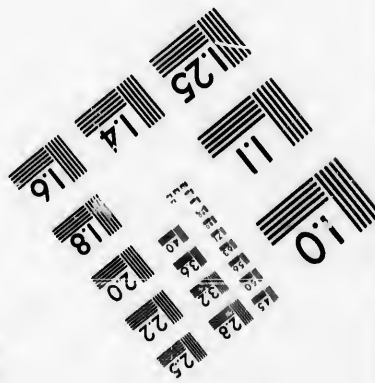


Resolution Test Chart Labels:

- 1.0
- 1.1
- 1.25
- 1.4
- 1.6
- 1.8
- 2.0
- 2.2
- 2.5
- 2.8
- 3.2
- 3.6
- 4.0

6"



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

© 1985

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.

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 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: / Various pagings.
Commentaires supplémentaires:

- ☐ 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	14X	18X	22X	26X	30X
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12X	16X	20X	24X	28X	32X

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

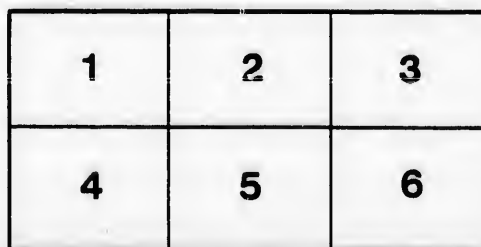
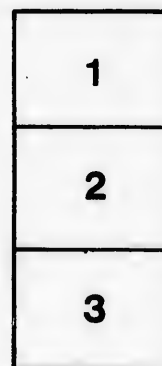
McLennan Library
McGill University
Montreal

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 \longrightarrow (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:

McLennan Library
McGill University
Montreal

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 \longrightarrow 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.



ANSWER
OF
THE REV. HENRY ESSON,
TO THE
CHARGES AND STATEMENTS
OF A
Committee of the Session
OF
ST. GABRIEL STREET CHURCH, MONTREAL;
WITH
AN APPENDIX,
CONTAINING
**CORRESPONDENCE, EVIDENCE IN HIS
VINDICATION, &c.**

MONTREAL:
PRINTED BY THOMAS A. STARKE,

1832.

ANSWER

THE NEW YORK TRIBUNE

CHURCH AND STATE

THE NEW YORK TRIBUNE

CHURCH AND STATE

THE NEW YORK TRIBUNE

CHURCH AND STATE

THE NEW YORK TRIBUNE

CHURCH AND STATE

CHURCH AND STATE

CHURCH AND STATE

THE NEW YORK TRIBUNE

My

opport
fair in
again
years
for the
have i
the le
at the
so lon
tigatio
public
Febru
of the
letter f
that w
advers
and aft
discove
as from
determ
system
pretend
was onl
had for
In this
with a
were w
I think
this bel
church
anticipa
of my a
I am pe
ment o
patiate
your de
bearing

MY REV. BRETHREN,

I feel myself happy, that I have found *at last* the opportunity, which I have so long sought in vain, of obtaining a fair investigation and an impartial decision of the charges brought against me, and of all the disputes and differences which, for many years past, have unhappily distracted our church; and which, but for the timely establishment of Ecclesiastical Judicatories, must have inevitably terminated in the ruin of our congregation, or at the least in division and schism. It was my earnest desire, even at the commencement of these unhappy disturbances, which have so long afflicted our church, to have submitted them to the investigation of our Clerical Brethren. This desire I expressed at a public meeting of the proprietors of pews in church, on the 15th of February, 1830. On that occasion, and before I heard a syllable of the proposal of a reference to Dr. Lee's committee, I read a letter from Dr. Harkness, of which a copy is subjoined, and moved that we should adopt the course therein pointed out. To this my adversaries declined giving their assent. Subsequently to this, and after the proposal of a reference to Dr. Lee had been made, I discovered in the course of my correspondence with them, as well as from the reported language of their partizans, symptoms of their determination to persist in that revolutionary and disorganizing system which they had begun; and that the real purpose of this pretended reference on their part, as it appeared to me even then, was only to serve as a cover or cloak to the conspiracy, which they had formed, for effecting my deposition or extrusion from the church. In this opinion I was confirmed, by their refusing to furnish me with a copy of their memorial to Dr. Lee. That my suspicions were well founded, the subsequent developement of their plot has, I think, placed beyond the possibility of a doubt. Impressed with this belief, I addressed* a circular letter to the ministers of our church in both provinces, which will be found prophetic in its anticipations of what was to follow. If the revolutionary designs of my antagonists are now in any measure abandoned, we owe it, I am persuaded, to the recent, and to me most welcome establishment of Ecclesiastical Courts. It is superfluous for me to expatiate on the deep importance of the question now submitted to your decision. Viewed simply in one of the least important of its bearings, as it involves the character of a brother clergyman, it

* See Appendix.

will receive, I am persuaded, as it merits, your most patient, conscientious, and impartial consideration. In this view, I feel happy that the dispute is now submitted to the arbitration of Brethren, in whom I feel a most perfect confidence, and of whom, I will say, in the sincerity of my heart, that I doubt not, impartial justice will be the sole rule and guide of their judgment; and impartial truth the sole end and aim of their investigation, in this interesting and momentous question. But this is not the view in which I am most desirous, or indeed feel it necessary, to present it to your consideration. There is, it appears to me, another view, which, if I mistake not, is of still greater importance. The decision of this question will prove, whether proceedings the most disorderly, in violation of the fundamental laws of our church, and subversive indeed of all government whatever; and acts of outrage and indecency are to be perpetrated, within our establishment and by persons professing obedience to its laws, with impunity; and our venerable church, with her goodly institutions, thereby brought into contempt and abasement. You have not only to investigate the right and wrong in the present question; but, what is even more, to assert with unflinching vigour and determination, the authority of our church, and to enforce obedience to her laws; and this duty, at all times so important, is doubly so at the present early stage of our Ecclesiastical Institutions, in order to prove that none who, in the spirit of faction or of selfish ambition and sordid avarice, dare to violate and infringe her laws, and still more to bid defiance to her authority, shall escape due censure and punishment. In the case now submitted, the constitution and law of our church will afford, so far as it is practicable to apply them, the only proper and safe course to a righteous decision; and how important it is, especially under existing circumstances, to make us feel that, next to the authority of scripture itself, we are amenable to this law, it is scarce necessary for me to remark. But I trust I shall meet with due indulgence, if I beg leave respectfully to suggest that those universal forms and maxims, which the experience of mankind in the lapse of ages has proved indispensibly requisite, to guide the judgment, the learning, the talents, and the genius of even the wisest and the best of men, can never be departed from, without the most imminent hazard of committing serious errors, and of being betrayed into perplexity, if not injustice. Need I say that these principles are to be found embodied in our civil and ecclesiastical law? By these principles you will, I doubt not, be guided in the present case; and, in the course and order of your proceedings, will adhere to the forms of our church courts, so far as may be practicable; and, having been invested by the synod, in this instance, with the powers and functions of a Presbytery, you will, I humbly conceive, fulfil the intentions of that venerable body, by acting in conformity with the salutary rules by which a Presbytery would and must have governed themselves in the present case. By acting in this capacity, you will fulfil your duty, in a manner

which,
ground
unanin
have b
by the
the ac
stituti
to be
advers
mome
needl
anxiet
run th
our cl
value,
charg
both
to yo
acted
obedi
we ha
law, t
manif
conte
dissen
desir
strain
real
impa
imper
due l
obed
impa
and t
it no
equal
teres
indiv
to le
is im
conn
direc
evils
pera
to p
belli
and
wan
absce

which, whatever may be the result, will preclude all reasonable ground of complaint on either side, and ensure to you the full and unanimous approval, not only of the Judicatory, whose powers have been delegated to you, but of all impartial men. To be tried by the laws of God and his country, is the inestimable privilege of the accused, secured to him as his birthright by the law and constitution of the land. To be tried by the laws of my church, and to be guarded by its salutary forms and provisions against designing adversaries, or plausible impeachments, is my sole desire at this moment; and if the solicitude, which I express, shall appear needless, you will at least excuse, if not sympathise, with the anxiety which prompts me rather to say what is unnecessary, than to run the hazard of omitting aught that is necessary. By the law of our church you will proceed, I doubt not, in judging of the character, value, and applicability of the evidence, of the relevancy of the charges alleged by my accusers, and of the legality and fairness both of their and of my proceedings. If, in the case now submitted to your arbitration, it shall appear, as I suspect it will, that we have acted, as if we thought ourselves released from all obligations of obedience to Ecclesiastical authority, and, in many instances, as if we had forgot that we have a Law Ecclesiastical, or, having such a law, that we are amenable to it; and if it shall appear that we have manifested a spirit not only of insubordination to authority, but of contempt for order, which we have scarcely thought it needful to dissemble; if we have sought to accomplish ends, that to us were desirable, or at least seemed so by trampling on all the salutary restraints of church discipline and government; and if, in fine, the real root of our whole malady shall appear to be this neglect and impatience of all such restraints, you will doubtless feel it a duty imperative upon you to repress and subdue such a spirit, to enforce due honour and respect to the law of our church, as well as strict obedience to her constituted authorities; and while you lend your impartial aid to detect and to punish delinquencies, if such there be, and to redress the real grievances represented to you, you will feel it no less incumbent, on the other hand, to check an evil of at least equal magnitude, and of a tendency not less dangerous to the best interests, of our church generally, and of our particular congregations individually, namely, departure from established order and resistance to legitimate authority. If you suffer it to be imagined that there is impunity for such spirits—for such conduct—still more if you connive at its mischief, and permit it to have free scope and to gain directly or indirectly its ends, you will open the door to a deluge of evils; and I am warranted to say that your duty is not more imperative to guard against immorality, and severely and impartially to punish guilt, than to restrain and rebuke the refractory and rebellious. Where confusion is, there will be envying, and strife, and every evil work; and the weakness of a government, or its want of vigour, will breed confusion, as surely as the total want or absence of it creates anarchy. In some respects the man who dis-

regards and disturbs the established law or the constituted order of a society, civil or religious, incurs great and complicated guilt, even in a moral point of view. He, who embroils the church, and scruples not to ingender bitterness, and strife, and schism—is his offence to be viewed as light and venial? Let our Ecclesiastical Judicatories therefore be firm and decided in the performance of their duties, strict in their adherence to the law, and inflexible in the application of the discipline of our church; and especially let them remember that, in the first exercise of their power, however mild and lenient that exercise may be in its measure, it ought to be enforced in its execution with a steadfast and unflinching determination. If this is the spirit and conduct of the Church Judicatories, recently established, happy will it be for us all; and great as may be the partial mischief involved in the case, now submitted to arbitration, it will be subservient to general good, if it afford happily the early example of a vigorous and determined firmness, (should that be necessary,) in the exercise of government and enforcement of discipline.

With a view to facilitate the labours of our Arbitrators, I subjoin a few references to the laws of our church, in the various applications of them, which this case appears to involve.* With these preliminary remarks, I proceed to take up the subject of this arbitration; and with a view at once to order, brevity, and perspicuity, I shall divide it into the following parts:—First, I shall consider the charges against my moral character. Secondly, I shall give a narrative of the proceedings, with such comments as I shall deem needful. Thirdly, I shall furnish an appendix, containing my remarks and strictures on the various documents of my accusers, which I may deem worthy of notice, and such other points as are too minute to be incorporated with my general narrative. Fourthly, I shall collect from a review of the whole, the various grounds of complaint which I may have to submit against my accusers. This four-fold division will, I expect, exhaust all that can be necessary for me to adduce by way of explication, evidence, or comment. The papers now transmitted contain only the first two heads of division aforesaid. I must crave an extension of indulgence from our arbitrators a little longer, to enable me to finish the two remaining subdivisions. Of the extent of the work, and the labour which it has or will yet cost me, the arbitrators will be able to judge from the number and variety of the documents submitted by my accusers; on many of which severally it is necessary for me to comment, with a view to deduce from them proofs or illustrations of my general statements and remarks, contained in the papers now submitted by me, or the grounds of those charges which I purpose, in the last place, to submit against my accusers. I have, I conceive, just cause to complain, *as well as the arbitrators*, that those papers which I craved, were not furnished to me at a much earlier period

* See Appendix, No.

by my
have be
Kingst
comple

Before
minary
first:—
fully co
of testi
the pla
to the
whole.
sented
at a pu
"chain
Now, t
honesty
where t
is impo
of contr
be calcu
rance a
to the v
was lea
sented
specifie
or speci
room fo
accusati
be met
immedi
how wi
astical
not spe
alleged
are giv
ters no
instanc
vague
phrase)
Still
takes a
had bee
to the e
not dir
far I ca
my accu
remove
possibil

by my accusers; they were not so numerous but that they might have been produced within a very short time after my return from Kingston, in which case, I should have had all my papers long ago completed, and placed ere now in the hands of our arbitrators.

Before I enter into the details, I shall offer a few general preliminary remarks on the whole of the evidence against me.—And, first:—it is abundantly clear that it has been produced in a form, artfully contrived, to give it the semblance of a chain or concatenation of testimonies, each supporting the other, and all concurring, with the plainest marks, however, of fabrication and collusion, *pointedly* to the end of giving credit, consistency, and confirmation to the whole. It seems intended, and so indeed it was expressly represented by Mr. Black, in a paper styled “his defence,” which he read at a public meeting in church, on the 15th of February, 1830, as a “chain or system (so he styled it) of strong and conclusive evidence.” Now, though this may answer very well, when there are truth and honesty in the witnesses and examiners, it is a most perilous attempt where the whole is based on falsehood. In the present instance, it is impossible to overlook or to mistake the gross and palpable marks of contrivance, collusion, and fabrication, which, however they may be calculated to answer their design of imposing on popular ignorance and credulity, will present the most certain means of detection to the view of the intelligent and discerning. The evidence which was least trust-worthy, least probable and consistent, has been presented (I doubt not designedly) without any precise dates being specified: this secures it at least against the possibility of any direct or specific counter-evidence; and this is some advantage, as it leaves room for the suspicion that there may be somewhat of truth in the accusations, however improbable in their nature, since they cannot be met severally with a direct and particular confutation, not being immediately tangible by me,—a proof, I may remark in passing, how wise, nay necessary, is that salutary provision of our ecclesiastical law,—that no accusations shall be held relevant which do not specify the time, as well as the place, of the commission of the alleged offences. It is curious to remark, that while precise dates are given to the testimonies of Bruce and Whitlaw, whose characters no doubt seemed such as to entitle their evidence, in the first instance, to full credit, the evidence of Mr. Cheney and Mr. Rae is vague and without any precise dates, and such (to use Mr. Black’s phrase) as not to be *tangible* by me.

Still more is this the case with the evidence of the women, which takes a very wide range indeed; and unless I could prove where I had been every hour of every day and night, from the end of June to the end of November, 1829, (the date of said declarations) I cannot directly confute their evidence, for this plain reason, that so far I cannot touch or take it into my grasp; and yet this was what my accusers seemed to require, in order to have the impressions removed from their minds; in other words they required an impossibility. I have no doubt that the charges of drunkenness were

brought forward, on the same grounds, and with the same spirit and intent, as the declaration of Margaret M'Intyre, namely to give a colour of probability to and to afford presumptive corroboration of their main charges, (fornication,—“the head and front of my offending;”) and with a view to connect and concatenate the whole into one chain of irrefragable demonstration. Conscious that the rest of their witnesses were unworthy of credit, and that their evidence could not stand unpropped by something more solid and reputable, they bring forward two witnesses of fairer reputation, both actuated however by violent party spirit, and one of them at least by malice, to give auxiliary evidence of such a *nature and date* as to fall in with and corroborate their most weighty charges. I say without fear of contradiction, that my accusers, Messrs. Black and Armour, (but I will except none of them,) all of them, I say, knew right well my habitual and perfect sobriety, and none of them therefore could deem that the accusation of Mr. Bruce was, in the smallest degree, probable. I do not wonder that my accusers, therefore, with this consciousness, *in the very first instance*, coincided in refusing to allow me to touch, or even to see, their accusations; for had they done so, they must have been aware, that even their ingenuity and industry in procuring and framing such materials, could not have availed to produce and support the weighty superstructure, which they purposed to rear: nay, so sensible were they that it would not do to break such important links of their chain, that after I had produced the most decisive confutation of these their only charges which had dates specified, or which rested on any thing of respectable authority, they have still retained them, without the least qualification, or the least hint that they felt any suspicion of their untruth, (of their unsoundness;) and to prevent the dire necessity of such a mutilation of their goodly fabric, they resolved to hear me no more,—no more to expose their fortress to my rude assaults.—What could mark more strongly the nature of the spirit by which they were actuated, or betray their concerted and infamous design to compass my overthrow with little scruple as to the means of attaining “a consummation so devoutly to be wished?”

In the second place, I remark generally, that the whole of this evidence, were it more probable, consistent, and respectable in itself, would be, in a manner, utterly discredited and vitiated by the liberties, which have been taken with it, on the part of those who examined the witnesses, and recorded their testimonies. Never was the import of the well known maxim applied to evidence—“to tell the truth, the whole truth, and nothing but the truth,” and (may I add) to tell it in the *ipsissima verba* of the witness, without suggestion or dictation,—never was this maxim so strikingly illustrated and confirmed in the *transgression*, as in the present case. The evidence* of Mr. Whitlaw affords, *par excellence*, a specimen of that sort of misrepresentation which, in my view, is the most wicked, as it cer-

* See printed Minutes, No. 14.

tainly
especi
truth
iota m
eviden
sonabi
pointe
of inte
sort
might
when
perfe
verse
offenc
to a t
eviden
of mi
spinn
fairly
offenc
very
they
oblite
den's
facts,
an ac
eviden
ously
total
possi
and
T
very
ness
sion
“Co
witn
and
com
dwe
the
lang
or t
ever
sur
in t
(it

tainly is the most dangerous and insidious species of falsehood, and especially false witness, namely, stating such and so much of the truth literal as may serve the purpose of the accuser, and not one iota more. As an illustration of this, observe how in Mr. Whitlaw's evidence I am actually represented as having been late and unseasonable in my attendance, when I was exactly punctual to my appointment, and am charged with having betrayed all the symptoms of intoxication, so that a person not particularly charitable, (of which sort we have, I fear, on the present occasion, a goodly number,) might be led to infer that I was in the last stage of drunkenness; when, upon Mr. Whitlaw's own showing, it is admitted that I was perfectly collected, did my duty with accuracy and decorum, conversed sensibly, &c. This *difference* in the *degree* of the alleged offence is so material, as every one must perceive, that it amounts to a total difference in kind, and alters the whole complexion of the evidence. This mode of combining a particle of truth with a mass of mischievous and calumnious falsehoods,—out of a thread of truth spinning “a web of lies,” until a statement, which, if truly and fairly given, would be perfectly innoxious, swells into an aggravated offence of indefinite magnitude, is, in my judgment, calumny in its very worst form; where truth and falsehood are so interwoven that they cannot be discriminated or disentangled,—so completely, as to obliterate fully the impression of the latter from the mind. Mr. Howden's evidence affords a notable instance of such a partial statement of facts, as to give a tolerably plausible appearance of versimilitude to an accusation grounded upon it, just as in the case of Whitlaw's evidence; whereas, were all the particulars of the statement (studiously omitted by my accusers) brought forward, they would give a totally different meaning and aspect to the whole, precluding all possibility of doubt that this, like the former, is a wilful, gratuitous, and elaborately artful misstatement of the evidence.*

There are unequivocal marks, throughout the whole libel, that the very expressions and terms of language were dictated to the witnesses. The ignorance of the examiners too seems to betray occasionally their want of correct principle in this respect. The terms “Cohabit” and “Cohabitation” are put into the mouths of all the witnesses, in the first part of the charges, with the exception of Rae, and are improperly used to denote the act of fornication or carnal commerce, whereas their true and proper meaning is—to live and dwell together as man and wife. It is from this tampering with the witnesses, and moulding, and, as I may say, manufacturing the language and statements of the witnesses to serve their purposes, or to give it the appearance of consistency and strength, that, to every discerning eye, they betray its falsehood, in its manifold absurdities and contradictions. The gross and palpable contradiction in the evidence of Rosalie Buillieu, which no man of common sense (it might be supposed) could have overlooked, and certainly no

* See printed Minutes, No. 68.

man of common honesty would have admitted, is but a natural consequence of the same unscrupulous procedure on the part of the examiners, and corroborates the testimony of Mr. Hamilton* and others, that she was frightened into the giving this evidence, and also, it would seem, at the same time, out of her senses, by the menaces of this Elder Magistrate. It is thus, by a wise and happy constitution of our nature, that the *fool* is often instrumental in detecting and exposing the *knave*.—In connection with this, I cannot help noticing a singular instance of ridiculous nonsense and absurdity in the language of my accusers, in their minute of session of the 29th of February, 1830: they say, and for once they speak the truth, I fear however involuntarily, that the sacrament is postponed so long as the Rev. Mr. Esson persists “in assisting at that solemn ordinance *while the said fama remains disproved*”!! This is no typographical error,—no slip of the pen: it is a genuine bull,—an original blunder, in which truth for once has avenged herself on her adversaries.†

But among the *many veracious characteristics*, it is to be noted, that, with a view to give an appearance of unwonted strength to the testimony especially of those witnesses, whose confidence in the truth of their own asseverations, seemed a needful succedaneum to their conscious want of character and credibility, or was needed to uphold the rather extraordinary and dubious matter of their attestations, there is a most pains-taking and praise-worthy enumeration or inventory of the various items on which their assurance of their being no mistake is grounded. They seem to say, in the memorable words of a late distinguished premier of military renown, “It is no mistake, and it shall be no mistake.” Mr. Cheney‡ is made to state that he recognized me, and could vouch for my identity, on the various grounds of my face, my dress, my voice, though in a low tone, and my general appearance. With this preparatory and minute inspection, who will wonder that the young gentleman again recognized me in the darkened room? since it is a well known law of optics, that the impressions of luminous objects on the retina continue for some time after the objects cease to reflect to the eye the rays of light. And granting that there might be some little deficiency of the luminous fluid, this was amply compensated by the multitude and variety of my personal diagnostics above-inventoried; and should any one less scientific perhaps, or more sceptical, than our committee of session, still obstinately persist in thinking, Scotchman like, that it may be doubted, we have got a salvo for the veracity of the witness, and the scrupulous accuracy of his examiners, in that saving clause,—“So far as it could be done,” which shows how conscientious they were, in neither understating nor overstating their evidence. Now what a pity is it that such minute particularity in the statement of evidence should sometimes, as in the present

* See Appendix, No.

† See Note a.

‡ See printed Minutes, Nos. 11, 12.

instan
suppo
side o
woul
dence
Broth
meets
light
and g
cation
ous in
the ab
up on
intaxi
and af
not pe
deline
sions,
pred
of eve
almost
which
—an a
true, b
the tru
perfect
and so
deliber
There
wherev
thereof
summer
of my
not loc
stolen,
a broa
person,
foot.
breath
the low
and ba
was he
vision
eyes o
Bruce,
pardon
kenzie

instance, perversely recoil against the very cause, it is intended to support; just as a treacherous ally sometimes basely deserts to the side of the enemy. It is curious, and, on any occasion less grave, would be amusing, to compare with this feature of Cheney's evidence, one strikingly similar in the testimony of Mr. Bruce.* This *Brother Teacher* ("a little more than kin and less than kind") meets me, (so it chanced, or rather mischanced,) in the broad daylight of a summer afternoon, and by my posture, language, visage, and general deportment, I appeared to him to be in a state of intoxication. I hope that, on this occasion, Mr. Bruce was not more anxious in favour of the truth of his own statements, than of *Truth* in the abstract; since, as if all this were too little to confirm and build up our faith in his testimony, it is added,—that "the symptoms of intoxication were noticed by his family as quickly as by himself, and afterwards remarked upon," (I warrant were they!) Who does not perceive in all this the skilful hand of the same master, who delineated with a precision equally minute, the perceptions, impressions, observations, recognitions, &c., iterated and reiterated of his predecessors? The similarity of expressions, and the accumulation of every ground and circumstance, that could give it strength, and almost infallible certainty, unfolds to us some portion of that art of which, as we progress, we shall have new and successive revelations,—an art in which all need to be well initiated, who seek not what is true, but what it is to be devoutly wished may be true, which last is the true "*veri indagatio*." Here there is no scanty, partial, imperfect medium of indirect vision, such as a hole cut in a partition, and some eye (Cyclops like) implanted there; but a full, direct, and deliberate view of my person, in all its dimensions and attributes. There is not the light of a single candle to reconnoitre my person wherewithal, and to trace in faint reflection the various diagnostics thereof, but the full light of heaven, and all the effulgence of the summer sun in his more than meridian splendour. It may be said of my person, in classical phrase, "*Clara in luce refulsit*;" it did not loom, as erewhile, in a darkened room. There is not here a stolen, timid, or hasty glance through an aperture in the wall; but a broad, close, and continuous survey of the whole of my Rev. person,—"*a capite ad calcem*,"—from top to toe,—from head to foot. My voice is not heard in gentle whispers or low-murmured breathings,—the "*lenes sub nocte sussurri*" of Horace; but in all the loudness of intonation, with which the drunkard swaggers and bawls;—and finally, to mount to the top of this climax, there was here more than a single eye, circumscribed in its sphere of vision by the narrow dimensions aforesaid: there were all the eyes of all the Bruces,—old and young, male and female,—Mr. Bruce, Mrs. Bruce, Masters Bruce, and Misses Bruce; (I beg pardon of the arbitrators; but I wish at once to show H. Mackenzie and Co. that I can take a leaf out of their book, and might,

* See printed Minutes, No. 15.

if I would, avail myself of their weapons, and even turn them against my masters, in this mode of warfare, [*"fas est et ab hoste doceri;"*]) but, notwithstanding so many Bruces, this field was not destined, as will be proved in the end, to be unto them "a Bannockburn." Such is the fallibility of man, such the uncertainty of all human certainties, that all this ocular demonstration falls to the ground. The eye, I may be permitted to remark, is the organ and servant of the mind; and according to the inward affection or passion predominating in the mind, so will it colour all outward objects. As the scepticism and incredulity of our age will not admit of supernatural agency to account for such perplexing phenomena;—as we cannot resort to the aid of witches or conjurers, to resolve all those errors of vision and perception, we may not be far mistaken perhaps, in laying them to the charge of a more common and familiar agent nearer home,—of a demon,—not the less potent or malignant that he is, alas! oft a natural inmate of the human bosom,—inborn, inbred (alas! that it should be so!) in the corrupt heart of man,—yclept *malice* and *party spirit*. To this, as its proper cause, are we to attribute the various phases which I present, it would seem, to various eyes;—camelion-like,—green to one, blue to another, white to a third; while to the eyes of all, who see me most nearly, or familiarly, I show myself in *sober sadness*, or, as it may be felt perhaps, by my kind friends of the Committee of Session, in *sad sobriety*;—to the eyes of Mr. Whitlaw, as he is interpreted at least, by the said committee, and to all the eyes of all the Bruces, (*jam mirabile dictu,*) to a *dead certainty*—*drunk*.

This leads me to the next general remark, namely, on the degree in which party spirit has operated to give, in the first instance, currency to the rumours, and, in the second instance, credit to the accusations, precluding all possibility of doing away with the impressions which they made, and affording a facility to my accusers to push their revolutionary measures to an extent, which must otherwise have been impracticable. It is of the utmost importance for the arbitrators, in forming their judgment of this case, to keep constantly in their view the prevailing influence of this party spirit. The history of our church, if I mistake not, will prove that it has not only been fostered, but created, by my Rev. *Confrere*, and elicited by him on all occasions when he had his own purposes to serve,—purposes uniformly of selfishness or ambition. The chief means employed to generate and excite it, have been private meetings and cabals: these meetings, I have to remark, began with Mr. Black's arrival among us, having been happily unknown prior to that memorable era: they have been uniformly summoned by his particular patrons, agents, or confidants,—held at the houses of his friends,—composed exclusively of his partisans,—and they have uniformly pursued objects, connected exclusively with his temporal interest or aggrandisement, having doubtless received previously from him the hint or the signal, as is clearly proved by his openly avowing, or at least inadvertently betraying, his wish to obtain the

very
such
1827,
the s
have
of hi
the c
have
utter
the r
frequ
objec
want
fully
ceptil
unhap
beara
Th
comin
like s
that t
their
chine
the fa
the b
stop t
even
tion,
of re
tion,
sough
we co
not,
great
whole
the t
agent
You
the m
you s
the sp
To d
our e
Mr. L
exclu
rumo
seriou
stance
W

very objects, for which such meetings and proceedings were got up; such as, at the time of his ordination, at the General Meeting in 1827, when it was proposed to vote him into the sole possession of the surplus funds of the church; and, thirdly, the meetings which have been held more notoriously of late, under the avowed sanction of him and his Elders, in their assumed capacity of the session of the church. It is hardly possible to calculate the mischiefs which have sprung from this source: as if with a view to aggravate to the uttermost the mischief of these cabals, they have been held, during the recent excitements, at public taverns and hotels, and have been frequented by many persons, less from any real interest in their object than for the sake of conviviality, and in the spirit of mere wanton frolic and mischief. Certain it is they have operated powerfully to create impressions in the minds of those who are little susceptible of having their errors and prejudices rectified; and their unhappy effects can only be removed by time patience, and forbearance.

The rumours and accusations propagated in this manner, and coming in contact with such materials, in such circumstances, have, like sparks among dry wood, blazed at once into a conflagration, so that the grossest unlikelihood and absurdity have been no check to their propagation; and while, by this extensive and active machinery, Mr. Black has acquired the facility of giving diffusion to the fama, and of rivetting, at least in the minds of his own partisans, the belief of his accusations, it was impossible for me either to stop the one or eradicate the other, because his partisans, had they even come (which they did not, and would not,) to hear my vindication, would have brought with them a spirit, I fear, little susceptible of receiving conviction of their errors. I am fearless of contradiction, when I say that not half a dozen of that party have ever sought an opportunity of being disabused; and little wonder, when we consider what example was set them in this respect. I wonder not, under these circumstances, that the excitement has been so great; it was enough to madden the minds of the populace. The whole History of our Church, since Mr. Black entered it, attests the truth of this; the same cabals, the same intrigues, the same agents, the same objects, the same machinery, appear and reappear. You can see the troubled waters, where they rise at the voice of the master spirit, who musters and directs the storm; and wherever you see the waters calm and untroubled, be sure they lie beyond the sphere of his power, and beyond the influence of his magic wand. To dismiss figurative language, it is susceptible of proof, that all our excitements, past and present, will be found to originate with Mr. Black, to spread from him, as from a centre, and to owe exclusively to his party, their agents, and authors; hence it is, that rumours, contemptible in themselves and altogether unworthy of serious regard, have become formidable, and, under existing circumstances, must be perpetual—interminable.

When, in connexion with this party spirit, the arbitrators con-

sider the character of the principal witnesses, through whose evidence my adversaries seem to have formed their hope of compassing my overthrow; when, with this, they connect the spirit of my accusers, their vehement and importunate desire to obtain the needful evidence; the means and the manner of procuring that evidence; the unscrupulous liberties which they have taken in recording it, and giving it that form which was most suitable to their purpose; their refusing to allow me, in the first instance, to touch or even to see it; the publishing it, at the same time, to the whole congregation, at meetings, called for the express purpose of hearing it read; their refusal, all the while, to hear me in my own vindication, or so far, as depended on them, to allow me to be heard, even at those popular meetings, whose convocation was a measure and a proposition of their own; and, finally, their opposing all my attempts to obtain a reinvestigation of the whole charges, in the presence of my brother ministers, when parties and witnesses would be mutually confronted; these various features, which characterise the whole of these extraordinary proceedings and convulsions, by which our church has been so long agitated, will enable the arbitrators to account for, not only the origin, but the long continuance of these *Tribunicia Procella* of our stormy church.

This subject is so wide, that I can only afford time to throw out a few general remarks. In what spirit Mr. Black proceeded to get up these accusations; how well he was aided in this labour of love, or as they phrase it "PAINFUL BUSINESS," by his *Frater Fratissimus*, H. Mackenzie; the importunity with which they strove to extort the evidence which they needed or desired; and the degree in which they made that party spirit, of which they were the prime authors and fomenters, subservient to their designs, it will be for the arbitrators to collect from the evidence and information which I shall now submit to them. There is not, I am warranted to assert, one of the witnesses, who is not discredited by notorious party spirit, by malice, or by utter depravity, nay, infamy of character; such were the sources from which these affidavits or declarations were procured; such as were the spirit and sources of these accusations, such were the means employed to obtain them—intimidation or corruption. Who will believe, that such witnesses as Rosalie Boillieu, or Eliza Cunningham, came forward of their own accord? The solemn asseverations, which they make to purge themselves from such suspicions, could not, I am persuaded, impose on any one; and their examiners, the Committee of Session, are therefore, in my view, convicted, in this part of the proceedings, of a connivance or collusion with palpable perjury. And these witnesses criminate at themselves too! It is impossible to conceive that witnesses would come forward voluntarily, and of their own free accord, to do so, without some strong impulse of fear, of interest, of animosity, or of party spirit. What man of sense, of honesty, or of decency, would have stooped to employ such means of accusation, or stained and polluted his paper with such worthless and wretched stuff. No

cause,
even
In fin
the t
nesses
presu
were
above
be sub
The
could
I chal
little
grieve
The
withh
(and
produ
open
impre
my ha
and h
the ex
preter
even
adver
their
the se
confir
will a
plot v
and a
useles
the m
veil, t
with
world
their
The
Rae,
an ap
more
a mod
in the
sees n
scene
was in

cause, but a bad one, could be served by it. It cannot shelter itself even under the Jesuitical plea of doing evil that good may come. In fine, there is the strongest possible presumption, in this case, of the truth of those testimonies which go to prove that these witnesses were either bribed or otherwise unduly influenced. This presumption is not diminished by the fact, also attested, that they were forbid to have any communication with me or my friends, and above all, strictly enjoined not to subscribe any paper that might be submitted to them on our part.

The evidence, thus obtained, is of such a frail nature, that it could not endure, they were conscious, the slightest inspection. I challenged them contemptuously to allow me to touch it with my little finger (*minimo digitulo*.) To the challenge they remained, I grieve to say, both deaf and dumb.

Their evidence, clandestinely got, was kept in the dark and withheld from me, until a long and formal Ecclesiastical Inquisition (and who shall deny that this is its appropriate appellation?) had produced popular excitement and suspicion, and *fama clamosa* had opened the minds of the congregation to a due susceptibility of the impressions intended; then, at last, did they, *late and loth*, put into my hands their charges. One brief audience* was given to me, and had they known beforehand the lecture I was to read them, and the exposé of their conduct which I then and there made, some pretext, I doubt not, would have been devised to shut me out *from even that one brief audience*†; but if the door had been thus inadvertently and unluckily opened, they made all haste to repair their error, by shutting it forthwith against me and for ever; and the sentence, originally passed upon me, having been renewed and confirmed, was next attempted, how strenuously and perseveringly, will appear by and by, to be carried into instant execution. Their plot was bold and original, and the means so admirably concerted and accommodated to the end proposed, that it is utterly vain and useless for my accusers to persist any longer in their dissimulation; the mask, which they wore, has dropped from their visage: the veil, thin and transparent as it was, they have torn from their brow with their own hands, and they stand forth to the view of all the world, with their motives no less than their actions exposed in all their naked deformity.

The first declaration on which I shall comment is that of Mr. Rae, whose evidence has been got up in such a form as to give it an appearance of the greatest possible strength, or, to express it more properly, to set it off to the greatest possible advantage.—In a moon-light night, in the end of June or beginning of July, (and in the year, let it be remembered, 1829,) this witness meets me, or sees me approach him; and that we may be duly prepared for the scene which ensues, he states that he had heard it reported that I was in the habit of going to, or frequenting, places of ill fame; he

* See No. 29, 30.

† See my Statement to Dr. Lee.

determines, therefore, to watch and reconnoitre my motions. Having never understood that my accusers, or any one for them, had imputed such delinquencies to me, prior to the date assigned by him and Cheney, I should, had I been present at his examination, have felt much inclined to ask him, from whom he received this information. I believe that this testimony of Mr. Rae has no predecessor, though it appears to have a few contemporaries equally respectable and veracious. Probably his examiners were of my opinion, and therefore did not put this embarrassing question; though they could not be insensible of the advantage to their cause of mounting to a higher and purer source of evidence, and of finding, had that been possible, some witness whose character, unlike Messrs. Rae and Cheney's might have deserved credit with less aid from iterated and reiterated observations and asseverations. I confess, however, that there appears not a little ingenuity in this expedient of compensating the want of character by the self-alleged closeness and frequency of observation. Mr. Rae's story is very short; and yet, with all its brevity, it furnishes more criteria than might have been expected by which to test its truth. He saw me in a moon-light night: this is one criterion, and a most unexceptionable one. From what he has heard of my frequenting certain places, he is induced to watch me: this is going surely to work, and with all the advantage too of moon-light: it is strange indeed if he do not identify me;—"it is no mistake, and it shall be no mistake." In the first instance, and judging from a view of me as I approached him, he recognized me by my appearance and mode of walking. I love people who are thus particular in giving a reason for every thing; as it shews, that if they do not speak truth, they shew at least good cause why they should be believed. I wonder we have not a more particular description of what is peculiar in these attributes, by which he distinguished me, and especially, whether I appeared drunk or sober,—a thing which we might suppose would be abundantly ascertained by this close and watchful observer;—but we shall let this pass; and, following Mr. Rae, quit the bounds of mere vulgar probability, to enter within the confines of the marvellous. I stopped, he alleges, after having passed him, and being fully recognized by him to be my identical self, at the door of a house, known by Mr. Rae to be a house of ill fame, and entered—into the house?—no,—not into the house, but into conversation with a girl standing at the door of said house. The circumstances of place are here sufficiently specific, but the time is less definite; it was however, some time before eleven o'clock;—too early, no doubt, to go in, but a very good season, especially in moon-light, in a public street and frequented highway, to make an assignation in front of a house, in or near which I might assure myself of meeting, if not Messrs. Ray and Cheney, yet company equally good, and associates no less befitting such a promenade; and what is no less wonderful than any of the other circumstances of this right probable narrative, the assignation is made, not in a low tone of voice,—not hurriedly

whisper
the sou
the ho
making
he wou
puzzl
the ho
what p
lips, o
ears, a
me au
is a lit
within
in the
in the
the br
ing, in
infer,
fixed
deny
truth
were v
probab
could
visits
I carri
or Mr
though
candle
Mr. R
of, sin
moon
his ow
may n
would
certed
fictici
charac
advise
ticklis
wider
sever
who,
dilige
sonab
nesses
snper
darke
Wha

whispered into her ear, as I passed,—but proclaimed so loudly that the sounds were caught by Mr. Rae, who, as he states, went round the house, and standing at the corner of it, he heard Mr. Esson making, with the said girl, an appointment for eleven o'clock, when he would return. A person of mere ordinary wit is not a little puzzled here, to conceive how Mr. Rae, in going round the back of the house could see, even with all the advantages of moon-light, what passed in front of it, or how the vocal sounds emitted from my lips, on this memorable occasion, could have travelled to Mr. Rae's ears, as he made the circuit of the house, without drawing around me *auditors*, not to say *spectators*, from all the neighbourhood. It is a little queer, that I, who speak, in so low a tone, when I am within the walls of such places, should announce my visits openly, in the moon-light, at the door of a mansion of such notorious repute, in the public street and in the immediate vicinity of Mr. Hamilton's, the breadth of a narrow street only intervening, in a summer evening, in the end of June, or beginning of July, and as I may naturally infer, this assignation to be made an hour or so before the time fixed for this amorous meeting;—about ten o'clock. Who can deny that this testimony possesses strong internal evidences of truth? Verily, I do not wonder that the Committee of Session were very anxious, in their great love, if not of truth, at least of probability, which is near akin to truth, to get at some proof, if it could in any wise be procured, that on or about the time of such visits and assignations, I was not always in my sober senses,—that I carried sometimes more wine than wit: certain it is that either I or Mr. Rae must have been, on this occasion, in such a state; and though I have heard of drunken men seeing two moons or two candles, when there was but one substantially and veritably present, Mr. Rae, I confess, is the first instance that I have been apprized of, since the days of demonology and witchcraft, of a man seeing a moon in the firmament which had no existence, unless perhaps in his own cranium. But who shall say that the phenomena of ebriety may not vary with the different idiosyncrasies of divers persons? I would not, therefore, have Mr. Rae or his examiners to be disconcerted beyond measure, on account of the introduction of this little fictitious incident, in a narrative which otherwise possesses so many characters of intrinsic probability; only I humbly beg leave to advise them, in time coming, when they venture to touch upon such ticklish ground as dates, in testimonies of this nature, to take a little wider range, whereby sun, moon, and stars, as may be necessary, may severally come, each in its proper season, to the aid of their witnesses, who, when thus watching and reconnoitering, with so much pains and diligence, ought not to be allowed to fail for want of sufficient and seasonable light. I am curious to cross-question these ingenious witnesses, whether anyrays of the same moon, which had vouchsafed this supernatural visit for Mr. Rae's benefit, had penetrated into the darkened room to eke out Mr. Cheney's defective means of vision. What a pity that, in the present dilemma, there should be any

demonstration, more demonstrative than ocular demonstration; or, what a pity Mr. Rae had not, in his promenade, that evening, taken with him a pocket almanack, to have prevented those eyes of his from becoming unwarily the dupes of his lively and sportive imagination. This is the more to be regretted, as this untoward oversight tends to break a link—in seeming not a little solid—in this chain “of strong and conclusive evidence;” nay, I am fearful, that if it has not knocked out altogether the adjacent link, it has, to say the least, sorely shattered it; and it is melancholy to reflect, that the testimonies of Mr. Rae and Mr. Cheney, so nicely fitted and compacted together, each lending strength and support to the other, and at the same time happily combined in harmonious union, with that of their friends, the female witnesses, should thus cruelly be severed from another and from the whole; and that so fine a contrivance, by which any defect in the light of the farthing candle of the latter gentleman, was luckily supplied by the fine bright moon, which Mr. Rae had conjured up so timeously, so that with Mr. Rae and the moon without, and Mr. Cheney and the candle within, I should not only have been discovered and identified, but absolutely taken captive and brought a prisoner before the Committee of Session. —What a pity, I say, a train of circumstances so well contrived, and combined for so goodly a purpose, should all be deranged and defeated, because that changeful and capricious divinity, the moon, would not deign to smile upon the plot, or to be present when invoked by Mr. Rae, to aid him in a cause, so worthy of celestial interposition; (“*si Deus intersit, dignus sit vindice nodus*”) then, indeed, might Mr. Rae, after reading his declaration, have persisted with less fear of contradiction, in its containing the whole truth. We will also read over again this testimony, that we may mark how the light, that led him astray from truth, “was not light from Heaven.”

It is, I humbly think, a circumstance rather unaccountable, that not one of the triumvirate of the Committee of Session, in catechising Mr. Cheney, or Mr. Rae, thought of putting to them the trying and decisive question, what were the precise day and date of this adventure, sufficiently extraordinary, one should think, to have been marked in their calender. Was it through an inadvertency, or was it not rather a “*non mi ricordo*” on the part of those, who knew well, all of them, that a similar occurrence to that, which forms the subject of Mr. Cheney’s testimony, had taken place on a former occasion, so like it in every particular feature, that the coincidence is more than striking, and can scarcely fail to suggest a suspicion, that both could not be accidental, but that the one had been the model, upon which the other had been artfully and industriously fashioned; how strange, nay, how mysterious is it, that, with the knowledge of all this, which one would think impossible they could have forgotten, on the present occasion, none of them started the question of the precise date, as a necessary and indispensable test.

Were these gentlemen more willing to put such questions as tended to effect the end, which we accuse them of having pursued,

namely, might, p
me with
perience
apt to le
cerning
in a syst
bind tog
nious wh
experien
not indis
accusers,
medical
is secure
a manner
wholly n
the mont
that they
evenings
little mo
were ma
of comin
who mig
as of sob
of the t
lost, in
for payi
word ev
security
by rend
supply,
of these
trace am
I may, t
logy of
ears, as
of inform
namely,
Cheney
the earli
of three
or Satur
mittee o
point, I
small p
commun
sence of
what he
he had

namely, my *condemnation*; and do they forget only those which might, peradventure, have tended to defeat that end, by furnishing me with the means of direct and decisive disproof. The long experience, which makes men sage, even when they are not the most apt to learn, has, of late, quickened my perspicacity a little, in discerning and catching those minute and nice relations and ties, which in a system at once so wide and deep as the present, unite and bind together the several parts, however remote, into one harmonious whole. This perspicacity—with me the child of long and sore experience—has enabled me, on this occasion, to trace, as I think, not indistinctly, an ingenious provision which has been made by my accusers, *conservative of their system*—something not unlike what medical men denominate the *vis conservatrix naturæ*, by which it is secured and fortified against any violent or direct attack, and in a manner made inaccessible to the assailant. With a caution, not wholly needless, they are careful not only not to state the day of the month, or of the week, but so perfect is their circumspection, that they have represented my visits as made on certain nights or evenings, fearful, no doubt, that had they consulted probability a little more, by specifying, even in general terms, that these visits were made at late hours, their evidence might have run some hazard of coming in collision with the counter evidence of my domestics, who might, peradventure, vouch for my habits of regularity, as well as of sobriety. This hazard is completely evaded by the adoption of the two words, nights or evenings; whereby, if something is lost, in point of probability, by imputing to me so early a season for paying visits of such imminent peril to my reputation—as the word evening must imply—it is abundantly compensated by the security which is gained against every attack upon their system, by rendering it as little tangible as possible. But that I may supply, to the best of my power, this lack, and render the matter of these testimonies a little more tangible, I will see whether I can trace any vestige of the precise dates of events so remarkable; that I may, thereby, supply this desideratum, so material in the chronology of the chronicles of our Committee of Session. It came to my ears, as I doubt not it did to those of my *confrere*, and from a source of information still more accessible to Mr. Black than to myself, namely, (Mr. Howden) that the epoch of my rencounter with Messrs. Cheney and Rae, and, so far as I could trace, after much search, the earliest era of my rumoured fall, has been fixed for one or other of three days, specified by name, to wit, the last Thursday, Friday, or Saturday of June, 1829. However the members of the Committee of Session may have overlooked, as of slight importance, this point, I myself lay no inconsiderable stress upon it, and I took no small pains to verify its authenticity and correctness. It was first communicated to me by Mr. Howden; who furnished me, in presence of Mr. John Blackwood, jun. with a written memorandum of what he had verbally stated; that, on the first day of July, 1829, he had met with Mr. Wilson, who had informed him that he had

heard from a gentleman of his acquaintance, whom he would not then name, that I had been seen in a house of such a description upon a Friday, which Mr. Wilson has further declared to be that immediately preceding the date of this meeting and conversation with Mr. Howden. In consequence of this information, I sent for Mr. Wilson, who confirmed the truth of Mr. Howden's statement, but when I asked him to tell me the name or names of the person or persons from whom he had this information, he positively refused, but consented to make the communication confidentially to any two gentlemen of honour and respectability that I might name. Accordingly I directed him, for this purpose, to wait upon Messrs. Leslie and Shaw; which he did, telling them in substance what is recorded in the declaration of Rae and Cheney, and verifying the dates, which I have specified above; and his testimony is corroborated and confirmed by strong collateral evidence; for, in tracing the rumours, we uniformly found, that we were conducted back, through the channel of Messrs. Howden and Wilson, to this date; nor could we, ascertain, that a single breath or surmise of any similar rumour or suspicion had existed prior to the assigned date; the story of Mr. Willkie's adventure had not, it appeared, transpired at this time, at least, was not generally known. This agrees perfectly with the words of their declaration, in regard to this point, in which they state the end of June, or beginning of July, and by referring to the almanack for the year 1829, we shall find that the moon did not rise till about twelve o'clock, or midnight, which is one full hour later than the time, assigned by Mr. Rae, for my assignation. Nor is the condition of Mr. Rae, thus "deserted by the waning moon," much more awkward and embarrassing than that of Mr. Cheney; who, if Mr. Howden's statement be correct, has assigned, for the date of his rencontre with me, Friday the 27th day of June, 1829. For it is proved by the evidence of Thomas Mathews,* my servant man, that I returned to my own house and went to bed that night about ten o'clock, certainly not later; and as I spent the preceding part of the said evening at the house of A. Shaw, Esq., in company with the Rev. Mr. Cruikshank, who was then in town, and whom I accompanied from Mr. Shaw's to the house of John M'Kenzie, Esq. where he lodged, it will not be easy, without a supposition of my possessing the attribute of ubiquity, to account for the co-temporary phenomena, described by Messrs. Rae and Cheney, as having fallen under their observation; so that we are placed in a dilemma, and have to choose between the belief of a miracle, or the conclusion—if not of the falsehood—at least, of a mistake in the date—of this testimony. But that these young gentlemen may not be discouraged, nor sink into despondency, on account of this slight flaw, but may be induced to try another hit, we would furnish them with the following data, that they may not be left, any longer, to grope their way in darkness, by informing them, that it is suscep-

* See Appendix.

tible of
night, t
did not
o'clock;
all nex
of those
Cheney
was a f
How w
such a
their se
hazard
burst o
realize
able an
until th
date, an
facts an
doubt o
there is
of our
which,
import
leave t
selecte
based o
In a b
kenzie,
evenin
boldne
truth,
guilty
the mo
his bos
that, i
of two
sively
to pro
female
and ex
of tru
the lo
the ri
howev
over r
genius

tible of the clearest proof, that I was from home at least one whole night, that I was drinking wine, said night, of the best quality, and did not leave the dinner table until, probably, between nine and ten o'clock; that I did not return home that night, nor shew my face, all next day, to any member of my household; that this was one of those nights or evenings of the week, assigned for Messrs. Cheney and Rae's adventure; and, to crown the whole, that it was a fine moon-light night, and early in the month of July, 1829. How will my accusers be delighted to receive, from my own lips, such a confession as this, going almost to the full length of confirming their sentence, and sealing my condemnation. But fearful of the hazard of killing them outright with the excess of so sudden a burst of joy and gladness, as might overwhelm them, were I to realize at once their fondest hopes, and crown at once their honourable and lengthened labours, I will here check my hand and pause, until they shall have first settled with their witnesses the day, and date, and hour, and then, should these happily coincide with all the facts and circumstances above stated, there will be as little room to doubt our ultimate conviction, by the decision of our arbitrators, as there is, *now*, doubt of the *painful reality*! of our guilt in the minds of our accusers. With a view to illustrate and confirm a truth, which, as my accusers seem to regard it, is so doubtful as that of the importance of dates in such cases as the present, I will here beg leave to produce—"unum pro omnibus"—a single fact or incident, selected from a multitude of others in this eventful history, and based on the authority of most unquestionable documentary evidence.* In a brief but lively episode of my correspondence with H. Mackenzie, that gentleman, in a letter addressed to me dated, Thursday evening, nine o'clock, 20th May, 1830, with all that confident boldness, which, as every body knows, is a sure sign of conscious truth, charges me, directly and unqualifiedly, with having been guilty of some manœuvring or low intrigue, which, as being a thing the most foreign from his character and habits, naturally excites in his bosom a just and generous indignation; and he further alleges, that, in order to cover these my insidious practices, I had been guilty of two absolute and wilful falsehoods, in two letters written successively and with a very short interval between them. He was ready to prove, by the most honest and unsuspecting testimony, that of a female domestic, trained up, under his own eye, both by precept and example, until she became so thoroughly riveted in the habit of truth telling, that he could swear that, though a woman, not even the love of slander would tempt her to incline one hair-breadth to the right hand or the left hand from truth. It would appear, however, that my good genius, on this occasion, had been watchful over me, while it could be nothing less than Mr. Mackenzie's evil genius, that prompted him to depart from his wonted caution in

* See Appendix.

avoiding a needless particularity as to the dates of the facts in question, thereby laying himself open to an adversary like me, who would take all the advantage of this overfrankness on his part. But, to proceed—the facts which this most learned clerk undertakes to prove, (verily, in this instance at least, the truth of that old adage, that “the most learned clerks are not always, and in all things, the wisest men,”) in order to convict me of manoeuvring and falsehood were as follows:—that I had been at home on two successive days, at half-past twelve, on the one day, and at half-past four o'clock on the other, when two successive letters of his, as he could prove, were delivered to me, into my own hand, by this faithful and infallible *truth-teller*, the female domestic aforesaid. Nothing can more clearly prove the impolicy of this overscrupulous minuteness in the specification of dates, than the result of this rash and unlucky impeachment; for, on the one day, as H. Mackenzie's evil genius would have it, I left my house before eleven o'clock, and walked all the way to the Rev. Mr. Mathieson's house, to hold some conference with Doctor Harkness on parish business. There did I stay, until near two o'clock, and even then did not return thence to my own domicile, but went straightway to church, to meet my Session, if they had been pleased to condescend to meet me, which, (“for substantial reasons” doubtless) they did not—so much for impeachment the first. Nor was the second attempt more lucky than its predecessor; for, instead of being at home next day, as he was able and ready (yes, “ready, aye ready,” might be his motto!) to prove, at half-past four o'clock; just as if to give the slip to this noose, which Harry had prepared to cast around my neck, to drag me wherewithal before the Session, to answer to this new charge, I had gone out, by appointment, so early as three o'clock, to meet Mr. Leslie and Dr. Caldwell, and, returning in company with Mr. Leslie, after finishing our business, we met, about five o'clock, the Rev. Dr. Harkness and the Rev. Mr. Mathieson. These Rev. gentlemen accompanied me to Dr. Caldwell's, where we remained some time; nor did I separate from such good company, until they had conducted me to my own house, within a quarter of six o'clock, and where we were scarcely entered, when Mr. Mackenzie's servant delivered into my hands a letter, which I read in the presence of the witnesses aforesaid. See, as a voucher for the truth of this statement, Mr. Mathieson's memorandum.* In the epistolary skirmish, that ensued between us, Mr. Mackenzie has distinguished himself by the most consummate skill and ability, in the use of all the weapons of controversy and dialectics, displaying all the desperate valour of his countrymen, of whom it has been said, that “they do not know when they are beaten.” Certain it is, that when I had assured myself of a decisive victory, and with much self-complacency was hugging the idea, that I had imposed silence on my redoubted antagonist, I felt, to my

* See Appendix.

morti
proph

WI
it see
able
valid
my sh
vetat.

Le
serva
stance
confid
this d
concu
cession
succes
What
this t
be pr
super
iterat
porta
dimin
it now
kindr
The
demo
infer
collus
sente
circu
their
It imp
since
to kn
the co
migh
conca
becor
Comm
repre
the a
what
of Cl
and f
quite
these

mortification, that he realized the lines of Goldsmith, which, if not prophetic, are almost literally descriptive of the fact:—

"In arguing too the Parson owned his skill,
For even when vanquished he could argue still."

What cause can be more hopeless than mine, since any evidence, it seems, will avail for my condemnation; whereas none that I am able to conceive, will be sustained, by my accusers and judges, as valid for my vindication. I will write the word "despair" upon my shield, and give up the contest. "*Ridentem dicere verum quid vetat.*"

Let us next proceed to the testimony of Mr. Cheney, whose observations are of the same date, and though made under circumstances that do not seem quite so well calculated to produce the confidence of their truth which he expresses, will be found to have this deficiency, whatever it may be, most amply compensated by the concurrent observations and asseverations of his immediate predecessor, Mr. Rae, and no less respectable authority, his immediate successor in this goodly series of witnesses,—Miss Cunningham. What a pity that this important corroboration, so needful, which this testimony would have received from that of Mr. Rae, should be prevented by the sudden eclipse, which we have so unexpectedly superinduced of that lunar light under favour of whose beams, those iterated and reiterated observations were made to establish the important fact of my identity; a certainty we fear which must be diminished in direct proportion with that of the light of which, as it now appears, it was not begotten, and vanish into the shades of kindred and congenial darkness,—its true and proper nativity!—The whole testimony of Mr. Rae being thus shown, by evidence demonstrative and infallible, to be a wilful fabrication, one of two inferences must follow:—either, first, that there must have been a collusion between these two witnesses, whose statements are represented as coincident in all the material points of time, place, and circumstance; or, otherwise, it must follow that the dates specified in their declarations are an actual misrepresentation of their evidence. It imports little which horn of this dilemma be taken by my accusers, since the Committee of Session have been pleased, in their wisdom, to knit all these witnesses in a bond of brotherhood, they must take the consequence of their own doings and devisings. Would that I might hope it would teach them how hazardous is the attempt to concatenate calumnies, and that such a fabric, the higher it is reared, becomes more tottering insecure. If, on the other hand, the Committee of Session contend that they are innocent of having misrepresented the testimony, it will follow, that there is collusion in the attentations of their witnesses; and I leave them to determine what quantum of credit or probability will remain to the testimony of Cheney, his fellow-accomplice being thus convicted of falsehood and fabrication. But this is not all: we have not as yet exhausted quite all the manifold and striking criteria of truth in regard to these memorable declarations. It is only necessary to direct the

attention of the arbitrators to the letter of Messrs. Mackenzie and McConnell,* two gentlemen of the most respectable characters, which affords evidence more direct and still more decisive of Mr. Cheney's veracity. This young gentleman, after giving his evidence to a triumvirate of our Committee of Session, on the 9th of November, 1829, confessed, in presence of the witnesses aforesaid, that he did not feel all the confidence quite which he is made to express in his declaration. By what means he has been induced to express it, therefore, is a thing which I can only divine. I would here ask, What, and how great, is the difference between the witness, who swears to the truth of that of which he is uncertain, and of him who swears to what he knows and believes to be absolutely and utterly false? When Mr. Black, who expatiated in his defence on the well accredited veracity of this witness, with a view plainly to establish a belief in the minds of his auditors of the fact which he attests, has determined what is the exact amount of the difference between the two degrees of veracity aforesaid, I will admit that the credit to be attached to the testimony of Mr. Cheney is equivalent to that balance or residue, (*tanti quanti.*) But this minimum of a residue of credibility, infinitesimal as it is, will, I fear, have yet to undergo some further abatements before we have done with it. The value of evidence will always be directly in the proportion of the moral character of the witness; and, to say the least, there are suspicions attaching to the characters of Rae and Cheney, which would bring down their authority as witnesses almost below the level of even the female declarants or deponents with whom they are associated. I am aware how harsh it seems, at first view, and, in any other circumstances less extraordinary than the present, how improbable would be the imputation of subornation and collusion, in such a body of witnesses, as are here made to compare before the venerable tribunal of our Committee of Session, in support of this, the first and capital charge against me; but I will say, without fear of contradiction, that the evidences,—internal and external, direct, presumptive, and collateral,—of subornation of false witness, and, in some instances, of perjury, is still stronger, and infinitely more probable and consistent than that of the subject of their testimony. Let the arbitrators here keep in view the direct evidence of Mrs. Young, of Mr. Hamilton, Mr. Turner, Mr. C. Sweeny, Jun., Mrs. Noxon, &c., as to the means of procuring these witnesses, and of either buying or extorting their evidence, and connect with it the strong presumptive evidence arising from the habit and repute of Mr. Mackenzie's character,—from their vehement and indecent eagerness to obtain evidence in favour of their charges,—from the manner in which it has been recorded, as well as the matter, in instances not a few, of which it is composed,—from their extreme reluctance to produce it to my inspection,—from the injunctions laid upon the witnesses not to communicate with me or my friends,—and, finally,

* See Appendix.

from
playe
ings,
evid
from
by th
ornat
all id
—pla
these
wond
ous a
pled
very
to th
They
man
this
the
varie
wou
in th
of th
such
strol
men
who
who
key
in a
riot,
not
sma
And
liat
acqu
we
and
he
men
vati
pre
the
by
fact
to
one
qui
I s

from the habitual and palpable contempt of truth and right, displayed throughout the whole course of their writings and proceedings,—I hesitate not to affirm, that the whole of this part of the evidence, worthless in itself, from its internal character, as well as from the characters of its authors, is utterly vitiated and confounded by these pregnant proofs of bribery, intimidation, collusion, subornation, &c. And what wonder if Mr. Black, who, in defiance of all ideas of common decency and honesty,—of propriety and justice,—placed himself at the head of the conspiracy, and led the way in these outrages; and, on the face of them, scandalous proceedings,—what wonder if Mr. Black and his Elders, who showed themselves thus callous and insensible to either shame or honour, who thus not only trampled on the substance, but set at nought and put far from them the very appearance and seeming of justice,—should be now obnoxious to the charge of having sanctioned and connived at such things?—They have laid themselves open, in the extremest degree, to all manner of the worst suspicions. And if they who have procured this evidence are thus open to suspicion, nay, in fact, impeached of the direct crime of subornation and of undue influence exercised at various times, and in divers manners, are these their witnesses, I would fain know, less obnoxious to similar suspicions? Is there, in the present case, a single exception? Is there so much as one of them whose character does not labour under a susceptibility of such corrupt influence,—whose testimony does not even exhibit the strongest actual symptoms thereof? Who will doubt that young men, who, to say the least, are suspected of theft and robbery,—who have betrayed the confidence of their masters and relatives,—who have broken open their escritoirs, or unlocked them with false keys,—or who have been intimate associates of those, who have been in a manner convicted of the crimes aforesaid, as well as of assault, riot, and assassination,—who will doubt, I say, that such persons are not only capable of being suborned, but may easily, and for the smallest bribe, be made to say, aye and to swear too,—any thing? And yet Mr. Black strove to prop their credit, and almost to palliate their vices, on the 15th of February, 1830. But were we to acquit Mr. Cheney of all suspicion of collusion with Mr. Rae,—were we to forget all that, in point of moral character, goes to invalidate and render worthless his testimony,—and were we to suppose that he records honestly and faithfully all that he saw and heard on this memorable occasion,—nay, that he made his inferences and observations in the state of perfect coolness and sobriety, and with every precaution, to guard, so far as the circumstances would admit, against the possibility of mistake or deception,—I shall be able to prove, by the most unexceptionable kind of evidence,—that of a similar fact, of an actual occurrence, or adventure, so like in all its features to that of Mr. Cheney, as to be a perfect counterpart, except in the one particular,—that of the denouement of the mystery, which is not quite so complete in the latter, as in the former case,—in this way I shall be able to evince, that the evidence of Cheney, were it to

pass without any, the slightest, abatement of its apparent strength, cannot be admitted as decisive proof.*

As to the circumstances in which Mr. Cheney's observations are made, allowing that they are fairly and faithfully recorded, and that this evidence is not a counterpart of Mr. Whitlaw's, I will beg the arbitrators, before I enter into a more particular scrutiny and criticism of the substance and internal character of his declaration, to compare it generally with that of Mr. Bruce, a witness, in every point of intelligence, prudence, experience, and respectability of character, infinitely more creditable than Mr. Cheney. Mark, I pray, how he is equally confident in the asseveration of his belief, and assurance of the truth of his testimony;—mark how he particularizes, with equal minuteness, all the grounds and circumstances on which that confidence is founded;—mark the peculiarly favourable circumstances in which his observations were made, contrasting, as they do, in almost every respect, with those of Mr. Cheney;—and finally, to crown the whole, mark how his testimony is corroborated and confirmed, in a manner, to an absolute demonstration of almost infallible certainty, by his wife, and his whole family, not only concurring with him, but as quickly as himself,—at the first glance,—without any dubitation, or a moment's hesitation,—perceiving the symptoms; the very children not dissenting,—careless and little observant as children usually are of such symptoms, unless they are so gross and palpable as to be obtruded upon their notice: nor is it a circumstance of small weight, or unworthy of remark, in estimating the force of this evidence, that children are not open (as their parents may perhaps be deemed) to the suspicion of malice and censoriousness. Verily the accumulation and concentration of all the light at once, and all the strength which human testimony can well be conceived to possess, in its highest degrees, seem exemplified in this single instance. What an illustration does this form of the truth of the ancient maxim, "*Si populus vult decipi, decipiatur!*" When people are predisposed to receive impressions, or to believe rumours, there will never be lacking some plausible grounds, at least, on which to build their faith;—there never will be lacking evidence sufficient, if not to produce full conviction, at least to perplex and confound. And where could more striking instances be found of the facility of such deceptions, than in the cases of Messrs. Wilkie and Bruce? If, on the occasion of my meeting Mr. Bruce, I had not been accompanied with a witness of undoubted credit, who saw and conversed with me all that day,—nay, were not his testimony borne out by the concurrence of all my household,—my doom would have been sealed at once, and I should have stood convicted, and upon evidence seemingly the most solid, of being drunk at noon-day, and on the king's highway. What a corroboration this of all the other charges! and not a shadow of doubt of its truth!—

* See my Statement to Dr. Lee and the Session, p. ; see also Appendix and Note.

