Provincial Parliament.

From the Montreal Pilot.

Meeting of the Parliament.

A STORMY DEBATE.

The Speaker and Members of the House of Assembly met in the Bonsecours Market Hall at ten o'clock yesterday forenoon, where such accommodation had been provided as the emergency permitted of. There was a pretty full muster of the members at present in town, but a general gloom pervaded men of all parties. The Mace had been somewhat bent and otherwise injured whilst in the hands of the mob. The officers of the House were in attendance; but there had been no time to make any convenient arrangements, or to warm the apartment, the atmosphere of which was so exceedingly cheerless and wintry, as to render the taking of notes a matter of some difficulty.

The Speaker having taken the chair,

Mr. Attorney General Baldwin, who spoke in an unusually low voice, said that he should for the present say nothing with regard to occurrences of last night, except that some inquiries were being instituted by the proper authorities, with a view to trace out the parties implicated in the outrage. Their first duty was to provide for the restoration of the orders of the day, and to ascertain what course should be pursued with regard to the bills actually pending before the House. He should therefore move the appointment of a Committee to ascertain what bills pending in the house had been destroyed by the late fire, and to consider and report the course which it might be proper to take with respect to such bills.

Mr. Viger seconded the motion.

Sir Allan MacNab certainly must express his astonishment that the Attorney General should have thought this a matter of the first importance to be taken up. He had heard that the Executive Council had been in session during the night. They all knew what had taken place yesterday; they all knew the extraordinary manner in which it was communicated to the Speaker, that it was the intention of His Excellency the Governor General to give his assent to certain bills; they all knew that the usual courtesy which was paid to the Commons, was disregarded on that occasion; they all knew that it was customary to communicate to the Speaker that His Excellency intended to give the Royal Assent, and that it was the duty of the Speaker to intimate the same to the Members of the House. Had that communication been made, he (Sir Allan) apprehended that the unfortunate occurrences of yesterday would not have taken place. (Hear, hear, from the Opposition.) He did not conceive that the Speaker had any discretionary power to receive such an intimation without communicating it to the House. In the present excited state of the town, and of the whole Province, were they to proceed in this way, without any notice being taken by the Government of the occurrences of last evening? Was nothing to be done? He (Sir Allan) came down from his hotel at seven or eight o'clock last evening with the President of the Council; they saw the state town was in and his hon. friend the President of the Council would recollect the conversation that took place. He, Sir Allan, felt then that there were great apprehensions, and when arriving at the House he immediately communicated it to some of the members there, whose names he would not mention, and what was there reply? The answer he received was—"Oh! it's your party who call out the troops: our party never call out the troops." Now, if any kind of precaution had been taken by the Executive Government, what had happened never could have taken place. [Cheers.] Every one perceived the excited state of public feeling except the Government; and every one felt the necessity of some precaution except the Government. (Cheers.) It seemed actually to be invited; there the members of Government in a corner shivering in their shoes, and the mob attacking the House, and the members of the Government standing without making any move to put it down. Was that right or proper? And they met this morning as if nothing had happened, or as if things rightly had only gone out; and the Attorney General introduced a motion to appoint a Committee to look after certain bills. He [Sir Allan] had expected a different kind of communication from the Government. He thought that they were answerable to the people for what took place last night. Where were the troops or the police? Were they sent for? There was the head of the police sitting behind the Speaker's chair cracking his jokes with the members. He [Sir Allan] had no power to act in the matter; it rested with the Executive Government, who were [illegible] steps were taken. When the head of the Government was pelted with eggs after giving his assent to the bill, it was the duty of the Government to take steps to prevent further outrage, did they not hear the bells ringing? Were not the streets filled with people? Was Montreal ever in such a state of excitement? And yet they met this morning as if nothing had happened! [Hear, hear.] This course would not satisfy the people of the country. He [Sir Allan] found fault with no man for entertaining opinions and asserting those opinions; but he claimed the same right himself. He did not intend to oppose this motion, but he felt it his duty to make these remarks at the earliest stage of their meeting under the present circumstances.

Mr. Merritt said it might suit the purposes of the hon. and gallant knight to justify what had taken place, for such was the tone and temper of his remarks.

Sir Allan McNab called the hon. member to order. He was misrepresenting him. He [Sir Allan] had not justified the occurrences of last evening; he could not justify them.

Mr. Merritt had then misunderstood the tenor of the hon. member's speech. It was true that he (Mr. Merritt) came down to the House in a cab with the hon. and gallant Knight, and that the streets were filled with people, and that bells were ringing; but when they passed the place where the meeting was to have been held (the Place d'Armes) there was nobody there, and he did not then believe that there was any assemblage or any cause for apprehension, nor did the other members of the Executive Council. The Executive Government were for want of precaution. Well the country would judge of that. He (Mr. Merritt) never dreamed that there was any necessity for precaution, nor did the Executive Government. They supposed that they were in a civilized, a Christian country; (loud cheering) and they had no idea that the mob would have come forward and burnt the Parliament House and all the archives of the Province. (Cheers again.) He admitted that there were no precautions made or troops called out, because it never entered into the mind of any one that the Parliament House would be assailed in the manner it had been. (Hear, hear.) There was not a similar deed on record in any part of the civilized world; and if ever there was a time in which the people of United Canada should come out and testify their abhorrence of any act, that time had now arrived; (cheers) and he did not believe there would be one man of law and order found in the whole Province to justify this act. (Cheers.) The Executive Council had taken every precaution, although it was unnecessary that they should proclaim what they had done, a necessity for action had arrived and they would not be found backward. (Loud cheers.)

Mr. Hincks was sure there was no member in the House who would blame the Executive Government for not anticipating a disturbance of so serious a nature as that of last evening. The first intimation he had that there was likely to be any serious disturbance was about half past seven o'clock, at which hour he left the House in company with the member for Montreal. The bells were then ringing, and although he had, of course, no anticipation of the serious nature that the disturbance would assume, still he thought there might be some disturbance, and stated his intention of going to Col. Ermatinger. He went to St. James Street, where he first saw the *Gazette* extra, an inflammable production, from which he learned of the proposed meeting. He then went to Tetu's Hotel, where he saw Col. Ermatinger; told him that there was danger, and suggested that the military should be called out immediately to prevent disturbance, although he had no wish to prevent the meeting, or put a stop to the peaceable expression of public opinion. Col. Ermatinger told him (Mr. Hincks) that if he were to go to Gen. Gore with no more ground for alarm than his suspicions, he would only be laughed at.—There must be something to go upon before he could get the troops. He must then go to Gen. Gore for an order for the troops, and afterwards to the Commandant. Col. Ermatinger also told him that he did not think that there was any cause for apprehension, but that he would be in readiness, and would not go to bed until twelve o'clock at night. He (Mr. Hincks) was aware that Col. Ermatinger thought that this took place at a later hour than it really did; but the Solicitor General who left his quarters at Tetu's after he (Mr. Hincks) had been with Col. Ermatinger, reached the House at about a quarter past eight, so that it must have been about the time that he (Mr. Hincks) mentioned. He did not know what other precautions he could have taken, as of course he did not anticipate any further disturbance than a meeting, and things of that kind.

