Was the judgment to which you allude considered by those persons who heard it, and knew the facts of the case, partial and vindictive?—It was so considered.

Enclosure 4, in No. 1.

Sir, Sherbrooke, 20 April 1836.

I HAVE to acknowledge the receipt of your letter of the 12th inst., inclosing a copy of a most extraordinary document, purporting to be an address of the Provincial Assembly to his Excellency the Governor-in-chief, impugning my character and conduct as the judge of this district, in the most unmeasured terms, and concluding with praying for my dismissal from that office, which I have now holden for 13 years last past. This communication is accompanied by a printed pamphlet of near 20 folio pages, containing a copy of a previous report on which the address is stated to have been founded, together with the evidence (as that illustrious body is pleased to call it) which was adduced before the committee on that occasion.

It may be right, perhaps, to apprize you that these papers only came to hand yesterday, it appearing, from the post mark at Quebec, that they were too late for the mail of the 12th; the post for this part of the province sets out from Quebec twice a week only, on Tuesdays and Saturdays, and arrives here generally on the third day following; that is to say, on the succeeding Friday or Tuesday, unless delayed by an unusually bad state of the roads.

The only witnesses who appear to have been examined during the last session are Edward Short, George Kimball, and Silas Horton Dickerson, and, if it were possible to lay aside the disgust which such gross falsehood and misrepresentation must of necessity excite, I should say that any person in my station who was thus accused, ought rather to feel gratified at the intrinsic refutation of their own calumnies which is contained in the testimony of these men.

With regard to the statement of Mr. Edward Short, the dogmatism and effrontery with which he advances the most absurd positions, and the scurrility and abuse which he vomits forth against any who may have too much knowledge of the subject to admit them, are so highly characteristic, that, if the name of the author was omitted, no one who is acquainted with the man could hesitate with regard to the person to whom it was to be attributed. It must, evidently, have been impossible for me, in the very few hours which have elapsed since the receipt of these documents, to enter minutely or largely into the enormous mass of foul slander which they contain; but it requires only a single glance to detect some of the fallacies which occur in every line. Mr. Short says, for example, that the judge refused, for some years, to entertain suits in the provincial court where the causes of action arose out of the district; most undoubtedly he did. Can any man who reads the statute by which the district was created and the court established, entertain a doubt that it was a court of local jurisdiction, or that any judgment founded on a cause of action arising out of that jurisdiction would have been erroneous and void? This gentleman also complains that the judge declined to receive a notarial copy of a will as of equal authenticity with the probate; assuredly the judge would so act if he was in any degree competent for the execution of his duty; a man might make 20 wills in a month before different notaries, and the one produced might have been the first of the series; whereas it is essential, in order to the obtaining of a probate, that the testament offered for that purpose should be proved to have been the last testament which was made by the testator. Mr. Short may, perhaps, never have been in any court in Doctors' Commons, but he can scarcely be so ignorant as not to know this; but these are merely specimens taken at random; every part of his statement is of the same description; he everywhere evinces the same reliance on the utter ignorance of those who may peruse it; and, upon the whole, I am disposed to think the developement of character which has here taken place may be useful to such as may not have had the same opportunities of personal observation which we have possessed in this district. This man's late partner Mr. Peck, who was one of my former assailants, (but who found it convenient to emigrate to the state of Illinois last year) was exactly such another person; each of them possesses some talent; their veracity and their principle are precisely equal, and they were, in all respects, most fitly associated.

Mr. Kimball's statement, though, upon the whole, most grossly false and calumnious, still contains some truth. It is true that the judge of this district has always holden that the provincial statute of 34 Geo. 3, c. 2, which regulates the negotiability of promissory notes, is actually in force here; and, if so, there can be no doubt with regard to the cases in which a blank endorsement on a note does or does not convey an interest in Lower Canada, whatever may be the case in England.

The judge is sufficiently aware of the provisions of the British statutes 3 & 4 Ann. c. 9, and 7 Ann. c. 25; and as he had, for more than 20 years, as many cases before him, relative to negotiable instruments, as most men in London, and was fully acquainted with the practice there, it is not very likely that he should be ignorant of the difference in the statute law of the two countries in this respect. With regard to Mr. Kimball's curious analysis of the phrenological character of the judge, it may be fairly left to speak for itself without any commentary. The witness is sufficiently known to render his opinions very harmless.

There is one circumstance which must have struck his Excellency forcibly, if he has taken the trouble of perusing this paper, which is, that the witnesses have generally avoided mentioning dates. The majority of the cases which they speak of (or such of them as actually existed, for there are some mentioned of which I have now no recollection) occurred, as I believe,