But Mr. tial attri brought cannot.

But le only way with a c tency wh here atte in close than the accordin house. faith in that whi explore, teriori, v appropri aiding h in its lov power o preclude that I a to be al and op spared r of prude up to sa ingenui without an expé to jostle it leads thing w me a se sistent he saw betray, very lit a trick tion ho room; man, fr if he w not bei I was an adj therefo says h

But Mr. Bruce's testimony possesses one important and very essential attribute, which the other wants: it can be met directly, and brought immediately to the test of counter evidence: the other cannot.

But let us now subject our witness to a cross-examination, in the only way it can be done under existing circumstances, by exploring, with a critical eye, the internal characters of credibility and consistency which his testimony presents. First of all, then, the facts here attested, bearing the same date, and the declaration itself being in close juxtaposition with that of Mr. Rae, cannot be any other than the fulfilment of my assignation, so publicly and audibly made, according to that gentleman, some time before, in front of the same house. It cannot but amazingly strengthen the confidence of our faith in this testimony, to reflect how well the train has been laid; that while Mr. Rae is represented as standing on guard without, to explore, with all the advantages of moon-light, what passed *ab exteriori*, we have our witness snugly planted *ab interiori*, with the appropriate accompaniments of silence and darkness,—the former aiding his sense of hearing, to catch my voice, and to distinguish it in its lowest tones, and the latter occasioning no impediment to his power of seeing, (as shall be evinced forthwith,) while it effectually precluded the possibility of his being seen. I am glad to perceive that I am not supposed to have reached such a pitch of effrontery as to be altogether careless of exposing my Rev. person to the full and open gaze of such witnesses, and that Mr. Cheney has so far spared my character, as to leave me in possession of such a modicum of prudence and modesty, as did not positively admit of his coming up to salute me with a—"Hail, fellow! well met!" Mr. Cheney's ingenuity is first put to the stretch to devise a method of seeing me without being seen himself. But, though it is easy to devise such an expedient, it is not so easy to execute it in such a manner as not to jostle with, and derange other points of this narrative. In fact, it leads him, in the end, into a manifest absurdity, or even something worse than absurdity, namely, to declare that he recognized me a second time in the darkened room; as it could not be consistent with any degree of imaginable probability, to have averred he saw me in a lighted room. Many other points must occur to betray, if not the utter falsehood of this testimony; at least to leave very little doubt of its being, if not a fabrication of his own, a hoax, or a trick played upon him by others. He does not give us any information how he came there,—how he happened to be alone in a darkened room; as this is not the most probable situation in which a young man, frequenting such houses might be supposed to place himself; or if he were there, in company with others, how I should have failed, not being absolutely blind or deaf, to discover the danger to which I was exposed, from my near vicinity to such witnesses; namely, an adjoining room, through which I actually passed in retiring, and therefore, it may be presumed, did so in entering. Since Mr. Cheney says he heard my voice, though in a low tone, what reason can be

imagined why I should not have heard his conversation with the girl, who, he says, went into the room where he was, and told him, "There's the minister," and how I should have ventured, subsequently, to pass through such a room, with a consciousness of there being witnesses there, it requires more than ordinary faith to believe, or more than common ingenuity to explain. But how came we there, and whence came the light by which he saw me: if we entered by the same way, by which, he says, we passed out, he would have a clear, as well as a full view of my person. Every one must see what a field there is here for cross-examination. But we shall pass over all these dubitative circumstances, and take the *statu quo* of the parties as correct. I am in the adjoining room: Mr. Cheney is unconscious of the extraordinary fact of the near vicinity of so Rev. a personage; but for the purpose of obtaining the speediest intelligence of the presence of so extraordinary a visitant, a very natural and probable expedient, forsooth, suggests itself to his imagination, to which faculty, I doubt not, he and his fellow-witnesses are mainly indebted for the very interesting materials of their testimonies. Like another Sampson, I am represented as having been betrayed by this Delilah to the Philistines, who are lying in ambush, and had beset the house within and without. What had made her guilty of such treason to love and me, is not even attempted to be explained; but, I suppose, like all great conquerors, she was elated with her victory, and, with all the natural pride of such a triumph, made an ostentatious display to Mr. Cheney of her Rev. captive: a rare and glorious trophy no doubt. But how she got into the room were Mr. Cheney was, we are left to conjecture. Did she pass through the hole in the partition? Sure it must have been of very ample dimensions: or are we to understand that there was, verily, a door in said partition, by which she made her ingress to Mr. Cheney, and her regress to me? If so, why did not Mr. Cheney take advantage, as the saying is, of an open door, to verify her intelligence, and to glut his longing eyes, with a full gaze of a spectacle so rich and rare, with all the advantages of candle light? In what tone, we would ask, *less than low* did she whisper to him the emphatic words, "There's the minister," so as not to alarm my auditory sense? How impudent on her part was it, and how passive on mine, to have the door opened thus unceremoniously, and not only the finger pointed, but the voice raised, to expose me to this sly and insidious observer! But, like all well told tales, whose *interest* is far more important than their *truth*, the wonder rises with every step of the progress of our narrative. Mr. Cheney has his curiosity excited by this piece of intelligence (and this circumstance we allow is natural enough) to prompt him, not as vulgar sense would have dictated, to look in at the open door, but to peep through the hole cut in the partition. Was it cut at the time, and for the purpose, through some prophetic anticipation of the coming event? since, as the poet says,—

"Coming events cast their shadows before."

or, as w
grossed i
utter obl
to all des
as to mal
and coul
into the
pity that
suppose t
fairies, f
sufficient
testimon
of our na
adds, he
tage, no
necessary
and dearl
brief enjo
Mr. Chen
blown ou
of the per
the light
ascend a
Cheney, i
for if the
why shou
science su
Let no or
merely a
stance of
for it will
marvellou
room; an
simple cer
that Mr.
recogniti
recogniti
exceeding
person, w
ticularize
appearanc
again the
making a
preciate
this most
ing, in th
point, wh
every oth
end of pr

or, as we are rather inclined to believe, was his attention so engrossed in cutting said hole, and peeping through it, as to induce an utter oblivion of the door, and, with a liberty which belongs of right to all dealers in fiction and romance, was his imagination so exalted as to make him forget that our heroine was mere flesh and blood, and could not, in actuality, have effected a passage from one room into the other, without an opening of suitable dimensions? What pity that we cannot, in this dilemma, resort to supernatural aids, and suppose that *ma chère demoiselle* was no other than Mab, queen of the fairies, for whose transition the hole aforesaid would have been amply sufficient. There, by the light aforesaid, did he see me; and as the testimony of one sense might not be sufficient to ensure the truth of our narrative, another sense is called in to reinforce it; for, he adds, he heard the sound of the money I gave her; taking advantage, no doubt, of the light, before it was extinguished:—a very necessary and prudential caution! Most people pay, I believe, aye and dearly too, for such pleasures as I was now indulging, after the brief enjoyment; but I paid, it seems, on this occasion, beforehand. Mr. Cheney very opportunely, after, as he says, the candle was blown out, discharges the auditorial sense, and, to leave no doubt of the perspicacity of his powers of vision, to which the darkness and the light seem indifferent, he tells us very gravely, that he saw me ascend a bed, into which the said girl had previously got. Mr. Cheney is determined not to be a whit behindhand with Mr. Ræ; for if the laws of astronomy were suspended in favour of the former, why should it be thought less credible, that the laws of optical science submitted as passively to the convenience of the latter? Let no one suppose that Mr. Cheney is an Irishman, or that this is merely a *bull*; for this is not the only, or indeed the principal instance of his power to emulate, in fact, surpass the optics of the cat; for it will be told, in the sequel of this narrative, no less true than marvellous, that he recognized me as I passed through the darkened room; and, that we may be duly impressed, not merely with a simple certainty of this notable adventure, we are distinctly informed that Mr. Cheney was quite certain as to my identity, on a double recognition. And should any one be disposed to doubt the first recognition, which was made in the light, he will not, sure, be so exceedingly incredulous as to mistrust the second, when my whole person, with all the striking diagnostics thereof, so minutely particularized in this faithful narrative,—to wit, my dress, my general appearance, my face, and my voice, although in a low tone,—become again the object of his recognition in the darkened room; thus making assurance doubly sure. How can we ever sufficiently appreciate our obligations to our worthy Committee of Session, for this most laudable and most meritorious pains-taking, in concentrating, in this manner, all the light and force of their evidence in this point, which is, as it were, the focus whereunto all the rays from every other point are made to converge; and if, after all, the great end of producing *conviction of truth*, or, to speak more properly, my

conviction, is not attained, we cannot deny to them the praise of having, at least, laboured with all zeal and perseverance to make the most of the evidence, and to set it off to the best advantage. Who can fail to place unbounded confidence in such witnesses, whose perceptions are so keen and penetrating, that no medium will intercept their operations, or obscure their impressions: to such witnesses nothing less than implicit faith is due; as nothing less is sufficient for them. I wonder much that Mr. Armour should have proposed, after all this, so unnecessary and impertinent a question to Mr. Cheney, as whether he might not have taken some other person for me. How could it be imagined possible that there should be any mistake on this occasion, on the part of one endowed with a double power of vision; with something above and beyond the vulgar sense,—a new, and quite original, species of second sight,—the redundancy of whose power was more than sufficient to compensate for any lack of light;—a witness whose single testimony is equivalent to that of any two, and whose two eyes are worth four, at least, of the same organ in ordinary men. As such a witness was well entitled to a double portion of faith, he might well assume a modest confidence; and as his declaration, possessing such intrinsic marks of truth, was unreasonably discredited, what could he do less than protest that he was ready to swear to the truth of facts, which had come, in circumstances, in every respect so favourable, under the cognizance of his senses both of seeing and hearing, both in light and darkness? Would that we only had a moral or a metaphysical balance, wherein to weigh this testimony, whose double certainty, augmented by the accession of an oath, would be equiponderant with the testimony of any half dozen of our vulgar testifiers. My only marvel is, how a doubt or a misgiving could have ever come across such a mind as his, and how he could have abated aught of a confidence so well grounded, as he did, in a moment of weakness or surprise, in the presence of Messrs. Mackenzie and McConnell. Since, therefore, there could be no mistake on his part, in the recognition of so old an acquaintance, I have only to express, first, my regret that the pleasure is exclusively on his side, and, secondly, my hope that, as my feebler powers of vision do not enable me to see my friends in the dark, he will, I trust, accept this as my apology for not having accosted him upon so interesting an occasion; and I would not have him doubt, that if he had done me the honour to meet me in the light, where the pleasure of the recognition would have been equal and reciprocal, he should not have found an *old friend with a new face*. There is one circumstance in this narrative which will be allowed to wear a very great aspect of probability; namely, that he was a scholar of mine;—yea, verily, and an apt one too—who shall doubt this?—let work bear witness;—and he had come to meet me this night to receive a last lesson,—a finish; and that the benefit of such good and efficacious instruction, with the aid of such suitable example to enforce it, might not be lost to the world, but that all the youth of our city might share the fruits of such an

I beg leave, however, to decline availing myself of the apology, initiation, has this most probable, edifying, and consistent narrative, been *imprinted and published*, through the appropriate medium of the Committee of Session of Saint Gabriel Street Church, which having erewhile constituted itself the *guardian of the public peace*,* has thus again stepped forth into public view, in a character no less befitting, i.e. the *equal guardian of public morals*.

The evidence of Eliza Cunningham affords the most unambiguous symptoms of the same gross and bungling endeavour to conceal the weakness or to exaggerate the force of these precious declarations, by tampering with the witnesses, and suggesting to them such evidence as they are desirous to draw from them. How easily such witnesses will be made to gratify the wishes of such examiners, it is needless for me to remark, but I will say, what my accusers need seemingly to be taught, that it is not quite so easy a matter to make such testimony consistent with itself, and with truth, and probability.

Eliza starts boldly and confidently with the affirmation that she knows me, having seen and conversed with me frequently, and that I was in the habit of visiting the house in which she lived. So far Eliza goes on with a steady unflinching step, but, in the next sentence, where she proceeds to corroborate another testimony, that of Rosalie Boillieu, she unluckily stumbles against truth; for, upon evidence, that I will not disparage by a comparison with that of Eliza and her accomplices, it will appear, that I was never absent from my own house, during this period, one whole night, with the exception of a visit to Beauharnois, which shall be duly certified; and, by the concurring testimony of my household, was never known to be in a state of intoxication. This untoward breaking of some links in our chain, leaves this witness, without remedy, convicted of falsehood; and vainly shall we resort to the evidence of her sister accomplice, Rosalie Boillieu,† in the hope of its yielding us any succour, for it is not only overthrown by the conclusive and unanimous evidence aforesaid, but, as will appear forthwith, it is actually destructive of itself, and cannot, therefore, either give or receive the support so much needed.

But as these two witnesses have presented us with some data for tracing and ascertaining the truth of their statements, namely, that I was drunk that night, having come from a party, and that I spent the night in such good company; I will say that here "there is no mistake, and there shall be no mistake." I would pause to remark with this view, that during the summer months, it is a well known fact, that there are very few parties in Montreal. I can truly say, that, to the best of my belief, I did not attend in all above half a dozen during the period in question; and that, from particular circumstances, it would be easy to trace well nigh the dates of all of them.‡

* See No. 152.

† See printed Minutes of Committee of Session, No. 16 & 64; see also Appendix

‡ See Appendix, Nos.

I shall give my adversaries these, and whatever other advantages of the same kind, their hearts can desire, to find what corroboration they may of these statements, from honest and creditable witnesses, of whom there is such a *plentiful* lack in this business. I cannot help noticing the word *evenings*; for, when the season of the year is considered, one might suppose, that I would hardly have ventured to sally forth on such expeditions earlier than eleven or twelve o'clock, and that, too, under the deepest veil of night, sable goddess! but unlike most workers of iniquity, who love darkness rather than light, I walk forth, in the light of the sun, and play the drunken Bacchanal on the king's highway, to the great annoyance of his Majesty's liege subjects; I go in broad day light with Mr. Peddie, in moon light with Mr. Rae, and in candle light with Mr. Cheney,—where it ill became me to go “in murkest night at midnight hour;” verily there is, in all this, on my part, if little policy, at least no hypocrisy. Well might Mr. Black exclaim, as he did in his own defence, “against wickedness in high places;” aye, and in the fulness of his righteous zeal, he might have added another feature not less notable, “in high day too.”

“To laugh, were want of goodness and of grace,
And to be grave exceeds all power of face.”

This witness states with mathematical precision, which, I suppose, passed with the examiners as a demonstration of her truth; not the months or years, during which we dwelt together, as might have been apprehended from the formidable words cohabit and cohabitation, but three separate nights or evenings that I visited her. And, has it come to this? and is this the whole amount of my intercourse with one who states, that she had seen and conversed with me frequently, and that she knew me intimately? and that I was in the habit of visiting the house while she remained there? She is also made to state, with as much exactitude as if she kept an account of her receipts, the several prices of said cohabitations; namely, firstly, five dollars; secondly, three dollars; thirdly and lastly, two dollars:—a very pretty descending climax! I must own somewhat too much *for single visits*, and too little *for cohabitations*. Who can doubt the testimony of a witness so minutely and scrupulously particular in her statements? She is, indeed, a *perfect precisionist*! But, in the next sentence, as if my accusers, for I deem Eliza Cunningham perfectly innocent of any knowledge whatsoever (unless it may be practical and experimental) of the terms *cohabit* and *cohabitation*, seemingly so natural and familiar to her lips, were desirous to justify—by a sort of metonymy peculiar to themselves—their use and application of the term, they go on to prove that, if I did not cohabit with Eliza, I did the same thing nearly, I purposed or intended to do so, and to take lodgings for her in Montreal, that I might apprise her friends in Upper Canada, and restore her to the bosom of her parents; this was just acting, as became my character and cloth! and, certainly, it will be allowed, that never was the zeal of reclaiming a poor sinner carried to a greater extent.

which is here insinuated for such visits and for such intimacy. Such zeal I dare not lay claim to; it were too much even for an apostle! But it is worthy of remark, that, while Eliza starts with such an absolute and unqualified declaration of her intimacy with me, there is apparently some little misgiving in her own mind, or in the minds of her examiners, or peradventure of both, as to the actual certainty of her knowing me at all.* Not without reason, say I, if my evidence may in aught be trusted. But, what! doubt the probability of her knowing the man with whom she was so familiar, with whom she cohabited; and who did not wait for night with her veil of darkness, to elude the eye of curious observation, and impertinent remark. But let us have patience, and we shall hear many and better reasons for her knowing me forthwith. First, then, she knew me by having seen me go in at a gateway of a house in St. Paul's street, opposite the theatre, where, she adds, I kept a school. This, however, is far from being a lucky hit, for I could easily prove, (were it at all worthy of proof,) that I do not enter my premises by the said gateway, upon an average, more than once, I suppose, in a month; and that it should have so chanced, that she saw me, twice in succession, entering my house by this postern gate, is only not impossible. No man, it has been said, is a hero to his valet de chambre, and I have no right to complain, if I have, perchance, been mistaken for any person of inferior dignity, appertaining to my household; with whom it is as uncommon to enter by the front door, as for me, their lord and master, to make my ingress by the gateway aforesaid; and I grieve to think, that any certificate of their absolute and immaculate chastity, is what, if I could conscientiously give, would be, I fear, of little avail for them, at least in the eyes of the Committee of Session. Well! but if this proof of our acquaintance fail, in any measure, let us try the next. She has seen me pass by the house in which she resided, and, upon one occasion, I was pointed out to her by gentlemen, who were in the habit of frequenting the said house, in which she lived, as being a minister. Some people require to have long memories, or short stories; for, if we may believe another testimony,† she pointed me out to the gentleman or gentlemen, (for they are like Falstaff's "eleven men in buckram, grown out of two") saying "There's the minister." But let this pass, and let us go on; there is such a fertility of comment that we progress somewhat slowly. These gentlemen, as well they might, express their astonishment at seeing me in said house, nor would this astonishment have been diminished, had she told them the pious and truly ministerial objects of these visits. But there remains one allegation more of this amiable, amusing, and most credible witness, which is as probable in itself, and as well entitled to our faith, as any of the preceding; to wit, that she never received any reward, or the pro-

* See Appendix, Nos.

† See printed Minutes of the Committee, No. 12.

mise of any reward, of any kind or nature whatsoever, to induce her to make the present declaration.* No, verily; she came forward, with a pure and disinterested zeal, to vindicate the honour of religion, and to co-operate with other fellow workers, animated by the same spirit, in exposing my aberrations. Verily, if good sense, consistency, and probability are any of the marks of truth, who will question the claims of this precious piece of evidence to the fullest possession of them? (*Quot verba, tot mendacia.*) I do not think that the arbitrators need travel an hundred miles to cross-question such witnesses, and where the internal evidences are so plain and palpable, it is altogether a matter of superfluity to direct their attention to the external.† Cicero has said in some part of his writings that he wondered how "two augurs or haruspices could look one another in the face without laughing." Could Mr. Black and the other members of this famous Committee, on this occasion, look one another in the face and maintain a perfect immobility of the risible muscles? In conclusion, I would ask how Mr. Mackenzie could be such a novice as to have given this witness, for such evidence, a douceur of sixteen dollars into her loof, a hebdomidal remittance of five dollars, with several other *et ceteras*? This beats me and my five; three, and two dollars hollow! No wonder that, with such odds against me, I have come off discomfited!—† I hope I have now atoned, by this long and grave comment, for the indignity which I offered to these inimitable witnesses in the first instance, when I refused to take any notice of their evidence; and this commentary, if it be not needful to the arbitrators, will, I hope, though it comes late and somewhat out of season, avail to propitiate the offended spirit of *its authors and recorders*, who have earned, with no small pains, and ought not, by any means, to be defrauded of their due meed of praise.

The whole chain of this goodly company of witnesses, in support of the first article of my impeachment,§ is brought up and closes with Rosalie Boilieu; and never was there a more suitable confirmation of absurdity and nonsense, matched with other elements which I will not deign to express. The very closeness with which this honourable association is linked together, the perfect continuity with which hand joins in hand, and the evidence of the one is echoed and reechoed by the other, until their whole assembly unite in one harmonious chorus; all this, though it was thought, as well no doubt as intended, by my accusers to be corroborative of their veracity, to a more penetrating eye, is, on the other hand, a presumption, and a strong one too, of fabrication. The whole wears the most palpable appearance of concert, collusion, conspiracy; and nothing can be imagined more unlike the artless simplicity of truth; nor would my accusers have exposed themselves so grossly, had they possessed a little more wisdom, or at least a little less cunning.

* See Appendix, Nos.

† See Appendix, Nos.

‡ See Memorial to Dr. Lee.

§ See printed Minutes, Nos. 16, 64; see also Appendix.

"You are very deep Mr. Shallow," is a pun of Shakspeare's, which, in my view, admits of a very felicitous application to them in the present case. But to proceed, the evidence* of this witness was given, at a stolen interview with our elder magistrate, on the Lord's day, about the time of public worship—what a happy and auspicious conjunction! Think of the time, the persons, the business to be transacted. He goes into the house of Anthony Hamilton, he craves permission to rest a little, being fatigued, I suppose, "from going to and fro in the earth, and walking up and down in it," after the manner of his ancient and grand prototype, when he went abroad on similar errands. The master of the house receives him with due courtesy, and, having some avocations, leaves him sitting solus to meditate—but, not with Cato, on the immortality of the soul. No, he had other matter more suitable to the day, and to the character of an elder to meditate upon. The landlord, upon his return, found his guest, with some surprise, conversing with one of his female neighbours, of no ambiguous reputation; the conversation was held in the French language, the witness' mother tongue. An oath had been administered to her on Mr. Hamilton's Bible, which was lying open, and accompanied with pretty plain intimations or shrewd hints, that if she did not give the evidence, which was needed by the *elder*, it would be competent for the *magistrate* to send her to jail; forasmuch as she gained her livelihood in a way not altogether sanctioned by law. This is manifest from what was told to Mr. Hamilton by the witness, after the interview with the magistrate, who left her quelled and quaking under the terrors of his official authority. But our Rev. and worshipful duumvir, uniting, as he did, in his own person, the double dignity of *magistrate* and *elder*, did not trust altogether to the strength of the broad hint, which he had thus significantly given—this "*argumentum ad mulierum*"—as we may call it; not contented with hammering her into a perfect malleability, thereby to mould her to the will of her examiner, he takes a further security, to have all things done to *his will* and *his wish*, by assuming another office, in addition to the duplicate with which he was already dignified, that namely of translator, interpreting, with the truly characteristic originality of his genius, her French into his own English, and construing her statements into his own sense and meaning. It was, perhaps, impertinent curiosity on my part, to desire a sight of this affidavit with its subscriptions; and it was produced with such reluctant delay, as showed there was no particular wish to have it exposed to the light. It is wondrous, if this testimony, which is the very top of the climax, the cap stone of this pillar of truth, and the last and mightiest link in this chain of strong and conclusive evidence, does not overcome the most rebellious scepticism and unbelief. Others knew me by my walk, and appearance, other some were told "There goes the minister."

* See Appendix, No.

I was seen by moon-light, by candle-light, and, marvellous as it may seem, true it is as marvellous, I was seen without any light at all, in a darkened room. What evidence more conclusive than all this can the wit of man devise? none, perhaps. But the wit of woman—not more quick than it is fertile and inventive—may not be so easily exhausted as man's *duller and less prolific ingine*. This new and original source of evidence has been reserved very appropriately for the last and finishing stroke; and not to keep my readers longer in suspense, as to this mighty and mysterious secret, be it known unto them, that Rosalie Boileu could be in no mistake, that it was my identical self—the Rev. Henry Esson, minister; she believed it on the best of all grounds, for I told her so. But, as if even this were not enough to complete this certainty of certainties, and to rivet universal belief in the verity of the fact, it is added, that I was, that night, in a most truth-telling mood; and, as people, in a state of sobriety, have sometimes a strange tendency to fib, in order to remove every vestige of a cloud that might dim the lustre of such resplendent evidence, be it further known unto all, that I appeared this night quite in the indicative mood, and in the most perfect humour of telling the truth, the whole truth, and nothing but the truth; for is it not agreeable to the experience of all mankind, in all ages, that “a fou man is a true man,” ergo, if there are any so slow of faith, as still to remain unconvinced by the preceding cloud of witnesses, how, pray, can they, with any face, pretend to discredit my own attestation, or more properly confession? At last I have laid aside the mask, and come forward to announce myself in all my well known and appropriate terms of name and designation. From this dilemma, I cannot imagine to myself any mode or way of escape, better than what is suggested in the words of the old song, which is not only appropriate to the extreme exigency of my present case, but may claim something of ecclesiastical authority, having been composed by a Rev. Divine.* I wish I could, for my own better vindication, give the whole of this precious little canticle; but, I grieve to say, that my memory retains only the few lines that seem to apply to my case, and which I am therefore obliged to present in this mutilated form:—

“ There was a wee bit wifkile
And she gaed to the fair,
She took a wee bit drapakie
That cost her muckle care.

(Here there is a hole in my ballad.)

And, quoth the wee bit wifkile,
This is nae me!”

Were I to contend, that our mysterious incognito, on this occasion, like the heroine of this song, had drunk himself into a momentary oblivion of his own identity, and also into an illusive

* Dr. Geddes.

belief
will
of ch
which
has s
the p
is no
the l
for th
state
are h
of th
This
scen
This
(for
enrol
havin
a g
matt
We
sinu
their
could
and
dign
pure
“wi
this
grat
the
cont
Cas
In
all t
coll
calu
refl
of s
adr
Re
sur
cou
he
fea
to
his
abl

belief that he was no less a personage than our Reverend self, who will say, that either in point of gravity, dignity, or legitimacy of character, this argument is one whit behind the evidence, with which it is matched. And, furthermore, forasmuch as Mrs. Young, has said, nay, sworn, that Eliza Cunningham, in descending to her the personal appearance of this reverend unknown, (whose celebrity is now scarcely inferior to that of the great unknown; whether like the latter he shall one day shake off his visor and disclose himself for the satisfaction of the curious, we pretend not to divine) has stated, that he was not so thin and meagre in person as ourself; we are happy to take the benefit, in our present distress and perplexity, of the door which is thus opened, thereby to effect our escape. This sudden and unexpected turn of our tale opens quite a new scent, delivering us, like the persecuted hare, from the hunters. This description, it is clear, can have no application to our person; (forasmuch, as we rank not among the sons of obesity, but are enrolled in the corps of the slenders;) but points to some brother having more of the *en bon point* than ourself. And certes there is a greater appearance of *vraisemblance* in this new view of the matter, since, as Falstaff says, "the more flesh, the more corruption." We will not be so uncharitable, on the present occasion, as to insinuate that any of our brethren of the Committee of Session, in their communion, secret and confidential, with these fair witnesses, could have had other views than those which became their character and office, in their twofold capacity of civil and ecclesiastical dignitaries; or that they could have been actuated by motives less pure, than zeal for the investigation of truth and the detection of "wickedness in high places." It is enough for us to have parried this formidable blow from our own person; and, therefore, congratulating ourselves, on such an emergency, that we are not among the number of your "round, fat, oily men of God;" we feel ourselves contented, for once in our life, to be like your "lean and hungry Cassius," saving with the poet, "*Et aliquis malo fuit, usus in illo.*"

If any one had wished to illustrate, by example, how to exhaust all the arts, shifts, weapons, stratagems, and resources that may be collected, and employed in the glorious and generous warfare of calumny, where could they find so true and perfect a mirror, to reflect its image, as in the proceedings of the Committee of Session, of St. Gabriel street church! What step could be imagined, more admirably adapted to the purpose, than that of my ingenious and Rev. Confrere, who gathers up all the scandalous stories, rumours, surmises, and hints which an *itching* ear, aye, and a *listening* one too, could catch. He puts them, like eggs, into a nest for incubation; he hatches and nurses them, until, like the callow brood of the feathered tenants of the air, they become winged and strong enough to cleave their proper element, then are they sent forth, from under his hand, to fly under the whole heaven. But this wise policy, so ably justified in the *Minutes of the Committee of Session*,* possesses

* See Nos. 23, 24.

another signal advantage, it enabled them to retain, or to modify at their pleasure, either in obedience to stern necessity, or in conformity with existing circumstances, such of them as, in their primitive form, could not bear the light; such of these tender nurselings as, had they been sent forth thus prematurely, could not have lived, moved, or had a being. One of their most effective and formidable charges was, in this stage of its existence, disarrayed at once of its fairest proportions and noblest attributes. Mr. Black, at the meeting of Session, convoked by him, on the 26th of November, 1829, had it recorded in his secret book, that a certain housekeeper of mine had left my house, with pregnant proofs of my stolen amours. So soon as this reached my ears, I took such steps as, I doubt not, convinced them of the necessity of qualifying this evidence, which was too good to be true, and, to use a strong phrase, they were obliged to emasculate it in a most piteous manner. Let the arbitrators read with due attention this evidence, as it now stands, and Æsop's fable of the mountain in labour will be forcibly recalled to their minds, "*parturiunt montes, nascitur ridiculus mus.*"

Suppose I were not to touch this evidence * at all, or could not disprove any of the allegations contained in it, what does it amount to? to what other conclusion could the arbitrators come, than that I was indeed a very simpleton to have asked this *precious Pamela* to marry me, and she still greater to decline so fair an offer? It proves, at least, that I was much a novice in the arts of guile, and therefore, it might be presumed, in common candour, unpractised in its ways and works. But this evidence, gentlemen, affords clear proof, though not of my guilt, at least of the malice of my accusers. It was calculated to be subservient to the purpose of awakening suspicion, and of preparing the minds of the people to receive, with due susceptibility, the impressions of their preceeding charges; it gave at least some colour to them, and this was enough to warrant the production of it. Had they been animated with the spirit of ordinary candour, of respect for religion, or regard for my usefulness, would they have hatched, or could they have exhibited such pitiful stuff as this. This evidence bears upon the face of it, that it was taken so early as the 12th January, 1830; it was publicly read, along with the other charges, at a popular meeting, held at Mr. Bruce's house, and when full time had been allowed, as well as effectual means employed in this manner, to diffuse through the whole congregation these poisonous calumnies, it was put into my hands, for the first time, at no earlier date than the 12th of March, 1830. If this procedure does not bear all the unequivocal marks of calumny, I renounce all claim to the knowledge of them. This evidence I can only meet by a disproof of all the principal facts therein stated, and by offering such explanations as may remove all the suspicious circumstances, and, finally, by challenging my ad-

* See printed Minutes, No. 34; see also Appendix.

versa
not c
to the
as it
such
the p
in its
girl,
whole
of her
on this
well a
eviden
fact, a
me fro
I have
in my
the po
aught
may ha
this al
life an
vindict
to me,
her fel
my adv
part w
at all
present
possibil
or to a
an old
letter *
cussion
On t
to add
copy is
arbitrat
which c
part of
a prosec
that, wi
planatio
to be d
make an
not enfe
which

† See

modify at
or in con-
in their
se tender
could not
ective and
arrayed at
Black, at
November,
usekeeper
my stolen
steps as, I
this evi-
g phrase,
ner. Let
it now
e forcibly
ridiculus

could not
it amount
than that
s Pamela
ffer? It
guile, and
practised
ords clear
accusers.
awakening
ive, with
arges; it
warrant
spirit of
y useful-
ited such
f it, that
publicly
held at
as well as
ough the
into my
f March,
al marks
n. This
pal facts
move all
my ad-

versaries to adduce direct proofs of what they insinuate; for it is not conceivable that they themselves can attach aught of blame to the ostensible facts, or to the overt acts therein attributed to me; as it could be no sin, though it might be bad taste, to have made such a proposal to such a damsel; but it was, no doubt, got up for the purpose of insinuating a suspicion of *seduction*, and if abortive in itself, it affords a colour to the other charges. First of all, this girl, after leaving my house, resided in town for the space of one whole year, if not longer. This must set at rest entirely all suspicion of her pregnancy; and I dare my accusers to express even a doubt on this point, susceptible as it is of the clearest proof; and yet I am well aware, that if I did not possess the most positive and direct evidence of the fact, no improbability of the fact, and no presumption in my favour, would have availed to shelter me from the original accusation. Besides those, whose testimonies I have produced in refutation of this charge, there were others, living in my house at that time, who want not the will, if only they have the power, to bear witness against me, if ever they have observed aught in my conduct to warrant such a suspicion; and that they may have all scope to find materials to support the probability of this allegation, I will give them a wide range, that of my whole life and conversation. That this witness is animated by angry or vindictive feelings is plain from the tenor and temper of her letter to me, and of her testimony before the Session; the testimony of her fellow-servants will evince the cause of her displeasure. I leave my adversaries themselves to judge whether my determination to part with her rather than Mrs. Campbell, can bear any construction at all favourable to their views; and I think it fortunate, in the present instance, that my preference of the latter cannot, by any possibility, be imputed to any superiority of personal attractions, or to any other cause of a suspicious nature, as Mrs. Campbell was an old woman of at least sixty years of age. Indeed, the girl's letter * to me, relieves me from the necessity of any further discussion of her testimony.

On the evidence † of Messrs. Whitlaw and Bruce, I have little to add to my comments, in the statement to Dr. Lee, of which a copy is transmitted herewith. I would draw the attention of the arbitrators to the affidavit of Mr. McDonald, ‡ a respectable man, which clearly establishes the existence of strong party spirit on the part of Mr. Whitlaw; and, if I am not to ascribe it to the fear of a prosecution, I must say, that it is rather creditable to his honesty; that, with such a spirit, he was induced to give me those verbal explanations and qualifications, which I required of him; for it is not to be doubted that he sympathised too well with my accusers to make any abatement from his testimony, which conscious truth did not enforce. His refusal to subscribe those written declarations, which had been repeatedly read and accredited by him before

* See Appendix, No.

† See printed Minutes, No. 14; see also Appendix.

‡ See Appendix.

witnesses, has arisen, I sincerely believe, from his experience of the scrape, into which the Committee of Session had brought him, by a partial and unfair statement of his evidence, and his consequent dread of exposing himself to the hazard of falling into a similar snare. He has always been a warm partizan of Mr. Black's; he has always lent his name and influence to Mr. Black's cause; has been active in all their late proceedings and cabals, and with singular indelicacy, after giving this testimony, has got himself appointed a nominal proprietor, without the sanction of the Committee, in a most irregular and unwarrantable manner.

The same remarks apply with still greater force to the conduct of Mr. Bruce.* I give this gentleman no manner of credit for candour, honesty, or good feeling. I have understood, that both he and his late wife had conceived a pique against me, on account of some supposed interference with the interests of their school; and that the latter, especially, was wont to talk of me in terms not the most kindly. But, however this may be, it is certain, that Mr. Bruce never came to me, either before or since he gave so rashly and inconsiderately the evidence as recorded in the libel, though he must be conscious, I am persuaded, of its falshood, and ought to have felt it an indispensable moral duty, to come to me to ascertain, as he might easily have done, the grounds of my vindication, either privately, at my own house, or publicly, at the general meeting. So far from having acted this part, Mr. Bruce has taken a lead in all the proceedings against me; has made his house a place of rendezvous for our church agitators, and, on one occasion, if I am rightly informed, at one of these private meetings, held in his own school-room, he and another quondam school-master and noted adversary of mine in church politics, performed the honourable office of readers of the declarations, &c. against me, for the edification of the people, I suppose, and the advancement of peace, charity, and brotherly love. He, too, as well as Whitlaw, in order to give full effect to his hostile zeal against me, has obtruded himself upon the church in the most irregular and unconstitutional manner, in opposition to the voice of the Committee, as a nominal proprietor, in order that he may enjoy the pleasure of voting against me, an idea which, during the whole period of his residence among us, seems not to have occurred to him until the present emergency. These my views of the spirit and motives of Mr. Bruce, with the grounds on which they are founded, I have been thus particular in detailing to the arbitrators, that they may duly appreciate the tone and tenor of my sentiments, expressed in my statement to Dr. Lee.†

And now we come, in the last place, to make a few remarks on a charge, which Mr. Black has been pleased to raise on the ground of an affidavit of Mr. Howden's.‡ Were this the only instance of

* See Appendix, No. ; see also printed Minutes, No. 15.

† See Appendix, No. ‡ See printed Minutes No. 20 & 68; see also Appendix.

wilful
an in
Howd
to my
I am
sentat
Mr. V
are th
repea
maste
branch
school
luctam
ments
Black
seque
and c
branc
Howd
proof
exper
in tha
branc
mind
him,
atten
tion
and
perm
draw
the h
fere
no, he
have
If the
to M
there
of th
actual
which
sentat
tion,
If of
and
verbi
me,
famo
and
which

wilful misrepresentation, on his part, I might have regarded it as an inadvertency; but, on no worse authority than that of Mr. Howden's own positive declarations, repeated on several occasions to myself, and, on one occasion at least, to Mr. Blackwood, jun. I am warranted to pronounce this a wilful and gratuitous misrepresentation—in every point, an exact counterpart of that in the case of Mr. Whitlaw. The facts of my communication with Mr. Howden are these:—Having been, for the space of six weeks, unable, after repeated applications in various quarters, to obtain a drawing-master, to superintend the classes in that department, in the three branches of which my academy then consisted, namely, the boys' school, the girls' school, and an evening school; I was, at last, reluctantly compelled to have recourse to Mr. Howden. My sentiments, on that occasion, were expressed to Mrs. Porter (now Mrs. Blackwood) in a consultation with her on that subject, in consequence of her having represented to me, the great inconvenience and detriment arising to the school from the suspension of this branch. Most true it is, that, if I might have had a choice, Mr. Howden was not exactly the man I should have pitched upon; in proof of which, I need only add that, with the full knowledge and experience which I had of his abilities and steadiness as a teacher, in that department, while in my own employment, I allowed that branch to be suspended for six weeks, before I could make up my mind to make the proposal to him. At last I sent a message to him, and he waited on me. I knew that he was in the habit of attending some private families in this capacity, and my first question certainly was, whether he had any leisure hours at his disposal, and whether the intervals of his avocations with Mr. Black would permit him to devote an hour or two to the instruction of my drawing classes? I particularly stated that I was prepared to fix the hour of teaching so as to suit his convenience, and not to interfere with any other of his engagements, public or private. I have no hesitation to add, that it is impossible that Mr. Howden could have mistaken my meaning, or the precise nature of my proposal. If the terms of his report of what passed at our interview, expressed to Mr. Black, were fairly and fully recorded, it is impossible that there could have existed the ambiguity which characterises this part of the affidavit. If Mr. Howden, in his report to Mr. Black, did actually suppress those particulars of the conference between us, which, being stated, must have effectually precluded this misrepresentation, Mr. Howden alone is responsible for that misrepresentation, and I charge him unhesitatingly with direct and wilful falsehood. If otherwise, as Mr. Howden himself has positively, repeatedly, and solemnly declared, there was nothing in his statement, as verbally given to Mr. Black, to warrant such an imputation against me, I charge Mr. Black himself with the whole guilt of this infamous transaction; with having suppressed all those material facts and circumstances, explanatory of the true nature of my proposal, which could not have escaped his notice, if indeed, as I believe, they

were actually stated by Mr. Howden; and with having, by this partial and mutilated statement, given *studiously* and *wilfully* a false colouring to the whole transaction, and with a view of the most palpable baseness. This incident is of some importance, as it directly affects myself; for, in the first place, it casts upon me, without a shadow of ground for it, an imputation of unhandsome and dishonourable conduct, of meanness, if not of treachery; but, what is more, it tends still more directly to serve the infamous purposes of my accusers, by representing me as capable of an endeavour to bribe and to seduce him from Mr. Black's service, and this (for such inference is naturally insinuated) for some unworthy purpose, which I could not well avow. In reference to this last insinuation, I have only to remark, that I dare the young man himself to say, that I ever used any means to conciliate him; and that the terms, in which I addressed him in any interview I had with him, after he left me, were not conceived in a tone and spirit very far from flattering; but, though I greatly blamed him, and most unreservedly expressed my censure to himself, I did not, on that account, break off all connection with him, believing, as I certainly did *then* and do *now* believe, that he acted under Mr. Black's influence and by his instigation; and I pledge myself most amply to verify the truth of the above statements, so soon as I am favoured with an opportunity of confronting and cross-examining the parties. But this incident, in the second place, is not less important, as it tends to betray the spirit which inspired my accusers, instigating them to pervert and to misrepresent the truth in this unscrupulous manner, for an end which it is not difficult to divine, and which I shall leave the arbitrators to characterize. It is a melancholy reflection to me, that, I have thus to deal with men, who care not how much they expose their own want of character, and their utter contempt of all truth, honour, and principle; provided they can thereby effect the destruction of mine. It is long since, I have felt and complained of this employment of weapons, which no honourable or honest man could allow himself to touch, and which no cause but a most unworthy one could require; and of all these dishonourable instruments of a dishonourable warfare, there is none which has been more uniformly brought into action, than that species of falsehood (in my view the worst and the most malignant) which consists in a partial statement of facts, and which often distorts and perverts truth in an extreme degree, and produces an impression the more difficult to be combated and removed; that it is grounded on facts partially recorded, or exhibited in such a form and order, as to give a new character to the whole transaction or subject of the narrative, of which this last affidavit presents a *bright example!**

In reviewing the whole evidence, I would remark, that all the testimonies, in reference to the first charge, are utterly worthless

* See Appendix.

and dis
discrep
feasible
and it
touch
too stu
arbitra
will do
of resp
serious
from th
all, of
test of
absurdi
discuss
to exp
remark
I belie
to the
and ma
Thoug
as cros
yet thi
of the p
and it
prolong
of dete
which
no bett
of such
of viola
number
furnish
The fal
fession
unfrequ
charges
charital
which l
admitte
month
witness
insignif
inparti
and H
only re
knew n
she was
scription

and discredited, on the face of them, by their palpable and gross discrepancies and monstrous improbabilities. They do not wear a feasible aspect, they are not worthy of criticism or animadversion; and it is matter of regret to me, that I have been compelled to touch evidence of such a stamp, which is even below derision, it is too stupid to be a subject of ridicule. If I shall appear to the arbitrators to have treated it in a manner too light and trifling, they will do me the justice to believe, that it was not from any want of respect to them, as my judges, or of a due sense of the very serious nature of the charges which it is brought to support; but from the almost impossibility, as it seemed to me, if I touched it at all, of treating it in any other way. If ridicule is not always the test of truth, it is at least the only weapon with which to encounter absurdity and nonsense; and I trust that I have combined, in my discussion of said evidence, a sufficient portion of solid argument to expose its weakness, if not its futility. I may be allowed to remark, that all the witnesses, who are brought forward on my side, I believe, with only two exceptions (and these equal, at least, to the best of the *same kidney* on the other side) are respectable, and many of them of the highest respectability in point of character. Though destitute of many advantages for eliciting the truth, such as cross-examination, confronting of witnesses and parties, &c. yet this disadvantage is, in some measure, remedied, by the extent of the proceedings and correspondence. Truth alone is consistent; and it is hardly possible, that falsehood or unfair dealing can be prolonged through a lengthened period of time without the certainty of detection, arising out of the contradictions and inconsistencies which either inadvertently or unavoidably must occur. I will seek no better or ampler materials to convict my accusers of foul play, of such a spirit and conduct as destroys all confidence in them; nay, of violations of truth and other moral delinquencies, neither few in number nor small in magnitude, than those which their own records furnish. Here I find "my bane and antidote both before me." The falsehood of their assertions and the insincerity of their professions, in one part, are fully evinced by their writings, and not unfrequently by their actions in a subsequent; and if some of my charges against them, or my suspicions, may seem hard and uncharitable, it will be found, for the most part, that the evidence on which I lean, is no less solid, or authentic, than their own self-admitted, self-recorded, sayings and doings. "Out of their own mouth will I condemn them." The very testimonies of their own witnesses are, in instances not a few, confuted or reduced to utter insignificance, by the explanations or additions which a fair and impartial examination has drawn out of them; such are Whitlaw and Howden. The evidence of Rosalie Boillieu has its first and only relevant part utterly and palpably confuted by the last. She knew me, she states, in the first part, in the end she admits that she was not certain as to my name; and, as she has given no description of my personal appearance, to identify me wherewithal,

her evidence, consequently, goes for nothing. The evidence of M. M'Intyre, of no account in itself, were it to go for all that it is worth, on the face of it, has no less authentic and unquestionable a contradiction, as to any actual criminality at least, than the witness' letter, written with her own hand, several months prior to this and before she had met with the Rev. E. Black, who, it is stated therein, was desirous to see her! With regard to the evidence of Messrs. Whitlaw and Bruce, my accusers know full well, that, if they had unfortunately been true, I was not the man who should have been exposed for a delinquency so rare with me, and so much at variance with my general habits. Of the other charges I had heard, in the month of September, all, and more than all that my adversaries durst advance in their libel; but this charge of Bruce and Whitlaw was perfectly unexpected, and did astonish me. No body could be a better judge of the extreme improbability of the former, than one leading member of the committee, Mr. Armour; and Mr. Black was scarcely less familiar with my habits of sobriety. This confirms me in the belief, which is established sufficiently already, of their having studiously laboured to concatenate the evidence, or to build it up into a firm and extended fabric. Nothing else can be sufficient to account for their having admitted evidence, so extremely improbable in itself, and which had not, like their other charges, the advantage of *fama clamosa* as a substitute for its utter want of probability. But the evidence of Bruce and Whitlaw, if they serve no other purpose, prove how eager they were to accuse, and how anxious and forward their partisans were to supply the materials so much needed and desired. It proves more—how little confidence can be placed, even in witnesses, otherwise respectable, when they come forward, in the spirit of party, to give evidence at the instigation of their leaders, and when that evidence is taken and recorded by examiners, who have a fellow-feeling with them. In these circumstances, I humbly think that if I could oppose to such charges, and such witnesses as we are now dealing with, no other than the general evidence of a life and conversation, which, whatever may be its other imperfections, is at as great a remove, as can well be supposed from any suspicion of such habits, I should sufficiently rebut it. Nor is this truth less patent to my accusers, than to the rest of the world. I am warranted to say, and I defy them to gainsay it, that it is impossible to attach to me even the slightest suspicion of such delinquencies being habitual to me, nor, indeed, have they dared to do so. In consequence of this well-known regularity in my habits of life, they have been compelled to resort to the statement of the most improbable circumstance of my committing such delinquencies, not in the shades of midnight, for this, they knew well, might have been met at once by direct and most decisive counter-evidence, but in day light, in the evenings—aye, and moon-light evenings too. Whence, then, I would fain ask them, comes the difficulty, of which they complain, of finding credible and numerous witnesses; more especially, when we add,

that
favour
thus
Chary
are re
it is n
so ext
for th
by im
cident
lousne
zeal a
plicati
not be
of the
narrat

One
of the
capital
tained,
their p
occasio
pulously
church
written
stances
and un
cannot
utter d
This vi
That M
mind, t
to have
and av
striking
manly
mer do
nent pa
the ext
machin
and sem
purely
What e
which c
tions fa
deliver
gation f
been sur

that the *place* alleged, as the scene of such deeds, is not less unfavourable for the purposes of concealment than the *time*. It is thus that, in labouring to avoid Scylla, my accusers run foul of Charybdis! When a long string of accusations, like the present, are read, however little credit or consistency may appear in them, it is natural that some surprise should be excited by a circumstance so extraordinary, as the very possibility of obtaining any currency for them. Whether this may be accounted for more satisfactorily by imputing it to a peculiar susceptibility of such accusations, incident to my known or reputed habits of life; or to the unscrupulousness with which my accusers have chosen their means, and the zeal and industry with which they have persevered in their application, is the precise point at issue between us. This it will not be difficult to determine, by taking even a cursory view of their proceedings, as we shall evince, by and bye, in our narrative.

One remark further occurs in reference to the general character of the evidence against me. All of those witnesses from whom the capital evidence, that, namely in support of the first charge, is obtained, were first handled in the dark by my enemies, or by such of their partisans, as it will be easy to convict of having, on former occasions, gone most unwarrantable lengths, and used most unscrupulously very ambiguous means, to compass my ejection from the church. These witnesses, without exception, were so rivetted by written declarations, (previously and secretly procured, in circumstances, and by agents, open to no ordinary suspicions of partiality and unfairness,) to the cause and party of my accusers, that they cannot desert it, even under a conviction of their error, without the utter destruction of their character, if any character they had. This vitiates the whole evidence, and renders it utterly worthless. That Mr. Black and his friends procured it, is quite sufficient, in my mind, to destroy all confidence in it. They were the last persons to have stirred in the business. Even had they come forward openly and avowedly to institute the inquiry, there would have been a striking, I had almost said a scandalous, lack of decency, and of all manly and honourable feeling; but when we look back on the former doings and devisings of these friends of his, and on the prominent part which they have acted in all our church agitations, and the extreme lengths to which they have gone in former cabals and machinations, we cannot too strongly reprobate the want of delicacy and sense which they have manifested. They did all this, forsooth, purely for Mr. Black's vindication! What folly, if they are sincere! What effrontery of impudence, if they are not! They took a course which could not fail to expose Mr. Black to suspicions and imputations far worse than those from which they profess their desire to deliver him. Were not he and his friends undertaking an investigation from which a manly and honourable spirit or feeling, had they been susceptible, in any measure, of such influence, must have withheld

them?—an investigation which it would have been unmanly and unbecoming for them to have openly instituted?—but to have gone to work as they have done,—*clandestinely*,—identifies them with all that is dastardly, as well as with all that is wicked and unprincipled, in this most inglorious confederacy. When I consider how their witnesses have been thus, from the first instant, bound fast, and, as it were, chained to their cause, so that they cannot now shake themselves off from it, without being convicted of falsehood, or even perjury,—when I consider the facility with which persons of no very scrupulous conscience, could be brought to give such evidence, at a time when the voice of scandal was loud, and the minds of many were not more open to believe, than their mouths to proclaim, the popular calumnies of the day,—when I consider how strictly and vigilantly my friends and I have been shut out from all access to their witnesses, who have been guarded against every hazard of our approach or communication with them,—I only marvel that we have been able to procure such abundant and decisive evidence of the falsehood of their accusations.

I have sufficiently exposed, though I have by no means exhausted, all the marks of discrepancy and absurdity which characterize the evidence of my accusers. In that which is now adduced in my vindication, there will be found a harmony and consistency, as well as all those characters of probability, good sense, and fairness, which, if I do not deceive myself, form a perfect contrast with that to which it stands opposed. I might enlarge on this topic with much advantage to my own cause; but for the present, at least, I deem it needless, and leave it, with confidence to the judgment of my arbitrators and to the scrutiny of my accusers.

Before I finally dismiss the subject of the charges and evidence against me, I cannot forbear drawing the attention of the arbitrators to the most palpable and pointed indications of a systematic design, of a laborious industry, to make all its rays converge towards the one fatal point, to concentrate them all, and to make them terminate in that first and capital charge—*fornication*. There is not one of their witnesses whose evidence is not pointed to this directly or indirectly. For this was the charge of drunkenness trumped up; with this view are the dates fixed, so as to be exactly coincident with each other. Thus, one of the witnesses, Rosalie Boillieu, states, on the 15th of November, that I spent a night with her three months before that date, which brings us back exactly to the 15th of August, and she farther states, that, on that night, I was drunk, having come from a party. Her evidence is corroborated by that of Eliza Cunningham; and to give a colour or prop to this evidence, Mr. Bruce is made to declare, that, on or about the 15th of August, I was met by him and his whole family, about three o'clock in the afternoon, and that they all quickly perceived that I was drunk. How nicely is this evidence dovetailed; how exactly and neatly do all the parts coincide; how fitly are they joined and compacted

toget
high
made
palp
unle
in je
and
A
evid
havi
with
drum
thes
able
stro
of n
by a
view
obse
sum
reg
pecu
too,
evil
any
eye
spe
alm
with
feel
men
scar
and
pro
mo
the
wit
spin
inq
and
fiel
wo
(fo
in
pre
few
sun
if t

together, shewing all the marks of design, and wanting only that higher art which conceals art. The evidence of Mr. Whitlaw is made to apply to the same date very nearly; and the whole is so palpable a device, that I can find no parallel worthy to match it, unless that invisible net, which the cunning hand of Vulcan wove, in jealous mood, to ensnare wherewithal his fair but faithless goddess and her celestial paramour.

All the leading facts and circumstances, interwoven with the evidence of the principal witnesses against me—such as that of my having been absent from my house a whole night, and that too within a range of time not exceeding a few months, of having been drunk, of having come from a party; of being generally drunk on these occasions—are disproved by authorities, numerous, respectable, and consistent; are disproved by a chain of united evidence, strong, conclusive, and lengthened, for it runs through the whole of my life in Montreal, and can be strengthened almost indefinitely by additional evidence. The testimonies brought forward with a view to fix these imputations on my moral character, it will be observed, extend only through the period of a few months, in the summer of 1829; but the proofs of my habitual temperance and regularity, while they apply to the period in question with more peculiar force, extend through the whole course of my life—a life too, it is well known, so open and undisguised, that its good or its evil cannot be hid; nor is it easy to conceive one less exposed to any suspicion of secret vice. That this life, abundantly open to the eyes of the most incurious observers, exposed to the constant inspection of all my domestics, ushers, boarders, pupils, not to say of almost all my fellow-citizens, for I mingle freely in society, and, without entangling myself in its pleasures or amusements, I do not feel myself withheld from a moderate participation of such enjoyments—that such a life should not afford a more ample harvest of scandal, or better or more trust-worthy evidence of such blemishes and frailties as are imputed to me, and that too, after an inquisition prosecuted, first clandestinely and then openly, in a spirit of the most active and persevering malignity, with so little delicacy as to the means and the instruments, with so much of espionage, and with somewhat that looks exceeding like domestic treason or conspiracy, in my household, during the period in question—that an inquisition, I say, and I say it fearless of contradiction, instituted and conducted in a spirit of Jesuitical cunning and Dominican fierceness—into a life open as day, naked and palpable to all the world—that it should have yielded so scanty a harvest of scandals (for such, without all controversy, are these rumours, searched out in secret and gathered up and garnered in the dark!) is in itself a presumption that our offences are, it not merely imaginary, at least few in number and not very aggravated in their nature. This presumption might not unreasonably have occurred to my inquisitors, if they had been actuated by the smallest infusion of candour, or

sympathy with the frailty and fallibility of human nature, "*ignoscenda quidem, scirent si ignoscere manes*," and if this feeling, in such circumstances, would naturally have sprung up in minds touched with aught of candour or generosity, even had the evidence been trust-worthy, or worn a reasonable aspect of probability and consistency; how much more, when we reflect that it is of such a nature and character, that it requires only common sense and common honesty to read on the face of it, engraven in shining characters, *absurdity and mendacity*. The first and most formidable charge has been abandoned by its reluctant authors and procurers; suppressed in embryo ere it saw the light; and, whatever has been produced, with any aspect of credibility or any respectable testimony to support it, has been *discredited notwithstanding, and even with those* who were most willing to believe the *ill* rather than the *good*—it was spurned with an "*incredulus odi*." But there seems to have been nothing too hard to be believed and accredited by my accusers, no rumour too absurd to be bandied about, no witness too infamous to be brought forward, no testimonies so inconsistent, improbable, or even self contradictory, as to be rejected or suppressed by them. They sifted the evidence, but it was only to *retain the evil* and to *separate from its pure malignancy* all that was calculated to *dilute and mitigate*. The accusing spirit and recording angel of Stern's beautiful and sublime story of Le Fevre, were never so strikingly contrasted as with our accusers and recorders of the Committee of Session. But I thank them. Our friends are oft prone to hide or to extenuate our faults; like our own vanity or self-love, they are too prone to flatter and to deceive us into self-complacency. But I am beset with those, who, like watchful and jealous guardians or spies on all my actions, even the most secret, are as inexorable to pity, to palliate, or to forbear, as they are swift to accuse, as they are deaf to every plea offered in vindication. If I trip in the least, if I even seem to deviate, if any part of my conduct, if any word or action of mine, will admit of the possibility of misconstruction or suspicion, there are those *near at hand, lurking in ambush or looking on*, who will not fail to fasten upon it, to spring like the tiger from his jungle; they will not fail to mark, to magnify, and to proclaim my sin and shame to all the world; I know well that they wait and watch to betray me, if I give them the least occasion against me, they will not fail to lay hold of it; "Their tender mercies are cruel." Innocence is my only sufficient protection; to avoid all appearance of evil, to fail in no duty, and to fall into no sin can alone avail to defend me against such enemies; and nothing but the fear of punishment, or the mandate of necessity, compels them to restrain their hands, their tongues, their pens, from any violence or outrage against me. But rather would I fall a victim to their malice and machinations, than be animated with one *particle of their spirit*. "O! my soul, come not into their secret; unto their assembly, mine honour, be not thou

united!
highest
divine p
with a v
him on
tion and
of vigil
appears
they m
will les
by the
licy, "
unto us

united!" What seems our greatest evil, is most frequently our highest good. Such is the beautiful order, the beneficent law of divine providence. They who thus persecute and malign a brother, with a view to his destruction, only strive for his benefit. They put him on his guard; they prevent his errors by the certainty of detection and punishment; they enforce upon him the constant necessity of vigilance and circumspection; they constrain him to fly from all appearance of evil, and they wound and hurt only their own selves; they may not profit by their own experience; but there are that will learn by their fate, that, if it were not a duty prescribed by the divine law, it ought to be a rule of prudence and policy, "to do unto others even as we would that they should do unto us."

NARRATIVE.

IN order that the arbitrators may be enabled to form a just estimate of the motives, which have instigated the principal actors, in the proceedings now submitted to investigation, it becomes necessary for me to lay before them a short outline of the history of our church, since the date of Mr. Black's arrival in Montreal. The facts which form the subject of this part of my narrative, will be verified by a copy of a statement, drawn up by Mr. Black himself, on occasion of a controversy which arose between us, in the year 1827; and by other papers and documents connected with it, which are herewith transmitted.* For the manner in which I received, and the part I acted towards Mr. Black, see his own statement at the commencement.† I may be permitted to deny, what Mr. Black seems to insinuate, that I have ever cancelled, by any part of my conduct towards him, any obligations which, he owns, I conferred upon him, at the period of his arrival. I feel warranted to say, that I have added to and not detracted from these obligations, and have ever been ready, when opportunity offered, to do him any service in my power; nor should I have adverted to any kindness that I had done him, but for the purpose of vindicating myself from his charge of having spoken of him in unbecoming and unwarrantable terms, and of explaining the grounds of the unfavourable opinion which I have formed and avowed of his conduct and proceedings; which, assuredly, was not a little aggravated by this consideration, believing, as I do, in the truth of that ancient maxim—“*cum hominem ingratum dixeris, omnia dixeris.*” It is a fact that, when Mr. Black arrived here, in November, 1822, I had been voted ‡ a permanent salary of £300. currency, as one of the ministers of St. Gabriel Street Church; that Mr. Black's call was agreed to by the Session and myself, upon the express understanding, that the provision made for him, was to arise, not from the stated funds of the church, but from the subscriptions of those members, at whose earnest solicitation, accompanied with the pledge that they would themselves undertake the whole charge of his support, the consent of the Session was given to Mr. Black's being admitted, as one of the ministers of the church; and it is undeniable, that this was the footing on which he agreed to accept the original call. I am warranted to state it as a fact, (and I challenge Mr. Black to deny it) that he never breathed 'to me his intention of claiming any part of those funds, which were allotted for my provision, until the period

* See Appendix.

† See Appendix.

