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(For the British Whig.)

THE DEATH OF PALMERSTON.

Speed! speed on lightning wing the doleful wail,
England's great ruling spirit dead! go tell the tale;
All Britain's sympathetic hearts now bear.
The sad'ning tidings, which the world will share.

Great statesman! guiding England's helm of state
Bows before man's inevitable fate,
He, long the terror of the tyrant's guile,
Leaves his broad mantle on the field of toil.

No conquering hero, from the battle field,
E'er left behind him such a lustrous shield!
Like rainbow, circling round the British Isles,
Reflecting rays resplendent with their smiles.

The idol of his country, and the nation's friend,
A noble patriot! foremost to defend
The honor and the pride of Britain's race,
His sun has set, to rise in brighter space.

When foreign despots, lofty in the state,
Talked oft reproachfully of Britain's fate.
While monarch's thrones have trembled to their base,
England's great statesman steered with matchless grace.

On the historic page, ensanguined France!
Freedom's proud motto 'onward' we advance;
Will be enshrined with Palmerston's great fame,
A brilliant star, gilding his deathless name.

Stretching beyond, in an Italian plain
Where sunny fields luxuriously reign—
And Rome! proud Rome, once mistress of the world,
Well knew the power which Palmerston unfurled.

The thundering cataracts of the classic Rhine,
Thro' German States where foaming waters twine,
And snow-clad Russian provinces attest,
The greatness of that spirit gone to rest!

He loved to pourtray with his master hand
The glorious future of our favoured land.
To smoothe men's passions, subdue threatened strife,
What nobler arm could mark a statesman's life?

No more his stately sentiments will fall,
No eager listeners, in the senate hall,
His work is done! the plans he did devise,
And treasured legacies we seek to prize.

Fling wide the Abbey gates! where silent gloom
Pervades the pathway to his honored tomb,
Pass in! there rests England's illustrious dead,
Where many a tear of sorrow hath been shed.

Time swiftly glides away! it ne'er shall part
The fondest mem'ry from a nation's heart.
Chant! chant a requiem o'er the vet'ran gone,
Strew garlands round the tomb of Palmerston!

CANADIA.

Durham, Co. Grey, Nov. 13, 1865.

COURT OF QUEEN'S BENCH.

Wednesday, Nov. 15.

The second case was

THE QUEEN VS. THOMAS TRAINOR AND MICHAEL MULLEN, Assault.—This was a case sent up from the Police Court. The defendants were committed for assaulting Corporal Henry Skuse, of the Royal Canadian Rifles, on the 11th of October last on Mr. Greer's wharf. Mr. R. M. Wilkison, County Attorney, for the Crown; Mr. Wm. Ferguson, Jr., for the defendants. The Jury returned a verdict of "guilty," and the Judge fined the defendants $4 each, and to be imprisoned till paid. He also stated that the case should have been disposed of at the Police Court.

THE QUEEN VS. WILLIAM VANORDER, Forgery.—The prisoner, a farmer in the township of Storrington, was charged with forging two promissory notes, one for $25 and another for $27,50 in September last, the first purporting to be made by Wm. Stokes and the latter by Wm. Patterson, both of Storrington. The prisoner went to the office of Mr. I. Simpson, broker, to have the note discounted, but suspecting the validity of the note, Mr. Simpson would not purchase it. The prisoner then passed it on Mr. John Frazer, Hardware Merchant, stating that he wanted to go to the States right off. Mr. Frazer the next day discovered that the note was bad, and had the prisoner arrested, when the $25 note also turned up. The persons in whose names the notes were made, denied having made out any such notes, and deposed that their names had been forged. Mr. Collett, of Brock Street, deposed to the prisoner's calling at his shop and getting him to write the name of Abraham Vanorder on the back of a piece of paper, which proved to be the $27 note. He also wanted him to write Patterson's name at the foot of the same, but Mr. Collett refused. The prisoner's defence was that there were other persons of the same names as Patterson and Stokes, and that it was not proved that it was these particular persons names which were signed to the notes. Mr. R. M. Wilkison for the Crown; Mr. Wm. Ferguson, Jr., for the prisoner. The Jury returned a verdict of "guilty, with a recommendation to mercy on account of the prisoner's youth."

During the day the Grand Jury presented the following Report:—

The Grand Jurors in closing their duties on the present occasion beg leave to report—

That in the discharge of their duties they have visited the gaol, and found it in excellent order, clean and comfortable, and in conversing with the prisoners, found they had no complaint to make, but were satisfied with their treatment in every respect.

The Grand Jury found on visiting the gaol kitchen, which is situated in the basement of the gaoler's house, that the drainage is very defective, water remaining stagnant under the floor, causing an offensive smell and rapidly decaying the floor and other wood-work of that part of the building.

The Grand Jury found several of the prisoners very deficient in clothing; before these people are liberated, the jury would suggest to the proper authorities that steps should be taken that they may appear out of doors with some regard at least to ordinary decency.