[illegible] and there was great reason to fear [illegible] committed against the Government [illegible] of his highest contumely [illegible] might be renewed; the first duty was to take steps to secure [illegible] so profoundly shaken. [illegible] if the House should remain longer in session, or if it should be prorogued after having provided for the public security and the necessary expenses of the Government. If a protracted session was determined on, it would be necessary to decide whether that should be held in Montreal exposed to the inconvenient pressure of the crowd, or at Quebec where there was a complete establishment fit for the carrying on of the public business. Perhaps it would be better to adjourn till the next day to give time to the Administration to determine on the measures it should adopt. In the meantime there should be no recrimination on one side or the other; but rather a disposition to deliberate on those proceedings which might best expedite public business. Government might adjourn the House and proceed to put in force whatever bills of this session were thought necessary for the public good, and in the succeeding session they might obtain an Act of Indemnity.

Mr. Jessitt here said it was due to the hon. member for Hamilton to say, that that hon. member did not justify the outrage; on the contrary, he had in private conversation with himself (Mr. Merritt,) condemned the insult offered to the Governor General in unmeasured terms of indignation.

Sir Allan MacNab declared that in replying to what had fallen from the hon President of the Council he had meant nothing personal, but had only desired to make the Administration distinctly responsible for what had occurred. The hon. Inspector General had stated that he expected something of this sort and had gone to Col Ermatinger; but after what had taken place in the afternoon, he would like to know why the hon. gentleman had not gone to General Gore, so that troops might have been in readiness if they were required. It was too late to go to General Gore when the House was on fire, and members standing altogether like a flock of sheep, pelted with stones from the windows on both sides.

Mr. Wilson said the occurrences of last night had cast such a gloom over his spirits that he could scarcely speak. That Her Majesty's dignity should be insulted in the person of her Representative,—that the Legislative Assembly in the peaceful prosecution of its constitutional labors should be outraged so grossly,—that the House of Parliament of the country should be wilfully set fire to,—its records destroyed,—its noble and unique libraries both consumed amidst the savage and exulting shouts of a mob, not of the lowest orders,—were circumstances well calculated to excite the saddest apprehensions and the most painful feelings. There were occasions when silence was a crime, and they were now the actors on such an occasion. He said he would be brief, but he would speak plainly, and he hoped, as became a rational man. It might be that he had misunderstood the meaning of terms, but he had esteemed loyalty to his Sovereign, as inseparable from respect to her laws; and, therefore, he held that those men who could trample upon law and order were essentially disloyal, their boisterous protestations to the contrary notwithstanding.—In this, there was no question as to whether the Act was wise or otherwise, expedient or inexpedient, which was said to have given rise to this sad tumult. Whatever was its character, it was carried by the only means known to our laws, and assented to, as it properly might be, by the Representative of the Sovereign, as a constitutional right. No hon. member of the House had felt more strongly, or spoken more decidedly against the passing of that measure by the House than he had done; yet, he said that however much he could have wished that the bill had neither been introduced or passed by the House he should have regretted the necessity that could, under existing circumstances, have compelled her Excellency to withhold his assent from the Bill. While therefore, as a mere measure, apart from a constitutional question, he deeply regretted and should always regret, the passing of the Bill, he said, and he said it boldly, that he was glad that, as the test and exercise of a constitutional right, amidst threats, both whispered and avowed, it did receive the Royal assent. It would not have been wise in the Representative to have withheld his assent from this bill, if there had been no other reasons than to show that the exercise of the functions of the Sovereign were not to be influenced by clamour, and that every thing like fear was alien alike to the Crown and to every thing British. (Hear, hear and cheers.) As a public calamity and a public disgrace, he deplored the occurrence. Their credit would suffer; their right to self-government would be questioned; their ability to exercise it would be doubted; and, as the merit of civilization, and the boast of civilization and refinement, they should be held up to the world as barbarian, as even more ruthless than barbarians. He said he deplored and he deplored the occurrence as a deep disgrace to this city, as an unfortunate [illegible] to, in many [illegible]. [illegible] he could hold no feeling in common with any one, who, in that house or out of it, should excuse, extenuate, or justify that shameful atrocity.

Mr. Robinson said that the hon. member for London forgot the origin of all this trouble, or he would not have spoken as he did. He wished when the hon. member said it was the duty of His Excellency to give his assent to the bill, that he had remembered the answer of Lord Metcalfe to some address, in which that nobleman stated expressly, that it was the duty of the Representative of the Sovereign to reserve all acts of an unusual character.

Mr. Wilson explained; he was sorry to see the bill passed; but would have been ten times more sorry that it should have got abroad that the Queen's Representative had been restrained from passing it by fear.

Mr. Robinson.—He ought to have refused his assent, because he was called on from all parts of the Province to do so.

Mr. Thompson rose to order; it was unconstitutional to refer in the House to the conduct of the Representative of the Sovereign.

Mr. Robinson only alluded to the universal manner of replying to the petitions which had been presented from all parts of the Province. It was constantly asserted in the House, that no rebels were to be paid—why was not that answer given to the Petitions? Instead of doing that, letters were sent to England, declaring that the Province was never more tranquil, and the petitioners were told simply and shortly:—"Your petition will be attended to," or some equally succinct answer. He gave Mr. Wilson credit for a great deal of right feeling, and, like that hon. member, sincerely regretted the occurrence which had taken place. When the hon. member talked of outrages, he must remember that the people of Canada felt themselves outraged. The Government ought to have known, too, that the feeling was not confined to a few persons; but agitated the entire community. The hon. gentleman said the men [illegible] excited the mob should be held responsible. He [Mr. Robinson] agreed in that, if it were meant that what excited the mob was the conduct of the Government, first in bringing in their bill, and next in their manner of answering the petitions of the people of Canada.

Mr. Wilson did not mean that the Government were responsible for what had taken place. He meant those who had immediately excited the mob were responsible. As to the petitions, he would say he opposed the bill as strongly as he could, and if petitions only had gone in he should have expected the Representative of the Sovereign to refrain from passing the bill; but when threats were made use of, there was no other course than to pass it. [What threats?] The threats constantly put forth by the press; there was no use in disguising it. (Oh, oh!) Threats which meant nothing less than this, that if the Governor General dared go down to the House to sanction the bill, he would find physical force there to prevent him. What was this bill after all?—More serious loss had been inflicted by the proceedings of last night than by twenty of such bills.

Mr. Thompson was sorry for the course the debate had taken; it was not true, however, that the people had not been heard. They had agitated as they had the right to agitate; but to endeavour to alarm it. The people must be taught to respect the law, and made to see that His Excellency's Government would be supported.

