine Moore, Jane Hamilton and Sarah Garland). I saw Catherine Moore taking the cream off the milk. I never heard any complaint on Mr. Cutter's conduct in any way. I weighed crushed sugar to make preserves, and I gave it to the cook to make them. Mr. Cutter had been in the dining room from half past twelve to a quarter to two o'clock on the day Mary Mitron gave her testimony, that is, on Monday before Christmas. I was then in the kitchen, and he could not have left the rooms without my knowledge. On the last day Maria Mitron worked here, on a Saturday, I cannot remember the month nor the day of the month, Mr. Cutter went to town immediately after tea. When he left, Maria Mitron was taking her tea, and she was away when he came back. I knew well Mary Lehmann. I never heard her saying anything against Mr. Cutter.

Cross questioned.—She was considered as the adopted child of Mr. Cutter, and called him "papa." She was about nineteen or twenty years of age. I never took the cream from the milk.

(Signed,) CATHERINE ^{her} X DONNELLY.
mark.

4th witness called up again.

John McDonald called up again.—There were no pigs in the Hospital premises when James Pines took the place of Richard Edmunds, that is, from the 26th May

unto the 2nd or 3rd of June. I saw two or three times the milk put in the tea; there was over a gallon. James Pines was cook at no other time during last summer. I know that Mr. Cutter bought potatoes last fall two different times for the use of his pigs. There were five pigs; one of them belonged to the cook. I received money from Dr. Hall for McIntosh and gave it to McIntosh, lying in ward No. 43. I received \$22, two 1s. 3d., one 7½d., and some coppers, which he (McIntosh) gave me.

(Signed,) JOHN McDONALD.

(Signed,) N. CASAULT,
S. T. C. M and E. H.

8th witness.

Elizabeth McNaulty, house maid of the Hospital since 15th May last.—My wages were paid regularly and always in cash. I never saw Mr. or Mrs. Cutter or their servant girl taking the cream from the milk. I have heard no complaints, and have seen nothing against Mr. Cutter's moral character.

(Signed,) ELIZABETH ^{her} ~~Mc~~McNAULTY.
mark.

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

QUEBEC, 9th January, 1851.

Mr. Cutter handed a letter from the Rev. Mr. Clark, dated Valcartier, 4th of January, 1851. The list received from Grosse Isle with the patients sent to the Hospital, twenty six in number, several of whom had money, the amount of which is placed opposite their respective

names, also contains the name of Catherine Halloran, opposite which there is no sum of money whatever placed.

9th witness.

Dr. Hill, one of the Visiting Physicians of the Hospital.—The House Surgeon did make complaints to me from time to time more particularly towards the fall that the patients were complaining of their diet. I made it my business to ask those patients who were dissatisfied with their diet, and then addressed myself to Mr. Cutter about it; and in enquiring from the patients on the following morning I found that they were then satisfied. This occurred occasionally. I am not prepared to state whether the quantity given to the patients was or was not according to the scale or diet table as prescribed by me. I am of opinion that it was oftener to obtain an increase of diet, than to find fault with the diet prescribed. The last day of my quarterly attendance, which was on December last, Mr. Cutter brought some soup and showed it to Dr. Douglass and myself. It was of a good quality, and the only time I had an opportunity of examining it. Dr. Douglass tasted it; I did not. Dr. Lemieux was also present, and observed at the time that that was not the soup which was usually given, and that it had been prepared for the purpose: on which Mr. Cutter said that the soup would have always been better, had the Doctor's servant not been in the habit of skimming the best of it. Mr. Cutter sent a receipt to me for the sum of about £5 13s and some pence belonging to a patient of the name of McIntosh, which had been left with me by his captain, and which I paid to the porter who came with the receipt.

(Signed,)

JOHN L. HALL.

(Signed,)

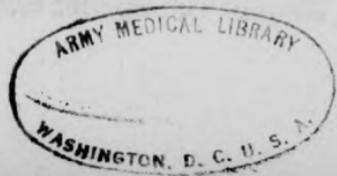
N. CASALT,

S. T. C. M. and E. H.

10th witness.

Dr. James Douglass, one of the Visiting Physicians of the Hospital.—I complained twice to Mr. Cutter of the quality of the diet; Dr. Lemieux, the House Surgeon, being present, both times concurred that the diet was bad. Mr. Cutter complained that the materials were bad and that he could make nothing better with them. The soup was not soup, it was dirty water. The beef was very bad, it was not fair beef. I stated the same day to the Chairman of the Commissioners, that the materials furnished to the Hospital were of inferior quality, and gave rise to just grounds of complaints by which the patients suffered, and the character of the Hospital was damaged. I told Dr. Lemieux at the same time that there were other grave abuses then existing in the Hospital, and which required the immediate notice of the Commissioners, (I never wrote to the Secretary officially any complaints against the Hospital). Three days afterwards I went back to the Chairman to state that nothing had yet been done, on which he told me that Mr. Paradis, the nearest Commissioner, would attend to it. Frozen beef in boiling loses a little more than a quarter. I recollect the former Steward used to feed one pig on the Hospital premises. I have no recollection that he had ever more than one. I recollect the nurse discharged on the 14th of December last: it was for improper conduct, for being impudent to the Matron. Yes, I do know something else against that nurse of which the Commissioners should be acquainted, and which equally affects her and the House Steward, that is, that they were partners in the transactions. I think that the House Surgeon shared in it too. Dividing the money and effects of the patients dying in the Hospital. But I only identify Dr. Lemieux with one case. In justice to Mr. Cutter I must say that every time I complained to him about the diet,

D



he seemed to be very willing to correct the matter, and I believed him sincere.

(Signed,) J. DOUGLASS.

(Signed,) N. CASAULT,
S. T. C. M and E. H.

True copy of the evidence given by the witnesses called and produced by Mr. Cutter on his defence.

(Signed) N. CASAULT.
S. T. C. M. and E. H.

(Document No. 7.)

VALCARTIER, 4th January, 1851.

I, undersigned, certify that I left Grosse Island on Wednesday morning the 16th October. I also certify that I saw none of the patients of the station on that morning. I gave no sovereign to any of the patients, neither was there any gold entrusted to my care during the season by any of the patients of the Hospital.

(Signed,) P. G. C. CLARKE, Ptre.

True copy.

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

(Document No. 8)

(Translation.)

MARINE AND EMIGRANT HOSPITAL,
QUEBEC, 30th December, 1850.

SIR,

I am directed by the Commissioners of the Marine and Emigrant Hospital to inquire of you if, during the

time that you were chaplain of that institution, the moral conduct of Mr. Cutter was irreproachable ; and if not, they beg that you will let them know the whole truth of the matter.

I have the honor to be,
 (Signed,) N. CASAULT,
 S. T. C. M. and E. H.

Rev. Mr. Bonneau,
 Quebec.

(*Translation.*)

(ANSWER.)

QUEBEC, 6th January, 1851.

MR. SECRETARY,

I received your letter of the 30th December last, in which you ask me in the name of the Commissioners of the Marine Hospital, if during the time I was chaplain of that institution the moral conduct of Mr. Cutter was irreproachable. I think it my duty, in answer, to relate to you the following circumstance,—concerning which let me remark that my acquaintance with it was derived from an external source, the individual concerned in the affair having never presented herself to me in the sacred tribunal of the Confessional. It would not perhaps be out of place for me to remark, that I have obtained from the said individual, permission to make use of her confidential disclosure for the moral advantage of the Hospital. Below is pretty nearly what took place.

About the end of June or the beginning of July, Mary Rowen, who had been in the Hospital for several weeks was moved into Ward No. 8. One day, on the occasion of my accustomed visit, this woman told me to the effect that she considered herself in conscience bound to declare to me that Mr. Cutter had made her proposals of an improper nature ; that he had attempted to take indecent liberties with her ; that even one day, under the pretext of giving her some work, he had brought her into his

room and had seduced her. This woman appeared to me to have a great repugnance to make this avowal, especially because she feared to distress Mrs. Cutter, who had been kind to her. I did not fail, forthwith and on that very day, to take the necessary steps to prevent the recurrence of similar scenes.

Several other incidents of a like nature, and impugning the moral character of Mr. Cutter, have also come to my knowledge, but as these doings either did not take place during the time when I had charge of the Hospital, or were not directly stated to me by the parties insulted, I abstain from mentioning them here.

I will add, Mr. Secretary, that a sentiment of duty and great moral responsibility, alone induce me to conquer the repugnance I feel in criminating a man whose respectful and polite manners I could not but approve of during the ten months or nearly so, that I was chaplain to the Marine and Emigrant Hospital.

I have the honor to be,

&c. &c.

(Signed,)

E. BONNEAU, Ptre.

True Copy.

N. CASAULT,

S. T. C. M. and E. H.

(Document No. 9.)

MARINE AND EMIGRANT HOSPITAL,
QUEBEC, *January, 1st, 1851.*

To the Commissioners of the Marine and Emigrant Hospital.

GENTLEMEN,

As, during your investigation of certain charges preferred against me by the House Surgeon, I have been

denied an opportunity of proving the malice which alone prompted them, and, as you have desired me to place anything affecting Dr. Lemieux's conduct as House Surgeon of this Hospital in the shape of a formal complaint, I beg leave most respectfully to state to you that Dr. Lemieux has been guilty of most immoral conduct and behaviour towards female patients and servants in this institution ; that he was in the habit of outraging common decency by placing in a conspicuous place in his bedroom injected male organs, to the disgust and annoyance of the female servants, and to the disgrace and discredit of the Hospital ; that he has been in the habit of fraudulently appropriating Hospital provisions to his own use, and that during many consecutive months that he has repeatedly outraged public decency and religious feelings and observances, by causing two bodies of different religious belief to be interred in the same coffin ; and that on one occasion he caused the female child of a respectable citizen to be interred between the legs of a negro. That on one occasion he ordered an emigrant child eighteen months old to be buried without a coffin in the ground in rear of the Hospital ; that he has been in the habit during many consecutive months of defrauding the Hospital by causing his work to be done by the Hospital house maid and nurses, who in consequence neglected their own duties, to the prejudice of the Hospital and to the manifest injury of the patients.

I have the honor to be,
Gentlemen,
Your very obt. servant,

(Signed,) ISAAC H. CUTTER,
Steward M. and E. H.

True copy.

(Signed, N. CASALTY,
S. T. C. M. and E. H.

(Document No. 10.)

N. CASAULT, Esq;
Secretary, C. M. and E. H.

MARINE AND EMIGRANT HOSPITAL,
QUEBEC, *January, 1851.*

SIR,

In answer to the charges preferred against me by Mr. Cutter in his letter of the first instant, of which I have had communication, I must first call the attention of the Commissioners to the fact that Mr. Cutter never thought of making complaints against me, until I had myself charged him with misconduct, misbehaviour, immorality and dishonesty, and proved it beyond all my expectations, shewing by that, that he is more actuated by a desire of revenge than by a true and faithful sense of his duty as Steward of the Hospital, and interest to that institution.

I am first accused of immoral conduct towards female patients and servants in the Hospital. That I most positively deny, as a wicked and forethought calumny, and will wait for any other explanations on that head until Mr. Cutter should have named the persons who ever had any such subject of complaint against me. But in the meantime I may be allowed to state boldly, fearlessly and with pride, that I fear no such accusation, not only from inmates of the Hospital, but even from outside.

The second accusation is of having placed in a conspicuous part of my bed room injected male organs.

The Commissioners will be pleased to bear in mind, that, as it is alleged, they were in my bed room, where none but Mr. Beaubien and myself had access, and that no female servants could have seen them unless improperly intruding where they were not called for.

Now the fact occurred thus: I had several anatomical preparations, and, amongst others, injected hearts, lungs,

arms, and genital organs of both male and female. Having found that they were mite-eaten, I took them out of a box where they had been cautiously kept, varnished them, and left them to dry on my bed room window for 24 hours, after which I replaced them in the same box. It is not but very long after and very lately that I heard that the male organs had been, during the absence of Mr. Beaubien and myself, carried out of my room by one of the servants of the Hospital, and shewn to some of the nurses. I beg leave to remark moreover, that, as anatomist, it was in my hands a scientific object.

As to having appropriated to my own use Hospital provisions, and that during many consecutive months, it would bear stronger than any other thing against Mr. Cutter, who has the stores of the Hospital in charge, and who as a faithful servant, knowing of his duty, should not have allowed any one to defraud the institution intrusted to his care, particularly of those things of which he had charge; and I refer the Commissioners to that part of the rules intended for the guidance of the Steward, and more particularly to the rules Nos. 1 and 3. Is it possible, I ask, that I would have appropriated Hospital provisions to my own use, and that during many consecutive months, without Mr. Cutter's knowledge, and if so, why did he not complain before? Why wait until convinced himself of fraudulent appropriations? There is one fact, however, which came to my knowledge and it is this: when inquiring one day from my servant girl if she had any more potatoes, I was told that there was no more and that Mr. Cutter had already given her about half a bushel. I then reprehended her, warned her against borrowing or taking anything from any of them in future, and for fear that she would have diminished the quantity, I returned a full bushel to Mr. Cutter.

The fourth accusation contained in Mr. Cutter's letter is, that I have caused two bodies of different religious

belief to be interred in the same coffin, and that amongst others I have caused the female child of a respectable citizen to be interred between the legs of a negro ; also, that I ordered an emigrant child 18 months old to be buried, without any coffin at all, in the ground in rear of the Hospital.

My answer to these very serious charges is written in the 7th rule for the guidance of the Steward- His duty was to procure coffins for the dead, and superintend their decent burial, and if true, his allegations against me would be another instance, another undoubted proof of the little care he paid to the discharge of his duties.

I never caused two bodies to be interred in the same coffin ; never ordered any one to be buried without coffin at all. The only orders I ever gave, if it can be called an order, were the answers, yes or no, to the porter when asked by him after or before post mortem examination, whether bodies were to be then coffined or not. I had no orders to give about the manner they were to be coffined. It was no part of my duty, and did not inquire about it until after I heard that some rumours had gone through the city about it. The latter fact I assert to be altogether unfounded and untrue.

The last accusation is that of having during many consecutive months caused my work to be done by the Hospital house maid and nurses. Supposing that to be true, how can Mr. Cutter mention doings perfectly known by him at the time, which, though he should have put a stop to, he allowed to go the whole length when his very words are "during many consecutive months." As to the nurses it is entirely untrue ; as to the house maid, she, herself, when she gave her evidence, stated that what she did for me, did not interfere with her duties, nor prevent her from fulfilling them in the least. During the winter 1849, having but very little work to give to a servant girl, I agreed with Mr. Cutter that the house maid

would do my work upon my paying her the half of the wages she was entitled to as housemaid, and that with the remainder of her wages he would procure another woman to help her if required. I in consequence of that understanding paid her 7s 6d per month and boarded her. I cannot say what Mr. Cutter did with the other half of her wages and her ration; but I know she was helped, and that the duties of the housemaid were well attended to, is a fact which neither Mr. Cutter nor any one else will deny.

The foregoing explanations I think sufficient to meet all the accusations preferred against me by Mr. Cutter. If they were not thought so by the Commissioners, I would beg from them not to condemn nor censure me without giving me an opportunity of being heard at a greater length than I possibly can in a letter.

I have the honour to be,

Sir,

Your most obt. Servant,

(Signed,)

C. E. LEMIEUX,

House Surgeon, M. and E. H.

True copy.

(Signed,)

N. CASALT,

S. T. C. M. and E. H.

(Document No. 11.)

Abstract of the rules and regulations for the guidance of the Steward of the Marine and Emigrant Hospital.— Rules referred to in Document No. 10.

1st Rule.—The Steward is to have charge of all the stores, not medical, and to be responsible for them, keeping a correct list of the same precisely in the form prescribed.

3rd Rule.—He is to receive all provisions from the contractors or others, to weigh the same, to issue them by weight according to the diet tables, which diet tables will be hung up in some conspicuous place in the ward, &c.

7th Rule.—He will procure coffins for the dead, and superintend their decent burial; the burials to take place at fixed hours, and those the most convenient to the clergyman officiating.

True copy from the rules and regulations for the guidance of the Steward of the Marine and Emigrant Hospital.

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

(Document No. 12.*)

On the twelfth day of August, in the year of our Lord, one thousand eight hundred and fifty, before us the undersigned notary public, duly admitted and sworn for that part of the Province of Canada heretofore called Lower Canada, and residing in the city of Quebec, and the witnesses herein after named, personally came, appeared and was present Mr. Henry Seman, mariner, of Hanover in Germany, being now in the Marine Hospital of the said city of Quebec. Being sick of body, but of sound and perfect mind and memory, judgment and understanding, as it appeared to us the said notary and to the said witnesses by his actions and words.

Who declared unto us, that considering the certainty of death and the uncertainty of the time thereof, he was desirous of making his last will and testament, which

* Will referred to in document No. 13, being a letter from Dr. Lemieux.

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

he dictated and named word for word to Maitre Michel Tessier, Notary in the presence of the said witnesses, as follows, viz :

1st. I recommend my soul to God.

2ndly. I will and bequeath unto Sarah Garland, nurse in the Marine Hospital, the sum of five pounds, sterling money, to be paid to her out of the moneys owing to me or otherwise belonging to me in the said city of Quebec, in consideration of the good care she takes for me during my present sickness.

3rdly. I will and bequeath the remainder of the moneys owing to me or otherwise belonging to me in the said city of Quebec, and all my clothes and movable effects belonging to me in the said Marine Hospital, to Charles Eusèbe Lemieux, Surgeon in the said Marine Hospital, and to Isaac H. Cutter, Steward in the said Marine Hospital, to be equally divided between them, and share and share alike.

And I hereby name and appoint the said Charles E. Lemieux and Isaac H. Cutter, to be my executors of this my last will and testament.

Thus done and dictated word for word and published and declared by the said Testator as and for his last will and testament, to and in the presence of Messrs. Henry Nisbet, of Burravoe in Scotland, and David James, of Cardigan, in the principality of Wales in England, now in the said Marine Hospital, witnesses hereto, in the said city of Quebec, in the said Marine Hospital, on the day and year first above written. In faith and testimony whereof the said Testator, who has declared not to know how to write nor sign his name, has to these presents first duly read twice, set and subscribed his ordinary mark or cross, in the presence of us the said notary and that of the said witnesses, with us hereunto also sub-

scribing. These presents remaining of record in the office of the said Michel Tessier, under the number seven thousand two hundred and fifty three.

(Signed,) HENRY ^{his} ✕ SEMAN.
mark.

(Thus signed,) HENRY NISBET,
DAVID JAMES,
M. TESSIER, N. P.

(Document No. 13.)

MARINE AND EMIGRANT HOSPITAL,
QUEBEC, 13th January, 1851.

To the Commissioners of the Marine and Emigrant Hospital.

GENTLEMEN,

One sentence in Dr. James Douglass' evidence of the 9th instant, requires on my part some explanations which I beg leave to offer. It is that part where he accuses me of having once shared, with the House Steward and a nurse, in the division of the money and effects of a patient who died in the Hospital.

Some time last summer I was told by Mr. Cutter that a patient named Henry Seman had intimated that he intended to bequeath unto Sarah Garland (one of the nurses) part of his clothes and money, and the rest unto the Hospital.

I inquired the same day from Dr. Jackson, one of the visiting Physicians, in the presence of all the students, if that would be proper. The doctor's answer was that far from seeing any objection, he would be pleased by it, provided the thing was done in a proper and legal manner. On the same day Mr. Tessier, notary, sent for by Mr. Cutter, came in the Surgery, asking pen and ink to

make the will of a seaman, who, as he said, had called him for that purpose. He again entered the surgery when going out, and told me to call on him with Mr. Cutter after the man's death, which I did two days after he had expired, and then for the first time I was apprised of the contents of the will hereby inclosed. I had never directly or indirectly said a word to the man about his money, nor had any conversation with him whatever, and thought it so little condemnable to accept the £4 4s 6d which I received by that will, that I mentioned it to some of the visiting Physicians, to the Secretary of the Commission, and, to the best of my knowledge, to some of the Commissioners themselves who seemed all pleased with it.

If the Commissioners, notwithstanding these explanations, are of opinion that my acceptance of the £4 may in the least injure the interest or the good name of the institution, though I am legally possessed of them, I will at once pay the same amount to the Treasurer to be disposed of as they will think proper.

In concluding gentlemen, I may state that I am at a loss to know what prompted Dr. Douglass in preferring against me such a serious charge when he was aware of all the facts long ago. And had he ever intimated that it was improper to give effect to the will in question, I would not have accepted it, or would have given back the money according to the directions of the Commissioners.

I have the honor to be,

Gentlemen, &c., &c.

(Signed,)

C. E. LEMIEUX,

House Surgeon M. and E. H.

True copy.

(Signed,) N. CASALT,

S. T. C. M. and E. H.

(*Translation.*)

SECRETARY'S OFFICE,
TORONTO, 15th February, 1851.

SIR,

I have the honor to acknowledge the receipt of your letter, dated 21st January last, and of the copies which by order of the Commissioners of the Hospital you have at the same time transmitted to me, of the complaints brought by Dr. Lemieux against Mr. Cutter the Steward, and of the inquiry which the Commissioners have considered necessary to make concerning the truth of these charges, as well as of a copy of various other documents produced during the investigation, and of a report on the whole.

I have had the honor of submitting all these documents to the consideration of His Excellency the Governor General, and His Excellency, after a careful examination, directs me to acquaint you for the information of the Commissioners, that the result of their investigation perfectly justifies the recommendation of the Commissioners, that Mr. Cutter be dismissed from the office which he fills in the Hospital. His Excellency sanctions his dismissal, and it is communicated to Mr. Cutter in a letter dated this day, which I am addressing to him by order of His Excellency.

His Excellency directs me at the same time to inform you, that he has taken into consideration the long services which Mr. Patrick Whelan has already rendered as Steward of the Hospital, and that in accordance with the pressing recommendation of the Commissioners, based on these meritorious services, he authorizes them to offer him the situation of Steward of the Hospital, and his wife that of Matron, and to instal them immediately should they accept the offer.

As soon as his acceptance is communicated to His Excellency by the Commissioners, Mr. Whelan will receive his letter of nomination, and that of his wife.

His Excellency, the Governor General, directs me to convey on this occasion to the Commissioners, his approbation of their conduct, and of the zeal and assiduity which they have displayed in the inquiry, the report of which forms the subject of communication.

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

(Signed,)

J. LESLIE,
Secretary.

SECRETARY'S OFFICE,
TORONTO, 15th February, 1851.

SIR,—I have received and laid before His Excellency the Governor General your letter, dated the 14th January last.

I have also laid before His Excellency the report of the Commissioners of the Quebec Marine and Emigrant Hospital upon the charges brought against you by Dr. Lemieux.

After a long and laborious investigation, during which it appears every opportunity was afforded you of defence, they have come to the conclusion that your services as Steward of that institution ought to be dispensed with.

His Excellency, after a careful examination of the documents and evidence, concurs in that conclusion.

His Excellency therefore commands me to inform you that your services as Steward of the Quebec Marine and Emigrant Hospital are to be dispensed with from this date, as well as those of your wife as Matron of the same.

I am, Sir,

Your obedient servant,

(Signed,)

J. LESLIE.
Secretary.

Mr. J. H. Cutter, Steward,
Marine and Emigrant Hospital,
Quebec.

QUEBEC, 3rd March. 1851.

SIR,

Your letter of the 15th ultimo I had the honor to receive on the 22nd, and should have acknowledged the receipt of it sooner, had I not been prevented by serious illness.

You inform me that you "laid before His Excellency the Governor General the report of the Commissioners of the Quebec Marine and Emigrant Hospital upon the charges brought against you by Dr. Lemieux, and that after a long and laborious investigation, during which it appears every opportunity was afforded you of defence, they have come to the conclusion that your services as Steward of that institution ought to be dispensed with.

In retiring from the Hospital, I beg that it may be distinctly understood by you and by His Excellency, that the evidence in support of the charges against me was had from the most worthless characters, and was disproved at the time before the Commissioners, and that my defence was not heard at all.

I stated to the Commissioners in my last communication to them, that I was prepared to prove the falsehood of the charges, and the motives which caused them to be brought against me. I beg to enclose a copy of this my last letter to the Commissioners, and to state that I am fully prepared to prove the facts therein stated.

I have the honour to be,

Sir,

Your very obedient Servant,

(Signed,)

ISAAC H. CUTTER.

HON. JAMES LESLIE,
Provincial Secretary,
Toronto.

[Copy No. 2.]

QUEBEC, 27th January, 1851.

SIR,

We the undersigned, visiting Physicians of the Marine and Emigrant Hospital, beg leave to state to you for the information of His Excellency the Governor General, that the Hospital of which we have the medical charge, is destitute of many things essential to the comfort and well-being of the Patients ; that our repeated requisitions to the Commissioners have not been attended to ; and that our claims on the attention of the Commissioners to matters vitally affecting the interests of the institution, and the lives of the patients, have equally been disregarded.

Under these circumstances we intreat most urgently, that His Excellency will be pleased to adopt such measures as will enable us to do our own duty with comfort and credit to ourselves, and with advantage to the patients intrusted to our care.

We have, &c.,

(Signed,)

J. DOUGLAS,
 JOS. PAINCHAUD,
 A. JACKSON,
 O. L. ROBITAILLE,
 JOHN L. HALL,
 A. ROWAND.

To the Honble. J. Leslie,
 Provincial Secretary,
 &c., &c., &c.

(Translation.)

QUEBEC, 30th January, 1851.

SIR,

Without much examination we signed a letter to your address dated 27th instant, relative to certain com-

plaints on the part of the Physicians of the Marine Hospital, Quebec, against the Commission of that department.

This proceeding on our part is calculated to destroy the confidence which ought of necessity to exist between the Commissioners and the Physicians in order to the welfare of the establishment.

Upon reflection we are of opinion that the difficulty referred to in the letter of the Visiting Physicians, might easily be arranged, without the necessity of any recourse to the Executive.

Wherefore, we trust that if it be possible our names may be erased from the said letter, or if not, that they may be considered by the proper authority as not being there.

We have, &c.,

(Signed)	JOS. PAINCHAUD,
"	O. L. ROBITAILLE,
"	A. ROWAND, M. D.

Honourable J. Leslie,
Provincial Secretary,
Toronto.

P. S.—After a minute investigation of the matter, we are convinced that the most serious charge in the letter of the 27th instant is unfounded, and that we have been shamefully led into error.

(Signed,)	JOS. PAINCHAUD.
"	O. L. R.,
"	A. R.

(*Translation.*)

QUEBEC, 3rd February, 1851.

SIR,

We consider it our duty to inform you, that Dr. James Douglas is the originator of our complaints against the Commissioners of the Marine and Emigrant Hospital

as contained in our letter of the 27th January last ; that it is at his request, that we met ; that he himself drew up the draft of the letter, and that it was upon his assurance that we signed it.

We particularly regret that part of the letter which relates to the treatment and even to the life of the patients in the Hospital.

We would therefore request that the contents of the present letter be laid before His Excellency the Governor General.

We have, &c.

(Signed)

JOS. PAINCHAUD,
A. ROWAND,
O. L. ROBITAILLE.

To the Honble. James Leslie,
Provincial Secretary.
Toronto.

(Copy.)

SECRETARY'S OFFICE,
TORONTO, 13th Feb., 1851.

GENTLEMEN,

I have the honour to acknowledge the receipt of a communication dated the 27th of January last, signed by you and by Doctors Painchaud, Robitaille, and Rowand, as visiting Physicians of the Marine and Emigrant Hospital at Quebec, in which communication it is stated for the information of His Excellency the Governor General, "that the Hospital of which you have the medical charge is destitute of many things essential to the comfort and well-being of the patients ; that your repeated requisitions to the Commissioners have not been attended to ; and that your claims on the attention of the Commissioners to matters vitally affecting the interests of the institution and the lives of the patients have equally

“been disregarded; and that under these circumstances
 “you intreat most urgently that His Excellency will be
 “pleased to adopt such measures as will enable you to
 “do your duty with comfort and credit to yourselves, and
 “with advantage to the patients intrusted to your care.”

I have also received two other communications, respectively dated the 30th January last, and 3rd February instant, signed by Drs. Painchaud, Robitaille, and Rowand, of which communications copies are enclosed.

You will see by those communications that Drs. Painchaud, Robitaille and Rowand have, for the reasons assigned by them, withdrawn their names from your joint letter of the 27th January last.

I have had the honour of laying this correspondence before His Excellency the Governor General.

His Excellency, appreciating to its fullest extent the advantages to be derived from the existence of a Marine and Emigrant Hospital at Quebec, cannot but deeply regret that so much misunderstanding should exist among the visiting Physicians of that institution, inasmuch as it must on the one hand weaken public confidence in that branch of the administration of the Hospital confided to them, and impair on the other the benefits which are naturally expected from that part of the administration of its affairs.

His Excellency equally regrets that your relations with the Commissioners of the Hospital should of late have been such as in your opinion to render it incumbent upon you to prefer against them charges which, although of a merely general character, are nevertheless very grave.

The Commissioners fulfil gratuitously duties of an arduous nature, which up to the present time they had discharged in a manner to merit His Excellency's confidence, and without any complaint having been brought against them.

Before taking any further action in the matter, His

Excellency deems it but right that the Commissioners should have an opportunity of being heard ; but it would be unjust to call upon them to answer accusations couched in the general terms contained in your letter of the 27th January last.

His Excellency commands me to say, that in his opinion it is due, as well to yourselves as to the Commissioners, that you should specify the nature and date of the particular facts upon which must be presumed to rest the general charges conveyed in your letter ; such a specification is the more necessary under the circumstances, that these charges have already been repudiated by three of your colleagues.

I have, therefore, in command from His Excellency the Governor General to request that you will state for the information of His Excellency,

1st, What are the particular things, essential to the comfort and well-being of the Patients, of which the Quebec Marine and Emigrant Hospital is destitute, and since when has it been so destitute of them ?

2ndly, What is the particular nature or object of "your repeated requisitions to the Commissioners" which you state have not been attended to ? At what times were they made, and were they verbal or in writing ?

3rdly, What are the particular matters in your opinion, "vitaly affecting the interests of the institution and the lives of the Patients," to which your claims on the attention of the Commissioners, you state, have been disregarded, and on what particular occasions ?

I have to express his Excellency's hope that you will favour him with an early reply.

I have, &c.,

(Signed)

J. LESLIE,

Secretary.

DR. J. DOUGLAS,

— A. JACKSON,

— J. L. HALL.

(*Translation.*)

TORONTO, 13th February, 1851.

GENTLEMEN,

I herewith transmit for your information a copy of a letter, written by me in answer to the letter of the 27th January last, signed by yourself and Drs. J. Douglas, A. Jackson, and J. L. Hall.

I ought at the same time to advise you, that I have addressed to the latter for their information copies of your letters of the 30th January and 3rd February, relating to the said letter of the 27th January.

I have, &c.

(Signed,)

J. LESLIE,
Secretary.

Doctors Joseph Painchaud,
O. L. Robitaille,
A. Rowand,
Quebec.

(Copy.)

QUEBEC, 27th February, 1851.

SIR,

We have the honour to acknowledge the receipt of your communication of the 13th instant enclosing two letters signed by Drs. Painchaud, Robitaille and Rowand, in which, for reasons assigned by them, they withdraw their names from a joint letter addressed to you on the 27th ultimo. In noticing these letters we will pass over their style and tone and will merely remark on the reasons assigned by these gentlemen for withdrawing their names from this joint letter.

After stating in their letters of the 30th January and 3rd February, that they withdraw their names, they find it necessary to account for their inconsistency, and endea-

vour to do so on the plea that they had not sufficient time for deliberation; that they were "*honteusement induits en erreur*;" that Dr. J. Douglas called the meeting, was the author and mover of the complaints, and that it was on his credibility they signed the letter. It is hardly credible that one man could have led five others to make false statements on matters with which they were or ought to have been as intimately acquainted as himself.

The joint letter in question was not an expression of opinion which might be altered, it was a statement of facts not resting on the *ipse dixit* or credibility of any one, but which were well known to every gentleman who signed the letter. The letter itself was intended to call the attention of the Governor to the actual state of the Hospital, the repeated claims of the Visiting Physicians on the attention of the Commissioners having been disregarded.

The meeting in question was proposed and called by Dr. Painchaud for the purpose of considering certain articles which had appeared in the public papers reflecting in very strong terms on the management of the Hospital, and on the conduct of its officers.

At this meeting it was resolved to take no notice of Newspaper paragraphs. It was, however, decided to call His Excellency's attention to the general inefficient state of the Hospital, and to the neglect of the Commissioners to the repeated requisitions of Visiting Physicians. This was done in the terms of the joint letter of January 27th. No member desired more moderation in its language; different members, however, objected to the expressions as not being sufficiently strong. A rough draft of this letter was made and signed at the time; it was then handed to the Secretary, who copied and sent it round late in the day for signature. Dr. Painchaud, "*reflexion faite*," not only signed it himself but sent it to different members for signature. That the gentlemen were not led into error, taken by sur-

prise, &c., will be shown by their own letter to Commissioners, dated

“MARINE HOSPITAL,
“14th December, 1850.

“SIR,

“We beg leave to state to you for the information of the Commissioners, that the rule made by them for the admission of the friends of the patients in Hospital has been attended by great inconveniences and abuses, and that very lately the death of a patient may be attributed to this.”

“We take this opportunity of calling the attention of the Commissioners to the general inefficient state of the Hospital and to the want of bedsteads, bedding and clothing for the patients.”

(Signed,)

“J. PAINCHAUD,
“J. DOUGLAS,
“A. JACKSON,
“O. ROBITAILLE,
“J. L. HALL,
“A. ROWAND.”

It will be seen that this letter to the Commissioners dated 14th December 1850, and signed by all the visiting physicians, contains the same statement of facts and the same expression of opinions as the joint letter of the 27th ultimo. We must leave to Doctors Painchaud, Robitaille and Rowand, the task of reconciling the facts stated in these joint letters with the statements made in their letters of the 30th January and 3rd February.

In your communication of the 13th instant you state that His Excellency regrets that misunderstanding should exist among the Visiting Physicians. We beg leave to assure His Excellency, that until the receipt of your communication, we were not aware that any misunderstanding or difference of opinion did exist. We beg also to assure His

Excellency that our relations with the Commissioners have hitherto been very slight; one of the undersigned having never seen the Commissioners or the Secretary; one has only once, incidentally seen them; and the third, the oldest appointed of the visiting physicians of the Hospital, has only seen them once, incidentally, during the past two years.

In compliance to His Excellency's commands that we should state:

1st. What are the things essential to the comfort and well being of the patients?

2nd. What is the particular nature or object of our repeated requisitions to the Commissioners?

3rd. What are the particular matters in our opinion vitally affecting the interests of the institution and the lives of the patients?—

We beg leave to answer these three questions by one general and connected statement, and in doing so we will confine ourselves to the period of time embraced within the three months preceding the joint letter of January 27th.

On the 1st November, Dr. Lemieux, the House Surgeon, addressed a letter to the Commissioners setting forth in most urgent terms the absolute necessity of immediately providing the Hospital with a number of articles essential to the comfort and well being of the patients. On the fifth of November, the senior Visiting Physician, accompanied by the House Surgeon and Steward (who then enjoyed the confidence of the Commissioners) waited by appointment on Mr. Casault, the Commissioners' Secretary, and handed him the requisition, dated 1st November, 1850, stating to him in plain terms that the Hospital was in a disgraceful state and condition, and that the patients were in want of absolute necessaries. Among other things in support of these facts, it was stated to him that 160 patients then in the wards, fed themselves with their fingers, as there was not a single pair of knives and forks in use in Hospital, and that moreover, those patients

requiring washes or lotions were obliged to keep such in chamber pots for want of the necessary basins or vessels. Mr. Casault replied that he had no power to act, but that he would submit this requisition to the next meeting of Commissioners.

