



MONTREAL, 22d October, 1849.

VARIOUS reports having been circulated in reference to the matters that took place between Major MacDougall, of the Royal Canadian Rifles, and myself, I have thought it best to publish the whole correspondence. It will be seen from these letters that, the Subaltern being called to account for imputing want of virtue to the women of England, runs to his senior officer for protection; his senior officer (Major MacDougall) then applies to me most vulgar and abusive language—language which no *gentleman* would have used without provocation—language which he has neither the courage to support, nor the manliness to retract—meanly sheltering himself behind the "*ægis*" of the Commander-in-Chief. I cannot think Major MacDougall, in such conduct, will meet the approval either of the Officers of the Army, or of Society.

FREDERICK HENRY VANE.

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(Copy, No. 1.)

MONTREAL, *October 15th*, 1849.

SIR,—In consequence of your unmanly remarks last night, I now repeat, in writing, that which I told you verbally at the time—namely, that you are a *liar* and a *blackguard*; moreover, also, you are a *slanderer* and a *coward*. Should you calmly put up with these remarks, copies of this note shall be forwarded to the Royal Canadian Rifles, that you may be held up to the scorn and contempt of that gallant corps.

(Signed,)

F. H. VANE.

To Quarter Master Baxter,
Royal Canadian Rifles.

(Copy, No. 2.)

MONTREAL, *October 15th*, 1849.

SIR,—I beg to acknowledge the receipt of your note of this morning, and in reply to state that, by the advice of a friend, I waited on Major MacDougall, of the corps that I have the honor to belong to, as also to Captain Claremont. Their opinion I enclose you, and on its perusal, I shall be much obliged by your leaving it with Mr. Orr, for me.

I remain, your obed't serv't,

(Signed,)

J. BAXTER,

Quarter Master, R. C. Rifles.

To — Vane, Esq.
Orr's Hotel.

(Copy, No. 3.)

MONTREAL, *October 15th*, 1849.

MY DEAR BAXTER,—The only course I can recommend you to take as regards the author of the very ruffianly production you have shown me is, to hand him over to the Police as a dangerous lunatic.

Believe me,

Very truly yours,

(Signed,)

P. Q. MACDOUGALL,

Major, R. C. Rifles.

Q. M. Baxter,
R. C. Rifles.

(Copy, No. 4.)

MONTREAL, *October 15th*, 1849.

SIR,—I have the honor to acknowledge your note of this morning. I thank you for the promptitude of your attention to mine, and the enclosing me the opinion of Major MacDougall, of which the original shall be carefully returned to you, as you desire.

I enclose my answer to Major MacDougall, whom you have selected to act as your friend.

I have the honor to be, &c. &c. &c.

(Signed,) FREDK. H. VANE.

J. Baxter, Esq.

Quarter Master, R. C. Rifles.

(Copy, No. 5.)

MONTREAL, *October 15th*, 1849.

SIR,—I shall not condescend to exchange with you terms of abuse. If you consider it lunacy and ruffianism to repel in the language of indignation, an imputation, couched in the grossest terms, upon the honor of the women of England; an imputation disgraceful in any gentleman; doubly disgraceful in any member of a profession bound by all the ties of chivalry to defend the honor of the sex; immeasurably so in one who bears the Commission of an English Queen, foremost and most illustrious of that sex: if so, I have to say that, in such a school as yours I was not educated; and that, in my opinion, the corps of Canadian Rifles is degraded by the presence of such persons as yourself and Mr. Baxter.

I have the honor to be, &c. &c.

(Signed,) FREDK. H. VANE.

Major MacDougall,

&c. &c. &c.

R. C. Rifles.

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(Copy, No. 6.)

MONTREAL, *October 15th*, 1849.

MY DEAR HAYDEN,—Will you be kind enough to tell me, as precisely as you can, what is your recollection of the words used yesterday evening, with reference to the women of England by Mr. Baxter, and what was your impression of their tendency?

Believe me, yours sincerely,

(Signed,) F. H. VANE.

E. C. Hayden, Esq.
Montreal.

(Copy No. 7.)

October 16, 1849.

MY DEAR VANE,—In reply to your note of yesterday's date, handed me by Mr. Abraham, requesting me to give as precisely as I can the language made use of by Mr. Baxter, on Sunday evening, with reference to the Women of England; I beg to say that Mr. Baxter stated that the Women of England of a certain class, were the least virtuous in the world, France excepted; that every third woman had an illegitimate child, or had connexion with men. This, he reiterated several times, and, in support of his assertion stated, that in Canterbury, and several other parts of England, where he was stationed, respectable looking young women, nurses, and others employed about gentlemen's families, who might be seen during the day time attending to their employment, spent their nights in the Quarters of the Officers.

Believe me, dear Vane,

Your's most truly

(Signed,) E. C. HAYDEN.

F. H. Vane, Esq.,
Orr's Hotel.

(Copy, No. 8.)

TUESDAY, *October 16, 1849.*

12 at noon.

MY DEAR SIR,—I waited on Mr. Baxter yesterday evening at five o'clock. I found him at dinner and sent up my card to him, requesting his attention for a few moments; he came down, and I apologised for disturbing him, and put into his hands the envelope containing Major MacDougall's note and your letters to him and to Major MacDougall; I told him that I was acting as your friend, and that I could not think of putting the letters into any other hand than his own.

Mr. Baxter, having perused them, and cursorily objected to the assumption that Major MacDougall was his friend, referred me to Captain _____ in that capacity, at least so I understood him, but the business is altogether so curious a one that we must in future take nothing but what is in writing.

