

During the trial, which lasted two days I felt much anxiety, because great expenses had been incurred, and I know that if by any means a verdict should be delayed, or no verdict returned, the consequences would to me be ruinous in the extreme. I knew the materiel of the majority in the assembly too well to expect their interference; they fear a free press and that not without good reason---and as for the judiciary I believe I shall not trust my pen to describe, what had better never been.

The room in which the jurors were confined until they should agree on their verdict was newly plastered, the weather was raw and unpleasant, and as some of the jurors were for £2000, some for other sums from £1500 to £750, and one man "George Shaw" for £150, there was small prospect of an agreement. Shaw, as I afterwards learnt brought into the room with him cases in law which he read to his fellow jurors in order to convince them that I ought not to get the damages I had so clearly proved---but his logic was of no use---public opinion was strong and decided, and altho' I had not written one line for the press from the time of the riot until the day of the verdict, and altho' the jurors were nearly all perfect strangers to me they determined to struggle with cold, and fatigue, and even sickness rather than trample under foot the boasted justice of a British jury.---They stood it out in that cold room nearly 30 hours, some of them old grey headed men; three of them were sick, but they bore it with patience---one of them, Mr. Jacob Boyer, a respectable and worthy German felt himself very ill indeed, and Doctor McCague was sent for, who bled him and he recovered, and I stated his determination to lay his head upon his great coat and stop another day before he yielded against his reason; and the evidence he had heard. Shaw (as I am informed) at last gave in, and a verdict of \$2500 besides costs was awarded in my favour by Robert Rutherford Esq. their worthy foreman, and assented to by his fellows.---And here let me express a hope that no injury may ever befall that honest Irishman and his comrades, for having justly, faithfully, and courageously performed their duty to their country on a very trying occasion. That verdict re-established on a permanent footing the Advocate press, because it enabled me to perform my engagements without disposing of my real property, and altho' it has several times been my wish to retire from the active duties of the press into the quiet paths of private life, I have had a presentiment that I should yet be able to convince my gratitude to the country which in my utmost need rescued me from destruction and utter ruin.

In a short time the amount of the verdict was paid to Mr. Small by Mr. Macaulay, and faithfully paid over to me when received. The judges taxed the costs in such a manner as only to allow £5., 5. to Mr. Bidwell, and 2 guineas to my other counsel---altho' the action was unequalled in the annals of Canadian history. It is said they allowed Judge Hagerman £50, but of that I am not certain.

The grand jury in assize times usually consists of persons in favour with the local government without much regard being paid to their other qualifications---in proof of which one of the rioters a Mr. Peter McDougall who can scarcely read or write, was chosen by the sheriff to sit as a grand juror at the last assizes---and other equally inconsistent selections might be mentioned. Even Judge Campbell as I learnt found fault last October at seeing always the same faces in the Grand Jury box.

But be they what they may, they sent for me and I in reply to interrogations from their foreman, replied that I had no intention to prosecute the rioters criminally---that the verdict and costs (about \$3000) would come heavy on some of them, and probably operate as a caution for the future, while the loss of place and of a chance of early preferment, would be a timely warning to others.

Little was I aware that at this very moment Colonel Fitzgibbon, one of the magistrates of this colony was begging the amount of the verdict, and that Sir Peregrine Maitland was seeking how he could best reward loyal riot and

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