The Grand Jury in conclusion would beg to reiterate what former Grand Juries have often complained of—the paucity of gaol accommodation, and the want of useful employment for the prisoners. The jury earnestly hope that the city authorities will proceed in the establishment of a House of Correction for minor offenders, which they are glad to hear is in contemplation by them, and thus relieve the present gaol of many of those who are sent there for vagrancy and its consequent offences. This would greatly aid in prompting the reformation of the offenders, and also render the confinement what it is intended to be, a punishment of the offence.

All of which is respectfully submitted.

(Signed) GEO. DAVIDSON,
Foreman.

Grand Jury Room,
Nov. 15th, 1865.

Thursday, Nov. 16.

The Court opened this morning at half-past nine o'clock, J. W. Gwynne, Esq., Q.C., presiding. The first case was

HUTTON vs. TROTTER.—An action of ejectment brought to recover some 12 or 13 acres of lot No. 10 in the 4th concession of the township of Pittsburg. The defendant owns lot 9 and the plaintiff the lot 10 in question. It appears that years ago an erroneous survey was made of the line, between these lots, and a strip of some 12 or 13 acres was taken from the plaintiff's land and added to defendant's lot. Last year a correct survey was made of the line and by this survey the fault of the old line was discovered and the land found to be the plaintiff's, who brings the present action of ejectment. A counter action was brought by the defendant, who claims about $100 of improvements on the farm made while in his possession. The plaintiff refuse to pay this demand, as they claim that the defendant used the disputed strip for his own benefit while in possession, by cutting wood on it and selling the cordwood cut on it. The defendants did not dispute the new line. Mr. James O'Reilly, Q.C., and Mr. W. B. Thibodo for the plaintiff, Sir Henry Smith for the defendant.

The Jury retired at half-past three o'clock and had not returned to Court when our report left.

PRENDERGAST VS. THE GRAND TRUNK RAILWAY.—Action for damages caused by a fire on the line of the Grand Trunk in June, 1864. The plaintiff, Martin Prendergast, owns a large farm in the township of Pittsburg, through which the railway runs, and about the time mentioned above, a fire caught out the track of the Company, from the sparks of a locomotive. This fir broke out on a Saturday, and on the following Sunday had advanced some few yards into the defendant's farm. The fire was permitted to burn till the following Wednesday before any notice was given to Mr. Prendergast, who lived about three miles from this spot. When he came he found the fire too far advanced to be extinguished, and the country being very dry at this period, it burned with increased violence for six weeks more, destroying some eight acres of land for cultivation, some rails and fences, a great quantity of cordwood, &c. Some cattle who were pastured on the land, by the burning of the fences, were permitted to stray away, and were not recovered to the plaintiff. The plaintiff therefore sues for the amount of his loss by the fire, on account of negligence on the part of the officers of the Company. They shewed that when the fire first caught the section master visited it, but refused to put it out, saying that it was no use; also that several others were notified, but refused to offer any assistance. Mr. Daniel Macarow and Mr. James O'Reilly, Q.C., for the plaintiff; Mr. Matthew C. Cameron for the defendants. The case occupied the Court till half-past nine o'clock at night. The Jury returned a verdict for the plaintiff and damages $125, after half an hour's deliberation.

HUTTON VS. TROTTER.—The Jury in this case, reported yesterday, returned a verdict at nine o'clock for the plaintiff as to the possession of the disputed land. The Jury assessed the value of the improvements at $90 and $18 per acre for 12¼ acres of land ($222) for the defendants.

The Court adjourned at ten o'clock.

Friday, Nov. 17th.

The Court opened this morning at half-past nine o'clock, J. W. Gwynne, Esq., Q.C., presiding.

The first case called was

THE QUEEN VS. ROBERT I. JORDAN, shooting with intent.—The facts of this case are already in the possession of our readers, having been published in full when the primary examination came off in the Police Court. The defendant was charged with firing a revolver at Mr. Jas. Campbell, of this city, with intent to do bodily harm, on the 2nd of May last. Both of the parties were wood merchants, and the defendant was given a lease for two years of the wharf at the foot of Queen Street, owned by Mr. Charles Gildersleeve and Mrs. D. J. Smith, in the spring of 1864 by the proper owners, on which he piled his wood. Both of the owners desired to let the wharf at the expiration of the first year's time to Mr. Campbell, and for that purpose gave him a lease over Mr. Jordan's head. Possession was formally given to Mr. Campbell on the 1st of May, but without Mr. Jordan's knowledge. On the following day Mr. Campbell came to the wharf, fetching a carter along with him to draw away some wood. Mr. Jordan, considering him a trespasser on the wharf, refused to let him go on it or take the wood away. This caused some hard words to be used on both sides, and a good deal of scuffling occurred in Mr. Jordan's office, which also is on the wharf, during which two shots of a revolver were fired, evidently at Mr. Campbell. Neither of the shots touched him, further than just passing through a portion of his coat. Before this happened a number of persons had collected on the wharf, including a son of Mr. Campbell, in whose thigh one of the bullets lodged, inflicting a trouble-some wound. The younger Campbell was directly at the back of his father at the time the shots were fired, and was stooped down when the ball passed between his father's legs and struck him. Mr Jordan was shortly afterwards arrested, and a revolver was found in his possession, two barrels of which had been discharged. A good deal of evidence was taken on both sides. The defendant pleaded that he was wronged by the owners of the wharf, and that Mr. Campbell was trespassing on his property when the affair took place. Arising out of this case the defendant has entered a civil action against Mr. Gildersleeve and Mrs. Smith for damages for trespass and non-fulfillment of lease. The County Attorney, Mr. R. M. Wilkison, and Mr. James O'Reilly, Q.C., for the Crown; Sir Henry Smith, Q.C., and Mr. T. L. Snook for defendant.

