

the passage of an ordinance agreeably to the instructions of the 16th of July would contribute to the good of the people, and lead to the speedy and impartial administration of justice. It was decided that it would not, and an address to the governor setting forth the reasons of this opinion was voted.

It was presented on the 7th of March. Haldimand, although convinced of the "strength and truth of the reasons," took exception to the form in which they were expressed, and referred the address back for consideration. Its language was therefore modified. Caldwell moved that the original address should be expunged from the minutes. Finlay, Allsopp, and Grant asked that it should remain on record, and this request was agreed to.

The ordinance in question was one for the reconstitution of the court of appeal, removing appeals from the council to the court, constituted in accordance with the recommendation of the privy council. Objection was taken not to the change itself, but to the period when it was proposed, being the time of war, when the fear of an invasion by the congress troops, with a large force of the French, was strongly felt. The council was nearly unanimous: the four dissentients were Finlay, Pownall, Allsopp, and Grant, and these all differed in their views. Finlay and Pownall recommended that it should be deferred for a year, the former with certain changes. Allsopp and Grant supported the publication of the ordinance without delay, Allsopp recommending that when the votes of the judges were equal, the eldest member of the council should be added to the bench and the case reheard.

The responsibility which bore the most heavily upon Haldimand in these trying circumstances was the defence of the province. He could gain no reliable information concerning the operations of the war in the southern provinces, by which his own conduct could be guided, and he had no certainty on whom in his own government he could rely. The British and German troops under his command, that he could bring into the field, alone constituted his strength, and he was oppressed by the conviction how insufficient they were to