I said that I had not the honor to know Captain _____ and that both custom and propriety required a written answer to a written note; that if he, Mr. B., would give me a letter to Captain _____ I would take it; that the morning would do quite well for a matter which certainly required consideration. I wrote on the back of the letter to the Major, my name and my Post-Office address, box No. 170. He said that his friend would give me an answer in the course of the evening, upon which, to prevent any mistake, I added my private address.

I waited at home the whole evening, with the exception of a few minutes, during which I took a turn for exercise, but no one came; I really think they are bound by common courtesy to make me an apology for keeping me sitting seven hours.

When I went down this morning about eleven A. M., I met Mr. D. L. MacDougall, who read to me a letter to him from his cousin, the Major, of which I of course requested a copy, which he promised to give, and which no doubt we shall receive.

Believe me, dear Vane,

Your's truly,

(Signed,)

ROBT. ABRAHAM.

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(Copy No. 9.)

MONTREAL, *Tuesday, October 16, 1849.*

MY DEAR MACDOUGALL,—I have received a letter, as you know, from a person signing himself Fred. H. Vane, couched in flattering language, informing me that I am a disgrace to the Canadian Rifles, &c. I see the name "Robt. Abraham," with an address on the back part of the letter, and as I cannot believe that any person in Mr. Abraham's position, (if I am right in supposing him the late editor of the "Gazette"), would give his countenance to Mr. Vane in the present instance, were he fully informed of the circumstances of the case, I think it right to state them for Mr. Abraham's judgment before he goes farther.

On the night before last, Quarter Master Baxter, of the Canadian Rifles, was talking with two persons in the public room of an hotel; the conversation turned on female virtue, and Mr. Baxter stated, as his opinion, that the women of England of a certain class were less virtuous than those of any other country, except France, supporting his opinion by stating facts which had come under his own observation. Mr. Vane, one of the two persons present, contradicted him; Mr. Baxter adhered to his opinion, on which the other called him a *liar* and a *blackguard*. This was rather strong, but it might have been accounted for, at night, by imprudent indulgence in spirituous liquors of an ardent character, and I think it a pity Mr. Baxter did not then and there beat the man severely, or, at least, endeavour to do so; for, however we may dissent from Mr. Baxter's opinion, and disapprove of its expression, it did not call for the very gross and disgraceful language, (disgraceful, I mean, to the person employing it), made use of by Mr. Vane. There are different methods of inflicting a rebuke; but that which was employed by Mr. Vane is not resorted to commonly by *gentlemen*. Most men would have been satisfied, in Mr. Vane's position, with what had been done in vindication of the honour of a certain class of his countrywomen, and would have awaited the message which he might have expected from the person he had so grossly insulted, (though few men, indeed, of gentlemanlike feeling, would have awaited for a message to make an ample apology for such conduct). But this very chivalrous person thought he had not done sufficient; he rose next morning

with the determination either to *force* Mr. Baxter into a duel with him, or to publish him as a coward to his Regiment.- In furtherance of this scheme, he penned a production which *no gentleman*, under any circumstances of provocation or anger, should have allowed himself to write. With this note, Mr. Baxter called upon me, yesterday morning, to ask my advice as his brother officer. The moment I read it, I said: "Why, the man must be *mad!*" Such was the exclamation also of another brother officer who was present. After hearing the circumstances of the case, I did not hesitate in deciding that Mr. Vane was either a ruffian or a madman; and, in giving the advice which I did to Mr. Baxter, I consider I was putting the most charitable construction on his conduct.

In duelling, military men always fight at a disadvantage. The laws against it are now so stringent that an officer always risks the loss of his Commission; but, though I look on the practice of duelling with the greatest contempt, still I should be sufficiently weakminded to act as has been the custom under insult. When, therefore, there could be no doubt as to the description of person offering insult, the above considerations would be disregarded; but, that Mr. Baxter, a good soldier, who has won his present position entirely by his own merit, with a wife and family dependant on his life for subsistence, should be *forced* into a duel by such a man as Mr. Vane, to gratify, probably, a craving after notoriety,—I would not countenance.

Under these circumstances, it would be inconsistent in me to call Mr. Vane to any account for the comparatively moderate tone of his communication with me. His conduct has been so bad, that unless an apology is made by him to Mr. Baxter before twelve o'clock to-morrow, which that officer will accept, an account of it will be forwarded to the Post Master General through the Commander-in-Chief.

I have penned the above remarks entirely for Mr. Abraham's consideration, though of course he can make any use he may think proper of this letter. I have not written it with reference to Mr. Vane. I have not the smallest wish to aggravate the violence of his feelings. I have not written it with the view of its being read by him, but solely to enable Mr. Abraham to judge of the pro-

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priety of countenancing such conduct as Mr. Vane has been guilty of, by his support; of Mr. Vane, be it said, I have no knowledge whatever, except through his spoken and written language.

Believe me sincerely yours,

(Signed,) P. Q. MACDOUGALL,
Major R. C. Rifles.

D. L. Macdougall, Esq.
&c. &c. &c.
Montreal.

(Copy, No. 10.)

106, St. Antoine Street, Montreal,
October 16, 1849.

MY DEAR SIR,—I find that Mr. Vane slightly differs from you in his recollections of the conversation on Sunday evening.

Mr. Vane does not recollect the use by Mr. Baxter of the words limiting the imputations on English female chastity to a "certain class."

1. On consideration, do you think your own recollection is correct?

2. Did Mr. Baxter, in speaking of the licentiousness of officers in quarters, and of the infamous character of English female domestics,—did Mr. Baxter speak of his own personal knowledge, as is Mr. Vane's impression?

3. Were the reiterations of Mr. Baxter, before the irritation arose, of the imputations so offensive to Mr. Vane, met, in the first instance, otherwise than by a quiet contradiction on the part of Mr. Vane?

4. Are you perfectly sure that in the reiterations which took place, they might not, one or other of them, be in such a form as to lead Mr. Vane to believe they were general against his countrywomen?