CLARK VS. THE GRAND TRUNK RAILWAY.—Action for damages caused by fire on the line of the Grand Trunk Railway in July last. The case is similar to that of Prendergast vs. the Grand Trunk, tried yesterday. The plaintiff owns the east half of lot No. 25 in the first concession of the township of Ernestown, which touches on the line of the railway. Last July, shortly after a train had passed plaintiff's farm, a stump on the line of railway was discovered to be on fire. From this stump the fire spread to the railway fence, and from thence to the bush of the plaintiff. It was not checked for two months, by which time a fine maple bush and a fine ash and elm tract were destroyed. The soil for about twelve acres was also spoiled for cultivation, the fire burning the surface soil to about the depth of a foot. The amount of damages was laid down at $350. The plaintiff lays the spreading of the fire to the negligence of the employees of the railway, several of them visiting the fire when it first broke out, and refusing to put it out on account of the smoke it caused. A few pails of water would have extinguished it at our time.—Mr. R. M. Britton and Sir Henry Smith for the plaintiff; Mr. James O'Reilly, Q.C., for defendants.

The case for the plaintiff was closed at seven o'clock, when the Court adjourned till Saturday morning.

Saturday, Nov. 18.

The Court opened at half-past nine o'clock this morning, J. W. Gwynne, Esq., Q.C., presiding.

CLARK VS. THE GRAND TRUNK RAILWAY.—This case was gone on with on the opening of the Court, the defence producing their witnesses. Mr. O'Reilly addressed the jury for the defendants and Sir Henry Smith for the plaintiff. The jury retired about twelve o'clock and returned a verdict for $160 for plaintiff on account of the negligence of the company's servants.

THE QUEEN VS. JOHN O'TOOLE, Manslaughter.—The prisoner was brought up for sentence. When asked whether he had anything to say why the sentence of the Court should not be pronounced against him, he appeared to be extremely repentant for what he had done, and remarked that he would have lopped his own life if he could have recalled Gethins'. The Judge then made a few remarks to him as to his case, attributing his present difficulty to being enslaved with the vice of drunkenness, and advising him if he sought his own prosperity, to never again permit liquor to pass through his lips. The prisoner was then sentenced to be imprisoned in the Provincial Penitentiary for the term of seven years. The prisoner gave vent to tears, and appeared to be truly penitent.

The following prisoners were also sentenced:—

Jane Kernahan, on two convictions for larceny, to be confined in the common gaol for eight months for each offence.

Thomas McFerren, larceny, to be imprisoned in the common gaol for eight month.

John Williams, larceny, was sentenced to be confined in the Provincial Penitentiary for the term of two years. Williams is an old offender, and pleaded guilty as well as McFerren.

William Vanorder, forgery.—Vanorder was sentenced to four years' confinement in the Provincial Penitentiary, this being the shortest sentence the Judge could inflict.

The Court rose at one o'clock.

The people of Canada must be a liteg ous community, for although the Court sat 13 days, more than half the business was left unfinished. Out of 47 defended cases only 14 were tried, and these not the longest on the docket. The Courts above seldom give fair play to Kingston. They never allow time enough to do the business here; and this neglect is attended with frightful loss to the suitors, one poor farmer in a trespass suit having had to pay $15 a day for witnesses during thirteen days and all for nothing, because the Judges of the land neglect their duty. No shorter time than three weeks should be allotted to the Kingston Assizes.

THE CASE OF FOGARTY.

We can now scarcely trust ourselves to write about this unhappy wretched man. To do so properly, it is necessary to be fully acquainted with the facts of the case.—The trial on Wednesday certainly gave many facts, but not enough to account for every thing. After due and diligent enquiry, we shall not fail in our duty to the public. There must be gross fault somewhere. We should like some authority to ask the Judge who tried Fogarty, upon what principle he could try and punish him for a crime, the punishment for which he had already received, in being flogged with 73 lashes, and then put four months in a cell with bread and water?

PITTSBURG PLOUGHING MATCH.