The Visiting Physician then present requested to be notified of such meeting, and to be afforded an opportunity of being heard before the Commissioners on the state and condition of the Hospital.

No notice to the best of our knowledge has been taken of this requisition or of this request. A few days afterwards, the senior Visiting Physician waited personally on the Chairman of the Commissioners, and after stating that the materials furnished for the food of the patients was of the worst possible description and unfit for use, requested him at once to repair to the Hospital and take cognizance of the facts. As however, this claim on their attention was referred to at a meeting of the Commissioners, we beg leave to give an extract, as taken down by their Secretary. "Dr. J. Douglas, one of the Visiting Physicians of the Hospital stated: 'I complained twice to Mr. Cutter of the quality of the diets. The House Surgeon was present both times and concurred that the diets were bad. Mr. Cutter stated and complained that the materials were bad, and that he could make nothing with them. The soup was not soup, it was dirty water, the beef was very bad, it was not fair beef. Stated the same day to the Chairman of the Commissioners that the materials furnished to the Hospital were of inferior quality, and gave reasons for just grounds of complaint by which the patients suffered and the character of the Hospital was severely damaged. I told Dr. Morrin at the same time that there were other grave abuses then existing in the Hospital and which required immediate notice of the commission.

"I never wrote to the Secretary officially any complaints against the Hospital. Three days afterwards I went

“ ‘back to the Chairman to state that nothing had yet been
 “ ‘done, on which he told me that Mr. Paradis, the nearest
 “ ‘Commissioner, would attend to it.’ ”

On the 14th December, being quarter day, the Visiting Physicians met to exchange charge of the wards.

The state of the Hospital was considered, and as nothing had been done by the Commissioners, it was resolved to address them once more. This was done in a letter, a copy of which has been given above. We beg leave to assure His Excellency that in addressing to you our joint letter of 27th ultimo., we acted under an imperative sense of duty to the Hospital, and to ourselves; and that we should not have addressed such communication, had we been able to entertain any reasonable hope that the Commissioners would have taken the state and wants of the Hospital into their consideration.

We have, &c.,
 (Signed,)

J. DOUGLAS,
 ALFRED JACKSON,
 JOHN L. HALL.

The Honorable
 James Leslie,
 Provincial Secretary.

(Copy.)

REQUISITION.

REQUIRED for the use of the Marine and Emigrant Hospital.
 115 Iron Bedsteads,
 115 Feather Pillows,
 200 Men's Shirts,
 60 Women's Shirts,
 50 Women's Bed Gowns,
 50 Children's Shirts,
 200 Pillow Covers,

6 dozen Men's Night Caps,
 40 yards Diaper Linen for Towels,
 1 piece of Brown Linen for Rollers,
 1 gross Knives and Forks.
 5 dozen Pewter Spitting Pans,
 2 dozen Pewter Wash Hand Basins,
 50 small Tables,
 12 Close Stools,
 8 Mattrasses require repairs.

(Signed,)

ISAAC H. CUTTER,
 Steward, M. & E. H.

Marine and Emigrant Hospital,
 Quebec, November 1st, 1850.

(Copy.)

SECRETARY'S OFFICE,
 TORONTO, 8th March, 1851.

GENTLEMEN,

I have the honour, by command of the Governor General, to enclose to you copies of the documents mentioned in the accompanying Schedule relative to certain complaints preferred against you by the visiting Physicians of the Hospital under your charge; and to request that you will answer fully the charges which are thereby preferred for His Excellency's information.

I have, &c.,

(Signed,)

J. LESLIE,
 Secretary.

The Commissioners of the Marine and Emigrant
 Hospital,
 &c. &c. &c.,
 Quebec.

SCHEDULE.

1. Letter of Dr. J. Douglas and other Visiting Physicians to the Marine and Emigrant Hospital of the 27th January last, to the Provincial Secretary.
- 2, 3 and 4. Letters of Dr. Painchaud, Robitaille and Rowand, to the Provincial Secretary of the 30th January and 3rd February.
5. The Provincial Secretary, to Drs. Douglas, Jackson, and Hall, of the 13th of February.
6. Letter of Drs. Douglas, Jackson and Hall with its enclosure "A Requisition" to the Provincial Secretary.

(Copy.)

SECRETARY'S OFFICE,
TORONTO, 8th March, 1851.

GENTLEMEN,

I have the honour, by command of the Governor General, to enclose to you, for any explanation you may desire to offer, the accompanying copy of a letter received from Drs. J. Douglas, Alfred Jackson and J. L. Hall, with reference to your joint communication of the 30th January last and 3rd ultimo.

I have, &c.,
(Signed,)

J. LESLIE,
Secretary.

Dr. Jos. Painchaud,
— O. Robitaille, and
— A. Rowand.

(Translation.)

QUEBEC, 18th March, 1851.

SIR,

In transmitting to you our letter of to day, in answer to yours of the 8th instant, accompanying that of Drs.

J. Douglas, A. Jackson, and J. L. Hall, dated, 27th February, I beg leave to submit to His Excellency the respective letters of Drs. Rowand and Robitaille and other gentlemen, with a few remarks suggested to me by the letter of Drs. Douglas, Jackson and Hall. Both my colleagues and myself are under the impression that our joint letter of the 30th January last, contains every thing with which we desire to acquaint His Excellency, namely, "that we consider this proceeding on our part (the Medical Visitors) calculated to destroy the confidence which ought of necessity to exist between the Commissioners and the Physicians in order to the welfare of the establishment. We are of opinion that the difficulty referred to in the letter of the Visiting Physicians, might be arranged without the necessity of having recourse to the Executive.

"After a minute investigation of the matter, we are convinced that the most serious charge in the letter of the 27th January last is unfounded, and that we have been shamefully led into error."

These gentlemen begin by animadverting and casting ridicule upon the style of our letters; I shall not even take the trouble of remarking the impropriety and want of tact displayed in such conduct on the part of men who are almost strangers to the merit of a language which is not their own. My object and that of my colleagues has been solely to search for truth, for we have more confidence in the eloquence of facts, than in that of finely turned sentences, void of truth.

They reproach us with having been inconsistent, and of endeavouring to extenuate that circumstance by stating that "we have been shamefully led into error; it was Dr. Douglas who called for the meeting, and was the author and mover of the complaints of the Visiting Physicians, and it was upon his assurance that we signed the letter."

I see nothing wrong in acknowledging that we have deceived ourselves, still less that we have been deceived;

and this proceeding if it indicated a want of consistency, would at least be the proof of an upright mind and of honourable convictions.

No one can boast that he has not been deceived ; but an honorable man should return to the truth as soon as he knows where to find it : this is therefore all the justification we have to offer on this point.

But there is something still more important, and which requires most minute and clearly expressed explanation ; for it is evident that Dr. James Douglas and his colleagues, have endeavoured by speculating on words, to shew that we have deviated from the truth.

They commence by gratuitously asserting, that we said that " Dr. Douglas called the meeting, &c." to which they answer " the meeting in question was proposed and called by Dr. Painchaud, &c." whereas we never asserted that Dr. Douglas had " called " the meeting ; we merely stated, and here are the exact words of our letter of the 3d February last addressed to you* " *Nous croyons devoir vous informer que le Dr. Douglas est le moteur de nos plaintes contre les Commissaires de l'Hôpital de la Marine telles que renfermées dans votre lettre du 27 janvier ; que c'est à sa demande que nous nous sommes assemblés ; qu'il a lui-même dressé le projet de lettre,*" etc., (A A¹.)

We do not consider ourselves bound to prove what we never advanced ; the only obligation due on our part to His Excellency and to ourselves, is that of entirely proving the contents of our letters of the 30th January, and 3d February. This is an easy task. The words of our letters must indeed have been garbled in the letter of the 27th February, for so honourable a man as Dr. Jackson to sign it, and I was

*We consider it our duty to inform you, that Dr. James Douglas is the originator of our complaints against the Commissioners of the Marine Hospital as contained in our letter of the 27th January last; that it is at his request that we met; that he himself drew up the draft of the letter and that it was upon his assurance that we signed it.

thoroughly convinced, that if I appealed to him by asking him to explain the facts, he would hasten to bear witness to the truth. I required him so much the more that he is my most immediate and most valuable witness. We all have the highest esteem for Dr. Jackson, whom we are grieved to see placed in so false a position, where he acts a perfectly passive part. He has said to me on many occasions in relation to the letter of the 27th January, and he has said to many others that "if the thing had to be done over again, I would not sign, but I can not back out at present, that man would owe me a grudge for the rest of his life ; he would ruin me if he could." (See document marked O.)

As to the question whether the meeting was or was not proposed by Dr. Douglas, I take the liberty of referring you to the document marked A, in which I put certain questions to Dr. Jackson, who answers them in the affirmative.

The signers of the letter of the 27th February, consider it "hardly credible that one man could have led five others to make false statements on matters with which they were, or ought to have been, as intimately acquainted as himself."

If we had brought weighty charges against the Commissioners, supported solely by vague, common, and worthless rumour, our conduct would have been unjustifiable, we confess ; but Dr. Douglas being an officer of the Hospital, it is therefore not at all astonishing that his colleagues have believed him on his word, in relation to a particular matter concerning the institution.

"A rough draft of this letter was made and signed at the time. Different members objected, as not being sufficiently strong."

The three signers do not deny what we have asserted in our letter of the 3rd February, "that Dr. Douglas himself made the draft of the letter" to which they here allude. They are silent on that important point, and their silence assures us that we have asserted nothing beyond the truth.

Their remarks with regard to the style of the letter amaze me, for they are exactly the opposite of the truth. At the meeting Dr. Jackson caused the word "never" to be struck out, and inserted in its place the word "not" in the clause following: "Our repeated requisitions to the Commissioners have not," instead of "never," "been attended to." My assertion relative to this circumstance is corroborated by Dr. Rowand's letter, marked B, in which all the circumstances of the meeting of the physicians are detailed.

"That the gentlemen were not led into error, taken by surprise, &c., will be shewn by their own letter to the Commissioners, dated Marine Hospital, December 14th, 1850.

"SIR,—We beg leave to state to you, for the information of the Commissioners, that the rule made by them for the admission of the friends of the patients in Hospital, has been attended by great inconveniences and abuses, and that very lately the death of a patient may be attributed to this cause.

"We take this opportunity of calling the attention of the Commissioners to the great inefficient state of the Hospital, and want of bedsteads."

Signed by the six physicians. Addressed to Mr. Casault, Secretary.

This letter was also the work of Dr. Douglas. Many of us were in perfect ignorance both of the rule here mentioned, and of the case of death. Dr. Rowand was absent, and we signed it again on this occasion, trusting to our colleague's correctness (B¹).

The letter of the 27th January being only a repetition of that of the 14th December, we certainly believed that, by withdrawing our names from the one, they were similarly withdrawn from the other; therefore there is no contradiction in them (D).

We were in both cases led into error, because in both

we believed in the assertions of a colleague, whom we could not suspect at first of a wish designedly to deceive us.

It was not until after the 27th January that we discovered the existence of an extensive plot against the whole establishment of the Marine Hospital, of which Dr. Douglas was either the author, or to which he was at least privy, inasmuch as on the 27th January, that is two days before the Board of Trade took action, demanding an inquiry into the management of the Hospital, he said to Dr. Rowand, "The object of this meeting is to adopt some measures to protect ourselves from the consequences of an enquiry which is about to be instituted by Government into the Marine and Emigrant Hospital." (B²)

Let us compare the above extract with the following, taken from a letter of the Board of Trade, dated 29th January :

"It is also, in the apprehension of the Council, a very serious evil that while the services of one of the most accomplished Surgeons in Quebec are actually paid for by the Institution, an arrangement has been sanctioned by the Government by which his talents and experience are only available for a small portion of the year."

And we shall then be convinced that Dr. Douglas wished to make use at the same time of the visiting Physicians and the Board of Trade, for the one purpose of undermining the Commissioners ; and of the Board of Trade alone, to undermine in their turn the Visiting Physicians who prevented him, as the Board of Trade asserts, from fulfilling his duty as visiting physician during the twelve months of the year.

The Government should call to mind with what repugnance Dr. Douglas looked upon the appointment of new Visiting Physicians to the Hospital, and what injurious language he made use of respecting them.

If, while making use of them as tools, both against the Commission and against the officers of the institution, he

could at the same time overwhelm them in the general ruin, nothing would remain for him but to enjoy his success and the realization of his expectation, for he would be then sole master and sovereign of the Hospital, which evidently is his design.

The Board of Trade must be ignorant how matters are managed in the Hospital, otherwise they would not make assertions which they do. If the Visiting Physicians have divided the year into quarters for a better system of order; and for the purpose of making the duties of each one of them as little burdensome as possible, it is however on that account by no means less true that Dr. Douglas may, if he thinks proper, visit the patients' wards every day, and lavish upon them the fruits of his experience.

But what would the Board of Trade say if we were to prove to them that the physician of their selection goes entire weeks and months without appearing at the Hospital, even during his own three months, (E.) (E. 2.) (E. 3.) (E. 4.) that "one of the most accomplished Surgeons " in Quebec actually paid, &c.," refuses to assist us, his colleagues, with his talents and experience in cases of important operations.

A man of the name of Edward Curren, in the summer of 1848, was carried to the Marine Hospital with a fractured leg. The house-surgeon being convinced that amputation of the limb was necessary, sent immediately verbal notice to all the Visiting Physicians to be so good as to come to the Hospital without delay, a serious accident having taken place. Drs. Jackson and Sewell, who were on duty for the quarter, went. I met them a short time afterwards with Dr. Wolff. The messenger had been to Dr. Douglas' house. After waiting for him a considerable time Dr. Wolff offered to go himself to Dr. Douglas' house. That gentleman told him that, "He had not been regularly notified." "But," said Dr. Wolff to him, "will you not consider my word sufficient?" The answer was "No,"—I remem-

ber the words of Dr. Wolff—" Let them wait for me until "to-morrow, and grant that time to the patient as a sort "of respite." [Documents (F.) (F. 1.) (F. 2.)]

" In your communication of the 13th instant, you state "that His Excellency regrets that misunderstandings should "exist among the Visiting Physicians."

" We beg leave to assure His Excellency that until the "receipt of your communication we were not aware that "any misunderstandings or difference of opinion did exist."

With His Excellency we sincerely regret this difficulty between the visiting Physicians, and we can assure him, that nothing but a feeling of justice towards the Commissioners, and the whole institution, could have induced us to take the steps which we did take on 30th January and 3rd February. Dr. Douglas had met the newly appointed Medical visitors with grossly offensive language upon their entering the institution; but with a view to harmony and the advantage of the Hospital we buried that in oblivion, and acted in concert, as is shewn by our letters of the 14th December and the 27th January, when we perceived that we were made accomplices in a base plot; that we were to be consigned to a common ruin, after having served as instruments of destruction to others.

The three signers answer generally and collectively "by one and collected statement,"* to the precise, definite and categorical questions which you put to them by order of the Governor General. This kind of answer is evidently made designedly. They lead us to forget, if it were possible so to do, in the long recital of circumstances comparatively insignificant, and in the recapitulation of conversations, more or less controvertible, the very grave and only real accusation brought against the Commissioners in our letter of the 14th of December, and in that of the 27th January; "very lately the death of a

* "General" omitted from the original,—"collected" substituted for "connected."—*Translator's note.*

patient may be attributed to this cause." "That our claims on the attention of the Commission, into matters vitally affecting the interests of the institution and the lives of the patients, have equally been disregarded."

Wherefore this silence with regard to so serious a charge, brought at the very outset against the Commission? We have stated that it was not founded on truth; and it appears to us that it is their duty to prove that it is, if they desire to maintain a character for veracity; and if, as they affirm at the conclusion of their letter of the 27th February, they act upon an imperative sentiment of duty towards the Hospital.

"In support of these facts, that one hundred and sixty patients, then in the wards, 1st November, 1850, fed themselves with their fingers."

On applying to the House Surgeon of the Hospital, he gave me an extract from the book of the institution, by which it appears that on the 1st November there were only one hundred and forty-two patients in the ward, and that it certainly was difficult of belief that one hundred and sixty patients were in the habit of eating with their fingers! (E¹)

Moreover, it is untrue that the patients are in the habit of eating with their fingers. I, for my part, have always seen them eat with knives belonging either to themselves or to the Hospital, and there are enough forks for a good number. Moreover, nearly a third or a fourth of the patients could not make use of any thing but a spoon, and spoons are abundant all over the establishment.

At any rate, throughout the whole of the assertions of Dr. Douglas, and of his two colleagues, there is much exaggeration and not a word of truth; with regard to what ought or might affect the life of the patients. Eating with one's fingers does not cause one's death.

It is surprising that Dr. Douglass did not act in this case as he did in all others. As often as he wanted any thing for his patients, mattresses, seats, strait-waistcoats, &c.,

he did not hesitate to sent for them from the shops or factories. But we know now why Dr. Douglas acts no longer in the same manner ; the affair of the iron bedsteads, so often spoken of by Dr. Douglas, and which stands the first item in the Steward's requisition, dated the 1st November, 1850, (date of the closing of the navigation,) is no longer a mystery to us.

We learn from the Chairman of the Commission, that Dr. Douglas has more than one hundred iron bedsteads on his hands which he would like no doubt to sell to the Hospital. He called to mind the fine speculation which he made by the sale of some old instruments to the Hospital.

Looking at all this fine-drawn policy and intrigue, by means of which the Board of Trade, certain of the Visiting Physicians, the press, and individuals equally devoid of character and shame have been brought into play in order to effect the ruin of the Commissioners, Visiting Physicians and officers of the establishment who have always enjoyed and still enjoy the public confidence and esteem, how can we repress our honest feelings of indignation? If the promoter, he who holds the wires, stands aloof, it is his former enemy, he whom he ever so deeply despised, Dr. William Marsden, a man expelled from the wards of the Hospital, who gets up affidavits (G), leagues himself with Cutter the Steward, and with hirelings of the Hospital, turned off like himself for their bad conduct, and puts into their mouths oaths to establish the most revolting statements against honourable men of stainless character. A well-timed present to the wife (a gold thimble richly chased), soon secured the good will of the husband and softened down old asperities.

It will be sufficient at present to forward to you with this letter the affidavit of the grave digger of the Marine Hospital (H) and the certificate of the Coroner, (I) to enable His Excellency to appreciate the character of Dr. Wm. Marsden, the man who drew up all the affidavits against

the officers of the Hospital, who, with a lie upon his tongue has desecrated the hallowed resting place of the dead, and disturbed their peaceful repose. If I were allowed to consult the police register I might add a great deal more, but that is not permitted without an order from the Government.

I have the honour to be,

Sir,

Your very humble and obedient. Servant,

(Signed,)

JOS. PAINCHAUD.

The Hon. J. Leslie,
Provincial Secretary.

(A)

(*Translation.*)

QUEBEC, 13th March, 1851.

MY DEAR SIR,

I have just received the copy of an official letter, dated the 27th February last, and signed by yourself, Drs. James Douglas, and J. L. Hall, in which it is said: "The meeting in question was proposed and called by Dr. Painchaud for the purpose of considering certain articles which had appeared in the public papers, reflecting in very strong terms on the management of the Hospital, and on the conduct of its officers."

This is certainly partly true, but not the whole truth;—for is it not a fact, that, two days before the said meeting, Dr. J. Douglas made you promise to come and see me, to consult upon proceedings, which should be taken by the Visiting Physicians, under these circumstances, that he did not exactly know himself what we ought to do, and that it would be advisable to call a meeting? I agreed, and took

measures to have it convoked. I would beg of you to favour me with an answer; and believe me,

My Dear Sir,
Your very humble and obedient Servant,

(Signed,) JOS. PAINCHAUD.

Dr. A. JACKSON,
Vis. Physician M. & E. H.

The above is correct.

(Signed,) ALFRED JACKSON.

(A¹)

(Translation.)

MARINE HOSPITAL, QUEBEC,
15th March, 1851.

J. PAINCHAUD, Esquire, M. D.

SIR,

I have the honour to inform you, in answer to your letter dated yesterday, that it was on the 25th January last you directed me, at the request of Dr. J. Douglas, to call a meeting of the Visiting Physicians on the 27th of the same month.

I have, &c.,

(Signed,) C. E. LEMIEUX,
House Surgeon M. and E. H.

(B) (B¹) (B²)

QUEBEC, March 14th, 1851.

MY DEAR DOCTOR,

I have much pleasure in furnishing you with the information which you request of me in your note. It is briefly and simply as follows. Having received an official

notification to attend a meeting of the Visiting Physicians of the Marine and Emigrant Hospital, on 27th January, 1851; I presented myself at the appointed time and place. All the medical officers having arrived, with the exception of yourself, I inquired of Dr. Douglas as to the object of the meeting. He expressed entire ignorance, and said we had assembled at your request. He, however, shortly contradicted himself when he saw you were not coming, and said the object of the meeting was to adopt some measures to protect ourselves from the consequences of an inquiry which was about to be instituted by Government into the management of the Marine and Emigrant Hospital. To my answer that it might be time enough to arm ourselves when threatened, he gave a brief negative, and proceeded to draw up his letter against the Commissioners, which, when completed, was read aloud to the meeting. It was almost unanimously disapproved of as being too severe, and a slight alteration was accordingly made. Dr. Douglas then entered into a short but unsatisfactory explanation to justify the accusations in the letter, and then abruptly affixed his signature to it. After a momentary delay of hesitation, we all followed in his wake, and did likewise. The meeting then broke up.

An impression, however, lingering in my mind that we had been guilty of an act of injustice to the Commissioners by such a letter, I was resolved to investigate its truth. I have found the graver portion of the charges untrue, and the paltry portion much exaggerated. After such discovery, I was anxious as soon as possible to withdraw my name from the letter, however inconsistent such conduct might appear.

With regard to a letter which was addressed to the Commissioners by the Visiting Physicians on the 14th December, 1850, I beg to state that I was in total ignorance of it, as to its truth, at the time, and I gave it my

signature, as Dr. Douglas had sent his student with it to my house for my signature.

I remain, &c.,

(Signed,)

A. ROWAND.

Dr. Painchaud.

(D)

(*Translation.*)

QUEBEC, 3rd February, 1851.

SIR,

I signed with my brethren, the Visiting Physicians of the Marine Hospital, a letter dated the 14th December, 1850, to the Commissioners of that establishment, complaining of one of their regulations respecting the visits of the relations and friends of the patients. Having been since that time convinced that the assertion made in that letter is false, that is to say, that the death of an individual, quite recently, might be referred to the regulation in question, is a charge both wrong and unfounded, I beg of you to request the Commissioners to allow me to withdraw my name from that letter of the 14th December last, and by so doing you will oblige

Yours, &c.

(Signed,)

JOS. PAINCHAUD.

Mr. Casault,

Secretary, M. H. Q.

(E) (E 1)

(Translation.)

MARINE AND EMIGRANT HOSPITAL,
 QUEBEC, 15th March, 1851.

SIR,

In reply to your letter of to-day, in which you desire to know, if during the time I have been House Surgeon of the Marine Hospital, Dr. James Douglas has allowed weeks and even whole months to pass without appearing at the Hospital, I must confess that you put to me a question of a very delicate nature, to which, however, in our respective official positions, I feel it my duty to reply, and I answer your question in the affirmative.

This is as nearly as possible the information which you require from me in reference to an extract from the letter of Drs. Douglas, Jackson, and Hall, to the Provincial Secretary, dated 27th February last.

On looking over the registers of the Hospital, I find on the 1st May 1849, there were 270 spoons, 56 knives, and 87 forks. On the 1st March 1851, there were no more than 190 spoons, 36 knives, and 38 forks. About a third of the patients do not require knives or forks, being upon spoon diet; there is besides a milk diet. - The sailors in the Hospital generally eat as they do on board ship, with their own knives, each being invariably provided with a clasp knife.

According to the registers there were 142 patients in Hospital on the 1st November, 1850.

I have, &c.

(Signed,) C. E. LEMIEUX.
 House Surgeon, M. and E. H.

JOSEPH PAINCHAUD, Esquire, M. D.,
 Visiting Physician, M. and E. H.

(E²)

QUEBEC, 16th February, 1851.

DEAR SIR,

The Marine Hospital being under your particular charge for a month, I consider a duty of mine to apprise you of a recent and fatal case of Puerperal Convulsions, attributed to erysipelas.

There is actually a pregnant woman expecting her confinement, and I have no doubt that you will co-incide with me in the impropriety of leaving her in the same ward and even on the same floor.

I have, &c.

(Signed,)

JOS. PAINCHAUD.

Dr. J. L. Hall,
Visiting Physician,
Q. M. H.

(E³)

QUEBEC, 15th February, 1851.

DEAR DOCTOR,

Dr. Hall has just handed me your note of this date.

You yourself were in full charge of the Hospital until Saturday. The fatal case you allude to terminated on Tuesday, and if there were then any suspicions of erysipelas, you ought not to have delayed doing your duty, by urging on the Commissioners the immediate necessity of causing the removal of any other pregnant women from the Hospital.

I have no power in this matter, but will, of course, lose no time in laying it before the Commissioners.

Yours very truly,

(Signed,)

J. DOUGLAS.

Dr. Painchaud.

(E⁴).*(Translation.)*

QUEBEC, 16th February, 1851.

MY DEAR DOCTOR.

I am just now in receipt of your note of to-day, in which you inform me that Dr. Hall has shewn you mine addressed to him, also dated to-day, and that "having no power in such a matter, you intend forthwith to forward it to the Commissioners." If I have addressed myself to Dr. Hall it is because he represented himself to be in charge of the Hospital for a month as heretofore, and paid his visit yesterday and this morning, in that capacity. You consider that I have delayed too long informing the Commissioners, and, for my part I consider that you have been in too great a hurry to do so. You seem to me to confound puerperal fever with puerperal convulsions;—the distinction is, nevertheless, very important with reference to contagion. I am far from being prepared to say that the last case of convulsions was of a contagious character, notwithstanding its being attended with erythema of the face.

I consider myself perfectly justified, therefore, in having advised Dr. Hall to remove from the ward none but the only pregnant woman in the Hospital, and who had still a whole month to wait before her confinement. As you have already advised the Commissioners of that affair, I shall follow your example, and enclose them a copy of the present letter.

I have, &c.,

(Signed,)

JOS. PAINCHAUD.

Dr. J. Douglas,
 Visit. Physician,
 M. H. Q.

(F)

15th March, 1851.

MY DEAR SIR,

I received your letter of yesterday's date, having reference to an amputation performed by Dr. Jackson, in the Marine Hospital, in 1848, and in which you ask me, "Whether Dr. Jas. Douglas was not duly notified, together with the other medical attendants of the institution,—that a serious accident had been admitted; and, moreover, that on his not coming down, whether Dr. Wolff did not go himself with a view to speak to Dr. Douglas upon the subject; and you further ask me to state what answer Dr. Douglas returned."

In reply, I beg to state that I received notice of the accident in question, and I remember that the porter stated that he had notified Dr. Douglas likewise, as well as Dr. Wolff going himself to request his attendance; but what answer Dr. D. returned, I cannot say.

Yours faithfully,

(Signed,) JAS. A. SEWELL.

 (F¹.)

(Translation)

QUEBEC, 15th March, 1851.

MY DEAR COLLEAGUE,

Did you not in the summer of 1848 amputate a leg in the presence of Drs. Sewell, Wolff and myself?

Had Dr. James Douglas been notified, and was he present?

Did the operation succeed?

I am, &c.,

(Signed,) JOS. PAINCHAUD.

Dr. Jackson.

I performed the above operation in presence of the Doctors above mentioned, Dr. Painchaud, Dr. Sewell, and Dr. Wolff. Dr. James Douglas was not there ; the operation succeeded perfectly.

(Signed,)

ALFRED JACKSON.

Dr. Painchaud.

(F²)

QUEBEC, 16th March, 1851.

DEAR SIR,

In answer to your letter of the 14th inst., I beg to state that I have almost forgotten the circumstance of the case to* which your letter has reference. What I do remember of the case, is that on that occasion I volunteered to go to Dr. Douglas, and went to request him to go down to the Marine Hospital to see a case that had just been admitted and which I believe I stated to him I thought would require, or required amputation ; that Drs. Sewell and Jackson were waiting then. He replied that he would not go until he was properly notified,* or that he would not go until he was properly notified,* I am not perfectly certain, words however tantamount to that. The operation was performed upon my return by Dr. Jackson, without Dr. Douglas being present. I regret not being able to remember more particularly the whole of the particulars, but the whole matter amounts in substance to what I have stated. You have perfect permission to make use of this letter in any way you may think proper.

I remain, &c ,

JAMES J. WOLFF.

To Dr. Painchaud.

* * Sic.

(G)

(Translation.)

QUEBEC, 21st February, 1851.

DEAR SIR,

You enquire of me in your note of to-day "if there is an order prohibiting Dr. Wm. Marsden's admission into the Marine Hospital, which he stated was a lie." This question has already been put to me, and I answered then, as I do now, in the affirmative.

The House Surgeon received orders from two of the Visiting Physicians, Dr. James Douglas and myself, to deny Dr. Marsden admission to the wards during our absence.

I had rather not enter into any further details. I can only say that the order was given on account of a pound of butter; it was a dirty business, almost as dirty as all the reports which have lately been circulated against the management of the Marine Hospital.

Ever yours,

(Signed,)

JOS. PAINCHAUD.

Dr. J. Wólf.

(H.)

QUEBEC, 13th March, 1851.

Thomas Bockley, labourer, being duly sworn on the Holy Evangelists of Almighty God, deposes and says:

That Dr. William Marsden called at his house where he lives, in the burying ground of the Marine Hospital, about the end of February last, and asked him to shew him where was buried the last body? That he answered Dr. Marsden, that he could not do so, except with an order of the Commissioners. Then the said Dr. Marsden said to him that he had an order from the Coroner, and that an

inquest was to be held, on the next Monday; and further said that he believed that he had not buried the body. After all that the said Thomas Bockley proceeded to shew the coffin, and by the order of Dr. Marsden, he did open the coffin.

THOMAS ^{his} ~~X~~ BOCKLEY.
mark.

Sworn before me this 15th March, 1851.

(Signed,) ANT. A. PARENT, J. P.

(I)

QUEBEC, 17th March, 1851.

MY DEAR SIR,

In answer to your note of this morning requesting me to state whether I authorized Dr. Marsden to disinter and examine a body buried in the Marine Hospital Cemetery, I have to state that I did not authorize Dr. Marsden to disinter and examine the same.

Yours very truly,

(Signed,) J. A. PANET,

Coroner.

Joseph Painchaud, Esq. M. D.

(O)

(Translation.)

QUEBEC, 16th March, 1851.

SIR,

Not very long ago Dr. Jackson, while speaking to me relative to a communication containing certain complaints against the Marine Hospital, and to which he had attached his signature together with his colleagues, said "if the thing had to be done over again, I most likely would have nothing to do with it." Not that he regretted having signed it because it might be thought to contain other

than the truth ; but, if I understood him perfectly, because the whole affair appeared to be taking a turn which he had not anticipated.

I have, &c.

(Signed,) J. E. J. LANDRY.

Dr. Painchaud.

(*Translation.*)

QUEBEC, 18th March, 1851.

MY DEAR DOCTOR,

My motives in signing, jointly with you and Dr. Rowand, the letter of the 30th January, 1851, expressing to the Honourable Mr. Leslie a desire to have our names withdrawn from a letter dated the 27th January last, which had been transmitted to the Executive by the six Visiting Physicians of the Marine Hospital, complaining of the Commissioners of the said Hospital, was the fact that I had not comprehended the extent of our charge against the Commissioners, when asserting in the letter of the 27th January, "and the lives of the patients have "equally been disregarded," an accusation which, in my opinion, is not only exaggerated, but also unfounded.

I have, &c.,

(Signed,) O. L. ROBITAILLE.

Dr. Painchaud.]

(*Translation.*)

QUEBEC, 19th March, 1851.

SIR,

We have the honour to acknowledge the receipt of your letter of the 8th March. As we desired only to make known to His Excellency our wish to have our names expunged from the letter of the 27th January last, with

a view to peace and harmony, and as, moreover, Drs. Douglas, Jackson, and Hall have not established their serious complaint made against the Commissioners with regard to the death of the patients, we do not consider it necessary to make any additions to our letters of the 30th January and 3rd February.

(Signed,)

JOS. PAINCHAUD,
O. L. ROBITAILLE,
A. ROWAND.

The Honourable Jas. Leslie,
Provincial Secretary.

[Copy, No. 3.]

MARINE AND EMIGRANT HOSPITAL,
QUEBEC, 31st March, 1851.

SIR,

I have the honour to acknowledge the receipt of your letter of the 8th instant, and of the documents accompanying it, namely, copy of a letter from the Visiting Physicians of the Hospital of the 27th January last; also copies of three letters from Drs. Painchaud, Robitaille and Rowand of the 30th January and 3rd February, and of a letter addressed by order of His Excellency to Drs. Douglas, Hall and Jackson; and likewise a copy of the answer returned by these gentlemen.

The Commissioners having taken communication of the above correspondence, direct me to state that their astonishment at the perusal of the accusations brought against them by the Visiting Physicians, in their letter of the 27th January, has entirely disappeared upon reading the letters of Drs. Painchaud, Rowand and Robitaille. For a long time past the Commissioners had every reason to believe that Dr. Douglas did not show towards the institution the good will which he should have evinced. It appeared to them

that he attempted to render the management and superintendance of the Hospital difficult and arduous; that he had counselled and assisted Mr. Cutter during the investigation which has taken place upon that gentleman's conduct, and also by certain portions of the letter of the 29th January from the "Board of Trade," they felt already convinced that he was the aider if not the instigator of the charges and accusations brought against them by that body. Nevertheless, they were very far from imagining that, even from the month of November, 1850, he had the thought of injuring them in the estimation of Government, and that he should even from that time, have been laying foundations for charges, which at a later period, and as he thought proper, might be brought against them, with the assistance of the falsehoods and deceptions used by him to deceive the visiting Physicians, who in their own words state "*nous avons honteusement été induits en erreur.*"

The letters of Drs. Painchaud, Rowand and Robitaille, the perplexing and evasive answers given by Drs. Douglas, Hall and Jackson to the direct and straight forward questions which you submitted to them, by order of His Excellency, are almost a satisfactory answer to the charges contained in the letter of the 27th of January, and the Commissioners would have confined themselves to giving explanations on that letter, had they not desired, at the same time they were justifying their own conduct, to make known to His Excellency who really caused the patients to suffer, if they did suffer; who should be made responsible for the bad management of the institution; and how unpleasant and difficult has been the task imposed upon them by Government in giving them the direction of the Hospital.

It is to this end they have thought proper to enclose the within documents, and to offer the following remarks:

Three of the visiting Physicians (in compliance with a rule made by themselves, with the concurrence of the Commissioners,) must visit the Hospital daily; they must

inquire into the wants of the patients; inform themselves of all that may be useful or necessary for their comfort; convince themselves that the rules and regulations are strictly adhered to; and minutely report to the Commissioners any irregularity, want, &c., which they cannot remedy. If they do not carefully and scrupulously acquit themselves of that portion of their duty; if they are not also very exact in apprising the Commissioners of all that may come under their knowledge, it becomes almost impossible for these latter to render justice to the duties of their situations, and to acquit themselves of the same with honour, punctuality and discrimination. Now, it is a noted fact, and this fact appears as well by the within documents as by the letter written by Drs. Douglas, Hall and Jackson on the 27th February, that since the appointment of the present Secretary to the Commission (July, 1849,) up to the month of November last, none of the visiting Physicians has ever, at any time, either individually or jointly with his colleagues, addressed to the Commission, or to any of its members, either verbally or in writing, any complaint, requisition, remarks or information relating to the Hospital. Who is therefore responsible for the want "of things essential to the comfort and well-being of the patients," whose number was so much increased by the cholera in 1849 and was larger in 1850 than it has generally been?