Mr. Sherwood [Toronto] concurred in the propriety of the conduct of the hon. Attorney General, in abstaining for the present from any allusion to the unfortunate occurrences of last night, and he (Mr. Sherwood) would in like manner refrain and another opportunity from making any remarks on the conduct of the Governor General, or on the proceedings of the Government in advising, and the House in carrying the measure which had been the cause of these events. He (Mr. Sherwood) deprecated the course which had been taken as much as any man in the House. It was not only an unjustifiable proceeding, but one which had no parallel that he could recollect, in the history of the civilized world. (Cheers from both sides.) The question to be determined now, was, what course they were to pursue in their present position, deprived as they had been, by a lawless mob, of their House, their library, their papers, and all the records of the country from the earliest settlement down to the present time?—They were now to begin *de novo*, and the question was, should they endeavor to restore the bills which were pending before the House, or would it be more advisable for the House to grant the Government all the supplies they might deem advisable, and for the Governor General to come down and prorogue the House? (*No, no.*) For himself, he should prefer a prorogation. They had been a long time in Session, and if they had another early session, the Government would be better prepared to continue their measures, and the House would be better prepared to do them justice. (Hear, hear.)

Mr. Blake said this was not the crisis in which he should have expected to find such a course suggesting itself to the heart of any man.—(Hear, hear.) It was due to the House and to the country to hear that so far as the safety and order of the country was concerned, such measures had been taken as would ensure its preservation. (Cheers.) And if it pleased the taste of the hon. and gallant Knight to say that the Government which was not prepared with military force at the doors of the House of Parliament, in the midst of profound peace in the civilized capital of this province,—(cheers)—if it pleased the taste of the gallant Knight to denounce that as a neglect of duty, he for one had no desire to shrink from his share of the blame. (Hear.)—No man could have expected the disgraceful scene which they had witnessed last evening, and he trusted that every man in the house would be prepared to lift his hand and voice to redress them. Cheers. Hon. gentlemen might deny that they had justified what had occurred, but was this the time for a voice to be raised in excuse? (Loud cheering.) Was excuse not justification? (Loud and continued cries of hear, hear.) Were they prepared this day to say that having representative institutions, an Act of Parliament having been passed by a large majority of the Legislature and the Representative of the Sovereign, after cool deliberation, having given it his solemn assent, that they would stand up to excuse the burning of their records and building—to excuse an attempt upon life and property, lest they should excite bad feeling or offend the taste of some hon. members? (Cheers.) Look to the history of England. When Lord George Gordon led his 40,000 men in London to protect—as he said—the constitution and the church, and when he destroyed the property of the orderly people of London, was any man heard to go up to the British House of Commons and say, "there acts are excusable, the church is in danger?" (Cheers.) Why, the petition presented by Lord Geo. Gordon was signed by 40,000—supported by a large part of the English nation, and yet what man rose in his place in the British House of Commons and said that such proceedings were to be tolerated? (Hear, hear.) And when they were called together in an emergency like this, to apply such remedies as these disgraceful occurrences called for, ought an hon. member to rise in his place and say "let us prorogue until a more convenient season?" (Hear, hear.) Were not the peace, order and civilization of the country at stake, and were they who were put to legislate for the good of the country to shrink from their duty as men? Any man who would rise in his place and propose such a thing was unworthy of a seat in the House.—(Great cheering.) He (Blake) did not underrate the difficulty in which they were placed. He knew enough of human nature to know what might be expected from a mob such as that which assembled last night, but knowing these difficulties he was prepared to meet them.—(Hear, hear.) If life and property must go in sustaining order and civilization in the name of God let them look it in the face. (Cheers.) They had their hearths, their wives, their children, to defend; and while others endeavored to find excuses for men for destroying the records of their country in a time of peace, he for one would be ready to lend his hand and his vote to the Government not to prorogue the Parliament, but to arm the Government with every power which the Government could require to suppress the proceedings which had disgraced this city. (Loud cheering.)

Mr. Badgley spoke in so low a tone of voice as to be almost inaudible, although we only sat a few feet in the rear of the hon. gentleman. We understood him to say that as an inhabitant of this city he felt deeply degraded by the proceedings of last evening. He felt degraded when he thought there was an inhabitant in the city so lost and barbarous as to perpetrate such an act—(loud cries of hear, hear,) although he thought that if proper precautions had been taken, these occurrences might have been prevented. He felt the painful position in which they were placed, and he would be ready to give all the aid in his power to give strength and maintenance to the Government in preventing future excesses; and he trusted that every member of the House would do the same. Any further outrage on person or property must be prevented, and he did not think, under these circumstances, they ought to adjourn.—(Loud cheers.)

Mr. Cameron [Kent] felt exceedingly gratified at following the hon. member who had just sat down. The sentiments which had fallen from his hon. friend were such as he should have expected from all he had known of him, they were sentiments which became a good man, a good citizen and a good Christian; they were sentiments such as he should have expected from every man who [illegible] proceedings of last night. [illegible] further reference to these proceedings until the Government should be prepared to bring the subject before Parliament.

Mr. Chaveau deprecated any blame being thrown upon the Government for the occurrences of the preceding evening. It was impossible they could have foreseen or imagined the perpetration of an act of such unparalleled barbarity as the destruction of the Legislative Buildings, and a Library of such value and extent. [Hear, hear.]

Col. Gugy intended to support the Attorney General in the motion before the chair, the time for action had come, and it would be most unbecoming for the members of the Assembly to be driven from their post by intimidation. It was right and fitting that the business of the country should be proceeded with under any circumstances. Having said thus much, he must be allowed to express his opinion as to the cause which had led to the conflagration of the Parliament House, an event which must be deplored as a public calamity, and one likely to fix a lasting stigma upon this country. [Hear, hear.] He did not, he could not excuse that act, but when they goaded men to phrensy by acts of the most atrocious and iniquitous nature, they must expect them to show their sense of the injustice done to them. It was dangerous to the institutions of the country and the connection with the parent state, to irritate a population so excitable as that of Montreal, by the proceedings of the Legislature.

Mr. Scott [Two Mountains] wished to know if the hon. member was in order in condemning the decisions of the House.

The Speaker thought the hon. member was not exactly in order.

Mr Gugy would endeavor to conform to the rules of the House. He contended that in times of such excitement as this, it was the duty of those in whose hands the reigns of the Government were placed, to take precautions to prevent any outbreak; it was their duty to act so as to exclude the probability of such a calamity as they had witnessed last evening. But had the Government of Canada adopted precautions of this kind? They could not have been ignorant of the state of phrensy into which the public mind had been excited by recent events, and it was therefore their duty to have taken steps to prevent the calamitous event. He charged them with this deed; it was chargeable to them not to the misguided populace whose feelings had been outraged and insulted. God forbid that he should justify for a moment the conduct of the mob; but he thought the legitimate cause of the outbreak was traceable to the Government. The hon. member for London talked of intimidation, originating in the newspapers. Could it be supposed that any human being could be induced to abstain from the performance of a necessary public act by anything that appeared in a newspaper? The hon. member then went on to complain that the usual notice had not been given to the House, of His Excellency's intention to give the Assent to the bill, instead of which that nobleman was advised to appear in the Council chamber like a thief in the night, and to give his assent surreptitiously to a bill which he knew would wring the heart of every loyal subject in Canada.