5. Do you think, Mr. Vane being a stranger to Mr. Baxter, that any other English gentleman, who had not previously known Mr. Baxter, would not have had just cause of anger, likely to lead to unpleasant consequences?

Believe me, &c.

(Signed,) ROBERT ABRAHAM.

E. C. Hayden, Esq. &c. &c. &c.

(No. 11.)

Montreal, 17th October, 1849.

MY DEAR SIR,—I have to acknowledge the receipt of your note of yesterday, putting several questions to me, relative to the conversation which took place on last Sunday evening, between Mr. Baxter and Mr. Vane, on the comparative chastity of the women of England with that of other countries, and requesting my replies thereto. In answer to your first, second, third and fourth interrogatories, I beg to say, that I have a perfect recollection of the words "a certain class" having been made use of by Mr. Baxter. Mr. B. did not, however, when the subject of conversation was first introduced, draw any line of distinction between classes, but stated the women of England to be the least virtuous in the world, &c. This assertion Mr. Vane denied; but Mr. Baxter reiterated it several times, and Mr. Vane as often denied, in a mild unopprobrious tone of language; upon which Mr. Baxter said, "I mean of course a certain class, for, in Canterbury and several parts of England, where I was stationed, to my own knowledge, respectable looking young women, nurses and others, employed about gentlemen's families, and who might be seen during the day time attending to their employment, spent their nights in the Officers' Quarters."

With respect to your fifth question, I have to observe that the office of judge upon the conduct of any two gentlemen, under the unpleasant circumstances of the affair, is by no means one I would like to assume. I have known Mr. Baxter and Mr. Vane for many years, and in conversation with the latter, after the misunderstanding, I did remark to him that had they known each other as well as I knew them, offence would not have been taken.

I am, my dear Sir,

Yours, very truly,

(Signed,) E. C. HAYDEN.

Robert Abraham, Esq.,
&c. &c. &c.

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(Copy, No. 12.)

WEDNESDAY, 12 A. M.,
October 17th, 1849.

MY DEAR SIR,—I have called this morning to say that it is impossible to give you by noon, my answer to Major MacDougall's letter, the fact being that I write such an unintelligible hand, and my answer being long, longer even than his; but that as I consider it essential to vindicate myself from the charge of abetting Mr. Vane in the offences imputed to him, I thought it desirable to get it copied, and that is not work to be done by any but a confidential person. You shall have it in the course of the evening or afternoon, but I must distinctly state that I cannot advise Mr. Vane to make any apology of the kind suggested by Major MacDougall, and required as the condition of not referring the matter to the Army and G. P. O. authorities, which of course will immediately take place, and liberate Major MacDougall and myself from all personal concern in the matter.

Dear Sir, yours faithfully,

(Signed,) ROBT. ABRAHAM.

D. Lorn MacDougall, Esq.

(Copy No. 13.)

(Envelope No. 1.)

THURSDAY, October 18, 1849.

DEAR SIR,—For the written reasons which I assigned yesterday noon, when I called to tell you that I could not advise Mr. Vane, under the circumstances then existing, to tender any apology, I am unable until now to hand you a letter dated when written, October 17 A. M., explanatory of my reasons for thinking that Major MacDougall has shown no sufficient cause for *my* ceasing to regard Mr. Vane as a gentleman.

At noon yesterday, of course, I ceased to be his agent, and my mission is completed by delivery into his hands of all the papers but the one I wrote in your presence, yesterday, with the understanding that you would give me a copy of it.

Believe me, dear Sir,

Yours truly,

(Signed,) ROBT. ABRAHAM.

D. L. MacDougall, Esq.,
&c., &c., &c.

(Copy, No. 13.)

Envelope No. 2.

Montreal, 17th October, 1849.

10 A. M.

MY DEAR SIR,—I have perused with all attention and respect, the letter from Major MacDougall to yourself, which you were kind enough to hand to me yesterday.

I am obliged to Major MacDougall for the favourable opinion he is pleased to express of myself, and I trust I neither have done, nor shall do, anything to forfeit it.

I fully agree with him in his sentiments respecting duelling. A duel is, at best, a great misfortune; and unless it cannot be avoided without forfeiting the respect of society, is a great crime. In this case, among men, of whom all have seen service with credit, the crime would be all but impossible, unless under the worst advice.

It is therefore to me a satisfaction to find that Major MacDougall has determined, in a certain contingency, to refer the matter to the highest Court of Honour, the Commander-in-Chief, thus entirely taking it out of my hands in the usual way of becoming substitute for my principal. This is not only my own view, but is the opinion of a friend whose advice I have sought.

The contingency raised by Major MacDougall must occur, for I cannot recommend Mr. Vane to make any apology as the matter now stands; nor can I comprehend how Major MacDougall can advise Mr. Baxter to take an apology from one who, he says, is no gentleman; apology and offence, from a person so described, must surely be deemed alike valueless.

On one point, I have the misfortune to differ from Major MacDougall. I rejoice, and do not think it "a pity" that Mr. Baxter sufficiently commanded himself to refrain from personal violence, which is always derogatory to the character, not merely of the individual, but of the order to which he belongs, and, than which, the course sought by Mr. Vane is much the lighter evil.

I am not the guardian of Mr. Baxter's honour, but I cannot think it is any particular compliment to him, to assume, without evidence, that a veteran Officer of the Royal Canadian Rifles was

brawling on lubricious subjects in a public room of a tavern, and appealing to his own "observation" of matters which he should never have observed, or if, unhappily observed, should have forgotten. Nor can I imagine that, when contradicted, the matter would have been at all mended by a good and brave soldier, with a wife and family, commencing what is vulgarly called "a bar fight;" to be finished, not by reference to a brother officer, but to the constable of the night.