The interview which took place in the month of November, 1850, between Dr. Douglas, the House Surgeon, the House Steward and the Secretary, at the request of Dr. Douglas, to ask, for the following spring, articles which, according to the rules and regulations, should have been demanded in January, 1851; his reiterated refusal to write officially to the Secretary when requested to do so by Dr. Morrin, on the two different occasions mentioned in the letter of the 27th February, (sole communication which with the letter of the 14th of December, ever took place since July, 1849, between the Visiting Physicians and the

Commissioners,) do not leave a doubt of the intention under which they took place, and which was to prepare the letter of the 27th January by the Visiting Physicians, and that of the 29th of the same month by the Board of Trade.

The Commissioners have always been ready and willing to do justice not only to all the demands of the visiting Physicians, but also to those of the other officers of the institution, and they humbly call the attention of His Excellency to the minutes of their meetings of the 9th and 24th December on that point. Moreover, they do not hesitate to say that Drs. Painchaud, Robitaille, and Rowand, at the same time they wished to make amends for an injustice, were withheld from acknowledging the whole truth from a desire to excuse themselves when they asserted in their letter of the 30th January, "*La difficulté en question pour-rait s'arranger sans qu'il fut besoin d'avoir recours à l'exécutif;*" no difficulty whatever having then ever existed between the visiting Physicians and the Commissioners.

The requisition of the Steward of the 1st November, 1850, received by the Secretary on the 12th, which requisition had been prepared by Mr. Cutter, under the eye of Dr. Douglas, and the letter of the House Surgeon of the 11th of the same month, received on that day, and written by the advice of the Secretary, and also under the eye of Dr. Douglas, strongly recommending the requisition of the 1st November, and both asking articles for 1851, were premature, and were to be taken into consideration at a later period. That portion of the letter of the Visiting Physicians of the 14th of December, and received on the 23rd, which was a requisition for "bedsteads, bedding &c., &c.," as well as the documents already alluded to, was to be acted upon after the "inventory," and the "list of such stores as should be required for the ensuing year" should have been submitted to the Commissioners, that is in January following. As to that portion relating to the death of a patient

stated to have been caused by the admission of the friends of the sick ; it was the first complaint of such a kind ever received by the Commissioners. They could not imagine that, with a little attention on the part of the Steward and Nurses to the rules of the Hospital, such an accident could happen ; and they do away with the imputation of negligence cast upon them by an abstract from the Minutes of the meeting of the 24th December, and by the 13th answer of Dr. Lemieux. They also refer to the 12th answer of the same gentleman to show how little truth there is in the Visiting Physicians' letter of the 14th December. It may be here necessary to call attention to the studied silence maintained by Drs. Douglas, Hall, and Jackson, in their letter of the 27th February, as to this death. The Visiting Physicians are "the sole judges of the cases provided for by law for their admission or discharge, &c., &c.," and Edward Drew, who was neither an emigrant nor a sailor, was admitted by order of Dr. Douglas, as proved by the 12th answer of Dr. Lemieux.

The articles of food furnished for the patients have always been of an excellent quality, notwithstanding the assertions of Dr. Douglas ; and, although His Excellency must already have been informed by the investigation concerning Mr. Cutter, of the reasons which prevented the diet from being what it should have been, the Commissioners, nevertheless, feel it but just to themselves to say that they have tried to prevent such complaints as were made the preceding year by taking new contracts in 1850, and they humbly call the attention of His Excellency to the 5th, 6th, 7th, and 8th answers of Dr. Lemieux.

The Commissioners do not think it necessary to explain the duties of the several officers of the institution, their powers, the authority which they exercise over each other, and the entire regulation of the Hospital. They will confine themselves to stating that the Visiting Physicians have a general power over the whole establishment, and its officers

and *employés*, and form a kind of intermediate authority between the officers and servants of the Hospital and the Commissioners.

His Excellency must have perceived by the letter of 27th February that Dr. Hall, the *protégé* of Dr. Douglas, and Dr. Jackson, his brother-in-law, were completely swayed by him; that of themselves they could not particularise one single thing, and that the reproach of inconsistency which they cast upon the three other visiting Physicians, might by these latter be met by one of a much more serious kind against the character and reputation of those two gentlemen. As to Dr. Douglas, the Commissioners regret to say that he did not, in their opinion, give the advice and assistance which they had a right to expect from him as paid Visiting Physician; and much as they may desire not to mention the manner in which he personally fulfilled his duties, they must nevertheless state that he always endeavoured to enlarge the task imposed upon them, and that he assisted in spreading false and calumnious reports concerning the establishment.

In conclusion, the Commissioners fear that the harmony and good understanding which should always exist between themselves and the visiting Physicians cannot be expected so long as Drs. Douglas, Hall, and Jackson shall continue in office.

I have, &c.,
 (Signed,) N. CASAULT,
 S. T. C. M. and E. H.

MARINE AND EMIGRANT HOSPITAL,
 QUEBEC, 20th March, 1851.

SIR,

I am directed by the Commissioners of the Marine and Emigrant Hospital to enquire from you if at any time

from the month of July 1849, until the 14th December 1850, you have individually, or jointly with any other of the Visiting Physicians, addressed verbally, or in writing to the commission or to any of its members any requisition, complaint remark or information in relation to the Hospital under their charge; and if so, to beg from you to state what they were, and when and to whom you made them.

I have, &c.

(Signed,)

N. CASAULT,
S. T. C. M. & E. H.

To Dr. Painchaud,
Dr. Robitaille,
Dr. Rowand.

(*Translation.*)

QUEBEC, 21st March, 1851.

SIR,

In your note of yesterday, you ask me on behalf of the Commissioners, if from July 1849 to 14th December 1850, I individually or in conjunction with my colleagues, either verbally or in writing addressed to the Commissioners, or any of them any requisition, complaint, remark or information whatsoever with respect to the Hospital of which they have the superintendence.

I may state in answer, that after careful consideration, I do not recollect a single instance of this having taken place. I limit myself strictly to the period you have specified.

The requisition of the Steward Cutter, dated 1st November, 1850, is not to be so classed, as the Steward is obliged to make every fall a report to the Commissioners, of what is wanting in the Hospital, in order to provide them for the ensuing spring before the opening of the navigation.

I have, &c.

(Signed,)

JOS. PAINCHAUD.

Mons. N. Casault,
Secretary.

S. T. M. & E. H.

(Translation.)

QUEBEC, 22nd March, 1851.

SIR,

I have the honour to acknowledge the receipt of your letter dated 20th instant, in which you enquire whether from the month of July, 1849 to the 14th December, 1850, individually or conjointly with my colleagues, the Visiting Physicians of the Marine and Emigrant Hospital, either verbally or in writing, I addressed any requisition, complaint, remark or information to the Commission or to any of its members.

In answer, I should state for the information of the Commissioners, that I have not personally addressed any complaint, requisition, &c. to any members of the Commission, and that I know of no written matter to specify minutely any complaints or requisitions that I might have made conjointly with the other visiting Physicians during the period mentioned in your letter.

I have, &c.

O. L. ROBITAILLE,
V. P. M. & E. H.

N. Casault,

S. T. C. M. & E. H.

 QUEBEC, 27th March, 1851.

SIR,

In reply to your letter of the 20th instant, I beg to state that I have some recollection of one requisition which the Visiting Physicians addressed to the Commissioners. It bears date 1st November 1850. I also recollect a letter of complaint which was brought to my house for my signature by one of Dr. Douglas' students. It bears date 14th December, 1850. I cannot charge my memory with any thing further on the subject.

Your obedient servant,

(Signed)

A. ROWAND.

N. Casault, Esq.,

S. T. M. & E. H.

REQUISITION.

Required for the use of the Marine and Emigrant Hospital :

115 Iron Bedsteads,
 115 Feather Pillows,
 200 Men's Shirts,
 60 Women's Shirts,
 50 Women's Bedgowns,
 50 Children's Shirts,
 200 Pillow Covers,
 6 dozen Men's Night Caps,
 40 yards Diaper Linen for Towels,
 1 piece Brown Linen for Rollers,
 1 gross Knives and Forks,
 5 dozen pewter Spitting Pans,
 2 dozen pewter Washhand Basins,
 50 small Tables,
 12 Close Stools,
 8 Mattresses require repairs.

M. and E. Hospital,
 Quebec, November 1st, 1850.

(Signed,)

ISAAC H. CUTTER,
 Steward M. and E. H.

True copy.

(Signed,) N. CASALT,
 S. T. C. M. and E. H.

Requisition alluded to in the third and fourth questions to Dr. Landry, third and fourth questions to Dr. Lemieux and in the first and second questions to Mr. Whelan.

(Signed,) N. CASALT,
 S. T. C. M. and E. H.

(*Translation.*)

MARINE AND EMIGRANT HOSPITAL,
 QUEBEC, 20th March, 1851.

SIR,

I am directed by the Commissioners of the Marine and Emigrant Hospital to transmit to you the annexed questions, and to request of you to answer them as plainly and precisely as possible, without, however, omitting any necessary detail.

I have, &c.,
 (Signed,) N. CASAULT,
 S. T. C. M. and E. H.

Dr. Lemieux,
 House Surgeon,
 M. and E. H.

Questions :

1st. Ought the Visiting Physicians specially to provide for the welfare and comfort of the patients? If there is a want in the Hospital of anything necessary to their comfort, should they advise the Commissioners of it? and upon whom do you think the responsibility for the sufferings of the patients in consequence of such want ought to fall, when the visiting Physicians are aware of it, and the Commissioners have not been informed thereof?

2nd. Ought the visiting Physicians to be in constant communication with the Commissioners, and is it their duty or that of any other officer of the institution, to advise the Commissioners of what changes, additions and improvements are requisite to a fit, useful, and beneficial administration, either in the regulations, the furniture or the provisions, or in anything having reference to the Hospital?

3rd. At what time ought the requisitions generally to be addressed to the Commissioners? Are the items mentioned in the requisition a copy of which is annexed, addressed by Isaac H. Cutter, at that time Steward of the Hospital, on the 1st November, 1850, in the nature of those

usually required in the course of the year, or of those which are required for the 1st May following?

4th. Is the Hospital generally cleared of patients in the autumn, and should the want of the articles mentioned in that requisition be more particularly felt than in the summer? Or, on the contrary should not the demand for new stores be at that time considerably diminished, or even have ceased altogether?

5th. Since the 15th May, 1850, what has been the quality of the materials furnished for the food of the patients, and have the Commissioners or some of them, since that date, taken cognizance of the quality of the articles furnished?

6th. Were the complaints of the patients respecting the rations, owing to the inferior quality of the provisions furnished by the contractors, and if not, to what are they to be attributed?

7th. Were you present when the Steward, Mr. Cutter, in the month of November last, complained to Dr. Douglas that the materials with which he was obliged to make the soup were of an inferior quality, and that the beef was bad? Did you see the beef on that occasion, and was it of the ordinary quality? Has the Steward the right and authority to reject beef when he does not consider it to be of proper quality? Had he in fact to your knowledge rejected it previous to the fifteenth May, 1850? Has he refused it since that date?

8th. Did the patients complain as much of the provisions in 1849 as in 1850, and were the materials in 1849 of a better quality than in 1850?

9th. Be so good as to recapitulate at length and in detail the conversation alleged to have taken place between Dr. Douglas, yourself, the Steward, and the Secretary to the Commission, on the fifth November, in the letter of three of the Visiting Physicians, dated the 27th February last, a copy of which is annexed. Had it reference to the present wants of the Hospital? How many patients were there in

the Hospital at that time ? How many on the 15th November ? and how many on the 1st of December ?

10th. How many knives, forks, spoons, and basins, were there at that time in the Hospital for the use of the patients ? Did the patients suffer much at the time from the want of these articles ?

11th. Is it possible and desirable to put an entire stop to the visits of the friends of the patients ? And do you think that, by sufficient attention on the part of the nurses, and careful compliance on the part of the Steward with that part of the regulations for the conduct of that officer, ("He will take special care that no spirits are introduced into the Hospital for the use of any person whatever, and he must be careful that no articles of food are brought in by the friends of the patients," the friends of the patients might be admitted on Mondays, Wednesdays, and Fridays, from one o'clock until four in the afternoon, and that without bad consequences ?

12. Is it to your knowledge that the regulation for the admission of the friends of the patients has at any time been open to abuse, and been the means of great inconvenience ? and that the death of a patient which took place about the close of the year 1840, may be attributed to that regulation ? If you are aware of anything relating to this circumstance, mention the name of the patient, his disease, upon whose order he was admitted, whether or not he died at the Hospital, of what disease he died, and what connexion his death could have with the disease in question ?

13. Will you say whether or not on the 24th of December last, you, together with the Steward and the Nurses, were summoned to attend at a meeting of the Commissioners, held in the Marine Hospital, and detail what the Chairman of the Commission said and recommended on that occasion to the Steward and Nurses relative to the admission of the friends of the patients ?

14. Since you have been House Surgeon, has Dr. Douglas paid his visits regularly? Has he always attended at the Hospital when summoned in urgent cases? Has he paid his visits always upon the days and at the hours fixed by the regulations? If not, state how often he has failed so to do? how many days consecutively he has allowed to pass without visiting, and at what hour he has paid his visits?

(Signed,)

N. CASALTY,
S. T. C. M. and E. H.

Quebec, 20th March, 1851.

(Translation.)

MARINE AND EMIGRANT HOSPITAL,
QUEBEC, 24th March, 1851.

SIR,

I acknowledge the receipt of your letter of the 20th March, in which you put me some questions respecting the administration of the Hospital, and I have the honour in answer to transmit you the following :

Answer 1st. The Medical Visitors ought in my opinion to attend to the welfare and comfort of the patients in the Hospital, as carefully as they attend to their own private patients. They and they alone should see that nothing is wanting to their comfort, by informing the Commissioners of what is requisite. The blame of whatever the patients may suffer from any deficiency of this kind should of necessity fall upon the Visiting Physicians if they did not inform the Commission.

2nd. The Visiting Physicians should have the same understanding with the Commissioners as they have with the families which they attend, and the want of communication and a right understanding between them cannot but be injurious to the patients: the Visiting Physicians not being able to do anything without the Commissioners

under whose authority they act, except in pressing cases, although all the other officers are under their orders. The House Surgeon and the Steward suggest to the Visiting Physicians the changes, additions or improvements which they consider to be necessary or advantageous. The latter ought to do the same thing to the Commissioners, without even waiting until required so to do, whenever they perceive that any changes, additions or improvements would be useful, and that even when these changes &c., are beyond the limits of their functions.

3rd. The requisitions for the ensuing spring ought generally to be sent in during the winter, and when sent in at other times, they are for articles unexpectedly and immediately wanted, an event which rarely takes place, and then only for a few articles at a time. The requisition dated 1st November, 1850, by J. H. Cutter is similar to those always sent in during the winter, and it is to my knowledge that it was sent in for the spring of 1851.

4th. The number of patients in Hospital diminishes in almost the same ratio as the number of the vessels in port, until the close of the navigation, when generally not more than a score of patients remain. This number continues to diminish until the spring. The want of the articles mentioned in Mr. Cutter's requisition, dated the 1st November 1850, had at that time almost altogether ceased, the number of patients being at that time less than it had been some months before, when they had been accommodated, with difficulty, it is true, but still with the same articles.

5th. The quality of the materials furnished for the food of the patients since the 15th day of May, 1850, has invariably been excellent. The Commissioners had at that period changed the contractors on account of complaints made against them by the Steward and myself. All the Commissioners, on different occasions, and the Secretary of the Commission, almost every time that I saw him, made inquiries concerning the quality of the provisions furnished.

6th. The complaints of the patients were owing to the inadequacy of the rations, and to the manner in which they were prepared and distributed by the Steward. The materials have always been excellent.

7th. I was present on the occasion in question. The Steward did not complain in my presence of the inferior quality of the beef and of the other provisions. Dr. Douglas said that the soup contained nothing but dirty water and dish washings. The beef on that occasion was as usual excellent: in fact had it been of an inferior quality, Mr. Cutter should have rejected it, as indeed he had often done previously to the month of May, 1850; never after that time to my knowledge.

8th. The patients complained much more frequently of the rations in 1850 than in 1849, and the beef and other victuals provided, were of a better quality in 1850 than in 1849.

9th. About the 7th or 8th November, 1850, at the request of Dr. Douglas I went with the Steward, Mr. Cutter, to the office of Mr. Casault the Secretary of the Commissioners. Dr. Douglas arrived a few minutes afterwards. This meeting was for the purpose of making known to the Commission through its Secretary, the necessity of procuring by the following spring certain articles, the want of which had been felt during the preceding summer. Dr. Douglas then asserted that the Hospital was in a state and condition unworthy of a public institution; that the patients were in want of absolute necessaries; that some of them were obliged to eat with their fingers, for want of a sufficient number of knives and forks, and that a few days before he had seen a patient make use of a chamber vessel to hold a lotion, owing to the want of basins. He asked the Secretary to put him in the way of making the Commissioners comprehend the want of all these articles, and of inducing them to procure them by the following spring. Mr. Cutter, the Steward, then presented to the Secretary a requisition

that he had prepared. Upon Dr. Douglas remarking that it was not sufficient, Mr. Casault desired the Steward to withdraw it and prepare another with Dr. Douglas, and to send it to him; accompanied by a letter from me, insisting forcibly upon the necessity of these articles, and at the same time by one from Dr. Douglas to the same effect. Dr. Douglas having suggested the propriety of summoning him before the Commission at its next meeting, Mr. Casault remarked to him that he could not do so without the authority of the Commissioners, and they agreed between them that he (Dr. Douglas) should approve in writing of the letter which I was to send in, and the requisition of Mr. Cutter. Two or three days after, on the 11th November, 1850, I addressed my letter to the Secretary of the Commission couched in the most urgent terms, and this I did at the request of Dr. Douglas. I have already stated above that the design of this meeting was to procure for the following spring certain articles the want of which had been severely felt the preceding summer. On the 1st November, 1850, there were 142 patients, on the 15th, 88, on the 1st December, 70.

10. I cannot state with certainty, how many of these articles there were at that time. In May, 1849, there were 270 spoons, 56 knives, 87 forks. On the 1st March, 1851, there were no more than 190 spoons, 36 knives, and 38 forks. Some of them must necessarily have been lost between the month of November, 1850, and the month of March, 1851; so that the number of them must have been greater in the month of November than at the later date. The patients could not have suffered much from the want of these articles, although it would have been better and much more proper to have had a larger number of them. Out of the number of patients then in Hospital, 74 required knives and forks, (half and low diet) and out of that number 30 were sailors who are invariably provided with clasp knives, of which they made use in preference to other knives

and even forks. The 68 other patients could only use spoons, (spoon and milk diet), and there were then more than enough of these.

11. It would not be possible or proper to put a complete stop to the visits of the friends of the patients ; and by sufficient attention on the part of the Steward and Nurses, they might be admitted without bad results, on the days and at the hours fixed by the by-laws.

12. The regulation for the admission of the friends of patients has never itself been open to abuse, but the want of attention on the part of the Steward and Nurses has sometimes been the occasion of abuse of the rule. The death of no patient since I have been in the Hospital as far as I know can be attributed to this regulation. On 7th November, 1850, Edward Drew, for many years a resident in Quebec, servant to one Mr. Patterson *was admitted to the Marine Hospital by the order of Dr. James Douglas,** and was placed in ward No. 55. He had the measles. On the 20th, he was removed to ward No. 43 in rapid convalescence. On the night of the 26th he was suddenly attacked with violent chills : on the next day intense pain in the side, cough, expectoration, &c., in fact every symptom of inflammation in the lungs. He then confessed to me, that he had on the 26th, unknown to the Nurse, received and eaten the leg of a turkey, and while perspiring violently he had gone to the lavatory and washed in cold water in order to refresh himself. Might not this sudden chill be a sufficient cause for his pneumonia ? There is every reason to believe so. The Patterson family, surprised at his relapse, seemed desirous of throwing all the blame of it on the officers of the establishment, and insisted on removing him from the Hospital, in spite of the advice of Dr. Robitaille to the contrary, who had the patient under his care, and who did all he could to make them understand the danger of such a

* The italics are mine.—N. C.

proceeding, as by leaving the Hospital he lost the only remaining chance he had of saving his life. On the 2nd December the further progress of the disease had been arrested, Dr. Douglas having visited the patient on that day, told him that he was in a state to be removed, but with great care and caution, and recommended him to remain. He left the Hospital next day, took cold and died two or three days after, of a relapse, as I was told, of his former disease.

13. About the end of December—I cannot speak positively as to the date, but at all events during the investigation into Mr. Cutter's conduct—I was summoned, together with the Steward and the Nurses, before a meeting of the Commissioners. The President requested me to explain that part of the letter of the Visiting Physicians dated the 14th of that month, relative to the recent death of a patient, caused, as they said, by the regulation for the admission of visitors; and after I had detailed the facts related in my answer here preceding, the President of the Commission reprimanded the Nurses and enjoined them, as also the Steward, to keep a strict watch over the visitors, and desired me to inform the Commissioners whether or not such watchfulness should prove sufficient to check the abuse; saying that, such watchfulness proving ineffectual, they would abolish the privilege.

14. Since I have been House Surgeon to the Marine Hospital, Dr. Douglas has always come to the Hospital, when summoned by me in urgent cases. He is not in the habit of making his visits regularly, nor at the hours fixed by the by-laws. The visiting Physicians are on duty alternately for a quarter of a year; three at once. Dr. Douglas omitted his visits as far as I can remember during his three months tour of duty at the Hospital, on the occasions following: During the spring of 1849, I do not recollect having seen Dr. Douglas from the 15th March till the 15th May. In the spring of 1850, a part of the months of April and May; in

1851 from the 15th March until the date of this letter. During the winter quarter he generally came but twice, sometimes thrice a week, and that mostly in the afternoon. This winter, that is to say, from the 15th February until 15th March he came every other day. During his quarter last summer and that of 1849, he visited the Hospital only every second day, alternatively with his colleague Dr. Hall. He always made his Sunday visits in the afternoon.

I have, &c.,

(Signed,) C. E. LEMIEUX,
House Surgeon, M. & E. H.

(*Translation.*)

MARINE AND EMIGRANT HOSPITAL,
QUEBEC, 20th March, 1851.

SIR,

I am directed by the Commissioners of the Marine and Emigrant Hospital, to request of you certain information with regard to the management and administration of the Hospital under their control ; which your long connexion with that institution, in the capacity of House Surgeon, enables you to afford to them in the most correct form.

The Commissioners have thought proper to adopt the form of direct and plain questions for the purpose of eliciting on each point answers more categorical than are consistent with the ordinary phraseology of a letter.

They consequently beg of you to excuse this style of address, and conceal nothing from them, and to answer pointedly and without reservation to their several questions.

I have, &c.,

(Signed,) N. CASAULT,
S. T. C. M. & E. H.

Questions.

Dr. Landry,
Quebec.

First—	Same as Dr. Lemieux's	first ;
Second	“ “ “	second ;
Third	“ “ “	third ;
Fourth	“ “ “	fourth ;
Fifth	“ “ “	eleventh.

6th. During the five years that you were House Surgeon of the Marine Hospital, how did Dr. Douglas generally perform his duties as visiting Physician? Did he make his visits regularly? Did he assist to the utmost of his power in the proper management of the Hospital, or did he oppose any obstacles thereto?

(Signed,)

N. CASAULT,
S. T. C. M. & E. H.

(*Translation.*)

QUEBEC, 25th March, 1851.

SIR,

I have the honour to transmit to you the following answers suggested by the questions which the Commissioners of the Marine Hospital have done me the honour of addressing to me. It is unnecessary for me to tell you, that, in answering these questions, I have refrained from all personal considerations, in order to attach myself only to the facts which my experience in the affairs of the Marine Hospital may suggest, or which took place during my residence in that Institution.

I have, &c.,

(Signed,)

J. E. J. LANDRY.

N. Casault,

Secretary T. M. & E. H.

First Answer.

The Visiting Physicians ought undoubtedly to provide for the welfare and comfort of the patients confided to their care. Their position with regard to the patients, places them under an obligation to be acquainted with their wants; and when those wants, in order to be satisfied, require a greater authority than that which they possess, they should apply to the Commissioners as to their immediate superiors. If they do not do so, and knowingly leave the patients in want of what is indispensable to their welfare and comfort, the blame, it appears to me, ought to fall upon the visiting Physicians alone, and not upon the Commissioners, who have been allowed by them to remain in ignorance of those wants.

Second Answer.

As a direct consequence of the premises laid down in my first answer, the Visiting Physicians ought to be in communication with the Commissioners, and inform them *without delay* of any change, addition, &c., whether in the by-laws, or in the provisions or diets, or in fact in any thing relating to the welfare of the patients, or the good internal management of the Hospital, required to effect a proper, useful, and efficacious administration. This duty, it appears to me, belongs peculiarly to the Visiting Physicians, who ought to be the medium between the patients and household officers and the Commissioners, when they cannot themselves, in virtue of the authority devolved upon them, effect these changes, additions, &c.

Third Answer.

Requisitions for considerable purchases, should be addressed to the Commissioners, by virtue of a regulation, after an inventory, which ought to be made up and concluded by the Steward at the end of the month of December in each year; but I am of opinion that requisitions may be and ought to be sent in to the Commissioners whenever

unforeseen wants render them necessary. The articles mentioned in the requisition, a copy of which is annexed to the questions transmitted to me and signed "Isaac H. Cutter," dated Nov. 1st, 1850, are of the nature of those for which a requisition ought to be sent in, in the course of the winter, for the month of May following.

Fourth Answer.

Hospital becomes nearly empty towards the end of the autumn. On the 29th November, 1838, the Marine Hospital contained 13 patients; it contained 28 on the 30th November, 1844; 25 on the 30th November, 1845; and 35 on the 30th November, 1846. On the 2nd May, 1839, the Hospital only contained 12 patients; on the 30th April, 1844, 14; on the 3rd May, 1845, 7; on the 26th April, 1846, 25; the necessity for articles such as those asked for in the requisition above mentioned—ought most undoubtedly to be felt in a much less degree, in proportion to the decrease in the number of patients, and I am inclined to believe that if the wants of a couple of hundred patients, which are generally to be found in Hospital during the summer, could be supplied by means of the articles then in the Hospital, the establishment ought to be in a position to accommodate the reasonable wants of a much smaller number of patients, without being obliged to have recourse to the purchase of new furniture, at any rate to such an extent, and of such a character, as the greater part of those detailed in the requisition above cited.

Fifth Answer.

It would be an act of cruelty to prevent, altogether, the friends of the patients from seeing them: many of these friends are looked upon by the patients as supplying the place of absent relations. I do not think the scheme practicable without incurring the certain necessity of making numerous exceptions, which would result in much harm, as they would be stigmatised as acts of partiality.

That section of the regulations by which the Steward should be guided, and of which you have enclosed me a copy, ought to be sufficient, with watchfulness on the part of the nurses and porter, and constant vigilance on the part of the Stewards and other in-door servants of the establishment, to enable them to allow the friends of the patients to visit them at stated hours and days, and that without any bad effects, if every one performed his duty in a proper manner.

Sixth Answer.

During my residence in the Marine Hospital, in the capacity of House Surgeon, Dr. James Douglas was in the habit of paying daily visits during the period during which almost the whole of the patients are admitted, that is to say, from about the beginning of May until about the end of November in each year. These daily visits, however, were frequently made after the stated hours, and sometimes even in the afternoon. Those on Sunday, for instance, were generally made about five o'clock in the evening. The Commissioners may call to mind the complaints relative to this irregularity, inserted some years ago in a newspaper published in this city. I had orders from Dr. Douglas, when he did not come himself at a quarter past ten, to go his rounds for him. Very often, in his daily rounds, Dr. Douglas did not visit all his patients; he was satisfied to see only new cases, and imposed upon me the duty of seeing and prescribing for the others. If, however, any remarkable change should have taken place in any of those cases which had already been some time in the institution, I used to inform him, and he would then see them. Generally every two or three days in summer, his visits were conducted in this style. It often happened that he did not enter all the wards under his charge; but, in that case, he visited them the following day. During the winter, when the number of patients was considerably diminished, and

new admissions seldom took place, his visits were also less frequent, and two or three days generally elapsed between the visits. I was always under the impression, however, that Dr. Douglas had the reputation of the Marine Hospital, and the welfare of the patients at heart, without attempting to come to conclusions as to whether or not he might or ought to have done more. I was persuaded, at the time, that he was able to carry out any scheme he pleased with regard to the Hospital. I may have been deceived. I was in some way induced to this belief by the following circumstance,—that one day, during a conversation having reference to some complaint or petition made to the Commissioners, Dr. Douglas told me, as well as the Steward, that it was unnecessary to trouble the Commissioners—that it would be more advisable, as far as possible, to manage our own affairs ourselves, without having continual recourse to their authority for the management of affairs, which might be conducted without their intervention, and, so to speak, among ourselves. I cannot call to mind at this moment the exact nature of the subject of this conversation—I only recollect that it took place. I would not, however, have it understood by this remark, that Dr. Douglas repudiated altogether the authority of the Commissioners—I considered that he desired to act, in this manner, in matters of secondary importance. I do not recollect that Dr. Douglas ever placed obstacles in the way of the proper administration of the affairs of the Marine Hospital.

(Signed,)

J. E. J. LANDRY.

MARINE AND EMIGRANT HOSPITAL,
 QUEBEC, 20th March, 1851.

SIR,

I am directed by the Commissioners of the Marine and Emigrant Hospital to submit you the two following

questions, and to request as direct and immediate an answer as possible.

1. Please state how many years you have been acting as Steward of the Marine and Emigrant Hospital; and at what time of the year requisitions are generally addressed to the Commission? Is the enclosed requisition, dated the 1st November, 1850, and signed by "J. H. Cutter," or any of the items of the said requisition, one of those which are sometimes addressed to the Commissioners, during the summer or the fall; or is it one which is generally and invariably made for the ensuing spring?

2. Is the number of patients in the Hospital always the same, or does it always sensibly decrease at a certain season of the year; if so state at what period, and if the want of the articles applied for in the above mentioned requisition, was in your opinion more urging on the 1st November, than during the preceding summer, or on the contrary if that want had not then considerably diminished, and even entirely ceased?

I have, &c.,

(Signed,)

N. CASAULT,
S. T. C. M. & E. H.

To Mr. Patrick Whelan,
Steward M. & E. H.
&c., &c., &c.

MARINE AND EMIGRANT HOSPITAL,
QUEBEC, 21st March, 1851.

SIR,

I have the honor to acknowledge the receipt of your letter of this day, wherein you wish me to state how many years I have acted as Steward of the Marine and Emigrant Hospital &c. I hasten to reply.

I fulfilled the duties of Steward of the above institution for a period approaching 16 years.

The period of the year when a general requisition is addressed to the Commissioners is always in the winter, from the latter part of January and sometimes extending to the 1st May, and invariably made out and addressed to the Commissioners by the Steward.

The requisition of the 1st of November 1850, and signed "Isaac H. Cutter," enclosed in your letter addressed to me is a general one, embracing all the Hospital Stores required for the year, and is never presented to the Commissioners before the time above stated.

The number of patients in Hospital vary much almost in every month of the year. There is generally a great diminution in November, in consequence of the shipping leaving the port before the closing of the navigation.

The articles applied for on the 1st of November could not be so pressing as during the preceding summer, as there was a decrease of 40 patients at that time; and the want of those articles (if any existed) must be much diminished immediately after that date; and in my opinion must have entirely ceased.

J have, &c.,

(Signed,)

P. WHELAN,
Steward M. & E. H.

N. Casault, Esquire,
Secy. and Treas. of the Coms.,
M. & E. H.
Quebec.

ABSTRACT of the Rules and Regulations for the guidance of the different Officers of the Marine and Emigrant Hospital.

House Surgeon.

16th. He will satisfy himself of the quality of bread, meat, &c., sent by the Contractors.

28th. Applications from the friends of the patients to visit them must be made to him. The regular visiting days are Mondays, Wednesdays and Fridays, from one to four o'clock, P. M. Any such applications for admission at other times, or in extraordinary cases, must be referred to him for his decision.

Steward.

3rd. He is to receive all provisions from the Contractors or others, to weigh them, to issue them by weight according to diet tables, which diet tables will be hung up in some conspicuous place in the wards. He will take special care that no spirits are introduced into the Hospital for the use of any person whatever, and he must be careful that no articles of food are brought in by the friends of patients. He will see that the articles are well cooked, and that they are of good quality.

16th. He will keep an inventory book, in which shall be entered all stores in his charge and purchases when made (not including articles of daily consumption.) This book will exhibit yearly, to wit on the 31st December, a statement of all stores remaining on the previous 31st of December, of all receipts since, and of all issues:—prior to the period he will have prepared separate returns of all stores requiring repairs, and of all such as are worn out.

18th. At this period (31st December) the Steward will be prepared with a list of such stores as may be required for the ensuing year.

19th. Applications for the admission of the friends of the patients must be made to the House Surgeon (KK as Rule 28th) for the House Surgeon.

Visiting Physicians.

1st. The Visiting Physicians shall visit the Hospital daily between the hours of eight and ten o'clock in the morning;

they shall regulate the whole treatment of patients and shall be the sole judges of cases provided for by law for their admission and discharge, &c. &c.

5. They will be particularly observant of the general good conduct of all persons attached to the Hospital, and report to the Commissioners any irregularity of conduct, or violation of the Hospital Regulations.

(Signed,)

N. CASAULT,
S. T. C. M. & E. H.

ABSTRACT of the Minute Book.

MARINE AND EMIGRANT HOSPITAL,
QUEBEC, 9th December, 1850.

Present Dr. Morrin, President, and Messrs. Paradis, Allney and Kelly.

Submitted,

A requisition from the House Steward, dated 1st Nov., 1850, also a letter from Dr. Lemieux of the 11th November, stating that the Hospital was in want of absolute necessities, and strongly recommending the above requisition.

It is ordered that the consideration of those two documents be postponed until the inventory of all the stores of the Hospital and the general requisition for the Spring 1851 be laid before the Board, and that the Steward's attention be called to that part of the regulations which determines the manner and the time it is to be done.

MARINE AND EMIGRANT HOSPITAL,
QUEBEC, 24th December, 1850.

Present, Dr. Morrin, President; Messrs. Paradis, Kelly, Nesbitt and Alleyn.

The Secretary submitted

A letter of the visiting Physicians (14th December 1850,) stating that the ru'e for the admission of the friends of the

patients was attended with great abuses, and that very lately the death of a patient may be attributed to that cause, and calling the attention of the Commissioners to the want of bedsteads, bedding, &c. &c.

Ordered that the consideration of the latter part of the letter be deferred until after the inventory had been submitted. And the House Surgeon having been called, and given information and explanations on the first part, it is—

Resolved, That the Steward and the Nurses be reprimanded for their want of attention to the rules with respect to the introduction of food by the friends of the patients, and that after sufficient experiment, if it is experienced that the rule in question leads to abuses which it is impossible to prevent, the rule will be repealed.

The Steward and Nurses being called were reprimanded by the President, who recommended them to observe the rules and regulations in general, and to take special care that no articles of food should be brought in by the friends of the patients. * * * * *

True abstract,

N. CASAULT,
S. T. C. M. and E. H.

(*Translation.*)

QUEBEC, 29th March, 1851.