Mr. Armstrong protested against the House being kept in the cold because a Rebellion Losses speech from the hon member for Sherbrooke.—What was the question before the chair?

The Speaker said the question was for the appointment of a Committee.

Mr. Gugy would yield to the wishes of hon. members, and not trespass further on the time of the House, but he should have been guilty of remissness had he not expressed his opinion that the occurrences of last night might have been prevented by a little precaution on the part of the Government, which, though repeatedly warned, they declined to take.

Mr. Boulton of Toronto could not consent to hear hon. members on that side of the House accused of justifying what had taken place. He felt as strongly on the subject as any man in the House, although he might, perhaps, hold a different reason for what had led to the unfortunate calamity. This was not a dinery occurrence. The scene of last night was not a tumult got up for the occasion; it was the public mind that was affected. No one could go to the fire last night and see the firemen standing with their arms folded, and allowing the building with all the records and archives of the Province to be destroyed without attempting to interfere; the troops called out, and standing there with smiles on their faces whilst they saw the building consumed, without feeling that the public mind had been, and was inflamed not only by a measure passed through the House, but by the manner in which the last and final assent was given to that measure. (Opposition Cheers.) He believed that if the assent had been given in a different way, the conflagration would not have taken place. He [Mr. Boulton] would deprecate as much as any man that the Governor should be intimidated from the performance of his duty; but the deception which had been practised on the public, in the manner in which this bill had been assented to, had given just cause of indignation throughout the Province.

Mr. Scott [Two Mountains] rose to order, to know if what the hon. member was now saying did not tend to justify the act? (Hear, hear.)

The Speaker said that even though it did, it would not be out of order.

Mr. Boulton was merely going to say farther, that he had heard it stated in a public barroom last night, by a gentleman, who said that he heard it from one of the Staff of the Governor General, that he came down to assent to the bill in this way because he was *afraid* to meet the storm of public indignation. [Loud cries of "Order."]

Mr. Blake rose to order. The language used by some of the gentlemen present, with reference to the Governor General, was most unreputable. (Cheers.)

Sir Allan MacNab said that the hon. member might consider it "disreputable," but it was still in order. He had heard much worse language used towards the Representative of the Sovereign.

After a few remarks from Mr. Cawley to the effect that the calamity had taken place through the want of precaution on the part of the Ministry.

Sir Allan McNab said that he had no wish to create any disturbing, but he thought it rather too much to expect hon. members to refrain from expressing their opinions on the occurrence of last evening, after remaining for an hour, huddled up in a corner like sheep, whilst they were pelted by the mob. No man—he said it with a dame hesitation—could more deeply regret the occurrence of last night than he [Sir A. McNab] did, but at the same time if hon. members chose to go into the cause of it, he had his own opinions on that subject, and as to where that excitement commenced and who commenced it. The Ministry had by the passage of one late bill committed one of the greatest crimes known to our law, and it had naturally excited a great deal of feeling not in Montreal alone, but throughout the length and breadth of the land. The Hon. Solicitor General had alluded to the Gordon riots, and he mentioned that a petition had been presented by Lord Geo. Gordon, signed by 40,000; but in proportion to the relative population of the two countries, the people of this country had petitioned in far larger numbers against the passage of this bill.—The right of petition was as sacred as the act under which the House sat there to deliberate, but he must say that in this instance the petitions of the people had received very little attention from the Governor General and his advisers. The gallant Knight concluded by repeating that he had never said a word excusing the proceedings of last evening.

Mr. Baldwin said it had justly been remarked that the business before the House called for no expression on the subject of the bill, which had formed the topic of remark that day. It was impossible too, to imagine, for a moment, that the act of last night could be justified or even held to be excusable, by any member of this House. It could be a subject of nothing but utter condemnation. He had not thought when he opened the debate, that any eloquence of which he was capable could increase this feeling, as it would naturally spring up in the mind of every hon. member. Instead of adding force to that feeling he feared he might weaken it. Now it had been objected against the Administration that instead of asking that day, for additional powers, they merely came forward with the motion, at that time before the Chair. He had, however, in opening, explained the reason why he did not go into the events last night—was because the inquiry was proceeding, and because until it was completed any allusion to these circumstances would have been improper. His gentlemen opposite would have been the first to blame him if he sought increased powers for the Executive. The hon. member for Missisquoi with that reverence for the law, which did him so much honour, had declared that the present law was amply sufficient to maintain the public peace. Therefore, the hon gentleman condemned those, who condemned Ministers more than he condemned them.

Here Mr. Baldwin said a few words in explanation, but in so low a voice that we could hear nothing.

Mr. Baldwin continued:—It was easy to complain after the event; but while it was the duty of the Government to make all necessary steps to maintain order, and while he did his duty of the Government, it was also the [illegible] that been [illegible] to spread alarm. [illegible] gentlemen opposite would have been the first to exclaim against it. If the preceding [illegible] that the Administration [illegible] evening were not in a position to justify alarm, or to lead them to fear such an event [illegible] for stronger conduct, especially with regard to a communication informally made to the Speaker, which he did not communicate to the House. It was said that the uniform practice was to communicate such information. He Mr. [Mr. B.] was not aware that was the cause except when the House was to be prorogued, when a message was always communicated by the private secretary. At all events it was a matter which belonged to a household officer, and from the experience of the private secretary he felt sure that nothing incidental to the usual course had been omitted. Certainly no particular directions were given, for the Ministry could have no other desire than to have everything come in the ordinary course. Then he must say that whenever the Governor General came down to assent to any bill, he always assented to all bills, which were in a sufficient state of forwardness at the time; and, indeed, it was obvious that a proper respect for Parliament required that this course should be adopted. He thought therefore that the reproach thrown from the opposite side of the house in the present stage of the information in his possession was not justifiable.

Sir Allan MacNab reminded the hon. member that he had particularly questioned the hon. Inspector General whether it was the intention of the Governor General to assent to the Rebellion Loss Bill, and the Inspector General had declared he did not know.

Mr. Baldwin said the hon. Inspector General could only have answered as to his own knowledge of the Governor General's intentions. He [Mr. B.] thought, however, in conclusion, that the House should proceed with the business before it, for though the loss it had sustained might prevent the maturing of some measures, it would nevertheless be most desirable to follow the course indicated by the motion, and place the business in the same position in which it was before these occurrences took place.

The motion was then carried.

Sir Allan MacNab then gave notice of a motion to make the loss sustained by the fire of the preceding night the first charge on the sum voted to be paid out of the Rebellion Losses.

The House then adjourned till to-day at ten o'clock, with the understanding that it would meet either at the same place or at Mr. Hayes' building.

Friday, April 27.

