

denounced the outrages committed, although he did not suffer so much inconvenience and loss. Lord Mansfield, by the burning of his house, was deprived of a splendid library; consumed in the conflagration. In London, troops were called out to put down the riots: in Montreal, the Parliament Houses were burnt before the troops could be called out. Some people thought that Lord Mansfield, by the loss of his books, would lose his law also. This was not so, however, as when the right to call out the troops was questioned in the House of Lords, he said:

"I hold that His Majesty, in the orders issued by the advice of his Ministers, acted perfectly and strictly according to the common law of the land, and the principles of the constitution; and I will give you my reasons within as short a compass as possible: I have not consulted books; indeed, *I have no books to consult.*"

After arguing at length, and giving his reasons why, for the repression of those riots, it was not necessary to have martial law proclaimed, but that the common law was sufficient to meet the case, Lord Mansfield concluded thus:

Upon the whole, my Lords, while I deeply regret the cause which rendered it indispensably necessary to call out the military, and to order them to act in the suppression of the late disturbances, I am clearly of opinion that no steps have been taken for that purpose which were not strictly legal, as well as fully justifiable in point of policy. Certainly the civil power, whether through native imbecility, through neglect, or the very formidable force they would have to contend with, were unequal to the task of putting an end to the insurrection. When the rabble had augmented their numbers, by breaking open the prisons and setting the felons at liberty, they had become too formidable to be opposed by the staff of a constable. If the military had not acted at last, none of your Lordships can hesitate to agree with me that the conflagrations would have spread over the whole capital, and in a few hours it would have been a heap of rubbish. The King's extraordinary prerogative to proclaim martial law (whatever that may be), is clearly out of the question. His Majesty, and those who have advised him (I repeat it), have acted in strict conformity to the common law. The military have been called in, and very wisely called in—not as *soldiers*, but as *citizens*. No matter whether their coats be red or brown, they were employed, not to subvert, but to preserve, the laws and Constitution which we all prize so highly.