To the Commissioners of the Marine and Emigrant Hospital.

GENTLEMEN,

In obedience to your desire that I should recapitulate the conversation which took place, in the month of November last, between Dr. Douglas, the Steward and myself, I have to state that having since received the an-

swers of Dr. Lemieux to the questions which I had the honor of putting to him in accordance with your orders, this conversation is recapitulated as correctly as possible, in his ninth answer; and that I am aware of nothing to be added to it, or altered in it, not even with regard to the dates. Dr. Douglas came to me a couple of days previous to it, and after a long conversation with regard to the articles required in the Hospital and its management, he concluded by proposing that a meeting should be held, for the purpose of drawing up a requisition for articles essentially necessary for the ensuing summer. I must add that I never received the approval in writing promised by Dr. Douglas in support of Dr. Lemieux's letter, and of the requisition prepared by the Steward under his direction.

I have, &c.,

(Signed,) N. CASAULT.

No. 4.

QUEBEC, 29th January, 1851.

SIR,

Rumours have been for some time afloat, seriously reflecting on the general management of the Quebec Marine Hospital, and accusing the officers of that institution of disgraceful conduct and gross malpractices of various kinds and degrees.

These rumours have lately assumed such shape and consistency, that the Council of the Board of Trade have deemed it their duty to ascertain as far as possible the truth or falsehood of them. This they have done, and after obtaining all the information in their power, from parties on whose knowledge and accuracy they could rely, they regret being able to come to no other conclusion than that there is great reason to fear that neither the property, the morals,

nor the religion of those who have the misfortune to become inmates of the Quebec Marine Hospital, are safe from the attacks of those whose duty it is to watch over and protect them.

I abstain from entering into a detail of the various misdemeanors, which the officers and *employés* of the institution are said to be in the habitual practice of. Some of these have been pointed out in a communication which, I understand, was forwarded to you a few days ago, by one of the parties implicated in these transactions, and who has thought it necessary, in his own defence, to criminate others—a mode of defence not likely to avail him, but which, taken in conjunction with the charges brought against him by a brother officer, (a copy of which I presume has also been sent to you), affords, it is believed, good grounds for that investigation which it is the object of this letter to solicit.

But it is not of the conduct of the officers of the Hospital alone, bad as that is believed to be, that the Council have to complain. They have reason to believe that the root of the evil lies deeper, and is to be found in the essentially vicious and irresponsible system, upon which the management of the institution has been organised and conducted.

For the support of the Hospital a tax of one penny per ton is imposed by law on all shipping entering the Port of Quebec from sea. This tax amounts to about £1800 a year, a sum amply sufficient for the purpose for which it was intended. Yet it is asserted that the provision made in the Hospital for sick and disabled seamen is of the most wretched description. Even in the article of food the quantity as well as quality is often deficient; and such as it is, they have it served out to them like dogs, with scarce a knife or fork for one hundred and fifty patients.

The religious feelings of the patients are treated with the same disregard as their bodily wants. Out of six Commissioners of the Hospital, only one is a Protestant. And

though nine-tenths of the sick mariners are Protestants, yet the Council are credibly informed, that the establishment does not contain one Protestant officer, or servant of any kind, one consequence of which is, that the last moments of the patients are often disturbed and embittered, by ignorant, though perhaps well meant efforts, to convert them to the Roman Catholic faith. The Council have heard of cases of unexpected recovery in which the patients were indignant to find that in their supposed last moments they had been treated as Roman Catholics, and had received the last rites of the Roman Catholic Church.

No account of the expenditure of the large sum of money collected for the Hospital has ever been published. At least no member of the Council has ever seen or heard of such a document.

It is also in the apprehension of the Council a very serious evil, that while the services of one of the most accomplished Surgeons in Quebec are actually paid for by the institution, an arrangement has been sanctioned by the Government by which his talents and experience are only available to the patients for a small portion of the year.

On the whole the Council respectfully represent, that for the satisfaction of the public, and in order to restore confidence in this important institution, it is most desirable that His Excellency the Governor General should appoint a Commission, entirely unconnected with the present management of the Hospital, to enquire into its whole condition, and to take the necessary measures, both for removing the abuses which may be found to exist, and for organizing a system under which such abuses will be less likely to recur.

I have, &c.

(Signed,) JAMES DEAN,
President Quebec Board of Trade.

The Hon.

James Leslie,
Provincial Secretary,
Toronto.

SECRETARY'S OFFICE,
TORONTO, 15th February, 1851.

SIR,

I have the honour to acknowledge the receipt of your communication, dated the 29th January last, relative to the management of the Quebec Marine and Emigrant Hospital, which I have laid before His Excellency the Governor General.

You state that "rumours have been for some time afloat, seriously reflecting on the general management of that institution, and accusing the officers thereof, of disgraceful conduct and gross malpractices of various kinds and degrees, and that these rumours had lately assumed such shape and consistency, that the Council of the Board of Trade have deemed it their duty to ascertain as far as possible the truth or falsehood of them." "This," you proceed to state, "they have done, and after obtaining all the information in their power from parties on whose knowledge and accuracy they could rely, they regret being able to come to no other conclusion than that there is great reason to fear, that neither the property, the morals, nor the religion of those who have the misfortune to become inmates of the Quebec Marine Hospital, are safe from the attacks of those whose duty it is to watch over and protect them."

His Excellency desires me to express His regret that charges of so grave a character concerning the administration of a very useful public institution should have been preferred in a manner so general; the more so, that, being brought against the officers and *employés* of the institution generally, they involve the Commissioners and Visiting Physicians as well as all other persons connected with its administration.

Before coming to any decision upon your letter, His Excellency desires me to inform you that he deems it but just that the parties involved should be apprized of the specific facts upon which these grave charges must be pre-

sumed to be grounded, and also of the names of the parties on whose information and knowledge you state the Board of Trade have relied in preferring those charges ; His Excellency being convinced that the Council of the Board of Trade will feel, as well as himself, that a specification of the particular accusations, as well as of the names of the accusers, is but an act of common justice towards the persons impugned, most of whom are gratuitously fulfilling the arduous duties of their respective offices, and have hitherto done so unimpeached.

With reference to that part of your letter which evidently alludes to the Steward of the institution, as being one of the officers against whom charges have been brought by a brother officer, I have it in command to inform you that the Commissioners, in the proper discharge of their duty, have instituted an investigation into the specific charges so brought, a report of which they have lost no time in transmitting to the Governor General ; and His Excellency desires me to add that the result of the investigation reveals such delinquency on the part of the Steward, that His Excellency conceives that a due respect for the Commissioners, the Visiting Physicians, and the other officers and *employés* of the Hospital, precludes him from considering any statement or accusation made by an individual so circumstanced as is the Steward, and unsupported by accusers of more weight and character, as affording good grounds for the investigation which you state it is the object of your letter to solicit.

There is another part of your letter which contains statements that were read by His Excellency with pain and regret. I refer to that passage in which it is stated that the religious feelings of the patients are treated with disregard.

None more than the Governor General would regret to learn that there should be found to exist any foundation for so grave a charge ; and none more than His Excellency

would be disposed to visit with his marked displeasure and censure any attempt at proselytism, from whatever source, in a public institution, where persons of all religious persuasions must unavoidably be thrown together.

The superintendence of the Hospital is necessarily divided into two branches,—one composed of Managing Commissioners, and the other of Visiting Physicians. Both Boards were composed wholly irrespective of the religious belief of their respective members ; and although it appears by your letter that there is a majority of Roman Catholics on the one, it is also true that there is a majority of Protestants on the other ; and if attempts at proselytism could be inferred from the mere composition of those bodies, the reproach might apply as much to the one as to the other. Yet His Excellency cannot readily believe (unless precise facts are stated and established) that any of the members of either of those Boards has rendered himself obnoxious to such a reproach.

His Excellency commands me to assure the Council of the Quebec Board of Trade that he will always be found anxious to correct any abuses that may be proved to exist in the Quebec Marine and Emigrant Hospital, or in any other public institution ; and His Excellency hopes that the Council of the Board of Trade will lose no time in transmitting to him the information required by the present communication, and which His Excellency considers as necessary to enable him to come to a decision in reference to their request.

I have, &c.,

(Signed,)

J. LESLIE,

Secretary.

James Dean, Esquire,
President, Board of Trade,
Quebec.

SECRETARY'S OFFICE,
TORONTO, 15th February, 1851.

SIR,

I have the honour, by command of the Governor General, to enclose to you, for the information of yourself and the other Visiting Physicians of the Quebec Marine and Emigrant Hospital, the accompanying copy of a communication received from the Quebec Board of Trade, relative to the management of the Hospital, and of a letter addressed to that body in reply to the same.

This communication is made merely for your information as above stated, and not with a view to your taking further notice of it until the specific charges required shall have been furnished, and communicated to you for explanation or remark.

I have, &c.,
(Signed,)

J. LESLIE,
Secretary.

Joseph Painchaud, Esquire,
M. D. &c., &c., &c.
Quebec.

SECRETARY'S OFFICE,
TORONTO, 15th February, 1851.

SIR,

I have the honour, by command of the Governor General, to enclose to you, for the information of the Commissioners of the Marine and Emigrant Hospital at Quebec, the accompanying copy of a communication received from the Quebec Board of Trade, relative to the management of the Hospital, and of a letter addressed to that Body in reply to the same.

This communication is made merely for your information as above stated, and not with a view to your taking further notice of it until the specific charges required shall have

been furnished, and communicated to you for explanation or remark.

I have, &c.,
(Signed,)

J. LESLIE,
Secretary.

N. CASALTY, Esquire,
Secretary, M. & E. Hospital,
Quebec.

QUEBEC, 3rd March, 1851.

SIR,

I have had the honour to receive and lay before the Council of the Board of Trade your letter of the 15th ultimo, in answer to mine of the 29th January, calling the attention of Government to certain rumours which have been for some time prevalent reflecting seriously on the management of the Quebec Marine Hospital, and on the conduct of the officers and *employés* of that Institution.

I have now, by order of the Council, to state to you for the information of His Excellency the Governor General, that the Council, although urged from various quarters to bring these rumours under the notice of Government, refused to do so till perfectly satisfied that they were sufficiently well founded to warrant them in calling for an investigation. This was stated in substance in my former communication, and the Council had hoped that sufficient faith would have been placed in the truth of information so vouched for, coupled with other information to the same effect which they knew Government to have been previously in possession of, to justify His Excellency in issuing the commission of enquiry prayed for.

The Council desired and still desire to avoid appearing before His Excellency in the character either of Public Prosecutors or Private Informers. The functions which they have thought it their duty to undertake in the matter

they consider rather as analagous to those of a Grand Jury. They do not assume the responsibility of the accusations brought under their notice, nor do they ask His Excellency to condemn, punish, or even to try the parties implicated. All they ask for is that a full investigation into the conduct of these parties shall be instituted, and carried on on the spot by a competent tribunal above all suspicion of partiality or prejudice. Until such an investigation shall have been set on foot or sanctioned by His Excellency, the Council of the Board of Trade respectfully submit that the parties accused are not entitled to a specification of the particular charges to be brought against them, and still less to be furnished with the names of those on whose information and knowledge the Council of the Board of Trade have relied in the action they have taken on the subject.

With regard to the term "Officers and Employés of the Institution," used in my letter and quoted in yours, I beg to say, that there was no intention to include the Commissioners or Visiting Physicians under that designation, or to implicate them in the abuses complained of, any farther than these abuses may be found to have arisen from a neglect of duty on their part.

The Council have seen no copy of the charges brought against the Steward of the Hospital, nor of the report of the Commissioners thereupon; but whatever extent of delinquency may have been established against that individual, the Council do not think it ought to preclude the statements made by him criminating other officers and employés of the institution, from forming good grounds for investigation. Great crimes have often been detected upon information furnished by great criminals, and upon this point the Council have no hesitation in saying, that from the information they have received, they believe that it was a mere matter of chance that the Steward's charges against the

House Surgeon were not formally made before those of the latter against him.

Although the Council did not expect to be called upon, as a preliminary to an investigation being entered on, to furnish the parties accused with the information indicated in your letter, and do not consider them at this stage of the proceedings entitled to such information, yet they are happy to have it in their power to furnish for His Excellency's own satisfaction some evidence which they think will satisfy him that there is something wrong.

It is a fact within my own knowledge that a seaman labouring under small pox was sent to the Hospital on or about the 5th August last, with an order on the Bank of British North America for £15 9s. in his possession. This man died a few days afterwards ; but in the interim he had been got to make a will (being, it is believed, at the time insensible) leaving his money to the House Surgeon, the Steward and one of the Nurses, who received payment of it from the Bank and divided it among them, making an entry in the Register Book of the Hospital as if the man had been discharged, and the money paid him.

Since I had the honour of receiving your letter, I have seen in the possession of Dr. Wm. Marsden six or seven affidavits detailing scenes of profligacy and indecency as being of daily and hourly occurrence in the Hospital, such as would be almost beyond belief, were they not vouched for upon oath by persons having apparently no object in false swearing. These affidavits Dr. Marsden will produce when required, and in the meantime I enclose a copy of one of them as a specimen, together with copy of a letter from Dr. Marsden to me dated 26th ultimo.

The statement made in my letter as to the defective provision made for sick and disabled seamen in the way of food and otherwise, is fully borne out by the records of the Hospital, and will be corroborated by the Visiting Physicians.

That part of my letter in which it is stated that the reli-

gious feelings of the patients are disregarded, and that attempts at proselytism are of frequent occurrence in the Hospital, contains nothing but facts which the Council have the means of proving when necessary.

I have, &c.

(Signed,) JAMES DEAN,
President Quebec Board of Trade.

QUEBEC, 26th February, 1851.

SIR,

In compliance with your request as contained in your note of yesterday's date, I enclose you a certified copy of affidavit No. 4.

As you expressed a desire to have communication or copies of the other affidavits in my possession in relation to the Marine and Emigrant Hospital, I have to inform you that the affidavits in question have arisen out of an investigation of the case of the late Charlotte Crosley, a Presbyterian, who died suddenly after only twelve hours illness on the 11th inst. and sight of whose body was refused to F. Andrews, Esq., Advocate, her master, by Dr. Lemieux the House Surgeon, whilst she was lying dead in Hospital, and when it was afterwards found, had been administered, whilst in a state of insensibility, according to the rites of the Romish Church (of whose doctrines she had always expressed the utmost abhorrence) and who was buried in the Roman Catholic Burial Ground.

My intention in taking the affidavits in question was to furnish copies of them to the Commissioners of the Marine and Emigrant Hospital, in order to an investigation of the facts that they contain. Copies however will be furnished to the Commissioners in the course of this day or to-morrow, after which I shall be prepared to furnish the Board of Trade, or any other organised body, with any information

I possess, touching an establishment that is so fearfully mismanaged in every department as the Marine and Emigrant Hospital.

I have, &c.

(Signed,) W. MARSDEN, M. D.

James Dean, Esq., Chairman,
Quebec Board of Trade.

Province of Canada, }
District of Quebec. }

Mary Riley, Widow of the late William Tweeny, being sworn upon the Holy Evangelists of Almighty God, doth depose and say as follows: That she was employed as a nurse in the Marine and Emigrant Hospital of this City for two months during the summer of 1849, commencing in the month of July, and was discharged at her own request.

That deponent knows one Jane Hamilton, who was then a nurse in the Hospital aforesaid, and is so still.

That the deponent knows Jane Hamilton to be a woman of bad and immoral character. That this deponent has on three different occasions seen Dr. Lemieux, the House Surgeon, and Jane Hamilton in criminal connexion on the floor of the chapel used for the ministrations of the Protestant patients. That this deponent, on several occasions, spoke to Jane Hamilton about the impropriety of her conduct, and on one of these occasions she denied having had connexion with Dr. Lemieux, and said she had had connexion with Mr. Beaubien, but only once. That this deponent has seen Dr. Lemieux go into Jane Hamilton's room often; and on two different occasions this deponent tried to open the door, which was locked inside.

That on the occasion of this deponent receiving her wages from the Steward, Mr. Cutter, previous to leaving the Hospital, in fact at the time she was leaving, she remarked to Mr. Cutter, that she, deponent, thanked the Almighty God

that she was leaving the Hospital, for that it was neither good nor gracious for the soul or body to live in it.

That this deponent meant, by the foregoing remark, that no prosperity or success could attend a place where such conduct was going on, and sickness and death around them every day.

That this deponent was visited at her present residence by Dr. Lemieux and Mr. Beaubien, the apothecary, about the commencement of this year for the purpose of ascertaining what this deponent knew concerning Mr. Cutter, about whom an investigation was then pending before the Commissioners of the Hospital aforesaid, and they requested the deponent to go over to the Hospital for the purpose of conversing on the subject of the charges brought against Mr. Cutter. That this deponent went to the Hospital as requested on the afternoon of the same day as above referred to, and was met at the door by Jane Hamilton, who embraced deponent in her arms and took her to the House Surgeon's room: and on the way through the passages of the Hospital, Jane Hamilton, still holding this deponent in a friendly embrace, entreated her for God's sake not to speak about what she, Jane Hamilton, had told this deponent concerning the Doctors.

That in speaking of the Doctors this deponent means Dr. Lemieux and Mr. Beaubien the apothecary. That this deponent had never either seen or spoken to Dr. Lemieux, the House Surgeon, or Mr. Beaubien, the apothecary, from the time she left the Hospital until now.

That this deponent was employed as nurse at the Manor Hamilton Infirmary, County Letrim, Ireland, for four and a half years, and discharged at her own request, with certificates deponent still has.

That deponent knew Jane Hamilton at home in Ireland, that she was a patient under this deponent in the Manor Hamilton Infirmary, and deponent also knew her as a nurse

in the Screeny Hospital near Manor Hamilton, from which Hospital she was discharged for bad conduct.

That this deponent knows Jane Hamilton to be a married woman, and that she had one child before she was married and two since; one of which died in the Manor Hamilton Infirmary, whilst she, Jane Hamilton, was a patient in Hospital.

That this deponent knows John Hamilton, the husband of the aforesaid Jane Hamilton, and that she, Jane Hamilton, deserted her husband and refused to see him previous to leaving for America.

That Jane Hamilton requested this deponent not to tell any one that she was a married woman, as she had declared herself to be single. That this deponent has seen the aforesaid Jane Hamilton treat the patients in the Marine and Emigrant Hospital with great cruelty. On one occasion she saw her take a stick and beat a patient delirious in fever with great severity and cruelty, and the patient, whose name was Russell, the mate of a vessel, died the next day.

(Signed,)

MARY ^{her} ~~X~~ RILEY.
mark.

Sworn before me at Quebec, this 21st February, 1851.

(Signed,) E. GLACKEMEYER, J. P.

SECRETARY'S OFFICE,
TORONTO, 21st March, 1851.

SIR,

I beg to acknowledge the receipt of your communication dated 3rd instant, in reply to my letter of the 5th Feb., and also copy of a letter addressed to you by Dr. Marsden dated 26th ultimo, accompanied with copy of an affidavit of the 21st of same month, purporting to have been sworn before Edward Glackemeyer, Esquire, J. P., all of which I

have had the honour of laying before His Excellency the Governor General.

His Excellency desires me, in answer, to repeat what I have stated in my former letter, that it was but just that the parties involved in the general charges contained in your former communication, and which are in effect repeated in your last letter should, previous to an investigation, should such an investigation be ordered, be apprised of the specific facts upon which these grave charges must be presumed to be grounded ; and also of the names of the parties on whose information and knowledge you state the Board of Trade had relied in preferring them.

His Excellency therefore regrets that whilst you have not hesitated to put forth two specific charges, one of which appears to be based upon Dr. Marsden's letter, which is posterior in date to your first letter, preferring charges in general terms, the Board of Trade should still have come, in reference to the latter charges, to the unjust conclusion, that until an investigation shall have been set on foot or sanctioned by His Excellency, "the parties accused are not entitled to a specification of the particular charges to be brought against them, and still less to be furnished with the names of those on whose information and knowledge the Council of the Board of Trade have relied in the action they have taken on the subject," the effect of which conclusion is to put it out of His Excellency's power, satisfactorily to call upon the parties accused for those preliminary explanations which, in all cases of this description, it is desirable to obtain ; not only with a view of determining upon the expediency of instituting such an investigation, but also of devising the most efficient mode of conducting it, the more effectually to reach the evil complained of.

Upon reference to the copy of Dr. Marsden's communication, which accompanies your letter of the 3rd instant, His Excellency observes that it is intended that the Commissioners were to be put in possession, by Dr. Marsden

himself, of depositions mentioned in his communication, in order to an investigation by the Commissioners of the facts therein alleged. The result of this investigation will no doubt be communicated to His Excellency by the Commissioners without delay.

With regard to the case of the will made by a seaman, referred to in your letter, that case having formed part of the previous investigation mentioned in my letter of the 15th February, was satisfactorily explained, and reported upon, to His Excellency.

I have, &c.,

(Signed)

J. LESLIE,
Secretary.

James Dean, Esquire,
President Board of Trade,
Quebec.

SECRETARY'S OFFICE,
TORONTO, 21st March, 1851.

SIR,

Referring to my letter of the 15th ultimo, transmitting to you for the information of the Commissioners of the Quebec Marine and Emigrant Hospital, copies of certain communications relative to that institution, I have it in command to forward to you in further connection with that subject, for the information of the Commissioners, copy of a communication from the Quebec Board of Trade, dated the 3rd instant, together with the documents which accompany it, viz., copy of a letter from Dr. Marsden, dated 26th ultimo, to James Dean, Esquire, Chairman of the Quebec Board of Trade, and copy of an affidavit purporting to have been sworn by one Mary Riley before Edward Glackemeyer, Esquire, J. P.

I also enclose copy of a letter, dated this day, which I

have been commanded by His Excellency the Governor General to address to the Quebec Board of Trade.

The Commissioners will perceive by that letter that His Excellency has expressed his regret that the Board of Trade should have declined to render specific the charges contained in their first communication. His Excellency, nevertheless, considering that the nature of the charges is such as to involve most seriously the character of that useful institution, and the conduct of all its officers and *employés*, trusts that it will be in the power of the Commissioners, as well as of the House Surgeon and other *employés* under them, to meet by the fullest and most satisfactory explanation, in as far as they may be concerned, the grave imputations cast upon the management of that institution.

The Commissioners are requested to give to the House Surgeon and such others of the *employés* of the institution as may be concerned, full communication of all the charges brought, as well by the visiting Physicians as by the Quebec Board of Trade, and of all the correspondence and documents in your possession in relation thereto, and to call upon them to give the fullest explanations as above required.

I have to add that His Excellency expects that the Commissioners, the House Surgeon and the other *employés* concerned, will, without delay, comply with His Excellency's desire.

I have, &c.,

(Signed)

JAMES LESLIE,
Secretary.

N. Casault, Esquire,
Secretary-Treasurer,
M. and E. Hospital,
Quebec.

SECRETARY'S OFFICE,
TORONTO, 21st March, 1851.

Referring to my letter of the 15th ultimo, transmitting to you copies of certain communications, relative to the Quebec Marine and Emigrant Hospital, I have it in command to forward to you in further connection with that subject, for the information of yourself and the other Visiting Physicians of that institution, copy of a communication from the Quebec Board of Trade, dated 3rd instant, together with the documents which accompanied it, viz: copy of a letter from Dr. Marsden, dated 26th ultimo, to James Dean, Esquire, Chairman of the Quebec Board of Trade, and copy of an affidavit purporting to have been sworn by one Mary Riley before Edward Glackemeyer, Esquire, J. P.

I also enclose copy of a letter, dated this day, which I have been commanded by His Excellency the Governor General to address to the Quebec Board of Trade.

You will perceive by that letter, that His Excellency has expressed his regret that the Board of Trade should have declined to render specific the charges contained in their first communication. His Excellency, nevertheless, considering that the nature of the charges is such as to involve most seriously the character of that useful institution, and the conduct of all its officers and *employés*, trusts that it will be in the power of the Visiting Physicians to meet by the fullest and most satisfactory explanations, in as far as they may be concerned, the grave imputations cast upon the management of that institution.

I have to add that His Excellency expects that you will without delay give the required explanations.

I have, &c.,

(Signed,)

JAMES LESLIE,
Secretary.

Joseph Painchaud, Esquire,
M.D.,
Quebec.

(*Translation.*)

MARINE AND EMIGRANT HOSPITAL,
1st April, 1850.

SIR,

I have the honour to acknowledge the receipt of your letter of the 21st March last, as well as the documents accompanying it, namely: copies of a letter from Dr. Marsden to James Dean, Esq.; of an affidavit made by a woman of the name of Mary Riley; of a letter from the Board of Trade, and of the answer addressed by you to the President of that Body on the 21st of last month.

I had previously received the copy of a letter from the Board of Trade, bearing date the 29th June, containing charges against the different officers of the Hospital, and, also the copy of a letter in which you desired them, in His Excellency's name, to detail the charges and to give the names of the parties upon whose credibility they were preferred.

The Commissioners to whom the whole affair has been submitted, direct me to inform you, that previous to the receipt of your letter, they had, at the request of Dr. Lemieux ordered an investigation into his conduct, which, from the rude and even threatening tone of the letter which Dr. Marsden had addressed them, and the well known character of those from whom he had procured the affidavits, they would not have been justified in ordering before.

That investigation has been postponed to a future day, in order to communicate to the parties concerned the papers which I have the honour to acknowledge the receipt of in this letter; but the Commissioners beg of you to assure His Excellency that they will proceed to this Investigation with all possible diligence; and as soon as it is concluded, they will transmit their report without delay.

I have, &c.,
(Signed,) N. CASAULT,

S. T. C. M. and E. H.

Hon. James Leslie,
Provincial Secretary, &c.,
Toronto.

(Translation.)

QUEBEC, 3rd April, 1851.

SIR,

We have the honour to acknowledge the receipt of your letter, dated 21st of last month, and of the various documents accompanying it.

In obedience to the wishes of His Excellency the Governor General, we do not hesitate to afford every information in so far as it lies in our power, as Visiting Physicians of the Marine and Emigrant Hospital. We declare ourselves ready to answer to all the charges and accusations which may be brought against us as Visiting Physicians, as soon as these charges and accusations are specified in a proper manner.

With regard to the charge brought by Mary Riley in her deposition dated the 21st February, with regard to acts of brutality on the part of the nurse, Jane Hamilton, we must say that it is the first time that similar complaints have come to our ears, and we have not the slightest doubt that these complaints are unfounded. We were witnesses, during the latter months of the year 1850, to certain complaints on the part of the patients, touching the quality and quantity of the provisions, and we forthwith took the necessary measures to remedy these complaints.

Aware as we are of the importance of leaving undisturbed the tranquillity of the consciences of individuals as regards their religious faith, we should be the first to raise our voice against such an abuse; while, at the same time, we must declare that we have never at any time received any information from the patients on this subject.

We have, &c.,

(Signed,)

JOS. PAINCHAUD,
O. L. ROBITAILLE,
ALEX. ROWAND.

Hon. James Leslie,

Provincial Secretary, &c.,

Toronto.

QUEBEC, 5th April, 1851.

SIR,

Referring to a letter written on the 2nd inst., and signed by some of my colleagues, Visiting Physicians to the Marine and Emigrant Hospital, in answer to a communication from His Excellency the Governor General, dated 21st ult., I have the honour to state, for the information of His Excellency the Governor General, that I fully concur in the statements expressed in that letter, and that the reason why my name did not appear in it was, that I objected to the manner in which the meeting was called at which the letter was drafted, and not to the contents of the letter itself.

I am given to understand by Dr. Painchaud, that notes explanatory of this matter have been forwarded to his Excellency.

I have, &c.,
 (Signed,) ALFRED JACKSON,
 V. P. M. and E. H.

The Honble. J. Leslie,
 Provincial Secretary, &c., &c., &c.,
 Toronto.

(Translation.)

QUEBEC, 3rd April, 1851.

SIR,

In my own name and in that of my colleagues, I have the honour to acknowledge the receipt of your letter of the 21st March last, with the copy of a document coming from the Quebec Board of Trade, dated the 3rd of the same month, accompanied by a letter from Dr. Wm. Marsden, dated the 26th February, and of the affidavit of a girl of the name of Mary Riley, sworn to before Edward Glackemeyer, Esquire.

In obedience to the wishes of His Excellency the Governor General, I called my colleagues together by a circular for the purpose of communicating to them the documents above mentioned.

I regret being obliged to inform you that our colleague, Dr. James Douglas, refused, by letter, to meet us. (See Document A.)

My four other colleagues and myself, forthwith prepared the draft of an answer to your letter of the 21st March last. It was an understood thing that we should all five sign it as soon as Dr. Jackson had made a fair copy of the rough draft ; but that gentleman, on the following day, was of opinion that we should again invite Dr. James Douglas to meet us, which Drs. Rowand, Robitaille, and myself declined to do. This will explain the reason of the signatures of my two colleagues, Drs. Jackson and Hall, not appearing to the document which I have the honour of transmitting herewith for His Excellency's information. That letter is a copy of the draft prepared in the first place by the whole five of us. I beg leave at the same time to submit the following observations, which were not introduced into the said draft.

Upon what basis does the Quebec Board of Trade ground their reasons for mixing themselves up with the affairs of the Marine Hospital when a tribunal is in existence, created by Government for the supervision of all matters relating to that institution and to its officers and servants, especially when the Board of Trade itself declares to His Excellency that it has no complaint to make against that tribunal.

The Quebec Board of Trade must have been grossly misinformed and led into error by persons plotting schemes of destruction against the Hospital and its officers, to allow themselves to be led into declaring to His Excellency "that there is great reason to fear that neither the property, the morals, nor the religion of those who have the misfortune to become inmates of the Quebec Marine Hos-

“pital are safe, &c.” These serious charges, brought in general terms, are neither supported by facts nor specified or defined according to His Excellency’s desire, in order to afford justice to those over whose heads such charges were hanging.

Does it not appear right, at all events, that the Board of Trade, prompted by a spirit of respectful deference towards His Excellency the Governor General, should have acceded to his formal demand, and given the names of the parties from whom the Board of Trade procured their information, and on whom they declare that they place the most implicit reliance on account of their “knowledge and accuracy.”

Such a refusal is inexplicable, and affords grounds of suspicion that they never really had any facts to bring forward, and that their *secret informers* were not men of respectability. That suspicion is confirmed by the proceedings of the said Board, who on the 25th February, a month after, wrote directly to Dr. W. Marsden for information, having understood that he was busy concocting *affidavits* against the Hospital.

Do not the Board of Trade plainly contradict themselves when they assert that they do not include in their charges either the Commissioners or the Visiting Physicians, and persist in demanding a general investigation. If these two bodies are, in their opinion, irreproachable, wherefore should they demand a general investigation? Are they not aware that the whole responsibility of all matters relating to the welfare, morality, and religion of the patients in Hospital, rests in the first place upon the shoulders of the Visiting Physicians, and after them, upon those of the Commissioners?

It is lamentable to see the Board of Trade reduced to the necessity of craving the assistance of Dr. Wm. Marsden, for it must be confessed that so respectable and powerful a

Body could not have been more unfortunate in the choice of their authority.

I cannot help blushing when I find myself under the painful necessity of laying bare the miserable selfishness which is at work trying to effect the ruin of the Hospital.

But I am convinced that His Excellency will understand and know how to appreciate the motives by which I am actuated in this proceeding.

I wish therefore to draw the attention of His Excellency to the documents accompanying this letter, and more particularly to the affidavits of Jane Hamilton and Catherine Halleran relative to the deposition sworn to by Mary Riley, and to the assertions of Dr. Marsden contained in his letter of the 26th February to the Board of Trade.

I have, &c.,

(Signed,) JOS. PAINCHAUD.

Hon. James Leslie,
Provincial Secretary,
Toronto.

3rd April, 1851.

MY DEAR DOCTOR,

I perfectly agree with you in all your statements, and am ready to add my signature to yours, if you should think it necessary, although I am of opinion that it would look better not to do so.

Yours truly,

(Signed,) A. ROWAND.

Dr. Painchaud.

QUEBEC, 29th March, 1851.

SIR,

My conduct and motives at the last Meeting called by you were so grossly misrepresented by you, that I must on this occasion decline attending to the present call,

If His Excellency's letter, to which you refer, in any way concerns me or the interests of the Hospital, I will be prepared to give it my immediate and most attentive consideration, and will therefore thank you to forward the letter itself, or a certified copy of it, at your earliest convenience.

I have, &c.,

(Signed,) J. DOUGLAS.

Dr. Painchaud.

QUEBEC, 2nd April, 1851.

MY DEAR DOCTOR,

After consideration I do not think that we are justified in taking action on His Excellency's letter as a body without notifying Dr. Douglas of what is being done. Should he, after due notice, refuse to attend a Meeting of the Visiting Physicians, we shall have done our duty, and the onus of non-attendance will rest with him.

Very truly yours,

(Signed,) A. JACKSON.

Dr. Painchaud.

QUEBEC, 2nd April, 1851.

MY DEAR SIR,

I have received your letter of this morning in answer to mine of same date.

As I was under the impression at the time that our joint letter to His Excellency was drawn up and agreed to, that it was to have been submitted to Dr. Douglas in order that he might sign it should he think proper so to do; and as I still think that he should have an opportunity of so doing, or at least of expressing his views upon the mat-

ter, I do not consider myself bound to sign any letter as a joint letter from which that gentleman shall be excluded.

Very truly yours,
(Signed,) A. JACKSON.

Dr. Painchaud.

QUEBEC, 2nd April, 1851.

SIR,

I have carefully considered the documents you sent me yesterday, and am prepared to give my opinion on them.

To avoid misrepresentation, I shall propose that any proceedings which may be taken be reduced to writing by the Secretary.

Your obedient servant,
(Signed,) J. DOUGLAS.

Dr. Painchaud.

QUEBEC, 3rd April, 1851.

SIR,

I received late last night your note, proposing, to avoid misrepresentations, a Meeting by writing through the Secretary.

I regret to have to inform you that it is too late. The Meeting in question has taken place on the 1st instant, and the answer to Government was sealed up and ready for despatch yesterday in the afternoon.

I am, &c.,
(Signed,) JOS. PAINCHAUD.

Dr. J. Douglas,
V. P. Q. M. & E. H.

QUEBEC, 21st February, 1851.

DEAR SIR,

Having on Friday evening last asserted to Dr. Marsden that there was an order prohibiting his admission

into the Marine Hospital, and which he stated was a lie if I said so—will you be so kind as to inform me whether I am correct in my assertion or not, as he states positively that no such order exists, and that they are liars who state that such an order does exist. I would at the same time beg leave to state that at the time I made the assertion, it was not done with a malicious intent, nor yet to wound the feelings of Dr. Marsden.

I remain, &c.,

(Signed,)

JAMES F. WOLFF.

Dr. Painchaud,

Visiting Physician,
Marine Hospital.

(Translation.)

Province of Canada, }
District of Quebec. }

Jean Baptiste St. Armand, of the City of Quebec, licensed Tavern-keeper, being sworn upon the Holy Evangelists, doth depose and say :—That he resides in Richelieu Street, quite near to a house of ill-fame, kept by a person named Louise Guy, known by the name of “Grande Louise” and “Great Western;” that he knows that Dr. William Marsden has been in the habit of daily frequenting the said house of ill-fame since last summer; that he is in the habit of leaving his vehicle in another street, at a great distance from the house of the said Louise Guy, and of entering the house by an out-of-the-way footpath, and most frequently by the yard; that he has himself seen a letter which the said Louise Guy was about sending to Dr. Marsden, telling him that she could not come that day to the *rendezvous* appointed, as she had had a quarrel with “Jack” (Jacques Dion), and was obliged to go out with him. The letter began with the words, “My Dear Doctor;” that this deponent only lately heard the following conversation between

the said Louise Guy and an individual who asked her why she had not gone to Dr. Marsden's lecture ; she answered that so much was said about her and Dr. Marsden, that she did not like to go ; she added that she was going to give up the Doctor, because their intimacy made too much noise ; and she then told the party that she was going to choose another friend than Dr. Marsden. On her remarking that the party she named would not give her much money, she answered, " I do not care for the money—the Doctor does not give me any either."