Were Mr. Vane utterly unknown to me, were his connections and profession disputable, I should feel it my duty to stand by him so long as I thought him in the right, and not to desert him until he had refused to act on any advice I thought proper to give; and I humbly submit, and I feel confident Major MacDougall will, on consideration, agree with me, that had Mr. Vane been a friendless stranger, as he erroneously supposes, who, under the influence of wounded feelings, had resented a supposed or real insult on his country, these very circumstances would have constituted his best claim to indulgence and consideration from every other gentleman.

But Mr. Vane is my personal friend. He is a native of the same county as myself, and we have many mutual friends, both here and in England. Major MacDougall is, very likely, unacquainted with the titled family of Vane of Hutton, a branch of the Ducal House of Raby, though it is, and has been for centuries, one of the most considerable in the North of England; but I think he might have readily learned that Mr. Vane has held, with honour, a Commission in the Queen's Cavalry, and is now in a position which he could not retain without also retaining the character of a gentleman.

Mr. Vane thought it inconsistent with that character to sit and hear in silence, imputations on the virtue of his countrywomen; the more especially, when, having mildly remonstrated against their utterance, they were iterated, and reiterated, and, as I think he very reasonably imagined, in a tone and manner intended to be personally offensive. I am free to admit that if Mr. Vane had consulted me at an earlier period, I would have advised him not to send the letter to Mr. Baxter; for, having resented the offence *sur le champ*, and in a way perfectly unequivocal, the

onus lay on the other party. But there never is a quarrel in which both sides are perfectly right; when people are very angry they do not pause to weigh and measure their words. When Mr. Vane rose in the morning and found Mr. Baxter at breakfast, without any sign of inclination to remember what had been said, he conceived it to be his duty to put down his words in writing. This might be an error—but at all events it was the error of a gentleman, and a generous one;—it was an error of manliness, not of malice.

I cannot understand by what rule of equity or of conventional custom, as understood by persons arbitrating points of honor, Major MacDougall, on sight of a note of a dozen lines, could be entitled, at once, to pronounce the writer a ruffian and a madman. I think *he should* have hesitated a great deal, and that his writing such condemnation in such words, was under an impulse just similar to that which made Mr. Vane write the words liar and blackguard.

Nor can I see any justice or *bienseance*, in pronouncing a gentleman “no Gentleman;” declaring him a ruffian and a lunatic, and imputing drunkenness, on an *ex parte* statement, in the nature of a defence made by the offending and accused party. Opinions of the weight attached to those of gentlemen of Major MacDougall’s rank, and position, and high character, should not be lightly given.

I think, that if, upon Major MacDougall’s being referred to, whether as friend or brother officer, for his position is not, to my mind, clearly defined—I mean nothing disrespectful to him—he had made due enquiry, he would have found that the affair did not take place in a public but in a private room; that it was over tea, and not in a debauch; that Mr. Vane is temperate, nearly to total abstinence; that the only indifferent witness is totally abstinent; that there was not the shadow of ground for imputing to him the horrible crime of meditating murder for the sake of “notoriety;” and I think that when I produce, if the authorities to whom Major MacDougall is referring the matter consider it essential, the minute which he put into my hands yesterday morning, of what he would concede, and what he would expect to be conceded—it will be admitted that there was no obstacle on our part to any honorable adjustment that was possible.

Mr. Vane was, (as would have been readily explained, if opportunity had been offered,) under the impression that Mr. Baxter's words were not pointed at a "certain class," only, of the women of England, as is now alleged; nor do I understand the distinction of "class" which Mr. Baxter drew. National imputations are, *prima facie*, in the worst taste; and I think any gentleman, any *man*, whether English or French, is justified in treating such imputations as an insult, and ought to be excused resenting them in any language that rises to his lips, if repeated after the party is apprised they are offensive, and especially if he repeat them for the purpose of further offence, or in indifference to the feelings of his auditor.

It is certainly to be regretted that Mr. Vane repelled an insult in language which is not *commonly* used by "gentlemen," though it *is* used occasionally, and at times has been used justifiably. But I think it is more to be regretted that Major MacDougall should have used, and deliberately written, words at least as strong, and less provoked, without the excuse of passion.

I admit that there are "different modes of inflicting a rebuke." I admit that the words liar and blackguard are most undesirable to use. But I think that those of ruffian and lunatic, are, at least, as much so; and I was inexpressibly surprised to see them used, not by a provoked party, but by a cool referee.

This letter is already long, but I think it necessary to add, as Mr. Vane has entrusted to me his vindication from the most serious accusations, and as I also am on trial for "countenancing" him, that, in my opinion, his threat to appeal, in case Mr. Baxter did not take the notice of him he thought himself entitled to, not to personal violence, not even to the general public, but to the Officers of the gallant corps to which the gentleman who had offended him belonged, itself absolves him from the charge of ruffianism or blood thirstiness, and entitles him to the most respectful consideration of the gentlemen on whose honor he threw himself. A person smarting under an intolerable sense of wrong, even though mistakenly, is always entitled to respect and attention, particularly on the part of those to whom he appeals. And on another point, though I cannot oppose my own judgment in such matters to Major MacDougall's, I find, that gentlemen of authority in them

think with me, that if your first reply to an affront is not attended to, you may repeat it in any terms you may think proportioned to the sensibility of your opponent, and need not be particularly nice in the choice of terms; though, no doubt, it is much better to be at all times discreet in one's language, and Mr. Vane, with a feeling, I believe, now universal among gentlemen, left the room to avoid the chance of personal collision; for it is known that a blow *cannot* be explained away, and anything short of it *can*.