The Annual Ploughing Match of the Pittsburg Branch Agricultural Society came off on the farm of Mr. John Wilmot on Wednesday, the 15th instant. In consequence of the hard frost last week, the Match did not come off on the day appointed. On Wednesday the weather was all that could be desired, being one of these fine Indian Summer days which Canadians enjoy at this season of the year. The field selected was a very good one for the purpose, being level and the lands formerly well laid out, but the ground was much too dry for easy work. The Committee were early on the ground, and had the ridges marked out ready for the Ploughmen to draw their lots by 9 o'clock. The men were all on the ground, and commenced together precisely at that time, going to their work very quietly, and not as was reported of the Provincial Match, where there was so much shouting at their horses, that it was quite disagreeable to be within hearing. At 12 o'clock lunch was served to the Ploughmen on the field. They then proceeded to finish their work, which was completed a few minutes past three o'clock, at which time the Judges came on the ground, and were closely engaged until darkness put a stop to their investigations. The twenty ploughs that performed the work were all iron, and, with one exception, the manufacture of Mr. Wilmot, of Kingston. So well was the work performed, that the Judges had the greatest difficulty in deciding how the prizes should be awarded, and declared that it all looked like one man's work, the flank ridges being equally as good as the prize ones. There were not so many spectators on the ground as if the Match had come off on the day first appointed, but still there was quite a large number, who took a very lively interest in the proceedings.—Among those present was our worthy County Member, Wm. Ferguson, Esq., who is always the first to take an interest in every thing tending to the advancement of Agriculture or the benefit of those who till the soil for a living. To his liberality, and to that of John Carruthers, Esq., who kindly presented the Committee with a first-class Iron plough, as well as to that of the Hon. Alex. Campbell and other gentlemen who so generously contributed, the Committee feel indebted, as their contributions enabled them to offer the handsome prizes they did; and we only wish that all those gentlemen could have been on the ground to see how keenly the prizes were contested for. After the match was over, the whole of the Ploughmen and visitors, to the number of 75, proceeded to the house of Mr. John Wilmot, where his good lady had prepared a sumptuous repast and entertained the company in the most hospitable manner until a late hour, when they parted all well pleased with the day's proceedings. The prizes were awarded as follows:

MEN'S CLASS.

1st Prize, James Milton; 2nd, Malcolm McIntyre; 3rd, Thos. Stark; 4th, Hy. Wilmot; 5th, John McFaddden; 6th, Daniel Milton; 7th, Alex. Dunlop; 8th, Peter Graham.

BOYS' CLASS.

1st Prize, John McLean, 2nd, Daniel McLean; 3rd. Hy. Milton; 4th, Samuel Chesnut.

MEN'S CLASS—OVER 50 YEARS.

1st Prize, Archibald McIntyre; 2nd, Donald Graham.

The Judges were Messrs. James Howie, William Brown and W. H. Rankin.

FRIDAY MORNING, NOV. 17, 1865.

LETTERS AND TELEGRAMS.

A. & L., Montreal; J. J. W., Denaston.

THE M'GEE BANQUET.

A DISTINGUISHED ASSEMBLAGE.

SPEECH FROM HON. MR. McGEE.

THE FENIANS WELL HANDLED.

A GENERAL UNION ADVOCATE.

BRITISH CONNEXION, &c., &c.

Montreal, Nov. 15, 1865.

This evening a complimentary dinner to the Hon. Mr. McGee took place in the St. Lawrence Hall. Over 200 were present.

The chairman was Mr. Walter Macfarlane. On his right were Messrs. McGee, Cartier, J. Ferrier, Cauchon, Col. Dyde, Major Cassidy, of the 50th; and on his left Messrs. John A. Macdonald, Galt, Wilson, the Mayor, Rose, Bridges, R. Mitcolland, Recorder Sexton and W. Workman.

At the other tables were Messrs. J. Lover, H. Starnes, Pominville, T. K. Ramsay, W. Angus, Gilbert, Scott, T. W. Griffith, Col. Brunel, W. Gooderham, James Cotton, of Toronto; R. W. Scott and Alderman Goodwin, of Ottawa; Alderman Fitzpatrick, of Hamilton.

The usual loyal toasts were proposed to the army and navy.

Major Cassidy responded, paying high compliments to the volunteers, who were equal to any he had seen in the old country.

Col. Dyde responded for the volunteers, and referred to the liberal manner in which the Government was now acting towards the volunteers.

Mr. McGee's health was proposed amidst great enthusiasm.

The Chairman stated that letters of apology were received from the Premier, Messrs. McDougall, Cockburn, &c., &c. He went on to say that Mr. McGee, as Minister of Agriculture, had proved highly advantageous to the country. No man in Canada had done more to bring about a good feeling among all creeds. (Cheers.) He alluded to his high position as an orator and poet. It was intended, he said, to give this banquet to Mr. McGee on his return from Ireland, but he declined it at the time. But they were determined to have it.