The House met at ten o'clock this morning but adjourned until to-morrow immediately afterwards after Col Gugy had made a furious attack on the Mayor and authorities.

Supporters of His Excellency's Administration.—The following notice, headed, save the mark!—with the Royal Arms, appeared in *La Minerve* on Thursday afternoon:

To the Young Canadians of the City of Montreal.

A terrible outrage has been offered to the representatives of the people. A public building the property of the city, where the Legislative Chambers held their sittings, has been barbarously burned by a crowd of miscreants belonging to a miserable faction. Our noble and magnanimous Governor General, the friend of our constitutional rights, and the faithful representative of our Most Gracious Sovereign, has himself been the object of the insult and outrage of this horde of scoundrels. Shall we permit this contemptible faction to crush under their feet, in the capital, every principle of decency, order, and law? No, never, rally then around the Government, and the Administration of your choice, and who have so many proofs of your future confidence, and prove to them the unspeakable hatred we bear towards those, who to despise, it is only required to be so to wit it. (*Ce n'est pour les écraser il ne faut que le vouloir.*) Assemble yourselves in companies of ten, and await your return report their bills to the Adjutant General of Militia.—*God Save the Queen.*

A VOLTIGEUR.

The Pilot.—We have noticed some glaring falsehoods in yesterday's issue of the Ministerial organ. The following assertions are equally false:

"The mace was dragged off by some of the rioters and *presented to Sir Allan MacNab as a trophy of war!*"

The mace was rescued from the hands of the rioters, and put under the temporary charge of the gallant knight.

Every effort was made to obtain the services of the military, but the unusual hindrances in going through certain forms prevented their reaching the building in time.

We have the best authority for stating that the military answered the requisition of the authorities with the greatest promptitude and alacrity; they were not called for until the building was on fire.—*Herald.*

From the Montreal Herald.

THE RIOT.

THE PRISONERS' LETTERS TO COL. GUGY, M. P. P.

Montreal Gaol, April 30th 1849.

Sir.—On the morning of the third day of confinement in the Common Gaol, without any committal, except a mere remand for further examination, we address ourselves to you in your capacity as a member of the House of Assembly, to represent to that body, should you see fit, that we consider our arrest and detention as illegal, as will we doubt not, appear to you, on perusal of the short and simple facts of our case.

On the morning of the 26th instant we were arrested on a charge of arson, and taken to the Police Office for the purpose of undergoing an examination before, as we were informed, the usual Bench of Magistrates.—After being detained there for upwards of an hour, we were requested by Mr. Delisle, clerk of the peace, to step into Mr. Ermatinger's own office, and, upon our objecting to any private examination before that gentleman, Mr. Delisle assured us that it was for no purpose of that kind, but merely to afford the magistrates, many of whom were in attendance, an opportunity of consulting together upon the business in hand. Under this assurance and relying on Mr. Delisle's word as a gentleman, we accompanied an officer of the Court into Mr. Ermatinger's room, where we were locked up. After a detention of about two hours, during which time Mr. Ermatinger was in attendance at the Government House, that gentleman made his appearance, and tossing some papers upon his table, said "Gentlemen, these papers are the depositions against you." He added that we might look at them, but copies were then refused, upon the plea that the clerks must have them to make the usual headings,—which, we need scarcely say to you, was absurd, and amounted to a refusal of copies; he, however, promised to send them to us immediately, after our examination. We were then for some time left alone, and on his return he said, "I will now take your voluntary declarations," and made the usual formal explanation on that subject. We asked him then if he was prepared to act in this matter alone, to which he replied in the affirmative—and, in reply to the question whether he acted as an independent magistrate, or under the direction of the Attorney General—he asserted that he was acting as an independent Magistrate, and under the orders of no one. About this time Mr. Castle, a Justice of the Peace, entered the room when he was requested to withdraw—though he stated his capacity, and that it was in that capacity he presented himself. Mr. Ermatinger said his appearance was unusual, and begged that he would retire, which Mr. Castle did, and Mr. Ermatinger then proceeded to take our declarations—which were given by us, even then under the impression that this step was merely preliminary to our being carried before the magistrates, who were waiting for that purpose in the Police office. The formal part of the declarations were read to us, to which we respectively answered that we had nothing to say except a total denial of the calumnious and offensive charge.

We have already stated that we were arrested on a charge of arson, and arson only; but the declaration set forth that we were charged with exciting and instigating a mob to the commission of that crime, and aiding and abetting in the same. We need scarcely say that all this was an afterthought in order that there might be an apparent harmony between the declaration and the affidavit which latter in no way sustained the charge on which we had been arrested—a charge for arson.

Having now discovered that Mr. Ermatinger intended to act alone in the matter, we offered evidence of the most conclusive nature, then in attendance, that we were totally innocent, not only of the crime of arson, but even of the supplementary parts so irregularly introduced into the declarations. We at the same time called his attention to the insufficiency of the affidavit—but his reply was, "I have no discretion in the matter, I must commit you, but I shall make out your commitment in full for arson, for the felony—in that you make your application to be admitted to bail immediately." With these words he left the room and we saw him no more—nor did he or any one else send us copies of the affidavit—and, in fact we never had an opportunity of making any application even to any officer of the Court for copies.

After a further detention of an hour or more, we were sent under a military escort to this place, where, for the first time, we found that Mr. Ermatinger had merely remanded us for further examination—in this respect we must say that that person has been guilty of a piece of trickery and deceit towards us.

We think that we were sent to prison illegally because the depositions are perfectly conclusive against any of us, because we ought, in the face of at least, doubtful affidavits, to have been afforded an opportunity of adducing the evidence of the witnesses in attendance, who were ready to prove that the charge in all its parts was false—because a full Bench of Magistrates being in attendance, we ought to have been examined in the presence of more than one magistrate, in which case we must have been permitted to adduce evidence, because having once been brought before the Police Court and there detained, we ought not to have been removed into the private office of Mr. Ermatinger; and finally, because we were examined touching facts other than that which was assigned in the warrant for our arrest.

We think our detention here illegal, because we were only committed for further examination, and have not yet been further examined, and are thereby deprived of the precious right of applying to Her Majesty's Court at Queen's Bench for our release under Habeas Corpus.

Under all those circumstances we have requested that you will, according to your discretion, bring this matter under the notice of the House, as we feel assured that that honorable body will not suffer any British subject to be deprived his liberty without the most important and satisfactory reasons for the same, certainly not under a proceeding like the present, which cannot be characterised otherwise than as a Star Chamber Warrant, or a *Lettre de Cachet.*

We remain Sir,

W. GORDON MACK,
JAS. MOIR FERRES,
AGUSTUS HEWARD,
HUGH E. MONTGOMERIE.

COL GUGY, M. P. P.

Montreal Gaol, April 28, 1849.

Sir,—I beg to address you as a member of the Provincial Parliament, with the request that you would kindly use the influence of that office, to ascertain from the proper authorities, under what law I am now confined in the common gaol of this city. To enable you to do so, I will state the circumstances under which I was conveyed here.

