

at and highly res-  
to inform you, that  
stance of your be-  
the defendants  
t a matter of the  
dants are men of  
-but to the plain-  
ess, his property,  
his family, have  
f this trial. This  
nt of view, inas-  
mpt by open vio-  
your verdict will  
by your verdict,  
spire together for  
e risk of a heavy  
balanced govern-  
stay and constitu-  
has been consid-  
d governments---  
k upon the press  
in this case, not  
w been insulted  
an, the privacy  
se, where every  
from assault and  
ount destroyed.  
ary damages, in-  
ate with impuni-  
blessings, is sub-  
ons exist, there  
abuse, which is  
e, at any time,  
d if the defend-  
s open to them  
n the case. The  
rs of papers are  
illory, although  
the publication.  
ou wish violent  
privacy of the  
sh to encourage  
, not only the  
damages; but if  
of this outrage  
e press--if you  
dings, by plac-  
ngage in them,  
ion, by a ver-  
men, which is  
r and standing  
g passions un-  
ould be some  
e first circles  
esort to vio-  
against them.  
ee how much

they presumed on them, in this case. It is not my intention to endeavour to make an impression upon your feelings with a view to obtain special damages--the damages are limited, and your verdict will be according to the dictates of your conscience: but is your duty to award damages in this case, not only for the losses sustained by the plaintiff, but for the insult offered to him by the violent attack upon his house, in the absence of himself and family."

[Here the learned gentleman quoted some English cases on this point, and proceeded.]

"I shall prove that this was one of the most insulting and outrageous acts ever committed in this colony. What, then is to prevent the repetition of such acts? Ample damages. I remember a case where an English jury gave £500 damages for knocking off a man's hat. Here is the example of an English jury and English law, where the rights and privileges of Englishmen are properly protected; and as you gentlemen, enjoy the like rights and privileges. I hope you will be equally disposed to protect them. But should you allow such an outrage as the wanton destruction of a printing apparatus, to go unpunished, you will not only bring down disgrace upon yourselves, but on the country at large---and your verdict, instead of putting a salutary restraint upon such illegal proceedings, will serve as a signal for general outrage against every printing press in the country."

The evidence produced had its full weight with the jury.--The rioters employed Mr. Hagerman to speak in their behalf but they called no witnesses--- they denounced the Colonial Advocates from first to last, especially the latter ones, as licentious and abusive, but they neither produced the files nor quoted the papers they disliked---they even condescended to beg for opinions of my apprentice boys, as to the character of the publication. The Solicitor General Mr. H. J. Boulton made one remark as an evidence which excited much merriment---he said that he "valued character much more than property and "would rather that a person would rob him of a horse or other property than "take away his character." Truly he need be under very little apprehension on that score---his character such as it is will not be very likely to cause an early infraction of the 10th commandment.

It was my earnest wish to have asked such questions of the witnesses as would have placed the conduct of Messrs. Allan and Heward in its true light, but I felt that in an action for civil damages it was best to be guided by counsel, and they uniformly assured me that such questions would be productive of evil to the suit, as Messrs. Allan and Heward were not among the defendants.

It was likewise asserted by Mr. Hagerman in his closing speech (not from any evidence adduced, but merely because he wished on false premises to give an unfair bias to the jury) that I had left York with the intention of wronging those to whom I was at that time indebted. Nothing could be more false, groundless, or calumnious, than such a charge. Had I anticipated such arguments I should have acted contrary to the advice of my counsel (who insisted that there had been enough of witnesses fully to prove my case) and brought forward Mr. Thorburn of Queenston, Mr. McBride M. P. and Mr. Tannahill of Niagara, Mr. Cawthra and Mr. Ketchum of York, and Mr. Cameron of Dundas, all of whom could and would have testified that in all the transactions in business in which they had known me engaged, I had evinced a determination to do right to those whom I owed even at personal loss---and the five first named gentlemen who were well and intimately acquainted with my personal circumstances at the time the press was destroyed could and would have proved that I had done all that man could do to act justly towards every man to whom I owed a farthing.--- Yet I bore Mr. Hagerman's language with patience, for the time for evidence had passed away, my health had for three or four months been in the most precarious state, and such sickness in my family had depressed my spirits beyond any thing I had ever felt or endured before. All is now over, I have survived the storm, and can sit down quietly to narrate its devastations.