THE SPEECH OF THE HONORABLE THOMAS D'ARCY McGEE AT THE BANQUET GIVEN IN HIS HONOR:

Hon. Mr. McGee then rose and said—I have been long accustomed to the kindness of my friends, the vice-chairman and the stewards; but the presence here of so many friends from a long distance—(Cheers)—of so many gentlemen of the city whose names are synonymous with Montreal—the presence of my honourable colleagues right and left, my seniors and betters in the public service—these are unusal circumstances, and not with out embarrassment to me. You have been good enough to see to-night, Mr. Chairman, only favourable traits in my character; but by the very contrast with the picture you have drawn the colours of which you borrow from your own good heart, rather than from my actions—I feel, and I can see clearly how very far I have failed and fallen short of the services you ascribe to me, and how much I must endeavour to do hereafter to make up for so many deficiencies. I wish I could feel that all my friends had the same disposition to be satisfied with my course, for I must often, I feel, have disappointed their particular expectations. As the Minister charged with immigration affairs, all that I can do at present is rather discretionary than defined, and therefore more a matter of anxiety. It is satisfactory to be able to say that the number of immigrants using our route in 1865 was rather over than under the average of late years. But it is the reverse of satisfactory to see the larger half of the arrivals allured by the reported high wages, but uninformed as to the equally high cost of living, making their way to the United States. (Hear, hear.) I think we ought, and I believe we shall liberalize our system of disposing of the public lands. I think we ought to have some substitute for the homestead law, which attracts so many settlers to the United States; but so far as the tide of mere labour is concerned, I confess I can discover no prospect of seriously diminishing this annual afflux until we see begun, or about to begin, those great works of public utility which we all expect to accompany the advent of a closer union of the Provinces. (Cheers.) In reference to the official toast, Mr. Chairman let me also say that I can heartily reciprocate the satisfaction you have expressed at the result of the Canadian representation at the Dublin Exhibition. Although we had very little time for preparation, and only a thousand pounds sterling to start with, I think it ought to gratify those who took a much larger share in the preparations than I did—my indefatigable deputy, Dr. Tache, the two Boards of Arts and Agriculture, and Dr. Hunt of the Geological Survey, acting in the absence of Sir William Logan—to know that Canada attained so honourable a place—the ninth place among all nations at that Exhibition. (Cheers.) We were honoured in our departments there with the presence of many thousand visitors—from His Royal Highness the Prince of Wales (cheers) and the Viceroy of Ireland, down to the intending emigrant labourer—and so far as I could learn, from the press, on the spot, and from private report, the impression left on all our visitors was favourable to this Province, its prospects and resources. If, however, we are to be represented at Paris in 1867, as we hope to be—and if I should have anything official to say to the arrangements, I should endeavour to get time enough and money enough to put the country in the best possible point of view before the myriads who feel, Mr. Chairman in the presence of so many gentlemen to whom we hope to listen, that I ought to reiterate my thanks, and resume my seat, but there is a subject which has occupied a good deal of public attention, with which my name has been much mixed up at home and abroad, and upon which I hope you will allow me to be, as these times demand, explicit and emphatic. If this be your will, gentlemen, you will grant me the latitude Montreal has always allowed me, and I will endeavour not to abuse your indulgence. As to the usefulness of the speeches made at London or at Wexford, I can have nothing to say. I thought it necessary to show my countrymen the reverse of the American model always glistening before their eyes. I endeavored to set the truth clearly before my own mind and equally so before them. My intentions were the best, whatever the result. (Cheers.) It was not a pleasant report for me to make, or for a Mother Country to hear, that for so many of her emigrants democracy and degeneracy had proved identical terms. It was not a pleasant subject to sketch those seaport demagogues, native and Irish, who have made themselves, the masters of the possessions of so many of the Irish in the United States, who are at this moment coining their prejudices, if not in gold, certainly in greenbacks to the astonishment and derision of all sensible men. But I was careful not to permit the impression that this degenerate class, though unfortunately too numerous, include all my countrymen in the United States. I was careful to do justice to the domestic and public virtues of a very different class (cheers,) against whom the worst reproach we can make, is, that they fail in a noble resistance to the demagogues and their dupes; that the lowest and least among them speak for all that content themselves with avoiding the contamination; they make no effort to keep their less intelligent compatriots out of the jaws of those who daily devour them as their prey. If any justification were needed by any one of the severity with which I spoke of the Yankee-Irish demagogues, they may find it in the shameful farce now played before our eyes under the title of the Irish Republic. (Laughter.) We have had on the boards before the Irish Ambassador and King O'Neil, but these performances are all eclipsed by the Irish Republic and President O'Mahony. (Laughter.) An Irish Republic on Manhattan Island, with Senators from Tennessee and Senators from Massachusetts, with a President taken from the lunatic Asylum, and in a concatenation accordingly, Mr Train, if there really be such a person as Mr. Train—as its orator—I say if their really be such a person, for I always suspected that Train was a work of fiction, like Orpheus C. Kerr or bird of freedom sawin. (Great laughter.) As an extravaganza on American oratory the character is not badly sustained, a little too improbable perhaps; but if there be really such a person, and if he really made the mad speech he is