About five o'clock on the morning of the 26th instant, Mr Jeremy, Sub Inspector of Police, called at my house and intimated that he had a warrant against me for arson. He required me to follow him immediately, and I was conducted to the central police office, where I was placed apart, in a solitary cell, and detained there for some time, without being allowed to communicate with my brother, who called to see me, or indeed with any person whatever. After about eight hours of this solitary confinement, I was conducted to the common gaol, in charge of a Sergeant of Police. Mr. McGinn, the Gaoler, was not in the building at the time of my arrival, but I was immediately placed (seemingly in pursuance of whispered instructions from the Sergeant in whose charge I was) in a close, dimly-lighted cell, without bench, chair, table, or any other article of furniture. Finding my remonstrances against my confinement to this place to be all in vain, I requested that my situation might be made known to Mr. McGinn, upon his return. Previous to that time however, I was visited by Sheriff Boston, and, by his instructions, was removed to a more convenient apartment.

Here I have remained until this time—upwards of forty-eight hours from the period of my first arrest—and I would especially request your attention to the fact that I have not yet seen the affidavit or affidavits on which I have been committed; that I have undergone no examination whatever; that in fact, I have no further official information of the cause of my imprisonment than the production of a folded paper by Mr. Jeremy with his assertion that it was a warrant for my apprehension for the crime of arson.

This, sir, is a plain and simple statement of the facts of my case, and I now desire to know whether a British subject is to be thus torn from his family, and thrown into a dungeon, on an accusation which I have no hesitation in pronouncing false and unfounded—without any intimation whatever of the grounds on which that accusation is based—and without even an opportunity of recording my emphatic denial of the charge made against me.

Believing that the authorities are bound to take action in a matter by which I am most unjustly detained from my home and business, to my great loss and detriment, I have again respectfully to request that you will bring my case under their consideration.

I am Sir,
Your most obdt servt.,
ALFRED PERRY.

TO COLONEL GUGY, M. P. P.

Sir,—In reference to the letter which we had the honor of addressing to you on Saturday morning last, relative to the circumstances attending our arrest and imprisonment, we beg to inform you that we have since ascertained, that with regard to some of the circumstances therein mentioned, we were under an erroneous impression.

It is true that on our last interview with Col. Ermatinger, in the Court House on Wednesday he informed us that he would make out our commitment in full, as we have previously stated to you; but the change which afterwards took place in his intentions, is to be attributed, we understand on good authority, to peremptory orders received in the interval, to the effect that he should only remand us.

The circumstance he mentioned to our council, who, in informing us of the change, had omitted to say that the change was in consequence of superior orders, and that he had his information from Col. Ermatinger himself, and we therefore remained under the impression that we had been wilfully left in ignorance of it, and had thus been treated with the unfairness of which we have accused Colonel Ermatinger in our letter of Saturday last.

As it never was our intention to produce any other than a perfectly fair impression regarding Col. Ermatinger, we take this early opportunity of placing his conduct on this point in its proper light.

We are, Sir,
Your most obedient servants,
W. GORDON MACK,
JAS MOIR FERRES,
AUGUSTUS HEWARD,
HUGH E. MONTGOMERIE.

Montreal, 30th April, 1849.

TO SUBSCRIBERS.

In order to meet the Montreal Weekly Newspapers more fairly in the Upper Canada Country Market, the price of the *Weekly British Whig* is materially reduced, and the system of clubbing adopted. (*See Advertisement.*)

BRITISH WHIG.

"Opifer per Orbem Dicor."

FRIDAY EVENING, MAY 4th, 1849.

The intelligence per Telegraph, of Monday night, of the continued personal ill-treatment by the Montreal Mob of the Governor General, confirms the opinion so universally expressed, that his Lordship must resign his high office and return to England. It is wholly impossible *for any* man to administer the Government of a country, amid the hootings and howlings, the peltings and abuse of a discontented populace; more particularly, when the acts of that populace are tacitly approved of by the Resolutions of Public Meetings, passed in cool blood and calm after deliberation. Lord Elgin must therefore go home, and the sooner he does so, the better for his own peace of mind. His supporters may numerically be greater than his opponents—but what of that, if they have not the pluck to defend him from insult?

A question naturally arises—how far is the Governor General personally accountable for the ill-advised act of giving the Royal Assent to the Rebellion Losses Bill? This question depends entirely upon a matter of fact:—Whether His Lordship acted upon the advice of his Ministers; or whether he acted by instructions from the Colonial Office. If the former, then he is blameable; for he should [illegible] have paid some attention to the expressed wishes of so large of a body of the Queen's subjects, as those who petitioned him to withhold the sanction of Her Majesty's name; but if the latter, that is to say, if after consulting the Home Authorities, he obeyed his instructions, then he is an innocent and injured man, and deserves the sympathy of every right feeling mind. But, as we said before, this is a question of fact, and we must wait for time, the great telltale of life.

If Canada is to be ruled by Responsible Government, and Ministers are alone accountable for the acts of the Queen's Representative, it seems cruel to visit upon Lord Elgin's head the unpopularity of his Ministers. It nevertheless teaches sober and thinking people one great lesson, which is, that Civil Governors are worse than useless. The office should be forthwith abolished, and the duties of the Crown executed *pro forma* by the Commander of the Forces, who, known to possess no political power, would consequently incur no political obloquy. The Ministry would then be the Government; and the Commander of the Forces the Representative of her Majesty upon all State occasions:—a mere pageant it is true; but after all, what is the Royal Authority in this province but a mere pageant, if the country is to be taxed to pay Losses incurred by rebellion against that authority?

We are strongly of opinion, that in holding Canada, the Home authorities will feel favorable to this principle; for when Lord Elgin returns home, they will find with difficulty his successor among civilians of rank. Who will voluntarily come to Canada, when he knows that he must necessarily incur the hatred and detestation of one of the two great parties which equally divide and distract this unhappy country? If he be a Lord Metcalfe, the French Canadians and Upper Canada Radicals will hate him and oppose him, though they may not assail him:—if he be a Lord Elgin, he will receive that ill-treatment which his unpopular Lordship is now receiving, and which must drive him home. Upon either horn of the dilemma, he would be equally seated. The only remedy is the substitution of a military man for a civilian, who would obey *orders*, and be only accountable for the strict fulfilment of his instructions.

Lord Elgin.—*Punch in Canada* is very severe upon the melancholy Earl of Elgin and Kincardine. His lordship is not sufficiently hospitable to suit the taste of the Montrealers. He don't go it like Lord Metcalfe. He does not spend enough of his £7000 sterling per annum to please *Punch*, and so he has nick-named Monklands "Dryland"—because no one can get anything to drink there. He also calls it *California*, "because," says the impudent rogue, "one sees lots of gold there, but can get nothing to eat." These ill-natured jokes, we are told, arise from the gentlemen of Montreal, on New Year's Day, going to pay their respects to Her Majesty's Representative at Monklands, and instead of finding the customary collation laid out in an ante-room, found nothing but a huge display of the Family Plate;—his lordship's father and grandfather having both been British Ambassadors. "Ah," says *Punch* "he made us look at his Plate, but he took precious care not to show us any of his dinner plates."