This deposition having been read, the deponent persists therein, declaring that it contains the truth, and hath signed.

J. B. ^{his} ST. ARMAND.
mark.

Sworn before me, at Quebec,
this 29th day of March,
1850.

(Signed,) E. DUGAL, J. P.

(*Translation.*)

QUEBEC, 15th February, 1851.

SIR,

I have just returned from the Marine Hospital. The House Surgeon showed me your letter of yesterday, relative to the death of Charlotte Crosby. I do not doubt for an instant that the person from whom you have obtained your information, gave it in good faith ; and that from what he may have stated to you, you could not but come to the determination to hold an inquest.

But, my dear Sir, nothing of the sort has taken place. I am well aware that there are evil disposed persons in Quebec who are striving, in every possible way, to disturb the tranquillity of the Marine Hospital, and to show it up to the public in an unfavourable light. I shall just simply enter into the details of the affair, and I trust you will be

convinced that there is not the slightest shadow of a ground for a legal investigation.

Charlotte Crosby was very successfully confined in the Marine Hospital a fortnight ago. She was rapidly convalescing, and was even proposing to leave the Hospital to take the situation of nurse. On the 7th instant, I remarked a few spots on her forehead and face (*erythema*). I prescribed, and these premonitory symptoms of erysipelas disappeared. On the 11th, in the morning, she was seized with convulsions; I found her in a demi-comatose condition, very irritable, and shewing a few signs of consciousness. During my visit she again went off in convulsions, and I no longer doubted for a moment that I had to deal with that obstinate disease—erysipelas after confinement. I prescribed accordingly. I approved of what the House Surgeon had done in my absence, and hastened to send for Dr. Jackson, my fellow-visiting Physician on duty, to see the patient. He saw her accordingly. Throughout the day my treatment was steadily and actively persevered in, but the poor patient sank about six P. M. Twenty-four hours after, the autopsy took place. Dr. Rowand, one of the Physicians on duty, was summoned and attended. The brain did not present the extraordinary symptoms of cerebral congestion (apoplexy): the membranes only of the brain appeared to us to have been excited by some irritation. Every thing tended to convince us that erysipelas had been the principal disease: that disease which has already carried off so many women at the Marine Hospital in years past, *without its having been at that time considered necessary to inform the Coroner of it.*

The foregoing declaration, my dear Sir, I am willing to make upon oath.

I have, &c.,

(Signed)

J. PAINCHAUD.

Mr. B. Panet, Coroner.

True copy.

(Signed) JOS. PAINCHAUD.

Province of Canada, }
 District of Quebec. }

Jane Hamilton appeared before me this day, and after being sworn on the Holy Evangelists of Almighty God, deposeth and saith as follows :

I am from Ireland, County of Letrim. I belong to the Presbyterian Church, and I hope in God to live and die in it. I came to Quebec in May, 1849, and entered immediately in the Marine Hospital as nurse. I have known the late Charlotte Crosby, a single girl, and a patient in the Marine Hospital. She too belongs to the Presbyterian Church. She was confined of a female child some time in February last. About a week after her confinement she did ask me to speak to the Reverend Mr. Richardson, a Roman Catholic priest, to baptize her own child. I at first refused, and asked her why she would desert our church? She answered me that the father of the child was a Roman Catholic, and that she would be so at the arrival of the father from Ireland; so the child was sent to the Roman Catholic Church, and carried by Marianne McCarthy, night nurse of the Hospital. About a fortnight after, the said Charlotte Crosby got very bad, and Catharine Halloran one patient of the Hospital, asked me if I was determined in leaving her dying without the minister or the priest. I asked Charlotte Crosby if she wished for the minister; she shook her head as to answer no. Then the above Catharine Halloran sent to her and asked her if she wished for the priest, Reverend Mr. Richardson? She did answer in the affirmative. The said Catharine Halloran told me to go down and tell the porter to fetch the priest. I refused, and did not like to meddle with religion. Catharine went down herself and sent the porter for Father Richardson.

JANE ^{her} ✕ HAMILTON.
 mark.

Sworn before me at Quebec,
 this 2nd April, 1851.

(Signed,) E. DUGAL, J. P.

Province of Canada, }
 District of Quebec, }

Catharine Halleran, house-maid at Mr. John Sharples, Supervisor of Cullers, personally appeared before me this day, and after being sworn on the Holy Evangelists of Almighty God, deposed and saith:—That I was six months in the Marine Hospital at Quebec as a patient, and I left it with a proper discharge about six weeks since. I was acquainted with the late Charlotte Crosby a Protestant and single girl. She was delivered of a female child in the said Hospital some time in the present winter. She recovered from her confinement. A week afterwards she had her child christened, and at her request, by Father Richardson, a Roman Catholic Priest. About a fortnight afterwards, the said Charlotte Crosby took convulsions, and I asked Jane Hamilton, one of the nurses, and belonging to the Protestant church, if she would let the girl die without seeing a minister or priest? and the said Jane Hamilton replied that she would be afraid to send for a priest in case she should come to any blame. I then went to Charlotte Crosby and asked her if I should send for a minister, and she said no. I then asked her if I should send for Father Richardson, and she replied, “Send for him.” I then told Jane Hamilton to go down and send the porter for the priest, and she said she would not. I then went myself and sent the porter. I consider Jane Hamilton to be an honest and decent woman, having known her for six months in the Hospital.

(Signed,) CATHARINE ^{her} ~~X~~ HALLERAN.
mark.

Sworn before me at Quebec,
 this 13th day of March,
 1851.

(Signed,) R. SYMES, J. P.

QUEBEC, 18th December, 1850.

I knew Jane Hamilton during ten months or thereabouts when I had charge of the Marine Hospital in the capacity of Chaplain. During that period, her perfect neatness and cleanliness, her zeal in the discharge of her duties, her ready and cheerful attention to the patients, on whom she lavished the most tender care, were truly striking. Moreover, the patients themselves bore witness to her excellence, and I think that their testimony justifies me in attesting her honesty and trustworthiness.

(Signed,)

E. BONNEAU, Pt.

Asst. Pt. of St. Patrick's.

(True Copy.)

(Signed,) N. CASAULT,

S. T. C. M. & E. H.

Having often had occasion to visit the Marine Hospital since Jane Hamilton has been employed there, and having had charge during one month of the Catholic patients in the establishment, whom I visited daily, I willingly add my testimony to that of the Rev. Mr. Bonneau, having long had an opportunity of observing the zeal and intelligence with which she discharged her duty.

(Signed,)

C. F. CAZEAU,

Vicar-General.

Archbishop's Palace, 19th Dec., 1850.

(True Copy.)

(Signed,) N. CASAULT,

S. T. C. M. & E. H.

The undersigned certifies, that during the five months which had elapsed since Jane Hamilton was admitted into the Marine Hospital as nurse, she has performed all

her duties with the strictest regularity. Moreover, having passed a month and a half in the Hospital during the prevalence of the cholera, and being on foot night and day to administer the consolations of religion to the members of his Church, the undersigned was enabled to see and judge with his own eyes how matters were conducted, and, at the same time, to remark whatever irregularities existed. During that period, he has had the fullest reason to approve of the conduct of Jane Hamilton. He does not hesitate; he feels himself bound in justice to bear witness to her good morals, her regularity, and her faithfulness in the fulfilment of her duties.

(Signed,) N. BEAUBIEN, Pt.,
Late Chaplain to the Marine Hospital.

Marine Hospital, 19th Feb., 1851.

(True copy.)

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

ST. ROCH'S, 1st April, 1851.

The undersigned certifies that, during seven months that he has had charge of the Marine Hospital as Chaplain, Jane Hamilton has proved herself to be honest, worthy to be trusted, and truly zealous in the performance of all her duties.

(Signed,) W. RICHARDSON, Pt.,
Chaplain,
M. & E. H.

(True copy.)

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

I certify that Jane Hamilton served as nurse in the Fever Hospital of this Town for nine months, during

which period she conducted herself honestly, soberly, and quietly.

(Signed,) THOMAS DAVIES,
 M. D. and Surgeon,
 Medical Officer, Manor Hamilton,
 Fever Hospital.

Dated at Manor Hamilton,
the 6th April, 1849.

I have known Jane Hamilton for some time past, and believe her to be a proper, well conducted woman; quiet and orderly. She is a member of the Established Church.

(Signed,) JOHN HAMILTON,
 Curate of the Union of Manor
 Hamilton.

Manor Hamilton, 6th April, 1849.

We believe Jane Hamilton, late of this Parish, to be a woman of very good character. We have known her for the last six years.

(Signed,) JOHN HAMILTON,
 Curate of the Union of Manor
 Hamilton, Dis. Kilmore.

THOMAS DAVIES,
M. D. and M. R. C. S.

10th December, 1849.

The bearer, Jane Hamilton, has been employed in the Marine Emigrant Hospital, as nurse, since the first of

June last. She is a kind and faithful nurse, and is very active, honest and trustworthy.

(Signed,) ISAAC H. CUTTER,
Steward M. and E. H.

Marine and Emigrant Hospital,
Quebec, 10th April, 1850.

QUEBEC, 25th February, 1851.

Jane Hamilton has been a nurse in the Marine Hospital since the summer of 1849. We never had a better nurse in the Hospital. The Typhus ward was always her charge. I have had many opportunities of ascertaining her character and good conduct. She is extremely gentle and zealous in attending on the sick. She has attained middle age, is strictly sober, and her morals appear irreproachable. The late Steward, Cutter, said something to me to her disadvantage last autumn, but he alleged nothing in the least derogatory to her morals. His charge against her was, that she had accused him of falsifying his accounts.

(Signed,) JOS. PAINCHAUD,
Vis. Phy. Mar. and Emgt.
Hospital, Quebec.

(True copy.)

(Signed,) N. CASALT,
S. T. C. M. and E. H.

I certify that Jane Hamilton has always acquitted herself to my entire satisfaction as a faithful and highly intelligent nurse whenever she may have been called upon to act under my order.

(Signed,) A. ROWAND,
Vis. Phy. M. and E. H.

Quebec, 10th March, 1851.

QUEBEC, 1st March, 1851.

I certify that Jane Hamilton has discharged her duty as a nurse in the Marine and Emigrant Hospital from the 31st May, 1849, to this date, in a manner worthy of the highest praise.

(Signed,)

O. ROBITAILLE,
Visiting Physician.

(True copy.)

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

Province of Canada, }
District of Quebec. }

Appeared before me, this day, *Jane Hamilton*, and, after being sworn on the Holy Evangelists of Almighty God, deposeth and said :

That the certificates here annexed, and signed—Ed. Bonneau, Ptre.; C. F. Cazeau, Ptre.; M. Beaubien, Ptre.; Isaac Cutter; Jos. Painchaud; A. Rowand; O. Robitaille; W. Richardson; John Hamilton, Curate of Manor Hamilton Union; and Thomas Davies—have been copied on the originals, which have been given to me as the proper person to make use of them.

(Signed,) JANE ^{Her} ~~X~~ HAMILTON.
mark.

Sworn before me, at Quebec,

this 2nd April, 1851,

(Signed,) E. DUGAL, J. P.

No. 5.

(Copy.)

SECRETARY'S OFFICE,
TORONTO, 21st March, 1851.

SIR,—I have the honor, by command of His Excellency the Governor General, to inform you that he has

received from Dr. Lemieux, the House Surgeon of the Quebec Marine and Emigrant Hospital, of which you are one of the Visiting Physicians, a letter evidently written the month of February last, although erroneously dated the 3d of January, in which Dr. Lemieux prefers certain complaints against you ; and, in order to afford you an opportunity of giving such explanations as the case may require, I have it in command to transmit to you such portions of that letter as contain those complaints.

As the correspondence referred to by Dr. Lemieux is presumed to be in your possession, it is considered unnecessary to transmit it to you with this letter.

I have, &c.,
 (Signed,) J. LESLIE,
 Secretary.

James Douglas, Esq., M. D.,
 &c., &c., &c.
 Quebec.

EXTRACTS.

MARINE HOSPITAL,
 QUEBEC, 3d January, 1851.

“SIR,—I have been informed that the Steward of the Marine Hospital, Mr. Cutter, whose conduct, in obedience to the dictates of my conscience and the obligations of my office, I have thought it my duty to lay before the Comissioners, under accusations of a most serious nature and with the most overwhelming proof of guilt, convicted of having robbed the patients, despoiled the Hospital, and made it a place of prostitution ; by way of retaliation accuses me before the Government of the same crimes, so as to involve me, if possible, in his ruin. But circumstances require that I should state, that in doing so, he is only

the servile instrument of Dr. Douglas, who acknowledged it to me himself in a letter addressed to me by him, bearing date the 27th January, 1851, and marked C. His Excellency will no doubt be astonished that Dr. Douglas should have been the adviser and instigator of a subordinate, and of a man who has been indelibly disgraced by the enquiry of the Commissioners, against a brother physician. I take the liberty of sending you herewith the correspondence which only lately took place between Dr. Douglas and myself respecting the Hospital affairs. His Excellency will, I think, be enabled to trace in it the motive of the plot which is being formed against me, and the secret of the persecution which seems to assail me on every side, and which Dr. Douglas has found means to ground upon political passions, which I shall not call by another name, and which under that name are more inveterate and ruthless than habitual and local differences.”

Hon. J. Leslie,
Prov. Secretary.

QUEBEC, 31st March, 1851.

SIR,—I have the honor to acknowledge the receipt of your communication of 21st instant, enclosing an extract of a letter from Dr. Lemieux, in which he complains of my conduct in having advised and instigated Mr. Cutter to make certain charges against him. The whole proof of this complaint rests on what Dr. Lemieux is pleased to call my own avowal, as contained in a letter addressed to him on 27th January last. The precise words were, “You yourself were the sole mover or instigator of any plot, and if by your own acts you have shaken confidence in your honesty, and exposed transactions which have endangered your situation, you have only yourself

to blame. I have advised Mr. Cutter, as I consider it to be my duty to advise any one holding a subordinate situation in the Hospital, and I hold myself responsible for the soundness and honesty of my advice. Had you taken it you would not now be in the disgraceful position you occupy." These words will in no way bear the construction put upon them by Dr. Lemieux, as well might Mr. Cutter charge me with having advised and instigated Dr. Lemieux, on my own avowal. The correspondence speaks for itself; and Dr. Lemieux having disclaimed to Dr. Morrin the words imputed to him, I had thought no more of the matter until the receipt of your communication. I knew nothing of the charges brought by the House Surgeon against the Steward, nor of the evidence in support of them until the case against the Steward had been closed, and only then because the Steward called on my colleagues and myself to testify that the House Surgeon had never complained of him to us. Long before any investigation was talked of, I became aware that great irregularities and abuses had crept into the Hospital; I considered it to be my duty to call the attention of the Commissioners to the matter, and to leave it in their hands, and I did so, carefully abstaining from any conversation on the subject, even with my colleagues; and I am satisfied that they were not aware of the extent of these abuses nor of the injury the Hospital suffered from the ill feeling which existed between the House Surgeon and Steward, until early in December, when these individuals charged each other in the presence of the Visiting Physicians with sundry crimes and misdemeanors, and indulged in mutual crimination and abuse in language more remarkable for its force than its elegance.

My duties in Hospital have been latterly confined to the Surgical wards, and have consequently thrown me more immediately in contact with the House Surgeon;

and it is only justice to him to say that he has always performed his duties in these wards diligently and well, and that I have had no cause to complain of him.

With reference to the persecutions which he says he has suffered I know nothing. His private conduct in Hospital is a matter over which the Visiting Physicians have no control. This is an affair between himself and the Government, and I should think that any charges which have been brought against him might easily be proved or disproved; and by very simple means. He has however no just cause to complain of me, and it is trifling with the time of Government to do so on such slender grounds as he has done in the present instance. Dr. Lemieux's choice of motives must be very limited when he attributes mine to political feelings or prejudices. I have none. I have many warm friends of different political creeds, and it would puzzle the most intimate of them to say what my political bearings are. The political privileges I do possess I have only exercised once in very many years, and on that occasion I was influenced more by personal friendship to Mr. H. Black than by any regard to his political views.

I have, &c.,
(Signed,) J. DOUGLAS.

Hon. J. Leslie,
&c., &c., &c.

MARINE AND EMIGRANT HOSPITAL,
QUEBEC, 16th May, 1851.

SIR,—I have the honor to transmit you this day, for His Excellency's information, the result of the inquiry ordered by the Marine and Emigrant Hospital Commissioners into the conduct of the House Surgeon, the Apothecary, and one of the nurses of the institution under their care.

The Commissioners took upon themselves to suspend the inquiry on two different occasions ; in the first place, in order to allow me to visit my dying father, and afterwards to pay my last duties to his mortal remains. This has been the cause of the delay which has occurred in transmitting these documents, which took considerable time to be copied.

(Signed,)

I have, &c.,
N. CASAULT,
S. T. C. M. and E. H.

The Honorable James Leslie,
Provincial Secretary,
Toronto.

1. Copy of the Investigation.
 2. Copies of the copies of the affidavits addressed to the Commissioners by Dr. Wm. Marsden.
 3. Defences of Dr. Lemieux and of Mr. Beaubien, and documents produced with them.
 4. Report of the Commissioners on the whole.
-

REPORT of the Commissioners of the Marine and Emigrant Hospital on the investigation ordered by them on the conduct of C. Eusèbe Lemieux, House Surgeon ; Cléophas Beaubien, the Apothecary ; and Jane Hamilton, a nurse in the said Hospital.

The Commissioners of the Marine and Emigrant Hospital beg most respectfully to submit to His Excellency, the Governor General, and report that,

On the beginning of March they received from Dr. W. Marsden, of this City, a letter accompanied by certain documents purporting to be affidavits obtained by him from several individuals, and containing serious accusations against the House Surgeon, the Apothecary, and

one of the nurses ; but the uncivil and threatening tone of his letter prevented the Commissioners from taking any steps upon it. These charges, however, were of such a serious character, that the Commissioners themselves earnestly desired an investigation, which they immediately ordered as soon as it was asked for by Dr. Lemieux, who had previously taken communication of these affidavits. The Commissioners were desirous of conducting the investigation without prejudice or favour, and of sifting the whole matter to the bottom, however harsh and humiliating it might be to the persons implicated ; but they also wished to shew justice ; and the prejudices which appeared to have governed the mind framing those affidavits, the numberless inferences and hearsay evidence contained in them instead of positive facts, which were very few indeed, the individuals also who had sworn to those affidavits, all, in a word, contributed to raise suspicions against them. In consequence of this, they called up before them, for a re-examination, the persons who had sworn to those affidavits, with the exception of Catherine Donnolly, the servant of Mr. Cutter, who, they felt convinced, would only repeat the lessons instilled into her by her master, and, if true, the deposition of Marie Mitron would prove that this supposition was correct. The only one who did not appear before them, although he had been notified like the others, was John McDonald.

It is not necessary to advert to the striking difference existing between the affidavits and the depositions of the same persons taken before the Commissioners. It is sufficient to state that Edmonds and his wife, whose affidavits went to criminate Dr. Lemieux, and to throw a doubt upon the morality of his conduct, have since entirely exculpated him on that score.

A great many facts attested to in the affidavits as being personally known to the deponents, during the investiga-

tion turned out to be nothing but rumours they had heard, and were rejected by the Commissioners as a species of evidence unjust towards the accused, and insufficient to enable them to come at the truth. With a view of obtaining this end, they thought proper to call before them the officers of the establishment, the new servants, and those among the old servants and patients of the Hospital whose presence they could procure, and for the same purpose they felt the necessity to overcome the reluctance they had to meet the person who had unjustly attacked and calumniated them, and they examined Dr. Douglas.

The depositions, as given and taken before the Commissioners, reduce to the number of two all the accusations contained in the affidavits, which two accusations, however, were of a very grave nature, and weighed heavily both against the House Surgeon and the Apothecary, and principally against the nurse, Jane Hamilton. As to the evidence of Mary Fitzgerald, the letter of the Reverend Mr. McMahon, Pastor of the St. Patrick's Church, concerning that woman, would not allow of any notice being taken of it, were it not also stamped by the hatred and prejudices which form its general character.

Mr. Beaubien, the Apothecary, was in bed, ill of the typhus fever, for at least eight days before and one month after the time that Edmonds swears that he discovered him in criminal communication with Jane Hamilton.

The illness of Mr. Beaubien at the time referred to by Edmonds, is so clearly proved by the result of the investigation, that it does not remain to be doubted that Edmonds, to use a rather mild expression, must have been mistaken.

The depravity of Mary Riley, who acknowledges that she had taken upon herself, from motives of self-interest, the shameful part of a seducer, is sufficient to clear Dr.

Lemieux of the accusations brought against him by that woman, had he not proved something else during the investigation.

As to the interments, and the order which McDonald says he received from Dr. Lemieux to place two bodies in one coffin, the assertion of McDonald, with respect to the child Costello, is contradicted in such a formal manner by the burial certificate of the child and the evidence of Mr. Richardson, that the Commissioners have every reason to believe that the rule relating to that matter had always been observed, and that the Steward was the only person who looked to the dead bodies being placed in coffins, and to their burial. They are further confirmed in that belief by the evidence of Mr. Godbault and Mr. Pelletier, who both, at different times, acted as Apothecary at the Hospital, and more so by that of John Hetstrip, who assisted the porter in the execution of this duty; they might also say by the evidence of Edmonds as given before them.

It is a pleasing task to the Commissioners to be able to say that Dr. Lemieux, Mr. Beaubien, and the nurse, ane Hamilton, have entirely cleared themselves of all the accusations brought against them. Dr. Lemieux has given full and satisfactory proof of his good and moral conduct, of his kindness towards the sick, and of his attention and assiduity in the fulfilment of his duty. He has shewn that he never appropriated any of the Hospital supplies to his own use, and that he was always scrupulously attentive on that score. In fact, the whole investigation from beginning to end, as far as it concerns him, contains nothing but a succession of praises which increase from beginning to end. The Commissioners will merely refer to the evidence of Dr. Douglas, who says: "Dr. Lemieux discharged his duties diligently and well. "I have always considered Dr. Lemieux as one of the

“best House Surgeons that has ever been in the Hospital since I have been connected with it.”

Although the result of their enquiries on that subject is not mentioned in the investigation, the Commissioners think it but strict justice to Dr. Lemieux to say that the false entry in the register referred to by the Board of Trade in their letter of the third day of March, was the act of Mr. Cutter alone, and that Dr. Lemieux had no knowledge whatever of it.

Mr. Beaubien shares in the praise bestowed upon Dr. Lemieux, his superior officer; and the Commissioners have no reason to regret the choice made by them of that gentleman out of a large number of applicants for the situation of Apothecary in 1848, which choice was principally due to the recommendations and certificates then produced by Mr. Beaubien.

Almost all the witnesses examined during the investigation bear testimony to the good conduct of Jane Hamilton; and those of her superiors who had occasion to see and appreciate her services, say that she is the best nurse in the Hospital. The flattering testimony given in her favour by the Ministers of a religion to which she does not belong, at the same time that it does honor to those gentlemen, does not leave a doubt of the personal merit of that nurse.

The result of the investigation and the evidence adduced from the twenty-eight witnesses examined before the Commissioners, establish in the most convincing manner, that the accusations brought against Dr. Lemieux and Mr. Beaubien are the result of a plot, and formed against two of the best officers ever employed in the Hospital, and also that recourse has been had to the basest means for their destruction, as proved by Marie Mitron, who was offered money by Mr. Cutter's servant, Catherine Donnelly, to entice her to give evidence against Dr. Lemieux and Mr. Beaubien.

It is easy to conceive what may have induced Mr. Cutter to bring against Dr. Lemieux accusations both unjust and void of truth, since it is to the complaint of that gentleman that he owes his dismissal from the Hospital. It is also easy to imagine that he should have feelings of revenge against Mr. Beaubien, who was one of the principal witnesses against him in the investigation upon his own conduct; but the Commissioners cannot conceive what should have induced Dr. Marsden to take so much trouble and pains to obtain affidavits against two officers of an institution with which he has nothing whatever to do.

Although the investigation relates to nothing but to the conduct of Dr. Lemieux, Mr. Beaubien and Jane Hamilton, the Commissioners have thought proper to avail themselves of the opportunity of their meeting with the Visiting Physicians to make enquiries from them with regard to the complaints they might have to make against the Hospital or against the Commissioners themselves; and they respectfully call the attention of His Excellency to the evidence of Drs. Hall and Jackson, where they declare to have never had any cause of complaint, thus leaving to Dr. James Douglas alone the responsibility of the unjust attacks made upon the Commissioners, both by the Visiting Physicians and the Board of Trade. For it cannot be doubted in the least that Dr. James Douglas is the instigator of the complaints made by that body; and to be convinced on that point, it will be sufficient to pay attention to the simultaneousness of the complaints made by the Visiting Physicians and the Board of Trade, and to the striking resemblance between the phraseology itself of certain parts of their respective correspondence with the Government.

From that declaration of Drs. Hall and Jackson, His Excellency must feel more than ever convinced that there cannot be any good understanding, mutual assistance or

harmony, between Dr. Douglas and the Commissioners; and that prompt measures on the part of His Excellency are necessary to do away with a state of things so much the more dangerous as the season of navigation is commenced, and as the active co-operation of all the officers of the institution will be promptly and unavoidably indispensable. It is an act of strict justice which the Commissioners request both for themselves and for the establishment.

The Commissioners being desirous of abridging the task of the Executive, and avoiding long and useless correspondence, have thought proper to enclose in this report their answer to those accusations from the Board of Trade which do not specially concern the three individuals who have been the subject of the investigation.

They deem it useless to repeat here the answers before given by them to the complaints of the Visiting Physicians in relation to the quality of the diet and the manner in which it was served to the patients, which complaints seem to have been copied word by word by the Board of Trade.

The charge of proselytism is the only one to which they have not given an answer. They do not hesitate to say that proselytism was not attempted in the Hospital but by the clergymen of different persuasions, without the knowledge of the Commissioners or officers, and that it is impossible to prevent it without denying them admission to the establishment.

Although the number of Roman Catholic patients has almost invariably been the largest, nevertheless the majority of the servants have belonged to the different Protestant persuasions. These two facts, fully established in the investigation and by the statement which accompanies Dr. Lemieux's defence, refute what has been said by the Board of Trade on that subject.

What relates to the Commissioners is quite as incorrect ; for five Commissioners alone fulfil the duties, and two out of the five are Protestants, namely, Dr. Morrin and Captain Alleyn.

The Commissioners were so far from suspecting that proselytism was exercised by the officers and servants of the establishment, that, up to the time of reading the complaints of the Board of Trade, they were entirely ignorant of what religious persuasion were the servants, and never inquired into their religious belief.

The whole respectfully submitted.

(Signed,)	F. X. PARADIS,
"	T. KELLY,
"	RICHD. J. ALLEYN,
"	J. J. NESBITT.

Quebec, 16th May, 1851.

(Signed,) N. CASALT,
S. T. C. M. and E. H.

Note.—A Copy of the foregoing Report was transmitted to Dr. James Douglas, on the 14th July instant, in a letter from the Provincial Secretary of that date, to which no answer has as yet been received.

Secretary's Office, 18th July, 1851.

MARINE AND EMIGRANT HOSPITAL,
(*Investigation.*)

On the conduct of Charles E. Lemieux, Esquire, the House Surgeon, and also on the conduct of Mr. Cleophas Beaubien, the House Pupil and Apothecary, and Jane Hamilton, one of the nurses.

QUEBEC, 3rd April, 1851.

1st witness.

Mary Riley, widow of the late William Sweeney of Quebec, servant at one Mr. Simpson's;—In 1849, I

was engaged for about two months at the Marine Hospital, and that during the summer I left the Hospital on my own accord. I was one month in the Hospital; the rest of the time I was employed in the sheds; that is, I was first employed in the sheds, then in the Hospital, and when they wished to send me back to the sheds, I left the Hospital. I commenced to be employed in the Hospital in July, I think. Whilst I was there I saw Dr. Lemieux and Jane Hamilton in the operating room in criminal connexion together: I saw them twice. I saw them from No. 43 closet; and that without the aid of a table or a chair. It was in day time, but I cannot recollect the month nor the day of the month. They were lying on the floor. I never mentioned the circumstance to any one before leaving the Hospital, nor after until I was called upon by Dr. Marsden, supposing that he was named by Government, and that I was bound to tell the truth and all I knew. Dr. Marsden took me down in his own cariole to the Lower Town, to a Magistrate there, who swore me.

Cross questioned by Dr. Lemieux.—I was not discharged for bad conduct; I felt annoyed at being discharged from the Hospital, and thought I had as good a right to remain in the Hospital as she (Jane Hamilton) had. The first time Dr. Marsden called, Mr. Cutter was with him. He was alone when I gave my affidavit. I was not in the habit of drinking liquor when I was in the Hospital. I was lawfully married. I belong to the English Church, and never did belong to the Roman Catholic Church. All my children are named Sweeney, and they go by no other name.

Examined by the Commissioners.—I knew Jane Hamilton in Ireland, at Manor, Hamilton Hospital. I would not swear that she had a child before married. All I know about her, I do know it for having heard it. Upon

my oath I cannot say any thing against her but what I heard.

Cross examined by Jane Hamilton.—I went by desire of Mr. Cutter to request Jane Hamilton to go to his room, and told her that he promised to discharge neither me nor her during the winter, if she would do it; which she peremptorily refused. I only heard that she was discharged for bad conduct from the Hospital in Ireland, I know nothing of it by myself.

The above being read, the deponent persists therein, and hath made her cross, not knowing how to sign, after having been duly sworn.

(Signed,) MARY ^{her} RILEY.
mark.

(Signed,) N. CASALT,
S. T. C. M. and E. H.

2d witness.

Eliza Morton, wife of Richard Edmonds of the City of Quebec, labourer;—The conduct of Dr. Lemieux was to my knowledge very proper, with the exception of the abrupt manner in which I considered I was wrongfully discharged. And I did not hear from the patients anything against the Doctor; but I heard them complaining that some of the nurses showed partiality to some of the patients in their wards.

Cross examined by Dr. Lemieux.—I do not know of any thing belonging to the Hospital that Jane Hamilton appropriated to her own use. Catherine Moore told me that Jane Hamilton offered her the half of an Hospital sheet. Dr. Lemieux did put me on my guard about Kate Henderson, and desired one of the nurses to tell me the disease under which she came in the Hospital. Dr. Lemieux's girl was in the habit of taking the onions and

potatoes of the Hospital for the Dr.'s own use, and that for several months during last summer. Towards the fall, when the Dr. laid in his stock of vegetables for the winter, he desired his girl, in my presence, to return the quantity that might have been so taken: the onions she did the following day; as to the potatoes, I understood it was to be settled between Dr. Lemieux and the Steward, Mr. Cutter. As far as my own knowledge, Dr. Lemieux was always respectful to me, and I know of nothing immoral or improper in his conduct. Beyond seeing Mr. Beaubien placing one arm round the waist of Jane Hamilton in my presence in the kitchen, and seeing them talking occasionally in the passage, I know nothing. I never saw anything improper in the conduct of Jane Hamilton, beyond what I already said.

I have been employed as cook in the Hospital from June, 1850, to January, 1851.

The foregoing deposition being read, the deponent persists therein, and has signed, having first been duly sworn.

(Signed,)

ELIZA ^{her} MORTON.
mark.

(Signed,)

N. CASAULT,
S. T. C. M. and E. H.

3rd witness.

Mary Fitzgerald, servant in the St. John Hotel;—I have been living in Quebec for about fifteen years. I lived with Mr. Payne, at the St. George Hotel. It was generally reported through the Hospital, that Dr. Lemieux, Mr. Beaubien and Jane Hamilton were upon very familiar terms; and it appeared to me that all her wills and wishes were complied with by these two gentlemen. I can specify one instance when I saw Mr.

Beaubien and Jane Hamilton come out of a room, leaving a bed apparently just disturbed as if some persons had been lying on it; and pointing to the bed, ordered me to make it up, which I refused. The room in question was one of the unoccupied wards. This is the only instance of which I am personally acquainted, all the rest I only heard it. This was during the summer, 1849. I made no secret of what I stated above and what I believed, to the patients in my ward, but I did not tell it to the Steward, nor to the Matron, nor to any other officer of the institution, because I believed all the Commissioners and the Doctors were Canadians, and that I could not expect any justice from them. I personally know nothing beyond what I stated before.

Cross questioned.—The circumstance I allude to between Mr. Beaubien and Jane Hamilton, took place in ward No. 56, I cannot say the month nor the day of the month, but it was about two o'clock in the afternoon. The patients who were ill-used by Dr. Lemieux, as stated in my affidavit, were one White whom he strapped down at Jane Hamilton's request, and which I considered unnecessary. They (Lemieux and Beaubien) were not acquainted with the European manners, and hurt their feelings when they were not aware they were doing so. I am totally unacquainted with Hospitals or the duties of officers and nurses, never having been in or connected with one before I came to the Marine Hospital.

The present deposition being read, the deponent, first duly sworn, persists therein, declaring that it contains the truth and cannot sign.

(Signed,) MARY ^{her} ~~X~~ FITZGERALD.
mark.

(Signed,) N. CASALT,
S. T. C. M. and E. H.

4th witness.

Richard Edmonds of Quebec, labourer;—I was employed in the Hospital from the 17th of September, 1849, until the first of October, 1850; and during the present winter I have been employed in cutting the wood of the Hospital.

I know nothing against the moral conduct of Dr. Lemieux. I know nothing myself of any harshness towards the patients, though I have been told that he acted so to some of them; but I had a sister sick in Hospital; and during the whole of her illness, no man could have been kinder to her than Dr. Lemieux was. I am aware that two bodies have been placed in a coffin several times; I helped to put them in with the Porter. I never received any orders from Dr. Lemieux, nor any body else to do so. It must have come to Dr. Lemieux's knowledge once that there were two bodies in one coffin, because he ordered the Porter, in my presence, to take one out.

About a week after I came into the Hospital, an orderly named Nicholls, told me that if I watched I would soon discover that intimacy existed between Mr. Beaubien and Jane Hamilton. One evening, looking through a glass in closet No. 42, I discovered Jane Hamilton lying on the floor and Mr. Beaubien lying on her, and that was the only time I saw it. This occurred within a fortnight after I came to the Hospital.

Cross questioned by Dr. Lemieux.—When I stated that Dr. Lemieux ordered the Porter to take one body out of a coffin, where there was two, I should have stated that the Dr. told the Porter to go and tell the Steward that one body should be taken out. I never mentioned what I stated about Dr. Beaubien and Jane Hamilton to any officer in the institution, nor did I about the burials of two bodies in the same coffin.

I was brought by Mr. Cutter to Dr. Marsden's to give the affidavit which I have given to them.

The present deposition being read, the deponent persists therein, and hath signed.

(Signed,) RICHARD EDMONDS.

Sworn by Captain Alleyn.

(Signed,) N. CASAULT,
S. T. C. M. and E. M.

(*Translation.*)

QUEBEC, 9th April, 1851.

5th witness.