reported to have made in lavender coloured gloves to the Fenian congress at Philadelphia, only fancy what a congress it would have been. (Laughter.) Only fancy the congress that sat nearly a century ago, at Philadelphia. The Fenians the authors of a liberation of Ireland! They liberate Ireland! Why don't they liberate Ireland at their own doors, from the poisonous and murderous surroundings of the tenement houses of New York and Boston? (Cheers.) Why don't they liberate their own young Ireland from sanitary destruction—that Ireland in America, which, according to the N. Y. Times contributes 88 per cent of the death of children in the whole number of deaths in that great city? They liberate Ireland! Why don't they liberate those children of a larger growth more than fatherless, who are swept daily from amongst them to the far West, there to undergo the fate of changelings and apostates among an alien people? (Cheers.) They are held out by a portion of the American press as a menace to us here in Canada, and it is alleged, moreover, that they have many sympathisers if not actual associates, among the Irish population settled on this side of the line. I think they set down their force in British America at the exact figure 45,000 men. Well, sir, all I can say is, that if the rest of their figures are so near the mark as these, they are a very formidable body of enemies to the truth. The Archbishop of Halifax asserted me that Fenianism is entirely unknown within his jurisdiction. In Lower Canada it has neither a local habitation nor a name; and though, as I said at Wexford, there may be some of the species somewhere among us, since the number of fools, we are assured on good authority, is infinite (laughter)—yet, compared to the great orderly, law-abiding, religious mass of the provincial Irish, they are not a drop in the bucket, nor a bucket in Lake Ontario—After dwelling at considerable length on the Fenians, he said, now is the time of all others for these Provinces to take a step in advance, in order to meet the express wishes of our Sovereign, and to avert by a timely unanimity all possible dangers. The text of the Union is taken up for us, not so much by men as by events. Every thrill of the telegraphic wires gives us a reminder not to delay our Union. I speak on this without exaggeration when I say that in my deliberate settled opinion the question before all British Americans at this moment is, will you unite, or will you give up your country to another people and another form of government? (Cheers.) I impeach no man's motives who differs from us in this conviction, but while I see our situation so clearly as I do, I cannot cease to cry out unite, unite, unite. I have been charged by Anti-Unionists with saying that the late negotiations with England had brought these Provinces to the threshold of independence. I said the Queen's Imperial Government had treated with us as a Power, that they had impressed upon us our own duties and obligations as if we stood on the threshold of independence; and if we were ripe for that condition—if there was no likelihood of our repeating here in the north the experience of Texas in the South, premature independence followed by inevitable annexation—I do not think, if we were really anxious to go alone, there would be any decided hostility to our doing so shown in England; but that these great Provinces should be wrested or filched from the empire, only to be added to the extent and resources of the Republic; only to obliterate England from this colony; only to hasten the establishmant of an exclusive continental system of trade—this is what, I think, no patriot of any party, here or at home, cares to contemplate as the future of these Provinces. (Cheers.) There are now three North American powers—four, if we include Mexico—the United States, England and Russia. England holds still notwithstanding all her former losses, the second place as an American power, and Russia the third. It is for the statesmen of the empire to say whether, notwithstanding that by their act, not our's we have caused to be peculiarly advantageous to them, whether there are not strong motives, of political strategy felt at St. Petersburg and Washington, and not unfelt at London where they should cling to the connection for England's sake as well as for our's.—We all desire to maintain on our side that connexion, to do our part manfully by it, but that we should do so with the best possible effect, it is essential, it seems to me, that these Provinces should be placed under one general Government. Without Union we cannot have the Intercolonial road, and and without the road we cannot have direct intercourse with the mother country, and without both, we are the mercy of another government and another people. (Hear, hear.) I repeat again: all events address the question—Will you unite, or will you give up your country to another Government and another country? Will you consider your situation and the proposed union, not from any sectional or sectarian point of view, but weighing all the arguments, decide for the good. (Hear, hear and cheers.) The issue is made up. The question is, do we prefer the British system purged of every traditional abyss? Do we prefer an ample self-government, ministerial responsibility, judicial independence, and executive stability over and and above indissoluble administrations, elective judges, and a chief magistrate turned out of that wheel of fortune, called a convention, every fourth year? (Cheers.) These are the alternatives from which it is the high and solemn privilege of this generation to choose for themselves, and I cannot for a moment conceive how any man can hesitate as to the choice he should make. Let us unite then to meet the express wishes of our Sovereign that we may extinguish the wild hopes of those who count on finding us a divided people. Let us unite to draw to ourselves a larger share of the attention and productive labour of the Old World. Let us unite that, by the enhanced credit Union alone can give, we may undertake those enterprises which will help to keep our native population of both sexes prosperously employed at home. (Cheers.) Union has no terrors but for bigotry and mediocrity; for the right and true of heart is full of promise and inspiration. (Loud cheers.) Mr. McGee concluded by referring to the good feeling and faith amongst this community, some share of which he got credit for. (Prolonged applause.)