The Weather still remains cold and disagreeable, although May has fairly commenced. The roads however are good, and all kinds of Spring works are in active operation. From the coldness of April, it is to be hoped that May will be warm and pleasant.

Provincial Association.—A meeting of the Executive Committee of the Agricultural Association took place yesterday at the Court House, and was adjourned until to-day. H. Ruttan, Esq., President, and G. Buckland, Esq., Secretary of the Association, are in town and attending the Executive Committee. Particulars to-morrow.

The Queen and the Prince of Wales.—Both these Steamers ply on the Bay of Quinte, but the disparity of their charges is remarkable. A farmer of our acquaintance recently had occasion for six barrels of Plaster, and accordingly sent to the Stone Mills for the same, which duly arrived at Kingston, per *Prince of Wales*, charged nine shillings freight—nearly half the price of the Plaster, the Stone Mills being some forty miles distant, and a regular stopping place of the steamer. Having occasion for more Plaster, our friend wrote for other six barrels, but not liking the price of the freight, requested the Plaster to be shipped per *Queen*, and the same duly arrived at the wharf, with a charge of *three shillings* only for freight. Six pence a barrel freight for Plaster is the regular charge, but why the *Prince of Wales* charges eighteen pence, ought to be publicly explained.

Sad Accident.—On Wednesday night last, as five soldiers were returning to Barracks at Fort Henry, they thought proper to venture in a small skiff across Navy Bay, when, owing to some awkwardness, the skiff upset, and the whole five were precipitated into the water; and out of them two met with a watery grave. One of the sufferers was of the Rifle Brigade and the other belonged to the Canadian Rifles.

It is rumored that it is the intention of the owners of the new Steamer *Ottawa* to remove her off the route for which it was said she was built, and that she has already been chartered to ply on the Bay of Quinte the ensuing season. The only reason assigned for the removal of this Boat is, that she draws too much water for the Lake. A new boat has been commenced last week which will be launched early in August.—*Bytown Gazette.*

Note.—This fine vessel is now at Kingston, said to be chartered by the Hon. John Hamilton, to run down the St. Lawrence in daylight.

For the British Whig.

Mr. Editor:—

Without meaning to cast the slightest reflexion on any portion of the Troops in this Garrison, whose uniform good conduct cannot be too highly praised, I deem it proper to observe that if non-commissioned Officers in command of small parties, proceeding on Sundays to their places of worship, most commonly along the side walks, three or four abreast, were instructed to reduce their front or keep to one side, it would be a matter of some convenience to other passengers, who in many instances are under the necessity of standing still, to let them pass, or obliged to turn into the street. This inconvenience is not felt when officers command, as they rarely encroach on the side paths.

Yours, B.

May 2, 1849.

For the British Whig.

MIDLAND DISTRICT ASSIZES.

Breach of Promise of Marriage against a Baptist Minister.—Whitelaw vs. Davidson.

This singular case came on for trial on Saturday, at Kingston, before the Hon. Mr. Justice McLean and a jury of this District. The Plaintiff, it appears, is a respectable young woman who resided in Kingston some years ago. The Defendant is the Rev. Thomas L. Davidson, Baptist Minister at Pickering, or Markham, in the Home District. Mr Mackenzie, of Kingston, acted as Counsel for the Plaintiff at the trial, and Mr. D. B. Read, of Toronto, for the Defendant.

Mr. Mackenzie opened the case for the plaintiff, and entered fully into all the circumstances of this strange case. He stated that the plaintiff was a respectable young girl, a native of the City of Edinburgh, that she received a respectable education in her native country, which suited her to discharge with credit, the duties of a minister's wife, or any other body's wife; that five or six years ago she removed from Scotland to Canada; that on her arrival she settled in Montreal; that at this time the defendant was a Divinity student in the Baptist College at Montreal, and when he made use of the word student, he did not wish the jury to understand he meant a beardless boy, for as much as Mr. Davidson was at this time, a full grown man. Miss Whitelaw was a young woman of known piety and strict religious and moral habits.—She devoted much of her time and her talents to the interest of Sabbath Schools, and other institutions of this kind. A modest and unassuming deportment, and a superior structure of mind, attracted the attention of persons of worth and respectability in Montreal—of the defendant among others. The plaintiff and defendant often met one another at the house of a respected friend and elsewhere. An attachment, natural in itself and honorable to both parties, sprung up between them. In the progress of time a proposition of marriage was made by the defendant to Miss Whitelaw. The plaintiff knowing that a considerable period of time must elapse before the defendant could be in a position to carry out a solemn engagement of this kind, and be established in life, hesitated at first to comply, but after being urged, over and over again, she consented to be the wife of Mr. Davidson. This solemn consent was asked on the one part and given on the other, as he believed, in the month of February, 1845. A few days after Miss Whitelaw gave her verbal consent to become Mr. Davidson's partner for life, he wrote her a letter in the most endearing terms, and in the deep and thrilling language of love and devotion, acknowledged the noble and disinterested conduct of the plaintiff, in consenting to wait for him, and to encounter with him the storms and vicissitudes incidental to the life of a Baptist Minister. He held the letter in his hand. In the fall of the year 1845, the Plaintiff conceiving her presence as the intended wife of Mr. Davidson, might have a tendency of diverting his attention from those studies which he was prosecuting in the College, with much good taste and delicacy worthy of a considerate mind, decided on leaving Montreal, as well as to avoid every appearance of evil. In the month of October, 1845, she left Montreal, and took up her residence in Kingston. On the 4th November, he wrote her from Montreal to Kingston a letter, breathing sentiments of eternal love, unchanged and unchangeable affection and devotion to her. He calls her the "jewel of his heart," and brings the soft and captivating language of poetry, and the bewitching tropes and figures of a fanciful imagination, to bear upon the feelings, emotions and affections of the plaintiff. After this letter a correspondence, which covered the space of two years, was carried on between the plaintiff and the defendant, in terms and words which can be only appreciated by such as have been separated once from an object of love and esteem. Here the learned gentleman stated that the number of letters written by the defendant to Miss Whitelaw, was innumerable. Here a large bunch of letters was produced. He then stated, he read the whole correspondence himself; and in the discharge of the disagreeable duty imposed upon him, would only read a few of those letters to the Jury. He said he selected a few of those he considered most applicable to the matter in question. He said it was necessary to read some of those letters. The case of the plaintiff was one of propriety or a breach of faith in the act; but on the other hand, the inflexible code of justice demanded it. For when a man writes letters in the deep, stirring, and harrowing language of fidelity, and love of devotion and esteem, and calls the great God of Heaven to witness the sincerity of their contents, and afterwards, without compunction or remorse, falsifies all he has stated, written, and said, must expect the retributions due to such misconduct, and the exposure which treachery and broken vows ought to receive. The jury were to assess the measure of damages.—The judge was to instruct them in the law. It was necessary for the ends of the justice which the plaintiff was seeking, and a full understanding of the case, that the Judge and the Jury should know the footing upon which the plaintiff and defendant stood at the time of the wrong complained of. These letters were a painful monument of the past. No man of common feelings, could peruse them without being moved at the manner in which the feelings of the plaintiff have been outraged, and her peace of mind destroyed. Among the letters which Mr. Mackenzie read, was the following letter:—

Montreal, July 16.