‡ See Appendix.

of his
not un
this
contin
in con
that p
advan
forgot
made
part I
himse
of pre
the co
what
of the
to no
son, t
sacrifi
was th
concei
Mr. B
it in t
Mr. B
expres
whate
petual
perad
duced,
taken
contri
pected
my ast
having
usurpe
nothin
parties
ceded
a new
and fal
this sa
church
by late
Comm
seal to
supers
reason
of Mr

of his ordination arrived; and it is important to remark, as probably not unconnected with Mr. Black's views, that about or a little before this period, began those popular meetings and cabals, which have continued ever since. It came to my knowledge, that he had been in communication with them, prior to his ordination; certain it is that popular excitement ran high. When, upon this claim being advanced,* I expostulated with him, as he seems not to have altogether forgotten, with some bitterness of feeling and language, that he had made an encroachment on my rights, which, I thought, after the part I had acted towards him, extremely unhandsome; he justified himself, upon the plea, that this arrangement would be the means of preserving harmony between us, and our respective parties in the congregation; and that, for his part, he would be contented with what he now claimed (that is with one half of the surplus revenue of the church, after paying Mr. Sommerville) even should it amount to no more than £40. per annum; I believe I am not the only person, to whom Mr. Black expressed the same sentiments. By this sacrifice which I made, I must, confess with great reluctance, for I was then, as Mr. Black well knew, on the eve of my marriage, I conceived that I had cancelled all claims that could be urged by Mr. Black, and it is manifest from his own language, that he viewed it in the same light. In saying claims, I mean not to admit that Mr. Black could have any manner of right, on the score of any express stipulation or compact to claim from me any concession whatsoever; but I will grant, that, had I been secured in the perpetual enjoyment of a salary of £300. per annum, and Mr. Black, peradventure, left in indigence or his allowance of £250 greatly reduced, there might have been a moral obligation on me, as I had taken a forward and active part in bringing him into the church, to contribute out of my abundance to supply any deficiency of his expected salary. But I have no language sufficiently strong to express my astonishment and disgust at the effrontery with which Mr. Black, having first with base ingratitude thrust himself into my place and usurped one half of my provision, presumes, if all this had been nothing, as if this unexpected revolution, in the relative standing of the parties, did not altogether supersede and do away with all that preceded either in his stipulations with me or with the church, to advance a new claim, but why should we be surprised that these groundless and false allegations should be made in regard to myself, when we find this same self-interested interpretation of those covenants with the church, which, though obsolete and abrogated, having been superseded by later stipulations, are still held binding in his own favour, and the Committee threatened with a legal prosecution, after he had set his seal to a covenant of more recent date, by which the former had been superseded.† This is indeed consistency; but is it principle—is it reason—is it honesty? It is important to keep in view, in judging of Mr. Black's subsequent claims, that the conversations or com-

munications with me, on which he pretends to ground them, were all prior to this conclusive arrangement between us, which Mr. Black himself declared, at the time, would be perfectly satisfactory to him, and would prevent the recurrence in future of complaint or disturbance. This, however, was unfortunately far from being the case, for a new claim was advanced by Mr. Black's party, at a general meeting of the proprietors, held in the church, early in the month of January, 1827, and called in consequence of a letter from Mr. Black, addressed to the late Thomas Porteous, Esq. who then was President of the Committee, of which Mr. McGill and Mr. Tait, two particular friends of Mr. Black's, were members, forming the majority of the whole. At this meeting, it was stated by Mr. Black's party, on information which they professed to have received from him, and which, they alleged, would forthwith be corroborated by the testimony of other witnesses, that I had come under a private engagement to Mr. Black, to retire from the church at the end of two years; and it was now moved accordingly, by Dr. Stephenson, that the meeting should enforce the fulfilment of this alleged engagement, by making over to Mr. Black, the whole of the *surplus* revenue of the church. Being called upon to bring forward evidence of this engagement, the late T. Porteous, then President of the Committee, at whose instance this meeting had been called, came forward to state, that he had heard me mention, in conversation with Mr. Black, soon after his arrival in Montreal, a project which I had formed, in conjunction with some other gentlemen, for the establishment of a college; and that if I should obtain, as I expected, a professorship in said college, it was my intention to retire from the church.* The absurdity of demanding the fulfilment of a conditional promise, while the condition on which it was grounded did not exist, requires no comment, and is sufficient of itself to expose the deformity of the whole proceeding. Where was the college? where my professorship? How do self love and party spirit, blind and besot the minds of men and as it were bereave them of their senses! It will be seen, from the correspondence, that I was refused a copy of the evidence, given, on this occasion, by Mr. Porteous and Mr. Mackenzie, though written statements of that evidence were afterwards employed by Mr. Black, for obtaining an *ex parte* opinion, from various gentlemen, on the subject of these and other differences between him and myself; this conduct needs no comment, and, I believe, will not easily find a parallel, except in their subsequent proceedings.† I have been told, nor do I discredit the report, that Mr. Mackenzie had declared he would swear, the college alluded to was no other than the academy which had then been recently established by Mr. Urquhart and myself. I pledge myself to prove, on the other hand, by most unquestionable evidence, that of Drs. Stephenson, Robertson, Caldwell, and Holmes, as well as of the Rev. Mr. Urquhart, that the project of a college, which

* See Appendix.

† See Appendix.

was sub
and sub
into effe
perman
upon th
decisive
alludes,
tiremen
consequ
of an e
peatedl
amount
consiste
commen
at the
attempt
Dr. Ste
misrepr
Black;
meeting
pleased
son tom
express
and pa
of the a
to comp
mittee,
1825.†
unders
friends
Commis
approb
it came
ordinar
commen
just de
poses t
his wil
That r
account
this wh
made,
failed,
a gene
funds
It is
first, w

was submitted in a memorial to Lord Dalhousie, written by myself, and subscribed by the above-named gentlemen,* was never carried into effect; and that the present medical establishment was the only permanent good that arose of it. I have Lord Dalhousie's remark upon the memorial, which we then presented to him, and which is decisive of the question.† The conversations to which Mr. Black alludes, as the ground on which he and his party claimed my retirement from the church, took place prior to his ordination, and consequently to that arrangement by which he was put in possession of an equal provision with myself; with which provision, he repeatedly declared that he would be satisfied, whatever might be its amount. It is not difficult, therefore, to decide on the candour and consistency of his conduct in the proceedings, on which I have now commented. So completely were even Mr. Black's own partizans at the meeting aforesaid, convinced of the utter failure of their attempt to prove the alleged engagement; and, as their very leader, Dr. Stephenson, has often, since that time, frankly confessed, of the misrepresentation which had been employed, on the part of Mr. Black; that though, on that occasion, they formed a majority of the meeting, and might consequently have carried any measure they pleased, they were ashamed to persist in their design; Dr. Stephenson tore his motion on the spot and retired, and has frequently expressed, in the strongest terms, that he had been misled by gross and palpable misrepresentation. But, that no doubt may remain of the spirit and character of this proceeding, it is only necessary to compare it with a proposition, which emanated from the Committee, about a year before this date, namely, 10th of November, 1825.‡ This insidious and treacherous proposition originated, as I understand, with Mr. Charles Tait, one of Mr. Black's most intimate friends and zealous partizans, and who was then secretary to the Committee, and had communicated the plan to Mr. Black for his approbation. I had no difficulty to estimate, from the first moment it came to my knowledge, the character and design of this extraordinary and most indelicate proposal. It requires no other comment, than the proceedings of the general meeting, which I have just detailed, and which, I repeat, took place a year after. It proposes that one of the clergymen shall retire; Mr. Black professed his willingness to retire, if *the congregation should approve of it*. That retirement, however, it is cunningly stated, ought not, on any account, to exceed a period of two years; no mention, no hint, all this while, of a promise, engagement, or compact, that had been made, on my side, to this effect. It was only when this stratagem failed, that something like force and violence were resorted to, and a general meeting called to vote me out of all participation in the funds of the church.

It is a striking feature in this intrigue, that it is proposed to decide, first, which of the clergymen shall retire, and, after that, to settle

* See Appendix.

† See Appendix.

‡ See Appendix.

what sum shall be allowed him upon his retiring. Query,*—Had I consented to the proposal, (and there can be no doubt, to those who read attentively the documents connected with the subject, that I was expected to be the retiring clergyman,) would it not have been attempted to nullify any claim that I might have made to a pecuniary allowance, as well as to preclude my returning and resuming my place at the end of two years, on the very same pretexts that were subsequently employed at the general meeting, to enforce my final and permanent retirement from the church? The committee had for their president the late Mr. Porteous; Messrs. Tait and M'Gill were members,—all devoted to Mr. Black's interests. They were, with good reason, fearful of the incidents which might occur at this general meeting; for the plan was concocted by them, and Mr. Porteous and Mr. Mackenzie were the witnesses on whose evidence the whole was based; and Mr. Tait, who had originated, about twelve months before, the proposal that one of the clergymen should retire, was still secretary of the committee. It is important here to remark, that Mr. Black, in his letter to Mr. Porteous, in consequence of which this general meeting was called, urges the utter inadequacy of the salary of £250 to support the dignity of a clergyman; and he who had declared, in 1823, that he would be satisfied with half the surplus revenue, should it amount to no more than £40, per annum, finds now, in 1827, that he cannot support his dignity on less than the whole of that surplus, which could only be appropriated to him, as he must have well known, by excluding me; and yet, in his letter to me, on this occasion, he disowns all intention of interfering with my interests! His expressions are remarkable.† It is curious, and not a little amusing, to remark the gradual enlargement of Mr. Black's views and the successive and correspondent rise in the claims which he advanced. On his first arrival in Montreal, he had no other immediate prospect than that of Lachine, and even it was a contingency. This fully warrants the conclusion that *then* 150*l.* per annum would have been acceptable. Mr. Black having obtained more by 190*l.* than he had any reason, prior to his return, to anticipate, expressed his willingness to enter our church, upon that provision, limited to two years; but before this arrangement could be carried into effect, Mr. Black advanced a further claim, and succeeded in having a permanent provision made for his support, after the expiry of two years, namely, one half of the surplus revenue of the church; and beyond this it was impossible to go, without reducing me as much below this inadequate provision as he was raised above it. I, therefore, must confess that the proposition of the committee in 1825, and the claim advanced by Mr. Black in his letter to the meeting, (which he afterwards showed me) in 1827, which certainly implied that he would be satisfied with nothing less than the whole surplus revenue of the church, did impress my mind with the most unfavourable opinion of Mr.

* See Appendix.

† See Appendix.

Black
were
Prior
comm
volca
this
it see
in ag
the s
stand
and
of th
muni
how
storm
usual
have
from
after
whol
cocter
to th
ward
the l
period
had
test
spira
popu
to tr
frien
their
proj
hand
peris
and a
Fr
men
be se
Havi
duct,
men
to th
satisf
inst
Black
the p

*—Had I those who
 ect; that I
 have been
 to a pecu-
 resuming
 texts that
 nforce my
 committee
 Tait and
 sts. They
 ight occur
 them; and
 on whose
 originated,
 clergymen
 important
 orteous, in
 urges the
 ignty of a
 would be
 ot no more
 ot support
 could only
 excluding
 disowns all
 essions are
 remark the
 easive and
 On his first
 e than that
 rants the
 acceptable.
 ny reason,
 ss to enter
 but before
 advanced a
 vision made
 r, one half
 it was im-
 inadequate
 onfess that
 n advanced
 afterwards
 dd be satis-
 the church,
 ion of Mr.

Black's spirit and designs; and the manner in which the proceedings were conducted was but little calculated to diminish my distrust. Prior to this meeting there was a great excitement,—a vehement commotion in the congregation,—something like the heavings of a volcano big with impending eruption. For many weeks prior to this extraordinary meeting I understood that a storm was brewing; it seemed to be generally known and believed that there was a plan in agitation to throw me overboard and to have Mr. Black appointed the sole pilot of the ark; that there must have been a secret understanding and correspondence between Mr. Black and his friends and partisans, on this occasion, is evident from this anticipation of the coming events, so generally diffused throughout the community. I alone seemed to be in ignorance; I could not divine how all this was to be achieved, in what manner the threatening storm was to assail me.* The popular meetings were held, as usual, and a great number of the congregation must, consequently, have been apprized of the plot; but, so well was the secret kept from me, that it was matter of astonishment to me, when some one, after the meeting, informed me of its actual proceedings. That the whole had originated from Mr. Black, and been prepared and concocted by him, is manifest from the letter which he had addressed to the meeting, of which, though he granted me a perusal, he afterwards refused to furnish me with a copy. I do not wonder that the basis of this plot was carefully concealed from me, until the period of its execution, as it would have been inevitably prevented, had I known the grounds or been permitted to bring them to the test of impartial scrutiny. Who can fail to read in all this a conspiracy, hatched by the committee, and from thence, by means of popular cabals, communicated to the congregation? Who can fail to trace Mr. Black, as the author and object of the plot, which his friends, instigated by him, matured, conducted, and combined all their influence and strength to carry it into effect? This rickety project, the offspring of fraud and folly, fell to pieces before my hand could touch it, nay, before I was apprized of its existence; it perished in its birth, and fell dead-born from the hands of its friends and authors.

From the date of the general meeting in 1827, down to the commencement of the proceedings now submitted to arbitration, it will be seen how little repose Mr. Black indulged to himself or to others.† Having expressed my sentiments very frankly on Mr. Black's conduct, and on the proceedings of his party; a correspondence commenced between us, which terminated in a reference of all differences to the decision of Dr. Harkness. The result of this was perfectly satisfactory to me, as Dr. Harkness, without pretending in the first instance to give a decision, (I conceive out of delicacy to Mr. Black,) actually determined (so it seemed to me) in my favour, all the points on which the proposition in my statement was grounded:

* See Appendix.

† See Appendix.

namely, that Mr. Black's conduct, in the proceedings referred to, "was not fair, manly, or honourable." In this view I am borne out by the authority of Dr. Harkness himself, in a subsequent letter of 5th December, 1827, although I did not think it worth while to communicate this information to Mr. Black, as our correspondence had previously ceased, and I felt no inclination to revive it. I have heard Mr. Black, on several occasions since that time, repeat his conviction that Dr. Harkness had not given a decision. I could have spoiled his triumph by producing the Doctor's letters; but it was only a thing to smile at. Mr. Black thought proper to submit, without my knowledge or concurrence; the papers on both sides of the controversy to the judgment of the Rev. Messrs. Bethune and Stephens, and the Rev. Mr. Mackenzie of Williamstown, and Mr. Henderson of Argenteuil. On this proceeding I have made some remarks* in the correspondence, and have only to add, that, whatever confidence I might feel in the integrity of these gentlemen, I conceive that as the principal evidence on which their decision seems to have been grounded, was withheld from me, though I demanded to be put in possession of it, namely, that of Messrs. Porteous and Mackenzie, and as these Rev. gentlemen did not possess, or at least had not availed themselves in an equal degree with Dr. Harkness of many important sources of information, namely, conversation and discussion with the parties on both sides, they cannot be regarded by me as competent to decide upon the merits of the controversy.

I believe I am warranted to say, that Dr. Harkness was better acquainted than any of our brethren, not excepting even those in Montreal, with all the transactions of our church, and more especially with all the difficulties and disputes that had arisen therein; and, from his vicinity to us and frequent intercourse with both parties, possessed advantages for judging between us, which I am not aware that any other of our brethren possessed in an equal degree. In my statement, therefore, I did not feel it necessary to develop so fully or to insist so largely upon many topics as I should have done, had our umpire been less familiar with the subject of dispute. I mention this, to explain to the arbitrators the grounds of my disregard of certain opinions afterwards obtained by Mr. Black from those gentlemen, to whom he had submitted the papers on both sides, without my knowledge or consent. I believe I am warranted to say, that Dr. Harkness formed his opinion of the merits of the case more from the oral statements of Messrs. Black and Mackenzie, than from my own crude and hasty view of the case. It may be proper for me to add, that though, in the first instance, I was determined to bring the whole case under the view of Dr. Lee's Committee, or some other tribunal of our parent church, impressed, as I was, with the conviction, that there would be no end to these agitations, unless some powerful check of this nature was applied to them, I afterwards relinquished my purpose, conceiving that the eyes of the congrega-

* See Appendix.

tion generally had been pretty well opened to discern the real views of my adversaries, so as to preclude any further attempts; and I must confess, that I was quite sick of the controversy long before it was closed, and almost regretted that I had ever allowed myself to be drawn into it.

About the time of Mr. Machar's first arrival in Canada, the queries of Dr. Leas' Committee of the general assembly were brought out by that Rev. gentleman, and distributed among his brethren, for the purpose of being generally circulated throughout the country. In consequence of some pains having been subsequently taken by Dr. Harkness and Mr. Gale, in conjunction with myself, to promote their circulation, the flames of another civil war burst forth in our Session, and, before the embers of the former controversy were cold, we were threatened with a fresh conflagration. Mr. Mackenzie, as usual, espoused the cause of Mr. Black, contending that I had been guilty of gross disrespect and contempt towards my colleague and the Session, in conspiring, with the rest of the clergy, to exclude him and my co-presbyters of the Session from all knowledge and participation of our plans and proceedings. I know not what a storm might have fallen on my devoted head, had I not invoked and obtained the seasonable and powerful succours of Dr. Harkness and Mr. Mathieson, in whose statements will be found a clear exposition of the merits of this controversy.* It was about this time, that our Presbyterian Committee of Montreal was organised, and Mr. Black's conduct at our public meetings, I am persuaded, is not yet forgotten. The murky moodiness of mind which he manifested, and the fierce and insolent demeanor and language with which he treated me; as I smiled with contemptuous indifference upon them at the time, so would I now deem them unworthy of notice, did it not become my duty to unfold to the arbitrators what manner of spirit he is of, and what part he has acted towards me since the commencement of our most unfortunate connexion. Some time, I think, in the summer of 1828, he was confessed to be in a state of great embarrassment, and almost of absolute indigence. His faithful partizans, Messrs. Porteous, Mackenzie, Armour, and Carsuell, came forward with a proposition dictated with their wonted spirit of honest policy, to take 50% from Mr. Sommerville's salary, in order to supply the deficiency of that of the working clergy; viewing this motion as of very dangerous tendency and example, as a violation of that faith which the church had pledged to her ministers in the existing compacts, sealed and ratified between them, I declined the augmentation for myself, and, in strong terms, deprecated all such infringements of the covenants between the church and her clergy. Disappointed in this, their next aim was to obtain, for Mr. Black's relief, 50% out of the Session fund. To this, Mr. Blackwood and myself acceded, with the understanding that it should not be made a precedent, and

* See Appendix.

that the money should be refunded by Mr. Black as soon as he had means, to which he pledged himself. In addition to these civil and internal wars, the arbitrators will not form a perfect estimate of the singular infelicity of our church, unless they take into account also our external broils, the first, between Mr. Black and Mr. Burns, only less notorious and disgraceful in its character than the present, and some short but fiery skirmishes with Mr. Mathieson, for which we were equally indebted to the same spirit and genius of my confrere. Quiet, to quick bosoms is a hell; and as fire is the native element of the salamander, so strife and contention seem to be necessary to the existence of Mr. Black—the element in which he lives, and moves, and has his being. It is pity that what is sport or life to him should be death to us. About the 24th day of June, 1827, Mr. Black addressed a letter to John Fisher, Esq. President of the Committee, of which the spirit and tenor will be found in perfect unison with his previous conduct and proceedings. It is impossible not to remark, in reviewing Mr. Black's conduct throughout these proceedings, that the object of all these plots and agitations was to obtain an increase of salary. For this purpose popular meetings were held privately at the houses of Mr. Black's friends and partizans; these popular meetings began from the period of Mr. Black's arrival at Montreal; they have continued up to this date; the avowed object for which they have been held, has been to serve Mr. Black's particular interests, and to co-operate with him for the attainment of ends, which he openly avowed or unwittingly betrayed. That these meetings were composed of persons, who were notoriously his partizans, and for the purposes, uniformly, of securing to him an increase of salary, or otherwise promoting his temporal interests, is an unquestionable fact. That he connived at such meetings is enough, in my mind, to convict him of being favourable to their object, and consequently of being accessory to all the violence and party spirit which they have unhappily engendered; and which I hesitate not to pronounce the prime source of all the evils, which were unknown prior to Mr. Black's arrival, but which have never ceased, since that time, to afflict and to agitate our church.* I can truly aver that I never called a meeting of my friends, nor gave countenance to any proceedings calculated to engender or foment party spirit; at the same time, I was placed in circumstances no less unfavourable than those of which he so loudly and incessantly complains; I was no less dependent, I no less needed than Mr. Black an increase of salary; and, if I did not complain and would not accept of any subscriptions, set on foot at his instance and for his sake, it was not because I could not urge, on my side, the plea of equal or even greater necessity. How did I treat Mr. Black all this while? He was like the senior clergyman of the church, and I the junior. The Registers were constantly in his possession; if duties co-incident occurred to both, he always

* See Preliminary Remarks on the Charges, page .

reserved
gisters.
manifest
between
desire to
and got
been pe
deavours
the chur
there wa
to Mr. B
discernm
view of t
subject o
appear a
pursuing
actors in
document
Mr. Tait
dramatis
of the su
scenes.
more cle
of the p
sent, the
cessive a
which ba
division
perfectly
a conspir
and thou
tend and
acts, Mr
solicitou
watchful
at the sa
equivoca
insincer
coming
waxing
designs)
and auth
and his
members
of ejecti
this open
familiar

reserved to himself, without apology, the possession of the Registers. I challenge him to say that ever I shewed any jealousy, manifested any spirit of competition or rivalry, or strove to interpose between him and the active duties which he shewed so strong a desire to engross. I am bold to say that, after Mr. Black claimed and got possession of equal provision with myself, I would have been perfectly justified, from that moment, in using all my endeavours to maintain and extend to the uttermost my influence in the church; and I have no doubt I am justified in adding, that there was more of good nature than discretion in yielding, as I did, to Mr. Black's encroachments, of which it required no extraordinary discernment to perceive the ultimate drift. With this preliminary view of the previous history of the church, I proceed to take up the subject of the present arbitration, in which the same persons will appear again upon the stage, acting under the same auspices, and pursuing obviously the same ends. The prominent leaders and actors in the preceeding scenes, as will appear from the papers and documents herewith transmitted, were Mr. Porteous, Mr. Mackenzie, Mr. Tait, Mr. Carsuell, and Mr. McGill, and even the inferior *dramatis personæ* will be found to consist, with very few exceptions, of the same individuals as had acted upon the same side in former scenes. In order that the arbitrators may be enabled to perceive more clearly the nature and to embrace more fully the whole extent of the proceedings on which I am now to comment, I shall present them to their view as a Drama, divided, into five successive acts. Let me not be charged with a lack of that gravity which beseems the occasion, when I thus represent the case. This division is no fantastic imagination, as the sequel will evince. It is perfectly natural and conformable to truth and fact. It was a plot, a conspiracy, systematically conducted. It possesses a perfect unity, and though the means and measures pursued may vary, they all tend and conspire to one and the same end. In the first of these acts, Mr. Black comes forward in the guise of a friend, tenderly solicitous for my reputation, and, as a Christian minister, piously watchful for the interests of religion and the church; but betraying at the same time, even in these his first movements, the most unequivocal symptoms of something even worse than hollowness and insincerity.* The second will exhibit him in a bolder character, coming forward, under the veil of self-vindication, (a veil now waxing so thin and transparent, as scarcely half to disguise his real designs) to institute an inquiry into my conduct, under the auspices and authority of the Session.* In the third act, we shall see him and his partizans, boldly and avowedly active in mustering all the members of the congregation to unite with them in the pious design of ejecting me from the church by physical force.* Defeated in this open war, they resort again, in act fourth, to the weapons most familiar to their hands, *stratagem* and *covert guile*. A combination

* See printed Minutes of the Committee of Session.

is formed in the Session, in violation of their ordination vows, to depose me from my ministry, by tying up my hands and precluding me from the free exercise of my functions as their pastor.* In the fifth act, we shall see this Rev. gentleman and his allied co-presbyters, placing themselves at the head of a mob and a riot, on the Lord's day, and thus bringing their plot to a *catastrophe* or *denouement*, altogether befitting the spirit which prompted them, and the end which they pursued.

In order that the arbitrators may be enabled to comprehend and sympathize with the feelings of suspicion and distrust with which I regarded Mr. Black, even in his first movements, it will be necessary for them to keep in view the impressions made on my mind by his former proceedings. In his letter of the 31st of August, he assumes the character of a tenderly affectionate brother, and of a pious minister, and could I have forgotten what Mr. Black had been and what he had done, in times past, I might naturally have given him full credit for sincerity.† This letter opens with the memorable words—"Since my return from Quebec, rumours most unfavourable to your character as a clergyman, have reached my ears, and my first determination unquestionably was to take no notice of them." The writer of these lines had expressed his determination, in the beginning of July, about two months prior to this date, if he could find any thing tangible, in these rumours, to take up the matter. This is fully established by the joint evidence of Mr. Oglevy and Mr. Carmichael; corroborated, subsequently, in Mr. Black's own statement to the Committee of Session,‡ and fully admitted, at a much latter period,§ in the memorial to Dr. Lee, a paper which seems to have been extorted from them, and which came into my possession only a few days ago. But indeed the whole of Mr. Black's subsequent acts and proceedings afford the best and most uncontrovertible evidence, that this was his real mind and purpose, and, consequently, that the professions, contained in his letters of the 31st of August and 2nd of September, are the offspring of dissimulation and hypocrisy. I can easily believe, what Mr. Black's conduct abundantly proves, that he would have gladly abstained from taking an ostensible and active part, that he would most willingly have continued to practise throughout the same dissimulation, which he assumed in his first communications with me; and could the end, so devoutly to be wished, namely, my extrusion from the church, have been effected without his meddling, I am well assured he would, as a matter of policy, have stood aloof, and, in profession at least, would have been the very kindest and tenderest soul imaginable, sympathizing with me all the while, and wringing his hands for sorrow and for pity. But it will be very evident to those, who read attentively the narrative and examine

* See printed Minutes of the Committee of Session.

† See printed Minutes, No. 17.

‡ See printed Minutes, No. 20.

§ See printed Minutes, No. 63.

the ev
Inqu
fama
contri
tentou
clamo
better
perpe
it. M
facian
contri
medi
them
subje
throu
to me
misch
have
of a
such
espec
it wa
espec
not
first
held
pres
char
revi
the
insta
char
relig
have
with
to j
any
the
inst
act
him
in t
futi
not
by
lett
tra

the evidence,* regarding Mr. Black's conduct, prior to the Sessional Inquiry, that he was secretly anxious to favour the spread of the *fama clamosa*, that he did, though indirectly not the less effectually, contribute to give it currency by innuendos, insinuations, portentous exclamations, &c.† But notwithstanding all this, the *fama clamosa* became dumb, and most perversely expired, and with many better things, it would have been finally consigned to the grave of perpetual oblivion, if some expedient had not been devised to revive it. Mr. Black, whose motto seems to be—"Aut viam inveniam aut faciam," having prepared himself by a previous clandestine inquiry, contrived to republish and reproclaim the rumours, through the medium of a Sessional Inquiry. Two remarks here present themselves on Mr. Black's conduct; that he was silent upon the subject of these rumours, only until they were generally propagated throughout the community; and came forward to communicate them to me, at a time, when it was difficult if not impossible to repair the mischief, which it is evident, from his own statement, he might have easily prevented. I challenge him to render even a shadow of a plausible reason, for not having come to communicate to me such alarming intelligence the instant he heard it from Mr. Howden, especially as he did not wholly discredit it, and, as he himself states, it was communicated to him, with a view that he, whose duty it especially was conceived to be, should put me on my guard. But not only is Mr. Black chargeable with having been accessary, in the first instance, to the propagation of the rumours, by having withheld from me the information, which was given to him for the express purpose of being communicated to me; but is also wholly chargeable with all the mischiefs which have sprung from their revival, which was occasioned, as he himself has admitted, by the Sessional Inquiry which he instituted. His conduct, in this instance alone, belies his former professions of regard for my character, for the welfare of the congregation, or the interests of religion in general. In fine, as it was in Mr. Black's power to have suppressed the *fama clamosa* in its first stage, by communicating with me, so I conceive it will be difficult, if not impossible for him to justify his subsequent conduct, in reviving it without giving me any previous warning or intimation, that so I might have evinced the groundlessness of those allegations, on which his inquiry was instituted. Had Mr. Black been candid, had he been disposed to act a fair and honest part, he must have paused when I challenged him to produce the grounds of his inquiry, and must have acquiesced in the reasonableness of my claim to be permitted to expose the futility of the grounds on which they proceeded. That this was not an idle profession, on my part, it will be easy for me to establish by the clearest evidence. No sooner had I received Mr. Black's letter of the 31st of August, than I proceeded with all diligence to trace the *fama*, beginning with the authority to which he referred

* See page 23.

† See Appendix.

me in his letter of the 2nd of September, namely, Mr. Ferguson; and following it closely through a series of persons, successively named as the witnesses of my guilt.* In every instance we traced these reports to their source, and in every instance we obtained decisive confutation of them; and as this investigation was conducted by gentlemen, whose veracity and honour are unquestionable, the truth of my statements, in this important part of the proceedings, is capable of being verified in the most satisfactory manner, should any doubt be started, or any imputation thrown out as to their credibility. In the statement, which was read by me at the meeting of the members of Session, held, in church, on the 29th December, 1829, immediately after the close of the Sessional Inquiry, I produced such evidence and afforded such explanations, in reference to their charges, as ought (had there been any fairness or honesty in their intentions) to have suspended all further proceedings, until, at least, they could have produced evidence more specific in its nature, and supported by more credible witnesses.†

But a question may naturally enough arise here, how could Mr. Black raise and propagate such a *fama*, and create such excitement? I will ask, how could he create, on former occasions, a general excitement throughout the congregation?‡ did not this spring from the same party spirit, which was introduced with him, and of which he has been, as I conceive, the *author*, as well as the *object*? This party spirit has proved to the rumours in question, what the conducting rod is to the lightning. When I consider the tendency of those popular meetings, which, as I have already stated, have been frequent since Mr. Black's connection with the church, and which were utterly unknown before that period, I cease to wonder at the power which he possesses. I do not speak without evidence, I think demonstrative of the truth of what I state. From the first day that Mr. Black entered the church, whenever he has made a move to obtain an increase of salary, or, in any other way to promote his views or interests, a simultaneous movement has been observed to be made by his partizans, and private meetings held to co-operate with him. To these meetings, it were easy to trace all those violent and outrageous scenes, which have agitated and disgraced our church, and the same persons will be found acting a part, in every successive movement that has been made, with a view to produce the desired revolutions; I have no hesitation to affirm, that the rumours, which gave rise to the proceedings now submitted to arbitration, have been chiefly circulated by and among those who are the known partizans of Mr. Black, and that to this party spirit, the *fama clamosa* is chiefly indebted for its spread and prevalence. Perhaps this party spirit has operated in a manner still more mischievously effective, by precluding the possibility of putting any stop to it, as those who have thus supported and abetted it, have denied a hearing to me; have absented themselves from all meetings

* See Appendix.

† See Appendix.

‡ See page

and occ
me; an
evidenc
to belie
whole
invited
they be
tions,
not?
minabl
will n
who sh
cause
consid
up to
of the
Sessio
produc
no mit
look t
of 29
vigour
pagati
sible
the m
was t
author
seen g
fame.
futatio
been
his ab
1829)
take
necess
more
gentle
Provi
these
stated
serva
great
and
our c
extre
and i

and occasions, when I came forward to rebut the charges against me; and, while they have turned a deaf ear to any exculpatory evidence, adduced on my side, have been prompt only to hear, to believe, and to propagate the rumours against me. In fine, the whole of Mr. Black's party have kept aloof from me, and though invited by me, in a manner that should have influenced them, had they been candid, they never came nigh me, to hear my explanations, or to listen to my evidence. What is party spirit if this be not? At this rate, a *fama clamosa* would be everlasting and interminable, since it is a manifest impossibility to convince those who will not hear, or to remove impressions from the minds of those who shut their ears against information and evidence. I had little cause to wonder at the conduct of the inferior partizans, when I consider the example that was set them by those whom they looked up to as their guides. The clearest and most decisive confutation of the evidence against me, and such I certainly gave before the Session, in regard at least to some part of the charges, failed to produce any effect or impression whatever. It certainly produced no mitigation of their stern and inexorable resolutions, for if we look to the proceedings, which immediately followed the meeting of 29th December, 1829, we might suppose I had only given fresh vigour and impetus to their spirit.* In accounting for the propagation and prevalence of the rumours in question, it is impossible not to advert to the gross appetite and avidity, with which the most incredible stories were received and circulated. Such was the report communicated to me by Mr. Ferguson, the only authority to whom I was referred by Mr. Black, that I had been seen going, in broad day light, with Mr. Peddie to a house of ill fame. Absurd as this report may appear, and unworthy of any refutation, it gained a circulation in the first instance, and after having been put down, was revived once more, probably in consequence of his absence, (having gone on a voyage to England, in November, 1829) until at last a friend of his (Mr. Peddie's) was obliged to take it up, in a very grave manner; and it was thought not unnecessary that a formal contradiction should be given to it, at a more recent period, by Mr. Peddie himself; and a most respectable gentleman, and friend of mine, John Fisher, Esq. member of the Provincial Parliament, called upon me, soon after the publication of these rumours, to inform me that it had been seriously and confidently stated to him, that I was in the habit of being carried to bed by my servants, in a state of intoxication. It is impossible to conceive greater or grosser falsehoods, yet such is the power of party spirit, and such the degree, to which it has been unhappily fomented in our congregation, that it produces, as in the present instance, the extremes at once of credulity and incredulity: credulity of the evil, and incredulity of the good.

* See Appendix.

The reason of my not having fulfilled my original intention of calling on Mr. Black, and giving him the explanations I promised, will be readily appreciated by those who attend to the history of his sayings and doings, as they emerged on the present occasion, leaving not the shadow of a doubt that there were duplicity and profound dissimulation in his conduct.* My previous correspondence with Mr. Black will sufficiently explain my sentiments in regard to the sincerity and fairness of his general character, as well as the causes which appear to myself to warrant them; but, conscious as I was of the danger of sometimes wronging a person, of whom we may justly have suspicion, as to his general conduct, by applying to all particular instances the general rule, I was determined to be on my guard, not to prejudge Mr. Black, or fall into this error in the present case. My suspicions were first awakened by his letter of the 2nd of September, in which he starts up at once, without the least ground imaginable, to defend himself, before I had conceived the idea of arraigning him, and not to meet but to anticipate my accusations.† Though this letter, when we now read in the light reflected upon it from his subsequent proceedings, affords a notable example of that sensitiveness of conscious guilt, which starts and shrinks before it is even touched, and though it appeared to me at the time to breathe the genuine spirit of its author, of which I had some *feeling experience* before this date, this impression would have been but slight and transitory, if it had not been found connected with a regular train or system of sayings and doings, on his part, which, with accumulating evidence, grew in my mind into demonstrative proof of Mr. Black's double dealing and treachery. Before the close of that week, in which I received Mr. Black's first communication, it was reported to me, that he had given the door-keeper to understand, that he was so astonished and overwhelmed by what had just occurred in the Sunday School, that he was ready to fall into a swoon, if that worthy dignitary of the church had not run to his immediate succour, with a glass of water; and to this confidential functionary he was pleased further to signify, that he need not be surprised, if, in this extremity of horror and affliction, he should see him drop down in the pulpit.‡ This incident was immediately after related to one of the elders, Mr. Carsuell, by the beadle, who felt, no doubt, a profound sympathy with this affecting or affected agitation of my Rev. confre. Mr. Carsuell communicated this very striking piece of intelligence to Mr. Leslie and Mr. Shaw successively, and, under the sanction of their authority, I have recorded it in the terms in which it was originally delivered to me, and am no further responsible for its truth. It has, with equal candour and courtesy, been made the ground of a charge of falsehood against me.§ I will say, that it is a report or rumour, grounded upon the authority of those, whose credit I should ex-

* See Appendix.

† See printed Minutes, No. 19.

‡ See printed Minutes, No. 19.

§ See printed Minutes, No. 65.

ceeding
weight
produce
after he
Black in
the act
come in
advised
cording
into a c
the after
which I
and mu
taken b
whom h
left no
own co
will, pe
trators.
wanton
disant
wilful
tended
more st
him, th
althoug
convers
another
which
spirit o
plifies
a figur
sation,
represe
consider
with a
and be
and a
affordin
turning
insult.
accordi
it is th
of so
manne
opened
for the

ceedingly disparage, were I even to compare it with the united weight of all the testimonies put together, which my accusers have produced in support of their case. I deliberated, for some time after hearing this report, whether I should communicate with Mr. Black in writing, or see him personally on the subject. I was in the act of sketching a note to him, when Mr. Peddie happened to come in, to whom I stated the subject of my deliberation. He advised me not to write, but to see Mr. Black personally; accordingly, on the Sunday following, the 6th of September, I entered into a conversation with him, after coming out of church, I think in the afternoon, commencing with the inquiry, whether the report, which I had heard, was true or not? he appeared much disconcerted, and muttered indistinctly some sort of excuse, as that he had been taken by surprise, and did not know well what he said, or before whom he said it. His whole appearance and manner, on the occasion, left no doubt whatever, on my mind, either of his guilt, or of his own consciousness of that guilt; and I have that now to state, which will, peradventure, equally convict him, in the minds of the arbitrators. There is not, among the many examples of wilful and wanton misrepresentation, which disgrace the records of the *sordidant* Kirk Session of Saint Gabriel Street Church, one more wilful than that which marks the very outset of Mr. Black's pretended statement of facts in the libel, nor can any circumstance more strongly betray his consciousness that this charge applied to him, than his thus omitting to take any notice of it in said statement, although it formed the ground work and the capital topic of the conversation which he professes to record.* Nor is this all; it forms another example of that partial and insidious statement of facts, which completely alters or discolours the whole complexion and spirit of a narrative. How strikingly the present instance exemplifies this, the arbitrators will perceive, by marking how different a figure I make, according as this, the opening topic of our conversation, is omitted or not. Omit this, and just as Mr. Black has represented me, I appear most abruptly, most unwarrantably, and, considering the tenor and temper of his previous communications, with a most ungrateful rudeness to turn round upon my kind friend and benefactor, upbraiding when I ought to have thanked him, and assailing him with accusations and reproaches, instead of affording him explanations in my own justification—in a word, returning for good, evil; and for kindness and courtesy, injury and insult. Mark now what a different aspect the whole will assume, according to my representation, and I dare Mr. Black to deny that it is the true one. None, who know me, will believe me capable of so gross and unreasonable a violation of gratitude and good manners, as this most wanton misrepresentation imputes to me. I opened this conversation by expressing my thanks to Mr. Black for the important and friendly communication I had so recently

* See printed Minutes, No. 26.

received from him. I then communicated to him the report which I had heard, and I leave the arbitrators to judge whether, if I had received from Mr. Black a satisfactory explanation or contradiction of the rumour, it is likely I would have run on in the strain which he records, or that he would have listened in patience to the lecture, which I *then* and *there* administered to him. Self convicted as he stood before me, in a state of confusion and embarrassment, he felt, I am certain, that I penetrated at that moment into his secret soul, and I doubt not that those, who were witnesses of his demeanor, on the few occasions he subsequently had to encounter me face to face, will perfectly comprehend the force of that involuntary evidence, which his appearance and behaviour afforded, at this moment, of conscious guilt. In terms the most gentle and courteous, I expressed to him my surprise that he should speak and act in such a manner, in reference to the rumours, as could not fail, especially with persons of such a description as the church beadle, and the Messrs. Fergusons, to produce very strange impressions, and to give weight even to rumours the most ridiculous and contemptible, (and such, I added, were those reported to him, and subsequently to myself by Mr. Ferguson on which his letters to me professed to be grounded.) Was I not warranted to add, that he and I, and men wiser and better far than either of us, were liable to be assailed by that vulgar calumny, which only the most credulous ear would listen to; and that such rumours, unless they assumed some aspect and form of *probability*, were best met and confuted by silent contempt, and could only become formidable by such acts and expressions, as those of which I now complained on the part of my Rev. brother. I put the case to Mr. Black, what would be the consequence, were I to act a similar part with regard to such idle rumours, as had been circulated or whispered with regard to himself; were I to betray symptoms of strong emotion, of surprise, grief, astonishment, such as he admitted he had inadvertently exhibited, in presence of the church beadle, and which, surely, if sincere, were somewhat overstrained, and rather out of proportion to any measure of credibility, that could be attached to them. I went on to state, that, if any teacher in the Sunday school, or any member of the congregation of no higher standing or respectability than David and Archibald Ferguson, coopers, had come to me to offer their resignation, or to presume to obtrude their opinion upon their pastor, as to what might be his duty, or the duty of the Session, I should blush to meet my colleague with the report, that I had treated such a piece of gross impudence but with scorn and contempt. Such was the tenor of this conversation, and I will be glad to learn from Mr. Black, how he can reconcile these ominous expressions and ambiguities, both of language and of conduct, which he discovered, at this early period, with the supposition of his own sincerity and fair dealing. I will take Mr. Black and his trusty beadle, upon their own showing, and I will ask whether there could be any ground of doubt as to the cause of Mr. Black's extraordinary

agitation,
the scene
tions, of
witness, e
the Sunda
school—a
ample por
as shrewd
have not
as well as
the church
remark, th
altogether
full belief
of giving
them, on t
feigned, w
could over
nervous sy
Rev. confre
at least, pri
where he h
which thou
his return fi
nearly a year
interview an
1830. But
brother, wh
well as to pe
must have pr
evidence, m
and confiden
if he could r
tions, *sweet*
and others,
well the train
a profound
change of the
absence at Q
junction not
all the teach
opened when I
miles, and bo
circulated thi
turned, in pr
taught his e
with all the

agitation, on this occasion, following, as it did, immediately upon the scene of those *portentous* disclosures, and consequent resignations, of which the door-keeper was neither a blind nor a deaf witness, even had he been ignorant of what had been proclaimed on the Sunday preceding, to all the teachers and children of the Sunday school—a thing not very probable in one, who is endued with an ample portion of the spirit of inquisitiveness and curiosity, as well as shrewdness and sagacity, which distinguish his countrymen. I have not the least doubt, that there was a perfect understanding as well as a perfect sympathy, between these two worthy officers of the church, upon the present occasion. I beg the arbitrators to remark, that all this emotion, so well feigned by Mr. Black, was altogether a piece of acting, got up for the purpose of imparting a full belief of the rumours to kindred and sympathetic spirits, and of giving to them *credit*, as *circulation* had already been given to them, on the Sunday preceding; for, notwithstanding all this well feigned, well acted, surprise, agitation, and horror; (for what else could overwhelm a man like Mr. Black, so as to paralyze his nervous system, and throw him into a swoon?) it is certain, my Rev. confere had been familiar with these rumours, for two months at least, prior to this affecting scene, had just returned from Quebec, where he had some extraordinary conversation with Dr. Harkness, which though he thought proper utterly to forget, immediately after his return from thence, he appears to have recovered his recollection nearly a year after, if we may trust what we have heard reported of his interview and conversation with Dr. Harkness, in the month of May, 1830. But this is only one of the many *non mi recordos* of my Rev. brother, who, in order to get up this sudden burst of emotion, as well as to *pen* the first paragraph of his letter of the 31st of August, must have predetermined with himself, and, * as will be seen from the evidence, must have settled with a few other of his peculiar friends and confidants, to conceal from the knowledge of the world at least, if he could not expunge from his own memory, all the communications, *sweet* and *precious*, which he had, *sub rosa*, with Mr. Howden and others, on the afflicting subject of these rumours. Mark how well the train is laid! He and Mr. Howden, who had both observed a profound and mysterious silence heretofore, adopt a sudden change of their policy and conduct. The latter, during Mr. Black's absence at Quebec, forgetful of Mr. Black's kind and prudent injunction not to mention the rumours to any one, proclaims them to all the teachers and children of the Sunday School; all this happened when Mr. Black was absent, at the distance of two hundred miles, and before he returned from Quebec, were these vile rumours circulated through the whole town, and, as my Rev. brother returned, in profoundest ignorance of these rumours, which never reached his ears, until they came now to beat against his tympanum with all the obstreperous violence of a tempestuous *fama cla-*

* See Appendix.

moza, how could he, returning from Quebec, where he heard nothing, talked nothing of this nature, and was consequently profoundly ignorant of the pre-existence of the said rumours, be chargeable with having a hand in either propagating or originating them? No, good, kind soul! he was as innocent even of the knowledge of them, as the child unborn! and, if any one should entertain a doubt that such was Mr. Black's original determination, namely, to forget, at least appear to forget, that he had ever known or heard aught, previous to his return from Quebec, let him mark the scene of well feigned surprise, astonishment, and horror, which was exhibited, with such *dramatic effect*, before the eyes of the door keeper, on Sunday, the 30th August. Who can doubt that all this came upon Mr. Black, like the flash of lightning, and nothing can paint more vividly, if we may not say truly, his *affliction* and *amazement* than the **ipsissima verba* of the beadle, to whose averment that Mr. Black never mentioned my name all the while, I am disposed to give the fullest credit, for the drama which had been previously enacted on the stage of our Sunday school, before the eyes of the beadle, as well as of the teachers and children, was an excellent preparation for the present pantomime, and afforded an admirable key to unlock all the mystery of its meaning.† Soon after this, when I received the letter of Mary McIntyre, I took Mr. Leslie with me to be a witness of my interview and conversation with her. In answer to her letter, I advised her, in his presence, to commence a prosecution against the first person, who said or intimated aught, reflecting upon her good name, during the period, that she was in my service, and added that I should feel it my duty, to afford her every assistance in my power, for the protection of her character. As she had mentioned, in her letter to me, that she understood that the Rev. Mr. Black wished to see her, on the subject of the rumours, we naturally inquired on what authority she had stated this; she informed us that Mr. Curry had signified to her, that the Rev. Mr. Black had expressed a desire, about a year before this time, to examine her upon the subject of certain rumours, which even then seemed to have reached his ears, implicating her character as well as mine; and she stated explicitly, that Mr. Black, in that or some other conference, which he had with the said Mr. Curry, intimated his belief or suspicion, that I was not behaving myself properly; this was told me in the presence of Mr. Leslie, as aforesaid, and I deem the authority sufficient to warrant my belief of its truth; and as the testimony of this witness has been adduced against me, I cannot conceive any reason why it should be now invalidated, merely because it is pointed against my Rev. brother; nor can I acquiesce patiently, in having the stigma of falsehood attached to me, for having produced, on my side, the evidence, such as it was, which had been adduced against me.‡ Since I can be held responsible only

* See printed Papers, No. 65.

† See Appendix.

‡ See printed Papers, No. 66.

for the
testimon
falsehood
my hear
the 29th
ment, w
again at
he repre
Curry,
tating th
treated
asked M
what I
admitted
deferenc
the witne
did not
either of
not con
affidavits
transmit
commun
little wo
this men
that it v
shameful
witness,
reports
purposes
tremely
burthen
right for
falsehood
pronoun
Mr. Les
Miss M
Accordin
sence of
tion, it
statemen
if he has
sence af
against M
delectabl
resting o
she speak
improbabl

* See

for the accuracy and correctness, with which I have reported the testimony, and not for the veracity of the witness, this charge of falsehood has, I think, somewhat gratuitously been hurled against my head, first by Mr. Black, who, at the meeting of Session, on the 29th of December, 1829, when I read this part of my statement, with all due solemnity rose up and pronounced it *false*; and again at the memorable meeting of the 15th day of February, 1830, he reproduced the same charge, enforcing it by an affidavit of Mr. Curry, who pronounced what I had said on that subject false, imitating the courtesy and respect, with which the church beadle has treated me in a similar case.* I remember, on this occasion, having asked Mr. Curry, whether he himself had been present, or heard what I said in reference to the testimony of M. McIntyre; he admitted he had not, and I observe that they have had so much deference for truth, as to qualify this part of the affidavit, in which the witness was made to swear to the falsehood of words, which he did not and could not know but by *hearsay*, no very safe ground either of swearing or of judging.† It is important to remark, though not connected immediately with the present topic, that these affidavits of the door keeper and Mr. Curry, appear to have been transmitted to Dr. Lee, not only without any copies of them being communicated to me, but absolutely without my knowledge, and I little wonder, therefore, at their shyness in communicating to me this memorial, with the consciousness, which they could not but feel, that it would lead to the inevitable exposure of this their most shameful conduct. This kind of logic, by which the falsehood of a witness, real or presumed, is transferred to the person who takes or reports that evidence, is, if not sound, at least well adapted to the purposes of slander; but, like all weapons of the same kind, is extremely apt to recoil on the heads of those who use it, and the burthen of guilt, with which I charge my accusers, would receive a right formidable augmentation, were we to add to it the imputed falsehood of their witnesses. But to return, when Mr. Black had pronounced the falsehood of this testimony, in a manner so decided, Mr. Leslie and I felt it our bounden duty to repeat our visit to Miss McIntyre, and subject her to a fresh examination on this point. Accordingly when we waited upon her, she re-affirmed, in the presence of my elder, Mr. Leslie, and myself, (a very near approximation, it must be allowed, to a Session) the truth of her former statement. Now Mr. Black may choose either horn of this dilemma: if he has spoken truth, this girl has solemnly avowed, in the presence aforesaid, on two several occasions, a slanderous falsehood against Mr. Black's character; what will Mr. Black now say of her delectable testimony in my case, and still more of other testimonies resting on authority far below that of M. McIntyre. If, however, she speaks the truth (and I must own that there is no extraordinary improbability, in the substance of her testimony, to discredit it,

* See printed Papers, No. 65.

† See No. 65, towards the end.

as it accords not ill with other parts of his proceedings) what becomes of the veracity, otherwise somewhat shaken as it is, of my Rev. confrere. But all doubt of Mr. Black's dissimulation and treachery was entirely dissipated, when Mr. Oglevy made to myself, in the month of September, the portentous disclosure of Mr. Howden's interview with him, in the beginning of July, proving that he, Mr. Black, who had determined, (so he says, in the end of August) to take no notice of the rumours, had in the beginning of July expressed, somewhat too frankly, to a teacher then in my employment, his determination, if he could find any thing tangible in these rumours, to take it up.* The extreme reluctance with which this confession was wrung from Mr. Howden, afforded in itself no slight corroboration of its certainty. (See the evidence of Mr. John Blackwood.)† Sometime previous to this, it had been settled between Mr. Leslie and myself, that we should call on Mr. Black, to communicate to him some disclosures which we had made of his secret manœuvring in this business; and it was our purpose to invite the attendance of a few other friends, and especially of Mr. Carsuell, one of the elders, whom, though a warm friend and partizan of Mr. Black's, we believed then and still believe, however misguided, to be upright in his intentions and free from guile.‡ But the communication of M. McIntyre, and especially of Mr. Oglevy, led us at once to abandon our design. Viewing Mr. Black, as deeply engaged in the concoction of a plot, to which the previous habit and repute of the skill and ability which he had acquired in such matters, gave no small countenance, we resolved to let him alone, not to break in upon his designs prematurely, but to wait for the full development and maturity of his schemes, and we reckoned nothing more certain, than that we should see him, in a more palpable and still less ambiguous form, at no distant day. So completely were we all under this impression, that the usual question, when I met any of those gentlemen, with whom I communicated on the subject, was, Well! what of Mr. Black? is he out yet? when I answered in the negative, the usual remark was, Well, that is wonderful! but wait, we shall yet see him above board! my only wonder was, that he delayed his project so late, and when I received his letter of the 26th of November, it gave me no manner of surprise, for I had known the tree too well and too long, not to anticipate the quality of its fruit, more especially as we had seen some of the blossoms and first buddings of his project.

At the meeting of Session,§ on the 8th day of December, 1829, it will be easy to imagine with what feelings I and my friends regarded such persons as Thomas Porteous, Henry Mackenzie, James Carsuell, and, especially, Edward Black, the moderator; men, who had previously acted in a manner that, I have no hesitation to say, destroyed all confidence in their fairness and impartiality, and ren-

* See Appendix.

† See Appendix.

‡ See Appendix.

§ See printed Minutes, No. v.

dered
to my
any o
Black
I cou
it mig
inquir
very
inquir
ough
taking
as my
presid
volv
impur
usurp
party
they
word
they
ampl
tunit
But I
was i
that
comp
less
suffic
threa
quiry
shoul
if oth
state
cond
mad
woul
escen
their
and a
name
admi
cond
claim
most
enter
the d
as in

* See

dered it impossible for me to commit to them aught pertaining either to my character or interests. I could not consent to regard them in any other light, than that of *my accusers*, as I knew them to be *Mr. Black's partizans*, and consequently *my adversaries*. To such men, I could not with confidence commit what, in other circumstances, it might have been very advisable to have done, namely, the task of inquiring into the grounds and occasions of the alleged *fama*. The very pretence on which Mr. Black alleges that he instituted the inquiry, *i. e.* my having imputed to him the propagation of the *fama*, ought, in all reason and consistency, to have withheld him from taking any part in such inquiry, inasmuch as he was a party, as well as myself; and it was as absurd, as it was unbecoming in him to sit as president of a meeting, which professed to inquire into a matter involving his character as well as mine; and yet he is not ashamed to impute blame to me, because I would not submit to his and their usurped authority.* Had I, indeed, believed them to be free from party spirit, impartial, and unbiassed; could I have supposed, "that they would have been tender of my good name, (to use their own words) and that from the regard they had for me, and the anxiety they had for the prosperity of the congregation, they would do me ample justice," I should have congratulated myself upon the opportunity, which it afforded me, of a fair and impartial investigation.† But believing, as I did, that the reverse of all this was the fact, it was impossible for me to act otherwise than I did. This it was, that induced me, in the first instance, to make my appeal to any competent tribunal of the parent church, as I deemed that nothing less than the weight and authority of such a tribunal would be sufficient to defend me against the violence, with which I was now threatened.‡ For Mr. Porteous, the member who moved the inquiry, had very frankly stated, that if the result of the inquiry should prove to them my innocence, I should still be their minister; if otherwise, the inference was equally plain. This was broadly stated, and cannot, I think, be forgotten. To submit to an inquiry, conducted by such persons, and on such conditions, would have been madness. Had I sat there, during the inquiry, I have no doubt it would have been construed into an acknowledgment of or acquiescence in their right and authority to try me. It was plain from their subsequent conduct, that they intended it should be *virtually* and *in effect* a trial, however they might disguise it under a different name. A long discussion ensued, in which, while I distinctly admitted, in the fullest extent, that a clergyman's character and conduct ought to be open to all fair inquiry, and repeatedly disclaimed, in very strong terms, all wish to shelter myself from the most rigid scrutiny, I stated, that it was quite impossible for me to entertain, for a moment, the idea of committing my character to the decision of a court, of which Mr. Black was not ashamed to sit as moderator, as this appeared to me not only a violation of justice,

* See printed Minutes, No. 23, Sec. 6.

† See Appendix.

‡ See Note.

but an outrage on common sense and common decency; and, turning to the Rev. gentleman himself, I read him a lecture, on the occasion, which, I think, he cannot yet have quite forgotten. Mr. Armour addressing himself to me, in the course of this debate, asked me—"What! Mr. Esson, do you shun or forbid an inquiry into your conduct?" I answered, indignantly, that I thought my tone and bearing, on this occasion, might convince him and all who heard me, that I was far from shrinking from any inquiry fairly conducted. But I begged to ask him, how he himself would like to be treated, as they now proposed to treat me. Suppose, said I, that I were to gather up all the rumours, surmises, and slanders which your disaffected menials, envious rivals, or which the mere wantonness of calumny had published or whispered against you; suppose, I were to refuse all communication of these slanders or their authors to you, to proceed to constitute a Session, and to enter upon an inquiry into your character and conduct, debarring you, all the while, in spite of your remonstrances, from any knowledge of even the grounds of the inquiry; how would you, Mr. Armour, like such treatment, were you made the subject of it? I added, that this was no more than a just representation of the unwarrantable and preposterous procedure, which they contemplated to adopt in my case; and it was in itself calculated to destroy all confidence, shewing, but too plainly, that there was no fair nor honourable intention, on the part of my accusers. This *argumentum ad hominem*, Mr. Armour did not, and I am well assured could not answer, and his persisting; notwithstanding, in the course which I reprobated, left no doubt in my mind, that he was imbued with the spirit of party, no less than his co-presbyters. The reason of my having specified two particular tribunals, was to meet a very plausible objection, on the part of Mr. Porteous, who, in answer to my protest against the competency of the Session, stated, that we were at the distance of three thousand miles from the parent church, and that she could not exercise any jurisdiction over us; that there was no other course left, therefore, but for the Session to act as a Presbytery; and Mr. Black supported the reasoning of Mr. Porteous, by stating, that a Presbytery in Scotland could not call witnesses before them from such a distance, nor exercise jurisdiction out of their own bounds, and that therefore an appeal to such a tribunal was a mere evasion. I remarked, that I had been ordained to this church by a Presbytery, and though they might not have actual jurisdiction, I should hold myself bound to submit to their opinion, no less than if I were directly subject to their jurisdiction. That it was quite competent for any members of the Session, or of the church, to prefer accusations against me, and that these accusations, after an impartial investigation, could be transmitted for the judgment of any tribunal of the parent church, and that their opinion would with me be equivalent to a sentence; and that there were two tribunals at least, that would feel sufficiently interested in the present case, to favour us with their best advice

and
orda
Dr.
case,
a cir
eith
Mr.
that
wher
pres
cuse
the
at t
the
the
pra
ther
my
and
to b
acc
was
tak
sho
so
rep
cou
sub
tru
equ
the

lig
acc
the
a k
thi
pr
nu
wi
pu
ju
pr
th
co
ac
ri

and assistance, namely, the Presbytery of Aberdeen, by which I was ordained, and the Committee of the General Assembly, of which Dr. Lee is covenor. Mr. Leslie then remarked, that, in the present case, Mr. Black would act the part at once of accuser, judge, and jury; a circumstance, in his view, not very compatible with impartiality, either in the investigation of truth, or the administration of justice. Mr. Black observed in reply, that he had known Presbyteries that had acted thus, in the double capacity of accusers and judges; whereupon Mr. Leslie asked him, "had they, as you have in the present case, a palpable interest in the condemnation of the accused?" Mr. Black was silent. I regret now that I did not embody the substance of my sentiments, which were thus freely expressed at this memorable meeting, in my protest; this protest I wrote upon the spot, and on the spur of the moment, and nothing can exceed the disingenuousness and misrepresentation, which have been practised in the construction of it by my accusers.* I parted from them with a declaration, that though I could not recognize them as my judges, or even as a proper court of inquiry, since in every fair and impartial inquiry, those who instituted and conducted it, ought to be free from all bias and suspicion of partiality; that yet, as my accusers, I should always be ready to meet them in any course that was fair and manly; and that, though I did not see it advisable to take my seat, or to sanction their proceedings by my presence, I should feel it my duty to vindicate myself against their accusations, so soon as they should be produced to me in a tangible form. I repeatedly declared my readiness to meet them in any way or course that was fair or manly, and I appeal to the whole of my subsequent conduct and correspondence, in confirmation of the truth of what I now state. Whether my accusers have acted with equal candour and fairness, is a question to be decided, rather by their acts and proceedings than their professions.†

The arbitrators will not fail, I hope, to avail themselves of the light which the different parts of the *proceedings* or *writings* of my accusers throw on each other, and to compare their professions with *those* genuine and indubitable tests of truth, their acts! If you are at a loss to decide, as to the sincerity or insincerity of the majority of this famous committee, in the month of December, 1829, go to their protest of the 15th of April, 1831, subscribed by three of their number, and you will there read, in the most undisguised language, what they hold to be the power of a Session, and how far they purposed to be guided by the law and authority of the proper judicatories of our church.‡ In their attempt to wrest from the proprietors their rights, and to win to themselves, by a stratagem, the power of calling general meetings of members, they betray unconsciously their real views; and, if further light is wanted, their actual assumption not only of the power, but their assertion of the right of the Session, to shut against the minister the doors of the

* See Appendix.

† See Appendix.

‡ See printed Papers, No. 150.

church, leaves us at no loss what opinion is to be formed of their sincerity and honesty, in their professions of reverence and obedience to the law of our church.* A Session, uniting in itself all the powers of Presbyteries and Synods, independent, until it shall declare itself otherwise, of the general assembly, and vested with the rights of the temporal proprietors, in addition to the extraordinary powers spiritual and ecclesiastical, which they had thus arrogated, would be without a parallel—no court of high commission or star chamber ever equalled it. Do you suspect me of exaggeration in this view of their claims, in this interpretation of their principles? Look at their acts, they far exceed even their claims, with all their exorbitancy! When it is considered how formidable a judicatory they would have been, with all these various powers, which they assumed, concentrated in their body, it need not be a subject of marvel, that I was somewhat shy of admitting their jurisdiction over me; for this reason it will be remarked, that I uniformly have declined to call meetings of Session, to constitute a Session, or to recognize the Sessions constituted, on these occasions, by Mr. Black. Persuaded that they wanted nothing so much as some recognition of their authority and jurisdiction over me, I resolved to hold them strictly to the footing of accusers, and to preclude all possibility of their assuming a warrant to act as my judges, on the ground of any implied or alleged consent or submission on my part; for if I had, in any shape, admitted or even seemed to admit their right to try me, they would have made little scruple, not only of usurping all, and more than all the powers of a Presbytery, but of representing to their party, that I had consented to invest them with such a power, and was consequently obnoxious to all the effects of their sentence or decision as much as if they had been actually a Presbytery.

The inquiry commenced on the 8th and terminated on the 17th of December, 1829. A copy of the report was sent to me on Friday, the 18th. Having two public examinations of my schools, in the course of the week ensuing, the one on Monday, the 21st, and the other on Thursday, the 24th of December, it was not in my power to set about preparing my answer to their report until the evening of the 24th. Though I had to collect all my evidence to rebut their charges, part of which I was under the necessity of procuring, by sending a messenger to Chambly for that purpose, I was ready, on the Tuesday following, the 29th of that month, to meet the members of my Session, and, even at that early period, to produce such evidence, as could not fail to have made a deep impression on every impartial mind.—Evidence, in regard to their specific charges, most decisive and uncontrovertible; while, in regard to the accusations, in which no dates were specified, I produced general evidence, subversive of the truth of the principal facts and circumstances, alleged in that part of their charges. Some of the principal witnesses were present, and the greater part of those whose decla-

* See printed Papers, Nos. 143, 144, 149.

rations
have be
eight on
evidence
were no
thing li
four da
(with a
these ge
and evid
reason t
incorrect
writing,
posterou
papers o
bound to
and, in r
much me
was conc
previous
forward
spectfull
nations;
nor can
than the
bility of
their mir
parallels
meeting
countena
pleased
with him
Messrs. I
dignation
of religio
walked o
be given
the meeti
mained i
retired.
stated, on
evidence;
stance, th
most resp
John Sim
others.†

rations were read, were in town, and, had it been required, could have been brought up immediately for examination. There were eight or ten gentlemen,* several of whom assisted me in obtaining evidence, and transcribing my notes, who are aware that my papers were not in a state to be laid immediately on the Session table, a thing little to be wondered at, when it is considered, I had only four days to prepare my statement, and to procure my evidence (with a Sunday and its duties intervening) and it is well known to these gentlemen, that it was not my intention to lay my statement and evidence upon the table on Tuesday, the 29th, for the plain reason that it was incomplete in many parts, in others hastily and incorrectly expressed, and those parts, which were in my own hand writing, in a great measure illegible. Indeed it was quite preposterous for my accusers to allege, that I was bound to lay my papers on their table, the moment they demanded them. I was bound to nothing, but what might proceed from my own free will, and, in meeting them or their charges, in any shape, I considered much more what was due to myself than what I owed to them. It was condescension on my part, and a great deal more than their previous treatment of me entitled them to expect, when I came forward at all to rebut their charges. It was their duty most respectfully, patiently, and thankfully to receive from me any explanations, verbal or written, and to give them the fullest attention; nor can I conceive a piece of more palpable and extreme injustice, than they were guilty of, in precluding themselves from all possibility of having the alleged unfavourable impressions removed from their minds. It is a proceeding of which the iniquity is only to be paralleled by the folly and absurdity. Though I called this meeting with no view of constituting a Session, resolved to give no countenance to the opinion that they were a legitimate court, it pleased Mr. Black to constitute the Session, the elders who acted with him, alone consenting; and, when Mr. Black rose up to prayer, Messrs. Leslie and Blackwood, under a feeling of disgust and indignation at what appeared to them a prostitution of a solemn act of religion, to serve, or at least to veil, the purposes of iniquity, walked off to a distant part of the church. What are professed to be given as minutes of this meeting, were not regularly entered at the meeting, nor read in our presence, and my friends and I remained in church some time after Mr. Black and his elders had retired. That they contain a gross misrepresentation of what I stated, on the occasion, I pledge myself to prove by the most ample evidence; and I do indeed regard it as a very fortunate circumstance, that I went to this meeting accompanied by a number of my most respectable friends, such as John Fisher, Andrew Shaw, John Simpson, James Leslie, Thomas Blackwood, Esqrs. and several others.†

* See Appendix.

† See printed Minutes, Nos. 29 and 30; see also Appendix.

I come now to the third act of our Drama,* in which, I conceive, we have the full development of the original plot, namely, an attempt to carry into execution the sentence, which the Committee of Session had passed upon me, by enlisting on their side physical force, and calling in the aid of the members of the congregation. It was confidently expected, I doubt not, that, after so much preparation, the popular excitement in the congregation would be so violent, as to enable my adversaries to effect my extrusion by force; it was indeed openly avowed by some of their most zealous and forward partizans, that, in the course of a few weeks, they confidently expected the doors of the church would be shut against me. The scheme, which they framed for this purpose with some art and ingenuity, discovered an utter disregard of the constitution and regulations of our church, and, had it succeeded, it would have effected the utter subversion of all order and government, and, to use their own phrase, must have introduced interminable anarchy and confusion.† By the constitution of the church of St. Gabriel Street, the management of all matters is vested solely in the proprietors of pews, who delegate their powers to a committee, chosen annually for this purpose; the members and sitters, as such, have no vote at the general meetings, in which all the temporal business of the church is transacted. The Session, conscious, on this occasion, that the general good sense and integrity of the proprietors, would not admit of their giving a sanction to such irregular and violent proceedings, as those which they now contemplated, strove hard to carry this innovation, which would have placed the church, in all things temporal and spiritual, under the absolute controul of the Session, divesting the proprietors of the unquestionable rights, which exclusively belonged to them. Under so indefinite a term, as *members* of the church, it is easy to see that almost any individual, that ever had been a sitter in the church, or, though not a sitter, had been, at any time, partaker of the communion, might have been brought forward, under the designation of member, and a party thereby organized that would have out-voted and finally have ousted the lawful proprietors. The scheme therefore was resisted, and, in spite of bold and persevering efforts, on the part of its abettors, it was finally defeated.‡ The first meeting of this description was called on Thursday, the 18th of January, 1830.§ Nothing can be clearer than the design, on the part of the Session, artfully disguised as it is, to usurp the powers of the committee; and, by subverting all the laws of the church, to introduce confusion. They have stated in their memorial to Dr. Lee, that there was no course or means in this country for the deposition of a minister, but physical force; and is it not plain, that they looked to this on the 7th of January, 1830—"Eheu, quam

* See printed Minutes, Nos. 31, 32, 35 down to 59.

† See printed Minutes, No. 130; see also Appendix.

‡ See printed Papers, Nos. 30—48, *passim*.

§ See printed Papers, No. 31.

difficile
meeting
sion, me
noticed,
how ben
to carry
at least
answered
watchful
tions,†
the mem
was this
depart f
wish it
general
a fair he
to depriv
congreg
brought
parties s
to receiv
laws of t
qualifica
betrayed
sui gener
me, whe
or means
or even
it is und
the cong
or decisio
hesitation
act upon
concurr
(no matt
to their
finishing
not take
designs
to adher
church,
the repor
it reason
in such t
specific
and just

difficile est crimen non prodere." Their next attempt was to have a meeting of the congregation called by the committee;* the expression, *meeting of the congregation*, is worthy of being particularly noticed, for its ambiguity was by no means undesigned, and shews how bent they were, in the face of general and decided opposition, to carry the important point of getting the members to vote; this at least would have introduced confusion, and confusion would have answered their design.† The committee were too intelligent and watchful to be thus ensnared. Agreeably to the rules and regulations,† they addressed their summons not to the congregation, or to the members of the church, but to the proprietors of pews.‡ Nor was this the only point in which they had the presumption to depart from the terms prescribed by the requisitionists, whose wish it manifestly was, to preclude me from a hearing, at such general meeting. As if it had not been enough to have refused me a fair hearing in the Session, they resolved, as far as in them lay, to deprive me of every opportunity of pleading my cause before the congregation. They did not wish, it was plain, to have the matter brought under a fair discussion; they did not intend that both parties should be heard; they wanted a committee to be nominated to receive their report, and, by endeavouring, in violation of the laws of the church, to extend the right of voting to persons, whose qualifications were indefinite and undefinable, they unequivocally betrayed their purpose to have a committee composed of persons *sui generis*—that is, predisposed, as well as themselves, to condemn me, whether right or wrong, and with little scruple as to the manner or means; to depose me, perhaps, without even the form of a trial, or even without allowing me to be heard. They thought it right, it is undeniable, on this occasion, to advise with the members of the congregation, on the subject of their report, and had the advice or decision of the popular meeting been to their liking, I have no hesitation to say, they were prepared to consider it as final, and to act upon it; for it is plain, that they wanted only the sanction and concurrence of the temporal authorities of the church, to be added (no matter whether it were obtained regularly and legally or not) to their spiritual and gloriolous power, in order to give me the finishing blow—the *coup de grace*. The committee however would not take the hint, or did not sympathize with the pious and righteous designs of their spiritual rulers. They persisted, perversely enough, to adhere to former precedents, and to the established rules of the church, by calling a general meeting of the proprietors, to receive the report of certain members of the Session; and, as they thought it reasonable to hear both parties, they declined to call the meeting, in such terms, as would have tied them down to the particular or specific object proposed by the requisitionists, with what fairness and justice to me it is superfluous to remark. I have no doubt

* See printed Papers, Nos. 32 to 42.

† See Appendix.

‡ See printed Papers, No. 36; see also printed Minutes, No. 35.

that, with the above preparation of private meetings and cabals, a select committee of my most determined adversaries, would have been nominated, on this occasion, to co-operate with my *friends* of the Session! Then my fate was sealed! The committee, notwithstanding the members of Session had withdrawn their requisition, summoned, at my instance, a regular meeting of the proprietors. The meeting was held accordingly; the only member of the Committee of Session present was Mr. Carsuell, who, when the question was put to him, whether the others meant to attend the present meeting, answered in the negative. He himself waited to hear the libel read, and then withdrew. Dr. Robertson, who has subsequently thought proper to give the sanction of his name to the shutting of the church, waited until he heard the accusations read; but withdrew without hearing their confutation. Had those gentlemen taken no active part subsequently, their conduct might have escaped animadversion; as they have acted otherwise, they justly incur, in the fullest measure, all the blame that attaches to the proceedings, and to the party spirit in which they originated. It is important to remark, that, with the exception of three or four individuals, none of Mr. Black's partizans thought proper to attend this meeting, or to give me a hearing. Some of my principal witnesses were present, the letters and declarations of others were produced and read, and how far the meeting was warranted in adopting the resolutions, which were afterwards communicated to the members of Session, the arbitrators will be enabled to decide, as a copy of that paper has been transmitted to them.* It is amusing to remark the spirit and temper,† in which the Committee of Session received the resolutions of this meeting of proprietors. Had it been a sentence of condemnation, instead of an acquittal, I may be permitted to doubt, whether they would not have given a very different reception to this communication. They cannot deny, that this was a legal meeting regularly convoked, that they themselves had not only recognized the propriety of an appeal to the sense of the congregation, but had set the example of making such an appeal. They pointed out the course, and when it was followed up, condemned it, only when they saw it did not lead to the issue they wished. They eat of the fruit which they themselves had planted, and shewed how little they relished it. They say they had *substantial reasons* for not attending this meeting.‡ They are reasons, I fear, which dare not be avowed *without infamy*. Why should they not gladly embrace this opportunity of vindicating themselves from my accusations, or, as they phrase it, from the torrent of abuse which I had poured upon them, and prove, in the face of a general meeting of the congregation, that they had done right, and had convicted me of guilt. Mr. Black came forward afterwards, at a

* See Appendix.

† See printed Papers, No. 52.

‡ See printed Papers, No. 45.

subse
confro
for th
to spe
in con
of the
parte
result
the p
was t
of the
precie
me a
cento
throu
religi
all th
and b
of the
This
of Fe
preve
attem
defeat
to sub
their
requi
propri
meeti
tuted.
any c
facts.
when
man,
into t
who s
oppos
woul
gulari
in the
viousl
I had
adopt
not s

subsequent meeting, to plead his own defence; why did he not confront me now? or when I confronted him, at the meeting called for the purpose of hearing him in his own defence, why was I forbid to speak or to reply, as I professed myself willing and able to do, in confutation of his statement? Who is chargeable with the blame of thus mocking and insulting common sense, by offering such *ex parte* statements, under the name of a defence or vindication? The result of a meeting of proprietors having proved thus disastrous to the plans and purposes of Mr. Black and his party, the next step was to issue another edict calling a general meeting of the *members* of the church. Their printed circular, for this purpose, affords a precious specimen of their spirit.* They did not scruple to insult me and the congregation, by having it published from the president's desk twice, on two several Sundays, and sent it round open through the whole city! Such was their regard for decency—for religion! and, for my own part, I am inclined to regard this, as of all their proceedings, that which is marked with the greatest ferocity and brutality. Who will wonder at the existence and prevalence of the *fama clamosa*, when such means were used to keep it alive? This illegal meeting, thus illegally convoked, took place on the 3rd of February, 1830. Uproar and insult were the only weapons, that prevented Mr. Black and his co-presbyters from succeeding in their attempt, now renewed for the third time, after it had been twice defeated, to establish the precedent of an illegal meeting calculated to subvert the constitution of the church.† Thus baffled, in spite of their pertinacity, in obtaining a meeting of members, they made a requisition at length to the committee, to call a regular meeting of proprietors, to hear the Rev. E. Black in his defence. This meeting was indeed regularly called, but most irregularly constituted.‡ It was conducted throughout, in such a manner, as to render any other comment unnecessary than a simple statement of the facts. Some one proposed A. Porteous, Esq. to be chairman, and when objections were going to be offered by some one, that gentleman, with peculiar dignity, before the votes could be taken, leaped into the chair, and said—"I am here now, and I will be glad to see who shall put me out." This was so ridiculous a scene, that all serious opposition to the further proceedings was out of the question. One would suppose, that this party had conspired to set aside all regularity, nay, all decency and decorum in their meetings as well as in their proceedings. I craved leave to read at this meeting, previously to any other business being entered upon, a letter § which I had just received from Dr. Harkness, and proposed that we should adopt the course which the Dr. pointed out. This, however, did not seem to be relished by my opponents. Mr. Black was heard

* See printed Papers, No. 42; see also Appendix.

† See printed Papers, Nos. 47 and 48.

‡ See printed Papers, Nos. 48, 49, 53, 54; see also Appendix.

§ See Appendix; see also this Statement, page

in his defence against the imputations, which I had thrown upon him, first at the meeting of Session, on the 29th of December, and subsequently at the meeting of proprietors, of the 25th of January, which he did not attend. Some of my statements, therefore, which he professed to comment upon were derived from *hearsay*. Certain it is, that several of them were so misrepresented, that I was forcibly struck with the strange inapplicability of his evidence and answers, in these instances, to the statements which I had actually made. I expressed most unfeigned satisfaction, as I did most sincerely feel it, when they intimated their intention of desisting from their present course, and of referring the matter, in *any wise*, to any competent tribunal, and of putting a consequent stop to those popular meetings, which were an object of horror and disgust. I may be permitted here to state, that, while I made a point of attending and being ready with all my papers and evidence, to meet my accusers and their charges, even when the meetings which they called were illegal, I did not the less feel abhorrence of the indecency and immorality of this course of procedure, still more than of the irregularity and incompetency of the tribunals, before which I was thus constrained to appear, as the only mode afforded me of rebutting the accusations, and of vindicating my character, in the estimation of my congregation and of the public generally. But while I acquiesced, and even rejoiced, in the prospect of having these disputes referred to a competent tribunal, I should certainly have protested against the course of proceeding which they thought proper to adopt, had I clearly understood, at the time, the exact nature of that proposal. In the course of my subsequent correspondence with them, I soon discovered that the mode of reference, which they proposed to pursue, was one that precluded all reasonable hope of a decision; the refusal to furnish me with a paper so important as their memorial to Dr. Lee, convinced me that they did not intend to act with candour; and I must confess, that the impression on my mind *then* was, and their subsequent conduct has not tended to diminish it, that they had no real desire to submit the matter to fair and impartial investigation. It seemed a self-evident truth, and I cannot think so meanly of the understandings of my accusers, as to deem that it was hid from them, that Dr. Lee and his committee could only give an opinion upon statements and evidence, admitted by both parties, and which consequently had been subjected to previous and impartial investigation. Had they concurred with me, in adopting that course which I proposed to them, on two several occasions, Dr. Lee and his committee would at once have favoured us with their opinion, which, in this case, would have been equivalent to the sentence of an Ecclesiastical Judicatory.* In professing my readiness to meet my adversaries, before any competent tribunal of our church, I did not mean to exclude myself from taking the most prompt and effect

* See Appendix.

tual m
of the
vestig
sary, p
had I
me fro
of sub
should
preclu
that t
forbid
compe
that a
should
I am
posing
a rein
procee
to the
and im
We
the me
Mr. B
to me.
respect
stance
deman
refused
of May
who a
transit
ecclesi
to look
their e
my br
preside
althou
senior
footing
to arro
that n
Black
his cor
senior.
his ex
usurpa
meeting

tual means for my own vindication, and still less to deprive myself of the only satisfactory means of obtaining such an impartial investigation of their and of my conduct, as I conceived to be necessary, preparatory to its submission to a tribunal so far distant; and had I foreseen, that this would have been made a pretext to prevent me from calling a meeting of my brother clergymen, for the purpose of submitting my character to their immediate investigation, I should certainly have expressed myself in such terms as would have precluded all possibility of such misconstruction. I do still think, that there is nothing in my protest, that could warrant them to forbid such meeting, since I admitted the right of appeal to any competent tribunal of the parent church, and consequently intended that any decision of a meeting of our clergy in these provinces, should be subject to the review of such tribunal. It will be difficult, I am persuaded, for my adversaries to show good cause for opposing a meeting of my brethren, called for the express purpose of a reinvestigation of their evidence, and more especially of their proceedings; and they cannot wonder, that suspicion should attach to them and their proceedings, when they thus shrink from a free and impartial inquiry.

We now come to the fourth act of this eventful drama, in which the members of Session conspire to depose me, and to transfer to Mr. Black the powers which, as I humbly conceive, of right belong to me.* The first manifestation of this design, was their declining *respectfully* to attend a meeting of Session, called by me at the instance and by the advice of Dr. Harkness and Mr. Mathieson, to demand a copy of their memorial to Dr. Lee, which they had refused. But they took a much more decided course,† on the 20th of May, which amounts to a virtual deposition of me and the elders who acted with me, and presents the example of a very sudden transition, from an act of *respectful* disobedience to the exercise of ecclesiastical tyranny or despotism. It was now high time for me to look to myself, and to assert my rights and prerogatives, in *all their extent*. Though I had a knowledge of the opinions of some of my brethren, that Mr. Black had no right to sit in Session, nor to preside there, unless through my tolerance or courtesy; and although I was fully satisfied in my own mind, that so long as the senior clergyman lived, Mr. Black was not and could not be upon a footing of perfect equality with me, I felt not the least disposition to arrogate the least superiority over him; and I am bold to say, that no man would have known, from my conduct at least, that Mr. Black was not my equal in the Session and in the church; and from his conduct, *peradventure*, might have inferred that he was even *my senior*; I never had questioned, and never should have questioned, his exercising equal authority with myself, had he not, by his usurpation, imposed upon me the necessity of so doing. It was at this meeting that I first entered my protest against his continuing to

* See printed Papers, No. 86—120.

† See printed Papers, No. 90.

exercise those powers which he formerly enjoyed from my indulgence. The scheme of the majority of the Session seems to have been to invest Mr. Black with the power of perpetual moderator; and not only to preclude me from presiding, but to paralyze me from acting at all, in any other capacity than as an individual member, if even that humble remnant of power would have been long continued. But they did not stop here; in order that they might be enabled to administer the sacrament, and to exclude me from all participation in that solemnity, an attempt was made to establish the principle, that, when it was Mr. Black's turn to officiate, I might be excluded from the pulpit, even when Mr. Black was absent, and the church shut up. Could this point have been carried, a most material step would have been gained towards the desired object of effecting my deposition. In order, therefore, to carry a point of so great importance, Mr. Black wrote me a note,* on the 4th of July, 1830, requesting me to announce from the pulpit, that there would be no service in the church on Sunday next, in the afternoon. As no reason was assigned, I divined the purpose of this stratagem, and sent the precentor to Mr. Black, to intimate to him that, as I did not know any cause for declaring the pulpit vacant, and, as I should feel it my duty, in the event of his absence, to occupy it, unless prevented by ill health or otherwise, I must decline to comply with the request contained in his note. In answer, he sent me a message by the precentor, re-expressive of his desire, that I should read his intimation from the pulpit, as he himself had announced it in the morning, but without offering any explanation, or assigning any reason. I did not read it, and I made a point of sending to him Mr. Blackwood, one of my elders, on Monday morning, to inform him, with a view to prevent the recurrence of similar mistakes in future, that I should feel it my duty, at all times, when the pulpit was vacant, by his absence or otherwise, to occupy it and to fulfil the duties, which we were bound by our ordination vows to perform to the congregation. He replied in a peevish tone, that he did not know what right I had to interfere with his tour of preaching.† Here the matter ended, for the present, but this was a point of so great importance, that, in order to gain it, a second attempt was made by Mr. Mackenzie, (Mr. Black being absent in the country,) on the 28th day of August. A notice in his (Mr. M's) handwriting, was handed in by the door-keeper to the *Herald and Courant* offices, to be inserted in those papers, intimating that there would be no service in church on the forenoon of Sunday next. I was apprised of this about ten o'clock on the Friday evening, upon my return from the country, where I had been on duty, and at that late hour I went to the offices of both the *Herald and Courant* and countermanded the notices, which had been given to the effect aforesaid. I was informed, that Mr. Mackenzie went about with great diligence, on Saturday and on the

* See Appendix.

† See Appendix.

Sunday
there
This c
stance
of zeal
foul hy
issued
attentio
acted w
in atten
given t
and I w
to give
service.
attend
edict, h
with th
the sam
meeting
made th
intimati
trigue?
vering,
Session,
tutional
of inquir
which I
the mor
meeting
been app
Mr. Bl
stating t
upon th
parties t
of the c
tionable
of Sessio
an imme
final sett
will app
memoran
omitted
for perse
personal

* See App
* See 4

Sunday morning, to apprise the members of the congregation, that there would be no service in consequence of Mr. Black's absence. This conduct needs no comment to illustrate it. This single instance manifests a spirit which gives the lie to all their possession of zeal for religion, and stamps upon their character the stigma of foul hypocrisy. In the month of September, it will be seen, that I issued two notices, successively calling a meeting of Session, no attention was paid to them by Mr. Black, or any of the elders who acted with him.* At the last† of these meetings, the only elders in attendance, being Messrs. Leslie and Blackwood, an order was given to summon a meeting of Session by edict from the pulpit, and I was instructed to write a letter to Mr. Black, requesting him to give an intimation to that effect from the pulpit, after divine service. He did not comply with the order of the Session, nor attend the meeting which I had summoned; but, in the face of my edict, he summoned a meeting of Session, in conformity, as usual, with the requisition of four elders,‡ to be held in the church on the same day, but two hours earlier than the time fixed for our meeting. Two of the elders, Messrs. P. Ross and J. Carsuel, who made this requisition, were present in the church when I read the intimation from the pulpit. Was this manœvering? was this intrigue? Yet these are the persons who charge me with manœvering,§ in the month of May proceeding. At this meeting of Session,|| I entered my protest against the irregular and unconstitutional proceedings of the members, who composed the committee of inquiry, and recorded in the Minutes a statement of the facts, which I have just narrated above. Nothing farther occurred until the month of February, 1831.¶ When I again summoned a meeting of Session. It is important here to remark, that I had been apprized of the fact, that, full two months before this date, Mr. Black and his elders had received a letter from Dr. Lee, stating that it was utterly impossible for the committee to decide upon the matters submitted to them, and recommending to the parties to submit them to the arbitration of some of the ministers of the colony. This information was derived to me from unquestionable authority, and it was my intention, in calling this meeting of Session, to propose, as I did at their meeting a few days after, an immediate reference to our clerical brethren, with a view to the final settlement of all differences. Their conduct, on this occasion, will appear from the certificate of Mr. Blackwood,** and their own memorandum.†† Resolved that no means in my power should be omitted to leave my opponents without even a shadow of an excuse, for persevering in their present course, and sacrificing therefore all personal feelings to the interests of the church, I went to their

* See Appendix. † See Appendix. ‡ See printed Papers, Nos. 96—98.

§ See Appendix. || See Appendix. ¶ See printed Papers, No. 10.

** See Appendix. †† See printed Papers, No. 101.

meeting* of the fifth of February, called as usual by requisition, having forwarded to Mr. Mackenzie, on the 2nd of that month, a copy of my protest,† to be submitted to said meeting for their consideration. My protest was read by Mr. Black, a good deal of conversation ensued, in the course of which, I stated to them, that, in meeting them, as I now did, after the treatment I had received, I gave a very strong proof of my earnest desire to save the church from that ruin which was inevitable, and could not be much longer averted, if immediate steps were not taken to restore the ordinances of religion to the congregation. That we were bound, in duty to the church, of whose welfare we were the constituted guardians, to unite in seeking a termination of the present differences, and that, if we did not now concur for this end, we should be committing a species of suicide upon ourselves as a religious community. That I had come forward now, to declare my readiness to co-operate with them, in terms of my protest, for the preservation of the church, if they were disposed to meet me on that ground; or if what I had proposed in my protest did not accord with their sentiments, I was equally prepared, on my part, to enter into any plan proposed by them, that might be fair and practicable. In the tone and spirit of their resolutions, as well as in the sentiments which they expressed in the course of this discussion, I saw too well, that there was no sincere wish, on their part, of a fair adjustment; I distinctly avowed to them my determination to proceed, without delay, to appoint an additional number of elders, and to use every other means in my power, to save the church from utter ruin. When Mr. Armour expressed some surprise at this declaration, I told him and the others, that I might have done this, the very first moment they refused to act with me, and that, by violating their ordination vows, as they had palpably done in the present case, they had virtually forfeited their offices, and deposed themselves. With their usual propensity to low intrigue and misrepresentation, they thought proper to enter my name on their Minutes, as a member of their meeting, though I declared, at the first, that my appearance there was purely for the purpose of conferring with them on the subject of my protest, and not of taking any part in their proceedings.‡ That this was my intention, previous to the meeting, is well known to Mr. Blackwood and other friends, with whom I had conversed on the subject. I shall, I doubt not, obtain full credit for the truth of this statement, from all who were present at the last meeting of the Presbytery of Quebec, when Mr. Black and three of his elders were convicted, by the clearest evidence, of gross and wilful misrepresentation, on a similar occasion, and no doubt for a similar purpose; nor are these the only instances of a like procedure, such as, in any other body, not to say an ecclesiastical court, would stamp its authors not only with disgrace but infamy. I lost no

* See printed Papers, Nos. 107, 108.

† See printed Papers, No. 105, 106.

‡ See printed Papers, No. 108.

time,
and I
condu
time f
had no
an iss
month
tents
procee
and in
well a
presse
they s
count
of the
an op
from
Did th
called
wish t
impar
to ad
betray
alike
defend
meetin
vented
now d
aver, t
which
My
indece
sanctit
which
rose up
pronou
printe
talks o
spirit,
usual,
cabals,
March
the ter
their
protest
who ha
docum

time, after this meeting, to proceed to the election of new elders; and I feel confident, that all who have attended to the preceding conduct of these members of Session, will allow that it was high time for me to take such a step. I hesitate not to say, that they had no wish, and at the time no intention of bringing the matter to an issue. Their retention of Dr. Lee's letter, for upwards of two months, without ever having made any communication of its contents to me, the reluctant and dilatory manner in which they proceeded to furnish me with a copy of that letter, after repeated and importunate applications, and the tenor of the resolutions,* as well as the sentiments which they expressed at this meeting, impressed my mind with the fullest conviction that there was nothing they so little desired, as to submit the case to arbitration in this country. The truth of this opinion will be borne out, by a review of their whole conduct. On every occasion, when I offered them an opportunity of confronting me, and of vindicating themselves from my allegations, face to face, they declined the rencontre. Did they venture to confront me even at their popular meetings, called at their own instance? Did they shew any symptoms of a wish to give me a fair hearing, I will not say, in the face of any impartial meeting, but even in Session? Did they not even refuse to admit of any impartial reinvestigation of their evidence, and betray the most palpable want of confidence in their cause, destitute alike of integrity to renounce it, or manly courage to support and defend it in a manner worthy of a good cause? I had called a meeting of my brethren; they had opposed that meeting and prevented its taking place. The recommendation of Dr. Lee was even now disregarded, and what remained for me to do? I am beld to aver, that no other course was left open for me to pursue, than that which I adopted.

My intimation, on Sunday the 13th, produced a most violent and indecent ebullition on the part of Mr. Black, who, forgetful of the sanctity of the place, burst forth into a most furious invective, which produced such an impression, that the whole congregation rose up at once, and left the church in confusion, before I could pronounce the blessing. Yet this is the same person, who, in his printed circular, which made its appearance but two days after, talks of decency and of the sin of profaning sacred things. The spirit, of which he thus set the first example, was communicated, as usual, to his party, who soon commenced their private meetings and cabals, which terminated in the outrages of Sunday, the 6th of March. It is important for the arbitrators to mark with attention, the temper which breathes in all Mr. Black's communications, and their manifest tendency to excite and to enflame party spirit; his protest in church a great and just offence, and scandal to many who had formerly been among the warmest of his partizans. The document, signed by him and his elders and dated the 19th of Febru-

* See printed Papers, No. 108.

ary, his circular letter, his letter to the *elders designate*,* are all conceived in the same spirit with; and are in their tendency preparatory to the doings of the 6th of March. I was informed, by general report, of a terrible storm that was brewing and fermenting to burst upon my devoted head, should I dare to persist in the resolution, which I had now avowed, of proceeding forthwith to ordain new elders; who would act with me, and do their duty in conformity with the vows, imposed upon them at their ordination; vows, which seem to have been utterly forgotten by a majority of the lay members of my Session, who, following the good example of one of their pastors, shewed me anything but that dutiful respect and obedience, which were due to me as their lawful pastor, and upon whose spirit, the patience and long-suffering exercised towards them, seemed to have no other effect than that of rendering them more insolent and rebellious, till at last they went the length of attempting to deprive me of my right of acting as moderator, and pronounced and recorded in their Minutes, this sentence of virtual deposition, for such assuredly were the purport and intent of their Minutes of the 29th of May, 1830, and their memorandum of the 2nd of February, 1831. Though I did not—what I might have done, not to say what I ought to have done—depose these elders from their office, for disobedience to my authority, and consequent violation of their own solemn engagements; nay, though I abstained out of a delicacy of feeling towards them, which they little merited, from even mentioning their names from the pulpit, my moderation had no manner of effect, in mitigating the violence of their hostility, or the outrageous vehemence of their opposition. That this proposed ordination, in the peculiar circumstances of my situation, and of the church, could not be gone about in a manner strictly conformable, in every respect, with the usual course prescribed in such cases, was no fault of mine, but of theirs, who forced this proceeding upon me, and left me no other alternative than that of abject submission to the authority of those who wished to trample upon my neck, or a vigorous exertion of my power and right, as their pastor, to enforce their obedience within all the just and legitimate bounds of that authority, wherewith I was invested; or, failing this, to substitute in their stead, those that would duly yield me such obedience.† What a mockery of common sense, what a frontless hardihood of misrepresentation to state, under such circumstances, as they did, that I and not they had violated the laws of our church, that I had treated the majority of my Session (that is my rebel elders) with disrespect, and had proceeded most illegally, indecently, and so on, to ordain new elders, with consulting them; those men, forsooth, who had unanimously conspired to insult me, and so far as they could, to trample my authority in the dust. Oh! truth, candour, consistency, how were ye outraged!‡ All my experience,

* See printed Papers, Nos. 125—144.

† See printed Papers, Nos. 119, 120. ‡ See printed Papers, Nos. 121 to 144.

enlarge
not pre
Sunday
public t
tion the
atrocit
effect,
recomm
should
situation
imperat
and wh
the cou
imposed
been ma
possible
church,
it, defe
practica
ments o
some of
these o
popular
creature
this qua
first ma
was exh
13th of
emplifie
religion,
nicated
the usu
organize
and, to
Blackwe
"the ma
his hand
and alm
if fearfu
proceedi
sole aut
their au
necessity
ercise of
some of
of his co

enlarged and various as it had been, of their former outrages, had not prepared me *quite* for the scenes, which were enacted on Sunday, the 6th of March. I heard reports of meetings held at public taverns and hotels, and of mighty designs that were in agitation there, but I could not anticipate the possibility of such an atrocity as was actually perpetrated. I scouted the rumours to that effect, and even after I received Mr. Black's letter,* enclosing the recommendation of certain of the proprietors, that the church should be shut, I regarded the whole as a *brutum fulmen*. The situation of the church, at all events, was such, as to render it my imperative duty to bring things, if possible, to an immediate crisis, and while I was fully prepared to advance firmly and steadily in the course, which, a regard at once to my duty and my rights, had imposed upon me, I was determined not the less that, had there been manifested, upon the occasion, such a spirit as might seem impossible to be restrained, without the hazard of violence or riot in church, by no means to proceed with the ordination, but to suspend it, deferring it either to a more convenient season, or devising, if practicable, some other course for effecting my purpose. My sentiments on this subject were very well known to my friends, and to some of my brethren: As to the original authors and excitors of these outrages, there exists not the possibility of a doubt. The popular ebullition of the 6th of March, is purely the *child*, the *creature*, of Mr. Black and his coadjutors in the Session. It is in this quarter that we mark the first rising of this stormy blast. The first manifestation of a spirit of indecent and almost furious violence was exhibited, as we have already noted, in church on Sunday, the 13th of February, by Mr. Black himself, on which occasion he exemplified, in his own conduct, that indecency and profanation of religion, of which he accused me. This spirit was speedily communicated to his elders, as their letters and minutes abundantly prove; the usual enginery was put in motion, *popular meetings* were organized, and produced their inevitable effect *popular excitement*, and, to use the memorable words of my worthy elder, Thomas Blackwood, Esq. nothing can be clearer than that Mr. Black was "the main spring of the whole machinery." His spirit animated, his hand directed and impelled all their movements. It is amusing and almost ridiculous to observe, how Mr. Black and his elders, as if fearful that they should be defrauded of the full credit of these proceedings, have repeatedly declared *in writing* that they were the sole authors, that the whole was of their devising, conducted under their auspices, they have not only adopted it under the plea of necessity, but seem to glory in it as a legitimate and salutary exercise of their authority; but though I am willing to believe that some of Mr. Black's elders, and the great bulk of the lay partizans of his congregation, were misguided by ignorance and acted under

* See printed Papers, Nos. 142, 143, 144.

the notion, that the Session, in shutting against me the doors of the church, were not exceeding the bounds of their legitimate power; I cannot even conceive a plea which Mr. Black can set up in self-defence. Was it ignorance on the part of Mr. Black? Was not the transgression with him, at least, known and wilful, and founded upon interpretations of the church law, and pretended statements of facts, which he, at least, must have known to be utterly false, or grossly and palpably absurd. No one, who is acquainted with Mr. Black's natural sense and shrewdness, or who is aware how well versed he is in the laws and practices of our church, will doubt, for a moment, that my confrere knew, and that right well, in his own mind, that his lending himself to such proceedings, was *treason* to the law and constitution of the church of Scotland—that it was striking at the root of all presbyterian church government, and indeed of all government whatsoever. Bad, however, as their acts were, the misrepresentations, which preceded and followed their perpetration, excited in my mind still greater reprobation and disgust than the acts themselves. When I read Mr. Black's circular letter, and especially the representation to the synod, I shrink almost with horror from persons capable of such outrageous and infamous violation of truth. Verily, it is an insult on the whole community of Montreal, before whose eyes this spectacle, altogether new and unparalleled, was exhibited; nay, had the act itself not been unwarrantable, the time, the circumstances, and the manner of its execution, were such as would have utterly disgraced the best of causes. Had the authors and actors been, wild Indians, they could not have surpassed the scene of which I now speak. Mr. Black, all this while was sitting in the house of Mr. Griffin, the notary, in the immediate vicinity of the church; ready, no doubt, had it been requisite, to grace the scene with his presence, and to co-operate with his elders, who were parading, ostensibly at the head of this mob, in front of the church door—guards, for so they facetiously call themselves, of the public peace! It will appear from their letters of the 5th, 13th, and 19th of March, that Mr. Black and his four elders have expressly taken to themselves the whole credit of *shutting the church* and of *keeping it shut*; and that their authority or right to do so, is recognised by their partizans, will appear from the recommendation of the proprietors, dated the 3rd of March. That every exertion was made by the committee of the church and by myself to provide the only suitable remedy for these evils is well known to the ministers of Lower Canada, with whom we corresponded on this subject, inviting, in the first instance, a Presbyterial Visitation; and, in the second place, taking steps to have a general meeting of the ministers of both provinces assembled in Montreal, on the 17th of May last. It is not at all doubtful, that my accusers did not sympathize with our wish to have the matter brought under the review of any competent tribunal; nay, that not a shadow of a doubt may remain, that they were hostile to such a measure, I beg to draw the attention of the arbitrators to a very

doors of the
mate power;
et up in self-
? Was not
and founded
statements of
rly false, or
ced with Mr.
re how well
ll doubt, for
l, in his own
as *treason* to
-that it was
rnment, and
as their acts
ollowed their
tion and dis-
ack's circular
od, I shrink
geous and in-
the whole
le, altogether
elf not been
anner of its
d the best of
they could
Mr. Black,
he notary, in
t, had it been
to co-operate
head of this
ey facetiously
r from their
Black and his
hole credit of
eir authority
appear from
rd of March.
he church and
these evils is
whom we cor-
ance, a Pres-
nce to have a
assembled in
doubtful, that
ve the matter
ay, that not
tile to such a
tors to a very

remarkable document, entitled a protest,* signed by a certain number of the proprietors, who call themselves a majority of the whole. This paper breathes a spirit, most perfectly in unison with the past and present conduct of my accusers, whose professions and practice so often not only widely diverge from one another, but seem to run in opposite directions. To read this report, which is subscribed with the names of Messrs. Armour, Mackenzie, and Carsuell, three out of the four of Mr. Black's elders, and then to turn and mark the same signatures, not two months afterwards, attached to the representation to the synod, affords a specimen, though curious not rare, of their consistency. But these gentlemen are so fertile in resources, and so full of stratagems, that they are never nonplussed by any sudden emergency; and as they do not apparently affect the praise of consistency, either in principle or action, they are less restrained and fettered than better men would be, as will forthwith further appear in the sequel. For those gentlemen, who, prior to the formation of church judicatories, in the month of June last, had expressly and repeatedly assumed to themselves the whole glory of shutting the church and of keeping it shut, now all of a sudden make the unexpected discovery, that they were utterly mistaken; that the power, in the exercise of which they of late gloried so much, was not theirs *but in fancy*; that they were merely machines or instruments in the hands of the proprietors, who recommended, in the first instance, but commanded in the next, and started up, very abruptly, from the humble posture of respectful petitioners of the Session, into the proud attitude of imperious and despotic masters. This is indeed a very different aspect of things from that exhibited in 1829 and 1830, when the majority of the Session grasped, or fain would have grasped, the double sceptre of temporal and spiritual dominion, and were labouring to annihilate the rights of the proprietors, in order to establish the strange anomaly of a presbyterian popedom. And now mark the sad reverse.—“*Eheu, quantum mutatus!*”—verily the sceptre is departed from Judah! And our temporal proprietors have erected themselves into the Lords *temporal* and *spiritual* of the congregation! Well, let us suppose that all this is true—the plain and simple truth! still another objection here arises. What shall we say to the fact, that these proprietors themselves have professed to recognise the sole right and power of shutting the church, as vested in Mr. Black and his elders, or the majority of the Session; and have elaborately proved the truth of their doctrine in the syllogism with which the protest opens?† Say, how are we lost in such a maze, and bewildered in this perplexing intricacy of the politics of St. Gabriel Street Church? It is a labyrinth through which no clue will guide us; an enigma which Œdipus himself could not solve; I abandon it in despair. Perhaps we are to understand that, though Mr. Black and his elders still enjoy that power, which the proprietors of their

* See printed Papers, No. 150.

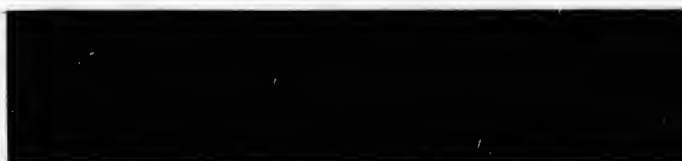
† See printed Papers, No. 150.

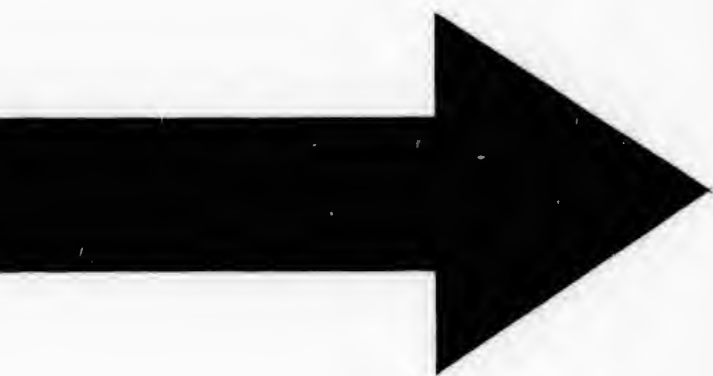
party have thus distinctly recognised as residing in them, and which they themselves, in one instance at least, have exercised, if not wisely and well at least boldly; but, peradventure, these gentlemen, though in fact possessing the power, do not like to exercise it in any other way than that which their party recommend and approve. They are like the weather cock, on the top of the steeple, they move just as the wind blows, with the *aura popularis*. This is a very goodly system of church government, no doubt; how far it may be compatible with due obedience to our ecclesiastical judicatories, is another question. Mr. Black at this rate will deal with our synods and presbyteries, just as he proposed to do with me, when the question which of us should retire from the church was agitated, "*he will do so, provided the congregation approve of it*;" how far such conditional obedience will satisfy these judicatories is a thing which cannot be hidden from Mr. Black, and which of these authorities he purposes, in the last resort, to recognise and to obey, as the supreme one, is what I am unable to foresee, but I *guess* and *fear*. The manner, in which he and his party have treated the recommendations; first of the synod, and secondly of the presbytery, but ill accords with their professions of deference to their opinion, or submission to their authority; judging from a very recent document, (No. 158 of their printed Papers) they seem much more in the humour of advising and directing their ecclesiastical superiors, than of either deferring to their wisdom, or submitting to their authority. For my part, I am no great admirer of people, who, in words, profess great deference and submission, but, in works, deny these professions; and, methinks, this last document, in which the proprietors, signing it, appear so respectfully disobedient to the synod's recommendation, and so modestly arrogating to themselves a wisdom superior to that venerable court, is as little calculated to deceive that body, as it is to flatter it. They must indeed be blind and credulous, if they allow themselves to be imposed upon by such inconsistent and contradictory professions, or fail to detect the system of intrigue, chicanery, and double dealing, with which, in the present case, they have to do. Theirs is no less arduous a task than to bind this modern Proteus—"Quo teneam nodo mutantem Protea formas." Vainly does my reverend confrere strive now to cloak from the eyes of his brethren, the spirit and designs, which he so lately exposed broadly to the view of all the world. Vainly does he, who lately commanded in the van, now skulk into the rear, and transfer to the proprietors the responsibility, which attaches wholly and exclusively to himself. "Truth is mighty and will prevail:" with his own hands he has removed the mask and betrayed, in the most unequivocal manner, the dissimulation and insincerity which he has so long practised in this business, to the view of all his brethren, composing the Presbytery of Quebec, at its late sitting in Montreal. For, on that occasion, when a petition very numerously signed in favour of the recommendation of the synod,

was la
and ha
it reje
expres
got up
party.
made a
presby
as an i
Black,
althoug
his han
had use
synod
trusted
contrad
conduc
find thi
present
of Scot
is juri
formed
churc
recogni
and con
the juri
in Scot
necessit
Presby
of mini
Compar
for the
sion of
of doub
—"hab
they be
"ambig
speech
of thoug
read co
Synod
church
fession
assembl
but, in
tion of

was laid upon the table of the presbytery, Mr. Black took it up, and having laboured in vain to find some flaw in it, in order to have it rejected, he broke out, inadvertently doubtless, into the following expressions:—"That, if he had known that such a petition had been got up, he could have produced a counter petition from his own party." This did not strike me particularly at the moment, but it made a deep impression on the minds of all my brethren in the presbytery, who afterwards drew my attention to it, considering it as an involuntary and unguarded admission, on the part of Mr. Black, of his actual hostility to the measure of opening the church, although he had, a few minutes before the said petition was put into his hands, declared, on behalf of himself and his elders, that they had used their best endeavours to have the recommendation of the synod carried into effect. When professions are so little to be trusted, nay, when they are so palpably and extremely opposite and contradictory to one another, let us judge them by their actions and conduct. If we turn to their protest of the 15th of April,* we find three of the elders, who signed along with Mr. Black the presentation to the synod, explicitly declaring—"that as the Church of Scotland, as established by law in Scotland, has not yet extended its jurisdiction to Canada, until this event, and until a Presbytery, formed in this country, can shew credentials of office from the parent church, or until a colonial presbytery shall have received the formal recognition of the church of St. Gabriel street, and until said church and congregation shall have placed themselves, in due form, under the jurisdiction of such a body, *"the Session of the church, as being in Scotland a judicatory next in grade to a Presbytery, must of necessity be the only ecclesiastical tribunal in a country where no Presbytery exists, and that any attempts of a self-constituted assembly of ministers, unrecognized as aforesaid, ought to and will be resisted."* Compare this language with the language of their conduct all along, for the space of these two years past, and say, which is the expression of their real views and sentiments; say, can there be a shadow of doubt that they answer to the description of the Roman historian—"habentes aliud in lingua, promptum, aliud in pectore clausum?" they belong to the race so aptly denominated by an ancient poet—"ambiguum gentem Tyriosque bilingues." It would seem that speech with them is not so much the *interpreter* as the *dissembler* of thought, and their most solemn professions are like dreams to be read contrarily. Mr. Black made a solemn profession before the Synod and Presbytery of the sincerity of his desire to have the church opened, and public worship re-established. A public profession thus given by a clergyman, in the presence of all his brethren assembled in ecclesiastical consistory, is not only a solemn pledge, but, in my view, differs in no respect from the sanctity and obligation of an oath; and I would here ask the arbitrators, whether,

* See printed Minutes, No. 150.





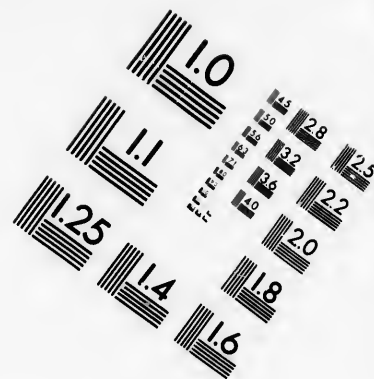
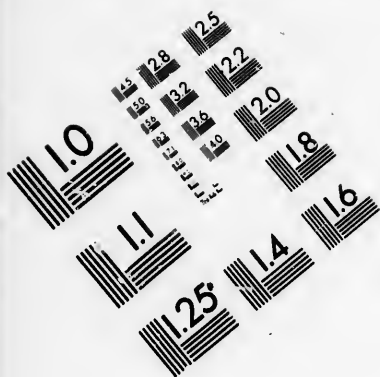
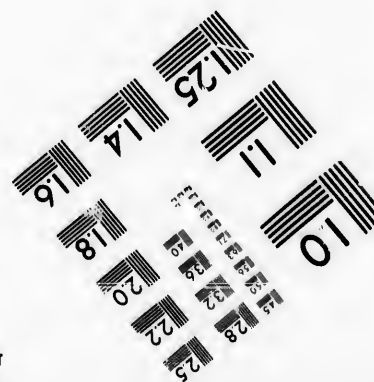
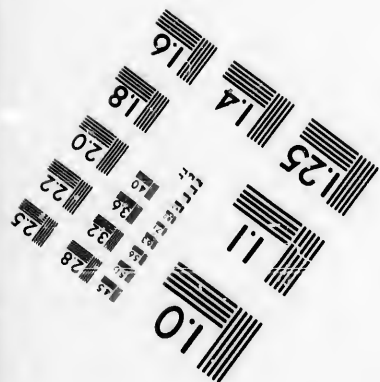
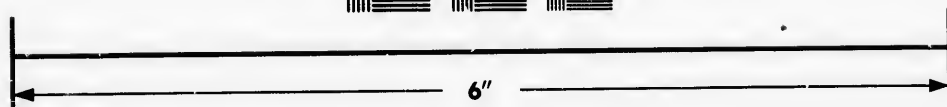
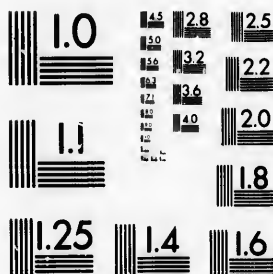


IMAGE EVALUATION TEST TARGET (MT-3)



Photographic
Sciences
Corporation

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



from a review of all the circumstances, it is not manifest that this solemn pledge has been wilfully violated, and the infamy of dissimulation and hypocrisy added to the guilt of perjury. Had Mr. Black and his party openly defied and boldly resisted the authority of our church courts, and avowed their intention to proceed to the achievement of their purpose, by force and violence, there would have been, if not less criminality, at least more of manliness in their conduct; if we could not have approved and honoured, we should not at least have despised and loathed him and his accomplices. The pretext, on which they now profess to ground their resolution of disobeying the joint voice of the Synod and Presbytery, is that no reliance can be placed on any pledge or promise of mine. I beg particularly to draw the attention of the arbitrators to the last document of their printed Minutes (No. 158) which will be found to be in perfect unison with all that preceded, as, if they had studiously in this as in every other point conformed to the rule of the drama—*“qualis ab initio processerit, talis ad inum.”* Throughout the whole of this extraordinary document, in every allegation which they hazard, they describe their own conduct to the life; and, in professing to delineate the character of the committee and its proceedings, they have struck out, unwittingly no doubt, the full and faithful image of their own. I appeal to the unquestionable evidence of these printed documents, their own self-recorded acts and proceedings, than which surely never was there an exhibition so monstrously ridiculous of profession at war with practice, and of language which is rarely if ever the interpreter of the heart; such a tissue of gross blunders, inconsistencies, contradictions, absurdities, &c. such a complication of stupidity, folly, and nonsense, as cannot be matched in the annals of the burlesque itself. Vainly shall we look in the lengthened course of their proceedings, in the lengthened records of a protracted period, crowded with a rapid succession of manifold details of events for *one refreshing scene of truth, candour, and fairness*; the *weary mind* is not *once refreshed*, in the midst of this *wide sterile and formless desert*, with even the rare prospect of *one solitary Oasis*, of one fountain or fresh shade.

One general remark I have to state, in conclusion, that the weapons employed in this warfare have been of such a nature, as to preclude the possibility of that prompt and speedy settlement of the difficulties which was so earnestly to be wished. Had the weapons employed been of an honourable kind, had my adversaries proceeded boldly and avowedly to the accomplishment of their purposes, without guile or dissimulation, the warfare would have been of short duration; but very different was their course, and only the gradual developement of their plans, with the progress of time, could disclose the secret springs that moved the whole machinery, and lay bare to the eyes of the most undiscerning, the drift of all their agitations. It is not their direct assaults, or their

open
misc
work
not
The
or be
intrig
parts
them
and
opini
confir
proof
length
dence
mach
menti
these
tions,
Dr. I
Black
to the
and p
as au
do not
passin
most p
They
as I h
They
deavo
profes
church
and o
by shu
recom
first, t
shew
which
all the
to exp
disclai
that n
combin
the ex
allow
admini
own la

open hostility that ever alarmed me, or could have done so much mischief; it is cunning, misrepresentation, undermining, and under-working, which have been their most formidable weapons. It is not *what I see* in their conduct that I fear, it is *what I do not see*. The extent and malignity of our malady could not have been known or believed, were it not that, in the progress of time and of their intrigues, they have been dragged into light, and the subsequent parts have removed the cloak which covered those that preceded them. I should have been pronounced, with some reason, a libeller and vilifier of my brethren, had I given expression to those opinions, which their overt acts and acknowledged writings now confirm beyond a doubt, furnishing me such ample abundance of proofs and examples as spare me the trouble and necessity of lengthened reasoning, laboured argument, or even of external evidence. The manifold and palpable proofs of their dark and insidious machinations will meet us at every step of our progress, in commenting upon their printed documents; there are two or three of these which, for the grossness and number of their misrepresentations, are entitled to particular notice; such as the Memorial to Dr. Lee, the representation to the Synod, the paper which Mr. Black styled his defence, his circular and other letters, in reference to the proposed ordination of elders. In these the most wanton and palpable misrepresentations occur, in almost every line; "thick as autumnal leaves that strew the brook in Vallambrosa." They do not avow their purposes, nor do we know from the present and passing scene, what may be expected to succeed; which for the most part indeed is something very different from what they profess: They propose a reference to Dr. Lee, and then withhold from me, as I have shewn, essential papers, and even criminatory documents. They profess zeal for religion, how do they manifest it? by endeavouring to obtain the suspension of public worship. They profess obedience and respect for the laws and authorities of our church, how do they evince it? by violating their vows of respect and obedience to their pastor; by insulting him and defying him, by shutting the doors of the church against him, by resisting the recommendation of both Synod and Presbytery. They profess, at first, to have a tender regard for my reputation and welfare; they shew it by unwarrantably instituting an inquiry, the grounds of which they durst not submit to my inspection, while, in this and in all their subsequent acts, they labour, with all zeal and perseverance, to expose me, in the uttermost degree, to public scandal. They disclaim all power to try me; they, nevertheless, condemn me, and that no doubt may be left of the end proposed, they proceed to combine all the members of the congregation with themselves, in the execution of that sentence of condemnation. They cannot allow me, while my character lies under their imputations, to administer the sacrament; but they—they are not amenable to their own laws; with worse imputations affixed to their character, they

have lately dispensed, without scruple, that holy ordinance in a neighbouring settlement.* Read Mr. Black's letters to me in 1825, with the recommendation, originating with him and his friends of the committee, and if you doubt that all this is as false in reality as it is fair in seeming and profession, look to the proceedings emanating from the same source, and conducted under the same auspices, at the general meeting in January, 1827. Read Mr. Black's letter to me of the 31st of January, and the 2nd of September, and compare them with the tenor of some subsequent letters, and especially with that infallible test of all professions, his subsequent actions, and you will see the words of the Psalmist actually verified—"The words of his mouth were smoother than butter, but war was in his heart: his words were softer than oil, yet were they drawn swords." View his conduct from beginning to end. He first tries stratagem and guile. He does not shew himself above board, all is done by innuendos, the shake portentous of the head, the burst involuntary of fraternal sorrow, of pious regret, the anxious wish expressed, that I should put a stop to the rumours; put out the conflagration, after he had cherished the spark and watched its progress, and forbade its extinction; after he had blown it into flame, by his emissaries, then at last he finds a voice, a tongue, to call upon me to extinguish it. How pregnant are the proofs of all this in his letters; in his own admissions, in the testimonies wrung from his partizans, in the prevarication, falsehood, and dissimulation used to veil and to cloak their secret purposes. Finding that this would not work, that he must come forward in a more open and decisive manner to push his plot, he assumes a new character, and proposes to act under the guise of self-vindication. But, mark well; how this mask or visor will not sit steadily, and drops off in the end, exposing all the naked deformity of his selfish and sordid soul! Was it, in self-vindication, necessary to withhold from me the accusations and evidence, which had been gathered up in the dark? Was it necessary, or was it decorous, that he should preside in a court, who sought even his own vindication? Was it fair or manly to condemn me absent, unheard, ignorant even of the accusations against me? Was it the spirit of self-vindication, that interdicted me from a fair and patient hearing, that took down evidence so partially, concentrating all the malignity of slander, and turning a deaf ear to every exculpatory circumstance? Was it necessary, for Mr. Black's vindication, to overthrow the constitution of our church, to muster popular meetings illegally, to create confusion and anarchy? Was it for this purpose that Mr. Black endeavoured to suspend the public services of church, and finally to shut its doors, not only against me, but against a whole congregation, and in defiance of the recommendations of the Synod and Presbytery, and the indignant reprehension of all good men; to

* See Appendix.

keep the
in an ut
can end
divine a
zeal for
To hear
religion
pretend
all the i
that eve
dangero
blushing
mortific
these atr
to me, t
to the vi
which ha
ally men
cated, or
have dec
will now
done, is,
partial a
on the m
in impres
necessity
may be in
with the
be added,
which ha
unfortun
Church, d
and saluta
but of ev
of the nec
of the un
regular ju
enforceme
frankly a
feelings, c
the spirit
prompted
onwards i
bold to af
my ultim
notwithsta
body of th
prehension

keep these doors shut, while a multitude of people are thereby left in an utter destitution of religious privileges and ordinances? Who can endure with patience, that such atrocious violation of all laws, divine and human, should cloak itself under an impious pretext of zeal for the purity of the church, and the preservation of order? To hear such language from such lips, is abomination. No wonder religion is wounded in her very vitals by such false and hypocritical pretenders! They are her most dangerous and fatal adversaries; all the infidelity in the world, and all the open and avowed impiety that ever shocked the senses of the decent or the devout, are less dangerous, less detestable by many degrees, than such foul and unblushing hypocrisy as I now denounce. But while I feel all the mortification of the unhappy situation, to which we are reduced by these atrocious proceedings, one thing is matter of congratulation to me, that the root of the evil is now laid bare, and fully exposed to the view of all the world. The elements of strife and mischief which have so long agitated our church, and like a volcano continually menaced eruption, are now, I trust, finally and for ever eradicated, or have spent their fury and become impotent. They who have deceived so long, and so long plotted, will deceive no longer, will now plot in vain. And while the mischief which they have done, is, I fain would hope, not altogether irreparable, at least is partial and temporary; the influence which these disputes have had on the minds of some of the leading ministers of the parent church, in impressing upon them the conviction of the immediate and urgent necessity for the establishment of church judicatories amongst us, may be inferred from the whole strain of Dr. Lee's letter, compared with the memorial of the elders to which he alludes. To this may be added, that it is impossible to conceive, that the mighty evils, which have thus arisen out of a state of anarchy, so strikingly but unfortunately for us exemplified in the history of St. Gabriel Street Church, during the last eight or nine years, shall not leave a lasting and salutary impression on the minds not only of her own members, but of every congregation in the country, of the importance, nay, of the necessity of a strict adherence to the law of our church, and of the unspeakable advantages, connected with the establishment of regular judicatories for the exercise of church government and the enforcement of church discipline. But while I cannot forbear thus frankly and undisguisedly to express my honest opinions and feelings, on the character and course of their proceedings, and on the spirit of dark, deadly, and unrelenting malignity, which has prompted and impelled their authors and actors, precipitating them onwards in a career, of which, strange as it may appear, I make bold to affirm, that it would scarcely receive any alleviation from my ultimate conviction and condemnation, were that possible; notwithstanding all this, I am prepared to admit that the great body of the inferior partizans acted under the influence of misapprehension, and most frequently of misrepresentation, as gross as it

was wilful. I am willing also to believe that, in some instances, where this palliation is not applicable, the individuals were hurried on by the impetuous frenzy and violence of party spirit, until they had advanced beyond the possibility of retreat, until they felt that, unless they could utterly destroy me, they themselves must be overwhelmed with ignominy; but even that *success* which so often, in the eyes of a misjudging world, gilds or sanctifies the worst of causes, has hitherto been denied to them, and they have only by their perseverance aggravated their own guilt and shame! I pity the ignorant or misguided individuals, who—trusting thus implicitly in him, who should have pointed their way to a very different end, and employed his influence for a very different purpose; and instead of striving to arouse and enflame the furies of passion and party spirit, should, on the other hand, have exerted himself to restrain and compress them, have fallen into the grasp of the violated laws of their country, and must abide the consequences. Their offence is light, is trifling, when weighed in the balance against that of him “whose is the head and front of this offending,” the author, the instigator, at once the main spring, and the almost avowed leader and director of the whole. “It must needs be that offences come, but woe to that man by whom the offence cometh.” Yet even to him I would wish, that the experience of the past may not be unavailing, that his mind may be duly impressed with a sense of the mighty evils which he has wrought, and that his future life and conduct may afford some atonement for the wounds which he has inflicted on his church, and on the cause of religion generally.

If I may be thought to have employed, in the course of this statement, language too vehement, or unbecoming the meekness of a Christian man, and still more of a Christian minister, it may be some extenuation of the fault, to remember that the wrongs, of which I complain, are of no common enormity. With reverence I appeal to the language of him, who “was the meek and the lowly in heart,” to prove that hypocrisy, when it is made the cover of unholy and malignant passion, is a proper object of a generous scorn and indignant reproof; and that our moral feelings not only warrant, but dictate, in such a case, a tone of severity, which, I hope, is not incompatible with a temper of forgiveness, with a spirit of patience, of pity, and of placability. I am not conscious of any malevolence or revenge in the sentiments, as I deem them of just resentment and indignation, with which the conduct and proceedings of my accusers inspire me; and, I hope, for their own sakes, that they will not so soon forget or so easily forgive themselves for the wrongs which they have done me, as I am sure I shall forget and forgive. And, to conclude, while I feel all the extent of the evils which have been permitted to fall upon my head, and so long to agitate and afflict our church, I would bow to the decree of Divine Providence, with humble acknowledgement, that, however guiltless

of the
sight o
past lif
sacred
for we
seal my
with ai
trespass
would
distract
“make
and the
and let
with th
Let thy
children
establish
hand, es

of the charges now alleged against me, I am conscious in the sight of my Maker, of too many errors and short comings in my past life, not to feel myself called upon to adopt the words of the sacred Scripture—"Righteous art thou, O Lord, in thy judgments, for we have sinned against thee." I would, therefore, most humbly seal my lips in silent submissive resignation before God, praying with all sincerity and fervency of spirit—Father, forgive me my trespasses, even as I forgive them who trespass against me; and I would earnestly pray, that he may speedily restore peace to our distracted church, that he would build again the walls of our Zion, "make us glad according to the days wherein thou hast afflicted us, and the years wherein we have seen evil. Return, O Lord, how long and let it repent thee concerning thy servants; O, satisfy us early with thy mercy, that we may rejoice and be glad all our days. Let thy work appear unto thy servants, and thy glory unto their children; and let the beauty of the Lord our God be upon us, and establish the works of our hands upon us; yea, the work of our hand, establish thou it." Amen; yea, and Amen!

ST

AND A

GENTLE

In coming
conduct and
your proce
among you
to preface
ence, or su
or in any de
Roman C
Judges ;
wrong done
ately and m
a Tribunal
protect me
that I spea
all importan
ger of suc
avoided ;
church, but
too much of
six years.
be speedily
think that I
tance, you
grounds of
vehement,
injured me,
in the singul

APPENDIX,

No. 1.

STATEMENT READ BEFORE THE SESSION,

On the 29th December 1829,

AND AFTERWARDS TRANSMITTED TO DR. LEE.

GENTLEMEN,

IN coming forward to offer my remarks on the late inquiry into my conduct and character, as a Minister of this Church, and the result of your proceedings, so far as they have gone, it is due to my own station among you, to my character and rights, as a man and a Clergyman, to preface what I have now to say, with my protest, against any inference, or supposition of my recognizing your authority, in any shape, or in any degree, or the right and justice of your proceedings. "I am a Roman Citizen" was the language of an apostle, to his would be Judges ; and I cannot but declare to you my sense of the grievous wrong done me, in having my whole life and character, thus precipitately and most unwarrantably subjected to a merciless scrutiny, before a Tribunal altogether impotent to do me justice, to elicit truth, or to protect me against calumny and slander. Be not offended, Gentlemen, that I speak out frankly my opinion of your late proceedings ; it is all important to all of us and to this church that the evil and the danger of such a course be well understood, that it may be hereafter avoided ; for, certainly, not only the peace and prosperity of our church, but its existence is in danger. And God knows, we have had too much of these agitations both external and internal, during the last six years. A few more, and, in my view, there is no doubt we shall be speedily disorganized, as a religious community in this city. As I think that I have been much injured and abused, in the present instance, you will, I presume, grant me a patient hearing while I state the grounds of this opinion ; and tho' my language may be strong and vehement, I am not conscious of any feeling towards those who have injured me, but that of pity and mortification....I now stand before you, in the singular, and, as I believe, unprecedented situation of a minister

A

of this church, accused by his own colleague, upon Evidence, derived originally from a clandestine inquisition, instituted by that colleague, and his friends without my knowledge ; and after it was brought to a conclusion, refused to be submitted to my inspection, and every opportunity denied me of knowing my accusers, of proving the groundlessness of the charges ; and thereby preventing the notoriety and the scandal, which always attach and must attach to a minister of Religion, when a formal inquiry is instituted into his character and conduct ; since it obviously implies, that there is reasonable ground of suspicion against him....It would have been but common justice to me, before a single step was adopted towards instituting a formal inquiry, to have acquainted me with the allegations against me, and also the allegers, and thus to have afforded me an opportunity of shewing, if it were possible, that there was not sufficient ground to warrant even the instituting of an inquiry. I surely do not arrogate too much to myself, when I state, that this was due to me, as your clergyman, and, indeed, would have been due to any member of session, tho' not a clergyman.... In this respect, therefore, a palpable and grievous wrong was done me ; but I am prepared to prove that, whatever may have been the subsequent conduct of the session in this inquiry, the very member, Mr. Porteous, who made the original motion, expressly avowed the intention of the inquiry to be, that, if the rumours abroad were well founded, I should cease to be a minister of the church ; and I had every reason to conclude that the session, when they adopted this motion, entered into his views in this respect. This intention avowed by Mr. Porteous, was evidently in unison, with that of the moderator, Mr. Black, if words have any meaning ; for in answer to an objection, alleged by some one, that Mr. Black would act in the capacity of accuser, judge and jury, he [Mr. B.] stated, that he knew instances of Presbyteries, who had stood in the same situation, in regard to the accused, as himself ; in reference to which some one observed very pertinently that, as my successor in office he would be a gainer by my fall or ejection which made a vast difference---Under these circumstances, and on the grounds, which have been partly stated in my protest, I hold, that it would have been the height of folly and madness, to have committed my cause to such a court, or even submitted to an inquiry, brought forward under such auspices, and conducted with such an extreme want, not only of delicacy, but of common sense or common decency. If any thing were wanting, to justify my protest against the mode of proceeding, it would be the result---the finale---upon allegations against me, brought forward by a colleague, who would rise by my fall, and which were refused to me, tho' I challenged him to allow me to touch them with my little finger, and upon evidence, which it was impossible for me to know either as to its substance, or its authors, my inquisitors, or my judges, by whatever name they are to be called, thought themselves warranted incontinenter to adopt the following resolutions, Viz :

Resolved 1stly, That it appears to the committee of session from the evidence given before it [evidence which Mr. Esson has not seen

fit to rebu
which the
has demer
acter, tha
tend to ca
own usefu

Resolv
cannot [u
thereby m
Rev'd. He
that of dis

Resolv
Black for
ourable to
be totally

[A

Resolv
tion before
Esson, wh
more than
church---a
acknowled
duties of

[Ado

Resolv
nish, as s
the foregoi

(Signed,)

On what
defend this
I will give
progress an

fit to rebut, by personally attending the meetings of said committee which the committee humbly conceive it was his duty to do] that he has demeaned himself in a manner unbecoming the ministerial character, that he has been guilty of moral lapses, which by their notoriety, tend to cast odium on the church and congregation, and to destroy his own usefulness, as a religious teacher.

[Adopted unanimously.]

Resolved 2ndly, That the members of this committee of session cannot [until the testimony be shown to be false and the impression thereby made on the minds of said members be removed] assist the Revd. Henry Esson in any of his ministerial functions, particularly in that of dispensing the Sacrament of the Lord's Supper.

[Adopted unanimously.]

Resolved 3rdly, That the imputations cast on the Revd. Edward Black for having been the originator and propagator of rumours unfavourable to the character of the Revd. Henry Esson, appear to us to be totally unfounded.

[Adopted unanimously by the elders of the Committee.]

Resolved 4thly, That the Revd. Edward Black, in laying information before the session, relative to the conduct of the Revd. Henry Esson, which had been previously communicated to him, has done no more than what was his bounden duty to do as a minister of the church--and that far from incurring reproaches by it, he merits the acknowledgements of the congregation for a faithful discharge of the duties of his office.

[Adopted unanimously by the lay elders of the Committee.]

Resolved 5thly, That Mr. Mackenzie the clerk of session do furnish, as soon as practicable, the Revd. Henry Esson with a copy of the foregoing minutes.

(Adopted unanimously.)

(Signed,)

THOMAS PORTEOUS,
ROBERT ARMOUR,
JAMES CARSUILL,
HENRY MACKENZIE,

(Signed,)

PHILIP ROSS,
Chairman of Com-
mittee,
EDWARD BLACK.

On what principles of common sense or common justice, they can defend this proceeding, it is impossible for me to divine. ONE PRAISE I will give, and it is all I can afford them, that the commencement, progress and conclusion of their proceedings possess the merit of the

most perfect consistency. Here not only is the originator or at least propagator of the charges, or whatever he may be styled (I will not dispute about names) vindicated, approved and lauded, but my elders, to the number of five, along with my colleague, come to the unanimous resolution of refusing to act with me, and all this before I had heard the accusations, or the evidence, or known my accusers. This needs no comment. Having thus accused, tried, and condemned me, they call upon me, for my defence. I would here seriously demand: did they consider how unfair to me such treatment was? what impressions to my disadvantage must be made, when their resolutions should go forth to the public, and in how unfavourable a situation it would place me, in coming forward to vindicate my character under circumstances, which had allowed the accusations to settle in the minds of men, to spread through the community, and to remain, as could not but inevitably happen, several days at least unconfuted, until I was prepared to enter upon my defence? After having stated thus much, in reference to the circumstances, in which I am now placed, by the mode in which I have been proceeded against, I have no hesitation to say, at the same time, that I am fully convinced, that there were some members of the session, who meant me no wrong, and were utterly incapable of doing ought, that was not, in their view, fair and just; to them I am far from imputing the intention of wronging me, whatever may have been the actual result. The charges against me, which I now proceed to consider, resolve themselves into the following heads. 1st I am accused of frequenting improper places, 2ly and it is not the least formidable charge, I am accused of drunkenness, 3ly of an attempt to entice from Mr. Black's employment Mr. Howden; a charge far more heinous than any of the former, is not adduced; it retains its place among the clandestine and anonymous scandals, which my revd. colleague has been gathering with so much industry, until a more favourable season for its production, should that ever arrive; I will take leave to say in your presence, Gentlemen, and I beg you will remember it, that if it has not been adduced now, it is from a consciousness that it cannot, in any measure, bear the light, and I dare and challenge its possessor and its authors to produce it now, or to be silent hereafter for ever. If these anonymous slanders are, hereafter, shewn underboard to the members of this session, or to any of my brother clergymen, there will be no difficulty in interpreting the spirit and intention of such doings; what I now say, I take you all to witness. These charges, I am now to meet, by producing such evidence, as in the shortness of time, I may have been able to avail myself of.

The first evidence, that I shall examine, is that of John Whitelaw, a respectable member of this congregation, it is to the following effect; [See Appendix No.] and now, Gentlemen, I will suppose that this evidence is truth unqualified incontrovertible---nay, Gentlemen, I will go farther, and allow you to suppose that I was so overcome with wine, as to be incapable to stand or to officiate, what opinion are you to form of the spirit and conduct of a brother clergyman who, without a full assurance that this was my habitual course of life, without assurance

that
my g
with
at a
me, s
to ad
he en
come
this e
ing in
marry
been
self o
to drin
affida
and w
next p
I will
my re
to suc
he is l
no hes
brandy
escape
ion, w
Gentle
this ev
ory, in
on or
was ca
marria
not fin
in Sain
promis
about t
house.
I was c
the onl
After d
and fou
Whitel
they wi
with;
and tha
When t
when t
an hour
be abou
I was tr

that this was not an unfortunate accident, at variance it may be with my general habits, would go, without any previous communication with me, to the house of Mr. Whitelaw, have the indelicacy to enquire at a member of my congregation, into a report calculated to discredit me, and to hurt my usefulness, and had it been a fact, little calculated to advance his own credit or usefulness ; having made this enquiry, he employs his influence, as a clergyman, to induce Mr. Whitelaw to come before the session, a day or two after, to give a declaration to this effect. Suppose, Gentlemen, I were to make myself busy in prying into my colleague's life and conversation, to ascertain, in the same manner and by the same means, he has done, every occasion he had been drinking wine with a merry heart, suppose I were to inform myself of the various occasions, in which my revd. brother has been seen to drink his wine or his brandy pretty freely, take declarations and affidavits from such persons to that effect, get a session constituted, and with their sanction and seal annexed to them, submit them in the next place to all the members of this congregation for their edification, I will be bold to say, that in however awkward a light it might place my revd. colleague, no reprehension would be too severe to be applied to such conduct on my part ; and let not my colleague suppose, that he is less open or less vulnerable in that point than I am ; for I have no hesitation to tell him in your presence, that he has drunk more brandy in the course of his life than I have drunk wine, and, if he has escaped intoxication, he owes it less to abstinence than to a constitution, which appears to be unsusceptible of excitement. This is not all, Gentlemen, you would naturally suppose, from the manner in which this evidence is worded, that I had been culpably negligent or dilatory, in the performance of my official duty, on this occasion. " That on or about the eleventh day of august last the revd. Henry Esson was called upon, by two individuals, to solemnise the ceremony of marriage, at his (Mr. Whitelaw's) house ; that the said two individuals, not finding Mr. Esson at home, went to Mr. William Peddie's house, in Saint Paul's street, where they found him ; that he (Mr. Esson) promised to perform the ceremony, in the course of an hour ; 'nat about ten o'clock of that evening, he appeared at his (Mr. Whitelaw's) house." Now, Gentlemen, the facts are these ; on the day referred to, I was dining at Mr. Peddie's, with my friend the revd. Mr. Urquhart ; the only other guests were Mr. Shaw and Mr. Aldport of New-York. After dinner I was called out of the room, by Mr. Peddie's servant, and found two men at the door, who requested me to attend at Mr. Whitelaw's, that evening, to solemnize a marriage. I asked them, if they wished me to go with them, that if so, I would attend them forthwith ; they said, no ; that they were not prepared for my reception, and that, if I were with them by ten o'clock, it would not be too late. When they returned to Mr. Whitelaw's, he states that he asked them, when the minister promised to be there ; they said in the " course of an hour" ; when Mr. Whitelaw, looking at his watch, said, that would be about ten o'clock ; he further states, that it was his impression, that I was true to my appointment, and thinks there could not be ten min-

tes difference on one side or other ; my own impression is that I left Mr. Peddie's a little after nine o'clock, in which Mr. Shaw concurs with me, and consequently I was at Mr. Whitelaw's between nine and ten o'clock, and if I might trust my own impressions, I should certainly say, twenty minutes before ten. The thing is of the slightest importance in itself, and I have been thus particular in stating it, only to afford you a specimen of the accuracy and fairness, with which the evidence has been taken down. The manner in which the evidence has been recorded, is only matched by the means and manner, in which it was procured. Now, Gentlemen, to come to the substance of this evidence ; I dined that day, with the gentlemen mentioned above, whose evidence may be procured in due time. This I will say, that I am confident I had not drunk to excess, that I left the party an hour before any other of the guests, even my revd. brother (Mr. Urquhart,) that without aid, I went to Mr. Whitelaw's, ascended a stair, which may be regarded as a tolerably good ordeal of sobriety, conversed freely with the people, and have still a distinct recollection of that conversation and of all that passed ; performed the ceremony of marriage, registered it, descended the same stairs that I had ascended and returned home ; and from that day to this no member of my household can say, that they ever found or suspected me to be in a state of intoxication, and, in fact, Mr. Whitelaw declares, he thought nothing of the circumstance ; that it left no unfavourable impression upon his mind ; that he was dragged forward, much against his own feeling, to give this declaration, that many facts, which he states, calculated to extenuate the force of his testimony, were stated to the session but not taken down by the secretary. If such proceedings as these are tolerated, there is an end of society, and no man's reputation is safe ; if this is a specimen of the spirit and proceedings of church courts, they will be, I hesitate not to say, a nuisance and would be a most proper subject for the presentment of a grand jury. I would be glad to know, Gentlemen, and, strong as the language is, you must admit, that it is not too strong, wherein this self constituted judicatory differs, in the character of its proceedings, from an inquisition.

I now come to the evidence of Mr. Bruce. This gentleman, in broad day light, at 3 o'clock in the afternoon, about the beginning of august last, testifies that he met me, and to shew that he is fearless of detection, truly states that there was a third person with me and that from my visage, language, gesture, and whole deportment not only he, but his whole family, concluded that I was intoxicated ; and so strongly was he impressed with this conviction, that he seriously and solemnly assigns it as a reason for not coming forward to the communion table. This charge is brought forward, at the distance of nearly five months—suppose, what must often happen, in such a case, that I had been alone, and without any other witness of this scene, that I had forgot the circumstances of time and place, and the actual state, in which I was that day, and had been able to produce no one to vouch for my perfect sobriety, or suppose that Mr. Bruce had substituted a charge of fornication instead of drunkenness, and it is easy to suppose

it, say
in col
ute ;
depor
with h
I now
eviden
observ
sincer
to the
and a
bar, if
the me
the ev
accuse
cannot
conduc
The re
labour
expenc
tain, in
my sob
august
that ex
the occ
be wha
On M
strong
was bor
as his s
the per
which h
duty, to
of his in
eness,
act, I v
greater
to which
heedless
with tha
aical sc
table, a
dards of
that do
derstand
the hum
the chari
bour, are
take my

it, say that he had seen me, on or near the road, when he was passing, in company with a woman, whom he believed or knew to be a prostitute ; that he inferred from my visage, language, gesture and whole deportment, my personal identity, and that his whole family coincided with him, in his observations and inferences ; in what situation should I now stand before you, arraigned by such a respectable witness, whose evidence was corroborated, by that of his WHOLE FAMILY, and whose observations had been made during the broad light of day, and whose sincerity was subsequently proved by his abstaining from all approach to the communion table. Innocence would have here pleaded in vain, and a life of purity and sobriety would not have protected me at your bar, if I had been so mad as to sit myself there, and place myself at the mercy of your justice, committing my character and livelihood to the event of your resolutions. I shall not, Gentlemen, in this case, accuse Mr. Bruce of wilful or malicious mistatement ; or perjury I cannot convict him ; if I would, and if I could, I hold him and his conduct, in too much disdain, to avail myself of the power of revenge. The real fact is, that instead of a redundancy of artificial spirits, I was labouring under an exhaustion of animal spirits, and had gone to the expence of hiring a horse and calesh, to take a ride round the mountain, in company with my friend Mr. Isdell, who will bear testimony to my sobriety, and that, since he entered my house, at the beginning of august, he has never seen me, either drinking to excess, or in a state that excited in his mind the least suspicion of inebriety ; and that, on the occasion referred to, to the best of his observation, I seemed to be what they call flat, rather than in a state of excitement.

On Mr. Bruce's conduct, I will hazard this remark, that however strong the impression on his mind might be, that I was intoxicated, he was bound, and I wonder how a conscience, so scrupulous and tender, as his seems to be, on some points, could have suffered him to omit the performance of this duty to his clergyman and to his church, in which he professes to have so great an interest—he was bound, I say, in duty, to come to me, in order to obtain the confirmation or confutation of his impressions ; and, much as I abhor and loathe the sin of drunkenness, even when it is not habitual, even when it is a single solitary act, I will say, that my moral feelings lead me to regard, even with greater abhorrence, the bearing of false witness against our neighbour, to which Mr. Bruce must permit me to say, that rash, negligent and heedless accusations are nearly allied. I have no sympathy, Gentlemen, with that affected or over strained delicacy of conscience, that pharisaical scrupulosity, which forbids a man to approach a communion table, and partake of an ordinance, of which the authorised standards of our church declare, that the virtue is not in him or them that do administer them, but in the worthy receiving. If I understand aught of the spirit and genius of christianity, I hold that the humility, which teaches a man to think lowly of himself, and the charity, which thinketh no evil, which worketh no evil to our neighbour, are its most essential elements ; and rather, Gentlemen, would I take my place by the side of the humble peasant, who stood afar off,

and would not so much, as lift up his eyes to heaven, but smote upon his breast and said, "God be merciful to me a sinner" than by the side of those Scribes and Pharisees (and that there are some in our day, who inherit their spirit will not be disputed) who thank God, that they are not as other men are, who say to their brethren; who are more humble and, I may add, often less wicked than themselves. "Depart from us, for we are holier than you"—If I could persuade myself, if the spirit of our religion permitted me to believe, that there are members of this church, so pure and unspotted in their heart and life, that they were deterred from approaching the communion table, merely by scruples, founded on vague rumours, affecting the character of their minister, and if I could give them credit for sincerity, humility, and charity; who, after a diligent scrutiny of their own hearts and lives, ere they eat of that bread and drink of that cup, feel no hindrance, no scruple, arising from this source, and only find it, on turning their eyes towards me, and rest their objections upon no more solid grounds, than suspicions or rumours; could I believe, that we possessed men of such purity in our congregation, I might well congratulate the church upon the possession of such rare excellence. But this, Gentlemen, were grossly to impose upon ourselves; who is there amongst us, who if he be as severe in judging himself, as in judging his neighbour, will not find matter of the profoundest humiliation, and, absorbed in the consciousness of his own demerits before God, will forget that there is on earth a greater sinner or a more unworthy disciple than himself; let such persons dive a little deeper into their own hearts, before they presume to judge others, peradventure they may at last succeed in discovering that, at the bottom of this seemingly pious scrupulosity, there lurks some root of bitterness, some latent seed of selfish jealousy, envy and rivalry. Let Mr. Bruce once more listen (if it should be for the last time) to my admonition, take good heed to purge himself and his family from all malice, guile, and evil speaking, and to go through a long and severe lustration of penitence, fasting and prayer, before he again presumes to partake of that ordinance, which is the badge of christian humility, charity, and brotherly love, and let him be well assured, that it is better, far better, to overlook the sins and errors of others than one's own, and that the least approach to uncharitableness and calumny, is the greatest possible disqualification for the act of communion, and most repugnant to the temper and spirit which become an humble, meek, and unfeigned christian.

So far the evidence, with which I have to deal, is specific and perfectly tangible. I can meet it, I can take it into my grasp. In the subsequent part of the evidence, no dates are specified, they are all vague and general allegations, that, some time or other, in the course of five or six months, from the end of June to the date of the declarations, I had been seen, in improper places, in improper company. Though my revd. colleague was apprised of these rumours, so early as the beginning of July, he has delayed preferring his charges, until the end of November, and, unless I could retrace every hour of every day, within the space of time, to which these vague charges apply, it would be im-

possibil
son,
are, I
GRASS
no'dat
ing the
been s
absent
with th
nois;
keeper
absenc
my ser
places,
ber of
in this
suspici
roborat
presum
comme
the cou
to me,
on the l
the pres
that it c
Mr Ho
evening
revd M
shank to
about te
my com
state my
tioning d
to a test
strong g
and Wils
thro' the
might fir
least tam
my gener
that I ha
whole ter
ries, in a
accusatio
measures
until my
to the fat
general
ence of th

possible for me, decidedly, to confute these charges, for the plain reason, that I cannot meet them (for vague rumours and vague charges are, like the air drawn DAGGER OF DEATH, THEY ELUDE OUR GRASP.) I will however oppose to these general accusations, wherein no date is specified, the testimony of my whole house-hold, that, during the period of time, to which these accusations apply, I have never been seen by them, in a state of intoxication; that I have never been absent from my house, one whole night, since the month of May last, with the exception of a visit, which I paid to Mr. Brown at Beauharnois; that I am never out late, without my servant man and house-keeper being aware of where I am, and that, when on occasion of my absence from home, any one calls at my house desirous to see me, my servant has, by my directions, been in the habit of going to the places, where I visit, where he always finds me, and I defy any member of my household to say, that I ever was known to deceive them, in this respect; that my habits are so regular and orderly, that no suspicion of this kind has ever arisen in their minds; as a strong corroboration of the testimony of my household, and a no less strong presumption of the falsehood of these accusations, on which I am now commenting, I would, particularly, call your attention to this fact; in the course of my own investigation of these rumours, it was stated to me, by Mr. Howden, that I had been seen, in an improper place, on the last Friday of June, this statement I made Mr. Howden write in the presence of Mr. John Blackwood, and certify it, I have no doubt, that it came from Mr. Cheney, and that he is the person referred to in Mr. Howden's certificate. Now, I am ready to prove, that I spent the evening of that day with my friend Mr. A. Shaw, in company with the revd Mr. Cruikshank, of Bytown, that I walked home with Mr. Cruikshank to his residence, at Mr. John Mackenzie's, that I parted from him, about ten o'clock, and my servant man states his distinct recollection of my coming home, shortly after ten o'clock. I have no hesitation to state my belief, that my accusers have abstained designedly from mentioning dates, under the apprehension that it might expose their evidence to a test, which it was ill fitted to endure; and I do not speak, without strong grounds, when I declare my suspicions that Messrs. Howden and Wilson were in constant communication with Mr. Black, and that, thro' their means, he (Mr. Black) was feeling or trying, where he might find some point, on which to establish charges, that might be least tangible by me. To these accusations I oppose the strength of my general character, which has been known, for upwards of 12 years, that I have resided in Montreal. I appeal for my vindication to the whole tenor of my past life, and I am bold to say, that, if my adversaries, in any measure, believed that my habits of life were such, as their accusations imply, they would not be so violent and precipitate in their measures, but would wait coolly, until I should rot away from my place, until my best friends should desert me and abandon me without regret to the fate, which they are so eager to prepare for me. With these general and preliminary remarks I now proceed to examine the evidence of the remaining witnesses.

Mr. Cheney states, that he saw me, in the end of June, or beginning of July, in a house of ill fame; he saw me, by the light of a candle, (I suppose a single one) he was not in the same apartment with me: he did not look in at the door, but through an aperture in the wall; he heard not my voice aloud, but in a low tone; the candle being extinguished, the remaining part of his testimony regards what passed in the dark. The only part of this evidence, which deserves any attention, is what he professed to have seen, before the candle was extinguished, and what he saw, by timid or hasty glances (not wishing himself to be detected.) I will not stop to enquire, whether he was sober at the time and in the full possession and perfect exercise of all his senses, but I will say, what must be obvious to you all, that the circumstances and manner, in which his observations were made, were not the most favourable for a cool and accurate verification of his suspicions, or for detecting imposture and mimicry, if upon this as upon another occasion, any one had taken the liberty to represent or personate me. That there is much weight and applicability, in the observation I have now made, will appear from the incident which I am going to relate, the truth of which will be vouched to your satisfaction. Two gentlemen on a visit, one evening, to a house of this description were both informed to their great surprise that Mr. Esson the minister was in the habit of frequenting it. The gentlemen expressed their astonishment and utterly discredited the testimony of the inmates, the latter requested them to return at a certain hour next night when they might have ocular demonstration of the reality of what they stated. The gentlemen of course made a point of returning in order to verify this singular phenomenon and upon applying their eyes or ear to holes or apertures in the door or wall were impressed with the fullest persuasion from the voice and appearance that it was the revd. gentleman in propria persona, one of the gentlemen however was a sceptical Scotchman, who to use the well known phrase of Miss Edgworth's Scotchman, thought that, "it might be doubted" and resolved very properly, in such a case, that no room should be left for the shadow of a doubt "followed the gentleman out of the house and wondrous to relate" found this pseudo minister to be one of Mr. Esson's ushers, (who shall be nameless.) Having fully ascertained his identity; this gentleman waited upon him, next day, took him roundly to task for having presumed to personate me, and, upon his denying his intention of personating me, he told him, that he had done nearly as bad, in allowing all the inmates of the house to adopt and entertain without contradiction an opinion, so full of peril to my reputation; he insisted upon the Gentleman's returning with him next night, in order to remove a deception, which, had it not been cleared in this manner, and by a person of so much sagacity and prudence, might have lead to a drama, the perfect counterpart of that, which is now enacting among you, to the great gratification of the lovers of scandal, to the wondrous edification of the Church, and the advancement of peace harmony, and brotherly love among her ministers, elders, and members.

With
I touch
justice
ed it, is
upon m
were de
others,
who, as
instanc
ainst hi
believe
self fro
to obtain
which v
very sc
ure Mr
sidering
men sh
in over
ained ig
with me
It is a s
is paral
the pres
gatherin
could g
and inf
sity of b
such lar
ner, in v
to speak
version,
ness an
of them
should
calumni
the mor
Church
of Just
brow th
which h
weak an
will com
This
and retu
the deep
in my o
was und
of havin

With regard to the evidence of the women, I have nothing to say. I touch it not. I will not descend to examine it. On this subject, in justice to myself, I am bound to state, that the person, who first obtained it, is one of the members of our Session, who have sat in judgment upon me and he has sat along with another who, at the time that they were designated by me for the Eldership, came to me along with two others, solemnly protesting against the appointment of that person, who, as I stated, obtained this very respectable evidence in the present instance; and the ground, which they alleged for their protesting against his appointment, was, that it was rumoured, and very generally believed at that time (nor have I heard since that he has purged himself from these rumours) that he had been employed in a certain cause to obtain evidence, of a kind rather which was very much needed, than which was good or trust worthy and which implied a conscience not very scrupulous about the means of accomplishing his ends; peradventure Mr. Porteous will understand the import of what I now say. Considering it of importance to the peace of the Church, that these gentlemen should waive their objections, I succeeded, after much persuasion, in overcoming their scruples, and the object of them should have remained ignorant for ever of this circumstance---it should have gone down with me to my grave if he had not extorted it by his present conduct. It is a singular retribution that I have now received at his hands, but it is paralleled by not a few instances of a similar nature, recorded in the present eventful history. My Revd. Brother not contented with gathering up clandestinely all the scandals, which he and his satellites could glean, has been pleased to finish the climax of his own shame and infamy, by a calumny of his own fabrication (I deplore the necessity of being obliged, in this place, and before this assembly, to employ such language in regard to my Revd. Brother, but the atrocious manner, in which I have been assailed, warrants and indeed constrains me to speak out the whole truth) Were I to pass over, without animadversion, all his other sayings and doings, in regard to the present business and entirely to acquit my Revd. Brother of all blame on the score of them, I would still plant my foot here, and, on this ground alone, I should be warrantd to hold him up to scorn, as a wilful libeller and calumniator, and could I regard his conduct in this instance, without the mortification, arising out of the relation in which he stands to this Church and to myself, I would unhesitatingly drag him before a Court of Justice, and would feel it, in a manner, a moral duty to tear from his brow the visor of hypocritical pretension and most disgusting cant which he wears and by which, tho' he may deceive, for a season, the weak and the credulous, let him be assured that a day of retribution will come. It will come speedily.

This accusation I have no hesitation to hurl back at his own head, and return to its proper owner, the author of it, and to charge him with the deep guilt and infamy of having formed a conspiracy against me, in my own household, and of having drawn into it a young man, who was under the most sacred obligations of fidelity and gratitude to me---of having wrought upon him to violate these obligations, and of having

acted such a part, that the error of the other is lost in the aggravation and enormity of that of the man, who stood to him, in the relation of his minister and pastor. I say, Gentlemen, without fear of contradiction, that THERE WAS A HIGHER HAND in this business, that there was a Cataline in this conspiracy, and that Cataline my colleague, and he, who told this young man, that he only waited to find SOMETHING TANGIBLE to effect my ruin, and held him to secrecy, and has subsequently attached him to himself by the closest ties of interest, and to use the young man's own expression, teased him into a connexion, was indeed a fool and a madman to broach such an accusation and hurl it at my head. This is an accusation purely and entirely fabricated I am warranted to say by my Revd. Brother; He is its sole father and author; it is an inference unwarranted by any premises and most expressly contradicted by the party to whom it is ascribed, contradicted first to myself and afterwards to Mr. John Blackwood.

Having now made my remarks on the several accusations contained in the libel and the evidence by which they are supported, I turn from these to a question of a far more important and interesting nature and of which a clear solution will, I doubt not, afford more satisfaction to the minds of my most intelligent and worthy auditors, than the confutation of the present rumours and scandals. were they much more plausible in semblance than they are. I come to the question what evidence is there of Mr. Esson's habitual manner of life, since he first came to Montreal, during a period of twelve years and upwards.

It is a fortunate circumstance for me, that since my arrival in this city, I have lived with men of unquestionable respectability, and been intimately known to persons of the first credit and reputation; I say no more than I can prove fully, when I assert, that I have been as open, as undisguised, artless and transparent in my life and conversation, as I am in my heart and feeling; my opinions, my sentiments, my actions I have been all open to the world, and I am bold to say, that the man lives not, who is more divested of all disguise and reserve than myself, my good and my evil therefore, whatever they may be cannot be hid. When I first arrived here, I took up my abode with Mr. Peddie, who, whatever the gross credulity of lovers of calumny and scandal may swallow, it will be allowed was not the man that could have either countenanced or connived at such immoralities as are laid to my charge; were it true, as it has been asserted, that he was an immoral man, he is far too honourable, has too high a sense of propriety and decency to associate me with himself in such practices, and, had he found me dishonouring my profession, I am well assured, he would have spurned me from him. I have always uniformly maintained, and hope I shall long maintain with him, habits of the closest intimacy and friendship. After leaving Mr. Peddie, I lived with my sister at Beaver Hall for the space of one year; after this I became an inmate in the house of one of my elders, with whom I lived nearly four years, and I beg leave now, and it is the first time I have asked the question, to call on him to bear me testimony, whether, during the whole course of these four years, he ever saw me intoxicated, whether he ever had an indelicate ex-

pression
tions, he
not on the
regular in
ing Mr. J
iod of my
ions; the
or three h
such a de
induce an
conduct o
and I will
part of my
vants, us
cannot sa
estics from
that ever
ought to v
while I fee
of my mar
I am bold
chargeable
at rare inte
of inebriet
constitutio
than of the
charges ha
that there
that calum
clude, I m
sed over n
and private
colour of r
tility, as h
whom have
ment cons
ground to
have array
have aided
ed to my
wherein I
candour, if
own intere
came amor
erse is truth
or ostentat
in its just l
public and
cause of rel

pression drop from my lips, whether, in my opinions, principles or actions, he observed ought to discredit or dishonour me, whether he did not on the other hand find me a most sober, temperate man, perfectly regular in my habits of life, and modest even to delicacy. After leaving Mr. Armour, my friend Mr. Urquhart lived with me until the period of my marriage. He knew all my thoughts, sentiments, and actions; there was no disguise between us. My masters, of whom two or three have always been inmates of my family have not maintained such a delicacy or reserve with respect to my rumoured errors, as to induce any suspicion of their unwillingness to disclose any private misconduct of mine, had it ever come under their personal observation, and I will further be bold to say, what they dare not deny that every part of my house was open and accessible night and day, and that servants, ushers and boarders were free at all times to approach me, and cannot say that they ever found bolt or bar to exclude any of my domestics from my privacy. In a world, I challenge the veriest miscreant, that ever left my house and service, to say whether they ever found ought to warrant the imputations, which this libel throws upon me, and while I feel profoundly humble before my God under the consciousness of my many sins and shortcomings in both my public and private duty, I am bold to say, that there is not a man or minister in this city, less chargeable with irregularity or excess in his habitual life, and if I have at rare intervals, and rare assuredly they have been, fallen into a state of inebriety, it has been the result much more of the weakness of my constitution, or of extreme fatigue, and exhaustion at the moment, than of the quantity of wine which I had drank, and the fact that such charges have now been brought against me, proves incontrovertibly, that there is nothing too hard for malignity to attempt, or so incredible that calumny will not propagate, and believe. Gentlemen, before I conclude, I may be permitted, after such a storm of calumny as has passed over my head, to notice what I have been and done, in my public and private capacity, since I came to Montreal, that would afford any colour of reason, or any tolerable explanation of such violence and hostility, as have been manifested towards me on the present occasion; whom have I wronged? I solemnly declare that I am not at this moment conscious, that there is a human being, who has the slightest ground to say that I have injured him, and many, very many, who have arrayed themselves against me, on the present occasion, and have aided the propagation of these scandals, have been largely indebted to my kindness and patronage. I challenge any of them to say, wherein I have wronged them, or that I have not spoken of them with candour, if not with kindness. Have I been selfish, have I studied my own interest, or sought only to serve my own purposes, since I first came among you? All who know any thing of me know that the reverse is truth. I can honestly declare, and I do not say it from vanity or ostentation, but to set the true character of the present proceedings in its just light; that at this moment, all that I give to the purposes of public and private charity, to the support of our civic institutions, to the cause of religion and education, and to the advancement of the interests

of our Church, would amount to a large proportion of any revenue that I derive from my connexion with the Church.

Since Mr. Black entered the Church, I have been obliged to support myself by my own talents, whatever they may be, by my own unaided industry and exertion. I am told Gentlemen, by you, that there is an end of my usefulness. Were this actually true, I should at least have the consolation of reflecting that, what I have done or devised has redounded, in no small degree, to the public good, and I am bold to challenge some of you, who have been much older members of this society, to compare with me in this respect.

Has there been a school, a benevolent institution, a literary establishment, that does not own me as its founder, improver, benefactor or supporter? Before I conclude, Gentlemen, I will suppose all that can be most favourable to my adversaries, and all that can be unfavourable to me to the full extent of the charges, and it would ill become me to extenuate or apologize for errors of such a nature, and of such magnitude; but even admitting that they were true, it would still remain a question whether the evil arising from such a scrutiny, conducted under such auspices, by a court possessed of no civil power, and in a religious community, held together by no stronger tie than voluntary consent, would not (it might reasonably be apprehended,) counterbalance the evil of connivance and impunity.

It was but reasonable to enquire, in the very first instance, what is or has been Mr. Esson's course of life, during the twelve years preceding, and, admit for a moment, that he had so far forgot himself, and had been so guilty, or so unfortunate, as under the influence of drink, or under some rare and strong temptation, to have fallen into the sins, of which he has been accused, I would beg to know what good purpose to the Church, or to the community could be served, by lifting up the veil, and laying bare to the eye of the world (not to say the eye of calumny) the errors or lapses of any man, more especially of a minister. Would you not have shewn much greater wisdom, prudence and piety, would you not have consulted better the interests of the Church, by striving to throw the veil of oblivion over such blemishes, and to put to silence the voice of public scandal.

Had it been possible, and the best of men are liable to fall, that my colleague, in an evil hour, had fallen, through the frailty of nature, or the strength of some rare temptation, and what I say to him, applies to every member of this session, who will not claim to themselves infallibility or impeccability; this arm should have **ROTTED FROM MY SHOULDER BLADE** before I should have stretched it forth, to draw the veil from such occasional error; both the interest of religion and of the church, and the feelings of humanity, selfrespect, and brotherly love would have arrested my hand from making such an exposé, and had I been well assured, that such habits were inveterate, even in this case I should have regarded publicity and notoriety, as not the least formidable part of the evil, and should have felt it my duty to have sought the profoundest obscurity and silence, and to have employed the most gentle and lenient means to admonish and reclaim him.

Havi
proceed
knowled
first app
the very
communi
August
did in co
fullest d
avail my
of these
per for h
possibili
edly hav
proper s
will stra
letter, I
already
ating my
this letter
hear any
me that
were; a
to declin
thread,
Black ev
nations f
sation (w
larly) he
and I am
prevente
its very s
a bright
quence o
ing him t
think tha
teacher i
to my ch
body's m
him that
by Mr. E
as the on
utterly in
were, am
had hear
a place v
served th
that, if l

Having thus discussed the evidence, produced in the libel, I now proceed to state to you, what I have done, and what has come to my knowledge with respect to the rumours in question since the day I was first apprised of their existence. I declare to you, Gentlemen, that the very first intimation I ever had of such rumours being abroad, was communicated to me in a letter from Mr. Black, on monday 31st of August last; this letter I will now read,* and then state to you, what I did in consequence of it, and let me add, that I did nothing without the fullest deliberation, and without the best advice, of which I was able to avail myself. In requesting Mr. Black to furnish me with a statement of these rumours, I asked nothing but what I conceive was most proper for him to do, and certainly might have been done, without the least possibility of incurring reprehension from any quarter, and would assuredly have been far less reprehensible than the course, which he thought proper subsequently to pursue; but there is an affected delicacy which will strain at a gnat and afterwards swallow a camel. In reply to my letter, I received the following from Mr. Black, which, though it has already been before you, I must again produce for the sake of elucidating my narrative.† One would naturally suppose from the tenor of this letter, that there was nothing Mr. Black less desired than to hear any thing farther on this subject; he had done his duty by telling me that certain rumours were abroad, refusing to specify what they were; and having given me his authority Mr. Ferguson, he seemed to decline any farther communication, leaving me to follow out the thread, which he had put into my hands, nor am I aware, that Mr. Black ever hinted to me in conversation that he wished for any explanations from me on the subject. I recollect, indeed, that in a conversation (which I shall have occasion to relate by and by more particularly) he was so kind, as to offer to assist me in tracing these rumours, and I am glad I did not accept the offer at the time, as it might have prevented Mr. Black and his friends from prosecuting the enquiry to its very source THE PURE FOUNTAIN HEAD, which I must confess was a bright idea that would not have occurred to my mind. In consequence of this letter, I wrote a note to my friend Mr. Leslie, requesting him to send Mr. Ferguson to me; the young man came to me, I think that evening; he told me that he had resigned his situation, as teacher in the sunday school, in consequence of rumours unfavourable to my character, which were abroad, and which he said were in every body's mouth; he added that I ought to put a stop to them. I told him that I knew nothing of these rumours until I was informed of them by Mr. Black's letter, which I read to him, and that I had sent for him as the only person to whom Mr. Black had referred me; that it was utterly impossible for me to meet rumours, until I knew what they were, and from whom they came; he then mentioned to me that he had heard that I was seen going with Mr. Peddie in broad day light to a place which delicacy forbade him to name. In reply to this, I observed that such a rumour was too ridiculous to deserve any notice, but that, if he laid any stress upon it, he might go to Mr. Peddie, and I

* See Appendix. † See Appendix.

doubted not he would satisfy him of its utter falsehood. This was the only information I could obtain from Mr. Ferguson, and I told him to come back to me and report, if any one upon his own authority should state these rumours, or allege the authority of another, and that I would take immediate steps to investigate it. I would here take occasion to observe, that this young man and THAT MOST EXCELLENT FAMILY of which he was a member, had long been dissatisfied with my doctrine, made a point of absenting themselves from the church, when I preached, and, as I am credibly informed, he and his brother had actually, some time before this, prepared to accuse me before the session, on the score of certain opinions and principles, which I held, and had publicly avoied and acted upon, regarding the question of Catholic Emancipation. I know not what sympathy might have subsisted between my revd. brother and Mr. Ferguson on other points, but certain it is that they perfectly coincided in this; for I remember Mr. Black told me with a very grave aspect, that as soon as a Presbytery was established he would feel it his duty to call me to account for having signed a petition in favour of Catholic Emancipation. The Duke of Wellington and Dr. Chalmers have been so much greater offenders, in this point, that I would fair hope, that I may escape notice, until they are brought to condign punishment. I may be permitted to state here for the sake of my revd. colleague a little salutary counsel which I took occasion to administer to Mr. Ferguson, advising him to unite a little more humility, with his other graces, and telling him that, in my view, there was more of selfconceit, presumption and spiritual pride than of true zeal and christian piety in a young man, like him, who was not the father of a family, nor an elder or office bearer in the church, thus prominently thrusting himself forward, because he thought that the minister or session did not do their duty, or because the opinions, principles and doctrines of that minister happened to be opposed to his own; and that if he had come to me in such circumstances, to offer his resignation, in consequence of rumours against my colleague, I should have held myself bound to have read him a very stern lecture on the occasion.

He went away from me apparently satisfied, having requested permission to resume his place in the sunday school, and promised to return to me to report if any thing occurred, that seemed to demand farther explanation; after that he attended the sunday school once, but since that time I have not seen his face there. My enquiries however did not stop here. I found that some of my masters had been the most active propagators of these rumours, and that they thought themselves warranted to do so on the authority of a young lad attending school. With singular indiscretion and indelicacy, they had examined him publicly in the school, and thereby given a notable publicity to the scandal. This rumour, after having been sifted, was found utterly groundless, for the young man, having been examined by Mr. Thomson, totally denied it, and expressed his belief that it was all a mistake.

It is a
that from
and prop
thing, to
those wh
others a
med that
the place
false. I
the most
he found
ed, than
fabricatio
en times
another a
ed to be e
UNTIL W
whole as
The so
well nigh
calling a
(See prin
But stil
cate with
incumben
only one s
and me or
ment of it
that he is
particular
previously
truth of a
to the door
the rumour
he was afr
this was to
at last can
I advise
Black, to
that it was
tion to Mr
When I
made use
solemnly d
took occas
little calcu
language s
colleague,
that he mu

It is a fact, that can be proved by many incontrovertible witnesses, that from my house down to the cross, these rumours were published and propagated by one of my masters of the name of Carmichael, a thing, to me utterly unaccountable and which surprised and shocked those who heard him, as I had always been to him as well as to the others a friend, a benefactor and almost a brother. I was next informed that a Mr. Thompson had alleged that he had seen or met me in the places aforesaid; this also was investigated and found to be utterly false. Next Mr. Clarke of the navy, was alleged as an authority of the most decisive kind, for he, it was said, had burst into a room, where he found me in improper company; this was not more roundly asserted, than it was flatly and indignantly denied, as a gross and infamous fabrication. Besides this Mr. Shaw went, as he supposes, half a dozen times to enquire after Mr. Cheney, who had been referred to as another authority, but could not be admitted to see him, as he happened to be extremely indisposed. Having thus pursued these rumours UNTIL WE WERE FAINT WITH PURSUING, we began to regard the whole as a ridiculous farce.

The scandals indeed appear to have sunk into oblivion, and we had well nigh forgot them; when my revd. colleague issued a summons calling a meeting of session to receive a report of his secret inquisition. (*See printed minutes number 2.*)

But still it may reasonably enough be asked why did I not communicate with Mr. Black on the subject of these rumours. This I hold it incumbent on me fully to explain. Mr. Black has truly stated, that only one short conversation took place on the subject between himself and me on sunday 6th sept. As I cannot admit Mr. Black's statement of it to be correct; as on the other hand I feel warranted to affirm, that he is essentially mistaken, I shall now give my edition of it; The particular object of my conversation with Mr. Black, on which I had previously advised with my friend Mr. Peddie, was to ascertain the truth of a report which I had heard, namely, that Mr. Black had said to the doorkeeper on the 30th August that he was so overwhelmed with the rumours, which he had heard since he came from Quebec, that he was afraid he would not be able to get through with his sermon; this was told the same day to one of the elders by the doorkeeper and at last came to my ears.

I advised with Mr. Peddie whether I should write a note to Mr. Black, to enquire into the truth of this report, and we at last agreed that it was better to avoid the formality of writing and to put the question to Mr. Black the first time we met.

When I asked Mr. Black the question he admitted that he had made use of some such words to the doorkeeper. On this, and I solemnly declare it was the commencement of our conversation, I took occasion to observe, that such language on his part, was but little calculated to arrest the progress of these rumours; that when language so strong and of such ominous import was used by my colleague, it was natural for the doorkeeper and others, to conclude that he must attach some weight to rumours, which made so deep an

impression on his mind, as to induce the apprehension, that they would overwhelm him, and render him unfit for his pulpit duties. Was I not warranted on the occasion to represent to Mr. Black that such language, were it to make use of it in reference to rumours or calumnies, propagated respecting my colleague, who had this in common with the best of men, that evil tongues were sometimes busy in circulating scandals respecting him, he must be aware that I could not take a more effectual method, to give them currency and weight, than by telling the church beadle, that I was overwhelmed by these rumours, and that I should not be able to go through with my sermon; that if any person that was not of some respectability and standing in the congregation had presumed to mention to me such rumours with respect to my colleague, my feelings would have dictated to me, to treat him as an impertinent and presumptuous meddler; and if any teacher in the Sunday school were to offer me his resignation on such a ground, I should despise myself, if I accepted it, or suffered it to pass, without expressing my indignation or contempt for such a piece of gross impudence; that I should not hold myself warranted in such a case to couple my communication of such a fact to my colleague, with the expression that he was a most excellent young man, nor should I have said to any of my elders or members of the congregation, as my colleague did at the time of the last sacrament, that I did not go out on the occasion as usual, for fear I should hear these rumours. If any of our weaker brethren, felt scruples of conscience about approaching the communion table, under such circumstances, expressions of such ominous import as these were well calculated to fix and rivet them; begging pardon of those who are not acquainted with the learned languages, I would humbly recommend to the attention of my revd. colleague, the two following lines of Horace. "Absentem qui rodit amicum, qui non defendit, alio culpante, hic niger est, hunc tu Romane caveto."

Notwithstanding all this, it was my intention to have communicated with Mr. Black in due time on the subject of these rumours, and I have to crave your patience for a moment longer to detail some further disclosures, which appeared to us a good deal more decisive and momentous in their import than any of the preceeding. All that can be inferred from such incidental expressions as I have noted above is, that Mr. Black's language, whether designedly or not, was a little ambiguous, and seemed to insinuate what it did not directly or fully express; we found afterwards, evidence which we hold to be good and trustworthy, that Mr. Black long before these rumours were noised abroad, had stated to Mr. Currie and his family, (I suppose in confidence and out of his love of me and his tender care of my reputation and usefulness,) that some rumours had come to his ears, from which he said that he feared that I was not behaving myself properly, or words to that effect, and they told this to a young woman, whose character was a little implicated in these rumours as well as mine; adding that Mr. Black wished to see her on the subject. To make sure of the truth of this, I desired the person who told me, to go to Mr. Currie and his family,

and asce
used by

Nex
woman's
confirm
all, it ca
these ru
before th

Mr. B
tlemen,

as respec
Mr. Bla

on my g
as a Spie

termed i
up. It v

Howden
it before

Carmich
is abund

that whe
Blackwo

Mr. How
as derive

how Mr.
delicate

well as t
woods e

middle o
tion to m

evident,
take up

got at.
that after

only four
months

Mr. Bla
31st Aug

timents
in Mr. C

will take
find it, w

If good
will dive

kind or
tlemen,

him the
Mr. Lee

and ascertain from them once more whether such language had been used by Mr. Black in their presence.

Next day I went in company with one of my elders to the young woman's house, when she told us she had seen Mr. Currie, who had confirmed in every particular the truth of her statement. This was not all, it came out by and by that Mr. Black had been acquainted with these rumours, not only before he went down to Quebec, but long before they were known to any other member of the Session.

Mr. Black says, he only sought to put me on my guard, but Gentlemen, if I may trust evidence now in my possession, and certainly as respectable as any on which I now stand arraigned, there is nothing Mr. Black so little wished or desired, as my reformation, or to put me on my guard; he waited impatiently for my fall, he waited Gentlemen, as a Spider watches a fly behind his *Cobwebs*, to get something, as he termed it, *tangible*, something to hold by in order that he might *take it up*. It was not without difficulty and some cross questioning that Mr. Howden was brought to confess or admit that Mr. Black had known of it before he went to Quebec; his testimony was confirmed by Mr. Carmichael, and I hold in my hand, a letter from Mr. Ogilvy, which is abundantly explicit on this point. It is important here to remark, that when Mr. Howden was examined by me in presence of Mr. John Blackwood, to whom I had communicated my certain knowledge of Mr. Howden's communication with Mr. Black, in the month of July, as derived from Mr. Ogilvy, I desired him to remark particularly, how Mr. Howden would look or answer to my interrogatories, on this delicate point, involving, as they did his own Credit and Character, as well as that of Mr. Black; on this point I refer you to Mr. Blackwoods evidence. * This took place Gentlemen, so far back as the middle of the month of July last, and my Revd. Brother's communication to me, was dated the 31st of August following; from this it is evident, that Mr. Black had resolved, in the middle of July last, to take up the subject of these rumours, if any thing *tangible* could be got at. I leave you to judge, whether he connived at the rumours, that afterwards emanated from *certain quarters*; certain it is, that he only found an ostensible reason for bringing forward these charges, six months afterwards, when he called a meeting of the session. To show Mr. Black's perfect consistency, I will read you again his letters of the 31st August and 4th September, and I beg you will compare the sentiments of these letters, with the information now before you, contained in Mr. Ogilvy's letter: how good, how innocent, how brotherly does he appear in these letters; is this the man who vows and protests he will *take it up*, if he can find any thing *tangible*, and if he does not find it, with the aid of his friends, it will be because it cannot be found. If good evidence cannot be found, he will at least find a friend, who will dive into the dirt of pollution, in order to find evidence of some kind or other to eke out a plot. Perhaps you will wonder now, Gentlemen, that I did not go forthwith to Mr. Black, to make known to him these disclosures, these openings into his views and design's. Mr. Leslie and my friends will answer for me, that seeing Mr. Black's

* See Appendix.

movements and purposes, we thought fit to act upon the defensive, little doubting that he would soon appear above board, and that we should see him again at no distant period.

I will here pause for a moment, to contemplate the situation in which Mr. Black has, on his own shewing, placed himself. He admits, in his statement, that he knew of these rumours in the very origin, before they had grown into a *fama clamosa*: while they were yet a still small voice, a whispered breath, when in fine, they might as easily as effectually have been stifled and suppressed. Was Mr. Black in earnest to stop the voice of scandal, and to prevent the injury thereby done to the interests of our congregation and of religion in general; why did he not then hasten to apprise me, the very moment he was himself informed of them; why, on the 31st of August, does he express an anxious wish that I would put a stop to rumours, which had passed into a thousand mouths and which had received countenance and currency from his own language and procedure: he bade me, as it were in mockery, stop the tempest and arrest the whirlwind: for all this my Colleague must answer.

But I have hitherto reasoned on the supposition that Mr. Black utterly discredited the rumours, when he first heard them; but it is indisputable that Mr. Black did not discredit the rumours; he thought, he says, that, though they might be true, they might be exaggerated: did he think so, and not instantly come and put me on my guard—rescue me as a brand from the burning: does my Revd. Brother waken the echoes of this Church every Sunday, in fervid declamation, to warn sinners of the evil and danger of their ways, and when he saw me in the midst of all evil, or had the slightest doubt on his mind respecting the truth of rumours so alarming, I would fain ask, why he stood still, why he was dumb, not opening his mouth, why all his zeal was frozen, and never became manifested, until the season arrived when he stood forth as my accuser and my Judge? Perhaps Mr. Black will reply to this challenge, in the language of Cain, *Am I my Brother's keeper?* To this I would answer by asking another question, *why then be his accuser?* Nay Gentlemen I will go further and taking Mr. Black on his own showing, I desire no more than what he admits in his own statement, *out of his own mouth will I condemn him.* Whatever Mr. Black's estimate and conviction of my imputed errors and lapses may be, and I will allow him to rate the guilt as high as he pleases, I contend that his is tenfold greater, for the errors which he imputes to me, may admit of extenuation from the plea of passion, intoxication, unguardedness, or of some rare and strong temptation; they were not wilful coldblooded, deliberate: but he, who believing this was my situation, beheld unconcerned, and did not make the least endeavour to warn or to save me, was far worse than the Priest or the Levite in the Parable, who looked on and passed by on the other side of the wounded man, for they left him only to mortal death, but my Colleague, the Shepherd and Bishop of my soul, abandoned me to worse than mortal death.

And if any advantage could accrue to my Colleague from my errors real or pretended, I shall leave it to the impartial to judge with what

decency
cuser, P
apathy,
tion mos
contrast,
vigour a
Prosecut
proceedi
and shall
detail of
tive evid
more tru
corrobor
the progr
of emplo
pose of
statemen
ment of J
Mr. Black
Howden
Ogilvy a
contradict
direct op
presence
stronger,
Mr. Black
dence tha
and I have
for the in
this cong
his action
from a te
also he lo
tember, a
stop to th
these rum
church, a
effectual
your atte
charges, y
and from
I would
forward.
a most de
shall cons
substantia
which to b
influence.
opposed.

decency or discretion, my Revd. Brother has acted in turning my Accuser, Prosecutor and Judge : his worse than negligence, his criminal apathy, his cold blooded indifference, when he admits I was in a situation most perilous to my best interests temporal and eternal, form a contrast, though not an inconsistency with the energy, the zeal, the vigour and the boldness, with which he has urged on the work of a Prosecutor and an Accuser. Of the spirit and manner in which these proceedings were conducted, I have had occasion to speak already, and shall by and by, have an opportunity of entering more fully into a detail of them. But I am warranted, Gentlemen, by direct and positive evidence, founded on testimony far stronger, and incomparably more trustworthy than any that has been adduced against me, and corroborated by collateral evidence, that my Revd. Colleague, watched the progress of these rumours, with the infamous design and purpose, of employing them for the subversion of my character, and for the purpose of effecting my exclusion from the church. Mr. Ogilvy's statement is pointed and unqualified ; it is corroborated by the statement of Mr. R. Sweeney ; it is perfectly in unison with the language Mr. Black has inadvertently dropt in his own statement, and if Mr. Howden has, as Mr. Black pretends, stated in his declaration, that Mr. Ogilvy and Mr. Carmichael had sent him to Mr. Black, it is not only contradicted by Mr. Ogilvy's and Mr. Sweeney's letter, but it is in direct opposition to the statement of Mr. Howden made to me, in the presence of Mr. John Blackwood ; but the evidence of facts is still stronger, than the testimony of witnesses, and I am bold to say, that Mr. Black's conduct from first to last, affords the most decisive evidence that his sole aim and purpose were to turn me out of the church ; and I have no hesitation to say, that any zeal, which he may profess for the interests of religion in general, or for the spiritual welfare of this congregation in particular, is utterly contradicted by the tenor of his actions ; and I would as soon believe, that Mr. Black has acted from a tender regard to my feelings, reputation and interest, for this also he loudly professes in his letters of the 31st August and 4th September, as that he was moved by an anxious wish to suppress or put a stop to the scandal. If Mr. Black had wished to circulate and magnify these rumours, and to do the greatest possible injury to me, to the church, and to religion generally, he could not have adopted a more effectual course to accomplish his end. I shall conclude by drawing your attention first to the person who has brought forward these charges, what it is he has brought forward, in what manner obtained, and from what sources derived.

I would direct your attention, first to the person who has brought it forward. That person is my colleague, who in this business has had a most delicate office to perform, in what manner he performed it we shall consider by and by. This colleague gentlemen, if he could substantiate his charges might hope to oust me from the church, which to him would be great gain, in point of revenue, power, and influence. But this is not the only point on which our interests are opposed. He has recently taken up school which makes a double

ground of competition and rivalry. To one possessing any delicacy of feeling or nobleness of mind, the consideration of our relative situations, if it could not have withheld him from starting such a prosecution, would at least have taught him to pursue it in a manner the least liable to suspicions of improper motives, in order that his good might not be evil spoken of. Whatever he might think of me, whatever wrong I might have done him in word or action, of which more by and by, he was bound in every view and on every principle, not to take a single step without duly advising me of it, without giving me due warning without preparing me and allowing me full time to meet him armed at every point, with all my information and evidence collected to meet his charges promptly and on the spot: on the other hand, he came upon me like a thief in the night, he instituted a clandestine inquisition, he produced his accusation in the shape of an anonymous libel, in the most dastardly manner, refusing to me all power of resistance and self-defence he aimed a blow at my reputation and struck his dagger at me in the dark; he showed his accusatory statement underhand to those who were to sit as my Judges; got a session constituted, in order to shelter, under the form of justice, the grossest calumny; got a session I say constituted, of which he was not ashamed to sit as moderator, and to be the head and soul of its proceedings.

The miserable pretext under which he has sought to cover his selfish and iniquitous designs has already been shewn by the clearest evidence to be mere feigning, for my colleague was prepared from the first moment to take up this matter when he could find any thing tangible. It might be supposed from his language, that I had grievously injured him, yes gentlemen, and these wrongs are palpable to all the world, for this hand first planted him here, by this hand he has been watered, and the return, which he has made, has been to take from his nourisher the very means of life and vigour. It is not many months since I, how far on that occasion I acted a wise or proper part, may demand a doubt, advocated his cause in this session, and was thanked by his own friends Messrs. Porteous & McKenzie, and presented to his notice as the person, to whose intercession he was mainly indebted for a donation of £50 from that fund. Nor was this all, Mr. Black applied to me more recently for my permission to make an exclusive application on his behalf to the governor for a salary of £100 as missionary to some of the settlement in the vicinity of Montreal: I frankly and cordially assented, claiming nothing to myself. On all occasions, Mr. Black has found me most ready to serve him, and to confer, whenever it was in my power, substantial benefits upon him; and Heaven is my witness, that I speak my most sincere conviction, this day, that he owes to me all that he now possesses, and that I have been his best friend and benefactor. I should not have adverted to the services which I rendered him, had he not employed in the statement on which I am now commenting, some allegations, that I and my friends had been wronging him. It does not occur to my revd. colleague, that in acting this part, as he pretends for his own justification, he has exposed himself to far deeper and

more de
advantag
will, in
dark sha
next con
what ma

I spea
when I
treasure
lummies,
ashamed
road une
that dire
They ca
earth, an
the sons
secrecy
having b
their dis
public m
sunk into
privately
at them.
box open
stamp a
disaster,
compelle
by the c
possible,
acted oth
I may tr
even now
power to
will wond
bear to m
mours, b
mite of c
witnesses
est groun
general
than of v
to say tha
impression
ceptible o
tlemen, to
inquiry, v
character
grievous
mitted a

more deadly suspicions, than any he sought to avoid. The manifest advantage of gaining to himself exclusive possession of the church, will, in the eye of all men of ordinary penetration, for ever cast a dark shade of suspicion over all his proceedings and motives. I shall next consider what it is my revd. colleague has brought forward, in what manner it has been obtained, and from what sources derived.

I speak without fear of contradiction by any unbiassed person, when I say that my Revd. brother has collected, gleaned, and treasured up, all the wretched and infamous scandals and calumnies, from sources and authorities, some of which one is ashamed even to mention; all of them seem to have found the road unerringly to his ear, they seem all to have moved steadily in that direction as if they had found there a home and a resting place. They came, like satan of old, from wandering to and fro in the earth, and walking up and down, to present themselves at last among the sons of God. These scandals having being collected with as much secrecy as diligence, have been all put into a pandora's box, and after having been diligently circulated through the whole community, and in their dispersed state, produced all the impression possible, on the public mind, until calumny herself was tired out and her weary tongue sunk into silence, have been again in a collective form brought forward, privately shewn to all who would condescend to take a stolen glance at them, a court of inquiry, after this preparation, instituted, the box opened, a pitiless storm of calumny again let forth, bearing the stamp and sanction of ecclesiastical authority. To complete my disaster, I have been placed in a state of utter impotence, I have been compelled to stand aloof, passive and resistless; and I am borne out by the clearest evidence of facts when I say that it was utterly impossible, and would have been absolute madness, on my part, to have acted otherwise than I have done; and not until this present moment, I may truly say, was it possible for me to meet my adversaries, and even now, I come forward hurriedly and without having had it in my power to make suitable preparation. In these circumstances, who will wonder, if many persons from the love of scandal, or the love they bear to me or my house, were prepared to believe not only these rumours, but with very little scrupulosity, to come forward with their mite of contribution. I am persuaded, gentlemen, that many of your witnesses, have been emboldened to come forward, and on the slightest grounds, to bear testimony against me, more in consequence of general rumours, and the impressions made on their minds thereby, than of what had fallen immediately under their own observations not to say that these observations were made under the influence of these impressions, which had prepared their minds to be abundantly susceptible of suspicious in regard to me: And you must permit me, gentlemen, to say to you, who have constituted yourselves into a court of inquiry, under such circumstances, that without reference to the character of these proceedings themselves, you have not only done me grievous wrong, but have, (and I use not too strong language) committed a crime against society. Which of you dare say, that he

is prepared to encounter such treatment, as I have been subjected to, which of you is so pure, that, if every calumny and scandal that may have been breathed against you, or whispered in the dark by your disaffected menials, your selfish opponents, your envious rivals, or by the wantonness and negligence of calumny,—if declarations and affidavits embodying them were to betaken on every occasion when you had been innocently merry and social with your friends, if every action, word, and appearance that could be interpreted to your disadvantage, were to be set in a book, learned and conned by rote to cast into your teeth; and in a word, calumnies of which you yourself had not even by your ward, friend, your brother, to be brought forward, and formal inquiry instituted in spite of your earnest remonstrance, and your protest that you were ready to prove that there was no ground for such inquiry what would you think, how would you feel, and I pray you, how would you come off from such a scrutiny.

“Do unto others as you would that they should do to you.” Ye have on the present occasion, I hesitate not to tell you, become the Patrons of Calumny and Defamation, and my Revd. Colleague the Archpatron.

Gentlemen, I have done, and when I lay this statement upon the table, I feel that I shall have done my duty in this instance by you and by the congregation, and shall leave you to follow out, in such manner as you judge best, your own course. In the event of your coming to the resolution of recording these proceedings and preserving them in your records, I shall have to add to this an accusatory statement, and then you have my full permission to record and perpetuate the whole of this singular and anomalous transaction. If better sense and feeling should haply prevail, it would conduce to the peace and welfare of the church, and detract nothing from your own credit for wisdom, should you come to the resolution of consigning at once to the flames the whole of your proceedings, as a burnt offering to the genius of christian peace and charity, offered on the altar of concord.

DISTRICT
MONTREAL

CAM
advocate,
previously
St. Gabri
that one
declaration
racter of
(Rosalie
in the str
there for
of the cir
mode, tha

I saw h
distinctly
versation,
own; on
interrogat
connection
her swear
she refuse
sent to pri
to the per
was—Tha
afterward
Esson. T
nor could
a minister.

I also a
had also
resided at
the house
shewed gr
her said de
to do so, b

Sworn before

APPENDIX.

DECLARATIONS, AFFIDAVITS, &c.

[No. 1.]

DISTRICT OF }
MONTREAL. }

CAMPBELL SWEENEY, the younger, of the city of Montreal, advocate, being duly sworn, doth depose and say—That a short time previously to the meeting that took place in the Scotch church, in St. Gabriel street, on the 25th day of January, 1830, having understood that one Rosalie Boileau, a prostitute, had been induced to give her declaration upon oath to circumstances prejudicial to the moral character of the Rev. H. Esson, I ascertained, upon inquiry, that she (Rosalie Boileau) resided in the house of one Lucie Rolland, situate in the street, which is a continuation of *Bon Secours* street, and called there for the purpose of ascertaining from herself the nature and truth of the circumstances, said to have been deposed to by her, as also the mode, that had been resorted to, to obtain such deposition.

I saw her; and in the conversation that took place between us, she distinctly informed me, that one morning, some time before our conversation, she was sent for to a house, situated nearly opposite to her own; on arriving there, she saw a little fat man with white hair, who interrogated her, at some length, respecting Mr. Esson having had connections with her, that he told her he was a magistrate, and made her swear upon a Bible, and threatened her at the same time, that if she refused to swear, he would have her brought before the police and sent to prison. She also distinctly informed me, that all she had stated to the person, whom she described as a little fat man with white hair, was—That she had had connection with some person, whom she was afterwards informed was a minister. That she did not know Mr. Esson. That she would not know him if he were there shewn to her, nor could she recollect distinctly the person who she had been told was a minister.

I also ascertained from her, that one Eliza Cunningham, whom I had also understood had given some declaration against Mr. Esson, resided at the house of one Mrs. Young, I, in consequence, went to the house of Mrs. Young, and saw the said Eliza Cunningham, who shewed great disinclination to enter into any conversation respecting her said declaration, at length confessed she had been strictly prohibited to do so, but by whom she would not say.

C. SWEENEY.

Sworn before me the 25th day of June, 1831,

JOHN FISHER, J. P.

[No. 2.]

MRS. JAMES YOUNG personally appeared before us, the undersigned witnesses, at the house of the Rev. Henry Esson, who declares and affirms that she came freely and of her own accord, to give such information as has come to her knowledge upon a subject which she knew to be of great importance for the vindication of his (Mr. Esson's) character. She declares that, about the commencement of the month of January, a young man of the name of Norman Kitson, who she knew at that time resided with Mr. Henry Mackenzie, called upon her to make an agreement with her to receive a young woman, of the name of Eliza Cunningham, as a boarder in her house for a few weeks, and told her Mr. Henry Mackenzie would furnish her with money, to pay her board, at the rate of five dollars per week; she having questioned him as to the person to whom she was to look for payment, as she did not conceive the young man himself had the means to do so. That the said Kitson continued to frequent the house almost daily during the time that the said Eliza Cunningham remained with her; that upon one occasion, in her the said Mrs. Young's presence, the girl asked from Kitson one shilling, which he refused; she then threatened, with an oath, that she would dress herself and go to Mackenzie and tell him to give him, the said Kitson, no more money, as the money given to him for her he spent; that Kitson left the house; that a Mrs. Flemming reproached her (Eliza Cunningham) for using harsh words to the boy, when she replied, that it was good for him, as the money did not come from him but from Mr. Mackenzie.

That Mrs. Young observed to her, that she had apparently but few clothes, when she, Eliza Cunningham, stated that she would get money very soon, that Mr. Mackenzie had promised her sixteen dollars to go and swear against the minister, and which would redeem her clothes, which had been left at a Mrs. Glass's.

That, upon one occasion, Mr. Campbell Sweeny, jun. called with another gentleman, and were let in by herself (Mrs. Young); that as soon as Eliza Cunningham saw that it was Mr. Sweeny, she drew back into another room, apparently afraid to meet him, when he called to her, and getting into conversation, reproached her for talking against Mr. Esson, when she replied, that it was not she but Rosalie Boileau.

That she, Eliza Cunningham, mentioned to her (Mrs. Young) that she had never been with Mr. Esson in her life, that she knew him from his being once pointed out to her on the Champ-de-Mars, by a person whom she met there, and who asked her if she knew that gentleman? and on her answering that she did not, this person told her to watch him when he turned and look well at him; she did so, and repeated that she never had seen him before: this person then told her that, that was the minister she said she had been with; she said that she had never been with that person, nor had ever seen him before, but that he looked a little like the minister, but much thinner.

That the same evening that Mr. Sweeny had been there, Kitson came, when she mentioned Mr. Sweeny's having been there; he

(Kitson
he then
Mr. Mr.
Mr. Mr.
Sweeny
Mrs. Yo
go out o

That
Kitson c
that Eli
that she
was, tha
appeared
Kitson c
Cunning
of them

That,
and state
that he h
go imme
near the

The fo
pressed h
declared
presence
the year

Signed

I, the s
That the
same to h
of the sa
eight hun
contained
Eliza Cun
Lucy Rol
that he w
generally
my name.

Sworn be

(Kitson) asked her what she said to him? she replied—"not much;" he then said—"you must not see him any more, I will mention this to Mr. Mackenzie, and call to-morrow; which he did, and stated that Mr. Mackenzie requested, that she would hide herself when Mr. Sweeny called, and not talk to him any more; and also requested of Mrs. Young to say that she was not at home, and also required not to go out or pass by the *Court-house*.

That the day she (Eliza Cunningham) left Mrs. Young's house, Kitson called about one or two o'clock, and mentioned to Mrs. Young that Eliza would be pleased, as she was to get some money to-day; that she heard the money thrown on the table up stairs where Eliza was, that Mrs. Flemming saw money upon the table up stairs, which appeared to be about nine or ten dollars; that, that same evening, Kitson called about seven o'clock, with a Carriole, and took Eliza Cunningham away, under the pretence of taking a ride, but that neither of them ever returned.

That, upon one occasion, Kitson called, apparently out of breath, and stated that, having met Mr. Mackenzie in the street, he mentioned that he had seen Eliza Cunningham in the Court-house, that he must go immediately and see if she was at home, and tell her she must not go near the Court-house: all which passed in her (Mrs. Young) presence.

The foregoing declaration being read over to Mrs. Young, she expressed herself satisfied as the correctness of the statements, and having declared that she could not write, hath made her usual mark, in the presence of the undersigned witnesses, this eighth day of February, in the year one thousand eight hundred and thirty.

her
JULIAN X YOUNG,
mark.

Signed { JOHN FISHER, witness.
JOHNSTON THOMSON, } witnesses.
JOHN BLACKWOOD, }

I, the said Mrs. James Young, being duly sworn, do depose and say, That the foregoing declaration being read over to me, I declare the same to be a true copy of the declaration made by me, in the presence of the said witnesses, on the eighth day of February, one thousand eight hundred and thirty; and that all and every the allegations therein contained are true and founded in fact. And I further say, that the said Eliza Cunningham told me, that the person who came to see her at Lucy Rolland's, was called a minister from the shape of his hat, but that he was not a minister; and that, when he came to see her, he was generally intoxicated. And I further state, that I cannot write or sign my name.

her
MRS. JAMES X YOUNG.
mark.

Sworn before me, at Montreal, the 1st day of October, 1831,

JOS. SHUTER, J.P.

[No. 3.]

I, ANTHONY HAMILTON, of the City of Montreal, in the District of Montreal and Province of Lower Canada, Master Carpenter and Grocer, being duly sworn upon the Holy Evangelists, make oath and say—That I am a member of the Church of England, and have for nine years past resided in the street, which is a continuation of Bons-secours street, in the city aforesaid, in the province aforesaid, and separated by only the breadth of a narrow street, from a house kept by Lucie Rolland, wherein Eliza Cunningham and Rosalie Boillieu herein-afterwards mentioned, resided for some time during the latter part of the year 1829. That some time, about the end of October of that year, the Rev. Edward Black sent for me to his own house, on the ground that he wished to see me on particular business. I accordingly went to the house of the said Rev. E. Black, who, after some preliminary conversation, asked me if I knew the Rev. Henry Esson? To which I replied, that I had known Mr. Esson for six or seven years. Mr. Black then asked me, if I had ever seen or heard of Mr. Esson entering into a house of ill fame in my neighbourhood? I replied to Mr. Black, that I had never seen Mr. Esson enter into any such house, nor did I believe that Mr. Esson ever did so. Mr. Black then said, that some of the women, residing in the said house, had stated that Mr. Esson had visited their house, and had criminal connexion with them. I then informed Mr. Black, that no credit was to be given to the testimony of any of those girls, and that I could for a trifle make any of them declare that he (Mr. Black) had lain with them on the previous night. Mr. Black expressed his doubt of what I said, and asked me if I could say the same on my oath, that is, that I had never seen Mr. Esson go into the said house? To which I replied, I certainly could. The above is the substance of the conversation which took place, between me and Mr. Black, on the occasion in question. Afterwards, about Midsummer, 1830, I called upon Mr. Black respecting a funeral, with the management of which I was charged; and after the arrangement of the business for which I called, Mr. Black referred to the conversation which had taken place between us, at his own house, as above-mentioned, and asked me if I recollected what had passed at that time? To which I answered in the affirmative, and proceeded to narrate, in terms to the purport above-stated, the conversation which had so taken place respecting Mr. Esson. When I came to that part of the narrative, wherein I referred to Mr. Black having asked me if I would repeat on oath what I had said to him, Mr. Black denied having made use of any such expression; on which I said, that if he (Mr. Black) denied that, I could no longer credit any thing he said. Mr. Black upon this flew into a passion, and told me that I might go and inform those who had requested me to call upon him, that he could not bury the child that afternoon. I well recollect Mr. Black's having asked me, in the first conversation, whether I would swear under oath, that I had never seen Mr. Esson go into the said house, as I had declared to him; for the circumstance made a

strong i
by the
as a fac

That
Esson h
mention
of comi
to state
habit o
that she
out to h

On a
Mackem
my hous
time an
myself;
in the f
of Rosa
house,
she had
allow he
in broke
his moth
gentlem
desired
and said
stop.
ink, wh
the time
between
language
mention
declarat
said Ro
convers
Mr. Ess
Esson,
with he
appeared
some tim
and requ
mention
the hous
object o
the hous
street.
George
John Sr
ware me

strong impression on my mind at the time, as I felt my feelings hurt by the suspicion implied in that question, that I would state any thing as a fact that I was not ready to swear to.

That some time in the fall, 1829, after the reports respecting Mr. Esson had been circulated, I saw Eliza Cunningham, whose name was mentioned in connexion with the said reports, and who was in the habit of coming to my shop to purchase articles; I asked her how she came to state (as I had been told she had) that Mr. Esson had been in the habit of visiting her. She denied ever having said so, and added that she did not know Mr. Esson even by sight, until he was pointed out to her a few days before in the street.

On a Sunday morning, in the month of November, 1829, Henry Mackenzie, then a magistrate for the District of Montreal, came into my house, and said that he was fatigued and would sit down for a short time and rest himself. I left him there, and went up stairs to dress myself; on my return down stairs, I was told that Rosalie Boilieu was in the front room with Mr. Mackenzie; feeling indignant at a person of Rosalie Boilieu's character being admitted into the interior of my house, or beyond the shop, I went into the room and asked her how she had dared to go into the room, as she knew well that I would never allow her to go into any of the rooms except the shop? She replied, in broken English, that my little son had called for her, stating that his mother wished to see her, and when she came into the shop, that gentleman, pointing to Mr. Mackenzie, brought her into the room. I desired her to leave the room; upon which Mr. Mackenzie interfered, and said, I have business with her, it was I that sent for her, let her stop. At that time Mr. Mackenzie had a sheet of paper with pen and ink, which he had brought with him. I stopped in the room part of the time that Mr. Mackenzie was there, and after some conversation between the said Mr. Mackenzie and Rosalie Boilieu, in the French language, in the course of which the name of Mr. Esson was frequently mentioned, Mr. Mackenzie wrote down what I supposed was her declaration, and he afterwards administered an oath to her. After the said Rosalie Boilieu came out of the room, where she had been in conversation with Mr. Mackenzie, I asked her what she had said about Mr. Esson to Mr. Mackenzie? She replied she did not know Mr. Esson, but that she had told Mr. Mackenzie, that a person had slept with her who called himself Mr. Esson. She burst into tears, and appeared very much agitated and alarmed. Mr. Mackenzie remained some time at my house after the departure of the said Rosalie Boilieu, and requested me not to mention the circumstance of his visit, nor to mention his name to any person in my house, nor to any of the girls in the house of the said Lucie Rolland. As he wished to keep secret the object of his visit, he waited until an opportunity was offered of leaving the house unobserved, or when there were few or no persons in the street. About the same time and previously thereto, I knew well George Rea, of Montreal, at that time clerk or shop-boy with Mr. John Smith, grocer; Cheney, at that time clerk to Mr. Barrett, hardware merchant; and Norman Kittson, from having frequently seen them

frequent the house, in which the said Rosalie Boilieu and Eliza Cunningham resided. Some time before Mr. Mackenzie's visit to my house, Mr. Bethune, partner of the said Heary Mackenzie, told me that the said Kittson, who was a clerk in their employ, had confessed to him, that, by means of a false key, he had, at different times, taken several sums of money, to the extent of thirty pounds, which he had spent at the house of the said Lucie Rolland; and that the said Rea paid the said girls, for his debaucheries, with groceries; and the said Cheney, with articles of hardware, taken out of the stores of their respective employers; and he added that he had dismissed the said Kittson from the employ of the said Mackenzie, Bethune, and Co. in consequence.

I know that subsequently and after the visit of Mr. Mackenzie to my house, the said Kittson lived with the said H. Mackenzie, who in fact told me that, after they had dismissed Kittson from their employ as a clerk, his partner, Mr. Bethune, would not allow the said Kittson, who is his brother-in-law, to remain any longer in his house, and that he, the said Mr. Mackenzie, had taken him to board at his own house. And I was informed that, while he so boarded with the said Mr. Mackenzie, he continued to frequent the said Eliza Cunningham, at the house of Mrs. Young, where she remained some time after she had left the house of Lucie Rolland aforesaid, and afterwards at another house, to which she had been removed from the house of Mrs. Young. And while she was in the said last-mentioned house, the said Eliza Cunningham told me that the said Kittson had bought some furniture for her: the said Kittson was about sixteen or seventeen years of age at the time.

From the knowledge I have of the character of the said Eliza Cunningham, I verily believe, for a bribe of a few shillings, she would say any thing, however false, under oath. She is very much addicted to drinking, and is one of the most depraved of that class of females.

ANTHONY HAMILTON.

Sworn before me, this 30th day of September, 1831,

ADAM L. MACNIDER, J.P.

[No. 4.]

MONTREAL.

SARAH NOXON, of Montreal, being duly sworn, doth depose and say—That during the year one thousand eight hundred and twenty-nine, and part of thirty, she occupied part of a house in the St. Lawrence suburbs, and earned her livelihood by washing, that the only persons who lived with her were a servant boy, whom she employed principally to go for and carry home clothes, and one Louisa Bertrand,

who boarded for a period Nyles, Dr. having from a hundred of the de desired he as deponent door, and when Nyl pistol, load in her left and threw cape of h situation i killed the was disch deponent's party, after out, or we having con that time an acre fr Rae kept habit of vi three nigh said Rae arm in arm ponent th my friend She, the employed deponent, the said N such an o companion frequently from the b the neighb who had house she with Mr. Henry Ma in compan kenzie. T Marteau c he was acc

who hoarded and lodged, during a fit of sickness, with the deponent for a period of six weeks. That she, the deponent, knows James Nyles, Daniel Daly, George Rea, and Honalaw, all of Montreal, from having frequently seen them pass by her house, going to and returning from a house of ill fame, kept by one Lucie Rolland; that on the evening of the twenty-seventh day of January, one thousand eight hundred and thirty, the said Nyles, Daly, and Rae, came to the door of the deponent's house; and hearing them conversing together, she desired her servant boy to shut the outer door, which he refused to do, as deponent believes, through fear; whereupon deponent opened the door, and took hold of the outer door for the purpose of closing it, when Nyles advanced close to deponent, and immediately discharged a pistol, loaded with powder and ball, at her, the contents of which lodged in her left arm. She immediately returned into the house screeching, and threw herself on the bed, Daly followed into the house, with the cape of his coat over his head to disguise himself, and on seeing the situation in which deponent was, he exclaimed—"My God, we have killed the woman!" and went out of the house, when another pistol was discharged in the street, and a pane of glass in a window of deponent's house was broken by a piece of ice thrown in by one of the party, after which deponent heard the said Rae cry out—"Let us clear out, or we will be caught." She, the deponent, knew Rae by his voice, having conversed with him before. That one Rosalie Boillieu lived at that time with the said Lucie Rolland, whose house was situated about an acre from deponent's, and the deponent understood that the said Rae kept the said Rosalie Boillieu, and in fact he was in the constant habit of visiting at the house of the said Lucie Rolland. That two or three nights before deponent was wounded as above-mentioned, the said Rae walked past deponent's house with the said Rosalie Boillieu, arm in arm, when the latter took up stones and threw one at the deponent through the window, and said—"If ever I see you speak with my friend George Rae, I will blow your brains out with a pistol." She, the deponent, understood, at the time, that the said Rae was employed as a clerk or shop-boy at Mr. Smith's, a grocer; that she, the deponent, never gave any provocation, or cause of offence whatever, to the said Nyles, Daly, or Rea, and cannot conceive why they committed such an outrage upon her. That she, the deponent, knows Kittson, a companion of the said Nyles, Daly, and Rae, and whom the deponent frequently saw passing her house with them, going to and returning from the house of the said Lucie Rolland, it was generally reported in the neighbourhood, that the said Kittson kept one Eliza Cunningham, who had previously lived with the said Lucie Rolland, from whose house she had been removed by the said Kittson, and was then boarding with Mr. and Mrs. Young. At that period Kittson lived with Mr. Henry Mackenzie, of Montreal, and the deponent frequently saw him in company with young Mackenzie, nephew of the said Henry Mackenzie. That about eight days before the deponent was wounded, one Marteau called at the deponent's house to see the said Louisa Bertrand, he was accompanied by the said Rae and Nyles; they remained there

together about half an hour and went away. That the deponent had never spoken to the said Rae, before the time he came to her house with the said Marteau and Nyles; and the deponent supposes that this was the cause of the said Rosalie Boillieu threatening her as above mentioned.

(Signed) SARAH NOXON.

Sworn before me, this 23rd day of July, 1831,

ADAM L. MACNIDER, J. P.

[No. 5.]

MONTREAL, SEPT. 15th, 1829.

Rev. Mr. Esson,
SIR,

You are well aware of the manner in which your character is spoken of at present, and if mine was not mentioned also, I would not have to write you; the way in which my character is spoken of gives me reason to clear myself as far as lies in my power. I have been told the Rev. Mr. Black wishes to see me concerning this matter; I thought it would be well to let you know. It is a matter that I am well assured is quite a public talk; I think it is but right, that you would do all in your power to clear me of a report which you are well aware that I do not deserve.

(Signed) MARGARET M'INTYRE.

A true Copy,

THO. BLACKWOOD.
C. SWEENEY.

[No. 6.]

I, THOMAS ANDREW TURNER, late one of His Majesty's Justices of the Peace for the District of Montreal, do hereby certify— That for a number of years past, and more particularly from the year 1825 to the month of October, 1830, I frequently attended at the Police Office in the Town of Montreal, and often in the absence of the magistrate entrusted with the charge of that department, acted in his stead. That during my attendance as aforesaid, I had many opportunities of becoming acquainted with a variety of characters, who came under the cognizance of the police; and amongst others I had occasion to know one Eliza Cunningham, who, I understand, has given a deposition upon oath, that might tend to vilify and destroy the character of

the Rev. I
St. Gabrie

I have,
of the said
most aban
believe up
titude, and
that she w
a compens
immorality
nature as a

Montreal,

My DE

conversation
the 26th o
been sent
on his retu
been interr
then in cir
of convers
he could g
him," or w
Ogilvie exp
think prop

Rev. H.

DEAR

Montreal s
engagemen

the Rev. Henry Esson, minister of the Scotch Presbyterian Church, in St. Gabriel street.

I have, therefore, to say that, from the knowledge I have acquired of the said Eliza Cunningham as before mentioned, I consider her a most abandoned and profligate character, and such as I would not believe upon oath; she was always considered to be a common prostitute, and I have seen her so intoxicated upon the streets of Montreal, that she was unable to walk. I have further to say, that I believe for a compensation in money, she would readily make any charge of immorality or otherwise against any clergyman or other person, of such nature as she might be instructed.

THO. A. TURNER.

Montreal, 27th June, 1831.

[No. 7.]

MONTREAL, 7th JAN. 1830.

MY DEAR SIR,

At your request I have noted down the substance of the conversation which took place between Mr. Ogilvie and myself, on the 26th of last month. Mr. Ogilvie stated that Mr. Howden had been sent for by the Rev. Mr. Black, on a certain occasion, and that on his return he had informed Mr. Carmichael and himself, that he had been interrogated by Mr. Black respecting some rumours which were then in circulation reflecting on your character; and that, in the course of conversation, he, Mr. Black, had made use of the expression—"If he could get hold of Mr. Esson, he would be at him, or down upon him," or words to that effect. To the truth of this statement, Mr. Ogilvie expressed himself willing to testify in whatever form you might think proper.

Most truly yours,

ROBERT SWEENEY.

Rev. H. Esson.

[No. 8.]

CHAMBLY, 26th DEC. 1829.

DEAR SIR,

An accidental occurrence prevents me from being in Montreal so soon as I mentioned to Mr. Sweeney. Mr. Braithwaite's engagements at present are such as require my attendance at home;

that you may, however, avail yourself of such information as I can give, in answer to your queries submitted to me in your letter of the 26th instant, it is as follows:—

Mr. Howden mentioned to Mr. Carmichael and myself, on the day following his visit to Mr. Black, that the report afloat regarding Mr. Esson had reached Mr. Black, and that Mr. Black had remarked to him—“*if he found any thing of a tangible shape in this report, he would certainly take it up.*” These are the ipsissima verba of Mr. Black, communicated to us by Mr. Howden, as far as I can charge my memory.

With regard to the report itself, I have heard nothing of it since I was last in Montreal; and the amount of it, previous to that time, you seemed most fully in possession of, from the conversation I had with you. Hoping the above will be found satisfactory, and that this unfortunate affair will soon be consigned to oblivion,

I am, Dear Sir,

Yours very truly,

P. H. OGILVY.

The Rev. H. Esson.

[No. 9.]

MONTREAL, 23rd JAN. 1830.

John Fisher, Esq.

SIR,

Understanding that a meeting of the proprietors of pews, in the Scotch Church, St. Gabriel street, is to take place on the 25th instant, and that Mr. Cheney (who gave evidence against the Rev. Mr. Esson, on a former occasion) now refuses to say any thing further on the subject, we beg leave to inform you, that on or about the second day of January, in the present year, in the course of conversation with the said Mr. Cheney, respecting the affairs of the Scotch Church, and in reference to his former testimony, we heard him say—“I think it was Mr. Esson that I saw, but I am not sure that it was him:” his precise words to the best of our recollection.

We consider it an act of justice to state this, and if you think it will answer any good end, we desire you will make free use of our names and this letter at the anticipated meeting.

We are, Sir,

Your very obedient Servants,

JOHN M'CONNEL
WM. M'KENZIE.

WM. M.
sworn, doth
subscribed
writing, an
and founde
“John M'C
and of the
Gentleman,
and the dep
the request
act of the s
signed by th
hundred an

Sworn, at l

I hereby
Session in
he appeared
possession o
his facultie
far under th
blame be af
particularly
few days
rumours ap
of coming f
it forward
impression
attending t
Mr. Black,
that Mr. E
made; on t
course of a
people wh
further sole
appointmen
time appoi
that Mr. E
my stairs,
degree over
and registe

WM. M'KENZIE, of the City of Montreal, Gentlemen, being duly sworn, doth depose and say—That the signature "Wm. M'Kenzie" subscribed to the letter above written, is his signature of his hand writing, and that the allegations in the said letter contained are true and founded in fact. And the deponent further saith, that the signature "John M'Connel" to the said letter also subscribed, is the signature and of the proper hand writing of John M'Connel, of Montreal, Gentleman, who is at present absent from the District of Montreal; and the deponent further saith, that the said letter was not written at the request or suggestion of any other person, but was the spontaneous act of the said John M'Connel and the deponent, and was written and signed by them on the twenty-third day of January, one thousand eight hundred and thirty.

WM. M'KENZIE.

Sworn, at Montreal, this 29th day of June, 1831, before me,

ADAM L. MACNIDER, J. P.

[No. 10.]

I hereby declare—that, in the evidence which I gave before the Session in reference to the Rev. Mr. Esson, I did not mean to say that he appeared to me to be so far affected by liquor as not to be in perfect possession of all his senses, and in the perfect capacity of exercising all his faculties of mind and body; I merely considered him as being so far under the influence of wine, as any man might naturally and without blame be after coming from a dinner party, and that if I had not been particularly requested by the Rev. Mr. Black, who called upon me a few days before and examined me on the subject, of which some rumours appear to have reached his ears, I should never have thought of coming forward to give such evidence, and still less to have brought it forward as a charge against Mr. Esson, as it left no unfavourable impression upon my mind, and did not operate at all to prevent my attending the communion table. I further declare, that I never gave Mr. Black, or the members of the Session, any reason to say or insinuate that Mr. Esson had not been punctual to the appointment which he made; on the other hand, when I was told that he was to attend in the course of an hour at my house, I looked at my watch and said to the people who were present, that would be about ten o'clock; and I further solemnly declare my impression, that Mr. Esson was true to his appointment within ten minutes, whether before or after the exact time appointed, I will not pretend to determine. I further declare that Mr. Esson came to my house, and ascended alone and without aid my stairs, which are steep and would not be very safe for a man in any degree overcome by wine; that he performed the ceremony of marriage and registered it with perfect accuracy; that he conversed with us

freely, both before and after the performance of his duty; and that his conversation was perfectly sensible and collected; that the facts which I have now stated were stated to the Session, and that it was not my fault that the secretary did not record such facts and observations as I then and there made to explain and qualify my evidence; and to prevent any undue or exaggerated estimate of the degree in which Mr. Esson appeared to me, on that occasion, to be under the influence of wine, I am ready to swear to truth of the above, whenever it shall become necessary.

MONTREAL, 22nd JANUARY, 1830.

The foregoing statement of evidence, taken on the twenty-second day of January, 1830, having been again referred and read to Mr. John Whitlaw, in our presence, this twenty-fifth day of June, in the year of our Lord one thousand eight hundred and thirty-one, he admits the same to contain the truth, with the exception of that part which states that Rev. Mr. Black had called and examined him upon the subject of certain rumours against Mr. Esson, admitting however that Mr. Black did call and asked him if Mr. Esson had performed the marriage ceremony, being answered in the affirmative, he then was told by Mr. Black, "You will get a note to attend the Session."

Although admitting the truth contained in said statement, yet refused to sign his name thereto.

JOHN FISHER.
ALEX. DEWAK.

[No. 11.]

I recollect being present, some time in the month of December last, at a conversation between the Rev. H. Esson, of Montreal, and Mr. John Whitlaw, of the same place, carpenter, when in answer to some questions put by Mr. Esson, in reference to evidence given by him, Mr. Whitlaw, before the Session regarding Mr. Esson's sobriety; Mr. Whitlaw said that Mr. Esson did not appear to be so far affected by liquor as not to be in the perfect capacity of exercising all his faculties both of mind and body; that he merely appeared to be so far under the influence of wine as any man might naturally and without blame be after coming from a dinner party; and that if he, Mr. Whitlaw, had not been earnestly pressed by the Rev. E. Black, who called upon him for that purpose, he should never have thought of coming forward to give such evidence, as it left no unfavourable impression upon his mind, and did not tend in the least to prevent his attending the communion table.

That he had stated several circumstances before the Session, in order to explain and qualify his evidence, and to prevent any undue or exaggerated estimate of the degree in which Mr. Esson appeared to

him to be
reasons b
This is
the occas
Dated

In the p

I was
Whitlaw
Mr. Wh
two othe

No
In the p

I, J
Lower
vious to
Douglas
the cha
that he
what he
matter,
he said
and ha
not to
doing
them a
import
took p
by Mr.
Mr. E
same v
reports

Mo

him to be under the influence of wine, but which the secretary, for reasons best known to himself, did not see fit to commit to writing.

This is the substance of what Mr. Whitlaw said in my presence, on the occasion above-mentioned, as I am ready to swear, if necessary.

Dated at Montreal, 20th day of November, 1830.

JAMES ISDELL.

In the presence of

JOHN FISHER,
THO. BLACKWOOD.

I was also present at the conversation between Mr. Esson and Mr. Whitlaw above alluded to, and recollect that such was the purport of Mr. Whitlaw's answers. Mr. Whitlaw also stated the same to me, on two other occasions, as I am ready to swear when necessary.

JOHN BLACKWOOD, JUN.

November 20th, 1830.

In the presence of

JOHN FISHER,
THO. BLACKWOOD.

[No. 12.]

I, JAMES COURT, of the City of Montreal, in the Province of Lower Canada, declare as follows:—to wit, That some Sunday previous to the third of September last, I was informed by Mr. Alexander Douglas of certain rumours which were then in circulation involving the character of the Rev. Henry Esson. Mr. Douglas informed me that he had spoken with Mr. Howden upon the subject, who confirmed what he had heard in that respect. Wishing to know the truth of the matter, I spoke to Mr. Howden the same day upon the subject, when he said, in substance, that he had heard these reports some time ago, and had hitherto refrained from giving them publicity, out of a desire not to destroy Mr. Esson's character; but that now, as Mr. Esson was doing every thing in his power to hurt him, he would no longer keep them a secret, and did not care to whom he related them. Such is the import of what passed between us; but from the length of time since it took place, I cannot precisely say what were the words made use of by Mr. Howden. I mentioned the rumours I had heard respecting Mr. Esson to Mr. John Blackwood, jun. immediately or soon after the same were communicated to me by Mr. Douglas; shortly after, the reports I had heard were generally circulated in Montreal.

JAMES COURT.

Montreal, 6th January, 1830.

[No. 13.]

I, JOHN BLACKWOOD, Junior, of the City of Montreal, declare as follows:—to wit, That I entered the Rev. Mr. Esson's academy, on the tenth of August last; on or about the twenty-third of that month, I was told by Mr. James Court, of Montreal, of certain rumours which were afloat, highly prejudicial to Mr. Esson's character, all which reports he, Mr. Court, told me that he had from Mr. Howden and others that day. (23rd of August.) The next day I spoke to Mr. Carmichael, who was then a teacher at Mr. Esson's, and asked him if he had heard of them? Mr. Carmichael replied in the affirmative. I then suggested the propriety of mentioning those reports to Mr. Esson; but Mr. Carmichael advised me not to do so, as the Rev. Mr. Black knew (to Mr. Carmichael's knowledge) of them, and he thought it was Mr. Black's duty to inform Mr. Esson, and he supposed had done so. Upon the 5th of September, Mr. Esson, in my presence and in presence of the other masters in the academy, severely lectured Mr. Carmichael, as having been very busily engaged in spreading the said reports. Mr. Carmichael acknowledged having spoken rather too freely upon the subject, and regretted that he had not been more circumspect in uttering his sentiments. Mr. Esson upon that occasion did not spare Mr. Carmichael, and his, Mr. Esson's, language, though far from being opprobrious or ungentlemanly, was quite the reverse of the language of one who would wish to conciliate.

On or about the 22nd of September last, I was requested by Mr. Esson to be present at a conversation between him and Mr. Howden previous to which I was informed by Mr. Esson, that Mr. Ogilvie had told him that Mr. Howden had had several secret communications with Mr. Black, upon the subject of these rumours, in the middle of July last; I was also requested to pay particular attention to the manner in which Mr. Howden would answer the questions put to him. Mr. Howden, at first, flatly denied it, but was, at last, brought to acknowledge the truth of Mr. Ogilvie's statement, after manifesting exceeding great reluctance and after the question had been put to him in several different shapes. Mr. Howden added, that he never spoke to Mr. Black concerning those rumours, until Mr. Black had first introduced them into conversation; and that Mr. Black had been *teasing* him (to use his own expression) to become a partner with him, Mr. Black, in a school, which the latter was then about establishing.

On the evening of the 28th of December last, at the request of Mr. Esson, I waited upon Mr. Howden to ask him to call upon Mr. Esson, to answer some questions with regard to an overture alleged to have been made by Mr. Esson, to prevail upon Mr. Howden to leave Mr. Black. Mr. Howden declined having any thing more to do with the business, as it might lead him into difficulties; but, at the same time, he declared that there was nothing in Mr. Esson's communication with him, to warrant a suspicion that Mr. Esson wished to entice him from Mr. Black. Mr. Howden further declared, that he had, much against his will, given a declaration to Mr. Black (who had questioned him

upon the purpose, Mr. Esson during the interference with Howden's Session, Black; that he, Mr. Esson, even hired other people.

Mr. Esson's young man of his class.

I have always wished to see I never overcame me in a swear to set my law.

I have and from thing in driven N in one there was side. I a Mr. B with Mr. of being ride round above st

Dated

THO of nearly

upon the subject, and urged him to make the declaration) to this purpose, that Mr. Esson had asked him, Mr. Howden, to attend his Mr. Esson's Academy, solely for the purpose of drawing, for two hours during the day and one hour at night, at times which would not interfere with his, Mr. Howden's, engagements with Mr. Black. Mr. Howden also stated, that he had heard that it was mentioned to the Session, that he said Mr. Esson wished to entice him away from Mr. Black; and that, if Mr. Black had stated any such thing to the Session, he, Mr. Black, alone was responsible for it, as he, Mr. Howden, never even hinted at any thing of the kind, either to Mr. Black or to any other person.

Mr. Esson has always, in my presence, spoken of Mr. Howden as a young man who had been regular, attentive, and steady in the discharge of his duty, while in his, Mr. Esson's, employ.

I have lived in Mr. Esson's house since the 9th of September last, have always had access to him morning, noon, or night, at any time I wished to see him. During all the time I have been with Mr. Esson, I never saw, knew, or even suspected him to have been in the least overcome by liquor. Mr. Esson has never behaved himself towards me in any way but as becomes a friend and brother. I am ready to swear to the truth of the foregoing when necessary, and have hereunto set my hand, this 7th day of January, 1830,

JOHN BLACKWOOD, JUN.

[No. 14.]

I have lived in Mr. Esson's house since the 10th of August, 1829, and from that time to the present have never seen or remarked any thing in his conduct to warrant a suspicion of inebriety; I remember to driven Mr. Esson round the mountain, about the 12th of August last, in one of Mr. Sharpe's calashes; we met another carriage in which there was a woman and some children, and a gentleman walking along side. I did not know said gentleman, but have understood that it was a Mr. Bruce of Montreal, schoolmaster. He entered into conversation with Mr. Esson, who was perfectly sober at the time, but complained of being weak and unwell, and it was on that account that we took the ride round the mountain. I am ready to swear to the truth of the above statements.

JAMES ISDELL.

Dated this 6th January, 1830.

[No. 15.]

THOMAS MATHEWS has lived with Mr. Esson for the space of nearly two years, has always opened the door for Mr. Esson when

he returned home at night, and never saw him come home tipsey or worse of liquor. Recollects having seen Mr. Esson on or about the 12th of August last, both before and after he, Mr. Esson, had been out riding in a calash with Mr. Isdell, and saw nothing to lead to a suspicion of Mr. Esson being intoxicated; has always had access to Mr. Esson's room at all times, never saw any thing improper or indecorous or any thing calculated to excite suspicion in Mr. Esson's conduct. Mr. Esson has not spent a night from home, since the month of May, except when he, Mr. Esson, was up at Beauharnois. Remembers that the last Friday in June, Mr. Esson spent the evening with Mr. Cruikshank, at Mr. Shaw's, and that he, Mr. Esson, came home shortly after ten o'clock that night perfectly sober and collected. Is ready and willing to confirm the above statement, on oath, when required, and being unable to write, hath made his usual mark in presence of the undersigned witnesses.

his
 THOMAS X MATHEWS,
 mark.

Montreal, 7th of January, 1830

JOHN BLACKWOOD, JUN. } Witnesses.
 JAMES ISDELL. }

[No. 16.]

I declare that I entered into Mr. Esson's employ, in the capacity of housekeeper, on the 15th day of May last past, since which period I have had the custody of the keys of the cellar, in which the wine and spirits are kept. I have a perfect knowledge of the quantity of wine and liquor used in the family, as the same are always drawn by myself, and I declare that the quantity consumed is less than was used in my own house (a tradesman's family, consisting of myself, my late husband, my child, and servant girl) or in any other family that I know. Mr. Esson's family consists of himself, two ushers, six boarders, a servant man, myself, and two servant girls. I also affirm that I have seen Mr. Esson, I believe without exception, several times every day, at various hours both late and early, and never saw him in any way irregular or in a state of inebriety. Mr. Esson has never been absent from home any night since I came to the house, except one when he went to Beauharnois. Mr. Esson has been in the constant practise of informing me, when he goes out in the evening, where he may be found should he be required. Shortly before Mr. Howden left Mr. Esson's employ, Mrs. Campbell, who is now in Upper Canada, informed me, that Mr. Howden had expressed to her a wish that Mr. Esson's school would die in decline. I am ready and willing to make oath to the foregoing statements if required.

MARGARET MALCOLM.

Montreal, 7th January, 1830.

This is t
 Montreal A
 during whic
 opportunity
 solemnly de
 ebriety, or a
 and the cler

N. B. I
 it August,

I, BRID
 William Do
 Esson upw
 1825, and e
 woman, na
 housekeepe
 Campbell, a
 had a door
 members o
 masters or
 boarders. o
 persons we
 that all the
 room, it w
 that I neve
 that he rar
 tention on
 house the r
 in the hous
 That the
 of attending
 bell was th
 bed-room;
 bed-room;
 house whe
 circumstan

[No. 17.]

CORNWALL, 20th JULY, 1831.

This is to certify, that I lived as assistant for three years in the Montreal Academical Institution, conducted by the Rev. H. Esson, during which time, I was an inmate in his family, and therefore had an opportunity of being perfectly acquainted with his habits; and I do solemnly declare, that, during said time, I never saw him in a state of ebriety, or acting in any manner otherwise than become the gentleman and the clergyman.

LAWRENCE C. O'DONOUGHUE.

N. B. I entered Mr. Esson's Academy September, 1824, and left it August, 1827.

LAWRENCE C. O'DONOUGHUE.

[No. 18.]

I, BRIDGET HEALY, of the City of Montreal, cook, and wife of William Dorn, declare—that I lived in the service of the Rev. Henry Esson upwards of three years, commencing the 1st day of January, 1825, and ending in October, 1828. That, during this period, a young woman, named Margaret M'Intyre, was engaged by Mr. Esson as housekeeper; that she slept in the same room with myself and Mrs. Campbell, an old woman upwards of sixty years of age; that this room had a door opening into a passage, which was a thoroughfare for all the members of Mr. Esson's household, consisting of never less than two masters or teachers, sometimes three, of ten or twelve young gentlemen boarders, of three women servants, and one man servant; that all these persons were in the habit of passing up and down this thoroughfare; that all the women slept in the same room; that, though it was a bedroom, it was all the said Margaret M'Intyre had for a sitting-room; that I never saw Mr. Esson frequent said room, and I am persuaded that he rarely visited it, and I never would have suspected any ill intention on his part in going into it, as it was of all the rooms in the house the most open to observation, being accessible to all the females in the house at all times, who slept and dressed in it.

That the man servant and Mrs. Campbell were always in the habit of attending Mr. Esson in his bed-room and parlour; that Mrs. Campbell was the person who made Mr. Esson's bed, and had charge of his bed-room; that I never saw said Margaret M'Intyre enter Mr. Esson's bed-room, or the room where he sat, or any other apartment of the house where he was, at an unseasonable hour or under suspicious circumstances.

I further declare—that Mr. Esson's bed-room was immediately adjoining that of Mr. Gale, which was afterwards occupied by Mr. Howden until I left Mr. Esson's service; that there is a door in the partition between their bed-rooms, and another door opening in the drawing-room from Mr. Esson's bed-room; that I never knew either of these doors to be locked, or any of Mr. Esson's rooms not to be open and accessible at all times of the night or day. That all the while I lived in Mr. Esson's house, I never saw him intoxicated, nor ever observed any impropriety or irregularity in his conduct. That I know that the said M'Intyre had some differences with Mrs. Campbell; that she, the said M'Intyre, in consequence of a quarrel with Mrs. Campbell, abruptly left the house one evening, sending in the keys to Mr. Esson or Mr. Gale; that she returned however the following morning, and resumed her place; that she had her mother concealed in the house, in her bed-room aforesaid, as all the servants in the house were aware.

her
BRIDGET x DORN,
mark.

Montreal, 9th of November, 1831.

Sworn before me, this 9th day of November, 1831,

ADAM L. MACNIDER, J. P.

[No. 19:]

I, THOMAS MATHEWS, of the City of Montreal, house-servant, declare—that I lived in the service of the Rev. Henry Esson, for the space of three years and three months, entering it in the year one thousand eight hundred and twenty-eight, and left it in the year one thousand eight hundred and thirty-one; that, during this period, a young woman, named Margaret M'Intyre, was engaged by Mr. Esson as housekeeper; that she slept in the same room with the cook, Bridget Healy, and Mrs. Campbell, an old woman of upwards of sixty years of age; that this room had a door opening into a passage, which was a thoroughfare for all the members of Mr. Esson's household, consisting of never less than two masters or teachers, sometimes three, of ten or twelve young gentlemen boarders, of three women servants as aforesaid, and one man servant (myself); that all these persons were in the habit of passing up and down this thoroughfare; that all the women slept in this same room, and that it is impossible to imagine that any person, under such circumstances, at any hour either of the day or night, should enter said room with an evil or dishonourable intention; that, though it certainly was a bed-room, it was all that said M'Intyre had for a

sitting-room
the only p
housekeep
same floor
concealmen
of meeting
would neve
it, as it wa
vation, bein
slept and
habit of at
Campbell
charge of h
Mr. Esson
ment of th
suspicious
heard any
having ma
Mr. Esson
of me and
bed-room
afterwards
until the
hundred a
these bed-
that I nev
Esson's ro
or day; an
masters, b
he could e
stances, a
Esson's ho
priety or i
summer of
November
of the par
after ten o
that havin
schools, h
about ten
opened th
in the win
instance o
intoxicatio
said Marg
and was
Campbell
consequen

mediately
by Mr.
r in the
; in the
w either
ot to be
all the
ed, nor
That I
Campbell;
th Mrs.
keys to
ollowing
ealed in
ne house

J. P.

l, house-
ry Esson,
the year
the year
period, a
Mr. Esson
k, Bridget
y years of
ich was a
consisting
of ten or
aforesaid,
the habit
en slept in
ny person,
ght, should
at, though
had for a

sitting-room, and that in fact she frequently sat there; and that it was the only place where Mr. Esson could see and converse with the housekeeper, unless he went down to the kitchen, which being on the same floor with the cellars, and affording much greater opportunity of concealment, would consequently have been among suspicious places of meeting; that I never saw Mr. Esson frequent said room, and I would never have suspected any ill intention on his part in going into it, as it was of all the apartments in the house the most open to observation, being accessible at all times to all the females in the house, who slept and dressed in it; that I or Mrs. Campbell were always in the habit of attending Mr. Esson in his parlour and bed-room; that Mrs. Campbell was the person that made Mr. Esson's bed and had the charge of his bed-room; that I never saw said Margaret M'Intyre enter Mr. Esson's bed-room, or the room where he sat, or any other apartment of the house where he was, at an unreasonable hour or under suspicious circumstances; and I never had reason to suspect, nor ever heard any of my fellow-servants express a suspicion of Mr. Esson's having made an appointment with said girl; and that if such had been Mr. Esson's habit, I do not think it could have escaped the observation of me and my fellow-servants. I further declare—that Mr. Esson's bed-room was immediately adjoining that of Mr. Gale, which was afterwards occupied by Mr. Howden, who did not leave Mr. Esson's until the end of July, or beginning of August, one thousand eight hundred and twenty-nine; that there is a door in the partition between these bed-rooms, and another door opening into the drawing-room; and that I never knew either of these doors to be locked, or any of Mr. Esson's rooms not to be open and accessible at all hours of the night or day; and that living as he did accessible at all times to all of us, masters, boarders, and servants, it was hardly possible to conceive that he could either have done, or even intended to do, in such circumstances, aught that was wrong. That all the while I lived in Mr. Esson's house I never saw him intoxicated, never observed any impropriety or irregularity in his conduct; and that, especially during the summer of one thousand eight hundred and twenty-nine, from May till November, he was rarely from home; that I believe I remember most of the parties that he attended, and that I never knew him to be out after ten or eleven o'clock at night, except on occasion of these parties; that having a great deal of fatigue during the day, in attending his two schools, he was during that period in the habit of going to bed generally about ten o'clock, except in the few cases aforesaid; that I generally opened the door to Mr. Esson when he returned from parties, which in the winter season was not seldom, and I do not recollect a single instance of Mr. Esson's being, on any such occasion, in a state of intoxication all the time I lived in his house. That I know that the said Margaret M'Intyre had frequent differences with Mrs. Campbell, and was very anxious that Mr. Esson would discharge her (Mrs. Campbell) from his service; that she, the said Margaret M'Intyre, in consequence of a quarrel with Mrs. Campbell, abruptly left the house

one evening, sending in the keys to Mr. Esson or Mr. Gale, with a message intimating her departure; that she returned however, without any invitation, the day following, and resumed her place; that she had her mother concealed in the house for several weeks, in the bed-room aforesaid, as all the servants in the house were aware, without the consent or even knowledge of Mr. Esson or Mr. Gale; that she would have been quite willing to continue in her place, had Mrs. Campbell been discharged, or could she herself have retained her situation as house-keeper; and that it was well known to all the servants in the house, that her reason for quitting it was that she did not like to accept the situation of cook, which was offered to her upon the departure of the aforesaid Bridget Healy; and it is further known to me, that when Mrs. Campbell proposed to Mr. Esson, for the sake of the peace of the house, to resign her situation and give place to the said Margaret McIntyre, Mr. Esson would not consent, saying that—"if Margaret McIntyre did not like to remain, she might go." That the said Margaret McIntyre, after leaving Mr. Esson's house, lived in Montreal for upwards of a year after; that during said period, I had frequent opportunities of seeing her, and if she had been in a state of pregnancy it was impossible that it should escape the observation of myself and many others who had access to see her during the said time. I further declare—that I never saw or heard of any levity or impropriety of conduct in the said Margaret McIntyre, during the period of her service in Mr. Esson's. The foregoing declaration being read to me, I declare that it contains the truth, and I further declare that I cannot write or sign my name.

his
 THOMAS + MATHEWS,
 mark.

Sworn before me, this 23rd day of November, 1831,

ADAM L. MACNIDER, J. P.

*Circular L
 of Scot*

MY DEAR

impose on
 my clerical
 sition alone
 involved.
 decision cer
 instituted b
 having been
 of them, an
 ceeding in a
 to my scrut
 taken place,
 At the very
 protest on
 believing, a
 self-interest,
 and its rever
 he possessed
 compatible
 more than t
 I entered r
 inquiry been
 law of our c
 entering on
 occupied, a
 and, on tha
 appealing at
 readiness to
 and (as I sh
 course that
 course. In
 before any l
 as they hav
 circular to y
 such steps
 effective, an
 have in my
 and my con
 referred, to
 recent infor

[No. .]

Circular Letter addressed to the several Rev. Clergymen of the Church of Scotland, in the Provinces of Upper and Lower Canada.

MONTREAL, 1st APRIL, 1830.

MY DEAR SIR,

Recent events, which have unhappily agitated our church, impose on me the painful necessity of requesting an early meeting of my clerical brethren, in these Provinces, convinced that their interposition alone can extricate us from the difficulties in which we are now involved. It is my intention to submit to their investigation and decision certain charges which, originating in a clandestine inquiry, instituted by my colleague, were brought before the Session, without having been previously submitted to me, although I demanded a copy of them, and strongly remonstrated against the injustice of their proceeding in an inquiry on grounds which were not previously subjected to my scrutiny. The character of the proceedings, which have since taken place, you will have an opportunity of estimating for yourself. At the very commencement of the business, I entered my solemn protest on the grounds that I had no confidence in my colleague, believing, as I most sincerely did, that he was actuated by views of self-interest, and by a wish to obtain exclusive possession of the church and its revenues. I had every reason to believe, at the same time, that he possessed an influence over several of the members altogether incompatible with the ends of justice. It was, on these grounds, even more than the incompetency of the Session as a Court of Inquiry, that I entered my solemn protest. Nay, had those that constituted the inquiry been a legitimate and competent tribunal, recognized by the law of our church, I should have felt insurmountable objections to their entering on such an inquiry, on account of the place which my colleague occupied, and the influence which he possessed among its members, and, on that ground, should have felt myself under the necessity of appealing at once to another tribunal. It was in vain I declared my readiness to meet them and their charges before any proper tribunal, and (as I shall prove by incontrovertible evidence) to accede to any course that was fair and manly. They determined to pursue their own course. In declaring myself ready to meet them and their accusations before any legitimate tribunal of our church, I certainly never intended, as they have presumed most unwarrantably to represent, in a late circular to you and a number of my brethren, to preclude myself from such steps for my own vindication as I may deem most prompt and effective, and still less to deprive myself of the only means which I have in my power of obtaining such an impartial investigation of their and my conduct, as may enable any tribunal, to which matters may be referred, to form a correct judgment of the merits of the case. From recent information, which I have obtained, of the secret designs and

intrigues of those who now oppose the only possible mode of obtaining an impartial investigation; while, at the same time, they refuse me, as I shall prove by their own official communication, the representations which they have transmitted or are about to transmit to Dr. Lee. *I am warranted to say, that their hope is to effect my exclusion from the church, by organizing in the meantime such an opposition as will enable them to accomplish by violence, what they are conscious they cannot compass in any other way.* If it should be necessary for me to show the grounds on which I believe that such views are entertained by my opponents, in order to induce any of my brethren to assent to my present request, I am ready to do so; but I cannot allow myself to doubt, that all my brethren will feel it a moral duty to afford to our church the benefit of their advice and authority in terminating the present unhappy divisions, and to afford me that protection which they alone are competent to give me, in the very peculiar and embarrassing situation in which I am now placed. One consolation I have in the hope, that the partial evil which distracts our church, may be productive of permanent and general good, if it happily lead to the formation of a Presbytery, which would effectually prevent the recurrence of those unseemly contentions for which we are now compelled to seek a remedy. I have fixed the 13th day of May next for the meeting (in Montreal of course) relying on your kind compliance with my request, and soliciting the favour of an early answer,

I am, Rev. and Dear Sir,

Very sincerely yours,

(Signed) H. ESSON.

A True Copy,
H. ESSON.

[No. .]

Thursday Evening, 9 o'Clock, 20th May, 1830.

REV. SIR,

In answer to your note of to-day, received this evening, at *eight o'clock*, purporting to contain an extract of an adjourned meeting of Session, I have to say, that your whole conduct surprises me not a little. I received your letter of the 18th on the morning of the 19th, at about 9 o'clock, informing me of an adjourned meeting of Session, to be held on the 19th, and at 12¹/₂ o'clock, I can prove that my answer to the said communication was delivered at your house, and that you were then at home. And yet you can tell me in a note of your letter received this evening, at 8 o'clock, that *my letter of the 17th of May, was not delivered to you until after the adjourned meeting of Session,*

at 2 o'clock
communi

was perh
I sent
Member
18th was
till abou
prove, th
o'clock t

This
before y
any imp
not carry

To p
letter, s
have onl
that the
do with

To the

On b
in which
of facts
be calle
stances
when th
mind;
more e
it is in

On V
house,
half-pa
had a r
house,
words

at 2 o'clock. You will admit that I lost no time in answering your communication, and your not receiving it in time (if such was the case) was perhaps a premeditated scheme on your part.

I sent you to-day an official answer (signed by the majority of the Members of Session) to your letter of the 18th, which letter of the 18th was not received, nay, not delivered to me, as already mentioned, till about 9 o'clock of the morning of the 19th instant; and I can also prove, that this official letter was delivered at your house, at about 4½ o'clock this afternoon, and that you were in the house at the time.

This letter must have been in your possession nearly four hours before you sent off your letter to me this evening; and I will allow any impartial person to say, if the whole of your correspondence does not carry something of manœuvring on the face of it.

To prevent all mistakes, I now enclose you a copy of the official letter, sent you to day at 12½ o'clock, through the door-keeper. I have only to add, that I write this letter on my own responsibility, and that the majority of Session, who act with me, have not any thing to do with it.

I am, Rev. Sir,

Your obedient Servant,

(Signed) H. MACKENZIE.

To the Rev. Henry Esson, &c.

SON.

[No. .]

Montreal, 21st May, 1830.

On being shewn a letter from H. Mackenzie to the Rev. H. Esson, in which Mr. Mackenzie charges Mr. Esson with a wilful misstatement of facts, and considering it possible that, at some future period, I might be called upon to verify part of Mr. Esson's statement, as the circumstances respecting it were known to me, the following notes are taken when the recollection of every circumstance is yet full and fresh in my mind; so that, if my testimony shall be required, I may give it with more entire satisfaction to myself, and without the least suspicion that it is in any degree modified by the usual effects of time.

(Signed) ALEX. MATHEISON.

On Wednesday, the 19th of May, 1830, Mr. Esson called at my house, about half-past eleven o'clock, A.M. and remained till about half-past one. When Dr. Harkness desired him to recollect that he had a meeting of Session to attend, Mr. Esson's words, on leaving the house, were—"I must be off, I would not be late for the world," or words to that effect. I was under the impression, that Mr. Esson had

barely time to be at the place of meeting at the appointed hour. Two or three times before he went away, he requested to know what o'clock it was, that he might not be too late. I do not at this time recollect, what was Mr. Esson's particular business at my house, I think it was to wait on Dr. Harkness.

On Thursday, 20th May, 1830, being in company with Dr. Harkness in St. Gabriel street, saw Mr. Esson and Mr. Leslie coming along St. James' street, this was about five minutes before five o'clock, P.M. Mr. Esson remained in company with Dr. Harkness and myself till near six o'clock, perhaps it might be fifteen minutes before six. When we went into Mr. Esson's house, for the purpose of seeing an extract of the Minutes of Presbytery, respecting ordination. When we went into his room, I saw a letter on his table still unopened, which I had sent to him about three hours before. It was opened by Mr. Esson; and partly read in presence of Dr. Harkness and myself. After we had been some minutes in his house, Mr. Esson's servant brings him a letter; Mr. Esson opened it and read it in our presence, it was from the Committee of Session, or Henry Mackenzie; Mr. Esson had shewn before this time a copy of a letter which he intended to send to H. Mackenzie, containing an order of Session, if I recollect well, to furnish copies of all papers, &c. Was advised by Dr. Harkness and myself, to send it notwithstanding the letter he had just received.

(Signed) ALEX. MATHEISON.

[No. .]

Montreal, 26th May, 1830.

SIR,

Your letter, dated Thursday Evening, nine o'clock, 20th instant, I duly received with its enclosure, and should not have failed to answer it immediately, had I not deemed it expedient to submit to the consideration of the Session, so precious a specimen of your candour and courtesy. I have no hesitation to say of that production, that the audacity of the allegations, is only matched by the brutality of the language. Your readiness to accuse and to prove (in your own way) I have already experienced, and am not surprised by the present instance. I took the liberty to shew your letter to the Rev. Dr. Harkness and the Rev. Mr. Matheison, who, unfortunately for your credit, are aware of the falsehood of the allegations which it contains, and Mr. Leslie, Dr. Caldwell, and Dr. Robertson are aware, as well as the above-mentioned gentlemen, of my not being at home upon one of the occasions, when you say that you can prove that I was. In one word, there is not a shadow of truth in any of the allegations, which you so confidently and indiscreetly hazard, so far as they go to im-

peach my ver-
present busi-
advice of t
questionable
and conduct
your benefi
family to be
ignominy, b
forget, that
by means un

To H. Mac

To the Rev
Rev

as all that y
your moral
pointed one
large numbe
style, witho
solid defenc
Were it wit
of the facts
desperately
proof and sh
"audacity"
20th instant
was deliver
a certain me
P.M. of the
(whom I ha
had occasion
formed me
at home, and
to you. T
instant, info
with a loop
enter it; tha
their presen

peach my veracity and honor. In every thing that I have done, in the present business, it is unfortunate for you that I have acted by the advice of those, whose integrity your allegations will not render questionable, and whatever opinion I may have formed of your character and conduct, I have sufficient good nature to offer you my counsel for your benefit:—That, as a husband and a father, you owe to your family to be a little more guarded how you expose yourself to public ignominy, by wanton and brutal calumnies; and I would not have you forget, that, even were your cause good, it is not likely to be advanced by means unworthy of a good cause or of honest men.

I am, Sir,

Your very obedient Servant,

To H. Mackenzie, Esq.

(Signed) H. ESSON.

[No. . .]

Montreal, 26th May, 1830.

To the Rev. Henry Esson, &c.

REV. SIR,

Your letter of this date is of the same character and texture as all that you have written, said, or done, since the impeachment of your moral character before that congregation of which you were appointed one of the pastors, and to be its example. It consists of a large number of abusive epithets, launched out against me in a fierce style, without apparent regard to applicability, and also without any solid defence of yourself or plausible foundation for attack on me. Were it without the signature, it would be taken by a person ignorant of the facts to which it alludes, as the production of an angry female, desperately denying what would be ruin to avow—shrinking from proof and shrouding the hollowness of her cause in a cloud of turbulence. You will not reason, but let me see in what consists the "audacity" of allegation which you impute to me. In yours of the 20th instant, you say that you did not receive mine of the 19th (which was delivered at your house, at about half-past twelve o'clock) till after a certain meeting, which is known to have taken place at two o'clock, P.M. of the same day. Now, the person who delivered that letter (whom I have known for several years, whose veracity I have never had occasion to doubt, and whom I am always ready to produce) informed me that the servant, who opened the door, said that you were at home, and took the letter into the room on her right hand, to deliver to you. The same woman, bearer of the Elders' letter of the 20th instant, informed me that she approached the door, when a gentleman with a looped hat and another gentleman with yourself were about to enter it; that feeling a delicacy to deliver it to you in the street, in their presence, she followed you in, and delivered it to a servant girl,

who opened the door and who went in to give it to you. I would ask then any impartial person whether I should have considered as true the Postscript of your letter of the 20th instant, which says that you did not receive my letter until after the meeting, and whether you, in asking in that letter for a copy of a Memorial, &c. which had been acquiesced in, on certain conditions, in the Elders' letter, received by you before four hours, did not act in a manner that carried "*on the face of it something manœuvring*." And I must say, that this impression has not been weakened by that passage of your letter of this date, in which you specify several persons as capable of attesting that you were not at home "*on one of those occasions*." For as it was clearly expedient for you to shew that you did not receive the first letter until after the meeting, and as, notwithstanding your consciousness of that expediency, you have denied your having been at home on "*one of those occasions*"—without specifying which, I am justified in presuming it was on the latter occasion, when you were seen entering the house with the gentleman with a looped hat (I presume Dr. Harkness) who could testify that you were out walking with him on the last occasion. What justification is this of your denying your receipt of the first letter till after the meeting? Answer me this, and shew that I have been misled by incorrect information, and I shall readily express my regret at having been misinformed; but unless you do so, I must apprise you, that I shall consider your last letter as conveying something on the face of it, *something MORE THAN manœuvring*.

As to the good nature you express towards me, you must really, Reverend Sir, permit me to hesitate before I give credence, although coming from so veracious a source, I ought not to doubt it.

I am, Rev. Sir,

With all the respect possible,

Your obedient Servant,

(Signed) H. MACKENZIE.

[No. .]

Montreal, 12th June, 1830.

SIR,

To err is human, but to persist in an error such as yours after the detection and exposure of its falsehood, is a conduct which I shall not stoop to characterize, and which those only will attempt to defend, who have been base enough to admit. If you, Sir, had not loved the lie better than the truth, you would, before launching out afresh the same imputations against me, have consulted one or both the Rev. gentlemen to whom I referred you, and who, as I stated in my former letter, were acquainted with all the facts and circumstances on which your calumnious allegations are founded, and might have learned from them that, to their certain knowledge, I was not at home on either of the

occasions sp
that you ca
phrase it, w
yours may l
as became a
ventured to
of the 26th
audacity of
unnecessary
not a sense
language ca
that I shou
falsehood an
calumniation
what respect
assassin or

I have re
occasion, s
impossible
the present
transfer to
the holder
on the imp
of which I
you! Tha
do not kno
have acted
of many sh
common w
enough to
triumph to
have I con
not consci
confidence,
feel profou
which I h
listen to th
chiefs whic
church; an
that you w
contracted
vering and
not only di
the event
to affirm a
subterfuge
present ca
Mr. Mathi
inquire of

occasions specified by you, when you modestly and discreetly affirm that you can prove I was; and also, that the manœuvring, as you phrase it, was not on my side. Whether they will vouch as much for yours may be doubted. Had you, Sir, been disposed to act fairly and as became an honest man, you would have done this before you had ventured to insult me and disgrace yourself, by such a letter as yours of the 26th ultimo, now before me. The infinite impudence and audacity of your allegations, in the first instance, rendered it altogether unnecessary for me to use measured language towards you, and did not a sense of decency and self-respect forbid, there are no terms which language can supply, to express the last degree of human depravity, that I should think too strong to apply to this repetition of a wilful falsehood and gratuitous calumny; for I certainly do conceive a wanton calumniator to be an enemy of society, and should be glad to learn in what respect he differs from, or is entitled to other treatment than an assassin or an outlaw.

I have read or heard, Sir, of a gentleman, who conceived on some occasion, strong indignation against his pen, because he alleged it was impossible to write grammar with it; it would be happy for you, in the present instance, as well as in other late proceedings, if you could transfer to your pen the guilt which will otherwise be apt to attach to the holder of it—namely, that it will not write truth. Your reflection on the impeachment of my moral character, before that congregation of which I am pastor, comes with a peculiar grace and propriety from you! That impeachment, let me tell you, will surprise only those who do not know you, or are ignorant of the prominent part which you have acted in the whole proceeding, from first to last. I am sensible of many short comings in my duty as a minister, and no doubt have, in common with the best of our species, some imperfections of character, enough to keep me humble, though not quite enough to allow any triumph to my enemies. Two errors, I will frankly confess to you, have I committed in the course of my ministry; for which, if I were not conscious that they had sprung from good-nature, unsuspecting confidence, and the best and kindest intentions on my part, I should feel profound remorse at this hour. The first, and the only one to which I have occasion to allude at present, was when I refused to listen to the protest of those three Elders elect, who foresaw the mischiefs which your admission into the Eldership would produce to the church; and when I lent a too incredulous ear to their declaration, that you were a man devoid of honour and principle, and who had contracted such an inveterate habit (marvellous to relate!) of manœuvring and low intrigue, that, if admitted into the Session, you would not only disgrace the church, but keep it in perpetual agitation; how well the event has corresponded with the prediction, it is as needless for me to affirm as for you to deny. And now, Sir, that there may be no subterfuge, and no place left for your sophistry and chicanery, in the present case, I tell you that I have showed your last letter to the Rev. Mr. Mathieson, who authorizes me to state, that if you see meet to inquire of him, he is ready to afford you such evidence as will convince

you (if that be possible) that your allegations or suspicions are altogether void of any foundation in truth. I, therefore, henceforth decline all further correspondence with you on this subject, and shall make no apology for omitting to express with what sentiments

I am, Sir,

Your obedient Servant,

To H. Mackenzie.

(Signed) H. ESSON.

[No. .]

Montreal, 14th June, 1830.

REV. SIR,

Your *second* letter of the 12th instant, is in strict consonance with not only your former ones, but with the whole course of that conduct which has given rise to it. In other words, no one could have imagined that it had proceeded from a clergyman, had they not known by his preceding conduct, of what that clergyman could be guilty. Such persons would be under no surprise that you, accused of "*low intrigue*," by a variety of pretexts, subterfuges, and chicane, should shun the investigation you pretended to court, and should, when professing explanation, substitute for facts and argument the vilest abuse, and should descend so low as to use epithets by which you have disfigured your letter and disgraced—no, acted consistently with yourself. "*Lie, impudence, audacity, assassin, and outlaw*," are but a few of the expressions that proceed from the lips of one, assuming the name of a man of God, of an anointed pastor, and of a meek, humble promoter of peace. But this is, in fact, nothing else than the result of my performance of my duty, as Session Clerk and an Elder of that congregation which you recklessly destroyed, by sullyng the purity of the pulpit and of the ministerial character, and by your deeds proclaiming aloud to its youth the harmlessness of a free indulgence of their carnal passions.

Had the Elders suffered your conduct, in despite of every evidence against it, to remain unexamined, I would not this day have been the object of your abuse; but because I have acted conformably to my duty, with the majority of the Session urged on that examination from which you have shrunk, you represent me as every thing vile. The indignation of innocence unjustly accused is, however, far different from the undaunted denial of habitual vice, and you will fail to excite either in me or any of the congregation a sympathy, which would be equally absurd in them and unapplicable to you. Far be it from me, either by word or act, to hurt in the least the feelings of any man, much less of a clergyman; but I would refer it to any unbiassed person (acquainted with the proceedings relating to the desired investigation of your conduct, and with your letters during our present correspondence) to decide whether I had not a right to consider you as "manœuvring," and to express my opinion of it to you as I have done. Nay, your

last letter
preceding
could testi
to, where
testify tha
is in truth
our corre
a declarati
Elder, and
that I wou
that I was
like yours
the truth o
be investig
gravely ei
detail of v
shun no tr
which lead
it will be
account ha
sented to
pliable ma
prove that
view, as I
none more
I can no l
out of my
in your ey
easy for a
"expositio
characteri
ones, and
a repetitio
and affect
and seek
bulence."
should th
however,
of the fac
evidence
fit to send

The
True Cop
T
S

last letter has a tendency to confirm me in this supposition, for, in the preceding one, you say that certain persons (whom you specified) could testify that you were not at home on *one* of the occasions alluded to, whereas *now* you specify one of those persons, whom you say can testify that you were not at home on *either* of those occasions. This is in truth the only part of your letter which alludes to the subject of our correspondence. All the rest is merely Billingsgate, crowned by a declaration that, when I was proposed (eleven years since) as an Elder, and before my election, some one of the Elders elect observed, that I would be a disgrace to the church, and trouble its repose, and that I was addicted to low "intrigue." Now, as I am, by no means, like yourself, an enemy to investigation, I am ready and willing that the truth of that assertion be tested, that the person making it should be investigated before the face of the church here, and that you should gravely sit as president to inquire into a species of conduct, in the detail of which it would appear that you are not inexperienced. I shun no tribunal, invoke no technicality, call no proceedings informal which leads to investigation, and stifle no inquiry on subtle distinction; it will be difficult for you to assign a reason why you should on any account have ordained to office of Elder such a man as I was represented to be. Your conscience then must have been made of very pliable materials, and I leave any one to judge if recent events will prove that it is unchanged. If I was the same, in a worldly point of view, as I was then, none would be more obsequious to me than you, none more anxious to shew me more hollow and heartless regard; but I can no longer minister to your ambition and vanity, by paying you out of my private purse twenty pounds per annum, and therefore I am in your eyes every thing that human malignity can represent. It is easy for any person to write words and to talk of "*detection*" and "*exposition*"—But why do I waste time or words? for I cannot better characterize your present letter than I have already done your former *ones*, and your *whole* conduct, in the proceedings alluded to, than by a repetition of my remark, that you deal in generalities, avoid detail, and affect indignation without giving the least proof of your innocence, and seek to repel inquiry, and effect your retreat in a "*cloud of turbulence*." Further to correspond with such a person is useless; I should therefore no longer "*stoop*" to address you. Concluding, however, by observing, that as I am ready to bring forward testimony of the facts alleged in my letter, so I am prepared to listen to any evidence you may be able to bring forward, and which you may think fit to send to me, although I shall by no means go in search of it.

I am, Rev. Sir,

Your obedient Servant,

The Rev. H. Esson.

(Signed) H. MACKENZIE

True Copy,

THO. BLACKWOOD.
SWEENEY.

[No. .]

On the second of this month, I attended a meeting of Session, called by Mr. Esson, in a note addressed to me, under date of the first instant, in which it was stated that he meant to propose to administer the sacrament and to fix the time for it. The Rev. E. Black and all the elders then in town attended. Mr. Black objected to the Rev. H. Esson constituting the Session, which was carried by five votes, including his own, against two; so the meeting broke up without the Session being constituted, and the object of the meeting was defeated.

THOMAS BLACKWOOD,

One of the Elders,

Montreal, 22nd February, 1831.

A true copy,

THO. BLACKWOOD.

[No. .]

Quebec, 11th February, 1830.

To Rev. H. Esson,

My Dear Sir,

Some conversation I have had lately with Mr. Leslie, anent the recent proceeding of the members of your Session have not only grieved but astonished me beyond measure. They grieved me, because, if the accusations brought forward by some members of Session be founded in fact and can be proved, the minister, against whom they are brought, ought certainly, after a patient and impartial investigation, of his *Peers*, that is by his Brother Clergymen, to be deposed from the office of minister, or at least censured and suspended. They astonished me, because, I had no conception that *Elders*, professing to belong to the Church of Scotland, would (in the face of the seventh clause of the first chapter of an Act of the General Assembly, approving a form of Process, &c. and which runs thus:—"The minister of the word, being an office above that of the Ruling Elder, cannot be liable to the censure of the Kirk Session, but to the superior judicatories of the Church") have ventured or dared to call before them and examine witnesses in support of charges against their clergyman. The only legal course that the Session, or the members disposed to prefer charges against their clergyman, can pursue, is to lay their complaint before the Presbytery, with a request that they will "convene and call before them any person or persons within their bounds, whom the ecclesiastical business which is before them doth concern, either as party witness or otherwise, and to examine them according to the nature of the affair, and to hear and determine in such case, and accordingly dispense church censure." Now, as we have no

Presbyter
power of
appears to
adopted
of Scotla
prefer. re
prefer th
therein a

N.B.
Montreal
very unw
conduct
procedur
I shall c
our breth
decide up
to elucid

Tru

My

advice,
and Mr.
stances
warrants
the alleg
thing lik
or to re
opinion,
ordination
the elder
innocent
to us, th
exculpat
tunity o
with the
Assemb
minister

Presbytery as yet constituted formally in Canada, (though we have the power of forming ourselves into a Presbytery whenever we please) it appears to me, that the only mode of procedure that can at present be adopted *legally* against a regularly ordained clergyman of the Church of Scotland, is for the persons who have a complaint or charges to prefer, respectfully to solicit a meeting of his brethren, and formally to prefer the same before them, with request that they will proceed therein according to the Rules of the Church, and decide accordingly.

In haste, yours faithfully,

(Signed) JAMES HARKNESS.

N.B. Should the Proprietors of the Church, in St. Gabriel Street, Montreal, or rather the person or persons who have proceeded in so very unwarrantable a manner, in attempting to sit in judgment on the conduct of one of their clergymen, be disposed to adopt the course of procedure which I have pointed out, and which is the only *legal one*, I shall certainly (upon being formally requested to attend a meeting of our brethren, to take up the ecclesiastical affair in question and to decide upon it) not fail to render them all the assistance in my power to elucidate the truth. J. H.

True Copy,

GEO. CHEYNE,

THO. BLACKWOOD.

[No. .]

Quebec, 22nd February, 1831.

My Dear Sir,

In answer to your letter of the 15th instant, craving my advice, &c. I beg to say that the Rev. Mr. Clugston, Mr. Wilkie, and Mr. Smith agree with me in thinking that, under all the circumstances of your case, the majority of your Session have acted unwarrantably and unconstitutionally in treating you as if found guilty of the allegations or charges preferred against you by them, without any thing like the shadow of a trial; by "refusing to constitute a Session or to recognize any Session when it is called by you." We are of opinion, that you have no alternative left, but to proceed to the ordination of elders, who will act with you in discharging the duties of the eldership. We are bound in Christian charity to look upon you as innocent until your accusers shall prove you guilty. And it appears to us, that you have done all in your power (except the sending of exculpatory evidence to Dr. Lee) to afford your accusers an opportunity of bringing home the charges to you. Their non-compliance with the recommendation of the Canada Committee of the General Assembly to submit the case "to the arbitration of some of the ministers of the colony mutually chosen;" and also their withholding

from you all knowledge of the sentiments of the committee on the subject, for no less a space of time than two months after they themselves were in possession of them, cannot but impress the minds of the intelligent portion of the community with the idea that they have not acted in the business with that straight-forwardness, openness, and candour which you had a right to expect.

I remain, my Dear Sir,
Yours faithfully,

Rev. H. Esson, &c. (Signed) JAMES HARKNESS.

We concur in the sentiments above expressed by the Rev. Dr. Harkness,

(Signed) JOHN CLUGSTON,
D. WILKIE, Preacher and Elder,
JAMES SMITH, Preacher of the Gospel and Elder

True. Copy,

GEO. CHEYNE,
EDWARD TIERNEY.

[No. .]

A meeting of the members of Session of the Scotch Church, in St. Gabriel Street, Montreal, took place in the church on Tuesday, 29th of December, 1829, at 3 o'clock P.M. at which I was present as a witness in an affair upon which the Session were then deliberating, involving the character of the Rev. H. Esson, by whom this meeting had been called, for the purpose of rebutting certain statements which they had collected. Mr. Esson, at the request of Mr. Black, promised to lay the papers, which he then read in his own defence, upon the table of the Session, but without specifying any particular time. After the papers had been read, they resolved that they should be laid on the table forthwith; to this Mr. Esson objected, stating that he had come forward hurriedly, and without having had time to complete his remarks, or to procure evidence to rebut statements that had gone forth to the public regarding his character. Thereupon Mr. Black said, that if Mr. Esson did not give them the papers then, they would not receive them afterwards. I was quite astonished at the proceedings of the Session that day, and remarked to Mr. Isdell (who was also present) after leaving the church, that although the accusation against Mr. Esson could be proved as clearly as his bitterest enemy could wish, still the proceedings of that day clearly showed that they did not wish the matter to come to an "impartial investigation;" in which remark Mr. Isdell concurred with me.

JOHN BLACKWOOD, JUN.

Montreal, 25th January, 1830.

I concur in the above statement, having also been present at the meeting above alluded to.

JAMES ISDELL.

Rev.

the Mem
letter to
this day.

I shall tal

When

cember, 1

letter, wh

pretended

certain re

sentence

ticularly,

members

and usur

professed

day, nam

Rev. Her

is eviden

entertain

to, and p

the Chur

The conc

these Act

you total

Mr. Esso

why do

"Colony

was said

formerly

are equal

to the la

church h

sary cons

are still n

You a

yourself

your con

(which I

[No. 17.]

Montreal, 18th February, 1831.

Rev. Sir,

Yesterday I received your printed circular, addressed "To the Members of the Scotch Church, St. Gabriel Street," also your letter to myself, inviting me to attend a meeting of Session to be held this day. On these two documents, connected with former proceedings, I shall take the liberty of making a few remarks.

When you instituted an inquiry into Mr. Esson's conduct, in December, 1829, I declined assisting at it, and stated my reasons in a letter, which, in your proceedings, was termed a "protest." This pretended "enquiry" was in fact a mock trial, which concluded with certain resolutions that amounted to a conviction of Mr. Esson, and a sentence of perpetual suspension if not deprivation; though you, particularly, must have been well aware that, in all these proceedings, the members of Session who assisted were violating the laws of the church, and usurping the authority and powers of a Presbytery. Even the professed object for which you pretend to call a meeting of Session to-day, namely, "To take into consideration the intimations made by the Rev. Henry Esson, on Sabbath last, in the afternoon, from the pulpit," is evidently beyond the legitimate power of any Kirk Session to entertain. Yet in your circular, dated only three days ago, you refer to, and profess great reverence for, the Acts of Assembly and Laws of the Church of Scotland, relating to the nomination of elders, &c. The conclusion in my mind is irresistible, that—*You are governed by these Acts and Laws when it suits your purpose, and when it does not you totally disregard them.* Whatever you may have to alledge against Mr. Esson's intimations from the pulpit, or any part of his conduct, why do you not bring it before a meeting of the Ministers in the "Colony," as recommended by Dr. Lee? Perhaps, you may say, as was said last year, "There is no Presbytery in this Colony." The reply formerly given, is ready and obvious. Presbyteries and Kirk Sessions are equally self-constituted judicatories, neither of them being known to the laws of this province. Besides, if Ministers of the Scottish church have no power nor jurisdiction here, it will follow, as a necessary consequence, that your ordination is null and void, and that you are still no more than a *Licentiate* of that church.

You appear, for some time past, to have endeavoured to shelter yourself from blame behind "a requisition from four Elders." But, if your conduct should ever be brought before a competent tribunal (which I have no doubt it eventually will) this, in my opinion, will be

of small avail; for it is pretty evident that you have been the main spring of the whole machinery.

In your printed letter, when alluding to recent proceedings of yourself and some other members of Session, you say—"They have not been actuated by any personal feelings towards Mr. Eason." To me, who judge of men's feelings by their *actions* rather than their *professions*, the case with some of you, I will not say all, appears very different, and I am not singular in that opinion.

The subject is not exhausted, however, I will conclude by informing you that I shall not attend your meeting to-day.

First—Because, as stated in a former letter, I do not acknowledge that you, of yourself, possess the power of convening the Kirk Session.

Second—Supposing you had that power, or that the Session were regularly convened and constituted, the subject to be brought under consideration, I consider altogether above its jurisdiction.

Besides, I have no desire to see and hear a repetition of the disgraceful and disgusting scenes which I have more than once witnessed, within the last fifteen months, in our ill-fated church.

I am, Rev. Sir,

Your very obedient Servant,

THO. BLACKWOOD.

The Rev. Edward Black.

Statement
ings reg
Montrea
matter.

The Co
of propri
days befor
attend a m
the elders,
attending,
have gone
sent witho
attended o

At the
chair; aft
and which
meeting,
as chairm
and they
therefore
been, not
H. Esson
of the chu
and give i
arrangeme
a proceed
honesty a
persisted
name app
tious. I
Black too
has since
and appro

The m
1830, cla

It will
that after
by them,
ember
" membe
ly, in m
meeting
Another
January-
committe
tions.
and the o
of propn
disconce

Statement by Thomas Blackwood, of various meetings and proceedings regarding the affairs of the church in St. Gabriel street, Montreal ;—in addition to what he has formerly stated on these matter.

The Committee of Temporalities of said Church called a meeting of proprietors of pews to take place early in January 1827. Some days before I received a note, *without signature*, requesting me to attend a meeting in the evening at the house of Mr. Carswell, one of the elders,—some other engagement would have prevented me from attending, but, considering any private meeting improper, I should not have gone there, even had I been disengaged. Accordingly I was absent without sending any apology. I never enquired nor heard who attended or what was done at that meeting.

At the meeting in the church in January 1827, I was called to the chair ; after which several resolutions were read by Dr. Stephenson and which were intended to be separately put to the vote at said meeting. After much discussion, in which I took a part though acting as chairman, the Doctor was induced to withdraw these resolutions and they were not entered in the minutes of proceeding. I cannot therefore quote the words, but had they passed the effect would have been, not indeed to dissolve the spiritual connection between the revd. H. Esson and his congregation ; but to take from him all the revenue of the church, after paying the allowance to the revd. I. Somerville, and give it to the revd. E. Black, under a pretence of some *verbal* arrangement which was to annul a solemn *written* agreement. Such a proceeding I considered would have been so gross a violation of honesty and good faith on the part of the proprietors, that, had it been persisted in, I had determined to leave the chair, rather than have my name appear on record as having proposed these shameful resolutions. I have no direct nor positive information of the part that Mr. Black took in this matter, but from what I knew at the time, and what has since come to my knowledge ; there can be no doubt that he knew and approved of these proceedings.

The meetings which took place in the church in January and Feby. 1830, claim some attention.

It will be seen, by the printed report of Mr. Black and five elders, that after the "Enquiry," (more properly the *mock Trial*,) instituted by them, had been concluded and sentence passed, on the 16th December 1829, they were very desirous to have a meeting of the "members of the congregation," to receive a report &c., but evidently, in my mind, to *homologate* or *confirm* their sentence. The meeting of the 7th January failed in attaining the desired object. Another attempt was made to have a similar meeting on the 25th January—but this meeting, thanks to the energy of the temporal committee, turned out quite different from their wishes and expectations. The committee refused to allow any one to dictate to them and the other proprietors of pews ; and accordingly called a meeting of *proprietors* for that day. The proceedings at this meeting sorely disconcerted the plan of the "committee of session," and in my opi-

nion gave rise to the scheme of referring the matter to Dr. Lee's committee. That meeting lasted more than four hours and the result of its proceedings is recorded in No. 45. It is said in No. 48—that the members of session could not attend this meeting “for substantial reasons.” These reasons I never heard any of them state, but I can guess at them, without the aid of sorcery, namely that it did not suit the purpose they had in view, which was something very different from the investigation of truth! I shall observe on the chief resolution passed at this meeting, that it was cautiously worded, not as an *acquittal*, for the meeting never assumed the power of *trying* their minister, but merely expressed an *opinion* that he was innocent of the charges preferred against him. And when some one spoke of censuring his accuser, the chairman very properly remarked that we were not trying Mr. Black! This meeting and its proceedings are grossly misrepresented in a memorial from five elders to Dr. Lee, see No. 63; I affirm, in contradiction to what is there stated, that the meeting was numerously and respectably attended, the proceedings regularly and orderly conducted, and a number of proprietors, much greater and more impartial than the elders who signed that memorial, attended the long investigation from beginning to end, and, when the resolutions were finally put, there was not a dissenting voice nor a murmur among them nor the others who attended as spectators from curiosity. These facts may, if necessary, be attested by many others besides myself. I have spoken of a *plan* adopted by the committee of session, this plan was very apparent to any person acquainted with their proceedings. As an example I shall state that two of their notices see No. 31 and No. 43, calling meetings of the “members of the congregation,” were printed and sent round the town *open*; so that both sexes, also boys and girls, into whose hands they chanced to fall, had the benefit of knowing that the moral character of one of our ministers was to be taken into consideration by the congregation! and the scandal was thereby circulated far and wide. When I taxed these elders, at a meeting in church, with this improper and indecent conduct, they gave no answer to explain or excuse their conduct on that occasion. The notice No. 43, might excite contempt and laughter, were it not for its malignity and evil tendency. Here are five elders asking the members of the congregation, which includes men and women, learned and unlearned, to favour them with their opinion and advice &c. ! What! these “spiritual officers” and “guardians of the public peace,” as they have lately styled themselves, are not ashamed to solicit the opinion and advice of the very persons who should look up to them and be guided by *their* opinion and advice!! Had not the committee of session been fully aware that the evidence upon which they trumped up their charges would not bear a scrutiny, I am well convinced they would have taken the proper course, by consulting the other clergyman in both Provinces and requesting them to meet in Montreal for the purpose, as they did when the revd. E. Black was ordained. Instead of which, when Mr. Esson sometime afterwards intimated his intention of calling such a meeting the four elders wrote circular letters to the revd. Brethren to prevent that meeting. (See No. 65)—In which they, with unparalleled effrontery, give a false quotation from

Mr. Esson
protest in

Another
3d Febrer

The me
This was
defence,
lar manne
to be sub
other prop
to second
that every
or cabal,
party spin
not prop
propose
opinion.
at a priv
I then to
mean to
see what
violent m
in the m
ing and
Esson,
reading
by the c
refused
wished
tioned
it was o
reasons
show th
the busi

I beg
read on
procee
erroneo
on his
might
congre
sentem
have
power
in the
sente
I kno
ceedin
they
the ch
these
them

Mr. Esson's protest of 8th December 1829. (See the correct protest in page 2 No. 9.)

Another meeting of members of the congregation took place on the 3d February 1830, at which nothing was done. (See No. 47.)

The meeting of 15th February 1830, requires particular notice. This was a meeting of proprietors "to hear the revd. E. Black in his defence, and that of the "session &c." and being called in the regular manner by the temporal committee, I had prepared four resolutions to be submitted to the meeting, which were shown to three or four other proprietors, and after some verbal alterations Dr Caldwell agreed to second them. But when the meeting took place it was evident that every thing had been previously arranged at some private meeting or cabal, (as may be seen by the document No. 54.) Seeing so much party spirit evinced and many persons taking an active part who were not proprietors, Dr. Caldwell and I deemed it most proper not to propose the resolutions, and others to whom I spoke were of the same opinion. Mr. A. Porteous took the chair, being so settled I presume at a private meeting, for I did not observe anything like an election. I then told the chairman, in the hearing of many others, that I did not mean to vote nor take any part in the proceeding, but would remain to see what was done, from curiosity. This being the case, I say it is a violent misrepresentation, (not to use a harsher word) to assert as is done in the minute of proceeding, No. 53, that what was done at the meeting and the motion made were approved of by all present, even by Mr. Esson, except Mr. John Fisher. When Mr. Black had finished reading his paper, the business of the meeting was considered at an end by the chairman, and some others, who adjourned the meeting, and refused to hear certain explanations or refutations which Mr. Esson wished to give, of what Mr. Black had advanced. The above mentioned resolutions should have been offered to the meeting as soon as it was organized, if proposed at all, which was not attempted, for the reasons already stated; however, I subjoin a copy of them, merely to shew the ideas entertained by myself and some other proprietors, upon the business for which that meeting was assembled.

I beg leave to notice, in passing, that the *observations and remarks* read on different occasions by Mr. Esson upon the accusations and proceedings against him, never purported to be his *defence*, as is erroneously stated by the committee of session; for he was perfectly on his guard, having been cautioned against using such words, which might have been construed into an admission that the session or the congregation had the right and authority to try him and pronounce sentence on his conduct. A point which the committee of session have laboured hard to establish, by every insidious means in their power, without openly avowing it; and on the 6th March last called in the aid of illegal brute force to carry into effect that unrighteous sentence of deprivation against the revd. H. Esson. They disclaimed I know, all intention of trying or passing sentence on him, their proceedings were only an "Enquiry" into his conduct. They may if they please denominate the papers now printed '*an Encomium on the character of Mr. Esson*,' but that will not change the nature of these papers, nor alter the character of the proceedings carried on by them for nearly two years, with singular malignity and pertinacity!

While on this topic I must notice a great absurdity occurs several times in the proceedings of the Committee of Session; namely, they call upon Mr. Esson or expect that he is to disprove their accusations, while at the same time they omit to specify the *time* and place with sufficient precision to enable him to prove an *alibi*. They must understand that every man is presumed *innocent* until his guilt be proved before a competent tribunal, it being impossible to prove a negative except by an *alibi*, from which they have effectually precluded him; and therefore if they fail in their proof, they must abide the consequences "of being censured as slanderers."

Having mentioned the sentence of *deprivation*, I must shew the correctness of that expression. The committee of session in one of their resolutions, passed on the 16 December 1829, merely say that they could not assist the revd. H. Esson &c. particularly in "dispensing the sacrament of the Lords supper." But afterwards they adopt a different and higher tone; for the revd. E. Black in his printed circular of 15th February 1831, addressed to the members of the church (see no. 130) in speaking of the revd. H. Esson says, "he knows full well the session have distinctly told him that, as matters at present are, they cannot give their consent to his dispensing so solemn an ordinance, or even to his assisting at it." And afterwards he says the session will "use their utmost endeavours to prevent it." The import of the last sentence was not very obvious at the time, but the proceedings in March last have made it quite clear! And at a meeting of members of session convened by Mr. Esson on 2d February 1831 (see No. 103 & 104) the majority present voted against his even constituting the session! Now it is part of the laws for the discipline and government of the Scottish Church (which Mr. Black can quite when he chuses,) that, "during the dependence of a process against a minister, a presbytery is not entitled either to suspend him, or to prevent him from dispensing the ordinances of religion in his parish." (See Dr. A. Hill's practice page 53,) Mr. Esson has been prevented by some members of the session from dispensing these ordinances, and I am therefore warranted in my reference that they have passed sentence of suspension on him, if not of deprivation!

What Mr. Black said in church on the 13th February 1831 (See No. 125) was delivered in such an intemperate, I may say furious, manner, as alarmed some women and children and disconcerted the whole congregation. Such conduct, added to the remarkable printed circular, was well calculated to excite the feelings of the congregation and prepare the minds of his adherents to take part in the disgraceful proceedings of shutting up the church!

On the forenoon of Sunday the 4th July 1830, I was rather surprised to hear Mr. Black announce from the pulpit that there would be no service in the afternoon of the following Sunday as he would be out of town. Mr. Esson was at Lachine that forenoon and I had no opportunity of speaking to him until the afternoon service was over. He then put into my hands a note from Mr. Black requesting him to give out the same intimation in the afternoon, which he had not complied with. Mr. Esson requested me to call on Mr. Black and state

to him the
on Monday
home on T
next Sund
forenoon,
Mr. Black
why he sh
effect; my
purpose of
from Mr. I

I beg le
Mr. Black
No. 90) M
that meeti
session, an
misrepresent
ing of Mr.
papers No.

Montreal

(Copy of 1

RESOLVED,

1. That,
tain, the rul
being the or

2. That
tions) memb
"denomina
the laws of t
government

3. That,
against the
offences aga
resort, be c
Scotland, be
the present
censure or p

4. That,
defence, it w
therefore de
which we ha
believe he ha
tence on him

My Dear Sir

I ret
within these

to him the reasons for declining to comply with his request. I called on Monday but Mr. Black was out of town; however, I met him at home on Tuesday and stated that Mr. Esson intended to be at home next Sunday, and meant to preach in the afternoon, as well as the forenoon, and therefore he had not given out the desired intimation. Mr. Black said that he did not know what right Mr. Esson had, or why he should interfere, with his turn of duty—or words to that effect; my reply was to this purport—that my visit was not for the purpose of discussing such questions, but merely to deliver a message from Mr. Esson.

I beg leave to correct a misrepresentation in the proceedings of Mr. Black's session on the 29th May 1830. (See printed papers No. 90) Mr. Esson and I are there represented as having voted at that meeting; but the truth is, we did not acknowledge it to be a kirk session, and refused to vote *for* or *against* the resolutions. A similar misrepresentation occurs with respect to my conduct at another meeting of Mr. Black's session on the 29th September 1830. (See printed papers No. 98.)

THOS. BLACKWOOD,

Montreal, 27th September 1831.

(Copy of Resolutions intended to be offered to the Meeting on 15th February 1830.)

RESOLVED,

1. That, as proprietors of this church, we will adhere to, and maintain, the rules and regulations thereof, which we have subscribed; as being the only means of securing our property in the church.

2. That the proprietors of the church being (with very few exceptions) members of the church of Scotland, "properly so called and "denominated and known to be such," are consequently bound by the laws of that church in all matters of doctrine, discipline and church government.

3. That, as by the laws and canons of the said church. all charges against the ministers thereof must be tried by a Presbytery (except offences against the criminal law of the land) and may, in the last resort, be carried, by appeal, to the general assembly of the church of Scotland, being the supreme ecclesiastical judicatory; it follows that the present meeting is altogether incompetent to acquit, condemn, censure or pronounce sentence upon their pastors.

4. That, were this meeting to hear the revd. Edward Black in his defence, it would imply and be assuming the power to try him, we therefore decline entering upon the investigation of a matter over which we have no jurisdiction, either to give him relief, should we believe he has been unjustly accused, or to pass any censure or sentence on him were we even convinced that he is culpable.

A true copy.

THOS. BLACKWOOD.

Montreal, 7 November 1831.

My Dear Sir,

I return you the printed narrative of the events that have within these few years agitated the congregation of the scotch church

in St. Gabriel street, together with Mr. Blackwood manuscript statement dated 27th September 1831.

Both these papers I have read with great attention and as far as my name is mentioned in your narrative I can vouch for the correctness of the statements, and also bear testimony to the accuracy of Mr. Blackwood in relating the circumstances that occurred at the meeting in January 1827, 7th, 25th January 1830. At the period the other meeting in 1830 and occurrences in 1831 took place, I was absent from town.

I am my dear Sir

Very faithfully your

J. LESLIE.

Revd. Henry Esson,

To the four Ministers of the Scottish Church who have undertaken to arbitrate between the Revd. Henry Esson and the Revd. Edward Black.

Reverend Gentlemen,

In examining this case you will find that my name frequently occurs, as one of the elders of their church; and I therefore beg leave to address you a few remarks and explanations with some further evidence, in addition to what already appears in the proceedings.

My letter to the members of the kirk session, giving reasons for not acting with them, in which Mr. Leslie concurred, is termed in their proceedings a *protest*; for the purpose, it would seem, of giving more weight to their objections against receiving it. These objections are stated with all the formality and *mock-dignity* of a legally constituted court that had authority and power to try the question before them and to pronounce sentence, which they actually did, in the form of resolutions, and have never since ceased to urge the congregation to assist them in executing that sentence. One of their objections is, that initial letters are used in place of giving the names at full length. These initials are perfectly well known and understood by those to whom the letter is addressed; but now that it is printed (a) and will go into other hands, it is proper to mention that the Reverend James Somerville is designated by S. the revd. Henry Esson by E. and the revd. Edward Black by B. One reason stated in the letter is for the sake of brevity; but there is also another very good reason, namely, that this mode of stating a case, as between A. and B., has a tendency to withdraw the feelings and attention of the writer and his readers from the *individuals* concerned, and to fix their minds on the *real merits* of the case. It appears also that I mistook the king's *highway* for the *public street*! But this and the other objections do not seem to require any remarks from me.

These papers of Mr. Black and his elders are not correctly printed, and among many other errors, my letter appears of the 19th in place of the 10th December 1829. Since that date I have seen authorities which had they been then in my hands, would have enabled me to state more distinctly to the committee of session, that, "*No process*

(a) See No 9 of Mr. Black's printed Documents.

"against
"belongs
"their ch
that there
comes wi
and his el
and taken
brethren w
for they ha
and *partic*
ministers
But I was
open and
Black and
tools. So
do not nov
ministers,
interfere w
Their doct
court comp
to its conce
usual; has
of his devo
knew of it
the public.

At the fi
ness," hel
memorandu
the table u
at that mee
witnesses
substance o
he was, to
heinous of
since public
than a broad
Esson had
a servant in
nancy! T
a single c
to have giv
have expos
an action of
tutor. No
know, to M
was launch
possibly als
name is Ma

(b) See the
dated the 15

script state-
d as far as
correctness
y of Mr.
the meeting
d the other
was absent

IE.

undertaken
the Revd.

frequently
e beg leave
ome further
dings.

reasons for
termed in
n, of giving
ese objec-
of a legally
uestion be-
did, in the
the congre-
f their ob-
e names at
understood
printed (a)
e Reverend
sson by E.
the letter is
ood reason,
d B., has a
riter and his
ains on the
k the king's
jections do

ctly printed,
9th in place
a authorities
abled me to
No process

"against minister or probationer can be instated in a kirk session. It belongs to presbyteries to receive and investigate charges against their characters." (Hills practice, page 47.) The reiterated excuse, that there is no presbytery in this country, is merely a subterfuge and comes with a very bad grace from the lips of Mr. Black! Had he and his elders preferred charges against Mr. Esson in the due form and taken the regular steps, there can be no doubt that his reverend brethren would have met in Montreal to investigate those charges; for they have frequently met when matters of importance required it, and particularly at Mr. Black's ordination, when I believe all the ministers of our Church in both Provinces assembled for that purpose! But I was convinced, from the first blush of the business, that such an open and manly mode of proceedings, was never intended by Mr. Black and some, at least, of those who have all along acted as his tools. Some, however, of the congregation, and part of our elders, do not now acknowledge the power and authority of any assembly of ministers, not even the general assembly of our national church, "to interfere with the concerns of said church, in St. Gabriel street." Their doctrine is, that the session of that church is at present the only court competent to try and judge of all questions and matters relating to its concerns, both temporal and spiritual. (b.) Mr. Black, as usual, has not subscribed his name to this new doctrine, but three of his devoted elders have done so, and there can be no doubt that he knew of it, and that it had his approbation before it was sent forth to the public.

At the first meeting of members of session on this "painful business," held the 27th November 1839, Mr. Black read a written memorandum, as it is called, but which he declined to shew or lay on the table unless the session was constituted, which was not done at that meeting. In reading this paper he did not name any of the witnesses or declarants, but merely gave their declarations or the substance of their testimony, without mentioning their names; so that he was, to me least, the only accuser of Mr. Esson. The most heinous of all the acts imputed to him, has been abandoned and never since publicly brought forward, that I have heard of. It was no less than a broad insinuation, if not a direct accusation, that the revd. H. Esson had seduced, from the path of virtue, a young maiden who was a servant in his family and that she left his house in a state of pregnancy! This most serious charge was dropt, no doubt, because not a single credible witness could be conjured up to support it. And to have given it further publicity, under these circumstances, might have exposed the inventors and propagators of the scandalous story to an action of damages at the suit of this young woman, her parents or tutor. No excuse or apology, however, was ever offered, so far as I know, to Mr. Esson for this grievous slander on his character, which was launched forth to the members of session then assembled, and possibly also clandestinely circulated in other quarters. The girls' name is Margaret McIntyre, and she is represented to have had an

(b) See the last of a series of wonderful and extraordinary revolutions, dated the 15th April 1831. Printed paper No. 150.

interview, at her own request, with three members of the session, on the 12th of January 1830. (See printed papers No. 34.) The declaration she then made is certainly very strange and surprising, if it be correctly reported, of which I have strong doubts, (from my knowledge of the wilful inaccuracies of some of the reporters on other occasions.) But, supposing it all true, it can form no ground of a libel or accusation—against Mr. Esson: it is only strange, though it has happened before, that a clergyman should propose marriage to his servant maid; and, in the present instance, it is to me very surprising that Margaret did not at once accept the offer!

In perusing Mr. Black's printed papers, his cunning and artfulness has forcibly struck me, in not putting his name to many of the papers where it ought to have appeared; for it was he who brought the business before the session, instituted "Enquiry" and assisted at it &c. In fact, as I have already told him, it is evident that he has all along been the *main-spring* of the whole machinery. I have before noticed the want of his signature to the paper No. 150, the want of it is also very apparent and striking in Nos. 3, 42, 63, which is the memorial to the Revd. Dr. Lee, and 95, being a letter to the same reverend gentleman. This I consider authorises me to speak of his using *tools* to work with.

Allow me to point out a few, from among many, of those insincere or jesuitical expressions, in these printed papers; which require an exertion of my patience to read. In No. 23, among the reasons stated why Mr. Esson's protest was not satisfactory, the 6th is remarkable. "Because a clergyman, as a matter of expediency, should "subn" any part of his moral character (when such is unfortunately "called in question) to the investigation—of those who it is reasonable to suppose would be most tender of his good name, and who from "the regard they entertain towards him, and the anxiety they have for "the prosperity of the congregation, would do him ample justice." The letter to Dr. Lee, signed by four elders, (see No. 62) speaks of "the preservation of the purity of the church." And, in the paper read to the synod at Kingston, it is stated that for certain reasons the session "deemed it but fair" to withhold from Mr. Esson Dr. Lee's letter

The *tenderness* for Mr. Esson's good name and the *fairness* of conduct towards him is illustrated by the printed circular notices (No. 42) which the door keeper was directed to carry "to every member of the congregation within the city;" which notices were *not sealed*; so that many who were not of the congregation might read them! Mr. Black's printed circular of last February, containing many reflections on Mr. Esson's conduct, is also another striking example of this *tenderness* and *fairness*. This letter was not open, but must have been very generally circulated among the congregation, for five maiden ladies of my acquaintance, and I know not how many others, received each a copy! Their anxiety for "the prosperity of the congregation," and for preserving "the purity of the church," will be manifested from the following facts, to wit, by their praiseworthy exertions they have prevented the dispensation of the sacrament of the Lord's supper in the church for two years! And, for the last seven

months,
kept shu
worship

In con
expresse
garding
efficient
they fully
be a stro
what is fu
reverend
years, w
our churc
remains t
before lon
establishe
disgracef

Montr
P. S. I
that, after
shall have
written ag
B. can ou
will enjoy
and E.
of the pro

At a mee
church,
state of
Ministe

It was r
church, in
bility whic
three hund

2d. The
revenue th
merville an
1825, to b
the reveren

3d. The
instead of

(c) See M

months, the church has been, by them and their assistants, actually kept shut, by "physical force," to prevent the performance of public worship within its walls!!

In conclusion, I beg leave to state my full concurrence in the opinion expressed by the five elders, in their long memorial to Dr. Lee, regarding the anomalous situation of our churches and the want of efficient authority in our ecclesiastical courts in these Provinces, which they fully and forcibly set forth. (c) But, strange to tell! there cannot be a stronger evidence produced of the truth of their statement than what is furnished by their conduct which they themselves and their reverend leader have pursued, most perseveringly, for nearly two years, with impunity, and hitherto without any effectual check from our church courts! Let us however, hope, that, though much yet remains to be done, a new brighter era has already begun; and that before long such a system of church government and discipline will be established here as will in future prevent or punish similar illegal and disgraceful proceedings!

I have the honour to be, with much respect,
Reverend Gentlemen,

Your most obdt. servant,

THOMAS BLACKWOOD.

Montreal, 11th October, 1831.

P. S. It may be well for the reverend arbitrators to bear in mind that, after the allowance agreed to be paid to the retired minister, S. shall have been discharged, the residue of the church revenue is, by a *written* agreement, to be equally divided between E. and B. Now if B. can oust E. from the church, he seems to expect and hope that he will enjoy the whole sum that was to have been divided between him and E. This will furnish a key, as it were, to the right understanding of the proceedings so long carried on by a majority of the session.

T. B.

At a meeting of the committee of management of the Scottish church, Montreal, held 10th November 1825, to inquire into the state of the church funds, with a view to paying the stipends of the Ministers :---

Present the whole Committee,

It was resolved, 1st. That to enable a minister of the Scottish church, in a town like Montreal, to move in that sphere of respectability which becomes his office, an annual stipend of not less than three hundred pounds is, in the opinion of this committee, requisite.

2d. That by the records of this church, it appear, that the surplus revenue thereof (after paying the annuity of the reverend Mr. Sommerville and other current expenses) was, after the 1st of January 1825, to be applied to the payment of, and to be shared equally by, the reverends Messrs. Esson and Black.

3d. That this committee lament to find that such surplus revenue, instead of being (as must have been at one time contemplated) suffi-

(c) See Mr. Black's printed papers No. 63.

cient for the stipends of two ministers, will hardly do more than make a suitable provision for one.

4th. That it would, at the present time, be highly inexpedient to attempt to encrease the revenue by an additional cess upon pews already too dear; a measure that might occasion the loss of many valuable members of the congregation who might be driven by it to quit the church for another, where pews can be got at a much less rate of rent.

5th. That except by consent of these two reverend gentlemen, this committee cannot take upon themselves, nor do they pretend, to alter, or set aside this rule of the church for the disposition of its funds.

6th. That in the opinion of this committee, one clergyman (the whole of whose time and attention shall be devoted to the object) is fully adequate to all the duty of the Church; an opinion which the record of duty for the past year and exhibited by the registers, induces them to form.

7th. That the committee would, under such circumstances, crave leave to suggest to the reverend Messrs. Esson and Black, that as the church cannot pay two clergymen---and until government make the expected provision for ministers of the scottish church in this country---a necessity exists for one taking the entire duty upon him, receiving all the money that may remain at the disposal of the committee after paying the reverend annuitant, and making to his brother minister a certain allowance as a compensation for the unexpected (though it is hoped but temporary) loss of his living.

8th. That the secretary do send a copy of the foregoing resolutions to each of the reverend gentlemen, with a copy of the rent roll of the church, and a request that they would take the matter into early consideration, and report to the committee their views upon it, in order that the monies in the hands of the Treasurer may be forthwith either divided in the way originally intended, or disposed of in the manner now suggested by the committee.

A true copy from the minutes,

C. TAIT,

Secy. Com. of Church.

(Copy letter E. Black to H. MacKenzie, Esquire.)

Dear Sir,

The unpleasant situation in which I am at present placed, will I trust, be a sufficient apology for the liberty I take in addressing you. You are well aware of the way in which I became connected with the scottish church, and that no influence, either direct or indirect was ever used by me to become one of the ministers of that church. A call however was made out for me, and I was told that it was the unanimous wish of all concerned that I should accept of it---at the same time a bond was given me for payment of £250 per annum for two years, signed by three most respectable individuals, and when difficulties arose with the members the committee about signing my call (which I certainly was led to believe would not have arisen) I satisfied them by expressly stating, that at the end of two

years I d
without a
of the chu
of date 23
that nothin
brethren a
that they c
a permane
would the
Mr. Esson
security o
nation on
general m
an amend
Mr. Somer
league to
could not
me ever t
this arran
bond exte
would mo
or at the
however a
to the sup
ment, and
per annua
that I sho
words tha
burden on
that I was
expiring o
greatest c
sum taken
and that
The meet
till to-mo
that no m
I ask not
ministrati
and just
own resp
duct---I
their deci
submit to
I requir
the meet
Mr. Esson

Z. He

years I did not consider the church bound to me for any stipend, without a future provision being first made for me by the proprietors of the church, as will appear from my letter in the committee book of date 25th December. This diffidently being got over, I thought that nothing would occur to prevent a speedy ordination, but when my brethren assembled for taking this matter into consideration, they found that they could not proceed, according to the rules of the church, without a permanent fund, however small being provided for me, and that they would then ordain me as assistant and successor to Mr. Somerville. Mr. Esson obviated the difficulty by giving over to me a permanent security of £50 on the Pew rents, and had no objections to my ordination on the way proposed. This agreement was sent to the general meeting, and Mr. Leslie one of Mr. Esson friends, moved as an amendment, that I should be ordained assistant and successor to Mr. Somerville, but that at his desire I should be considered as colleague to Mr. Esson and joint minister of the church. To this I could not possibly object, as it would have been great presumption in me ever to have thought of taking precedence of Mr. Esson, but as in this arrangement nothing was said of my temporal provision (and my bond extends only for two years) I thought it proper to state that I would more readily agree to it, if at the expiration of the two years, or at the demise of Mr. Somerville, the half of the church funds, however small, would be appropriated, so far as they would go, equally to the support of both—Mr. Esson would not agree to this arrangement, and insisted that he should first be paid out of the funds £300 per annum, and that the remainder, if any, should come to me, or that I should be provided for in the way I am at present—or in other words that he should be made sure of his living, and that I should be a burden on the people. I then mentioned, I believe in your presence that I was anxious and willing to say nothing on this point until the expiring of my bond, and that then I should leave the matter with the greatest confidence, to the committee, with the understanding that the sum taken from the church, should be equally appropriated to both and that no bond in the mean time should be given to Mr. Esson. The meeting could not come to any agreement and it was adjourned till to-morrow; I think it proper to send you this statement, in order that no misconception may be put on any part of my behaviour—I ask nothing for two years, and at the end of that time provided my ministration are acceptable to the people, I only ask what, in equity and justice should be granted, and what is equally necessary for my own respectability, and for that of the church, whose devotion I conduct—I leave the matter to the meeting at large, and whatever be their decision, it is both my duty and my inclination cheerfully to submit to it.

I require that you will have the goodness to communicate this to the meeting, provided no arrangement take place previously between Mr. Esson and myself.

I am with much respect,

E. B.

Z. Henry MacKenzie, Esq. }
February, 1823 }

My Dear Sir,

Situated as I at present am I have, thought proper to send a statement of all the proceedings connected with me and the Scottish church to Henry MacKenzie Esqr. in order to prevent any thing like misconstruction on any part of my behaviour. Enclosed I have sent you a copy of that letter, and from it you will see what after the expiry of two years, I ask nothing, provided that you and I are colleagues in that church, but what is equitable and just. I think no person can say, that by doing so, I am actuated by improper motives, or by hostility towards you. I am desirous that we should both be ministers in that church, and you are spared to the end of two years that we should stand on a sure footing. If an arrangement takes place between you and me, much unpleasant feeling may be spared tomorrow. Believe me my dear Sir.

Most sincerely your

EDWARD BLACK.

Tuesday half past 4 o'Clock, Feby. 1823.

I have been informed this moment that a deputation of two of your friends is to wait on me at 6 o'Clock this evening, yet nevertheless I think it proper to send the enclosed letter.

E. B.

MONTREAL, 15 November 1825.

My Dear Sir,

In consequence of a request contained in a letter from the committee of the church, of the 11th instant, I now write to you, and beg to lay before you my sentiments on the subject of that letter, and I trust that you will in return, do the same to me—I have to regret that any difficulty in the way of money matters should have occurred, and the more so as I see no great chance of its being soon surmounted. As I have no wish to throw any unnecessary difficulty in the way I hope that, terminate how matters may, no blame can be attached to me.

It would appear from the statement of the funds of the church submitted to me that, after paying Mr. Somerville's annuity the largest sum at the committee's disposal is £326, that this sum they wish to be paid in to the hands of any one of the clergyman who will promise to take on himself the whole duty of the church, and that He is to make arrangements with the one who is temporarily to retire from the active duty. As you are the senior acting clergyman, it is surely but just, that you should have it in your power to say which of the alternatives you will choose—If then it be your wish to take upon yourself the whole duty of the church, I am willing to take from you a certain sum out of the £326, afterwards to be specified, and to retire from all duty, provided my doing so meets the wishes of the congregation generally. If on the other hand you think that it will be more for your advantage not to take on yourself the whole duty of the church I am equally willing to do so, and to pay you out of the £326 a certain sum afterwards to be specified, on your retiring from all active duty. As matters are at present in an unsettled state, it would not be fair for either party to let any arrangements at present entered into be binding for a longer period than two years.

This is the
to you, and
man, and I
I have to r
carllste con
the commit

The Revd.

(Copy letter

Dear Sir,

I was f
of the Scot
quence of a
to commun
resolutions,
you will hav
your own co
Some day
wrote a letter
Friday last,
of it to whic
of the letter
instant.)

I have thi
would have
pressed his
as you will s
that the rec
beg leave to
the resolution
dation solely
we could no
have resulte
reason to fe
regarding th
duct, and t
of some who
liarity of my

In these
wisdom they
secured for
wholy to the

This is the only plan which, after mature consideration I can submit to you, and the only one which seems to be fair towards the clergyman, and likely to promote the respectability of the congregation—I have to request that you will favor me with your answer, at your earliest convenience, as I cannot, until receipt of it, communicate to the committee what I have done.

Believe me Dear Sir,
Very truly your

EDW. BLACK.

The Revd. Henry Esson.

(Copy letter E. Black to Henry M. Kenzie, Esquire, President of the Committee.)

Montreal, 24th November, 1825.

Dear Sir,

I was favored with the receipt of the resolutions of the committee of the Scotch Church bearing date the 10th instant; and in consequence of a note from the Secretary, of the same date, requesting me to communicate to you any answer I might have to return to said resolutions, I now trouble you with the following, and request that you will have the kindness to lay the same before the committee at your own convenience.

Some days after receipt of the resolutions of the 10th instant, I wrote a letter to Mr. Esson, of which the following is a copy; and on Friday last, in a conversation I had with him offered to alter any part of it to which he might have objections—(here follows an exact copy of the letter sent by E. Black to the revd. H. Esson, on the 15th instant.)

I have this morning received an answer to the above letter, and would have furnished you with a copy of it, had not Mr. Esson expressed his intention of communicating the same to the committee—as you will see from the tenor of that communication, it is not likely that the recommendation of the committee can be put in force, I now beg leave to commit the matter entirely into their hands. I regarded the resolutions of the committee in the light of a friendly recommendation solely for the consideration of Mr. Esson and myself, and that if we could not come to a mutual agreement, that at least no harm could have resulted from them—but in place of this being the case, I have reason to fear that the agitation of the matter has given rise to surmises regarding the purity of my motives and the ingenuousness of my conduct, and that it has had the effect of lowering me in the estimation of some whose good opinion I could not but be anxious, from the peculiarity of my situation, both to obtain and to preserve.

In these circumstances, I leave the committee to do what in their wisdom they may think fit. If a suitable support can be made and secured for me, I am both willing and anxious to devote myself, wholly to the interests of the Congregation; if such a support cannot,

E*

under existing circumstances be offered to me, I am also willing to enter on terms with the Committee, and in the Event of their being acceded to, to resign my present charge, and to give no further trouble. All I ask of you is, that whatever is to be done, it may be done without delay—I emlore you to do something; for the last eighteen months I have received but a comparative trifle for my services, and in consequence of this my pecuniary embarrassment are now such as cannot much longer be concealed.

I have the honor to be,

Dear Sir,

Your obedient serv.

EDW. BLACK.

(Signed.)

Henry MacKinzie, Esquire, to be }
communicated to the Committee. }

Dear Sir,

I beg leave to furnish you with the above, a copy of a letter I have sent to the President of the Committee, and am

Your truly,

EDW. BLACK.

To the Revd. H. Essson, }
Thursday Evening. }

Montreal, 25th November 1825.

My Dear Sir,

I regret that the proposal which you have made to me and which appears to be the same, with that suggested by the committee, in their late communication to us, is one, which I am unable to place in any point of view, that would warrant me to embrace either of the alternatives which it presents. To retire and give up any part of the emoluments, which I now derive from the church is what, in my present circumstances, neither justice nor prudence will admit, and even were my circumstances more independant, than they certainly are, it is a course, which I should feel extremely unwilling to adopt. As to your retiring, even admitting that the congregation should be disposed to dispense with your pastoral services for a season, and that your circumstances could be improved thereby, since it implies the condition of resigning some portion of the inadequate salary which you now derive from the church, I do not see, how I should be able in this case, out of a contingent or precarious fund, altogether depending on the popularity of the minister, to secure to you any annuity and reserve to myself even a tolerable chance of such an income as is acknowledged to be necessary for the decent support of a minister. Were the whole charge of the congregation to devolve upon me, I should be under the necessity of providing an assistant, doubtless at my own expense, and were I therefore to close with this proposal, the consequence is plain, that I should be involved in that embarrassment and indigence from which, it is the object of the plan, to deliver us. In both cases so far as I am concerned, the remedy proposed would be worse than the evil to be remedied, and until some security of an adequate and permanent provision is made, I am bound, in duty to my

family, to u
a deficient
whatever s
part, were
embarrass
which I an
duty. It i
in the coun
you, what
I can not r
only at the
if any mea
long as I a
manner not
office, I n
and I woul
place the
present unf
cate a copy

To the Rev
I certify
letter of 25

Dear Sir,
Enclos
the Preside
to be place
on appearan
the acting r
is scarcely s
whatever
ingenuousn
not been, n
Lamentin

To the
H.

Dear Sir,
As the
my tempora
take the libe
that you wil
mence, to t

family, to use such honourable means as may be requisite to supply a deficient income. I owe it to you and to the committee to state that, whatever sacrifice might be reasonably expected to be made, on my part, were my circumstances independent, in order to relieve the present embarrassments of the church, would under the circumstances in which I am actually placed, be neither sanctioned by prudence nor duty. It is unnecessary for me to say more, on this topic, as I have, in the course of our conversation on the subject, frankly explained to you, what relates to my private affairs. Permit me to add that though I can not make those sacrifices on my side which could relieve you, only at the expence of unbarrassing myself, I shall cordially rejoice, if any means can be devised to make your income adequate, and so long as I am enabled to provide for the deficiency of my own, in a manner not discreditable in itself, nor inconsistent with the sacred office, I neither expect nor desire any augmentation of my dividend and I would fain hope that the liberality of the government will speedily place the church on a more respectable footing, and make up the present unfortunate deficiency of the income. I intend to communicate a copy of this reply to the committee.

And remain my Dear Sir,

Very truly your

H. ESSON.

To the Revd. E. Black.

I certify that the preceding two pages contain a true copy of my letter of 25th November 1825.

H. ESSON.

Montreal, 6th December, 1826.

Dear Sir,

Enclosed is a copy of a letter I intend to send to Mr. Porteous, the President of the Committee of the Church—I am extremely sorry to be placed in a situation that should have, even the semblance of an appearance of coming in contact with your interests. As one of the acting ministers of the church all I wish is, to have what is scarcely sufficient to support the respectability of the situation whatever insinuations have been, or may yet be made respecting the ingenuousness of my conduct, I do most solemnly declare, that I have not been, nor ever will be actuated by a design to do you an injury.

Lamenting the unfortunate situation in which we are placed,

Believe me, Dear Sir,

Your very truly,

EDW. BLACK.

To the Reverend
H. Esson.

Montreal, 6th December, 1826:

Dear Sir,

As the time is about expired for which a provision is made for my temporal support, as one of the ministers of the Scotch Church, I take the liberty of addressing you on the subject, and of requesting that you will call a meeting of the committee, at your earliest convenience, to take the matter into consideration.

MINUTES.

At a meeting of the committee of management of the Scotch Church, convened in pursuance of a letter from the Revd. Ed. Black requesting payment of a balance of salary due him by the church, and desiring to know if any and what provision is made for a suitable stipend for him after the expiration of the present year, when the allowance of £250 hitherto paid him ceases.

Present

Messrs. THOMAS PORTEOUS,
PETER MCGILL,
K. WALKER,
A. WHYTE,
C. TAIT.

The accounts of the treasurer, the rent roll and other sources of revenue of the church, having been examined and reported upon, the committee have learnt with regret, that the revenue, derived as it is solely from pew rents, has (even at the present high rate of the pews) not only fallen short of the sum required to meet the engagements of the church with the three Revd. Gentleman, but is about to undergo a material diminution from the inability of a part of the congregation to pay the rents demanded, and the unwillingness of others to be taxed for seat rent at a rate almost double that which is paid in other churches of the same persuasion, and from the necessity that will consequently exist for lowering the rates in certain cases. The committee thus finding the church unable to pay the demands made and now making upon its funds—knowing no method by which these funds can be augmented—and learning by the 9th of the rules and regulations of the church, what in such an emergence *it shall be the duty of the committee to call a general meeting, of the proprietors* to provide for the stipends, the committee have resolved that a general meeting of the proprietors be called on Sunday the 24 instant by intimation, from the praecanter's desk and by a placard at the church door; such meeting to occur within fifteen days after such intimation.

C. TAIT, Sec. Com.

December 1826.

TUESDAY EVENING.

My Dear Sir,

I will feel particularly obliged to you if you will give me an answer to the two following questions:—

1st. Shortly after your arrival in the country, did Mr. Esson ever speak to you about various plans and projects of his, in such a manner, as to convey to you an idea that he might retire from the charge of the Congregation?

2nd. Did Mr. Esson ever in the course of conversation convey an idea to you, that it was his intention after my ordination to give over to me all the public duties of the Congregation (by which, I mean, marriages, burials, baptisms,) To rescue my character from base calumnies is all about which I am now anxious.

Your reply at your earliest convenience will oblige your very truly

(Signed)

EDWARD BLACK
F

(Copy of answer to Mr. Black two questions.)

My Dear Sir,

I beg leave to return the following answer to your two questions :

To the 1st I answer that Mr. Esson did speak to me, about the time of my arrival in this country, in such terms as led me to think that, were certain hopes he had entertained respecting the success of a public Institution for Education realized, he should not be unwilling to retire from his clerical duties.

To the 2nd that I have an impression on my mind, that Mr. Esson *wished* or *meant* that the greatest part of the duties you mention should devolve upon you but whether I derived this impression from your own or Mr. Esson conversation, I am unable to say with confidence. I believe from both.

I am, my dear sir, your truly,

H. URGUHART.

That the public institution for education mentioned in my answer to Mr. Black was not the school with which I have been connected since I came to Montreal.

H. URGUHART.

No. 3 is a plan of far wider range and much higher importance—desirable indeed as most easily attained, and best suited to the state and means of his majesties colonies in our days, but in the accomplishment of either of these I regret to say that I have no means of Govt. at my disposal by which I can promote either of them.

(Signed)

D.

P. S.—This last paper I will retain as connected with a subsequent letter I have received from Dr. Robertson which will require some further consideration.

Dear Sir,

I understand that you have an impression on your mind that I have acted disingenuously towards you in a recent affair and unhandsomely in some other respects—before you form an accusation against me grounded on such an impression, I beg that I may have an opportunity of conversing with you on all topics on which, you may think I have acted either disingenuously or unhandsomely towards you and have to request that we meet this day at half past twelve o'clock for that purpose. I shall be glad to see you at my house at that hour or if it be more convenient for you I shall call at your house.

Might I request an answer by the bearer,

I am your truly,

(Signed)

EDWARD BLACK.

Sir,

I understand from various quarters that you are speaking of me and my conduct in an unbecoming manner, I trust it is not too much to ask the favour of you to inform me what are the charges you bring against me in order that I may have an opportunity of exculpating myself. If I fail in doing so you will be at liberty to speak in whatever manner you please ; until, however, I have such an opportunity, your present mode of acting if I am rightly informed, is, I think, unfair.

(Signed)

I am Sir your obt. servant,

EDWARD BLACK.

To the Revd. H. Esson, }
23d January, 1827. }

SIR,

In re
give you e
which I co
are in my
church, b
ought to r
which, I h
of all oblig
to our dut
all our int
my interti
commence
purpose to
the proper
factory to
ground of
part of yo
have a rig
I should
and iniqui
represent
of promis
of a found
actors in
source of

To the R

SIR,

I do
to mine o
me and of
manner.
against m
myself—I
in the me

You are
before wh
you preju
you do, yo

To the R

SIR,

I a
of Wedne

Montreal, 24th January, 1827.

SIR,

In reply to your note, I have simply to state, that I am ready to give you every satisfaction, as to the nature and degree of the blame, which I conceive you to have incurred, in reference to proving, which are in my view subversive not only of the fundamental laws of our church, but utterly inconsistent with that order and decency, which ought to mark the conduct of every christian society;—proceedings, which, I hesitate not to say, you and I are bound by the most solemn of all obligations to disavow and discountenance, and are not faithful to our duty as ministers of the church of Scotland if we do not employ all our interests and effects to prevent or to put a stop to them. It is my intention to draw up a full statement of these proceedings, from the commencement of our connection until the present day, and as I purpose to give you a copy of said statement before submitting it to the proper tribunals of our church, whose decision I trust will be satisfactory to both of us, you will have an opportunity of knowing the ground of whatever strictures I felt myself warranted to make on any part of your conduct; and also of obtaining such exculpation as you have a right to claim. Of one thing I beg leave to assure you that I should have felt myself to have been compelled—by a wanton and iniquitous attack upon my just rights, accompanied with a misrepresentation of facts, and an imputation most palpably erroneous—of promises and engagements on my part which have not the shadow of a foundation of truth—to advert on either the proceeding or the actors in them—and the task of exposing them, believe me is a source of neither pride nor pleasure to my mind.

I am Sir your obedient servant,

H. ESSON.

To the Reverend E. Black.

Thursday, 25th January 1827.

SIR,

I do not conceive your note of last night, in any shape an answer to mine of Tuesday. If I am rightly informed, you are speaking of me and of my conduct as I have already told you, in an unbecoming manner. I wish to know from you what are the charges you bring against me, in order that I may have an opportunity of exculpating myself—If you refuse to give me this information, I have nothing more in the mean time to say.

You are at perfect liberty to bring all and every part of my conduct before whatever tribunal you please. If, however, in the mean time you prejudge the case, by speaking of me in the manner I understand you do, you do me, I think an act of injustice.

I am Sir your obedient servant,

(Signed) E. BLACK.

To the Revd. H. Esson.

26th January 1827.

SIR,

I am surprised to find that you do not conceive my note to you of Wednesday a sufficient answer to yours of Tuesday. In your note

you "ask the favour of me to informe you what are the charges I bring against you in order that you may have an opportunity of exculpating yourself." In reply to this I have stated that I am ready to give you every satisfaction as to the nature and degree of the blame which I conceive you have incurred, since the commencement of our connexion, until the present day, and to furnish you with a full statement of the facts and proceedings, on which my charges are founded, with the grounds of whatever strictures I may have felt myself warranted to make on any part of your conduct. Is not this, in other words to inform you of the charges I bring against you and to give you an opportunity of exculpating yourself to me and to my friends, or to the tribunals of our church or to the public at large as you may find expedient, will not this be the most effectual method of deciding how far my charges are groundless or unjust and my language unbecoming or otherwise. Let me assure you, that as I shall not flinch from any responsibility to you in respect to any animadversions I may have been compelled to make on your conduct, so neither shall I be satisfied, until I shall have received from you such an explanation as may do away from my mind *impressions* I am almost warranted to say convictions, which not a single fact, but a whole series of facts and proceedings for a course of years have concurred to produce and confirm. This course of proceeding is rendered in some measure necessary by the prevalence of that species of misrepresentation in the present crisis, which arises from a partial statement of facts and conversations, and which is often as injurious in its tendency and effects as absolute falsehoods.

The only indulgence I have to crave from you is to have patience for a few days as I require a little time to draw up the statement and not less to transcribe such evidence, as I have to produce from correspondence, from church documents &c. I shall make a point of putting it into your hands, the moment it is finished.

I am Sir your obedient servant,
Signed H. ESSON.

To the Revd. E. Black.

Thursday morning, 11 o'Clock, 1st March 1827.

Dear Sir,

I regret that owing to an engagement I could not answer your note last night.

The letters from Messrs. McKenzie and Porteous are answers to questions put to them by me and to be used only for my vindication against certain acts of misconduct imputed to me, should these be found in the accusatory statement, you have promised me—As they were not got up for the purpose of crimenating you, but are only to be used in self defence, should the turn of your paper call for them, I decline furnishing copies which may be converted to a use different from that intended by the writers—If, however in the answer I may have occasion to draw up to the forth coming paper, I shall find it necessary to use the letters, I will, along with my answer, furnish copies of the same, if it be your wish to have them. The same observations apply to the paper from Messrs. Grey, Ross. &c. &c. That paper

was sho
tions tha
levees,
again un

The le
sequentl
would h
at all ev
peated r
meeting
present
since tha
to let me
to court-
you or I
preceden
sary to le

Dear Sir,

I t
when you
facts you
me—If y
with them
place in r
you have a

To the Re

Dear Sir,

En
ment of fa
nexion on
servant say
request the

To the Rev

Dear Sir,

Sinc
matters in
conclusion
sary to give

was shown to you on Monday week to do away with certain insinuations that your friends had made about my holding private meetings, levees, &c. &c. when residing at Mr. McGills, and will not be used again unless the same insinuations be repeated.

The letter addressed to that general meeting was never read and consequently goes for nothing—Had it been received by the meeting, I would have considered it my bounden duty to have given you a copy at all events the letter contained nothing more than what I have repeated *visa voce*. I beg to assure you that I apprised you at one meeting on Thursday week, of most of the particulars relative to the present unpleasant state of things—other documents I have received since that time and therefore could not be shown. I will thank you to let me have the registers for 1826, as they must have now be sent to court—mention at what folios new entres have been made. Is it you or I that go to Lachine on Sunday—I believe according to former precedents it should be you, you can let me know, as it will be necessary to let the Driver know to which house to come.

(Signed)

Your very truly,
EDWARD BLACK.

Monday, 11th March 1827.

Dear Sir,

I beg you will inform me, if I understood you right yesterday, when you said that the statements you have sent me contain all the facts you intended to mention in the charges you have preferred against me—If you have any more to add I request that I may be furnished with them this evening, in order that no unnecessary delay may take place in returning you an answer. Please state in writing whether you have any additional facts to communicate.

(Signed)

Yours &c.
EDWARD BLACK.

To the Reverend H. Esson.

Tuesday, 10th April 1827.

Dear Sir,

Enclosed is Mr. Galts paper, I send an answer to your statement of facts and proceedings since the commencement of our connexion on Tuesday the 20th March (three weeks past to day) my servant says that he gave it into the hands of your servant—might request the favour of you to say if you received it.

(Signed)

Yours &c.
EDWARD BLACK.

To the Reverend H. Esson.

Thursday, April 12th 1827.

Dear Sir,

Since I saw you yesterday, it has occurred to me, that the matters in dispute between us might be more speedily brought to a conclusion than by a reference to Quebec. As it will likely be necessary to give explanations and to refer to papers which have now swelled

F*

to a great bulk, a protracted correspondence might ensue on a reference to a person at such a distance—If it was not on these accounts there is no person that I would more cheerfully fix on, or sooner commit this or any other matter for decision to, than Dr. Harkness, I have the fullest confidence in him, and we both might be assured that an impartial judgment will be given. I merely suggest for your consideration whether it might not be expedient for us, each to make choice of a lay friend and let matters be brought to an immediate issue or to submit the whole to a clergyman in town.

If either of these plans does not meet your concurrence we can adhere to the one suggested in your note of Tuesday and forward the papers to Dr. Harkness without delay—It strikes me that much trouble would be saved to both of us if the matter could be settled here.

Your &c. &c.

EDWARD BLACK.

(Signed)

To the Reverend }
H. Esson. }

Saturday, 14th April, 1827.

Dear Sir,

A person of the name of Latimer wishes to have a child baptized to-morrow at Lachine and requests that you will take the register with you.

I will thank you for an answer to my note of Thursday as if the proposal therein made does not meet your approval I will require several days to transcribe papers for a reference to Quebec.

Your, &c. &c.

EDWARD BLACK.