[The Speech of the Hon. John A. Macdonald will be given to-morrow, meanwhile we append two letters read at the Dinner Table:

(FROM HIS HONOR RECORDER O'REILLY.)

Kingston, November 10.

DEAR SIR,—It would have afforded me infinite pleasure to be present at the Complimentary Dinner to be given to my distinguished countryman, the Hon. Thomas D'Arcy McGee on Wednesday next, but my professional engagements at the Assizes now being held in this city, will prevent my accepting your invitation.

Mr. McGee has done much to elevate the position of his countrymen in Canada, and although it has been his lot to have differed from him politically on many occasions, still I could, with all my heart, unite with his friends and constituents in doing him honor.

He has rendered important services in uniting those jarring elements of which society in this country is composed, and in endeavoring to heal the wounds inflicted upon it by the political hate and religious rancor invoked by designing politicians in years past. Mr. McGee has also done much by his judicious and wise counsels to render futile the attempts of an organization hostile to British power on this continent, to establish itself in Canada. The Queen has no more loyal subjects than the Irishmen of Canada, and if the occasion should require it, they would almost to a man unite with their fellow colonists in maintaining that connection which so happily unites us to the Mother Country.

Believe me that nothing but professional engagements, which cannot be postponed, would have prevented my being present at your banquet on Wednesday next, for I feel that the present period of our political existence is momentous, and I should only be too glad in being present personally to testify my confidence in the foremost man of my race in this country.

I have the honor to be,
Dear Sir,
Your obedient servant,
J. O'REILLY.

HENRY J. CLARKE, Esq., Secretary,
Committee McGee Banquet, Montreal.

(FROM THE O'CONNOR FAMILY.)

Quebec, Nov. 14, 1865.

DEAR SIR,—I received this morning your telegram regarding the intended dinner to the Hon. Mr. McGee. I should with pleasure join in any testimony of respect to my distinguished countryman, Mr. McGee, but my time so spent in Canada is so very limited, that I regret it will not be in my power to be present at the dinner to-morrow. I arrived here early this morning, and would not now be in time for the Banquet, except by leaving again this evening, which as I cannot expect to be able to return here, would leave it out of my power to see anything of the place. Thanking the committee for the honor they have done me in inviting me to be a guest at the Banquet, and again expressing my regret at being unable to attend,

I am, Dear Sir,
Your obedient servant
C. O'CONOR DON.

For the British Whig.

THE CASE OF FOGARTY.

The case of Patrick Fogarty, tried at the Assizes here on Wednesday, for assault upon a fellow convict in the Penitentiary, with intent to commit murder, presents some curious features in the administration of justice in our Courts, and reveals some startling facts relating to the government and discipline of the prison. The prisoner was brought into court heavily chained and manacled, and the clanking of his chains was audible at intervals throughout his trial. When arraigned he pleaded not guilty, and openly refused the assistance of Counsel to defend him. The appearance and deportment of the prisoner indicated him to be a madman, and so thorough was the impression of his insanity on the court, that learned Counsel undertook his defence on that plea. The trial, after enduring nearly all day, resulted in the conviction of the prisoner, and he was sentenced to five years more in the Penitentiary. This result must provoke an inquiry as to the desirability of further continuing a system of trial in criminal cases, involving intricate questions of physiology and metaphysics. The present jury law provides that in certain civil cases skilled juries may be summoned, who possess a peculiar knowledge of the question which they are called upon to try; and if this is found to be necessary in matters which merely effect the rights of property, how much greater is the necessity of the application of the principle where the life and liberty of the subject are involved. The present law in this respect is anomalous and clamors for amendment. If a special jury, possessed of a peculiar knowledge in the matter, had been summoned in Fogarty's case, the result it is apprehended would have been entirely different. Instead of accepting for granted the vague speculations of a couple of Doctors on a question of physiology, but very indifferently understood, they would have minutely examined the conduct of the prisoner, enquired into his peculiar idiosyncrasy, and the effect likely to be produced upon it by moral and physical causes, and from the whole circumstances of the case derived a conclusion satisfactory to the public. As the case now stands, grave doubts afflict the public mind as to Fogarty's responsibility to the law and the consequent righteousness of his conviction. The moral circumstances which precede or accompany crime generally show whether they are the result of criminal intentions or derangement of intellect; that is to say, that in a real criminal there is always some motive of personal interest by which the moral cause of his act may be known. Applying this test to Fogarty, where was the motive or personal interest for his act? He was on terms of amity with the convict whom he assaulted, and without any motive or personal interest proved, in a paroxysm of passion he fell upon his victim and smote him down. In forming an estimate of the criminality of any act, the motives which may have lead to its commission are always to be taken into serious consideration, and this was not sufficiently urged by the defence, nor by the Court upon the attention of the Jury, as a proof of his insanity. The demeanor and speech of Fogarty in Court were those of a madman. To cite the language of an eminent authority on this point:—"The person who is desirous of appearing insane generally exhibits his sanity by overacting the part of a madman. The real maniac, altho' known to be deranged, will often absolutely deny that he is so. He becomes greatly indignant at the manifestation of the slightest suspicion of insanity. His delusions are seldom admitted to exist." The prisoner scornfully denied that he was crazy several times during his trial, and his predominant idea was that there was a conspiracy against him in the prison, where they put rattlesnakes tails in his soup and blew coal oil into his stomach. This idea was expressed by him in the Court and in the prison, where he was observed by a fellow convict to become sullen in a minute without any assignable cause. Judging the prisoner by this standard he was apparently insane; at all events the Jury should have been directed to take into consideration the prisoner's conduct, both before and during the trial, and to decide whether his insanity was simulated or not. The medical evidence at the trial was vague and conflicting, and so far as it went tended if anything to prove that the prisoner was insane. One learned Doctor swore that solitary confinement and the obstinate resistance of the prisoner would have a tendency to produce insanity. While the other asserted that the repeated floggings in the case of the prisoner, who was in both a state of obstinate resistance and solitary confinement, would not produce insanity, because he was a Tipperary man and impulsive and excited. Neither of the learned Doctors presumed to define insanity; nor to inform the Court and Jury that there may be a partial as well as total insanity, and that a person may be capable of rational conduct in respect of some things, and yet have a particular dementia; that there may be moral insanity with a morbid propensity to destroy, without any delusion of the mental faculties, and there may be a delusion of the mind, latent, but liable to be developed with frenzy by a sudden exciting cause, as in the case of the prisoner. Yet upon this incomplete and conflicting testimony of medical witnesses the prisoner's plea was held to be disproved. The treatment of the prisoner in the Penitentiary seems to have been degrading and cruel in the extreme, and calculated to excite a person of less violent temper to deeds of ferocity; chained night and day with heavy fetters in the solitary cell upon bread and water for months like a wild beast; feared because hated by his keepers, and repeatedly scourged with the cats, no wonder he became demented and was goaded to desperation and deeds of violence by the cruelty of his bonstrainers. not that it is meant to imply a whisper of censure against the Warden of the Penitentiary, or that he was ragnizant of the actual condition, and treatment of the prisoner,—for his well known charity and humanity forbid such an insinuation—but the taint lies with some of the under officials in the Institution of inhuman and brutish instincts. The man Fogarty seems to have been treated as a brute beast, and without any allowance whatever for his possible malady. That kind treatment would not be lost upon him, witness his good behavior while in the Asylum for over a month, and his relapse into madness when the exciting cause was renewed. It is a painful reflection to indulge in that a possible madman has been punished by our Courts. The object of all punishment is the repression of crime, but the punishment of a maniac presents a miserable spectacle of extreme inhumanity and cruelty, and can be no example to others.