Olivier Robitaille, Esquire, Physician of the City of Quebec, one of the Visiting Physicians of the Marine and Emigrant Hospital ;—As far as I am aware, Dr. Lemieux has performed his duties, as House Surgeon, to my entire satisfaction. I never heard the patients in Hospital complain of having received harsh treatment from him ; and, in fact, I believe they never had reason to do so. I have also been satisfied with Dr. Lemieux' moral conduct in the Hospital, and know of no immorality on his part. I have no complaint to make against the moral conduct of Mr. Beau-bien the apothecary of the Hospital. I have already given a certificate of the good conduct of Jane Hamilton, one of the nurses of the Hospital, I would refer to it. I have always been highly satisfied with the manner in which this nurse has acquitted herself of her duties towards the patients, and I beg to add that her mild and obliging demeanor towards the patients is a sufficient proof and guarantee, that she has never exercised any violence towards them. No complaint ever came to my ears against Dr. Lemieux with regard to proselytism, either

from within or without the Hospital, I can assert the same with reference to Jane Hamilton.

(Signed,)

O. ROBITAILLE.

To a question put with regard to the quality of the victuals, Dr. Robitaille replies, that he has heard complaints twice or thrice during the latter months of 1850, that the rations did not contain the prescribed quantity. I have inspected during the last few months the provisions of the patients, and I have been quite satisfied with them as regards the quality of the materials and aliments employed, I have never heard complaints respecting the quality of the provisions furnished to the Hospital.

(Signed,)

O. ROBITAILLE.

6th witness.

John L. Hall of Quebec, one of the Visiting Physicians of the Marine and Emigrant Hospital;—I have every reason to be satisfied in the manner with which Dr. Lemieux acquitted himself of his duties of House Surgeon of the Marine and Emigrant Hospital. I never heard that he treated the patients harshly, nor no complaint was ever made to me to that effect. I know nothing against his moral character; nothing of the sort was ever reported to me. I know of nothing also against the moral character of the Apothecary, Mr. Beaubien, nor against the nurse Jane Hamilton. To my personal knowledge I am not aware of any case where proselytism has been attempted in the Hospital, nor was ever any complaints of the sort made to me by the patients. I have heard of such rumours out of the Hospital: personally I know nothing. I recollect a case, in a small ward by herself, being ill of syphilis, under my care; what her name was

I cannot recal to my memory ; she was transferred I think over to Dr. Rowand. It was in the summer 1850. The above is the case that I visited with Dr. Lemieux in the ward, and would not permit the students to visit her. The rumour I heard of proselytism out of the Hospital never mentioned Dr. Lemieux's name in connection with it.

I have occasionally seen bad tea and bad soup given to the patients. I never complained about it, but to Mr. Cutter the then Steward of the Hospital. If I had perceived any thing going on wrong in the Hospital more than I have stated above, I should have taken notice of it officially.

(Signed,) JOHN L. HALL.

(*Translation.*)

7th witness.

Joseph Painchaud, of the City of Quebec, Esquire, Physician, one of the Visiting Physicians of the Marine and Emigrant Hospital at Quebec;—Dr. Lemieux has always performed his duties as House Surgeon of the Marine and Emigrant Hospital to my entire satisfaction. As far as I am aware, his treatment of the patients has been always mild and praiseworthy. His moral conduct has been as far as I know irreproachable. The moral conduct of Mr. Beaubien as apothecary and of Jane Hamilton as nurse have always been as far as I know unexceptionable. This nurse Jane Hamilton has to my knowledge, treated and still treats the patients, with the greatest kindness and attention. I have only heard proselytism in the Hospital spoken of in a copy of a letter, forwarded to the Government, and signed “W. Marsden,” in which the writer instanced one Charlotte Crosby, who died at the Hospital about the beginning of February last.

I proceeded forthwith to investigate the matter at the Hospital, the said Charlotte Crosby having been under my charge. I was informed by the nurse, Jane Hamilton, and by Catherine Halleran that the said Charlotte Crosby, single woman, had had her child baptised a week after her confinement by a Roman Catholic priest. Jane Hamilton, a member of the Presbyterian church, reproached her for seceding from her own the Presbyterian church, she replied "the father of the child is a catholic, and I intend to become a catholic myself as soon as its father arrives from Ireland." A fortnight after she was seized with convulsions, and at their commencement Catherine Halleran addressed Jane Hamilton in these words "are you going to allow this girl to die without minister or priest," Jane Hamilton then in an interval of the convulsions, and as soon as consciousness returned, said to her "shall I send for the minister, Charlotte?" she answered "no;" Catherine Halleran then asked her "shall I send for father Richardson," (a Roman Catholic priest;) she answered "yes." As Jane Hamilton refused to go and tell the porter to call Mr. Richardson, fearing to be reproached with regard to religion; the said Catherine Halleran went down herself and gave the order to the porter, Mr. Richardson was consequently summoned.

I have known Dr. Lemieux for more than six years. I am aware that there have been some dry anatomical preparations in the Hospital for the last seven or eight years. For some time they were in the operating theatre, but for several years past, that is five or six, in the garret of the Hospital. Among these anatomical preparations, there were some male genital organs. To my knowledge, this garret for several years past has not generally been locked. When these anatomical preparations have been in the operating room, they were brought down for a week for the use of the pupils or students, and on Sunday during

the celebration of Divine service, they were covered with a table cloth or kind of curtain.

The affidavits which have been transmitted to us by the Government as Visiting Physicians, as also those which have been communicated to me, and the originals of which still remain in the possession of Wm. Marsden, Esquire, and certified to be true copies by the said Wm. Marsden, are not in my opinion worthy of the least degree of confidence; I do not hesitate moreover to declare that everything that Wm. Marsden has said and caused to be said, to the discredit of the Marine Hospital, is unworthy of belief. I have dispatched proofs of the truth of this assertion to the Government, and the Commissioners have also a copy of them.

(Signed,)

JOSEPH PAINCHAUD.

Dr. Painchaud in reply to questions put to him by the Commissioners, makes answer and says: To my knowledge I have never seen any breach of propriety in the establishment. Last autumn only, my patients complained about their tea, and this on several occasions; I took steps to put an end to these irregularities.

(Signed,)

JOSEPH PAINCHAUD.

8th witness.

Alfred Jackson of the City of Quebec, Esquire, one of the Visiting Physicians of the Marine and Emigrant Hospital at Quebec;—I had much reason to be satisfied with the manner in which Dr. Lemieux performed his duties as House Surgeon of the Marine and Emigrant Hospital. No complaint ever reached my ears, and from my own knowledge I have much reason to be satisfied with his attention to the patients. No complaints ever

came to me of immoral conduct on his part, nor on that of the Apothecary, Mr. Beaubien, or the nurse Jane Hamilton. Jane Hamilton is one of the best nurses in the establishment, and I repose every confidence in her. No complaints were ever made by the patients of being tampered with on religious subjects.

I recollect a patient being placed by herself on the uppermost landing of the centre building of the Hospital, very ill with syphilis. She was placed there (as the other wards were full,) in order that she might be more privately attended. This patient was a young girl with reddish hair, fair complexion, apparently about twenty years of age. I have understood that the girl's name was Kate Henderson; of this I have no personal knowledge. I left her in the Hospital at the expiration of my term of duty, on the 15th September last, still unwell, and she passed into the hands of my colleague, Dr. Hall. About three weeks after I met the girl above alluded to in the streets, she had then a syphilitic eruption on her face.

While I was on duty at the Hospital I heard of no complaints, excepting about the potatoes. I spoke to the Steward, who told me they were the best that he could get in the market. Some of the patients also complained to me of the quantity of the articles of the diet, but not of the quality. I again addressed myself to the Steward, who told me that the diet prescribed was given, and it is not an uncommon thing when upon half-low or spoon diets to complain, particularly mariners.

(Signed,)

A. JACKSON.

9th witness.

Alexander Rowand, Esquire, of Quebec, Visiting Physician of the Marine and Emigrant Hospital;—I have every reason to be perfectly satisfied of the manner in

which Dr. Lemieux discharged his duties as House Surgeon in the Marine and Emigrant Hospital, nor do I know any thing against his moral character, nor that of Dr. Beaubien the Apothecary, nor that of the nurse Jane Hamilton.

I know nothing whatever against the management of the Marine and Emigrant Hospital that I think necessary to state.

(Signed,)

ALEX. ROWAND,
V. P. M. and E. H.

(*Translation.*)

QUEBEC, 10th April, 1851.

10th witness, (1st called by Dr. Lemieux).

Messire Narcisse Beaubien of the Parish of St. Vallier, curé of the said Parish ;—I was chaplain to the Marine and Emigrant Hospital at Quebec from October, 1843, until October, 1849. During the prevalence of cholera in 1849, that is to say from the 15th July, until 1st September, I resided constantly in the Hospital, so that during that period I was enabled to take cognizance of all that took place there. Being called on to fulfil my functions as chaplain night and day during the cholera, I must have been made aware of any irregularities if any there had been. It is impossible that Dr. Lemieux, House Surgeon of the Hospital, could have been guilty of the improprieties of which he is accused without my being aware of them. I assert moreover that throughout this time I slept in the same room, ate at the same table, and the whole of the time I was disengaged I spent with Dr. Lemieux. I cannot speak otherwise than in praise of the conduct of Dr. Lemieux throughout the whole of this period both as to his manner and his constant attention to all the patients in the Hospital. I have always admired his reserve to-

wards the patients and still more towards the nurses of the Hospital. With regard to his morality I never had the remotest doubt, his moral conduct throughout the whole time that I have known him places him above all suspicion.

I am thoroughly acquainted with the nurse Jane Hamilton. She was employed during the whole period of the existence of the cholera in 1849, in the wards C 3, and C 4, in which those labouring under fevers of a typhoid character were placed. I cannot but praise her conduct towards the patients and the care which she took of them, without any distinction of origin or religion. Jane Hamilton belongs to the Presbyterian church. With respect to her moral conduct nothing ever reached my ears which could cause me to doubt it.

I also knew Mary Riley. Taking her conduct in general into consideration I would not believe her upon oath. She was addicted to drinking during the period I was acquainted with her; she had no settled religious belief, professing herself at one time a catholic, at another time a protestant, according to her desire of pleasing and her own interests. I have often advised her dismissal from the sheds, but as substitutes could not be procured she was obliged to be retained. After all, after a week's trial in the Hospital, and after being during that time frequently found intoxicated and in company with sailors, she was ignominiously expelled from the Hospital; she was not dismissed because it was proposed to send her from the Hospital to the sheds as she deposed in an affidavit, but she was expelled for bad conduct, moreover her services were not at all needed at the sheds, so that she could not have been requested to go there.

I knew Mary Lehman, a German girl, a patient in the Hospital. I can declare with certainty that Dr. Lemieux never had any connexion with her, beyond that which he had with all the other patients, what his professional

She was then labouring under venereal disease. When I left she was still in Hospital and had still the same disease. I have known the said Kate Henderson since she was a child. She bore a very bad character before coming to this country. She was a passenger in the same ship with me. Her conduct on board was very bad and she told me she got the venereal disease from the mate of the ship.

I never heard any complaint during the whole time I have been in the Hospital against Dr. Lemieux, or Mr. Beaubien, neither from the patients nor the servants. Neither of them spoke to any one in my ward about religion, and to my knowledge they did not meddle at all with the religious belief of any one there; nor did I see any one meddling with it there, but the Clergymen, both Protestants and Roman Catholics.

The present deposition being read, the deponent persists therein, and cannot sign.

(Signed,) ANNE ^{her} SHARP.
mark.

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

12th witness, (3rd called by Dr. Lemieux).

Bridget Sweeny, of Quebec, spinster;—I have been a servant to Dr. Lemieux during six months from the beginning of May last. Dr. Lemieux always checked me when it came to his knowledge that I had taken provisions, such as potatoes and vegetables from Mr. or Mrs. Cutter, and always ordered me to return them back, which I did. Sometime last summer, a few months after I entered the Doctor's service, I borrowed a bushel of potatoes from Mr. Cutter without the Dr.'s knowledge. I also did borrow some onions from the cook of the

Hospital. As soon as the Dr. knew of it, he scolded me, and ordered me to return them which I did, that is the potatoes to Mr. Cutter and the onions to the cook. I never took any thing but with Mr. Cutter's knowledge and permission, and then I always returned it. I have also sometimes taken soup from out of the boiler which contained that for the patients but it was for my own use, without the Doctor's knowledge, and only a tea cup full at a time.

The moral conduct of both Dr. Lemieux and Mr. Beau-bien towards me and towards the other female servants of the Hospital could not have been better, their conduct was also very proper towards the patients, male and female, and exceedingly great. I had frequently opportunities of appreciating their conduct as regards morality and prudence towards servants and patients, and it could not have been better. Jane Hamilton, the whole time I was in the Hospital, acted very properly. Her moral character was good and she was very kind to the patients, who at all times seemed highly satisfied with her.

Some male genital organs I have seen hanging on the Doctor's bed-room window. They were there from Saturday afternoon until the forenoon of the following day, that is Sunday. They could not be seen from out side of the building. I am positive to say that they were not there any longer and I had never seen them before nor after. I am also positive to say that from the place they were hanging it was impossible to see them but for those who were in the bed room. I was the only person with the house maid who had access to that room. The present deposition being read, the deponent persists therein, and cannot sign.

(Signed,)

BRIDGET ^{her} SWEENEY.
mark.

(Signed,)

N. CASALT,

S. T. C. M. and E. H.

13th witness, (4th called by Dr. Lemieux).

Margaret McDonald, of Quebec, spinster;—I have been a patient in the Marine Hospital from the latter end of April last to the beginning of July. Dr. Lemieux was during the whole time I was in the Hospital very attentive, and very kind to me and to the other patients as far as I could see. To my knowledge the moral conduct of both Dr. Lemieux and Mr. Beaubien was excellent. I was the whole time in Jane Hamilton's room except for a fortnight. I had plenty of opportunities to judge of her conduct, which was the very best. The way she treated the patients was uncommonly kind. I never saw in her manner or language any thing to make me think that she was any thing but a well conducted woman. The foregoing deposition being read, the deponent declared that it contains the truth, and cannot sign.

(Signed,) MARGARET ^{her} MACDONALD.
mark.

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

14th witness.

Catherine Halleran, of Quebec, spinster;—I have been a patient in the Marine Hospital from the middle of October until the latter end of February last. All I can say about Jane Hamilton under whose care I was, is that she is a proper, honest and decent person, kind and good to the patients; that I owe my life to her constant care and kindness, and that she was reputed the same by all the other patients in the same ward with me. Dr. Lemieux was also very kind and his conduct very proper. As to Mr. Beaubien I saw him very seldom, and therefore I cannot say anything for or against him. I saw Dr. Lemieux in the ward every day.

A patient of the name of Charlotte Crosby died in the ward, it was about three weeks after she had been delivered of a child. She herself asked the Reverend Mr. Richardson, the Roman Catholic Priest, to christen her child, which he did. Jane Hamilton, who belonged to the same church with her, told her that she was surprised that she had not her child baptized by a clergyman of their own church; she answered that the father of the child was a Catholic, and she wanted the child to have the same religion. Jane Hamilton refused to take the child to the Catholic clergyman. When Charlotte Crosby was dying, but at a time she had all her senses, I asked Jane Hamilton if she was to let her die without the minister, on that Jane Hamilton asked her if she should send for the minister; she answered "no." I then asked her if she would see Father Richardson, and on her answering "yes," I begged from Jane Hamilton to send for him, but she declined, fearing, as she said, that she would be blamed by her ministers. Upon that I went myself and sent the porter for Father Richardson, who came and administered to her before her death.

The present deposition being read, the deponent declares it contains the truth, and cannot sign.

(Signed,) CATHERINE ^{her} ~~X~~ HALLERAN.
mark.

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

15th witness, (5th called by Dr. Lemieux).

Susan Healey of Quebec, spinster;—I have known Mary Riley in Ireland, in the County of Leitrim. She was there and since I first heard of her of a very slight character. She turned from the Roman Catholic Church.

the best nurses that could be found. I never knew anything against her moral character, which I believe to be good. Such is the intercourse between the Irish people and their clergymen, (I speak of the Roman Catholics,) and the consolation and the advice which they seek from the latter, that I do not hesitate to say that if either Dr. Lemieux, Mr. Beaubien, or Jane Hamilton's conduct had not been moral, the Catholic Chaplain would have heard of it.

Cross questioned by Dr. Lemieux.—I have known Dr. Lemieux for several years, and I was delighted when I heard of his appointment as House Surgeon of the Hospital, in consequence of the good opinion I entertained of his moral conduct, and of the sympathy and charitable care I knew he would have for the patients. Dr. Lemieux had then and still has a very good reputation.

The foregoing being read, the deponent declares it to be true, and hath signed.

(Signed,)

C. F. CAZEAU,

Ptre.

(Signed,)

N. CASAULT,

S. T. C. M and E. H.

17th witness.

Catherine Moore, nurse in the Marine Hospital;—The 15th of May next I shall have been two years and three months in the Hospital. As to the moral conduct of Dr. Lemieux and Mr. Beaubien, I refer to the affidavit, which contains nothing but the truth, and which was sworn to on the 24th February, 1851. (The affidavit being handed by Dr. Lemieux, is read to the deponent, who persists therein.) I have been acting as Dr. Lemieux's cook from 1st December, 1849, until the 15th May, 1850. I

had during that time the entire control of the Doctor's kitchen, and the Doctor repeatedly warned me not only against taking or borrowing any provision from the Hospital, but even against using any culinary utensils belonging to the Hospital. He used even to tell me, when I put too much wood in the stove that it was robbing the Hospital. I was acting as house-maid at the same time. I was always paid by Dr. Lemieux, and I can say that I did not during that time take a pin's worth of what belonged to the Hospital for the Doctor's use with his consent or knowledge. During the whole time I was fed at the Doctor's own expense. I have had under my care as nurse a young girl of the name of Kate Henderson last summer. She was labouring under venereal disease when she came to the Hospital, and no other; and when she left the Hospital she was not cured. She had then a syphilitic eruption on her face. Until she left she took mercurial pills. She was in ward No. 73, and Dr. Painchaud ordered her to be put at the head of the stairs, on account of her sickness. One night after ten she had left her bed and was in the men's ward; when apprised of it I left my own bed and went for her. Dr. Lemieux never visited her, neither at night nor in the evening without my being present. She was a very loose character and exposed herself occasionally before the students. She was very angry with the Doctor, and so was she with me for not allowing her to run about the wards. By desire of Dr. Lemieux I told Eliza Morton, wife of Richard Edmonds, that Kate Henderson had venereal disease, and that she should not allow her in her rooms. I never saw any one, neither at home nor in this country, who acted in as kind a manner towards the Irish and all the patients generally as Dr. Lemieux did; and Mr. Beaubien also.

I have seen Mary Riley at the Hospital in 1849. She was employed in the sheds, and previous to leaving in

Surgeon, and that he had only been engaged a few months when she was herself engaged ; that she has been now engaged for about two years and a month. The deponent saith, that since she went to the Hospital she always found that the Doctor's conduct was most decent and proper, and that no person could behave in a more proper and gentleman-like manner to every one in the house. The deponent saith, that no one had more opportunity than she had to know what is passing or doing in the house, and that as far as the deponent can say or know, Dr. Lemieux's conduct and behaviour have always been most proper, and his morals good and out of reproach.

The deponent further saith, that Mr. Beaubien's conduct has also been at all times most decent and proper, and his morals good.

The present declaration being read to the deponent, she the deponent declared that it contained all the truth and nothing but the truth, and being requested to sign her name ; the deponent declared that she could not write or sign, and made her mark of a cross.

(Signed,) CATHERINE ^{her} X MOORE.
mark.

Sworn at the city of Quebec,
 this 24th day of February,
 1851, before me,

(Signed,) ED. ROUSSEAU, J. P.

True copy.

(Signed,) N. CASULT,
 S. T. C. M. and E. H.

(*Translation.*)

QUEBEC, 14th April, 1851.

18th witness. (6th called by Dr. Lemieux).

Victor Pelletier, of the City of Quebec, medical student;—I have attended the Hospital as a student since the month of June 1850; in this capacity I visit the Hospital every day. I filled for a month the office of apothecary during the absence and illness of Mr. Beaubien, that is to say from the end of June until the end of July, 1850. Throughout the whole period that I discharged the duties of apothecary I boarded with Dr. Lemieux and lodged in the same apartments, his moral conduct during the entire period, was unexceptionable; and I consider it would have been impossible for him to misconduct himself in any respect without my being aware of it. He always conducted himself during that period with great reserve towards both the nurses and the patients; on the latter, he lavished all the kindness and attention which they could possibly desire. Out of 12 servants who were then employed in the Hospital, four only were Roman Catholics; the others belonged to different sects of Protestants. The same servants remained until the month of January, and out of nine who were there at the end of autumn three only were Catholics. Dr. Lemieux did not appear to enquire into the religious belief of the patients, and I may say that he in fact did not do so. I am positive, when I assert that it is impossible to see from the outside any genital organs which might have been hung outside one of the windows of the Doctor's room, any one might perceive that something was there, but it would be altogether impossible to distinguish what it was on account of the height. During that period I also noticed that Jane Hamilton showed every possible attention to the patients, and that she treated them with great kind-

ness. Her morals during that time, were, as far as I know, irreproachable, and I consider her a very honest woman. There was at that time in the Hospital a patient of the name of Kate Henderson ; she was admitted while I was acting as apothecary ; she was brought in on account of primary syphilis and had no other disease. I knew of her departure, she was still labouring under the same disease. It is within my knowledge that Dr. Hall refused to allow the students to see her, she was at the top of a staircase behind a screen, and separated from the other patients. Her conduct in Hospital was more than doubtful ; and I have frequently met her in places and at times when she ought to have been in her room, where it was difficult to keep her, and I even surprised her on one occasion, about 8 or 9 o'clock in the evening, in one of the syphilitic wards, which contained men only. During the above period I remember that Mr. Cutter twice or three times, and the porter very often came to ask Dr. Lemieux if the *post mortem* examination had been made, and whether they might put the body into the shell. I never saw Dr. Lemieux go into the place in which the dead body was deposited after the *post mortem* examination, he never interfered with the putting of the corpse into the coffin nor with its interment, and acted in respect to these matters as though he had nothing to do with them. Neither Mr. Cutter nor the porter ever asked him how the bodies ought to be placed in the coffin.

Questioned by Mr. Beaubien.—I have known Mr. Beaubien for about a year and a half. To the best of my knowledge his morals during that period have been excellent, I have often heard the patients congratulate themselves on the attentions of Dr. Lemieux and Jane Hamilton, they appeared also highly satisfied with the services of Mr. Beaubien.

The present deposition having been read to him, he declares that it contains the truth, and has signed.

(Signed,) V. PELLETIER.

(Signed,) N. CASAUULT,
S. T. C. M. & E. H.

19th witness.

Eliza McNalty, house-maid of the Hospital;—I have been house-maid since last May. I never served two gentlemen of better conduct than both Dr. Lemieux and Mr. Beaubien, and I have every reason to believe that their conduct was the same towards the other servants, and the patients.

I have seen genital organs in Dr. Lemieux's bed-room, they were there about one day, from Saturday to Sunday that they were removed. I never saw them before or after. They were as far as I recollect hanging at the centre part of the window; and unless told what they were, the height of the window is such that it would be impossible to distinguish them from outside of the building. I did not tell Richard Edmonds that they were always hanging there, they were exposed only once on the Saturday. I saw them on the mantle piece, and on Sunday, hanging as above said. I told of it to Richard Edmonds on the day they were removed, on the Sunday; he went outside and told me he had seen them. At that time I thought they were put there to insult me, but since, considering the conduct of the Doctor previous to and since that, I do not think it was intentionally done.

Since my husband's death I desired to become a Catholic, he being of that religion and begging me to rear my children in that religion; this will be two years past next summer, but I am not yet received into it. There

was no attempt made in the Hospital to convert me to that church, and I have never been spoken to in the Hospital by any clergymen but the Rev. Mr. Plees, the Protestant Minister, who gave me a very severe reproach. I never knew or heard of Dr. Lemieux, Mr. Beaubien, or any one else in the Hospital interfering with the religious belief of the patients or servants. Until January last there was in the Hospital five Protestant servants, two Roman Catholics, and myself, who intended to die a Catholic.

Jane Hamilton was employed in the Hospital before I was employed myself. I always heard she was a good and attentive nurse. I never saw anything in her manner or conduct to lead me to suppose she was not a proper and respectable woman; and her language was always very correct and proper.

The present deposition being read, the deponent persists therein, and declares she cannot sign.

(Signed,)

ELIZA ^{her} ✕ McNALTY.
mark.

(Signed,)

N. CASAULT,

S. T. C. M. and E. H.

20th witness.

Sarah Garland, of Quebec, widow of the late Martin Garland;—I have been a nurse in the Marine Hospital for seven months which ended on the 14th December last. The moral conduct of both Dr. Lemieux and Mr. Beaubien during my stay in the Hospital was very good, very proper and gentleman-like not only towards me, but also towards the other women in the institution. I had good opportunity of appreciating Dr. Lemieux's conduct with the sick, he was always attentive, good and kind to them, Mr. Beaubien was very kind also. Jane Hamilton was

a nurse at the same time with me. She was the best nurse in the Hospital. She is a good modest woman. She could not have carried on immoral conduct without my knowing it. In fact had her conduct not been strictly proper and decent I would have perceived it.

No one in the Hospital ever interfered with the religion of the patients to my knowledge. I do not know what induced Protestants to change their religion as it is sometimes the case; but I remember that one man of the name of McIntosh being at his last moments, asked for the priest. I told it to the Doctor who, knowing his religion, sent me to the porter with an order for me to go to the Minister, which he did. The porter was a Protestant (John McDonald) and when he came back said that the Minister refused to come; upon which Mr. Cutter sent for the priest, who came but refused to do anything with him. On the following morning the Minister having not yet called, the Rev. Mr. Richardson christened McIntosh and he died a Roman Catholic. I remember another man named O'Brien who wished to see the priest. We however sent for the Protestant Minister who did not come. Then the Catholic Clergyman was called and administered to O'Brien, after having been asked by O'Brien in the presence of three or four Protestants.

Cross questioned by Dr. Lemieux.—I was never sent by Dr. Lemieux to Richard Edmonds, but I went to Edmond's place at his own request. I do not remember having ever said to Eliza Edmonds that I was sent there by Dr. Lemieux.

Re-examined.—During the whole time I was employed in the Hospital, more than two-thirds of the servants were Protestants. Out of eleven, three only were Roman Catholics.

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

(Signed,)

SARAH GARLAND.

N. CASAULT,

S. T. C. M. and E. H.

21st witness.

Marie Mitron, wife of James Pines;—I have been employed in washing and cleaning from time to time in the Hospital for the last 19 years, I have had opportunities during that time of observing and judging of the conduct of Dr. Lemieux, as also of that of Mr. Beaubien, both as officers of the establishment and in their private characters. I have also been employed as nurse. The Doctor has always to my knowledge treated the patients with kindness and has paid them all the attention which a doctor could do. They have always behaved towards the female servants and the patients (I would speak of Dr. Lemieux and Mr. Beaubien) as gentlemen who have always maintained their proper dignity, they were reserved towards the servants and patients, and their conduct was irreproachable.

I know Jane Hamilton a nurse in the Hospital; I know her to be an honest and respectable woman. She takes great care of the patients and is considered a very good nurse, I have never heard anything said against the character or conduct of this woman, every body spoke well of her, as also of Dr. Lemieux and Mr. Beaubien.

Cross questioned by Dr. Lemieux.—I was employed in the apartments occupied by Dr. Lemieux last autumn. He always behaved in my presence with great propriety; as did also Mr. Beaubien. I have nothing to say against

them. They are both gentlemen of the highest respectability. I never had an idea that the Dr. or Mr. Beaubien attempted to look at my legs when I was on the scaffolding, and I never said anything to that effect to Catherine Donnelly, Mr. Cutter's servant. About the 15th of last March, Catherine Donnelly told me that if I would speak unfavourably of the Doctors, meaning Dr. Lemieux and Mr. Beaubien, Mr. Cutter would pay me handsomely. I treated her offer as it deserved. Richard Edmonds asked me to go to his house in company with Sarah Garland, as he had something to say to us. We went. He made us stay and take tea in spite of all opposition on our part. but told us that Mr. Cutter had forbidden him to tell us what he had intended to communicate.

The present deposition being read, the deponent persists therein declaring that it contains the truth, and that she cannot sign.

(Signed,)

MARIE ^{her} MITRON.
mark.

(Signed,)

N. CASULT,
S. T. C. M. & E. H.

22nd witness, (7th called by Dr. Lemieux).

Bellamin Godbout, student in medicine;—I have attended the Hospital as student since the spring of 1847, Mr. Beaubien was ill in 1849 and in 1850 with typhus fever. In 1849, that is to say from the 20th September until the middle of November, I discharged his duties as apothecary, and throughout the whole of that period Mr. Beaubien was either sick in bed, or absent. He left the Hospital the very day he left his bed.

I remember Mary Riley, one of the nurses at the sheds in 1849. She was addicted to drink, as indeed were also

almost all the nurses employed in the sheds during the cholera ; I have often seen her intoxicated, and have even on several occasions caught her drinking the brandy and alcohol which had been used in administering baths to the patients. I was in Dr. Lemieux's rooms when Mr. Cutter told him that he was desirous of discharging Mary Riley, that he had caught her in company with sailors. The Doctor told him that if that was the case he would do well to discharge her, which he did that very day.

In 1847, about the commencement of my visits to the Hospital, I saw some genital organs in the garret ; this was before Dr. Lemieux became House Surgeon. These genital organs were male organs and had been injected. I have since seen them in the operating theatre with other anatomical preparations, I have observed similar preparations in Dr. Lemieux's room belonging to him, during the summer of 1850. I have never seen them exposed but only in his hands when engaged in varnishing them and other anatomical preparations. I am in the habit of visiting Dr. Lemieux's apartments every day and except on the occasion just mentioned I never saw these preparations. It is quite impossible for any one, even an anatomist, to distinguish from without any genital organs suspended in Dr. Lemieux's window. One might indeed see that there was something there, but it would be impossible to distinguish what it was. I made the experiment myself : I hung up the genital organs in question in the most conspicuous position in the window ; I then went out, and from every possible point and position, I am quite certain, that it is impossible to distinguish objects at that distance, particularly male genitals, which are of uniform length and have nothing remarkable about them not even as to their colour which is blackish.

I am well acquainted with Jane Hamilton, a nurse in the Hospital, and I can safely assert that in the whole course of my frequent communication with her, and more

particularly while I was performing the duties of apothecary I never saw her do any thing or heard her say any thing which could compromise her in any way, I can affirm that her alacrity in the discharge of her duties, her skill, her kindness to the patients and their attachment to her convinced me that she was the woman best fitted to perform the functions of a sick nurse, her high sense of decency perceptible in her manners, always satisfied me that she was a woman of the highest honesty and most unexceptionable morals.

I have known Dr. Lemieux and Mr. Beaubien intimately, Dr. Lemieux for 15 years. I know that these two gentlemen have always discharged their duties as officers of the establishment with the greatest punctuality and amazing alacrity. With regard to their conduct towards the patients I can fearlessly assert, that no person in the world could behave with more reserve and kindness. I have frequently witnessed the esteem manifested by the patients for these two gentlemen, as to their moral conduct, it always evinced high principle; and their orderly behaviour, their strict honesty, and the purity of their morals are well known to me: for in the summer I pass a great part of every day in the Hospital, it would have been a very difficult matter to have familiar intercourse with the female servants without my notice.

I knew a young patient of the name of Kate Henderson who was in the Hospital during the summer of 1850, labouring under primary syphilis, I remember when she left the Hospital, she was not cured at that time, she left about the end of September. Her conduct was very different from that of an honest woman, and she has been surprised at improper hours, in places where she had no right to be.

I have known the porter come and ask Dr. Lemieux if he had finished with the dead bodies, in order to know whether they might be placed in the coffin, the Dr. replied

“yes” or “no” I never heard him say any thing else throughout the whole period that I filled the situation of apothecary, and on many other occasions on which I was present when this question was asked by the porter, the Doctor did not appear to concern himself at all about the disposal of the dead, the placing them in their coffins, or their interment. I always understood that that was not a part of his duty. I was present last autumn in the office, when Dr. Lemieux told Mr. Cutter that rumours prevailed in the city that two corpses had been buried in a single coffin; and that he was informed that at that very moment a coffin which was still in the Hospital contained two bodies, and he directed him to have them put into separate coffins.

The present deposition having been read to him the deponent persists therein, declares that it contains the truth and nothing but the truth, and has signed.

(Signed,)

BELL. GODBOUT,
Med. Student.

(Signed,)

N. CASAULT,
S. T. C. M. & E. H.

23rd witness.

George Lockington of Quebec, Bailiff, admitted at the Hospital under the name of James Purcell;—I entered the Hospital as a patient a few days before Christmas last. I had then the fever. My boarding house Mistress, afraid of my having a contagious disease, and not wishing to turn me on the street, contrived a plan to get me an admittance into the Marine Hospital. She obtained a Card from the Emigrant Agent, with which I was admitted. I was a patient in the Marine Hospital between five or seven weeks. The treatment I received in that

Hospital was better than I received in any Military Hospital at home or abroad. Nothing could exceed the kindness of Dr. Lemieux, not only towards me, but towards all the patients in the ward. I never heard a word which could blemish his character, but on the contrary every one, not only in my ward, but from other wards, spoke of him in the highest terms of gratitude and encomium. Never heard a word about his moral character but in praise. I did not know much of Mr. Beaubien, but had he done any wrong I would have heard of it. After Mr. Cutter left the management of the Hospital there was a great alteration in the quantity of the diet, and also in the quality.

I do belong to the English Church. No one in the Hospital, to my knowledge, made any attempt at proselytism; and every one is at liberty to do his religion without any interference. On the mantelpiece were Protestant and Catholic Bibles, tracts and prayer books, and generally speaking they were protestant books.

The foregoing deposition being read, the deponent says it contains the truth, and hath signed.

(Signed,) GEORGE LOCKINGTON.

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

24th witness.

John Helstrip, orderly in the Marine Hospital;—I have been an orderly in the Hospital since 1831, with the exception of one year. Dr. Lemieux was always kind and attentive to the patients. I never knew or heard that he treated the patients with harshness; and had it been so, I would have heard of it. Mr. Beaubien was also kind, and I never heard any complaint against him. I never

saw in the conduct of Dr. Lemieux or Mr. Beaubien anything contrary to good morals ; and from every thing I saw I believe them to be gentlemen and of good morals. I belong to the English Church, and I can say that there has never been any attempt in the Hospital at proselytism. The largest number of servants in the Hospital were always Protestants. Dr. Lemieux or Mr. Beaubien never interfered with the religious belief of any one in the Hospital. I often assisted in coffining the dead. All that the Doctor told us about the coffining of the dead was "yes" or "no" when asked if the corpse were to be coffined and if he had done with them. Before Mr. Cutter's suspension, I never saw the Doctor at the coffining. Previous to that he never had anything to do with it, but to give the answer already mentioned. Subsequent to Mr. Cutter's suspension Dr. Lemieux always saw the corpse coffined up.

The foregoing deposition being read, the deponent persists therein, and hath signed.

(Signed,) JOHN HELSTRIP.

(Signed,) N. CASALT,
S. T. C. M. and E. H.

25th witness.