And, besides, if Mr. Vane was wrong in the terms of his letter, I think Major MacDougall should have given him the opportunity of withdrawing the note, and of writing one more decorous, as has been done in many a similar case. *That* would have been the test, Mr. Vane being a stranger to Major MacDougall, whether the former *was* a cool ruffian or an excited gentleman—a test I have applied myself with the best results. But, to be rejected, unheard, with scorn, insult, and contumely, and on his second "moderate" appeal, to receive the added insult of imputations of drunkenness and meditated murder,—this is enough to provoke any man beyond "moderation," though it has not provoked Mr. Vane beyond it. It is what I am confident Major MacDougall cannot justify to himself on reflection, or on appeal, can justify to his superiors.

I have thus fully reviewed the circumstances of the case, and Major MacDougall's censures on my friend Mr. Vane, because his letter, although, I readily assume, not intended by the writer, adds to the existing irritation, and conveys two distinct additional charges against Mr. Vane, in imputing to him the crime of meditated murder, and the indecency of drunkenness; the writer's only basis for the latter accusation being the mere gratuitous conjecture of his own imagination; and because, also, Major MacDougall having done me the honor to state in his letter, that he did not think I would countenance conduct such as he ascribed to Mr. Vane, I have thought the best return, and the surest means I could take of retaining that good opinion, was to shew that Mr. Vane had done nothing in this business to forfeit my esteem, or

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the respect of society, or to warrant the animadversions Major MacDougall has permitted himself so liberally to bestow upon him.

Believe me, dear Sir,

Yours faithfully,

ROBERT ABRAHAM.

D. L. MacDougall, Esq.,
&c. &c. &c.

(Copy No. 14.)

THURSDAY, 5 P. M.,
October 18th.

MY DEAR SIR,—While the two envelopes you have received at 3½, were in *transitu*, I went to my office and opened a letter from you, which could not have been addressed to me if you had received my envelope No. 1; you would see by that I am *functus officio*—I can do nothing, as you will see, but return you a communication which I only looked at, which I barely read, and which I could not communicate to Mr. Vane, having no authority to receive communications for him. All I can say is that should you think it desirable to make any proposition to Mr. Vane, and should he refer it to me, (though I would rather far that he would refer it to any party not mixed in the affair just passed,) no peaceable efforts of mine should be wanting; and I trust implicitly to your honor to give me a copy of this letter, if it should be wanting for my vindication, which I do not suppose it will be.

My dear Sir,

Yours truly,

(Signed,) ROBT. ABRAHAM.

D. L. MacDougall, Esq.,
&c., &c., &c.

P. S.—To be explicit, if I have not been sufficiently so, Mr. Vane has not seen your letter, he has not seen this, nor has any one else; I was out of the matter yesterday noon, and had nothing but the mechanical business of copying, and of drawing up my report to my principal, which I did this morning and before I saw your letter.

(Signed,)

R. A.

P. S.—I enclose you the letter and envelope. If you tender it to me of course I will receive it and make my answer; I return it merely because I think that is the proper course, as the writer was not apprised of the facts when he wrote, and I hope you will think that is the only course for me.

R. A.

(Copy, No. 15, of the letter received and returned in No. 14, as above.)

4 P. M., WEDNESDAY,
17th October, 1849.

MY DEAR SIR,—As you have both verbally and in your note just received stated your intention of waiving all personal recourse upon my friend, Major MacDougall, he empowers me to do that which under the appearance of coercion, he would not have done, namely to state, (in case it should facilitate an arrangement between Mr. Vane and Mr. Baxter,) that the note which was addressed by him to Mr. Baxter and enclosed by that gentleman to Mr. Vane, was written in a moment of great indignation by Major MacDougall, principally with the view to show Mr. Vane that Mr. Baxter would be supported by at least one brother Officer, in his refusal to respond to a challenge couched in such terms, coming as it did after the grossly insulting language employed by Mr. Vane on the previous evening; that Major MacDougall regrets his having permitted the note in question to be sent to Mr. Vane by Mr. Baxter, as tending unnecessarily to aggravate the violence of Mr. Vane's feelings. And that he is willing to withdraw that note and to consider it as having never been written.

I have the honor to be,

My dear Sir,

Your faithful servant.

(Signed,)

D. LORN MACDOUGALL.

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(Copy, No. 16.)

THURSDAY, 5½ P. M., 18th, 1849.

MY DEAR SIR,—I have only some ten minutes since been put in possession of two letters from you, marked on the envelopes, No. 1 and No. 2.

I have opened No. 1, and finding that the other only contains a statement of your reasons for differing from Major MacDougall in his estimate of Mr. Vane's conduct, I beg to return it to you unopened; as Major MacDougall does not consider that any arguments can alter his present opinion grounded as it is upon facts.

I have the honour to be, my dear Sir,

Yours faithfully,

(Signed,) D. LORN MACDOUGALL.

R. Abraham, Esq.,
&c. &c. &c.

(Copy No. 17.)

ORR'S HOTEL, 4 P. M.,

October 18, 1849.

MY DEAR MR. VANE,—I now hand you the enclosed correspondence, including a letter from Major MacDougall, which, though not written *to* you, is written *at* you, for the hopeful purpose of convincing me that you are "no gentleman," and of justifying himself in writing a note, the like of which I do not believe any gentleman of his rank in any service ever wrote before.

I have his permission to make any use of it I choose,—and the proper use, there can be no question, is to put it into your hands. You will observe, as I did, with much surprise, that Major MacDougall, not thinking that he had outraged your feelings sufficiently in his former note, adds the supposition of drunkenness—a supposition perfectly ridiculous to any one who knows your habits.