Sir Henry Smith, in addressing the jury, stated that the defendant, if he fired the shots at all, did so, to save himself from violence, for he was attacked by some five or six persons, and most likely saved his life by the act. The Judge charged the jury that they could only bring in a verdict of guilty or not guilty of shooting with intent, as there was no evidence to sustain any other charge, even that of common assault. The jury, after an absence of less than five minutes, returned a verdict of not guilty, and the defendant was released from custody.

JOURNALISM AT OTTAWA.

The Ottawa Times is the title of a new paper to be issued in Ottawa within a few days. This journal it is said will be published in the interest of the Government.

The Evening Post is the title of a new journal to be commenced about the first prox. This journal, if its prospectus be taken as evidence will support confederation, and, in the event of that scheme failing will support Federation.

La Canada is the title of a new French journal, about to be issued here in the interest of the Government. Its proprietors are enterprising business men, and we doubt not they will push their business energetically.

It is pretty evident that Ottawa will be well supplied with newspapers.—Union.

*** There are already three Dailies at Ottawa, the Citizen, Union, and News.

THE CONVICT FOGARTY.

A gentleman, well acquainted with medical jurisprudence, has taken up the case of Fogarty, that unhappy man, whose insanity has been produced by severe punishment; and it so far relieves us of a promise to attend to the matter. The man is mad, mad as a March Hare, despite the testimony of Drs. Litchfield and Dickson. The Jury must have been mad to have convicted him; and the Judge to sentence him; seeing his madness was evident while in the dock; and particularly after he had been already punished for the offence. Seventy-three lashes and four months imprisonment in a dungeon, without a bed to lie on, and nothing but bread and water to exist on, was a heavy punishment, even if the man had been sane.

VOLUNTEERS TO THE FRONT.

OTTAWA GARRISON BATTERY FOR THE FRONT.—Pursuant to order the Ottawa Garrison Battery, under command of Capt. Forrest, are in readiness to proceed to Prescott to-day to occupy Fort Wellington. The force includes Capt. Forrest. 1st Lieut. Duck, 2nd Lieut. Eagleson, and 65 non-commissioned officers and men. Since the order was received on Saturday, volunteers have come rapidly forward and filled up the company. A great many others have wished to join, but the required quota has been enrolled.

The Woodstock Rifle Company, Captain Board commanding, are under orders, destined for Sarnia, on Monday next.

SATURDAY MORN