Edouard Bonneau of the city of Quebec, Priest and assistant Pastor of the St. Patrick's Church.—I have been Roman Catholic Chaplain of the Marine Hospital from the latter end of September, 1849, to July, 1850, and during that time I visited the Hospital very often and sometimes daily, and even twice a day. The conduct of Dr. Lemieux and Mr. Beaubien towards the patients was very good, proper and attentive, and I often heard the patients expressing their high satisfaction at the care and

kindness of the young Doctor, as they called Dr. Lemieux. I must add that Dr. Lemieux very often refused to take a walk with me, giving me to understand that he was kept by his duty to the sick and could not absent himself. All the nurses and patients were always praising Dr. Lemieux. He was always polite and reserved. I have known Dr. Lemieux since being a boy. His moral conduct has always been excellent and always enjoyed a very good reputation during his studying to be Doctor; I never heard but eulogium passed on him. During my attendance in the Hospital the conduct of both Dr. Lemieux and Mr. Beaubien was excellent and strictly moral. Had it been otherwise I most positively say that I would have heard of it, as I heard of some others who no longer are in the Hospital. The advice that the Irish Catholics always seek from their clergymen, the confidence which they place in them, warrant me in the assertion that nothing of the kind could have occurred without my knowledge. And in fact I was always informed of any reports that were going in the Hospital, and very often before Dr. Lemieux had heard of it.

I have known Jane Hamilton, a nurse in the Hospital. She is a Protestant. She is by far the best nurse in the Hospital; so attentive, so kind and so motherly-like to the patients, that they often told me they would recover with the care of their good mother, pointing to Jane Hamilton, and tears of gratitude in their eyes. She kept her ward clean and was very assiduous to her duties, which she seemed to fulfil, not for the sake of her pay, but in following the dictation of her heart. I really think and believe her to be of irreproachable morals. As late as June last, Mr. and Mrs. Cutter spoke to me in the highest terms of Jane Hamilton.

The foregoing deposition being read, the deponent persists therein, and hath signed.

(Signed,) E. BONNEAU, Ptre.
 (Signed,) N. CASULT, S. T. C. M. and. E H.

QUEBEC, 15th April, 1851.

26th witness.

Robert George Plees, English Chaplain of the Marine and Emigrant Hospital;—I have been Chaplain of the Marine and Emigrant Hospital since September, 1847. During that time I had occasion to see at the Hospital Dr. Lemieux and Mr. Beaubien. I do know nothing whatever against their moral conduct. I do go to the Hospital during the busy season three times a week, besides extra calls. I never saw anything there against their conduct. I sometimes heard the patients complaining that they were not properly attended to, but I know nothing of it myself. In the discharge of their duties as officers of the institution, I have never seen anything but strict propriety, as far as I could judge. It never came to my knowledge that they did interfere with the religious belief of any one in the Hospital. I know a nurse of the name of Jane Hamilton, who professed to belong, I believe, to the Church of England. I never saw any thing immoral in her conduct, and thought that she was attentive as a nurse.

The foregoing being read, the deponent persists therein, declaring that it contains nothing but the truth, and hath signed.

(Signed,)

R. G. PLEES.

(Signed,)

N. CASAULT,

S. T. C. M. and E. H.

27th witness.

James Douglas, Esquire, one of the Visiting Physicians of the Hospital;—I have acted as Visiting Physician of the Marine Hospital for more than fourteen years, and

previous to Dr. Lemieux's appointment as House Surgeon. He discharged his duties of House Surgeon diligently and well, and I had no cause of complaint against him. I never heard any well-founded complaint against him from the patients. I know nothing of his moral conduct. It came to my personal knowledge that two bodies were interred in one coffin, but whether by order of Dr. Lemieux, or any other one I cannot say. I have always considered Dr. Lemieux one of the best House Surgeons that has ever been in the Hospital since I have been connected with it. I know nothing at all about Mr. Beaubien's conduct. He was under Dr. Lemieux, who was answerable for his conduct, and I had less communication with him. One thing I found fault with Dr. Lemieux is, to have allowed Mr. Cutter to commit the crimes laid to his charge during so long a period without notifying the Visiting Physicians in charge. As to the nurse Jane Hamilton, she was not employed in the wards under my charge, and therefore I do not know anything about her. I am not aware, and never heard that Dr. Lemieux or Mr. Beaubien ever interfered with the religious belief of the patients.

The foregoing deposition being read, the deponent persists therein, and hath signed.

(Signed,)

J. DOUGLAS.

(Signed,)

N. CASALT,

S. T. C. M. and E. H.

28th witness.

William Richardson of the city of Quebec, Roman Catholic Chaplain of the Marine and Emigrant Hospital;—I have been Chaplain of the Hospital since the 19th August last; and since that time I visited the Hospital very

often, and sometimes twice a day. The conduct of Dr. Lemieux and Mr. Beaubien towards the patients has been very good. I do not see that it could have been better. They were very obliging, very kind and very attentive, and the patients seemed very satisfied with them, and always spoke of them in the highest terms. They discharged their duties very properly; as to their moral conduct, it was excellent. They were polite and reserved with the nurses and the patients. Had it been otherwise, and had their conduct not been strictly honest and proper I should have heard of it from the Irish Catholics in the establishment, as I did hear of some others who are no more in the Hospital. As to Jane Hamilton I refer to the certificate that I gave her on a former occasion. I believe her to be strictly honest, and very good, kind and attentive to her patients. In fact she is considered the best nurse in the Hospital. To my recollection I never interred two bodies in one coffin. Any catholics who were buried were buried in separate coffins. Only two Roman Catholics died in the week in which Catherine Costello died, and they were both buried in separate coffins. She was not kept more than two days after her death before burial. It would be impossible to put two Catholics in the same coffin without my knowledge.

The foregoing deposition being read, the deponent persists therein, and hath signed.

(Signed,) W. RICHARDSON, Ptre.

(Signed,) N. CASALT,
S. T. C. M. and E. H.

True copy of the depositions taken by the Commissioners of the Marine and Emigrant Hospital during the investigation ordered by them on the conduct of the House Surgeon, Apothecary, and one of the nurses.

N. CASALT,
S. T. C. M. and E. H.

SAINT PATRICK'S, QUEBEC, 3rd April, 1851.

SIR,

I have the honour to acknowledge the receipt of your communication of yesterday's date, in which, on the part of the Commissioners of the Marine Hospital, you request me to inform you as to what opinion I entertain of the moral conduct of one Mary Fitzgerald, who, you state, has made rather a serious deposition against certain of the officers of the above establishment. In reply to your request, I have only to state that, if the Mary Fitzgerald in question be the same who formerly lived as servant in the St. George's Hotel of this city, in Mr. Payne's time, my opinion of her moral principles is indeed a very poor one, and such as would render any testimony given by her, no matter with what solemnity, not only very suspicious, but entirely unworthy of credence.

(Signed,)

P. McMAHON, Ptre.

True copy.

(Signed,)

N. CASAULT,

S. T. C. M. and E. M.

(Copy.)

No. 8.

AFFIDAVITS addressed to the Commissioners of the Marine and Emigrant Hospital, by William Marsden Esquire.

No. 1.

Province of Canada, }
District of Quebec. }

Richard Edmonds, labourer, being duly sworn on the Holy Evangelists of Almighty God, doth depose and say,—

That he was formerly employed as cook at the Marine and Emigrant Hospital, and then as outside man, and now saws the fire-wood for the Hospital. That deponent has seen injected male genital organs hanging in Dr. Lemieux's bed-room window. That one Elizabeth McNaulty then and still house-maid in the Hospital, complained in tears to deponent's wife, and in deponent's presence, that the male organs aforesaid were always left exposed in the House Surgeon's bed-room where she was obliged to go to do her duty, that they were sometimes on the mantle-piece, but that they were then hanging against the window and visible outside the window, and that she would not remain any longer in the Hospital. That deponent's wife entreated McNaulty to remain and not leave her service, and that deponent went out to the front of the Hospital building and saw the injected organs hanging as described by McNaulty. That deponent has subsequently seen the same or similar injected male organs of generation in the garret of the Hospital. That as part of the deponent's duty, he used to assist the porter of the Hospital, one John McDonald, to coffin the dead, and that during this time it was a common practice to put two bodies in one coffin, by order, as the porter said, of Dr. Lemieux, the House Surgeon, and as this deponent believes with his Dr. Lemieux's knowledge, as he, Dr. Lemieux, was present when the body of a white female child named Scales, was putting into the same coffin with a black or coloured man. That this deponent up to the time just referred to had often seen two bodies interred in the same coffin, and will swear positively to this having happened at least six times, that is, that twelve corpses had been interred in six coffins. That a short time subsequent to that case of the coloured man and female child being interred in the one coffin, Dr. Lemieux came into the porter's room where deponent was sitting, and told the porter to go and put the body of

a child that had been confined with another body into a separate coffin ; as he, Dr. Lemieux, had just come from town where he had heard something about it, meaning the confining two bodies in one coffin. This was between eight and nine o'clock at night.

That one Kate Henderson, a fine, handsome looking young woman, who was a patient in the Hospital for several weeks last summer, and who is now, as this deponent believes, in New York, told deponent and his wife that Dr. Lemieux was making love to her, and that she was tormented by his importunities. That she was frequently waked at night by Dr. Lemieux handling her and hanging over her, and she gave deponent's wife two gold rings to keep for her, lest Dr. Lemieux should take them off her fingers in her sleep. That the above named Kate Henderson was a married woman and admitted as such to the Hospital. That the place in which the said Kate Henderson slept was a passage or lobby in the upper flat of the Hospital with a screen before her bed. This deponent further swears that it was currently reported in the Hospital among the servants and nurses, that Mr. Beaubien, the Apothecary, and one Jane Hamilton, then and still a nurse in the Hospital, were in the habit of going into the Protestant Chapel together and cohabiting there. Nearly all the servants declared that they had seen them together at different times and in different attitudes. That one Nicols, a servant in the Surgical wards, and who was near the Chapel, told of seeing the aforesaid Beaubien and Jane Hamilton often having criminal connexion, and on one occasion told this deponent to go and peep through number 42 closet and he would see them, which this deponent did, and saw Jane Hamilton lying on the floor on her back and Beaubien lying above her.

That the room in which this happened was the operating theatre, which is also the Protestant Chapel and used

for the ministrations and services of the Protestant patients.

That this deponent saw Beaubien and Hamilton coming out of the Chapel on another occasion at night and without a light.

The foregoing having been read over to this deponent, he persists in its truth, and has signed at Quebec, the 18th day of February, 1851.

(Signed,) RICHARD EDMONDS.

Sworn before me at Quebec, this 18th
February, 1851.

(Signed,) DANIEL McCALLUM, J. P.

A true copy of the original remaining in
my possession.

1st March, 1851.

(Signed,) WM. MARSDEN, M. D.

True copy of the copy addressed to the Commissioners of the Marine and Emigrant Hospital, by Wm. Marsden, M. D.

(Signed,) N. CASALT,
S. T. C. M. and E. H.

No. 2.

Province of Canada, }
District of Quebec. }

John McDonald, late a private in the 93rd Regiment of Foot, doth depose and say, after having been sworn upon the Holy Evangelists of Almighty God, as follows :

That he was employed as porter in the Emigrant and Marine Hospital from the first of April last past up to the 18th day of January last, being a period of nine months

and eighteen days. That a part of the duty of this deponent was to coffin the dead bodies previous to their burial. That this deponent always received his orders for burials from the House Surgeon, Dr. Lemieux. That this deponent has received orders from Dr. Lemieux to coffin two bodies together in the same coffin on nine or ten different occasions, with which order this deponent complied. That on the first occasion that this deponent received orders from Dr. Lemieux to place two bodies in one coffin, on deponent's hesitation to do so, Dr. Lemieux remarked it, saying, "that is nothing, we many times put two or three, or three or four in the same coffin before now." That on one occasion this deponent placed the body of a white female child in the same coffin with a coloured man, by the orders of Dr. Lemieux, and it was so buried. That on every occasion but one the orders of Dr. Lemieux in reference to the coffining and burial of dead bodies were complied with. That on the occasion referred to, the body of one Catherine Costello, aged about eighteen months, had been retained in the dead-house longer than the usual period uninterred, by the orders of Dr. Lemieux, for some reason to this deponent unknown. That on the occasion of the sexton, one Buckley, calling as usual for the dead bodies, this deponent asked Dr. Lemieux if the child in question was to be interred, when he replied, "no; tell Buckley you do not know and to call to-morrow." That after this child had been kept three or four days, this deponent went to Dr. Lemieux for his orders, as the sexton was waiting; when Dr. Lemieux told him to place the child in a coffin with another body, but after a few words of conversation in French with Mr. Beaubien, the Apothecary, he, Dr. Lemieux, ordered this deponent to dig a hole in the burial ground adjoining the Hospital, after dark, and to throw the body into it. That this order was so unnatural that this deponent disobeyed it, and at night

placed the body in a coffin with another without telling Dr. Lemieux that he had done so.

The foregoing being read, the deponent declares it to be true and hath signed,

JOHN McDONALD.

Sworn before me, this 18th January, 1851.

(Signed,) WILLIAM PATTON, J. P.

A true copy of the original remaining in my possession.

(Signed,) WM. MARSDEN, M. D.

March 1st, 1851.

True copy of the copy addressed to the Commissioners by Wm. Marsden, M.D.

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

No. 3.

Province of Canada, }
District of Quebec. }

Mary Fitzgerald, a spinster and thorough servant to Mr. E. Laroche, being sworn upon the Holy Evangelists of Almighty God, doth depose and say as follows :

That she was employed in the Marine and Emigrant Hospital of Quebec as nurse and servant, from the fourth of July, 1849, to the first day of April, 1850. That deponent knows one Jane Hamilton, then and still servant or nurse in the Hospital aforesaid. That the aforesaid Jane Hamilton was, during the time deponent resided in the Hospital, a woman of doubtful character, and conducted herself with great indecency and impropriety—and she was held in this repute by the other

nurses and servants of the Hospital, as well as by some of the patients who were then in Hospital; and related at times what had occurred between the aforesaid Jane Hamilton and Dr. Lemieux, and Mr. Beaubien the Apothecary, during the night of the sight and hearing of the aforesaid patients, whom this deponent can name.

That the aforesaid Jane Hamilton had at all times full and complete control over the patients in the Hospital, as well as over Dr. Lemieux and Mr. Beaubien, who were completely subservient to her. That neither Dr. Lemieux nor Mr. Beaubien ever dared to oppose her will, and deponent knows that Dr. Lemieux has punished patients who had incurred her displeasure.

That the conduct of Jane Hamilton was notoriously bad, and that this deponent had in her charge a key of No. 43 closet, which looks into the English Chapel. That one James Nicholls, formerly an orderly at the Hospital, used to obtain from this deponent the aforesaid key for the purpose, as he said, of watching the rascally conduct of the Doctors (meaning Dr. Lemieux and Mr. Beaubien) and Jane Hamilton, in the Protestant Chapel, which is also the operating room or theatre. That the aforesaid Nicholls always described the deeds of the parties aforesaid in the chapel as beastly and infamous, and frequently threatened to publish it. That this deponent never went to see what was going on in the chapel on any of these occasions, although other servants did in fact say that they were in criminal connexion. That deponent has seen Mr. Beaubien and Jane Hamilton come out of an unoccupied ward which was under this deponent's charge, and ordered this deponent to make up a bed which had been recently —— in, which this deponent refused to do, saying that she would not make up beds after her (Jane Hamilton) and Dr. Beaubien, whereupon she, Jane Hamilton, only raised her finger to enjoin silence, and went away laughing. That on this deponent

going into another ward and relating the occurrence, she was told the deponent had better submit at once ; for as long as Dr. Lemieux would be in the Hospital, Jane Hamilton would be mistress, until the Doctors got tired of her, when they would kick her out. By the Doctors, this deponent means Dr. Lemieux and Mr. Beaubien.

That this deponent left the Hospital since of her own accord, because the conduct of Jane Hamilton was so gross and immoral, and because Dr. Lemieux, as well as Jane Hamilton, threatened this deponent; Doctor Lemieux being, as before stated, completely under the control of Jane Hamilton, and passive and submissive to her will.

That this deponent knows that every wish or request or order of Jane Hamilton to Dr. Lemieux and Mr. Beaubien, no matter of what nature, was at once complied with by them, that is in this deponent's presence.

The foregoing having been read over to this deponent, she persists in the truth, and has signed this 19th day of February, 1851.

(Signed,) MARY FITZGERALD.

Sworn before me at Quebec,
this 20th February, 1851.

(Signed,) E. BACQUET,
J. C. S.

A true copy of the original remaining in my possession.
March 1st, 1851.

(Signed,) WM. MARSDEN, M. D.

True copy of the copy addressed to the Commissioners
by Wm. Marsden, M. D.

N. CASAULT,
S. T. C. M. & E. H.

No. 4.

Province of Canada, }
 District of Quebec. }

Mary Riley, widow of the late William Sweeny, being sworn upon the Holy Evangelists of Almighty God, doth depose and say as follows :

That she was employed as a nurse in the Marine and Emigrant Hospital of this City for two months during the summer 1849. Commencing in the month of July, and was discharged at her own request. That deponent knows one Jane Hamilton who was then a nurse in the Hospital aforesaid, and is so still.

That this deponent knows Jane Hamilton to be a woman of bad and immoral character.

That this deponent has on three different occasions seen Dr. Lemieux, the House Surgeon, and Jane Hamilton in criminal connexion on the floor of the Chapel used for the ministrations of the Protestant patients.

That this deponent on several occasions spoke to Jane Hamilton about the impropriety of her conduct, and on one of these occasions she denied having had connexion with Dr. Lemieux, and said she had connexion with Mr. Beaubien, but only once. That this deponent has seen Dr. Lemieux go into Jane Hamilton's room often, and on two different occasions this deponent tried to open the door, which was locked inside. That on the occasions of this deponent receiving her wages from the steward, Mr. Cutter, previous to leaving the Hospital, in fact, at the time she was leaving, she remarked to Mr. Cutter, that she, deponent, thanked the Almighty God that she was leaving the Hospital for that it was neither good nor gracious for the soul or body to live in it.

That this deponent meant by the foregoing remarks that no prosperity or success could attend a place where such conduct was going on, and sickness and death around them every day.

That this deponent was visited at her present residence by Dr. Lemieux, and Mr. Beaubien, the Apothecary, about the commencement of this year, for the purpose of ascertaining what this deponent knew concerning Mr. Cutter, about whom an investigation was then pending before the Commissioners of the Hospital aforesaid, and they requested this deponent to go over to the Hospital for the purpose of conversing on the subject of the charges brought against Mr. Cutter. That this deponent went to the Hospital as requested on the afternoon of the same day as above referred to, and was met at the door by Jane Hamilton who embraced deponent in her arms, and took her to the House Surgeon's room, and on the way through the passages of the Hospital, Jane Hamilton still holding this deponent in a friendly embrace, entreated her for God's sake not to speak about what she Jane Hamilton had told this deponent concerning the Doctors.

That in speaking of the Doctors this deponent means Dr. Lemieux and Mr. Beaubien the Apothecary.

That this deponent had never either seen or spoken to Dr. Lemieux the House Surgeon, or Mr. Beaubien the Apothecary, from the time she left the Hospital in 1849, until the time just referred to. That this deponent now resides with Mr. Thomas Simpson, cooper, and has resided with him ever since she left the Hospital until now.

That this deponent was employed as nurse at the Manor Hamilton Infirmary, County Letrim, Ireland, for four and a half years, and was discharged at her own request with certificates of good character previous to coming to America, which certificates deponent still has. That deponent knew Jane Hamilton, at home in Ireland, but she was a patient under this deponent in the Manor Hamilton Infirmary; and deponent also knew her as a nurse in Scurvey Hospital, near Manor Hamilton, from which Hospital she was discharged for bad conduct.

That this deponent knows Jane Hamilton to be a married woman, and that she had one child before she was married and two since, one of which died in the Manor Hamilton Infirmary whilst she, Jane Hamilton, was a patient in Hospital. That this deponent knows John Hamilton the husband of the aforesaid Jane Hamilton, and that she, Jane Hamilton, deserted her husband and refused to see him previous to leaving for America.

That Jane Hamilton requested this deponent not to tell any one that she was a married woman as she had declared herself to be single. That this deponent has seen the aforesaid Jane Hamilton treat the patients in the Marine and Emigrant Hospital with great cruelty. On one occasion she saw her take a stick and beat a patient delirious in fever with great severity and cruelty, and the patient whose name was Russell, the mate of a vessel, died the next day.

her
 MARY ✕ RILEY.
 mark.

Sworn before me at Quebec,
 this 21st February, 1851.

(Signed,) EWD. GLACKMEYER,
 J. P.

A true copy of the original remaining in my possession.
 March 1st, 1851.

(Signed,) W. MARSDEN, M. D.

True copy of the copy addressed to the Commissioners
 by W. Marsden. M. D

N. CASAULT,
 S. T. C. M. and E. H.

Province of Canada, }
 District of Quebec. }

Eliza Morton, wife of Richard Edmonds, being sworn upon the Holy Evangelists of Almighty God, doth depose and say as follows. That this deponent was employed as cook in the Marine and Emigrant Hospital, from the third of June, 1850, until the eighteenth day of January last, being about seven months and a half.

That on the 17th day of January last, Mr. Casault, Secretary to the Commissioners of the Hospital, told this deponent that for the future she was to obey the orders of Dr. Lemieux, the House Surgeon, in relation to the duties of steward, and that if this deponent took or obeyed any orders given by Mr. Cutter, the steward, she should be immediately discharged.

That on the afternoon of the last named day, this deponent went as directed by the Secretary to Dr. Lemieux and asked for tea to make for the establishment, and received for answer that he had no tea nor was not going to look after it, whereupon this deponent went to Mr. Cutter and asked for the tea, which Mr. Cutter gave her, and she made it as usual, otherwise the patients would have been without tea on that evening.

That on the following morning, Saturday, the 18th of January, Mr. Cutter came into the kitchen as usual, and ordered this deponent to go with him to the cellar for the beef, he, Mr. Cutter, having the keys of the cellar in his hands. That this deponent, knowing that Dr. Lemieux could not give the beef any more than the tea, went with Mr. Cutter as ordered, and received the beef for dinner, otherwise no dinner would have been prepared for the patients on that day. That on the evening of the 17th January, this deponent having no order as to the number of diets, for the reasons before stated, made the quantity of tea

that deponent thought would be required, and when it was served out there remained from a quart to three pints. That after tea, Dr. Lemieux came into the kitchen and told this deponent that if there was as much tea left in the morning this deponent should be out of Hospital before the same hour to-morrow. That there was no tea left on the following morning, yet this deponent received her discharge within twenty-four hours, that is, about three o'clock in the afternoon of Saturday the eighteenth.

That one Sarah Garland formerly a nurse in the Hospital who had been discharged about two or three months since by Dr. Douglas for improper conduct to the matron, came to this deponent's residence about a week since, and stated that she had been sent by Dr. Lemieux to know if this deponent would like to return to the Hospital, and said if she would Dr. Lemieux would take back this deponent, as well as herself, Ann Garland, as soon as Mr. Cutter would be out of the Hospital.

That this deponent did not go to Dr. Lemieux, but her husband did, and as he stated and will attest on oath if required, he saw Dr. Lemieux, who said he was sorry that his wife (meaning this deponent) had been discharged, and that it was not his, Dr. Lemieux's, fault, but that as soon as Mr. Cutter was gone from the Hospital, she should be surely back in her place, and that her room was ready for her, and that he had always found her a decent, honest woman; and that the porter, John McDonald, was also a decent honest man, and one of the most obedient porters he had ever had, although he had been discharged.

That this deponent knows one Jane Hamilton, a nurse in the Hospital, and that she is a bold, forward woman, and bears a very bad character in the Hospital. That this deponent has seen Mr. Beaubien, the Apothecary, with his arms around the waist of Jane Hamilton in the kitchen of the Hospital, and that she, Jane Hamilton, used to get scent and essences and medicines for herself

and her friends out of the Hospital surgery. That this deponent knows that Jane Hamilton has appropriated other Hospital effects to her own use, besides those before enumerated; she, Jane Hamilton, having offered this deponent a sheet belonging to the Hospital to line a counterpane for herself with; and on this deponent refusing the sheet, saying she would not make a rogue of herself by using what belonged to the Hospital, as she could get the lining for a couple or three shillings, Jane Hamilton replied, "that they were all making their fortunes in the Hospital, and why would not she, the deponent, do the same." That this deponent knows that Jane Hamilton also offered half a sheet to one Moore, a nurse in the Hospital, to line a gown with; which Moore refused to accept, because it belonged to the Hospital. That this deponent knew one Kate Henderson, who was a patient in the Hospital during upwards of three months, as this deponent thinks. That Kate Henderson declared herself to be a married woman, and was a handsome and lady-like person, and apparently quite superior to the position she was then in. That she, Kate Henderson, told this deponent that Dr. Lemieux, the House Surgeon, was making love to her, and that he often tried to kiss her, and that she was tired of his importunities, which this deponent joined with Kate Henderson in declaring to be improper. That on one Sunday evening Dr. Lemieux, the House Surgeon, asked this deponent why she, the deponent, allowed Kate Henderson to be so often in her room, to which deponent remarked, why do you ask now that she is near being discharged, when he, Dr. Lemieux, knew that she had been coming in and out of her (deponent's) room for nearly two months, and supposing that he, Dr. Lemieux, alluded to her honesty, deponent remarked that she had never missed anything after Kate Henderson.

That Dr. Lemieux then asked this deponent whether she had heard Kate Henderson say anything regarding his character or conduct towards her, to which this deponent replied no. That Kate Henderson had, nevertheless, complained of Dr. Lemieux's conduct previously, but Dr. Lemieux making the inquiry excited deponent's suspicions, on which account she answered no, instead of the truth, which would have been yes. That previous to this conversation with Dr. Lemieux, Kate Henderson had given this deponent two rings (one of which was her wedding ring,) to keep for her in safety, as she declared that she was frequently wakened at night when in bed by Dr. Lemieux hanging over her and handling her, both her hands and her mouth, and particularly the hand with the rings upon it, and that she was afraid he (Dr. Lemieux,) would take them off her fingers in her sleep. That on the Sunday evening above referred to, Dr. Lemieux told this deponent that Kate Henderson was not a virtuous woman, that she had been unfortunate not once or twice but two or three times, having been seduced that number of times by officers at home.

That this deponent knows and has told the Commissioners that Dr. Lemieux used the potatoes and onions belonging to the patients (excepting Dr. Morrin, who was not present,) and this for his whole establishment, and during the whole summer, until the Steward, Mr. Cutter, complained of it. That this deponent knows that Dr. Lemieux's servant used the soup of the patients in the Hospital to make pea soup, and so on for Dr. Lemieux's table, during the whole summer, until Mr. Cutter complained as above stated.

The foregoing having been read, the deponent persists in declaring it to be the truth, and hath signed.

ELIZA EDMONDS.

Sworn before me, this 24th
February, 1851,

(Signed,) G. HENDERSON, J. P.

The foregoing affidavit having been read to Richard Edmonds, husband of the above named Eliza Morton, he declares that portion of it having reference to him and Dr. Lemieux to be correct and true.

(Signed,) RICHARD EDMONDS.

Sworn before me, this 24th
February, 1851,

(Signed,) G. HENDERSON, J. P.

True copy of the copy addressed to the Commissioners by Wm. Marsden, M.D., and certified by him as a true copy of the original remaining in his possession, which said certificate is dated 1st March, 1851.

(Signed,) N. CASALT,
S. T. C. M. and E. H.

No. 6.

Province of Canada, }
District of Quebec. }

Catharine Donnelly, spinster, aged about 20 years, being sworn upon the Holy Evangelists of Almighty God, doth depose and say as follows:

That this deponent has lived as servant with Mr. Cutter at the Marine and Emigrant Hospital for nine months past. That this deponent knows Dr. Lemieux the House Surgeon, Mr. Beaubien the Apothecary, and Jane Hamilton a nurse in the Hospital.

That this deponent has frequently met Mr. Beaubien and Jane Hamilton in familiar intercourse in the dark passages of the Hospital and has surprised them.

That as recently as a week ago, that is upon the 13th day of the present month, the deponent heard Mr. Beaubien calling "Jane" and Jane Hamilton answered in a low voice "yes," and proceeded along the passage into an empty room where they remained some time, this was about seven o'clock in the evening.

That this deponent has frequently seen Mr. Beaubien waiting in the passages and on the stairs for Jane Hamilton, who used to join him and then proceed to some part of the building together, but where deponent does not know as her duties did not lie in the wards.

That Dr. Lemieux the House Surgeon, has frequently attempted to take liberties with this deponent. That he has frequently stopped the deponent and tried to put his hands in her bosoms. That the last time Dr. Lemieux attempted to put his hands in this deponent's bosoms, he had been watching her for some minutes and had followed her to the door of the clothes-room, where he placed himself in the door-way, so that deponent could not pass him without being touched, and on her passage out attempted to put his hands in her bosom which this deponent resisted in great anger, saying that the next time he attempted to do that, she, deponent, would report him to Mr. Cutter. That since this last named circumstance, Dr. Lemieux's conduct has been entirely changed towards this deponent, being rude and repulsive, and threatening to get this deponent discharged, to which deponent replied, that if she, deponent, were like Jane Hamilton, he would not threaten her. That previous to this deponent's threatening Dr. Lemieux, his conduct has been most amorous and loving, and his language of the most warm and loving nature, and his gestures and attitudes and actions beastly and disgusting and unfit to describe. That Dr. Lemieux has attempted to look up this deponent's petticoats when coming down stairs, on two different occasions, and this deponent has desired him to desist which he nevertheless did not do, but continued to attempt to look up.

That Mr. Beaubien has done the same thing to this deponent with the same results. That one Joseph Neale, a night nurse, who saw attempts upon this deponent's person when she first went to reside in Hospital, cautioned this deponent, saying to take care of Lemieux and Beaubien, as he knew their conduct better than she, deponent.

That this deponent on one occasion last autumn, went up to Dr. Lemieux's room for one Mary Pines, who was scrubbing the ceiling, mounted on a scaffold, and deponent asked why she, Pines, did not come to breakfast sooner, to which she replied that she could not come sooner as Dr. Lemieux and Mr. Beaubien were trying to look at her legs and so prevented her coming down, and she, Mary Pines, was obliged to put on a pair of her husband's drawers to finish the work in them.

That this deponent had both heard Dr. Lemieux and Mr. Beaubien spoken of as libertines before she came to the Hospital.

That one Mary Lehman, a German, used to complain to this deponent of the liberties that both Dr. Lemieux and Mr. Beaubien used to take with her, and one day told this deponent in tears, among other things, that Beaubien had taken hold of her (Lehman's) hand and tried to compel to handle his person. This was before deponent came to live at the Hospital in the summer of 1849. That this deponent knows one Kate Henderson, who was a very handsome woman and very like a lady and had very nice manners, and who was a patient in the Hospital last summer. That this deponent heard Kate Henderson complain several times to Eliza Edwards, that Dr. Lemieux was taking liberties with her and paying his addresses to her after night when she was in bed. That she had been several times wakened up by Dr. Lemieux handling her, Kate Henderson, and one night on asking Dr. Lemieux what he wanted with her, Kate Henderson, he replied that her teeth were so handsome he liked to be looking at them, that Kate

Henderson's teeth were very handsome and as white as ivory.

CATHARINE ^{her}  DONNELLY
mark

Sworn before me at Quebec, this 24th day
of February, 1851.

(Signed,) E. BACQUET, J. C. S.

A true copy of the original remaining in
my possession.

(Signed,) W. MARSDEN, M. D.

March 1st, 1851.

Catherine Donnelly being sworn anew upon the Holy Evangelists of Almighty God, doth depose and say in addition to her former affidavit;—That one day during last summer, this deponent saw an old man, a patient in the Hospital, in one of the lower passages asking for a drink of water, which this deponent was in the act of shewing him where to get, when Dr. Lemieux, the House Surgeon, came up, saying to the patient, "what fetched you here you damned brute, go up stairs," he, Dr. Lemieux, at the same time pushing the man so violently that he would have fallen had he not been caught by the bannister of the stairs, and calling him a "*sacré Irlandais.*" That the poor man aforesaid was so weak, that he was obliged to sit down on the second step until the nurse Dennis came to assist him to walk, he being so weak that he could not get up stairs again alone.

CATHARINE ^{her}  DONNELLY.
mark

Sworn before me, this 28th day of Feb-
ruary, 1851.

(Signed,) G. HENDERSON, J. P.

A true copy of the original remaining in my
possession.

(Signed,) W. MARSDEN, M. D.

March 1st, 1851.

A true copy of the copy addressed to the
Commissioners, by W. Marsden, M. D.

N. CASAULT,
S. T. C. M. and E. H.

MARINE AND EMIGRANT HOSPITAL.

QUEBEC, 25th April, 1851.

N. CASAULT, Esq.

S. T. C. M. and E. H.

SIR,

In obedience to the requisition of the Commissioners, I have the honor to address to you, in relation both to the affidavits brought forward by Dr. Marsden, and to the inquiry made by them into my conduct, the following remarks, which I would beg of you to lay before the Commissioners as my defence, calling their attention to the fact that I limit my answers to what particularly concerns myself.

If I declared, that all the charges brought against me with a view to my destruction, are the results of a plot between Mr. Cutter and his worthy friend, Dr. Marsden, I should do no more than assert what I firmly believe. It will, I trust, be sufficient that I remind the Commissioners of the insults, the slander, and the calumnies poured upon me by Dr. Marsden when I applied to be appointed Apothecary, and of the efforts which he has since made to destroy in their minds the effect of the certificates which I then produced, and to which I would now again invite the attention of the Commissioners. I may, I hope, be permitted to explain the motives of this dislike—this hatred of Dr. Marsden towards me. I pursued my first studies under him as Nicolet, but the drunken, debauched, and immoral habit to which he had addicted himself, compelled my friends to remove me from him, at the time when I left them, and to

break my indentures which he would not agree to cancel. This is what converts him, to the amazement of all who know what he has been and what he is, into a moral censor ; I mistake, a slanderer and an impostor. It was natural that such a man should find a fit associate in Cutter, and that both should find, in menial servants of the Hospital dismissed for bad conduct, accomplices or dupes who were not proof against their liberal promises, unlike Mary Mitron one of the witnesses examined on the inquiry.

One fact, bnt still a fact, and that a misdemeanor of a very serious character, has been established against me by the inquiry and the affidavits ; for as to the other charges brought against me in the affidavits, as to the constructive proofs which those affidavits contain, they are so vague and so characterized by an evident desire to exaggerate, that I do not pause to consider them or remark upon them. This fact has been twice established on oath by Richard Edmonds. I was confounded and astonished by the reading of this man's affidavit. Strong in my innocence, I yet despaired of being able to prove it, when, in the course of the inquiry, Edmonds particularized the time of his having surprised me : within the first fortnight, he says, after his admission to the Hospital, which he states on oath to have been on the 17th September, 1849, (the Registers have it the 18th) he twice surprized me in the operating room in criminal connection with Jane Hamilton. It is proved in the evidence of Mr. Godbout, who succeeded me as Apothecary, and in that of nurse Catharine Moore, who attended me, that on the twentieth of the same month, two days after the arrival of Edmonds, I was confined to my bed by an attack of typhus fever ; on the twenty-fourth, six days after, my disorder had made such progress, that Dr. Lemieux called in Drs. Rowand and Painechaud in consultation, and resigned me to the attendance and treatment of the latter, as appears by the certificates of those two gentlemen hereto annexed. The same man makes oath that he saw me in

the evening leave the same room in company with Jane Hamilton, without a candle, swears also that I bore a bad character in the Hospital. If after this man's shameless perjury, the Commissioners could still place any reliance on his deposition, I might appeal to the whole tenor of the evidence in which my character is advantageously established by all the respectable witnesses whom the Commissioners called before them, as well as by those whom Dr. Lemieux produced, and whose evidence is as favorable to me as it is to him.