As Major MacDougall writes under the impression that you were guilty of the foul crime of trying "to force" an inoffensive man into a duel; and, as if he had any good grounds for doing so, it would greatly alter the character of his conduct, while, on the contrary, if he had none, even ostensible, such an assumption would

greatly aggravate it; I thought it therefore proper to mention to you a strange report I had heard, that you were in the habit of getting up in the morning for pistol practice. The object of your morning walks is perfectly well known to myself and to all your friends, being health, which induces you to walk about nine miles every morning, when practicable, round the Mountain, where your beat is almost as regular as the sentry's at the Main Guard. But, as you might, as Major MacDougall might, or as any gentleman might, have accidentally practiced a little pistol shooting, and this *might* have been misrepresented by persons determined to criminate you, it was with great satisfaction that I found you able to assure me that you had never fired a pistol in Canada, except once, a single barrel in the hotel yard, for the mere purpose of emptying it.

Major MacDougall says that Military men fight at the risk of losing their commissions. They do so, particularly if they are in the wrong, and accuse gentlemen whom they do, or whom they do not know, of ruffianism and lunacy, murder and drunkenness, and avail themselves of no opportunity to recede or to explain honorably. But, on the other hand, they have this advantage, especially if veteran officers of merit, that they can concede more than civilians can, without imputation. I think we have given every opportunity, at every stage, without using useless provocation, for personal satisfaction; and, since the receipt of Major MacDougall's note, for pacific settlement; nor at any stage, was the latter impracticable.

I must own I did not anticipate the course Major MacDougall has taken in, first, refusing to recognise you, and, then, in putting it out of my power to stand myself in your place. I have no doubt this gallant officer is perfectly right; that though, as I humbly think, in a very *injudicial* manner, he was acting judicially; and that for the advice he, Commanding Officer of his detachment, gave to a subaltern, he was no more personally responsible than for his vote at a Court Martial. I have no doubt that Major MacDougall would evade no proper personal responsibility, and that his courage and honour are as indisputable as yours, which is as high a compliment as I can pay to any gentleman; and perhaps that his temper is a little like yours, which, united with

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generous feelings, is a very venial fault. But, look at the advantage of being a military man. If I had called an Officer of the Royal Canadian Rifles, without provocation to *me*, a ruffian and a lunatic; if Major MacDougall had done *me* the honor to leave for me a calm, reasoning letter, from the party insulted, with the very intelligible addition of his own name (Major MacDougall's) on the back and superscription; and if I had written, insinuating that he, the [insulted party, was a drunkard, and meditated murder; and if I had said that I would appeal to the Post Office, and the Horse Guards, if Major MacDougall did not produce within a few hours an apology, not *to* but *by* that party, put by my own act *hors de combat*, and whom his friend believed to be the injured person—*what* would the world have said of *me*? It would have said, I fear, what it will not, cannot, say of Major MacDougall.

It only remains to be considered what shall be done further.

With Mr. Baxter we have done.

With respect to the anonymous "brother officer," we are not bound to find him out: I can only regret that Major MacDougall had not the advantage of a more judicious person to consult with in the very serious step which he took with so much haste.

But, with respect to Captain Claremont, the matter is very different, and requires the most careful consideration. Captain Claremont, like Major MacDougall, is in such a position that no opinion given by him can be treated with indifference.

But I have come deliberately to the determination that you are *not* called upon to write to Captain Claremont, and for the following reasons:

First. Captain Claremont, if asked by Mr. Baxter for his opinion, was bound to give it, and the opinion, being confidential, was privileged, and could be of no importance to *you*, unless published.

Secondly. There is no such publication in the enclosure within Captain Baxter's letter, and we have no right to presume its existence, especially as Mr. Baxter himself might mistake Captain Claremont's opinions as much as he did those of Captain ———, whom he kept me in waiting seven hours to meet.

Thirdly, and principally. Because I cannot, for a moment, believe that a gentleman of Captain Claremont's *savoir faire*, and

who, from his position on the Staff, must have a knowledge of business which officers on more active service often want, could commit such a solecism as to authorise Mr. Baxter to give his opinion on a matter affecting life and honour, without, like Major Macdougall, putting that opinion in writing.

If Captain Claremont has done such a thing, it is *his* conduct which needs vindication, not *yours*. But I think it probable that Mr. Baxter, having consulted Captain Claremont, has hastily inferred his opinion, and that we should not be justified in dragging Captain Claremont into an unpleasant business, further than he may feel inclined to go. You have done your duty; you have vindicated your honor in every way open to you, and, if instead of added insult, the slightest spirit of conciliation had been shown, I was authorized by you to make every concession that could be made honorably, and, in my opinion, every one that was necessary.

Believe me, my dear Sir,

Yours, truly.

ROBT. ABRAHAM.

(Copy, No. 18.)

(Delivered to Mr. Abraham, at his house, at 1 A. M., October 19.)

THURSDAY, 6, P. M.,
18th October, 1849.

MY DEAR SIR,—Your letter, delivered to me half an hour ago, dated 5 P. M. of this day, and superscribed "private and confidential," (though why this particular communication should be so endorsed I cannot clearly understand,) has, I acknowledge, taken me rather by surprise, informing me, as it does, that you have, without any previous intimation of such an intention, receded from the position of friend to Mr. Vane, and returning to me, under the same cover, my letter dated 4½ P. M., yesterday.

With regard to the letter in question, I think it proper to inform you that I called, with the intention of delivering it to you in person, at Orr's Hotel, once yesterday evening, four times to-day at the same place, and also three times at your office, at which latter place, on each occasion, I saw Mr. MacDonald, and with whom I eventually left my letter.

Major MacDougall is most anxious to repair what he conceives to have been an error, and to this intent was my letter of 4½ P. M., of yesterday, written, and as you, in the P. S. to your communication of 5 P. M. before mentioned, stated your willingness to receive it, if again I tendered my letter of 4½ P. M. of yesterday, I beg to tender the letter in question, which I therefore return to you herewith.