(Signed)

To Reverend }
H. Esson. }

Montreal, April 14th, 1827.

Dear Sir,

To the plan proposed in your note of Thursday there appears to me to be this objection, that the question involving points that require a knowledge of Ecclesiasticals, in order to form a correct judgment of them, we are thereby precluded from employing laymen; besides differences between Clergymen, it seems to me, better in point of decorum, to submit to the arbitration of their brethren. Doctor Harkness, though at a little distance from us, we will have an easy and expeditious mode of communicating with, now that the Steam Boats begin to run, and from his knowledge of church affairs, and his perfect acquaintance with all the facts and circumstances from first to last, which may be involved in the question between us—I do not conceive that we could apply to any one better qualified, to form not only an impartial judgment, but to give his decision with promptitude and expedition. As we had referred the matter to him, when he was in Montreal, and as he left us with the understanding that the papers were to be transmitted to him, I do not think that it would, in any point of view, be proper to alter our plan. There are only two clergymen of our Church here; the one is a stranger amongst us, and un-

acquainted
interested

To u
Tru

My Dear

I
communi
could assi
made me
cause I ha
read over
given a de
facts, and
decision m
sentiments
of either v
vinced ag

As to M
concern v
surd—if I
fact that h

As to M
duties for
absurd—h
just cause
without be
called upon

As to th
Esson sho
ought, in
against it,
proposal th
tion. If t
they had to
your incor
thing was
any stipula
your incor
society wh
and you to
nothing to

Without
here repea
to you at M
difference t
with Burn'

acquainted with our previous proceedings; the other is too nearly interested in the question to be an umpire.

Your truly,
H. Esson.

(Signed)
To the Revd. E. Black, }
True copy H. Esson. }

(Copy letter Dr. Harkness to E. Black.)

Quebec, June 25th, 1827.

My Dear Sir,

I readily admit that I have been two long in replying to your communications and satisfying you that they had come to hand—I could assign various reasons for my seeming inattention to the request made me by yourself and Mr. Esson. I say seeming inattention, because I have in reality *not* been in attentive to the subject. I have read over the papers entrusted to me repeatedly, and would fain have given a decision. But from the nature of Mr. Esson's statement of facts, and the nature of your answer thereto, I am afraid whatever decision might be given would not have the effect of changing the sentiments of either, or doing away with the impressions on the mind of either with regard to the conduct of the other. For a man convinced against his will is of the same opinion still.

As to Mr. Esson making an *unconditional* promise to retire from all concern with the Church at the end of two years—the thing is absurd—if he did so, it must have been in a moment of frenzy. But the fact that he even did so is by no means established.

As to Mr. Esson's giving up the performance of those clerical duties for which fees are paid entirely to you—the thing is equally absurd—had Mr. Esson done so his Parishoners would have had just cause of complaint against him—he could not conscientiously and without being liable to censure, refuse to marry baptise or bury, when called upon by any of the flock—this must have been well known to you.

As to the proposition from the committee that either you or Mr. Esson should retire for a specified time from all active duty &c. you ought, in my humble opinion, at once decidedly to have set your face against it, and to have informed the committee that in making the proposal they had gone completely out of their proper sphere of action. If the committee kept faith with you and Mr. Esson, it was all they had to do. They might regret it was out of their power to make your incomes better. But they had no right to propose (indeed the thing was very indelicate) the temporary retirement of either upon any stipulations or conditions whatever. If Mr. Esson and you found your incomes not sufficient to enable you to support that rank in society which the respectability of your office gave you, it was for him and you to determine what course to pursue. The committee had nothing to do with the matter.

Without pretending to decide between you and Mr. Esson I have here repeated the same sentiments on certain points which I expressed to you at Montreal. I assure you I regret and lament exceedingly the difference that exists between you and Mr. Esson. In connection with Burn's affairs, it is doing a serious injury to the Presbyterian

Cause in Canada—(the remainder of the letter consists of the usual compliments, &c.)

Believe me, my Dear Sir,

Your Faithfully,

JAMES HARKNESS.

(Signed)

Certified to be a true copy E. Black, }
Monday, 2d July, 1827. }

Montreal, Monday 2d July, 1827.

Reverend Sir,

Enclosed is a copy of Dr. Harkness letter an abstract of which I gave you in my communication of Friday Evening last—when I met you yesterday on my way to church you made a verbal reply to that communication I again beg leave to inform you as I did at the time that I shall rest satisfied with no verbal replies from you on any matters of importance and have therefore to request that I be favoured with a written reply to my letter of Friday evening on or before to-morrow at 12 o'clock I was of opinion that the ordinary rules of politeness would have dictated the propriety of sending a written reply to a written communication on any subject of importance.

I am Revd. Sir,

Your obt. servant,

EDWARD BLACK.

(Signed)

To Reverend }
H. Esson. }

3d July, 1827.

Reverend Sir,

I beg to assure you that it did not proceed from any want of respect or courtesy that I declined answering your letter of Friday last. Had you ascribed it to the better motives of love of peace and to christian prudence, permit me to say, you would only have done me justice. It is now a considerable time since I declared to you my resolution to have no farther correspondence with you on the unpleasant subject of our differences, persuaded as I am, that no good can result there is even imminent hazard, in such a course of the evil being aggravated and the feelings of all parties embittered. I have furnished you at your own particular request with an ample and explicit statement of the grounds on which I have formed those opinions and sentiments of which you had most certainly a right to demand from me a statement. I have subsequently given all due attention to your explanations, verbal and written, and it is my misfortune perhaps that I am unable to discover any thing that could alter my opinion or in any material degree mitigate my censure, and while I readily admit the frailty and fallibility of my judgment you must allow me to say that until I feel the conviction that I am in error I can make no other apology than simply to express my sincere regret that I am unable to place your conduct in any point of view that would warrant me to say with truth that I think well of it. In this ground I can add nothing to what I have declared in my statement to you. Doctor Harkness has decided, in a manner entirely to my satisfaction, the only points in

which I w
gotten tha
should dro
to Doctor
from prom
pressions
and prude
that he co
the parties
of submit
men here
sentiment
that they
to make a
our Paren
point rema
to be settl
that could
dance, I s
you may h
you to unc
any groun
feel that a
abstain fro
see what I
while I am
past, and t
of any app
only to ad
expression
sions with
' cause I
tempt whic

To th
H

Reverend
I c
I have rec
irrelevant
Harkness
matter to
not agreein
two alterna
future proo
sense of an
has given

which I was anxious to obtain his opinion and you cannot have forgotten that it was I who, in opposition to your wish that the matter should drop and all that had passed be forgotten, insisted on a reference to Doctor Harkness and I for my part am satisfied that in abstaining from pronouncing any judgment with respect to the feelings and impressions which are mutually entertained, the Dr. has shown good sense and prudence: more especially, if, as I suspect to be the fact, he felt, that he could not remove these impressions, or alter the convictions of the parties. As to the proposition which you again make so earnestly of submitting our differences to the decision of lay friends or of clergymen here or in Upper Canada; having already expressed my sentiments on that point, in a former letter, I have only to say now, that they remain unaltered, and that, if I find it necessary on my part to make any farther reference, it shall be to the supreme tribunal of our Parent Church. I have now only to add that, as I know not what point remains in dispute between us, that either requires or is possible to be settled by arbitration, and as I am ignorant of any good purpose that could be answered by protracting this most unpleasant correspondence, I shall not feel myself called upon to answer any letters, which you may hereafter address to me on this subject, and therefore I beg you to understand that while I am at all times ready to meet you on any ground or on any occasion with all respect and courtesy, where I feel that any good can be done, I am resolved on the same principle to abstain from any farther discussion of this controversy until at least I see what I little expect, that it can conduct to some good issue and, while I am willing, henceforth, to forget, as far as may be possible the past, and to live with you, on terms of peace and civility, I am fearless of any appeal that you may make to any tribunal whatever. I have only to add in conclusion that I am not unapprized of sentiments and expressions which you have allowed yourself to utter on various occasions with regard to myself and that, if I have not complained, it is because I love peace and am not greatly moved by censure or contempt which I feel to be unmerited.

I am Reverend Sir,

Your Obt. Hble. servt.

H. ESKON.

(Signed)

To the Reverend }
H. Black. }

Montreal, 5th July 1827.

Reverend Sir,

I conceive your long letter of the 3 instant, like many of those I have received from you on the subject of our differences as totally irrelevant to the question before us. I merely begged to know as Dr. Harkness had given no decision, whether you would submit the matter to the arbitration of other individuals. In the event of your not agreeing to do so, I intimated that I would make choice of one of two alternatives (and these alternatives I expressly mentioned) in my future proceedings. I most positively assert, and I leave it to the sense of any person who knows the meaning of words that Dr. Harkness has given no decision. If you think that on certain points you have

obtained a favorable opinion, you can with the greater confidence submit the matter for ultimate decision. To say that you have got such an opinion is the very utmost length that Dr. Harkness letter will permit you to go but even this I will by no means admit. The words "an unconditional promise" are not to be found in my answer to your statement and therefore there was no necessity to call such a promise absurd, and by no means established. As to another promise you will particularly observe, that though he says it was equally absurd on your part, yet he does not say that the truth of it is not established. Indeed, he could not in my opinion say so, in the face of the evidence I adduced. As to the next great point which you are so anxious to prove against me, and to attain which you have expended such a number of words in your statement, viz, my connivance with the committee, there is not a word said on that point.—Dr. Harkness merely says that in his opinion I should decidedly have set my face against the proposal from the committee. Is there no difference between a person entering into any measure proposed to him, and conniving with the persons who proposed that measure? But are these the only points in dispute between us? In Dr. H. opinion they seem to be the whole, but I will venture to say that in your own opinion, and in the opinion of others who may read your statement, they are only a part.

I have as little desire as you can have to protract an unpleasant correspondence, and in all likelihood, you will not be troubled with another letter from me on the subject—I have now my choice of two alternatives in my future conduct—and believe me that the task of bringing to light the temper and spirit, you have cherished towards me since my ordination, and in particular, the unmanly and unchristian language you gave vent to on a late occasion, cannot be gratifying to my feelings. After all the talk you have made on the subject, you have, in reality brought no charges against me. You have shown sufficient want of christian temper in the whole business; and your conduct must be accounted for, not from any thing I have done since my connection with you, but from the two great leading features of your character (and what these are no one can doubt) not having been gratified.

I am Reverend Sir,
Your obedient servant,

EDWARD BLACK.

To the Reverend H. Esson.

Montreal, 24th July 1827.

Dear Sir,

I trust you will excuse the liberty I take in addressing this letter to you, and in requesting you to lay it at your earliest convenience before the committee. I regret extremely to occasion any trouble to the committee, but situated as I am, I cannot avoid doing so. I am induced likewise to address you, as you are appointed by the church to superintend its temporalities, and are therefore the legitimate channel through which an application may be eventually made to the congregation.

ter confidence
t you have got
Harkness letter
s admit. The
d in my answer
y to call such a
nother promise
equally absurd
not established.
of the evidence
e so anxious to
ended such a
e with the com-
arkness merely
my face against
nce between a
and conniving
these the only
seem to be the
ion, and in the
are only a part.
an unpleasant
e troubled with
choice of two
at the task of
ed towards me
and unchristian
be gratifying to
e subject, you
ve shown suffi-
d your conduct
since my con-
atures of your
ot having been

at servant,

ARD BLACK.

a July 1927.

addressing this
earliest conve-
occasion any
avoid doing so.
ointed by the
e the legitimate
ly made to the

The unfortunate situation I at present hold, as one of your minis-
ters, was pressed, nay I am justified in saying, forced on me, and that
too principally, however strange it may be sound in your ears, through
the agency of Mr. Esson. A salary of £200 for the first two years
of my ministry was offered me, but rejected on the score of its being
too little for my maintenance. A salary of £250 was then offered and
accepted by me; and I had every reason to believe from the promises
made, and the prospects held out to me, that after the expiry of the
two years, the original sum would rather be encreased than diminished.
Immediately before my ordination, and about two months after this
arrangement was entered into, I had reason to fear, from certain
circumstances which transpired, that I had little dependance to place
on the promises that were made, or on the prospects held out to me—
I applied to the general meeting of the church for the one half of the
pew rents, after paying Mr. Somerville, to be given over to me, in
order that my ordination might be proceeded in, and I signified by
letter to the proprietors that I would be satisfied with the revenue thence
arising, *so far as it would go*, by which I meant that this fund being
made over to me would ensure my ordination, and that, whatever it
might be it would, as far as it would go, relieve the church of so
much of the sum they had burdened themselves with by calling me to
be one of the ministers.

I am not going to tire your patience with a recital of subsequent
proceedings, and I have to crave your indulgence for trespassing thus
far on it—What I have mentioned above is necessary to show you
that, at the very least, I had every reason to believe, a permanent
salary of £250 would be, without a doubt, given me. My object in
addressing you now is respectfully to request that you, as the repre-
sentative of the church, will devise some plan to ensure me of my
original salary. and not allow me literally to starve, and to remain in
a situation not much more agreeable to my feelings than that of a
common pauper—I trust that you will not be so blinded to the real
interests of the church as to adopt language which I believe is current
among a few of its members “let Mr. Black have recourse to some
“other employment to encrease his living.” I beg to inform you that
if such an employment offered, and I know of no other but that of
teaching, it would become a question with me whether my time would
permit me to adopt it. Examine the registers of the church for some
time past, and you must be satisfied that the quantity of public duty
I have performed would at least make me hesitate before I betook
myself to another employment. Take that in conjunction with what
may properly be called the private duties of a clergyman, and with his
public appearances, and you will, I think, join with me in saying that
those who make use of language similar to that I have now quoted,
are any thing but friends either to the church or to me.

In viewing the subject in all its bearings I would respectfully suggest
that you may be the means of relieving the church, for the present,
out of its unfortunate situation, by taking into your consideration the
propriety of adopting one of the following plans; either to call a
private meeting of those who are friends to the church, and asking
their co-operation in the present crisis; or to call a public meeting of

the congregation, at which I shall attend, and give the proprietors a plain statement of all proceedings since the time immediately before and after my connexion with the church—I shall also read to them a correspondence which has lately taken place between Mr. Esson and myself, and from which they will be able to judge whether or not promises were made to me, and expectations held out which have not been fulfilled—and whether or not they are bound in honor to provide me with a suitable salary.

In asking you to adopt one of these alternatives, I beg you will free me from the wish of presuming to dictate to you as a committee; I know likewise, if you adopt any of these plans, that it is not because I had a right to ask you to do so, but merely from courtesy to me. If you decline doing any thing in the matter further than dividing whatever sum may be at your disposal, after paying Mr. Somerville, between Mr. Esson and me, it must remain with me to do the best I can, under existing circumstances. It is not perhaps generally known that I hold in my possession a permanent bond granted to me by the ministers elders, committee, and several proprietors of the church for £150 to be paid annually out of the surplus funds of the church—I confess that it would be extremely unpleasant to my feelings to have recourse to legal measures to obtain the sum, but it must become a question with me, whether or not it will be my duty to adopt this course, and to depend on the good will of those who are friendly to me in the congregation, to make up the remainder of what may be reckoned sufficient for my support. Recent proceedings of my colleague and the unmanly and unchristian language he has used respecting me, render any thing like courtesy from me towards him, entirely out of the question.

I again request you will excuse the liberty I have taken in thus addressing you—I leave the matter in your hands, with the utmost confidence, that you will adopt some prompt measures to relieve me from my present embarrassments—which cannot much longer be concealed from the public, and likewise to restore peace to the church.

I am Dear Sir,

With much regard

Your obedient servant,

EDWARD BLACK.

N. B. I have hitherto sent copies of all my communications to the committee to Mr. Esson. In this instance, and in future I decline doing so.

E. B.

John Fisier, Esquire, President of the committee of the Scotch Church St. Gabriel Street.

Montreal, 17th November 1827.

Reverend Sir,

I received and perused the papers you addressed to me, but the circumstances under which they have been procured deprive them of any claim to my consideration and like all ex parte proceedings I humbly conceive them to be entirely useless for the purposes of *truth and justice*. If they be viewed merely as the opinions of individuals, whom you have on your own part consulted, it must be observed, that

these indi
on such
parties, n
of the ot
scarcely
simply ob
and as I
without g
repeat, w
mode of
still less
of submit
ever resp
to have m
But if yo
terminatio
ciples of
let the w
general as
only cour
final adju

P. S.
churches

A true

Rev. S.

I
py to thin
viewed th
in as muc
man in qu
quest of
that you v
disinteres
purposes
transmit a
to these
both. B
to the leg
statement
before the
allow me
our church
better tha
have forg
sion, notv

these individuals have formed their judgment and given their decision, on such evidence, as has been submitted to them by one of the parties, not only without the consent but even without the knowledge of the other. If you mean that they shall be viewed (which I can scarcely believe) as forming an arbitration between us, I would simply observe that it is usual that the arbitrators be mutually chosen and as I humbly presume, not very common for them to decide without giving a full hearing to both parties. It is needless for me to repeat, what I have already stated, the ground of my objection to the mode of decision which you proposed, namely arbitration by laymen, still less shall I presume to call in question the *discretion* or propriety of submitting our differences to the arbitration of clergymen, however respectable who are not of our communion nor can be supposed to have much knowledge of the constitution and laws of our church. But if you are anxious to have this matter brought to a satisfactory termination, and to obtain a decision in consonance with the principles of truth and justice, I repeat what I have already suggested, let the whole be brought under the view of the committee of the general assembly of our church, of which Dr. Lee is convener, the only course which appears to me likely to bring our differences to final adjustment.

I am Sir,

Your obt. hble. servant,

(Signed)

H. Esson.

P. S. Mr. Mathieson proposes that the joint committee of the two churches shall have their first meeting on Monday next.

(Signed)

H. Esson.

A true copy H. Esson:

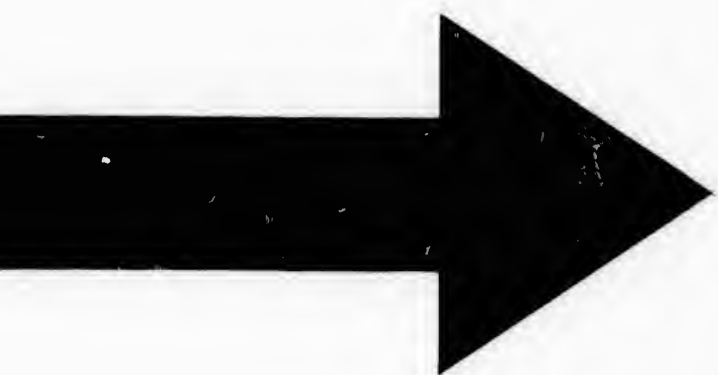
Montreal, 19th November 1827.

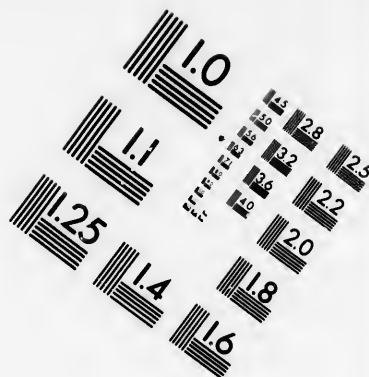
Rev'd. Sir,

I have received your note on Saturday evening, and I am happy to think that you have perused the papers I lately sent you—I never viewed these papers in the light of a decision which could bind you, in as much as you had not concurred in their submission to the gentleman in question—I viewed them merely as opinions given at the request of one of the parties, and transmitted them to you not doubting, that you would be anxious to know the sentiments of respectable and disinterested individuals. If, in your opinion, they are useless for the *purposes of truth and justice* as being *exparte* proceedings, you can transmit any exculpatory evidence, you may have in your possession to these individuals, and I doubt not they will do equal justice to us both. But I deny that it is an opinion *exparte* on the case according to the legal acceptation of that term in as much as the accusatory statement on the one side, and the defence on the other have been laid before these gentlemen, and both pronounced upon. You will also allow me to add that one of the individuals, though out of the pale of our church, (Mr. Henderson) understands its laws as well as if not better than any member of its communion in Canada. You cannot have forgotten that you insisted on Dr. Harkness letter being a *decision*, notwithstanding his own words to the contrary, and you cannot

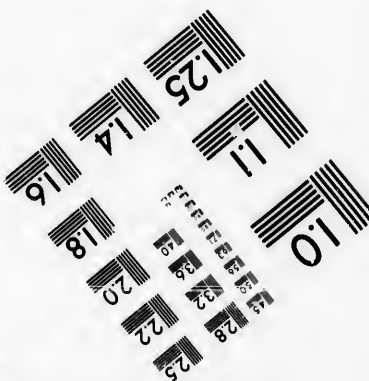
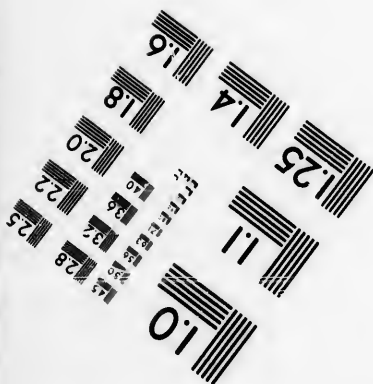
G.







6'



Photographic Sciences Corporation

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

15
28
32
25
36
22
20
18

10
01

surely be surprised, that in a matter which concerned me so nearly, I should have followed the course I have done, and that for my own satisfaction I should have requested the opinion of individuals, whose characters and standing in society, both you and I must respect.

I have only farther to add, that I do not care before what tribunal the matters in dispute between us are brought. It appears to me that a knowledge of ecclesiastical law is quite unnecessary to enable a person to decide between us, as the matters at issue are more matters of fact—matters of *truth and justice*, and must be eventually determined by a civil court, on the testimony of others. On this account I am afraid Dr. Lee will not be disposed to bring the matter before the committee of the general assembly, as that in every respect will be found to be an incompetent court—and at all events we should pause before we subject him to so very disagreeable an office. Do not think however for a moment that I shall shrink from bringing the matter before any court when there is even a distant probability of a decision being obtained. I beg therefore that you will notify me in writing one week before your papers are sent off to Dr. Lee, and I hereby bind myself to have mine in readiness that they may both go by the same opportunity. My reason for asking this previous notice, is that some time must elapse before that the affidavits of those I may adduce as witnesses can be taken before the proper authorities, so that they may serve as authenticated evidence in Europe: It will also be necessary to have a duplicate of all proceedings to send off by a different opportunity, so that there may be no danger of the papers reaching their destination.

I am Rev. Sir,

Your obedient servant,

EDWARD BLACK.

Revd. H. Esson.

Thursday, 12 o'Clock, 8 November 1827.

My Dear Sir,

Your note to me of (without a date) reached me this moment I hasten to reply to it.

I am sorry that Mr. Black should have for an instant imagined that any disrespect was shewn to him, or to any one else, or that even such a thing was wished by any of us in what we did in respect to distributing the general assembly queries and obtaining what information we could on the subjects connected with them. The history of our proceedings should convince him or any reasonable man of the contrary. Perhaps Mr. B's impressions have originated from a newspaper report that a committee of inquiry into the state of the church in these provinces had been formed and were in active operation, as I recollect some days ago seeing a paragraph something to that effect in the news papers. But if Mr. B. thought that the existence of such a committee warranted him in conceiving that disrespect was thereby shewn him because he was not consulted as to its formation, he should at least before bringing an accusation of that nature against any individual on such a vague ground, have inquired whether the facts were so. If he had taken this trouble he would have found that they were not, but that each person acted on his own responsibility, and independently of

each
only v
discus
conve
with
and th
has h
once t
affairs
that h
jects i
formal
One e
your h
affairs
said an
In h
opinion
myself
of disr
consci
reply f
a right
one or
with wh
The
them w
from a
brief o
on whic
Mack
left with
Mr. Bla
wards a
me to u
McLaur
expecte
would c
have int
could wi
understa
house fo
that Mac
I learned
Having t
further w
Mr. Gale
of the sc
provinces
ing a cor
neral, an

each other, and that whenever we acted in conjunction it was only when we meet at each others houses, as friends, and when the discussion of these subjects naturally arose in the course of ordinary conversation. If Mr. B. feels hurt that he was not made acquainted with all that was said and done in reference to the assembly queries, and that he had no participation in these proceedings I apprehend he has himself to blame, for if I mistake not he was asked more than once to meet with us on some of the occasions when ecclesiastical affairs were made the subject of conversation, I do not mean to say that he was asked to meet with us for the purpose of taking these subjects into consideration for in so far as I know we were never so formally called together for that or for church business of any kind. One evening indeed when you wished me to stay a while longer at your house, you urged your suit upon the plea of taking over church affairs, and doing something but that evening I believe there was little said and far less done.

In having distributed some of the foresaid queries and give my opinion as to the best mode of collecting information, I conceive myself implicated in the charge which Mr. Black has brought forward of disrespect towards him. Dr. Harkness, unless he has a seared conscience, must too pass condemnation against himself. Let the Dr. reply for himself. But I answer for myself that I am convinced I had a right to act just as I did without accounting for my conduct to any one or without giving any person a reasonable cause to be offended with what I have done.

The history of our proceedings in so far as I am acquainted with them will shew, that there did not even exist a wish to exclude Mr. B. from a knowledg of or a participation in our proceedings. And a brief outline of the case may furnish the best answer to those points on which you wish my testimony.

Machar on his arrival in Montreal and before he went to Quebec, left with me a parcel of the queries, some of which next day I sent to Mr. Black, Mr. Somerville and yourself. When I saw you afterwards as I was on the eve of proceeding to Martintown, you exhorted me to use every effort to persuade Urquhart, Connall, McKenzie and McLaurin to meet with Dr. Harkness, who was shortly after that time expected in Montreal, and the rest of the brethren here, and if they would consent to this measure, that Shede and Machar were also to have intimations to attend. Till that time arrived, we imagined nothing could with propriety be done. While I was in the U. P., however, I understand that you had a party of friends to meet with Machar at your house for the purpose of obtaining all the information on the subject that Machar had received from the *authorities* at home, to which party I learned from Mr. Machar that Mr. B. was invited but declined.— Having failed in obtaining a general meeting of the brethren, nothing further was said or done on the subject here, in so far, as I remember, Mr. Gale arrived invested with power and with *funds* from the trustees of the scotch church in Quebec—to proceed to several districts in both provinces, according to a route prescribed him for the purpose of making a correct investigation into the state of ecclesiastical affairs in general, and especially obtaining every information in his power con-

nected with the subjects alluded to in the assembly's queries; I met you by accident on the street, you told me when convenient you wished to see me as you had something important to communicate, next time we met (by accident also) you stated what had taken place in Quebec, and that it was particularly inconvenient for you that Mr. G. should go on such a mission. I also objected to the proceeding giving, it as my opinion, that the best mode of obtaining information was by correspondence, and that in that way a greater mass of knowledge would be collected in a much shorter period of time. I hesitate not also at the same time to say, that in making my objection to Mr. G. mission, I was influenced considerably by the fear that some narrow minded persons would say we assumed to ourselves powers which we were not warranted to do, and who would from a spirit of jealousy and because they were not consulted throw every obstacle in the way. In this state things remained till the arrival of Dr. Harkness, who was surprised that Gale had not acted according to the instructions he had received from the trustees of the church in Quebec. And it was only when you told him that it was very inconvenient for you that Mr. Gale should be absent, that he seemed reconciled, very little indeed in any shape was done in the matter before I went to Quebec, to be sure every time we met it formed the subject of conversation, but that conversation was loose and desultory, and little came out of it. From what I learned from the Dr., little else was done in my absence, with the exception of printing a circular and distributing some of the queries.

The first time I believe I saw you after my return from Quebec, which if I recollect well, was on Tuesday, the 30th ultimo, the conversation between us was on the propriety of forming a committee for the purpose of facilitating our proceedings, when various schemes were suggested, and we resolved that before entering on any plan we should consult Mr. Black, and if he approved of a committee selected from the clergy and laymen, that I was to see what day would be convenient for him to meet for such a purpose, and give notice to several gentlemen whom we were convinced had the interests of the church at heart to meet with us. This at least did not look as if any disrespect was intended to Mr. B. On the contrary I am firmly persuaded that each and all of us would have been extremely glad of Mr. Black's co-operation. A day or two after that and before I had time to see Mr. B. There was a meeting of your session called, when I understand the charge of disrespect was preferred against us, for I hold myself equally culpable with you, so I need not detail our proceedings further.

From this statement of facts, which you may make any proper use of you please, it is evident, that we formed no committee, nor had any other meeting formally called for that or for church business of any kind. That what ever talk we had on ecclesiastical affairs took place when we met accidentally or in a friendly manner at one another's houses, and I have reason to believe Mr. Black, was asked to be present on one of these occasions at least. That I have no reason whatever to suppose that there existed a wish on the part of any of us to exclude Mr. B. from a knowledge of or a participation in what was going forward. That what was done, I conceive we were fully warranted to do by the request of the committee of assembly. And that

no per
That M
distrib
inform
Gale's
and the
rised to
by the
Mr. B.
kept his
Dr. Ha
I hav
matter
that I h
them be
no reas
but little
I could
Haste.

Reverer

I kept n
of answe
some tin
having
queries
kept no

To

Dear Sir
Th
Black to
must beg

To

My Dear
I
come to

no person had any reasonable cause to be offended at our proceedings. That Macher's instructions were when he delivered the queries, to distribute them with all speed and obtain as much and as correct information as possible on the subjects referred to in them. That Mr. Gale's share in the proceedings originated entirely with Dr. Harkness and the trustees of his church—that Gale as an individual was authorised to do what he did more especially—as the commissioned agent by the Quebec trustees. That at no time in so far as I recollect was Mr. B. disrespectfully spoken of. That the distance at which he kept himself from all intercourse with us I have heard regreted by Dr. Harkness and by yourself.

I have only further to state if you did wrong in not bringing the matter before your session I have been equally guilty—I told them that I had received such queries and that I wd. some time or other lay them before them and perhaps require their assistance. They have no reason to be offended at what I did in the matter, I confess it was but little—but I am persuaded that they would rejoice in any thing that I could do in so good a cause even tho' I consulted not them, excuse Haste.

Yours truly,

A. MATHIESON.

Reverend and Dear Sir,

In reply to your note of this date I regret to inform you that I kept no copy of the communication to which you allude. It consisted of answers to Queries submitted by the Reverend Mr. Black, I think, some time last year, or in the course of last winter. I remember having returned to him the original, paper containing a few short queries with my answers to them. I now recollect, perfectly, that I kept no copy thereof.

I remain, very truly,

Your obed. servant,

H. MacKENZIE.

Papineau Square,
21st Novem. 1827. }

To the Reverend }
H. Esson. }

Montreal, 22d November, 1827.

Dear Sir,

The writing of which you desire a copy having been given to Mr. Black to be used in his own defence, against your violent attack, I must beg leave to decline complying with your request on that subject.

I am Dear Sir,

Your truly,

T. PORTEOUS.

To the Reverend Mr. Esson.

Quebec, 5th December, 1827.

My Dear Sir,

I believe all your letters and papers, addressed to me, have come to hand, and I have no apology to offer for not writing you

H

sooner, but that of being over head and ears in my own affairs. It certainly was my wish and my intention to have written you long ere this in answer to Black's charge of disrespect, and also in answer to your letter accompanying the opinions of Messrs. Bethune, Stevens McKenzie and Henderson, regarding the difference between Mr. Esson and Mr. Black. In answer to the former I have now scribbled out something and requested Mrs. H. to copy it for me. In answer to the latter I shall write you in a day or two—in the meantime I beg of you to assure Mr. Esson and his friends, that the game is up with Mr. Black—that I have borne long with him and can bear no longer. As his spiritual Father (a term you and Mr. Black understand well enough as applied in Scotland to the person who presides at an ordination) I must (however reluctantly) *now* apply the rod and see, if by a proper chastisement, I can yet save my *Black Boy*, by opening his eyes to sense of duty, after so many aberrations. I send inclosed to you my letter to Mr. Esson copied by Phoebe, by *Captain Campbell*, a friend of ours—any attention Mr. Esson and you may shew him, during his short stay in Montreal will oblige

My Dear Sir,

Your Faithfully,

JAMES HARKNESS.

(Signed)

N. B.—All the papers with me that relate to the unhappy difference between Mr. E. and Mr. B. shall be forwarded in a day or two by some safe hand. I would send them now, but it is likely I may have to refer to them in making up my mind in writing *decisively* since opinions go for nothing on the subject.

Reverend A. Gale, }
&c. &c. &c. }

A True Copy, }
H. Esson, }
G. Cheyne. }

Quebec, 4th December, 1827.

Dear Sir,

In a letter from Mr. Gale of the 5th instant, he states, *inter alia*, that at a meeting of the Session of your Church held the week previous. "A heavy complainant was vented against you by Mr. Black and Mr. H. McKenzie, that you had treated Mr. Black disrespectfully in not having made him acquainted with the plans and proceedings that had been gone into in regard to the general assembly Queries &c. &c." As I consider the complaint made against you, as also directed, if not immediately, yet certainly by implication against myself and others of the Brethren, I beg you will do me the favor, to communicate these my sentiments on the subject to the Session at your earliest convenience.

Why did not Mr. Black or some of his friends call a meeting of the Session and make the above complaint, while I was in Montreal? I shall suppose for *charity's sake*, that it was because he had—had no opportunity of conversing with his friends (I mean those, who by his plausible and apparently simple and disinterested statements—how far founded in fact will by and bye appear have hitherto been led to

go thro
them o
becaus
made
may—
my lat
the pla
genera
quette
words.

On a
and sti
mony
house
on Chu
pearan
our lea
though
room i
yet in
his rec
tive du

Whe
cellenc
biern.
His Lo
He can
the opp
plainin
we inter
helping
ever; I
had no
he knew
I feel w
come w
further
can app
oftener
tion on
been m
take a
instead
his feel
sions w
occasion
all our
Supper,
Esson l
on this,
Mr. B.

affairs. It
ou long ere
answer to
Stevens
ween Mr.
scribbled
In answer
time I beg
is up with
no longer.
rstand well
an ordina-
ee if by a
opening his
nclosed to
in Camp-
may shew

difference
or two by
may have
tively since

er, 1827.

inter alia,
week pre-
Mr. Black
disrespect-
proceedings
ly Queries
ou, as also
against my-
ne favor, to
Session at

eting of the
Montreal ?
ad—had no
who by his
ents—how
been led to

go through *this* and *their* with him) on the subject and convincing them of the iniquitous conduct of his Brethren towards him, and *not* because in the depth of his wisdom, he thought the charge could be made with less danger of refutation in my absence. Be *this* as it may—the fact is that Mr. B. was treated by you and by myself during my late visit at Montreal with the greatest respect not only as regards the plans and proceedings that had been gone into in regard to the general assembly's queries &c., but as regards every other little etiquette and formality whatever. This, I shall make appear in a few words.

On my arrival in Montreal I was sorry to learn that Mr. B. had been and still was very unwell. I therefore did not wait for the usual ceremony of his calling formally upon me, but went with Mr. Gale to his house next forenoon to enquire after his health and converse with him on Church matters. Mrs. B. said he was too unwell to make his appearance. Accordingly after some conversation with her, we took our leave. Now you will think it very strange when I tell you, that though Mr. B. was so unwell, as not to be able to step out of his bed room into the dining or drawing room on the same floor to see us ; yet in the course of a few minutes after our departure, *so rapid was his recovery*, that he was able to go down stairs and attend to the active duties of his profession.

When the Brethren in Montreal determined to wait on His Excellency the Governor in Chief ; Mr. Black was not treated as a *step biern*. No he was specially informed of our intention of waiting on His Lordship in a Body that he might accompany us, if he thought fit. He came to your house a little before the hour appointed, and I took the opportunity that presented itself (the first I had had) of fully explaining to him, *what we had done, what we were doing and what we intended to do* ; and urged upon him the propriety of his lending a helping hand in these times. In reply, he gave no satisfaction whatever ; but seemed to listen to my statements, as a thing, in which he had no concern. From this and his uniformly declining to go, where he knew he would meet you and myself, during my stay at Montreal, I feel warranted in saying, that the charge of disrespect would have come with a much better grace from the other side of the house. As further proof, however, of our wish to treat Mr. B. with respect, I can appeal to Mr. Blackwood, a member of your Session, if I did not oftener than once express my regret to him at the want of co-operation on the part of Mr. Black—and finally though Mr. B. had neither been made acquainted with our plans and proceedings, nor invited to take a share in them, yet, I hesitate not to affirm and maintain, that instead of complaining, he ought rather to have thanked us for *sparing his feelings* by not in a manner forcing him to take a part in discussions with an *Individual*, with whom a short time ago, I had had occasion to ask him to communicate in one of the most important of all our clerical duties, the dispensation of the Sacrament of the Lords Supper, and the mortification to receive for answer. "*With Mr. Esson I do not feel disposed, at least, for the present, to communicate on this, or any other subject which can well be avoided.*"—Now if Mr. B. will tell me that his feelings in regard to you had undergone a

material change for the better when I was last in Montreal, then I shall certainly say that I regret extremely that he was not more *w-*
gently pressed to take a part in our deliberations ; but till he tell me
so, I must continue to think, that I or rather we acted with great
consideration for his feelings, in not urging him to *do what he did not*
feel disposed to do.

I remain dear Sir,
Your faithfully,

JAMES HARKNESS.

To the Reverend }
H. Esson. }
To be communicated to the Session.

Montreal, 21st December 1827.

Reverend and Dear Sir,

As matters of a very unpleasant nature, have been unfortu-
nately long pending between you and my friend Mr. Black, which I
am informed are no nearer being settled than they were, and as a
certain stigma, whether it be well founded or not, will attach to his cha-
racter, until the disagreement between you is decided upon according
to truth and justice before some competent tribunal, and as it is
exceedingly desirable that this should be done speedily—I have now at
his request, to beg you will inform me, whether you received his letter
dated 17 instant, whether you intend to reply to it, and whether you
are determined as you stated in your letter to him of 17 November,
to carry the whole affair before the committee of the general assembly.

I have no other motive for writing this letter, than to ascertain, at
the request of my friend, what measure you intend to pursue, to beg
that you will decide and communicate your decision to him imme-
diately and to express my opinion, that it appears to me a great deal
of unnecessary delay has already taken place in bringing the matters
at issue to a just and equitable conclusion.

I am very respectfully

Reverend and Dear Sir,
Your faithfully,

PETER MCGILL.

To the Reverend H. Esson.

Sunday, July 4th. 1830.

Reverend Sir,

I request that you will have the kindness to intimate that there
will be no service in the church on Sunday next in the afternoon.

I am Reverend Sir,

Your obedient servant,

EDWARD BLACK.

To the Reverend H. Esson.

Montreal, 17th May 1830.

This day a meeting of session was held agreeably to the announ-
cement from the pulpit on the preceding Sunday.

The
the pre
H. Mc
nish him
admitted
evidence
mittee
Lee is
As so
required
adjourn
in writin
and obje
The
closed v

This c
tuted by

Mr. E
intimatio
following
Sir,

A
duly call
letter con
by sundry
nished w
the subje
It was re
who had
until Wed
possibilit
time and

Should
what time

Resolv
be order
authentica
papers wh

Present Revd. HENRY ESSON, Moderator.
 THOMAS BLACKWOOD,
 JAMES LESLIE.

The session being constituted, Mr. Esson stated that he had called the present meeting of session, in consequence of the refusal of H. McKenzie, Esquire, acting session clerk and other elders to furnish him agreeably to his request to that effect with a copy of a paper admitted to have been sent to Dr. Lee containing remarks on the evidence connected with the subject of the late proceeding of a committee of session submitted by them to the committee of which Dr. Lee is covenanter.

As some of the members who have refused to furnish the papers required are present, Mr. Esson proposed that the session should adjourn until Wednesday next at 2 o'Clock P. M. and that intimation in writing be given to all the members of the session of the time and object of the meeting.

The session accordingly adjourned until the day above mentioned, closed with prayer.

H. Esson, Moderator.

Montreal, 19th May 1830.

This day agreeably to adjournment the session met and was constituted by prayers.

Present Revd. MR. ESSON, Moderator.
 MR. BLACKWOOD.
 MR. LESLIE.

Mr. Esson stated that as instructed by the session he had given intimation to the members of the time and object of the meeting in the following words.

Sir,

At a meeting of session held on Monday last after having been duly called on the preceding Sunday I laid before them a copy of a letter containing extracts of minutes of a committee of session signed by sundry members refusing to comply with my request to be furnished with all papers and remarks transmitted by them to Dr. Lee on the subject of late proceedings.

It was resolved in consequence of the non attendance of the member who had refused the paper or papers demanded to adjourn the meeting until Wednesday next the 19th instant at 2 o'Clock and to prevent the possibility of mistake I have been instructed to apprise you of the time and object of the meeting and to request your attendance.

I am Sir,

Your obedient servant,

(Signed)

H. Esson.

Should the time not meet your convenience, please let me know what time will.

(Signed)

H. E.

Resolved, that H. McKenzie, Esqr. acting clerk of the sessions be ordered to furnish without delay to the Revd. Henry Esson, any authenticated copy or copies of any and all remarks, memorials or papers whatever, bearing directly or indirectly on the case relating to
H°

him the said (Rev. H. Esson) which may have been transmitted to the committee of assembly for Canadian affairs or whatever other tribunal the case has been or may hereafter be referred and of which no copies have hitherto been communicated to him.

Adjourned until Monday the 24th at 2 o'clock, P. M. in the church, and closed with prayer.

(Signed) H. Esson, Moderator.

Montreal, Monday 24th May 1830.

Sir,

This day the session met according to notice given from the pulpit yesterday, and was constituted by prayer.

Present Rev. HENRY ESSON, Moderator.

THOMAS BLACKWOOD,
JAMES LESLIE.

The proceedings of last meeting being read Mr. Esson stated that he had transmitted to the committee of enquiry an extract of the order of session to H. McKenzie, acting session clerk as recorded in their minutes of 19th and that he had received the following answer viz. (for answer videprinted papers No.—)

Mr. Esson also laid before the session two letters from H. McKenzie, the one dated 20th May and the other dated Thursday evening 20th May 1830.

The doorkeeper delivered another letter signed by the Rev. Mr. Black C. Ross, J. Carsuell, R. Armour and H. McKenzie dated 20th May and containing a triplicate of the letter of 20th of same month of which a copy was already laid before the session by the Rev. Mr. Esson.

The doorkeeper being called before the session and asked by the Rev. Mr. Esson whether he had not been sent by him (Mr. Esson) to his house on Wednesday the 19th instant about 2 o'clock P. M. to enquire if there were any letters or notes for him (Mr. Esson's) he replied that he had, and was answered by his (Mr. Esson's) servantman, that there were no letters or notes for Mr. Esson but that he cannot now remember whether it was Monday or Wednesday of that week but to the best of his recollection it was Wednesday.

Resolved, as H. McKenzie acting session clerk as well as four other members composing the committee of enquiry into the moral character of the Rev. Henry Esson, have refused to comply with the order of session dated 19 May 1830, that the said committee be dissolved and it is hereby dissolved accordingly.

Resolved that this resolution be communicated to the absent members of the session now in town by the moderator. The session adjourned, closed with prayer.

(Signed) H. Esson, moderator.

Montreal, Friday 24th September 1830.

At a meeting of the session held this day.

Present Rev. MR. ESSON,

MR. BLACKWOOD,
MR. LESLIE.

Reso
at one
given fr
of Sun
prayer.

Th
submit
importa
moned a
the first
ber in w
was to t
administ
Leslie a
of these
last mee
Reverenc
tion be p
meeting
Black) h
subscrib
Reverenc
when he
afternoon

The fo
desire to
the const
members
was impo
in those n
tremely in
as well as
and orde
capacity
their conc
steps to o
they may
meet to de
or to fulfil
vows whic
Mr. Es
it in.)—T

* See pr

Resolved that the session do adjourn to Wednesday next 29th inst. at one o'clock P. M. and that intimation of the said adjournment be given from the pulpit after divine service in the forenoon and afternoon of Sunday next. The session adjourned accordingly, closed with prayer.

(Signed)

H. Esson, moderator.

Montreal, 29th September, 1830.

(At a meeting of Session held pursuant to notice.)

Present Revd. HENRY ESSON, Moderator.

THOMAS BLACKWOOD,

JAMES LESLIE.

The Reverend Mr. Esson stated that he had felt it his duty to submit to the Session and to have recorded in its minutes the following important facts, connected with recent proceeding, that he had summoned a meeting of Session twice by a letter to each of the members, the first dated the 3rd September and the second dated 23rd September in which it was distinctly expressed that the object of said meetings was to take into consideration the propriety of appointing a day for the administration of the Sacrament that with the exception of Messrs. Leslie and Blackwood none of the members had attended on either of these occasions; that in compliance with the order of Session at last meeting, on Friday the 24th instant, he had communicated to the Reverend E. Black an extract of the order of Session that intimation be given from the pulpit after divine service of the adjourned meeting to be held this day—with which order he (the Reverend E. Black) had not thought proper to comply but that two of the elders who subscribed a requisition for a meeting of Session addressed to the Reverend E. Black and dated yesterday, were present in the church when he (Mr. Esson) read the intimation after divine service in the afternoon.

The following is a copy * Mr. Esson further stated that with every desire to preserve order, to adhere under all circumstances strictly to the constitution and laws of our church and to cooperate with all the members of Session in promoting the welfare of the congregation it was impossible for him to perform his duty or to place any confidence in those members of Session who had proceeded in a manner so extremely irregular and seemed to forget that they were solemnly bound as well as the ministers by their ordination vows, to adhere to the laws and order of our church so long as they thought fit to serve her capacity of office bearers—and when they felt it inconsistent with their conscience to act—their duty was to take prompt and regular steps to obtain the correction of any disorder or grievance of which they may think they have cause to complain and if they did not see meet to do this it became their plain duty either to resign their offices or to fulfil their duties and in accordance with the sacred and solemn vows which they have taken to that effect.

Mr. Esson then laid on the table the following protest. † (here take it in.)—The Session closed with prayer.

H. Esson, Moderator.

* See printed papers no.—† See printed papers no.

Montreal, 6 August, 1831.

This day the Session met at the House of the Reverend H. Esson and was constituted by prayer.

Present The Revd. H. Esson, Moderator.

T. BLACKWOOD, Esq. Elder.

J. LESLIE, Esq. Elder.

The minutes of last meeting of Session having been read and approved, the Moderator read a letter from A. White, Esquire, of which the following is a copy.

Montreal, August 6th 1831.

Reverend Sir,

In reply to your note of yesterday, I have to inform you that I decline taking any active part in the affairs of the St. Gabriel Church for the present.

I am respectfully yours, &c.

(Signed)

ANDREW WHITE.

To the Revd. Mr. Esson,

The Moderator then laid upon the table of the session, a copy of a paper which he had communicated to Mr. Black and the four Elders therein named on the 18th day of February last (here insert it) containing the grounds or reasons on which he (Mr. Esson) considered that the said Elders had abdicated their offices or deposed themselves. Mr. Esson stated at the same time that in consequence of the absence of James Leslie, Esquire, who at the date aforesaid was attending his duties as a Member of Parliament at Quebec, being impossible for him to hold a Session as there was only one of the Elders who acted with him then in Town, he had thought it his duty to take the advice of some of his brother clergymen who had unanimously concurred to sanction his proceedings, and whose letter on the subject he then read and laid upon the table: That in consequence of those occurrences which had taken place since the last meeting of session, he had not felt himself warranted to summon any of the four Elders aforesaid—and though he had hitherto as matter of Courtesy permitted the Reverend E. Black to sit and vote and even to preside alternately with himself in the session, he had now come to the determination, in consequence of recent proceedings to assert henceforth his own exclusive right to summon meetings of Session and to preside in them, and therefore had not invited Mr. Black to attend the present meeting.

That he now submitted these matters to the consideration of the Session and requested them to pronounce their Judgment in the same.

The Session concurred in the reasons assigned by the moderator for not summoning the Reverend E. Black, Henry MacKenzie, Robert Armour, James Carsvel and Philip Ross, formerly members of the Session to this meeting.

The moderator next laid upon the table of the Session a printed Circular, containing an abstract of the minutes of the late meeting of Synod held at Kingston in the beginning of June last, from which it appears, *inter alia*, that the Churches in Lower Canada in communion with the Church of Scotland had been constituted into a Presbytery to be denominated the Presbytery of Quebec—and that the first meeting

of the
day of
of a
St. G.
in thi
office

TH
of the
Gabr
19th
instru
that t
earne
meas
order
witho

And
the p
in the
open
pleas
are a
rity a
dispo
the L
appli
of the
of the
TH

INTIM

I h
my n
const
pastor
of E
which
which
I hav
this
John
able
is rel
that
thoug
Marc
been

st, 1831.

H. Esson

erator.

Esq. Elder.

Elder.

a read and

Esquire, of

th 1831.

you that I

riel Church

WHITE.

a copy of a

four Elders

ert it) con-

sidered

themselves

of the ab-

ressaid was

bec, being

one of the

t his duty

had unani-

se letter on

at in conse-

quence the last

ummon any

as matter of

and even to

ow come to

s to assert

s of Session

Mr. Black to

ation of the

n the same.

oderator for

ie, Robert

ibers of the

n a printed

meeting of

om which it

ommunion

resbytery to

irst meeting

of the said Presbytery is appointed to be held in Montreal on the 10th day of this month.--Wherefore the Session proceeded to the Election of a Ruling Elder to represent the Session of the Scotch Church of St. Gabriel street at the ensuing meeting of the Presbytery of Quebec in this City, when James Leslie, Esquire, was appointed to that office.

The moderator next laid upon the table an extract of the minutes of the late meeting of Synod recommending that the Church of Saint Gabriel street should be opened for public worship on Sunday the 19th June last: whereupon it was resolved that the Ruling Elder be instructed on behalf of this Session to express their extreme regret that the said recommendation had not been complied with, and their earnest desire to cooperate with the Reverend the Presbytery in such measures as in their wisdom they may deem it advisable to adopt in order to have the recommendation of the Synod carried into effect without further delay.

And it was further agreed that the Ruling Elder be instructed on the part of the Session, most respectfully but earnestly to solicit that in the event of its being impracticable at present to have the church opened for public worship, the very Reverend the Presbytery will be pleased in compassion to the unhappy state of this Congregation; who are as sheep without a Shepherd, to appoint under its special authority and sanction, some time and place, when and where the well disposed and peaceable part of the congregation may assemble on the Lords day for public worship, that a remedy may be immediately applied to the manifold evils which arise out of the present dispersion of the Congregation of this Church, and the unwarrantable suspension of the public services of the sabbath day.

The Session then closed with prayer.

H. Esson, Moderator.

INTIMATION given in the church, on the afternoon of Sunday the 20th February, 1831, by the Revd. H. Esson.

I have to intimate to the members of this church that it has become my necessary duty as their Pastor in order that I may be enabled to constitute a session and to resume the full and free Exercise of the pastoral functions entrusted to me to appoint an additional number of Elders, and in conformity with the law and order of our Church to which I will most rigidly adhere in the course of these proceedings, which have been forced upon me—I hereby give public intimation that I have nominated the following Gentlemen to the office of Elders, in this Church namely, Messrs. K. Walker, William Shand, George Johnson, A. M'Millan, & being satisfied in my own mind of their suitable qualifications, I hereby request all who may have any objection that is relevant and true against their ordination to report the same to me and that full time may be allowed for giving in any such objection, I have thought it my duty to defer their ordination until Sunday the 6th day of March next, when if no objections that are valid and true shall have been offered by any one I shall proceed, God willing, immediately after

divine service in the forenoon to ordain them in the presence of the Congregation to the office of Eldership according to the form and order established by the Law and Constitution of the Church of Scotland, and in order to obviate all objections on the score of precipitancy in the administration of the Sacrament I shall take the advice of the Session when it is constituted as to the most fitting time and manner of administering that ordinance and shall feel it my duty to act with the advice of such a number of my brother clergymen, as may afford a sufficient pledge to all unprejudiced members of this Church that all things are done decently and in order. It may be proper for me further to state to you my fixed determination to enter into no controversy either from the Pulpit or the Press on the subject, conceiving, as I certainly do, that neither you my hearers, nor the community can be competent Judges of Ecclesiastical questions and it would tend little to your edification & less to the promotion of peace and harmony amongst you were I so injudicious, so indiscreet, yea, and I will add so unchristian, as to enter in this place into such discussions, but though I must decline, for these reasons entering into any controversy, I shall feel it my duty to put into the hands of the committee of this Church, as the proper representative of the Congregation, all papers and documents containing the grounds and reasons of my present proceedings that they may be recorded in their minutes, & I am authorised to state that these papers will be open to the inspection of all members of this Church who may please to apply to Robert Simpson, Esquire, Secretary of the committee.

Tuesday Evening.

My Dear Sir,

Are there any circumstances in which Elders are warranted to decline meeting in Session when regularly summoned by their Pastor or when convened, to refuse to constitute a Session, or to adopt a general resolution not to act with him in any circumstances—and, if they so act and persist so to act, is he authorized to proceed to the ordination of new Elders, in the same manner as if the said Elders had resigned their office? Your answer to the above query will oblige,

Dear Sir,

Yours sincerely,

HENRY ESSON.

To the Reverend }
A. Mathieson. }

Wednesday Morning.

Dear Sir,

I have received your queries "are there any circumstances in which Elders are warranted," &c.

In answer to these queries I beg leave to state:—

1st. That, if a session has acted in all cases constitutionally towards their lawfully ordained minister then he has no right *per se* to nominate and ordain new Elders.

2d If
summoned
appearing
a Session
nister exco
they have
or suspens
they have
act as if
Church d
which has

To the R

2d If however the Elders of a congregation on being regularly summoned to attend a meeting of Session shall refuse to appear or appearing shall refuse to be constituted into a Session—or acting as a Session shall negative any relevant motion or proposal of the minister except by a majority of votes in a constituted Session, then, they have in my opinion, either virtually resigned their own offices—or suspended the minister from his functions which latter proceeding they have no power to do ; consequently, in either case he is left to act as if there was a total vacancy and to proceed as the laws of the Church direct in such cases, provided there be no superior court which has full power to take cognizance of their proceedings.

I am yours truly,

To the Revd. Mr. ESSON.

ALEX. MATHIESON.

4/11
I R
of the S
&c. T
On T
of Sess
present
stituted
at the c
paper c
and on
were al
against
would g
specifyin
Mr. Bla
at that
revision
attend t
was war
that Mr.

Notw
ceived M
else they
however
only two
Session
congreg
according
members
larly call
individu
There se
would be
day, of t
Regulati

Montreal

We co

[No. .]

I RECEIVED a Notice, signed by Mr. P. Ross, to attend a Meeting of the Session on Friday, the 18th December last, to receive the Report, &c. This Meeting I did not attend.

On Tuesday, 29th December, I attended a Meeting of the Members of Session, by Mr. Esson's request; several other persons were also present. Mr. Black, of his own accord, acted as Moderator, and constituted the Session by prayer; he also went through the same form at the conclusion of the *sederunt*. At this meeting Mr. Esson read a paper containing remarks on the Report of the Committee of Session and on the conduct of his colleague. Some affidavits or declarations were also read, and verbal statements made relative to the accusations against him.—Mr. Esson had stated, before beginning to read, that he would give the paper to the Session, or lay it on their table, (without specifying at what time, so far as I can remember.) He was asked by Mr. Black to give it in, after he had finished reading it; but he declined at that time, stating that it was prepared in haste, &c., and required revision; and one person, (Whitelaw, I think,) whom he wished to attend there, was unable to come, or came and could not wait until he was wanted. A vote was then passed by a *majority* of the Session that Mr. Esson should deliver the paper immediately.

Notwithstanding this vote, I expected the Session would have received Mr. Esson's remarks and explanations (or protests, or whatever else they might call it) at a future day to be agreed upon. The event however, has shewn that I was mistaken; for circular notices, dated only two days after, being the 31st of December, were issued by the Session on the 2nd January, calling a meeting of "the members of the congregation," on Thursday, the 7th of same month. This meeting accordingly took place, and was attended by a "goodly number" of members, but was found to be improper in itself, and likewise irregularly called. After some warmth having been manifested by several individuals, the meeting broke up without appointing a chairman. There seemed to be an understanding or intimation that an application would be made to the *temporal committee* to call a meeting, at an early day, of the *proprietors* of pews only, in conformity with the "Rules and Regulations," &c.

(Signed) THOMAS BLACKWOOD.

Montreal, 22nd January, 1830.

We concur with the foregoing, having been present at the meeting.

(Signed) JAMES LESLIE,
ANDREW SHAW.

- No.
1. S
2. A
3. A
4. A
5. A
6. L
7. D
8. L
9. L
10. L
11. St
12. D
13. D
14. D
15. D
16. Ev
17. Ev
18. Ce
19. Af
20. Af

TABLE

OF

CONTENTS TO THE APPENDIX.

No.

1. Statement read before the Session on the 27th December, 1829, and afterwards transmitted to Dr. Lee.
2. Affidavit of Campbell Sweeny, Jun. on the evidence of Rosalie Boileau and Eliza Cunningham.
3. Affidavit of Mrs. James Young, in reference to E. Cunningham.
4. Affidavit of Anthony Hamilton, on the same, and various other matters.
5. Affidavit of Sarah Noxon, &c.
6. Letter of M. McIntyre to H. Esson.
7. Declaration of Thomas A. Turner, Esquire, on the character of E. Cunningham.
8. Letter of Robert Sweeny, Esq. to H. Esson.
9. Letter of P. H. Ogilvy, to the same.
10. Letter of J. McConnel and Wm. McKenzie, and Affidavit of the latter gentleman on the evidence of Mr. Cheney.
11. Statement of Evidence by J. Whitlaw before John Fisher, Esq. J.P. and Alexander Dewar.
12. Declarations of James Isdell and John Blackwood, Jun. in reference to Mr. Whitlaw's evidence.
13. Declaration of James Court, in reference to the origin of the rumours, Mr. Howden, &c.
14. Declaration of John Blackwood, Jun. in reference to conversations with Messrs. Carmichael and Howden, &c.
15. Declaration of James Isdell, Teacher, in reference to Mr. Bruce's evidence.
16. Evidence of Thomas Mathews, in reference to Bruce's evidence, &c.
17. Evidence of Mrs. Malcolm, Housekeeper, in reference to Mr. Esson's habits of life.
18. Certificate of Lawrence C. O'Donoughue, on the same.
19. Affidavit of Bridget Healey, wife of William Dorn, on the same.
20. Affidavit of Thomas Mathews, on the same.

- No.
21. Circular Letter by Mr. Esson to the Clergymen of the Church of Scotland.
22. Letter of H. Mackenzie to Rev. H. Esson, containing some reflections on his conduct.
23. Certificate of Rev. A. Mathieson, in reference to the allegations in the preceding letter.
24. Answer of H. Esson to Letter No. 22.
25. Reply by H. Mackenzie.
26. Letter of Rev. H. Esson in answer.
27. Letter of H. Mackenzie to H. Esson.
28. Declaration of Mr. Thomas Blackwood, Elder, in reference to the Meeting of Session of 2nd February, 1831.
29. Letter of Dr. Harkness to Rev. H. Esson, on the proceedings of the Committee of Session.
30. Letter of Dr. Harkness and others to Rev. H. Esson, on the Ordination of Elders.
31. Declaration of John Blackwood, Jun. and James Isdell, on the Meeting of Session of 29th December, 1829.
32. Letter of Thomas Blackwood to Rev. Edward Black, on the subject of his Circular.
33. Statement by Thomas Blackwood of various Meetings and proceedings regarding the affairs of the Church in St. Gabriel Street, in addition to what he has formerly stated in these matters.
34. Letter of J. Leslie to Rev. H. Esson, on the same subject.
35. Letter of Thomas Blackwood to the Arbitrators.
36. Extracts from the Minutes of a Meeting of the Committee of Management, for taking into consideration the state of the Church Funds, with a view of liquidating the Ministers' stipends. Date 10th November, 1825.
37. Letter of Rev. E. Black to H. Mackenzie, (1823.)
38. Letter of Rev. E. Black to Rev. H. Esson, (same date.)
39. Letter of Rev. E. Black to Rev. H. Esson, (1825,) in reference to the proposal of the Committee, See No. 36.
40. Letter of Rev. E. Black to H. Mackenzie, on the same subject.
41. Letter of Rev. H. Esson to Rev. E. Black, on the same subject.
42. Letter of Rev. E. Black to Rev. H. Esson, inclosing a copy of a Letter to Mr. Porteous.
43. Letter of Rev. E. Black to Thomas Porteous, Esq.
44. Letter of C. Tait, Secretary, to the Rev. Messrs. Somerville, Esson, and Black.
45. Copy of Minutes of a Meeting of the Committee, convened by a Letter from Rev. E. Black, requesting payment of a balance of Salary due to him by the Church.
46. Letter of Rev. E. Black to Rev. H. Urquhart.
47. Letter of Rev. H. Urquhart to Rev. E. Black, in reply to his two Questions.

- No.
48. Rem
49. Lett
50. Lett
51. Lett
52. Lett
53. Lett
54. Lett
55. Lett
56. Lett
57. Lett
58. Lett
59. Lett
60. Lett
61. Lett
62. Lett
63. Lett
64. Lett
65. Lett
66. Lett
67. Lett
68. Lett
69. Lett
70. Lett
71. Lett
72. Lett
73. Note
74. Minu

No.

48. Remark of Lord Dalhousie (in his own hand-writing) on the plan of a College submitted to him by Rev. H. Esson and others.
49. Letter of Rev. E. Black to Rev. H. Esson, requesting an interview, (1825.)
50. Letter of the same to the same, (1827.)
51. Letter of Rev. H. Esson to Rev. E. Black, in reply to the preceding.
52. Letter of Rev. E. Black to Rev. H. Esson, in reply to the preceding.
53. Letter of Rev. H. Esson to Rev. E. Black, in reply to the preceding.
54. Letter of Rev. E. Black to Rev. H. Esson, declining to furnish Mr. E. with certain papers.
55. Letter of Rev. E. Black to Rev. H. Esson.
56. Letter of the same to the same.
57. Letter of the same to the same.
58. Letter of the same to the same.
59. Letter of Rev. H. Esson to Rev. E. Black.
60. Letter of Dr. Harkness to Rev. E. Black, on the difference submitted to his decision.
61. Letter of Rev. E. Black to Rev. H. Esson, enclosing a copy of Dr. Harkness's Letter.
62. Letter of Rev. H. Esson to Rev. E. Black, assigning the cause of his not answering the preceding Letter.
63. Letter of Rev. E. Black to Rev. H. Esson.
64. Letter of Rev. E. Black to John Fisher, Esquire, President of the Committee of the Scotch Church, St. Gabriel Street.
65. Letter of Rev. H. Esson to Rev. E. Black, in reference to the opinions of Messrs. Bethune, Stevens, Henderson, &c.
66. Letter of Rev. E. Black to Rev. H. Esson, in answer to the foregoing.
67. Letter of Rev. A. Mathieson to Rev. H. Esson, on the subject of certain allegations advanced in Session by Rev. E. Black and H. