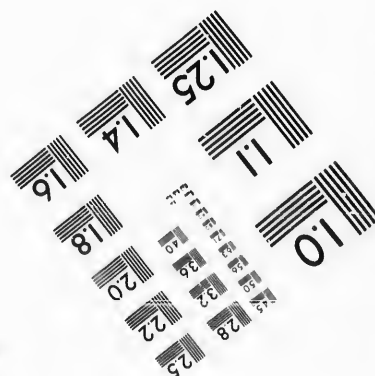
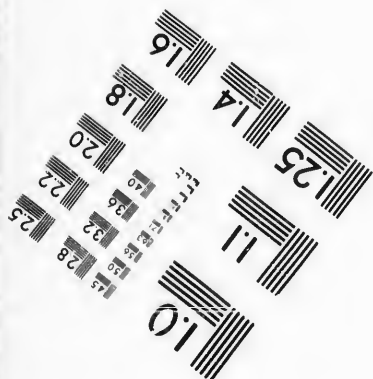
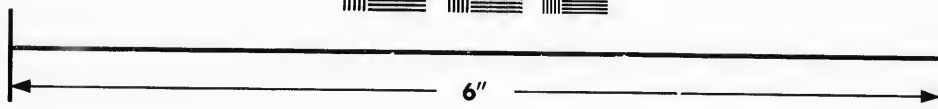
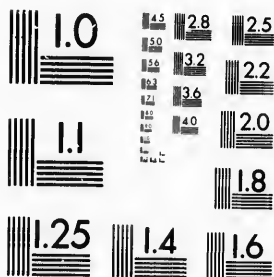


IMAGE EVALUATION TEST TARGET (MT-3)



Photographic
Sciences
Corporation

23 WEST MAIN STREET
WEBSTER, N.Y. 14580
(716) 872-4503

**CIHM/ICMH
Microfiche
Series.**

**CIHM/ICMH
Collection de
microfiches.**



Canadian Institute for Historical Microreproductions / Institut canadien de microreproductions historiques

© 1987

Technical and Bibliographic Notes/Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming, are checked below.

- ☐ Coloured covers/
Couverture de couleur
- ☐ Covers damaged/
Couverture endommagée
- ☐ Covers restored and/or laminated/
Couverture restaurée et/ou pelliculée
- ☐ Cover title missing/
Le titre de couverture manque
- ☐ Coloured maps/
Cartes géographiques en couleur
- ☐ Coloured ink (i.e. other than blue or black)/
Encre de couleur (i.e. autre que bleue ou noire)
- ☐ Coloured plates and/or illustrations/
Planches et/ou illustrations en couleur
- ☐ Bound with other material/
Relié avec d'autres documents
- ☐ Tight binding may cause shadows or distortion
along interior margin/
La reliure serrée peut causer de l'ombre ou de la
distorsion le long de la marge intérieure
- ☐ Blank leaves added during restoration may
appear within the text. Whenever possible, these
have been omitted from filming/
Il se peut que certaines pages blanches ajoutées
lors d'une restauration apparaissent dans le texte,
mais, lorsque cela était possible, ces pages n'ont
pas été filmées.
- ☐ Additional comments:/
Commentaires supplémentaires:

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- ☐ Coloured pages/
Pages de couleur
- ☐ Pages damaged/
Pages endommagées
- ☐ Pages restored and/or laminated/
Pages restaurées et/ou pelliculées
- ☒ Pages discoloured, stained or foxed/
Pages décolorées, tachetées ou piquées
- ☒ Pages detached/
Pages détachées
- ☒ Showthrough/
Transparence
- ☐ Quality of print varies/
Qualité inégale de l'impression
- ☐ Includes supplementary material/
Comprend du matériel supplémentaire
- ☐ Only edition available/
Seule édition disponible
- ☐ Pages wholly or partially obscured by errata
slips, tissues, etc., have been refilmed to
ensure the best possible image/
Les pages totalement ou partiellement
obscurcies par un feuillet d'errata, une pelure,
etc., ont été filmées à nouveau de façon à
obtenir la meilleure image possible.

This item is filmed at the reduction ratio checked below/
Ce document est filmé au taux de réduction indiqué ci-dessous.

10X	12X	14X	16X	18X	20X	22X	24X	26X	28X	30X	32X
						✓					

The copy filmed here has been reproduced thanks to the generosity of:

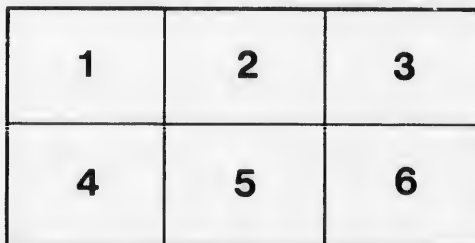
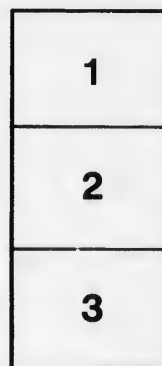
Harold Campbell Vaughan Memorial Library
Acadia University

The images appearing here are the best quality possible considering the condition and legibility of the original copy and in keeping with the filming contract specifications.

Original copies in printed paper covers are filmed beginning with the front cover and ending on the last page with a printed or illustrated impression, or the back cover when appropriate. All other original copies are filmed beginning on the first page with a printed or illustrated impression, and ending on the last page with a printed or illustrated impression.

The last recorded frame on each microfiche shall contain the symbol ➡ (meaning "CONTINUED"), or the symbol ▼ (meaning "END"), whichever applies.

Maps, plates, charts, etc., may be filmed at different reduction ratios. Those too large to be entirely included in one exposure are filmed beginning in the upper left hand corner, left to right and top to bottom, as many frames as required. The following diagrams illustrate the method:



L'exemplaire filmé fut reproduit grâce à la générosité de:

Harold Campbell Vaughan Memorial Library
Acadia University

Les images suivantes ont été reproduites avec le plus grand soin, compte tenu de la condition et de la netteté de l'exemplaire filmé, et en conformité avec les conditions du contrat de filmage.

Les exemplaires originaux dont la couverture en papier est imprimée sont filmés en commençant par le premier plat et en terminant soit par la dernière page qui comporte une empreinte d'impression ou d'illustration, soit par le second plat, selon le cas. Tous les autres exemplaires originaux sont filmés en commençant par la première page qui comporte une empreinte d'impression ou d'illustration et en terminant par la dernière page qui comporte une telle empreinte.

Un des symboles suivants apparaîtra sur la dernière image de chaque microfiche, selon le cas: le symbole ➡ signifie "A SUIVRE", le symbole ▼ signifie "FIN".

Les cartes, planches, tableaux, etc., peuvent être filmés à des taux de réduction différents. Lorsque le document est trop grand pour être reproduit en un seul cliché, il est filmé à partir de l'angle supérieur gauche, de gauche à droite, et de haut en bas, en prenant le nombre d'images nécessaire. Les diagrammes suivants illustrent la méthode.

0 329.971 343.7
X

THE TRIAL OF
SANDY WRIGHT, FARMER,
FOR TREASON.

SOLD BY
NORMAN MURRAY
MONTREAL

TRIAL OF SANDY WRIGHT.

ON the 31st ult., the case of Wright for conspiracy and treason was opened. The court-room was crowded. When His Honor had taken his seat, Mr Equity, Q.C., begged leave, before the business of the day was taken up, to apply for an order of the court to amend the bills of costs in the case of Wm. Farmer et al. Judgment had been rendered against his clients and they had been served with demands for each of them to pay the amount of the entire costs, the result being that the experts and the counsel on the other side would be paid three times over for the services they had rendered. He had no doubt his honor would see the reasonableness of his motion, that each of his clients be required to pay only one-third of the taxed bill.

Judge: This is a very extraordinary motion. In this court our object is to make costs; not to reduce them.

Mr Equity: Yes, your honor, that is a sound principle in law, but this is an exception. Here, for instance, is a man who puts in his bill for services rendered at the rate of \$30 per day. My clients are willing to pay that, though they think it extortionate, but they do protest against each of them, severally, paying him that amount, and so giving him \$90 per day. If he values his services at \$30 per day, that is clearly all he is entitled to, and I ask that the bills be returned to the prothonotary to be amended so that each of my clients

shall pay him \$10 each, and so on with the other items in the bill.

Judge: If you lived in this district, Mr Equity, you would not make such a motion. I do not forget I was a lawyer once myself and feel that the dignity of the bar must be maintained by refusing all motions to reduce bills of costs.

The trial of Wright was then proceeded with. Asked who was his counsel, he replied he had none and would defend himself. The empanelling of a jury was begun, and after peremptorily challenging three, accused asked to see the list. After reading it he said, "May it please your honor, all named on this list are French Canadians."

Judge: What of that?

Prisoner: Just this, I am accused of a crime that is no crime in the eyes of any other class of people. To select a jury from this list to try me will be mockery of justice.

Judge: Why?

Prisoner: I do not object to them upon the score of creed, for I am willing to accept a jury of Irish Catholics; I have them for neighbors and will trust them to do what is fair; but I am here to be tried for protesting and working against the Nationalist movement to change Quebec from a British into a French province, and I deny that, on such a charge, French Canadians will impartially judge me.

Judge: You are here to be tried by the law of the land. That law

recognizes neither creed nor race in jurymen, all that you are entitled to is a jury composed in half of men who understand and speak English.

Prisoner: If that is the law it is plain, then, that for offences involving national feeling, an Old Countryman's condemnation in Quebec is a foregone conclusion. Might I ask how, in a district one-third English-speaking, a panel of jurymen came to be drawn for my trial composed like this, I hold in my hand?

Judge: That is a libellous reflection upon the Sheriff. Proceed, I will hear no more about this.

Prisoner making no further objection, the tale of jurymen was completed. The prosecutor for the crown, Mr LeGall, said it would be much more satisfactory for him were prisoner to choose counsel.

Prisoner: It is useless; that jury is ready to convict me before hearing a word of evidence.

Mr Flaw, Q.C., regretted that prisoner should decline counsel, for had he availed himself of legal talent an objection could have been raised that would end the case at once. If his honor would refer to the indictment, he would see that the given name of the prisoner was spelled with an i instead of a y.

Judge: If that was formally proved, the court would be under the necessity of dismissing the case. The prisoner has himself to blame in rejecting the valuable services of learned gentlemen of the bar. The case must go on.

Mr LeGall, addressing the jury, said the case was a rare one, the charges being conspiracy and treason. He would lay before them evidence that would prove that the prisoner had banded himself with a number like-minded to himself, under the name and title of the Equal Rights' association,

to resist the government and overthrow the existing state of matters in the province of Quebec. The crown had instituted the action with great reluctance and not until convinced that it was absolutely necessary, for the peace and security of the province, that an example be made of the perverse individuals who were sowing discontent in their midst. Gentlemen of the highest character and standing would come before them and testify as to the pernicious character of the views held by prisoner. He would call first upon

J. Bte. Larouge: I know the prisoner; he is very well off; believe he has lived on the farm he owns for over 50 years and to my certain knowledge has always voted on Liberal side until last election, when I heard him tell he sooner vote for devil than Mercier man. I tell him, "Mercier man he Liberal," he say, "No, no; he Nationalist."

Cross-examined by prisoner: You have always been a good and kind neighbor; know nothing against you, except you one fanatic Protestant at last election, and get English neighbors to vote with you.

Pierre Lefebvre: Was hired man with prisoner last summer; heard him say Nationalists were rebels and should be put down, and he was not too old to help to do it. When neighbors visit and talk politics, he tell them they should unite against Mercier, who was one turncoat, who had left Liberals and united with Castors to make this one French country.

Olivier Pothier, N.P.: At last election I canvassed prisoner in the interest of the government candidate. He told me he would sooner cut off his hand than mark his ballot in favor of a supporter of Mercier. I urged that, as a Liberal, he could not vote for the opposition

candidate, when he replied, "Anything is better than a Nationalist." He spoke very strongly against the government and said he was urging his neighbors to combine to overthrow it, by forming a branch of Equal Rights association, and that if they did not unite to drive it out of power it would drive them out of the country.

Samuel Likky: Have known prisoner for a great many years and always regarded him as a dangerous man in a mixed community like ours. Have heard him use extreme language. Last winter, in my hearing, he quoted some wretched rhyme, the purport of which was to call his holiness of Rome a foreign loon. Have no doubt, indeed am assured of fact, that prisoner has been concerting with persons like himself to overthrow the government. His influence over young men is bad, unsettling their minds and creating strife. He is a fire-brand in the community and is avoided by all respectable and moderate men like myself.

Cross-examined: Am a Protestant, and my wife attends church and gives something. Do not know that I ever gave much myself. Headed subscription-list for new Catholic church and send daughter to convent. Have always supported the party that was in power, and have received several offices. I consider it my duty as a peace-loving subject to always agree with the majority.

Prisoner: Was not the verse you heard me quote this one?

The kettle o' the kirk or state
A seam or claut may fail in't;
But de'il a forran tinker loon
Shall ever ca' a nail in't.

Witness: I dare say it was. You were speaking about the Jesuit act when you recited it. I do not presume to say whether said act was right or wrong. All I have to say is, that, as a member of a mixed

community, it is advisable to acquiesce with what ever the majority agree upon and so live in harmony. That is the principle I have acted upon and have always got on with my neighbors.

Hon Henry Spencer: Have heard the evidence and conclude prisoner to be a dangerous man in a community constituted like ours. The minority cannot get anything unless they go in with the majority. By always conscientiously supporting the government of the day, whether Conservative, Liberal, Castor, or Nationalist, I have received grants of public money to various deserving objects in my constituency, also a few offices for myself and friends. I believe that has been the political line followed by English-speaking representatives generally and may be described as the Eastern Townships' policy. It is most reprehensible to introduce religious or moral considerations into politics. Policy must be the sole guide and policy points to always cordially co-operating with the majority. In that way alone, as the eminently respectable witness who preceded me, remarked, can harmony be maintained, and it is our duty as Christians to live in peace with our neighbors.

Mr LeGall remarked that as it was luncheon-time he would postpone calling the next witness.

His Honor, waking up, said he would take the motion en delibere. On being informed of what was said, he ordered the court to be adjourned until 2 o'clock.

The jury were in their box and all were ready to proceed at that hour but his honor, not having finished his cigar, it was 3 when the next witness was called.

Hon H. Mercier: I am prime minister of the government of the day and from the number of my supporters in the house am assured I represent the overwhelming senti-

ment of the province. To oppose my government is to oppose the will of the people. To conspire to break it down, is to enter into a conspiracy against the people. The best of all parties is with me, Castor, Bleu and Rouge, and I have the endorsement of the church. My government embodies the national heart and I call it the parti national, for it embraces all good men of honest views. From the evidence I have heard, I say without hesitation the prisoner is one of those fanatics who are in revolt against the legislature and my government and would upset what they have decreed. Such men are a menace to the public peace and the safety of the province requires that they be rigidly dealt with. I call upon all men of good principles, of whatever creed or nationality, to rally round the National party, and those who do so will be recognized by grants of public money and offices. I offer special inducements to Protestants and English-speaking people generally to come under my banner.

Cross-examined: I began my career as a public man in the character of a Conservative, and after a while turned to be a Liberal. In 1886 I ceased to be a Liberal, and became leader of the parti national. That party includes many Conservatives and Castors. As I said at Quebec last June, the rouge and the bleu should give place to the tricolor. I have broken away from old party bonds and seek to complete and uphold the autonomy of the province. I mean by that, its being independent, as a French and Catholic province, of Dominion control. We deny the right of Ottawa or Westminster to interfere in our affairs; we will submit to no dictation from outsiders. Yes, I did go to Rome to get permission to introduce a bill. That is another thing from acknowledging Dominion or

Imperial authority. The first plank of the parti national is absolute submission when Rome has spoken. I did say in my speech last June that our strength lay in union with the clergy and have recognized that officially by ordering that all bills in which they claim an interest must be submitted to them and have the endorsement of the hierarchy before being laid on the table of the legislature. In my speech, in which I used the words, "we were willing to tolerate all races and creeds," I meant what they express, that the province is French and Catholic and we will tolerate all who recognize that as its proper and immutable status. If any of the minority will not do that, then they are in revolt against the legislature and insult the majority, and must bear the consequences as you are now doing.

John Deacon: Am a journalist in Toronto and heartily wish all like prisoner at the bottom of Lake Ontario. We sent Edgar down to Montreal to make an alliance with the new party, National, and he effected an arrangement which would have dropped for sure the Old Man at Ottawa into the soup, when in stepped a few extremists and spoiled our plans.

Cross-examined: Am an extreme Liberal; one of the shining lights of my party; have heard it said that, at one time it was a leading plank of Liberalism to work for separation of church and state and for equal rights to all. That was old-fashioned Liberalism; we have no use for that kind now. What we want is a smooth-working party machine, Liberal pasted on one side and parti national on the other, to beat the Tories at next election. We welcome every man, no matter what his opinions otherwise may be, provided he is sound on the goose—that is, in beating Sir John.

Hon David Mills: As a philoso-

pher and decayed schoolmaster, I am prepared to expound to the court the actual political situation and to demonstrate, beyond cavil, that the prisoner, in refusing to support our allies of the parti national, is an obstinate, impracticable, and wrong-headed blockhead. This I can do in briefest form in a speech of not over 4½ hours' length.

Judge: No, no. (Sotto voce, It is too late to take so long a snooze.)

Witness: Then if I am not to be allowed to set forth my views, I will simply say, that any Liberal who does not perceive that by uniting with the party of my good friend Mr Mercier I will be restored to office, is a quadruped with elongated auricles.

Hon Mr Goldby: If men like prisoner are to be permitted to go at large there is an end to practical politics. Principles are an excellent thing to talk about; I have myself dilated on the subject of truth and righteousness exalting a nation with great effect at missionary and similar meetings; but we have to take matters as we find them in this province, and as a practical politician I say positively that a public man who tries to shape his policy by principle would effect nothing. To be successful in politics you have to unite with a party and stick by it. If this talk about principles is to be tolerated, then we will never be able to tell how an election is to go. Principles are to be left at the door of the polling-room and the elector vote straight for his party. I am most consistent and judicious in that regard. I have my set of principles for Sunday and my set for the week-days. The first I lay off with my Sunday coat. More than that, I have certain principles for all I meet; one for Catholics, another for Protestants; one for the English and another for the French. I am

truly tolerant and broad and comprehensive in my views and impartially contribute to the support of all churches. I agree with anybody who agrees to support me. To pursue the course of accused would be to imperil the educational and other privileges of the minority.

Prisoner: In two words, you are a Protestant Jesuit.

Witness: I claim the protection of the court: I have been insulted.

Judge: It is no insult, it is a compliment to call you a Jesuit. Ah, very good men Jesuits: very good confessors!

Rev Professor James Hyridge: My sympathies are as widely embracing as the ocean and as impartial as the sunbeams. I soar above the prejudices and narrownesses of the common ruck. I take a calm and dispassionate view of all questions. The people rage and lash themselves into a fury; I stand unmoved in my serenity, and move among them a living ensample of truth and righteousness. I have never degraded my dignity by ad captandum speeches; by invective or intolerant denunciation. I see good in all men, churches and institutions, and considering how far short they all fall of my lofty ideal, I place them all upon a level as to incompleteness. I have worshipped in the glorious fanes of Italy, and doing so realized how much superior the veneration of those who built them to the materialism of our age, and how much has been lost through the iconoclasts of the Reformation. The views of the accused are repugnant to me and he is worthy of condemnation in stirring up strife by opposing the will of the majority. Altho' my own church is only benefitted to a slight degree, I uphold the union of church and state wherever and however exemplified.

Prisoner: Whom do you term stirrers up of strife, those who offer provocation by perpetrating grave wrong or those who resist that wrong?

Witness: You are a misguided man.

Prisoner: Then, answer me this: Is it my duty to take my rule of life from the Scriptures or from you?

Witness: One who has not attended my lectures and who is so profoundly ignorant of the scientific methods of modern exegesis, should not presume to say what the Scriptures teach.

George Washington: Really I don't know why I was summoned. I go in, you know, for everybody minding their own business; priests leaving politicians alone and politicians the priests. We want no church and state dickers, deals or partnerships, in Canada. I can tell the court a little story that will make my views clear. There was a farmer in Vermont who had three daughters, and—

Judge: It is a minute past the time to adjourn

SECOND DAY.

It was half-past ten when the court was ready to proceed. On the Judge's entering, a farmer rose and said he had been summoned as a jurymen and had been in attendance now three weeks and, on behalf of himself and fellow-jurors not on the present case, would ask to be discharged.

Judge: Ah, we have not cleared the docket: only 3 cases have been disposed of.

Another Farmer craved permission to say a few words. He had been summoned to attend as a witness, had left his farm without any one to look after it, and if detained longer might be ruined. As nobody seemed to know when the case he was required for would be called, might he not be allowed

to go home and return on a day's notice?

Mr LeGall: These complaints are outrageous. Here we have been disposing of business with all possible expedition and have every prospect of finishing the term in another fortnight. The hardships of a few individuals is not to stand in the way of the due administration of justice.

Judge: Very sorry, gentlemen; but you must continue in attendance.

Farmer: Could the court not sit 8 instead of 4 or 5 hours a day and finish the business?

Crier: Silence! Silence!

The trial of Wright was then gone on with.

Hon Mr Roadie: I would ask the court the privilege of giving my evidence in the language of la belle France. I am happy to say I have so far forgotten English that I no longer think in it. I am the English representative in the cabinet. The prisoner is the embodiment of all the wicked passions in the province, a disturber of its peace and a conspirator against the interests of both French and English. I love the Jesuits, I bow before the Cardinal, I adore his Holiness. Twice have I sent as my gift, to be laid at the foot of the throne of the Vatican, the price of two and a half of my very finest bouquets. There is really no essential difference between the two churches and, with my deputy, Mgr. Labelle, I am preparing a plan to reunite them, which I will put in the form of a bill and submit to the Cardinal and the Protestant Committee of Instruction for their approval before introducing into the house. I am proud to say that, as special protector of the minority, their interests are scrupulously regarded by the majority. Look, for instance, at the Jesuit act, which a few fanatics like the

prisoner object to. In voting \$400,000 to their church the majority were under no necessity of giving the Protestants a cent, but, behold, they voted them \$60,000! That is proof of the liberality of my colleagues, and I am authorized by them to say that they have similar claims to settle which they are prepared to do on the same basis, of allowing one-seventh to the minority. That is what I call fairness: it does not signify to us where the money comes from or to whom it is paid if we get our divvy. If the minority raises fantastic scruples about conscience and equal rights, the majority will proceed to withdraw all privileges from the minority, including the use of English as an official language and schools of their own.

Hon Mr Laurier: As a juris-consult, a student of history, and a legislator, am prepared to affirm that the indictments against prisoner are well-founded.

Cross-examined: Am leader of the Liberal party; am aware that Doutre, Eric Dorion, Laflamme, and other Rouge leaders advocated separation of church and state and, in my youthful inexperience, I supported them. In deference to respected authorities, have renounced such dangerous ideas and there is now no difference between us and the Bleus so far as regards the church; as a matter of fact, I suppose I must admit Liberals would have had no chance of success unless they had abandoned these old doctrines of Liberalism.

Mr LeGall said he would here rest the case for the prosecution.

The Prisoner said he would call a few of his neighbors to testify as to the necessity of the agitation for equal rights.

Nassau Wolseley: Twelve years ago my neighbor on my west line offered to sell out to me, as he wanted to join his sons in the west. We

agreed on the price and, on receiving a clear title, paid him the money. A few months afterwards, I was served with a special notice that unless I paid the instalment past due of the assessment on said lot for building a new Catholic church I would be sued. I was thunder-struck. I went to see the secretary of the fabrique, whose name was to the notice, and he told me there was an assessment on the lot of \$156, payable in four annual instalments. I refused to pay, telling him I had paid for a search and got a certificate from the registrar that there was nothing against the lot. He answered that a church lien did not require to be registered, and if I did not pay he would have to take out a seizure as each instalment became due. It went against my conscience to pay to build such a church, but I had to, and every dollar extorted out of me for that purpose made me swear I would never vote for a man who would not promise to do his best to get church and state separated.

Mr LeGall: You are an Orangeman?

Witness: No, but I am a Protestant from conviction, and want to know what fairness there is in laws that compel me, a Methodist, to build a Catholic church?

James Peaceable: A long time ago, in a parish next to me, I bought a bush lot for firewood and fencing-stuff. Last month a man called on me with a bill for \$185⁷⁵, toward costs of proces verbal and for digging a discharge across that lot. I was struck dumb. I had never heard of a discharge being proposed, never was asked about one, and knew nothing about what had been done. I told the man it was hard to go and get a proces-verbal for a discharge without telling me, and to go and dig it without giving me the chance of doing the work myself with my sons.

He said the notices required by law had been given. I denied it, when he told me the secretary-treasurer could show the return on the back of each notice that it had been posted and read, after high mass, at the door of the Catholic church. Finding that there was no help for me, I borrowed the money and paid the amount. The discharge is of no benefit to my lot and the work was sold at three times its value. I am a Protestant and think it unfair that public notices at the door of the parish church should constitute a legal notice to Protestants. I have had to pay the rates on said lot to the Catholic school.

Wm. Meek: The council of the parish in which I live appointed a special superintendent to report on a petition for a discharge. The course he laid down for it on my farm I objected to, as it angled across two of my best fields and would spoil them. I asked that it run straight across and go down the side-line. The run for the water was as good one way as the other. My neighbor on the east side objected, because he would have had part of the work to do on the side-line. I said, I would sooner do more than my share of the work rather than have my farm spoiled. I went to the council to beg them to amend the process verbal before homologating it, and asked the secretary to tell me when the matter came up, for the council does its business in French, which I do not understand. I sat there for two hours, when the council adjourned for dinner. As he was going out, I asked the mayor when the process-verbal would come up: "Oh," he replied, "we homologated it an hour ago." "As it was?" "Yes, yes; there was no opposition." The population of the parish is nearly 3000, of whom 500 are English-speaking, yet the business is done

in French. If we were half-breeds in the Northwest more consideration would be shown us. The injury of that discharge to my farm is permanent and serious, over and above that I had three times the work to do of any of my neighbors in making it.

Joseph Moneybag: I had a third mortgage on a farm which was to be sold by the sheriff. I went to the county building to attend the sale and, if need be, bid up the farm to secure my claim. I waited round awhile, and nobody appearing, I enquired when the sheriff would come. I then learned the sale was to take place at the door of the Catholic church. I hurried off, and ran most of the way, but when I got to the church door the sale was over, and the farm had been knocked down to a friend of its late owner at a price that left nothing for me. The farm was worth enough to have paid all claims upon it. I did not see advertisement of sale; the law requires such sales to be advertised only in the Official Gazette at Quebec. The law was that all sheriffs' sales in the townships had to be held in the county building until changed a short time ago, and they now take place at the door of the Catholic church of the parish in which they are situated, as in the seigniories. The owner of the farm and all who had mortgages upon it are Protestants. Why creed should be mixed up with the sale of land and Catholic churches chosen in preference to public buildings I do not understand, but I know I lost \$368.72 by such being the case in this blessed province.

Mr LeGall: You talk very fine. Did your representative at Quebec not agree to the change in the law?

Witness: I made enquiry about that. He was in the smoking-room when it was passed.

Thomas Downright: Without the

knowledge of myself and the other Protestants affected, the Catholic bishop issued a decree which cut us off from the municipality to which we had belonged for over 30 years and formed us into a new one. Doing so has been a great injury to us. As free-born Britons, we do not understand why any ecclesiastic should have dominion over us and change our municipal government at his will. As a Protestant I repudiate all claims of the bishop to control over me, my conscience or my property, and am not afraid to say here or anywhere, that his action was tyrannical and an invasion of my rights as a Protestant and as a British subject.

Mr LeGall: You take care what you say. We will have no intolerant talk here. What have you to complain of? Was it not proclamation of lieut.-governor in council that put you in new municipality? What makes you speak of bishop then?

Witness: The proclamation was based on the bishop's decree, which makes matters worse, for thus we see the Queen's representative ratifying what the Church of Rome decrees. No opportunity was given to appeal while the matter was before the lieutenant-governor in council, and the issuing of the proclamation just put in force what the bishop had arranged.

Mr LeGall: You speak very learnedly. You ought to have been a lawyer.

Witness: God forbid.

Mr LeGall: Well, you have no cause for complaint. Everything was done according to law.

Witness: I have joined the Equal Rights association to work to have such bad laws changed. We want British not Rome law in Quebec.

Judge: I caution you not to speak so, or I will have to commit you.

Robert Goforth: Sixty years ago one of the farmers in my settle-

ment deeded an acre for a burying-ground and as a site for a school house. There being now very few left of us, a minister only visited us every second Sabbath, and held service in the school. Some time ago the Catholic commissioners claimed our school, which was built with Protestant money and stands on land given by a Protestant, and forbid our meeting in it on the Sabbath.

Mr LeGall: If the commissioners take school it is because there are too few of you to hold one.

Witness: And with such laws oppressing us, there will soon be none, and that is what you want. If the men buried behind that school had known what was coming, they would have dealt with you as they might have done in 1837 and '38 and prevented all this.

Mr LeGall: You talk big and that is all you can do.

Simon Smith: I had a difficulty with a man because I would not submit to his wronging me in a transaction we had. I heard a few days afterwards that he had been at several J. P.'s trying to get a warrant for my arrest, which they refused, knowing that he had no grievance whatever. I paid no more heed to the subject until one day two men came into my house and arrested me. The man had gone to a French J. P., at the other end of the district, who had taken his affidavit on the declaration he had with him and issued a warrant for my arrest. That justice could not read English and did not know on what grounds he was authorizing my being taken prisoner. Apart from the outrage of being arrested on a criminal charge, I had a considerable sum to pay to get my innocence vindicated. The complainant was not worth a cent. If we are to have two official languages in this province, there ought to be a provision that a justice do

not sign a paper he cannot read.

On another witness being called,

Mr LeGall said it was useless to take up the time of the court in this way. He might tell prisoner that fifty witnesses like those examined would not help him in the slightest degree, for they merely complained of the operation of certain laws. They were not there to sit in judgment upon the civil laws but upon breakers of the criminal laws.

Prisoner: My object is to show that the union of church and state in Quebec so conflicts with the rights of British subjects as to justify my laboring for reform. I have called several witnesses, who have testified to having been sufferers from the results of that iniquitous union. You tell me their testimony is of no avail, because they simply complain of the operation of certain laws. That is true, but because a wrong is done under cover of statute it is none the less a wrong. I contend that these laws are unconstitutional in a British province, and for uniting with others who think so too, in seeking their repeal in a constitutional way, I stand here on trial. My remaining witnesses will speak from their own experience of the working of the tithe-system, and show that its effect is to drive Protestants from their farms.

Judge: Your doing so would have no legal effect, and I would be under the necessity of directing the jury to pay no attention to such evidence. Unless you have witnesses to testify that you are innocent of the charges of treason and conspiracy laid against you, I must object to your calling more. It is you and not the laws and customs of the province that is on trial.

Prisoner: Then I have no witnesses admissible, for I deny that I am chargeable with treason. I am a loyal British subject. I came to

this province and have hewn out for myself a home, in the belief that it was part and parcel of the British empire, and that I would enjoy the same rights here as I would have done had I remained in the Old Country. Instead of that, I see the government of the province passing into the hands of men who style themselves the national party. By national they do not mean British, and have plainly said in many ways what one of their leading organs here says:

Our steps are directed towards the most complete autonomy of the Canadian French nationality; towards the foundation of a Canadian French and Catholic state, having for its mission to continue in America the glorious work of the country of our ancestors.

Now, gentlemen of the jury, as a subject of the British empire and bearing due allegiance to its head, I cannot consent to what the members of this Nationalist party are working for, and instead of being accused of treason for opposing them, I have been simply doing my duty as a loyal man. It is true I opposed the Jesuit estates' act and other instances of like legislation, and have done so because I hold it clear that they are against my conscience as a Protestant and against my rights as a British subject. If the majority are going to use the power they have obtained, under the British North America act, to make this province what it was before it became a British possession, I not only am not going to help them but will oppose their designs while breath remains in me. It is Mercier and his supporters and not myself who should be standing here to answer a charge of conspiracy and treason. Mr Goldby and Mr Roadie have said, if the minority generally were to act as I have done, our language and schools would be taken from us. I want to say here, and once for all, that the English-speaking

population in this province do not hold their privileges by the grace of anybody and are not going to submit to be "tolerated" or treated as strangers and intruders. A British subject does not need to ask the permission of the legislature to use English wherever the Union Jack floats; it is the language of the Empire, and to be given first place. Nor is the enjoyment of our religious privileges, whether exercised in education or otherwise, at the mercy of Mercier, or any of his party. The right of private judgment, as inseparable from the British subject as the blood that flows in his veins, secures religious liberty and all that the term implies. It is time all this gush on the part of the Nationalists and their flatterers about 'concessions' and 'generosity' and 'forbearance' to the minority was dropped. The sooner the majority realize that we have as good a title as they have to be here, and that the rights they have infringed upon and threaten to take from us, are our inalienable heritage as subjects of the British crown, the better for themselves and for the peace of the Dominion. When I heard of Laurier, parading before Ontario audiences, the magnanimity of allowing the minority in Quebec the enjoyment of this and that privilege as proof of the virtue of the party national, I grew indignant at the deception, for we have to thank nobody but our forefathers, who won them, for the enjoyment of rights that are as common to all British subjects as air and light are to all men, and which cannot be taken from us until the Nationalists tear down the old flag and replace it with the tri-color, and that is a contract I would advise them to let out by tender. When the Quebec legislature proposed measures for the good of all, they have had my hearty approval, but in all they have done to root out British insti-

tutions and change the province into a French and Papal state, I have done my best to oppose them. If that be treason, then I am guilty. For the witnesses of my own race and creed who have testified against me, I have no other feeling than that of pity. If they are willing to sell their heritage for a mess of pottage—for a few offices or grants of public money to local improvements—all I have to say is, I am not, and when the Nationalists come to reckon at close quarters, they will find few among the minority who will desert the ranks of the old cause of constitutional freedom to take their dirty shilling.

Mr LeGall proceeded to address the jury with great fluency. He said his task was much simplified by the prisoner having no evidence to offer in his defence, and which was equivalent to a plea of guilty. The question was, did the evidence produced by the crown substantiate the charges made in the indictment? Beginning with the testimony of the first witness and going on to that of the last, the learned gentleman demonstrated how clearly they bore out the charges that the prisoner had harbored a purpose of revolt against the government and had induced other electors to join with him in a conspiracy to overthrow the said government. It was true there was no proof as to violence having been used, but there was intent, and that was all sub-division 22 of section 49 of the statute required. He was assured the jury would agree with him that the prisoner was a dangerous man and ought to be made an example of.

His Honor intimated that he would charge the jury after dinner. The court resumed at 2.35.

The Judge said the first point to be considered was the law on the subject and the second, whether the prisoner had violated its pro-

visions. He proceeded to read the law, together with the opinions of several commentators. The law was a good and necessary one, to protect the government against assaults, and it was the duty of all to see that it was impartially enforced. As to the second point, whether the prisoner had violated the provisions of the statute made and provided in this case, the evidence must answer. The learned judge here read his notes of the evidence, making comments upon it as he did so. The evidence was strong and conclusive, so much so that the prisoner had not attempted its rebuttal, and instead had made an *ex parte* statement, the legal effect of which was merely to confirm the testimony against him. If the jury believed what witnesses had stated was true, it was their duty to convict; if they had any doubt as to its truth, it was their duty to give the prisoner the benefit of that doubt.

The jury then retired. An hour after, the judge sent to enquire if they had agreed upon a verdict when the reply came that they were having a smoke and had not considered it yet, having agreed that it would be cheaper to stay in court over Sunday instead of going back to their hotels. Court was adjourned until Monday.

THIRD DAY.

On His Honor taking his seat on the bench,

Mr Equity said he had a motion to make for an order to stop the sale of a horse taken possession of under color of law but with criminal intent. Judgment by default had been entered against John Bull of the township of Victoria for \$48.07 and costs. He held in his hand the affidavit of John Bull that he was due the plaintiff nothing, and in proof produced his receipt, which he begged leave to file.

Judge: Why did he not do so within the legal delay?

Mr Equity: My client never knew of any action being instituted against him.

Judge: He must have been regularly served.

John Bull: I will explain how it was, your honor.

Judge: This is altogether irregular.

John Bull: Never mind, I won't take a minute. One day, while I was plowing, a little black man comes across the field to me and says, says he, "You John Beel, eh?" "Yes," says I, "and I stands by it as a name not to be ashamed of." With that he hands me a folded paper. I sees it was a law docyment, and opens it, when blessed if I could read one word of it except the first, "Victoria,"—God bless her, says I. "Why, my man," says I, "this docyment is in French; I cannot read it, what's it about?" He shrugged his shoulders. "Won't you read it for me?" asks I. He gives another shrug, "Me no speak Anglais," says he, and blessed if he didn't skip, leaving me with that ere docyment in my hand. I takes it home and my wife could not read it, and my children couldn't, and my neighbors couldn't, and so I puts it on the chimbley-piece and says I will take it when I goes to the village and have it interpreted by a notary. Well, it came broken weather, and it was a fortnight afore the roads were fit to travel. One morning, Saturday week, I says to my wife, "Get ready, and we will go to the village today." As I was harnessing Bill, which, by your honor's leave, is the name of my best hoss, the little black man drives into my yard with two more Canadians, and puts another paper in my fist and I blessed his eyes when I sees it was in French again. "You pay?" asks he. "May I be d—d, if I do,"

says I, "no man will rob me," and then he writes down something and points to a man with him and says, "He gardeen," who grabs Bill's halter and begins to lead him away. I was going to knock them all down, when my wife interferes, crying out to have no trouble with officers of the law, and they cleared out, and Bill with 'em. I hitches another horse and goes to the village, where I had the docyments read and learns as how I had been sued for a debt I had paid two years ago, judgment given by default, and a seizure issued to satisfy it. A friend advised me to get a good lawyer at once, but I thinks, right being on my side and having a receipt, there is no hurry, and I'll make 'em sweat the harder for it when I goes for 'em in court, and I finishes my threshing and comes on today to see Mr Equity and hears on the road that Bill was to be sold this forenoon. What I wants to know is, if this here Canada is a British country and if it be, can papers be served upon me, John Bull, in the name of the Queen in a language I don't know a word of?

The Judge, who had at first repeatedly tried to stop the torrent of Mr Bull's talk, and latterly resigned himself to endure it, addressing Mr Equity, said his client, by his own testimony, had shown no injustice had been done; that the procedure in his case had been strictly according to law.

Mr Equity: I admit that, your honor, but in a case where the procedure is made a cover for robbing a man of his property an exception should be made.

Judge: The code declares French and English to be the official languages of the province and suitors have their option to use either. You have your recourse by an action against plaintiff.

Mr Equity: It would be in vain: he is an undischarged insolvent and

we can neither recover off him the price of the horse or the costs.

John Bull: Is this here province a forrin land? If my Queen calls me to appear in her courts, have I not a right to be summoned in the Queen's English? Can I be persecuted in a British court in a lingo I don't understand?

Judge: Prosecuted you mean, sir. Certainly; the law assumes that you know French.

John Bull: If that be the law, then I'm blessed if I don't leave that Conservative party I have always voted with and go in with my neighbor in the dock there for Equal Rights.

Judge: I caution you, that if you speak again you will be committed for contempt of court.

Mr LeGall: And I will indict you for conspiracy and treason.

The Judge ordered the sheriff to see if the jury were ready to render their verdict. In a short time he returned with the jury, who, in answer to the clerk, intimated that Julien Lebœuf was foreman. Asked their verdict, the foreman rose and said,

GUILTY AGAINST MERCIER.

Judge: The court cannot accept that verdict. You must say "guilty" or else "not guilty."

Foreman: We discuss the matter, and one jurymansay prisoner guilty against Laurier. Three or four say No, no; guilty against Chapleau, and then fight goon between rouges and bleus. I cries Silence, messieurs; I have one plan to settle this. We all say prisoner guilty, but not agree who guilty against. Now I tell you, Mercier, he both rouge and bleu at same time and one grand Nationalist besides. Then all say yes, yes, and we return verdict Guilty against Mercier. and will give no other.

Judge: If prisoner is guilty it is not against any individual but

against the crown, and so your verdict should say.

Foreman: We not know the crown.

Mr LeGall: The intent of the jury is plain, and I would suggest to your honor that the words "against Mercier" be treated as surplusage. I beg to hand to your honor the opinion of the Dominion attorney-gen-

eral, Sir John Thompson, on surplusage.

Judge: Oh, well, if you make a motion I will take it in deliberation.

The jury was then discharged, the prisoner remanded, and the court adjourned. His Honor is expected to give judgment before the end of the century.