I only hope that you will think proper to interest yourself in the settlement of the matter as far as Mr. Vane and Mr. Baxter are concerned.

I have the honour to remain,

Your faithful servant,

D. LORN MACDOUGALL.

(Copy, No. 19.)

FRIDAY, October 19, 1849.

MY DEAR SIR,—I send you back your note of yesterday of 5 P. M., as, of course, you will withdraw it after what passed subsequently, and I again send you my letter, which you returned with the seal unbroken. It is due to *me*, whether Major MacDougall chooses to reason on the matter or not, that *you* should understand both the "argument" and the "facts" on which I took the position of advising Mr. Vane not to apologize until you had done what you are doing now. Without you do that you must see that you put me *dehors* the matter altogether, and that, however well disposed, it is *impossible* for me to be of use.

In the meantime I will apprise Mr. Vane that I have received a note from you of a conciliatory character, and will seal it up until I know whether he will receive it; for, up to this time, there has

been, on Major MacDougall's part, such a want of conciliation, and such an accumulation of injuries, that he is by no means *bound* to look at any thing farther, and I would venture to suggest that it is not very respectful either to him or to me, to refuse to read our vindication from what is now clearly acknowledged to be an injustice.

Dear Sir,

Yours truly,

(Signed,)

ROBT. ABRAHAM.

D. L. MacDougall, Esq.

P. S.—I have just seen Mr. Vane, who, with myself, is clearly of opinion that he can look at nothing from any gentleman from whom he has received an injury, who will not look at what he, or a friend for him, has to say in reply to it. You mistake if you think I have "receded" from the "position of Mr. Vane's friend." I merely intimated to you that the particular mission with which he had honored me, had, by your own act, ceased with my reply at 12 A. M., the preceding day, and that any new matter he must refer to me himself before I had any *right* to deal with it; and it is only from a desire not to obstruct conciliation by standing on mere points of ceremony, that I do not request you to do what it would be more graceful if you did yet;—send the note to Mr. Vane himself; for, if Major MacDougall feels he ought to acknowledge him as a gentleman, there is no pretence for your not writing to him directly.

(Copy, No. 20.)

FRIDAY, 5½ P. M.,

19th October, 1849.

MY DEAR SIR,—I have the honor to acknowledge the receipt of your letter dated 12½ P. M., of this day; and in reply I beg to state that neither Major MacDougall nor myself can see any good reason for receiving further communications, more particularly as my letter of Wednesday evening appears to have been so entirely misunderstood.

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I beg therefore, without meaning to be discourteous to you, again to return unopened the statement of your reasons for advising Mr. Vane not to apologise, and I must decline all further correspondence on the subject.

I have the honor to be
Your faithful servant,

(Signed,) D. L. MACDOUGALL.

Robt. Abraham, Esq.
&c., &c., &c.

(Copy, No. 21.)

106, ST. ANTOINE STREET,

October, 20, 1849.

1, P. M.

MY DEAR MR. VANE—I was in great hopes, when I had delivered you the correspondence, and given you my opinion of the whole, and was merely waiting for the copying of my letter to Mr. MacDougall, which we had entrusted to our friend Mr.—— that our work was done, and all that was left was to send copies to the Horse Guards.

But it happened, while waiting for this, that I found on going to my office, there was a note for me, from Major MacDougall, left some hours before, and the correspondence ensued, which I enclose, with a copy of the note of 4½ P. M., Tuesday, the original of which, if you agree with me in its character, I will again return to the writer.

I suppose we must treat this as an apology. A withdrawal of a letter is always an acknowledgment that the writer is in the wrong, and I think it impliedly carries with it every thing of superstructure, including, in this case, the letter of the 16th.

The question remains whether this apology or retractation is sufficient.

Major MacDougall's *generous* feelings in respect to Mr. Baxter I cannot doubt; but that is no reason why he should not be *just* to you.

D

You will observe that Major MacDougall does not regret the writing of the note, but only the permitting it to be sent; while I think the open manly course of sending it to the party whose character it impugned, was the only thing that extenuated it, and made it not an act of assassination of character, but merely of open outrage.

Major MacDougall has no business to trouble himself about your affair with Mr. Baxter, unless he is acting as Mr. Baxter's friend or Mr. Baxter's commanding officer, and has the goodness to tell us which he is doing. I know nothing of Major MacDougall which entitles him to set himself up as *arbiter morum* of Canada. Neither you nor I are disposed to tolerate such a pretension in any man.

Major MacDougall, at last, and in the most ungracious manner, and without any regard to your feelings, but apparently in the consciousness that he has made a blunder, by withdrawing his letter acknowledges, what nobody but himself ever doubted, that you are a gentleman. But we are not precisely bound to acknowledge that he is acting like one; that is the matter referred to the Horse Guards.

I would not have looked at this note at all a second time, and indeed I am not sure I should have laid it before you, but I considered it desirable, if we erred, to err on the side of peace and courtesy.

It is to be regretted that Major MacDougall was not allowed to see my letter to his friend. I knew your father, the late Sir Frederic Fletcher Vane, twenty years ago, and have known yourself intimately since. Surely my opinion of your character, as a mere matter of evidence, should have had some weight with an officer whose rank is only one grade superior to your own, if it be that, and who never knew you at all.

As it is perfectly understood that parties acting for other parties belligerent or quasi-belligerent, must neither give nor take offence, and that it is infamous for such to pick up new quarrels instead of composing old ones, I shall do no more than say that I fear that Mr. D. L. MacDougall himself committed a great error in judgment in not carefully reading my answer to a letter he had brought me, directly condemnatory of you, and indirectly

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of myself for "countenancing" you; as if you needed either Major MacDougall's countenance or mine, for anything you thought right, or wanted the generosity to repair a wrong, if convinced of it.