My Dear Mary.—

I have been looking for a letter from you most wishfully since Monday, but, to my bitter disappointment none came. Never did I see till this morning that it was all but impossible for you to answer it. Oh, Mary! you have stuck it, and cease to weep forever. "You are said my Mary" But how have you spoken? "In thunder?" yet, did it not frighten me, nor cause me to change my mind,—far from it,—no it came with its lightning glare, my mind and spirit were at rest. Sorry there were not I, that I ever answered your last letter. Had I not done it till now, all had been well; but I forbear at present. Mary, my dear Mary! I came as I felt, and, as I always do, so did I then and now. I felt no worse when I wrote you than since; and since then, torture has been in me. I believe I said to you in my last that I would soon put a stop to it. I never could do it till yesterday evening, when after getting a letter from home, I did forever. I am at rest, though deeply, deeply grieved for my own doings, as they have caused you to *to* the bitterest part. Oh me, oh wretched me! be all the blame; for I have been the cause of all this woe. Mr Garwood came to me this morning and told me all I heard. I felt, I spoke. I was determined to write you back a letter, to set the matter at rest, right or wrong, at all events; but now here it is. Mary, will you listen to the voice of one who has felt hurt, who has felt grieved, but who will be so no more. Then listen to the voice, so faltering, if you still own Thomas, cease to think of it now and forever: cease to weep; cease to doubt. Recall all your letters; keep them in your own safe keeping; write me forthwith; and Oh! speak to me kindly. Will you not yet Mary, love me still? Pray for me. Bless God for the direction he has given me; for if ever he has heard and answered me, it has been now. Be faithful: forgive me; all this I will do myself, so help me God. I feel my thoughts and feelings more in a new channel; and to hear you say in Mr. Garwood's letter, that "you could not change whenever I did" has overcame me, my dear friend, as ever will I go on, and with a firmer step. Mary, I hope that you will do the same? You shall be mine, should Providence permit, or else you, from the out, give way to doubt. I can no more, it is at an end. Then let sleeping dogs lie. My dear Mary, I am well all things considered, though I have still a slight affection of the chest, all is well otherwise. All the cause of grief I have is with reference to the past. But it is past. I am still in the old Garret. The College is not to be opened till the 20th of August. Father and Mother are well, and in my last, Mother kindly enquires for her daughter Mary. I don't know what to write further, till I am recovered and you write me, which I beg you will do ere you sleep.

Oh my dear Jewel! the storm is past—the storm is past with me, if you now believe and live to love me still. I have forgiven, and will trust, soon forget all. I know you can love me. I am well enough aware that you can cease to love me; but will you? Born that occurred last letter. Let it not mar the rest, as one of mine did. I cannot persuade myself to say more at present; but only say, should life be granted, I shall prove myself true, as ever, and more so.—Assured of your confidence, sympathy and love, I rest contented. God, ever our God, bless you. Never weep more. Write me a long letter, and assure me of your abiding love. Ever faithful and true, I am yours till life's close.

T. DAVIDSON.

Another letter equally fervent, has been omitted for want of space.

After having heard the contents of the Letters, and being in possession of the state of affairs between the parties. And when he told the jury the Defendant was at that moment the husband of another woman, his conduct as a man leaving that of a minister of the Gospel alone, was truly to be condemned. Faithful to you I will be, "*so help me God.*" This is fearful language. This is a solemn adjuration of the Most High to satisfy and confirm. And by this fearful and solemn adjuration has the Revd. Thomas L. Davidson made and entered into the contract for the breach of which he is now before the Court. In the Spring of 1847, he believed Mr. Davidson removed to Pickering and was placed in charge of a Congregation there (or in Markham.) He wrote to the plaintiff in July, a loving and an affectionate letter reiterating all he said before. So did he write to her on the 16th August. But towards the end of August, a change came over the spirit of his dream. He seemed to have forgotten all he said and all he wrote to the plaintiff. It appears that there is a wealthy farmer, a Mr. Winter, living in the neighborhood of Mr. Davidson's Congregation. Mr Winter had a young and handsome daughter, and a girl of some expectations in the way of money. It was impossible for him (Mr. McKenzie,) to say whether the youthful charms of Miss Winter and her expectations had a great influence even the mind of the defendant than the solemn promise which he called his maker to witness, but one thing was certain that Miss Winter was now *Mrs. Davidson*, and all the vows, promises, and adjurations of the defendant forgotten by him. The letter of the defendant in November 1847, assigned his reasons for breaking his promise. They were three in number. First, the plaintiff told a Mrs. Church, the wife of a Minister of the same church, her engagement with defendant. Secondly, that she was too old for him. Thirdly, that she had a quarrel with a Miss Otton. This is the cause assigned for breaking off the match; this is the whole part of her offending. Every person could see that it was nothing but a flimsy and frivolous pretext to back out. If she was too old he ought to consider upon that before he made his promise. He pretends that she is 40 years old; she is only 29—at the time the defendant secured her affections and promised to become her husband, she was between 23 and 25 years of age. His counsel, no doubt, would say many things—he would plead the youth and inexperience of the defendant—he would say an offer of compromise was made—so there was; but that had nothing to do with the matter now. The plaintiff stands upon her right; she has come to this Court to seek redress for a wrong, that in itself is irreparable. The breach itself will be considered in the eyes of all honorable men, as violence offered to those sacred principles embraced in religion and morals. When a solemn promise is made with a full knowledge of all the facts he said he was not acquainted with any principle in religion, ethics or law, to warrant its being broken. Had the contract in question been made by the defendant, believing the plaintiff to be a girl of virtue, purity, strictly moral in every respect, and it turned afterwards her character had been vitiated by vice, and that human turpitude and immoral indiscretions preponderated in her character, he would be justified in breaking his promise. He cannot, he dare not say a word in that way; her character is pure and it is spotless, and there is every reason to believe that she has from her youth upwards walked in the fear of the Lord. In the estimation of damages it would be remembered that her prospects have been blasted, her feelings outraged, her peace of mind destroyed, her health impaired; she has surrendered and bestowed all that a woman can give, her heart, her love, her regard. Mr. Davidson secured her love, he enlisted her feelings, her affections; she looked upon him as a superior being. There were some who have avowed the doctrine of broken hearts, and the direful consequences of disappointment [illegible]