The base wickedness of Edmonds and his impudent perjury furnish strong presumption against the veracity of the other persons who have made affidavits against me, and render it unnecessary in my opinion, to notice charges and statements of minor importance as they affect my character, and almost all founded on hearsay. It may be sufficient that I invite the attention of the Commissioners to the absurdity of an order alleged to have been given by Jane Hamilton to Mary Fitzgerald to make the bed which had been the scene of her shame, instead of making it herself, a proceeding which would argue a shameless and impudent arrogance in crime, which one cannot believe even in a woman of licentious life; and the malice evinced by the notice of a gesture, unbecoming perhaps, but which, even if true, could not be considered criminal since it was said to have been done openly in the presence of several persons. I mean the allusion of Eliza Morton to the fact that one day in the kitchen I passed my arm round Jane Hamilton's waist, a freedom which I should certainly have avoided most carefully, had my conduct with that person been such as represented.

I might also notice the essences and perfumes which she says I distributed, but which the Commissioners well know are not found in the Surgery, (*apothicarerie*,) as well as the character for debauchery which Catharine Donnelly says I bore to her knowledge, before she entered the Hos-

pital, but I will not exhaust the patience of the Commissioners. The Reverend Mr. McMahon unveils the character of Mary Fitzgerald. Eliza Morton, Edmond's wife, whose connexion with such a man should discredit her evidence, turns out to be something more than suspected (in the inquiry into the conduct of Mr. Cutter, her associate and accomplice,) of sharing in the abstraction of the Hospital stores. Finally, Catharine Donnelly, who is still in Mr. Cutter's service, by acting as her master's agent in the attempt to bribe Mary Mitron, has shewn how worthy she is of credit as a witness.

I have, &c.,

(Signed,)

J. T. C. BEAUBIEN,
Apothecary, M. & E. H.

QUEBEC, *April 4th*, 1851.

I, the undersigned, certify that Mr. Thilespore Cléophas Beaubien was sick and unable to leave his room in the autumn of 1849, that is to say, from the 24th-25th September, and that he left the Hospital on the same day on which he was first able to leave his room.

(Signed,)

JOS. PAINCHAUD.
Vist. Phy., M. & E. H.

A true copy.

N. Casault,

S. T. C., M. & E. H.

I certify that Thélespore Cléophas Beaubien, Apothecary to the Marine and Emigrant Hospital, was ill of typhus fever on the 24th or 25th of September, 1849 ;

and that I saw him often in consultation with Dr. Painchaud.

(Signed,
4th April, 1851.

ALEX. ROWAND,
M. D. E.

(True copy.)

N. Casault,
S. T. C. M. and E. H.

MARINE HOSPITAL,
QUEBEC, *May 1st*, 1851.

To the Commissioners of the
Marine and Emigrant Hospital.

GENTLEMEN,

The inquiry into my conduct as House Physician to the Hospital being terminated, I may be permitted to review and analyze it, without apology or preamble.

I am desirous of adding to the documents which I have already fyled in the course of the inquiry, the following papers, which I consider to be necessary to my defence, and to the defence of those persons who were included with me in the charges.

1. An affidavit sworn by Bridget Rooney, 20th March, 1851, before J. B. Trudelle, Esq., J. P.

2. An affidavit made by Thomas Buens, 25th February, 1851, before Edward Rousseau, Esq. J. P.

3. Two certificates dated 28th March, 1851. One from Dr. Painchaud, the other from Dr. A. Jackson.

4. Two extracts from the Register of deaths, dated 25th October, 1850, made by Rev. Mr. Richardson, Catholic Chaplain, one concerning Catharine Costello, the other of Ann Sheely.

5. Eleven certificates and recommendatory letters in favor of Jane Hamilton, partly written in Ireland, partly in Canada.

Of the six persons who furnished Dr. Marsden with affidavits against Mr. Beaubien and me, four were examined anew before you, in the course of the inquiry.

I shall not dwell upon the radical and striking discrepancies which exist between their testimony as given before you, and the affidavits as drawn up by Dr. Marsden, as I am desirous of noticing and examining the charges in succession, and answering them as far as I am able. I must invite your attention, however, to the circumstance, that parties examined by you touching matters of which they had personal knowledge, confessed that things to which they had sworn positively in their affidavits, had come to their knowledge only by report or hearsay, and that the facts deposed by them before you, contained the whole sum of their personal knowledge in the matter, and consequently all that they could lawfully depose as being of their personal knowledge; and I do this to show how little reliance can be placed on the testimony of persons who make a mockery of an affidavit, and disregard the solemn obligation of an oath.

The first affidavit is that of Richard Edmonds, who endeavors to prove that male genital organs were constantly exposed to view in my room, and that he had seen them from the outside. Eliza McNaulty, Bridget Sweeny, and Mr. Bellaumin Godbout clear away that charge by their positive affirmation on oath that they were so exposed no more than one day, and (in this sustained by M. Victor Pelletier,) that they were not visible from without.

With respect to the other organs of generation which Edmonds may have seen in the Hospital garret, Dr. Painchaud and Mr. Godbout testify that they belong to the Hospital, and were there before I entered it as House-Surgeon. If they have any bearing on the inquiry at all, its effect must be to apologise for my possession of such things. Everything which I advanced on this head in my letter of the 8th January last, is fully sustained by the result of the inquiry.

I might make the same remark respecting the funerals, with which I did not interfere, for the plain reason that it formed no part of my duty to do so. And I beg to refer the Commissioners to the 7th Rule for the Steward's duty, and also to the testimony of John Helstip, Mr. Godbout and Mr. Pelletier, who all concur in saying I never interfered with them in any degree; finally, to that part of Edmonds' own deposition, in which he admits that I gave no orders to the porter to take out one of the two bodies which I had understood to be in one coffin; but that, on the contrary, I directed Mr. Cutter to be informed that one of them ought to be removed; and to the fact that he did not in your presence sustain his assertion that I was present when the child Scales was buried.

As to Kate Henderson, the ill-will and the falsehood of all who mention her in their affidavits appear in their description of her. This pretended lady, who was superior to her condition, and whose poverty alone, they said, had reduced to seek refuge in the Hospital, had been brought thither by the venereal disease; had a character of more than doubtful morality before her admission; behaved indecently while there; had by the Visiting Physicians been lodged in a passage apart, so that she might have no intercourse with the other patients; and even when she left the Hospital was still laboring under the disease for which she had been admitted. I ask then, Gentlemen, whether I, a physician, fully cognizant of her disease, could become guilty of what is laid to my charge by this girl; and are not her chaste apprehensions for her virtue and her jewelry pure inventions of her own, or of those who tell her story? I refer the Commissioners to the testimony of Catherine Moore, of Mary Fitzgerald, of Messrs. Godbout and Pelletier, of Drs. Painchaud, A. Jackson, and J. Hall, as well as to the certificates annexed, being those of Drs. Painchaud and Jackson, which confute not only Edmonds' story concerning Henderson, but also those of Eliza Morton, his wife,

and Catherine Donnelly. I might very well have omitted all mention of Kate Henderson, as nearly all that is said of her rests on hearsay, but I choose not to leave a shadow of doubt on the minds of the Commissioners.

I am conscious that it is futile to sift with such minuteness every item of testimony the credibility of which is so thoroughly destroyed by a single fact. Turio Edmonds stated on oath that he had seen Jane Hamilton and Mr. Beaubien in criminal connexion. This was, he stated, within a fortnight after his arrival in the Hospital; now, two days after he entered the Hospital, Mr. Beaubien was confined to his bed by typhus fever, and so continued till the first of November. On that day he went into the country, and there remained a fortnight, as may be seen by the certificates of Drs. Painchaud and Rowand, and by the testimony of Catherine Moore and Mr. Godbout. This impudent, bare-faced perjury ought of itself to shew sufficiently, in my opinion, the base plot laid for our ruin and the falsehood and malice of our accusers. What was to be expected from such persons, who, to effect my ruin, have carried their baseness to the length of perjuring themselves?

Whatever I have remarked concerning Richard Edmonds' evidence, relative to interments, will apply equally well to John McDonald's, but in the testimony of the latter there is more falsehood. The corpse of Catherine Costello, aged eighteen months, was retained, he says, by my order, three or four days; then, he continues, resolved not to obey the barbarous order which I gave him, to bury it behind the Hospital, without a coffin, he put it into a coffin with another person, and thus sent it to the grave-yard.

Two deaths only occurred in the Hospital from 19th October to 6th November, 1850; those of Catherine Costello and Anna Sheely. Both these persons were interred separately, according to the statement of Mr. Richardson during the inquiry, and according to the proof furnished by the two certificates which I produce. I have said, and I

repeat it, that the only order which I ever gave to the porter on the subject of any interment was comprised in the words, "Yes," or "No," when, either before or after the *post mortem* examination of the body, he came by the Steward's order, to ask me whether he might put the body into the coffin. Had care not been taken to include Mr. Beaubien in the charges made against me, he would prove that such were the only orders that I ever gave, and that I took no concern in the burial of persons who died in the Hospital.

The absurdity of certain statements of Mary Fitzgerald's, and the loose and general terms in which they are all expressed, might have justified me in omitting to notice them, but my prospects for life are at stake, and I may well be forgiven if I enter into details which are futile and irrelevant. This woman swears that Jane Hamilton bore a bad character in the Hospital, that she made no secret of the reports in circulation about her, and often talked them over with the patients. Nevertheless, of twenty-eight witnesses whom you examined, nearly every one bore witness to Jane Hamilton's good character. How happens it that nobody knows or says any harm of her except Mr. Cutter's confidants? Had her bad conduct and character been as notorious as they pretend, how happens it that neither Commissioners, Visiting Physicians nor Chaplains, knew anything about it? How happens it that so immoral and shameless a woman repelled the infamous proposals and attempts of Mr. Cutter? This is acknowledged by the person who undertook to make the base proposal. How happens it that she would have left the Hospital in the spring of 1850 to escape from the insults of Mr. Cutter, which came to my knowledge and that of the Catholic Chaplain, and to which we jointly put an end?

I am not afraid to make the assertion: Mary Fitzgerald repeated, on oath, the lesson taught her by Cutter and Dr. Marsden, or even by another, whose name I do not choose

to mention. They it was who prompted her to say that justice was not to be had from French Canadians ; and that, ignorant of European manners and customs, we often heedlessly wounded the feelings of the patients. This latter charge, an ebullition of national antipathy, I might hold to be met by the whole tenor of the enquiry, by the evidence of all who were under my charge in the Hospital, and by Richard Edmonds himself. I shall cite none but the flattering testimonial of Dr. Douglas, whom I have a right to look on as no friend of mine. I might have proved that Mary Fitzgerald was a prostitute of many years' standing—a woman of the most depraved morals, and not to be believed on her oath ; but Mr. McMahon's letter bearing on her character was in my hands, and spared me any trouble of the kind.

Mary Riley is the only witness whose testimony bears upon a fact capable of seriously injuring my character. She is alone with Catherine Donnelly in making a direct attack on my morals ; the others have assailed me by implication, nothing positive and tangible : Edmonds and his wife, before you, were compelled, so far, to do me justice. Who, and what is Mary Riley ? By her own confession, she is the tool of Mr. Cutter's infamy, the base pandar, who, according to Rev. Mr. Beubien, Mr. Godbout, Susan Healy, Catherine Moore, and Bridget Rooney's affidavit, hereto annexed, labored to seduce women to his licentious views ; a woman of dissolute life, who has had three children by three different fathers ; who swears that she has been a wife, and has never been so ; who has changed her religion three or four times from interested motives ; a drunkard, whose depraved appetite for liquor drove her to drink even the alcohol which had been used to bathe cholera patients ; a woman whose drunken habits and dissolute life had procured her dismissal from the Hospital, and who states, nevertheless, on oath, that she left it of her own accord. This is the woman who charges me, on oath, with having

been found by her three different times in the operating-room, in the very act of criminal connexion, but who, before you, can remember only two occasions on which she so found me. It is right to remark the cunning choice which Edmonds and this woman have made of the only room in the Hospital into which there is a view from the outside. Had Mr. Beaubien and I been disposed to commit the crime with which we are charged, it is hardly to be presumed that we should have chosen the room for our purpose in which we might be seen, while our bed-rooms open in the same passage at the extremity of the Hospital and opposite to that very operating-room, perfectly removed from every prying eye, and where no one could have thought of watching us. But a place was to be selected for their purpose in which they might say they had seen us without being seen, and that room suited their views. Nothing can come up to the absurdity of the remonstrances which she says she made use of towards Jane Hamilton, and of the acknowledgment which she says she got Hamilton to make in a moment of repentance, coupled as it is with the acknowledgment which you drew from her in the course of the inquiry, that she had herself tried to bring Jane Hamilton to consent to Mr. Cutter's unchaste proposals. She swears besides, that Jane Hamilton bore a bad character in Ireland, was there expelled from an hospital, and that here she is rough and cruel in her treatment of the patients; facts which are contradicted by the certificates which I produce, by the whole result of the inquiry, and, as to the Irish part of them, further testimony of Susan Healy. What could have influenced that woman to invent her story about me and Jane Hamilton? Her jealousy of the latter, who had no more right, she says, to be kept in the Hospital than she had, and her hatred of me whom she considered as the author of her disgraceful discharge.

Sufficient reasons to discredit the evidence of Eliza Morton might be found in her connexion with Richard

Edmonds, but additional grounds are furnished by the fact, proved during the inquiry into Mr. Cutter's conduct, that in his embezzlement of the rations, she was his accomplice and his partner, and were any other incentive needful to be shown up, it exists in the declaration which she makes, that she was unjustly discharged. Her anger once vented, she gave evidence which is far from unfavorable to me. Sarah Garland disproves her assertion, that I sent for her (Morton.) It is absurd to allege that I told her husband that he, she, and John McDonald were the best servants of the Hospital, since all three of them were dismissed by the Commissioners, I may say, at my desire.

She saves us the trouble of disproving what she states in her affidavit, that Jane Hamilton had made away with property belonging to the Hospital, for her own use and that of her friends, as well as her statement relative to my having done the same thing; not that I needed her self-contradiction; the evidence of Catherine Moore and Bridget Sweeny are, I think, conclusive to vindicate me from that charge. I must notice, however, the malice of the construction which she puts upon my prohibition of her visits to Kate Henderson, while she admits before you what Catherine Moore confirms, that I had sent, by Moore herself, to inform her what was the matter with Kate Henderson.

Last comes Catherine Donnelly, then as now seryant to Mr. Cutter. The tone of her deposition, the self-possession with which a young girl of twenty describes the liberties which a man has taken with her, would sufficiently establish her character, and render her morals as suspicious as her veracity, even if she were not in Mr. Cutter's service. She says she was aware what characters we bore, even before she entered the Hospital. Mr. Beaubien and I were considered as two libertines. This imputation, clearly disproved by the result of the inquiry, by which it appears that we have both borne unimpeachable characters, would, if

true make against herself. For what are we to think of a young girl, who, purposely, exposes herself to the insults of two libertines—of a young girl who went to live in the Hospital, knowing, as she says, that another young girl of her age, Mary Lehman, had endured insults from its inmates. The history of Mary Lehman has been already sufficiently detailed during the inquiry into the conduct of Mr. Cutter. This miscreant, not satisfied with abusing the weakness of a young creature, whom he had adopted as his own child solely to seduce her and to gratify his lust, would lay upon others a share of the shame and of the infamy of his conduct, and employs as his agent in the hallowed work another young girl, whom, if not already ruined before, I should not hesitate to affirm that he has ruined. She was an acquaintance of Kate Henderson, who doubtless had her sympathy. She witnessed my harshness towards the patients, but better informed than Edmonds, she has the sense to sustain her accusation by using the name of some one who is some where in the United States. It would be a waste of time to dwell on the testimony of a woman who has shown herself unable to resist a seduction, the object of which was to render her the tool she is in the hands of her suborners. Catherine Donnelly is the person who, deputed by Mr. Cutter, offered money to Mary Mitron to induce her to give evidence against me.

It is not difficult now to understand why Mr. Beaubien has been joined with me in the charges, and why recourse has been had to perjury to blacken him equally with myself. He resided and was in daily official contact with me; his evidence would have completely cleared me; but I cannot imagine with what view Jane Hamilton was joined in the charges—without question the best nurse in the establishment, and a person who is proved by the result of the inquiry, to be not only of irreproachable character, but worthy of the highest praise, which is indeed abundantly bestowed on her by the ministers of a religion different

from her own, unless it were Mr. Cutter's desire to revenge himself for her contempt of his proposals.

I come now to the charges exhibited by the Board of Trade. And here again it is evident that, not only Mr. Beaubien and myself, but also the Commissioners are the victims of a plot of which some one in the Hospital must be the inventor and the director.

The explanations which I have already given on the subject of the Will having been satisfactory to His Excellency, I might spare any allusion to it; but I cannot avoid answering the charge of having been an accessory to the false entry which Mr. Cutter made in the Book of Deposits, availing himself, for that purpose, of a blank left before my initials, which I had written there in order to attest the deposit, and not the re-delivery of the money to the depositor. You have yourselves ascertained that I certified nothing but the deposit, and the perversion of which I am accused by Mr. Cutter, as being accessory to it, together with himself, and which he says is our common concern, falls back on him and covers him with infamy. The criminal who divulges his own knavery solely to have the satisfaction of implicating another, has sunk to a depth of moral degradation, of which society happily offers but few examples, and this cool audacity of wickedness would be proof sufficient were other proofs wanting of the total worthlessness of the evidence of such an accuser.

As to attempts at religious conversion of the patients, not only does the inquiry clear me of that charge, but I venture to aver that nothing of the kind has ever happened in the Hospital, at least to my knowledge, since I entered it as House Physician. Two-thirds of the servants, who are alleged to be all Catholics, and are accused of participating in the said attempts, are actually Protestants. If any sect has reason to complain, it certainly is the Catholics, who, although furnishing the majority of the patients, at least since I have been connected with the Hospital, as

may be seen in the annexed table, have nevertheless but few of their religion among the servants who belong to it.

I think I have fully and satisfactorily answered the charges brought against me by Mr. Cutter, by the Board of Trade, and by Dr. Marsden, and that I have fully proved to you that those charges had their origin in any thing rather than my criminality. I have the consciousness of my innocence, and the conviction that with all the facts before you, you acknowledge it, and that I have respected as a sacred trust the morals and the religion of patients and servants, and the property both of the establishment and of the patients themselves. Still young, and at the outset of my career, a member of an honourable profession, and filling under Government a situation both honourable and confidential, although innocent, I felt humiliated on being attacked by the combined efforts of malice and treachery. Almost faster than I could parry them, came on the attacks of hatred and prejudice. I saw no bounds to the efforts of revenge, which every day assumed new shapes—every day more deeply plotted my destruction.

Witnessing the peculation and the immoral scenes acted in the Hospital, I felt that I had a duty to fulfil; and notwithstanding my repugnance to the office of an accuser, I laid before you the serious complaints which certain sailors had laid against the Superintendent on leaving the Hospital, with those facts annexed which were the result of my own observation.

I did not call for an inquiry. Having the facts before you, and those of so grave a character, it was for you to decide whether an inquiry was necessary. You thought it was: and you know, Her Majesty's Government knows, whether it proved more or less than I alleged.

Mr. Cutter, who at first stood merely on the defensive, was excited by an unseen prompter, to accuse me of precisely those crimes and the disgusting immorality which marked his own case.

The same invisible prompter directed the proceedings of the Board of Trade, and urged them to set up vague charges, the odium and the disgrace of which must necessarily, as a result of the inquiry, fall back upon their own heads if they persist in screening the hidden accuser.

The press was set to work in the cause, and that evidently by the same invisible hand.

The Visiting Physicians were set in motion also, by the same unseen power, and all the parties concerned in the work of accusation, moved by this invisible prompter, pressed forward unwittingly and passively to defeat, for the benefit of [the unseen] one. Lastly, Dr. Marsden, obeying the same power which had set so many others in motion, lends his hand in aid of Mr. Cutter's dirty work, doubtless because he has fallen from sight and light as he has done. He produces before you a mass of charges, duly scrolled and sworn to.

Now what but this hand, pointing the dagger in the dark, arming with it every hand, could have enlisted such a person, entirely unconnected with the Hospital, as a fiery volunteer in the cause? Why has he undertaken with untiring fanaticism to stand forth as the champion and avenger of religion and morality, which he affirms are daily outraged in this establishment? Such a part is not consonant with his natural character. Is he not, in fact, notorious, before you and the whole world for his immorality? Does not the public know, that although a married man, he is the fancy-man and the bully of a house of ill-fame? Has he not been seen walking, without shame, through the streets of the city, with the ignoble mistress of the bawdy-house which he patronises?

In order to find my accusers, he had to band himself with the off-scourings of the streets, to secure whom, he paraded them in his own carriage. If it were needful for my exculpation, if above all, common decency did not forbid it, I might allege with circumstances not to be denied or

disproved, the moral degradation of this man, the foremost among my accusers. But there is a bound, beyond which self-respect and respect for others, forbid the honourable man to pass, even to secure the triumph of truth and justice, but in the very extremity of need. Happily, and by the favour of Providence, I come forth from the inquiry in a position demanding no such sacrifice.

Mr. Beaubien and I are therefore the victims of a plot hatched in the impure and fermenting filth of depraved hearts, whose poisonous fumes make virtuous modesty sicken and wither; and he who undertook to manipulate the mixture—all in the cause of religion and morality—is Doctor William Marsden.

It is fit that I apologise to you, Gentlemen, if after tearing the veil from the basest of conspirators, I have given too free a course to my indignation, and by the use of terms perhaps too energetic, have put slander out of countenance, slander, be it remembered, which has pursued me open mouthed for six months with a fury of which I did not think men capable.

Permit me to request that you will be pleased to submit this my defence to His Excellency at the same time when you submit to him the other documents relative to the inquiry.

I have, &c., &c.,

(Signed,)

C. E. LEMIEUX,
House Surgeon, M. & E. H

A true copy.

(Signed,)

N. CASAULT,
S. T. C. M. & E. H.

List of servants employed in the Marine Hospital, during the month of June, 1850 :

Names.	Religion.
Jorham Moorehead,	Protestant.
John Kelstrip,	Protestant.
Jane Hamilton,	Protestant.
John McDonald,	Protestant.
Eliza Edmonds,	Protestant.
Joseph Neale,	Protestant.
Richard Edmonds,	Protestant.
Eliza McNaulty,	Protestant.
Joseph Cross,	Protestant.
Catherine Moore,	Catholic.
Sarah Garland,	Catholic.
Marianne McCarty,	Catholic.
Dennis Driscoll,	Catholic.

These servants remained throughout the summer at the Hospital, as long as their services were required. In the month of October they were the same, with the exception of Driscoll, Neale, Cross, and Edmonds.

(Signed,) C. E. LEMIEUX,
H. S. M. & E. H.

True copy.

N. CASALT,
S. T. C. M. & E. H.

A Table, showing the number of Protestants, Catholics, and persons belonging to other sects, admitted into the Marine Hospital, from 1847 to 1850 inclusive :

Years.	Prot.	Dissent.	Cath.	Total.
1847,	1403	549	3021	4973
1848,	482	180	368	1030
1849,	595	176	724	1495
1850,	423	164	629	1216
Total,	2903	1069	4742	8714

(Signed,) C. E. LEMIEUX,
H. S. M. & E. H.

Province of Canada, }
 District of Quebec. }

Bridget Rooney, servant of Mr. M. Marragh, master joiner, born in Ireland, and now of the City of Quebec, being duly sworn on the Holy Evangelists of Almighty God, deposeth and saith:

That she has known Mary Riley in Ireland, in the Poor House of Manor Hamilton, where said Mary Riley was employed as a nurse. That it is to the knowledge of the said deponent that the said Mary Riley, being a Roman Catholic, became a Protestant in the said Poor House of Manor Hamilton. That the said Mary Riley, on arriving at the Marine Hospital at Quebec, gave herself as a Catholic, but on leaving the same Hospital became again a Protestant. That it was of notoriety in the said Poor House of Manor Hamilton Hospital, that the said Mary Hiley was not a married woman, though she had three children, bearing three different names, and supposed to have three different fathers. The eldest of about ten years of age, called Robert Sweeny; the second, aged about six years, Mary Dolan, and the third, five years of age, called James McGowan.

The deponent further saith that she came with those three children to Quebec, where she, the deponent, hath seen them, and one of which, she is told the eldest, Robert Sweeny, is under the care of the Lord Bishop of Quebec, and cannot sign.

(Signed,)

BRIDGET ^{her} ~~X~~ ROONEY,
 mark.

Quebec, 20th March, 1851.

Sworn before me,

(Signed,)

J. BTE. TRUELLE,

J. P.

A true copy.

N. Casault,

S. T. C. M. and E. H.

Province of Canada, }
 District of Quebec. }

Thomas Burns, a sailor, formerly employed in the bark "John Karr," now residing in the City of Quebec, after having been a patient in the Quebec Marine Hospital since the thirteenth of November last to the seventeenth of February instant, being duly sworn on the Holy Evangelists, deposeth and saith :

That on Tuesday, the eighteenth of this month of February, eighteen hundred and fifty-one, he, the said Thomas Burns, called at the office of Archibald Campbell, Esq., N. P., on business. That the said deponent was leaving the office when the said Archibald Campbell, Esq., called him back, and wanted to know if he, the deponent, had been a patient in the Quebec Marine Hospital. That the deponent answered him he had. That the said A. Campbell, Esq., conducted the deponent in a private room, and wished to see the deponent's papers of discharge. That the said deponent gave them to the said A. Campbell, and took them in his hands, but who did not look at them. That the said A. Campbell, Esq., told to the deponent that he wanted to have him, the deponent, as a witness. That the said A. Campbell made many enquiries about the Quebec Marine Hospital, and that he asked from the deponent if he, the deponent, had heard something very hard against the officers of the Quebec Marine Hospital. That the deponent answered he had known of the patients having been deprived of a part of their rations, but that the said patients were all perfectly satisfied since the whole conducting of the establishment was in the hands of Dr. Lemieux. That the said A. Campbell, Esq., asked from the deponent if it was not true that Dr. Lemieux did try by all means to convert Protestants to be Catholic. That the deponent answered, he did not hear of the like. That the said A. Campbell, Esq., appeared much surprised by the deponent informing

him that he, the said deponent, a Scotchman, was a Catholic, as well as his own father. That the said A. Campbell, Esq., asked from the deponent this other question: "On your conscience, is it not a disagreeable thing to be amongst the Catholics?" That the deponent's answer was: "I will rather be amongst them than amongst the countrymen. I never found most decent and honest men as long as I have been amongst them." That Arch. Campbell, Esq., added nothing more, and that the deponent went away.

The present declaration being read to him, the deponent declareth and saith it is perfectly correct, and nothing but the truth; and requested to sign, he, the deponent, signs of his own hand.

(Signed,)

THOMAS BURNS.

Sworn at the City of Quebec,
this 25th day of February,
1851, before me,

(Signed,) ED. ROUSSEAU, J. P.

True copy.

(Signed,) N. Casault,
S. T. C. M. and E. H.

I, the undersigned, one of the Visiting Physicians of the Marine and Emigrant Hospital, certify that I had medical charge of a young girl named Catherine Henderson. This girl had syphilis, and was placed on the landing on the top of the stairs, so that she could be privately examined and attended to. When I ceased to attend, on the 15th of September, 1850, she was still an inmate of the Hospital.

(Signed,)

ALFRED JACKSON,

Quebec, 28th March, 1851.

V. P. M. and E. H.

True copy.

(Signed,) N. Casault,
S. T. C. M. and E. M.

QUEBEC, 28th March, 1851.

I, the undersigned, a Visiting Physician to the Marine and Emigrant Hospital, certify that at the commencement of the month of July last, an Emigrant girl was admitted into the Hospital, and placed in Fever ward No. 73. The House Physician had classed her disorder as "Febricula;" but, not finding even the slightest symptoms of fever present, I was on the point of sending her into another ward, when it was made known to me that her disorder was syphilis: she was accordingly placed under the charge of my colleague, Dr. Jackson, and lodged apart, at the top of the great staircase, near the garret, with a screen around her bed. As to the girl's name, I am quite unable to give it, not being in the habit of inquiring the names of my patients: it is sufficient that they are entitled to be received into the Hospital. However, as I am informed by M. Victor Pelletier, then acting Apothecary, and by the nurse, who still fills the same situation, and as both these parties make oath that the girl to whom I allude was called Catherine Henderson, I am almost certain that all this is correct.

(Signed,)

JOS. PAINCHAUD,

V. P. M. & E. H.

A true Copy.

(Signed,)

N. CASAULT,

S. T. C. M. & E. H.

EXTRACT from the Register of Baptisms and Burials of the Marine Hospital, for the year one thousand eight hundred and fifty.

On the twenty-fifth of October, one thousand eight hundred and fifty, I, the undersigned, Priest, interred in the burial-ground belonging to the Marine Hospital, the body of Catherine Costello, deceased, on the twenty-third of October, aged one year and a half.

At the said Hospital.

Present—Thomas Backley and Louis Nolia, who were unable to sign.

(Signed,) W. RICHARDSON, Pt.

Which extract I, the undersigned, Priest, performing the religious service of the said Marine Hospital, certify to be a true and exact copy of the original register in my possession.

(Signed,) W. RICHARDSON, Pt.

ST. ROCHS, QUEBEC, 4th April, 1851.

A true copy.

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

EXTRACT from the Register of Baptisms and Burials of the Marine Hospital, for the year one thousand eight hundred and fifty.

On the twenty-fifth of October, one thousand eight hundred and fifty, I, the undersigned, Priest, interred in the burial-ground of the Marine Hospital, the body of Anne Sheely, a native of Ireland, deceased the day before in the said Hospital, aged twelve years.

Present—Thomas Buckley and Louis Nolia, who were unable to sign.

(Signed,) W. RICHARDSON, Pt.

Which extract I, the undersigned, Priest, performing the religious duty of the Marine Hospital, certify to be a true and exact copy of the original register in my possession.

(Signed,) W. RICHARDSON, Pt.

A true copy.

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

CERTIFICATES OF JANE HAMILTON.

I certify that Jane Hamilton served as nurse in the Fever Hospital of this town for nine months, during which period she conducted herself honestly, soberly, and quietly.

(Signed,) THOMAS DAVIS,
M. D. and Surgeon, Med. Officer,
Manor Hamilton Fever Hospital.

Dated at Manor Hamilton,
the 6th April, 1849.

True copy.

(Signed,) N. Casault,
S. T. C. M. and E. H.

I have known Jane Hamilton for some time, and believe her to be a proper, well-conducted woman, quiet and orderly. She is a member of the Established Church.

Manor Hamilton, 6th April, 1849.

(Signed,) JOHN HAMILTON,
Curate of the Union of Manor Hamilton.

(True copy.)

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

We believe Jane Hamilton, late of this parish, to be a woman of very good character. We have known her for the last six years.

(Signed,)

JOHN HAMILTON,
Curate of the Union of Manor
Hamilton, Dist. Kilmore.

(Signed,)

THOMAS DAVIS,
M. D. and M. R. C. S.

10th December, 1849.

True copy.

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

I certify Jane Hamilton has always acquitted herself to my entire satisfaction, as a faithful and highly intelligent nurse, whenever she may have been called upon to act under my orders.

(Signed,)

A. ROWAND.

St. Louis street, 10th March, 1851.

True copy.

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

QUEBEC, 1st March, 1851.

I certify that Jane Hamilton has discharged her duty as a nurse in the Marine and Emigrant Hospital, from the 31st May, 1849, to this date, in a manner worthy of the highest praise.

(Signed,)

A. C. ROBITAILLE,
Visiting Physician.

A true copy.

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

The bearer, Jane Hamilton, has been employed in the Marine and Emigrant Hospital as nurse, since the 1st June last. She is a kind and faithful nurse, and is very active, honest, and trustworthy.

Marine and Emigrant Hospital,

Quebec, April 10th, 1850.

(Signed,)

ISAAC H. CUTTER,
Steward M. and E. H.

True copy.

(Signed,)

N. CASAULT,
S. T. C. M. and E. H.

QUEBEC, 25th February, 1851.

Jane Hamilton has been a nurse in the Marine Hospital since the summer of 1849. We never had a better in the Hospital. The Typhus ward was always her charge. I have had many opportunities of ascertaining her character and good conduct. She is extremely gentle and zealous in attending on the sick. She has attained middle age, is perfect and invariably sober, and her morals appear irreproachable. The late Steward, Cutter, said something to me to her disadvantage last autumn, but he alleged nothing in the least derogatory to her morals. His charge against her was, that she had accused him of falsifying his accounts.

(Signed,)

JOS. PAINCHAUD,
Vis. Phy. Mar. and Emigt.
Hospital, Quebec.

True copy.

(Signed,)

N. CASAULT,
S. T. C. M. and E. H.

QUEBEC, 18th December, 1850.

I knew Jane Hamilton during ten months or thereabouts when I had charge of the Marine Hospital in the capacity of Chaplain. During that period, her perfect neatness and cleanliness, her zeal in the discharge of her duties, her ready and cheerful attention to the patients, on whom she lavished the most tender care, were truly striking. Moreover, the patients themselves bore witness to her excellence, and I think that their testimony justifies me in attesting her honesty and trustworthiness.

(Signed,)

E. BONNEAU, Pt.
Ass. Pt. of St. Patrick's.

True copy.

(Signed,) N. CASAULT,
S. T. C. M. and E. H.

Having often had occasion to visit the Marine Hospital since Jane Hamilton has been employed there, and having had charge during one month of the Catholic patients in the establishment, whom I visited daily, I willingly add my testimony to that of the Rev. Mr. Bonneau, having frequently been struck with the zeal and intelligence with which she discharged her duty.

(Signed,)

C. F. CAZEAU,
Vicar-General.

Archbishop's Palace, 19th Dec., 1850.

True copy.

(Signed,) N. CASAULT,
S. C. T. M. and E. H.

ST. ROCH'S, 1st April, 1851.

The undersigned certifies that, during seven months that he has had charge of the Marine Hospital as Chaplain, Jane Hamilton has proved herself to be honest, worthy to be trusted, and truly zealous in the performance of all her duties.

(Signed,)

W. RICHARDSON, Pt.,
Chaplain M. and E. H.

True copy.

(Signed,)

N. CASAULT,
S. T. C. M. and E. H.

The undersigned certifies, that during five months since Jane Hamilton was admitted into the Marine Hospital as nurse, she has performed all her duties with the strictest regularity. Moreover, having passed a month and a half in the Hospital during the prevalence of the cholera, and being on foot night and day to administer the consolations of religion to the members of his Church, the undersigned was enabled to see and judge with his own eyes how matters were conducted, and, at the same time, to remark whatever irregularities existed. During that period, he has had the fullest reason to approve of the conduct of Jane Hamilton. He does not hesitate; he feels himself bound in justice to bear witness to her good morals, her regularity, and her faithfulness in the fulfilment of her duties.

(Signed,)

N. BEAUBIEN, Pt.
Curé of St. Vallier,
Late Chaplain to the Marine
Hospital.

Marine Hospital, 19th Feb. 1851.

True copy.

(Signed,)

N. CASAULT,
S. T. C. M. and E. H.

RETURN

FO. 45

ADDRESS OF THE LEGISLATIVE ASSEMBLY TO HIS EXCELLENCY,
THE GOVERNOR GENERAL

RELATING TO THE

MARINE AND EMIGRANT HOSPITAL,
QUEBEC.

PRINTED BY ORDER OF THE LEGISLATIVE ASSEMBLY

TORONTO

LOVELL AND GIBSON, FRONT STREET.

1851.