

"Our indictment being read, we were severally asked, 'Guilty or not guilty?' 'Not guilty,' was our response. The Queen's witness was asked if he recognized us, to which he replied, 'I do not.' No other questions were asked, and we were remanded back to our prison room, wondering what the sentence of the court would be on such overwhelming testimony! In a similar manner were all our comrades tried, often a dozen or fifteen at a batch, whilst the whole time occupied, from the moment they left the room till their return to it again, would not exceed generally over one hour. All that seemed necessary was to bring the culprit into the presence of the court (?) to hear his indictment, and to give him the opportunity of repeating 'guilty' or 'not guilty,' either of which repetitions was sufficient to warrant a condemnation."

Different as was the case of these invaders, caught red-handed, from the native rebels of Lower Canada, who, indirectly, so deeply influenced Durham's life and political usefulness, the then British Executive seems worried in deciding what to do with them. After a lapse of ten months—28th September, 1839—they, unsentenced, sail in the *Buffalo* from Quebec for a port not announced to them, which proves to be a convict camp in V. D. L. (Van Dieman's Land, or Tasmania).

Gates' life there is pitiable enough for six years. Pardon comes the 13th September, 1845, but that meant he was turned adrift without means, eventually getting to Australia, and thence home by a whaling ship to New Bedford, Mass., the 31st May, 1848.

(2) The second book is by Ben Wait and his courageous, active wife. Of his offence he talks ambiguously. From Schlosser, N.Y.: "Consequently, twenty-six, all Canadians, daring fellows, ready to be sacrificed in the field or on the scaffold, penetrated, doubly armed, without hope of return, to the heart of the enemy's country, surrounded on every side by the regular infantry, lancers, volunteers, and Indians (where a few Americans came to us) on a secret mission—the object of which I am not yet at liberty to detail—to which, however, let it suffice that I declare there was nothing in the slightest degree dishonourable or disreputable attached, notwithstanding subsequent surmise and evil report.

"After a trifling, successful irruption upon a company of insulting Orange lancers, etc., far outnumbering us, whom we took, detained a short time, then dismissed, our little band retreated and dispersed, when a part were captured and sent, with twenty or more of the innocent inhabitants, to a jail where we were all separately indicted for high treason. . . ."

Judge Jones' sentence, given August 11th, 1838, was, Benjamin Wait, between the hours of 11 and 1, August the 25th, "you shall be drawn on a hurdle to the place of execution, and there hanged by the neck until you are dead, and your body shall be quartered."

The dramatic part of this book gives his wife's exertions to mitigate the death sentence, eventually amended to exile in V. D. L., and his acute suffering there.

"A wife's devotion. A Canadian heroine of sixty years ago," is Maria Wait's (*nee* Smith) story, as told by Janet Carnochan in No. 13 of the issues of the Niagara Historical Society, 1905. Both man and wife were born not far from Niagara, and she was educated by Robert Randall, who was also his early patron and friend. On Randall's tombstone, Lundy's Lane, 'tis recorded he was a "victim of colonial misrule." He probably knew it, for he was