

CANADA.

while assisted by the counsels of your former as well as your present advisers, without reference to the policy of either.

While we sincerely hope that the tranquillity of the city is now substantially restored, we feel it our duty to assure your Excellency of our cordial support of any measure which your Excellency may find it necessary to take for the preservation of the public peace, and we pledge ourselves to make good any expense that your Excellency may have found it necessary, or may yet find it necessary, to incur for the accomplishment of that object.

*Mr. Baldwin* having consented to withdraw his motion, *Mr. Wilson* seconded the address.

*Sir Allan MacNab* rose to a point of order. The manner in which this motion was introduced was quite in accordance with the previous proceedings of the majority; but, fortunately for the minority, there were rules of the House to prevent their being taken by surprise in this manner; and, fortunately, they had a Speaker who would see those rules respected. He had no objection to meet this question fairly and fully, but he did not choose to be taken by surprise in this manner. The honourable member might give this as a notice; but if it was objected to, it could not be put without notice. He was not prepared to meet this question to-day; he had not expected it; he had expected to hear from the head of the Government, whom he had not seen in his place since the night of the conflagration, something concerning the state of the city, and the means which had been taken to provide for the restoration of tranquillity; but he did not expect they would employ the honourable member for Norfolk indirectly to forestall the judgment of the House before discussion had taken place. He (*Sir Allan*) was not prepared to say that the city was in a state of tranquillity, when only last night two men were shot and wounded in the streets. He was prepared to go all lengths to aid the Government in restoring peace, but he could not vote for a motion like this, and he objected to it as being out of order.

*The Speaker* said that it was true that there was a rule requiring a day's notice, but that it had been the constant practice of the House to dispense with that rule when they had thought it advisable.

*Mr. Gagy* contrasted the conduct of the Attorney-General, in withdrawing his motion, to make way for the honourable member for Norfolk's address, with the manner in which he had interrupted him (*Mr. Gagy*) on the previous day. He was also prepared to go to all lengths to aid in maintaining peace and tranquillity, but he could not consent to an address brought forward in such a surreptitious manner, to entrap the House into an expression of approbation of the conduct of the Ministry. The honourable member talked of the peace of the city being restored, when they were on the eve of seeing not the town only, but the whole country deluged in blood. He (*Mr. Gagy*) said he would review a few of the acts of the chief magistrate and the acts of the Ministry in order to show to the country their incompetency, and that they had been themselves the means of bringing on the state of things which now existed, and had neglected to take the proper steps to allay the excitement attendant on the sanctioning of the measure. He protested against the imprisonment of the persons the Government had sent to jail, and the arming of constables, as an act which, in his opinion, was both illegal and impolitic, and as tending to rouse the British population to acts which might yet be regretted, and which might end in bloodshed. Arms had been given to parties who, in order to see how their pistol would fire, and how their swords would cut, had shed blood. And yet these were the times of peace and tranquillity the honourable member for Norfolk had spoken of. It was not by such acts that peace was to be restored. It was through the moral influence of the courts of law and justice, administered as they ought to be, with strict impartiality, that peace would be restored; but respecting the imprisonment of the men he had alluded to, and who had been so imprisoned on a charge of arson, there were more than doubts as to the legality of the proceeding. When that charge had been prepared, it was placed in the hands of the police magistrate, and in carrying out the proceedings he had refused to take the assistance of other magistrates; and he (*Colonel Gagy*) believed the police magistrate acted under the advice of the honourable Attorneys-General east and west; and the result had been that they had been taken to the common gaol in a most unjustifiable manner. From these persons, who were unknown to him, he had received a letter, which they requested him to read to the House, or make use of in other way that he thought proper, and he would take the liberty of reading it. The honourable member then read a letter signed by Messrs. Mack, Ferres, Montgomerie, and Heward, in which was detailed the proceedings attendant on their arrest and committal to gaol, and which proceedings they held to be illegal, from the manner in which the examination had been conducted, and from the refusal of *Colonel Ermatinger* to let them have a copy of the depositions taken on the occasion, those depositions being taken without the prisoners being present. The honourable gentleman said that the facts detailed in that letter being true, he condemned the proceedings. He (*Colonel Gagy*) and other magistrates were present at the Court-house during the morning these persons were brought up on the charge of arson, in order to give their assistance to the police magistrate, but such assistance was refused. In order to have done away with the feeling that unfairness was to be practised, he thought the police magistrate ought to have taken the assistance of some of his brother magistrates, if not belonging to his (*Colonel Gagy's*) side of politics, at all events to those of honourable gentlemen on the other side of the House; but this was not done; and when he saw his assistance refused, he left the place with feelings of disgust at the proceedings. He wished the proceedings against them brought to a point, when they could either be bailed out, or have the benefit of the Habeas Corpus Act; and if this was not done, and the men were still to be kept in prison, he would charge the Government with keeping up the excitement which now prevailed. If the rules of the House were to be suspended, he might, in the course of the day, move a resolution respecting the conduct of the