I must also protest against that gentleman's assumption, that I either verbally or in writing "waived" my personal recourse. I should be sorry that you should think I waived any recourse which you were entitled to personally, or vicariously through myself.

It can only be by an oversight that Mr. D. L. MacDougall, who is a gentleman of the strictest honour, could allude to anything which passed "verbally;" it being understood, as in all such cases, where frank negotiation is desirable, that nothing was to be remembered but what was reduced to writing. I never told Mr. MacDougall that I waived anything; but I told him that I thought that Major MacDougall had put it out of my power to demand the personal remedy by his answer to my endorsement of your letter; and that if either of them thought differently I would name my friend, and I told him I intended to put that in writing.

In the letter itself the reason will be found stated. I was in a difficulty. You were accused of forcing a duel; I, of aiding you. It was highly desirable not to afford Major MacDougall the opportunity of calling *me* also a "ruffian," and not less so, to lose no opportunity of letting him stand by what he had said, if not disposed handsomely to recede, if at liberty to do so. Accordingly, we consulted, as you know, friends both civil and military, and the unanimous advice was that Major MacDougall, having declined the first opportunity of calling me to account for carrying a message to him from a person whom he had pronounced ruffian and lunatic, and having signified his intention to refer to his and to your superiors, it would look like a contemptible braggadocio to attempt to divert by provocation a British Officer from what *he had signified* to be the path of duty.

But that there might be no mistake, I stated in my letter that I had consulted a "friend." Of the meaning of this I think no one can be ignorant. I meant that, if there was a doubt in the mind of Major MacDougall, I hoped that he would give me the

benefit of it, and that, if he wished, I would send him a gentleman whom he could not possibly ignore as such, and who would take the responsibility of whatever it was possible and desirable to do.

If Major MacDougall had taken what appeared to me the very obvious course of saying that he was Mr. Baxter's friend, there could not possibly—with any person who entertains the same feelings with respect to duelling as he and I have expressed—be any difficulty in withdrawing two angry letters; and in Mr. Baxter's saying what he had said to Major MacDougall, that he had been misunderstood by you.

With respect to Major MacDougall, you have nothing more to say to him. All you have to do is to send the correspondence to the Horse Guards, and to ask the Commander-in-Chief if his conduct to you has been that of an officer and a gentleman.

In respect of Mr. Baxter, if he will either say that he consulted Major MacDougall as his commanding officer—in which case, Major MacDougall's action being merely ministerial or judicial, all idea of explanation or personal responsibility is at an end—or will apologise to you for sending an offensive note from a person who refuses you and makes himself irresponsible to me, the matter may be arranged as easily as it might when Major MacDougall unhappily meddled with it.

Had we been otherwise civilly treated, and fair attention paid to our statements, I should have advised you to take any apology which could enable you to settle amicably with Mr. Baxter, with whom you had no deliberate intention to quarrel, as the tone of your second letter to him has sufficiently shown. But you have been arrogantly condemned, in the strongest words that language can afford and anger suggest the use of, and my letter, on your part twice returned unopened. This is what we must not submit to. Nor can I conceive on what principles either of equity or of etiquette, Major MacDougall, having referred the matter to the Horse Guards, and refused to receive our explanation, puts in a supplementary apology for himself. I cannot do Major MacDougall the injustice to believe that this reference was merely a threat.

And, now that the matter is at an end, and I hope it is, I cannot help expressing my amusement at the very original notion of

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the Major's friend, Mr. D. L. MacDougall, of the mode of conducting negotiations; namely, only to read the correspondence on one side, and to take it as a mathematical postulate, that every opinion on that side, is "founded on facts." It reminds me of the well known anecdote of James the First, going to Westminster Hall, where he insisted on judgment being given for the plaintiff, as the case was so clear that he was sure the defendant could have nothing to say for himself. It certainly has the advantage of simplifying things, and saving ink. But I wonder that it did not strike his gallant principal, who, so properly reproaches the weak-mindedness of having recourse to the pistol, in which I cordially and unaffectedly agree with him, that, if carried into civil life, where we have not the advantage of a Court of Honor sitting either at the Horse Guards, or at St. Martin's le Grand—though it is news to me that such a department exists in the Post Office—this inconvenience would follow, that every quarrel would be a fight, and blood flow instead of ink. The army would then be the only place where the timid could find safety, and the courteous seek society; the gentlemen of the long robe would exchange places with the *gens de l'épée*; and peaceable and civil men like myself would rush in crowds, when the officers' mess-table was over-peopled, from the Bar to the ranks, leaving cases to be argued by sergeants—not of law, or counsel, who knew how to use their fists—before judges who would see fair play every way, and direct the Sheriffs to clear the ring and the Prothonotary to record judgment for the best man.

There are some traces of this doctrine to be found in the memoirs of an Irish gentleman, named Sir Lucius O'Trigger, who thought that explanation always spoiled a quarrel. But then Sir Lucius would have heard *neither* side. The plan of only hearing *one* is a modern improvement. It is certain it could not have been known at the time of Swift, or it would have found a place in the immortal "Hamilton's Bawn," where the Captain of Horse demonstrates so satisfactorily that,

"To give a young gentleman right education,
The Army's the very best school in the nation."

I shall of course, immediately return Mr. MacDougall's letter, of Oct. 17, 4½ P. M., under envelope.

Dear Vane,

Yours' truly,

ROBT. ABRAHAM.

On Saturday, the 20th, Captain Claremont called upon Mr. Vane at Orr's Hotel, for the purpose of reading him a letter of an apologetic character, addressed to Captain Claremont, from Major MacDougall; but as Captain Claremont stated the letter to be substantially the same as the letter, No. 15, as above—Mr. Vane declined hearing it.

F. H. V.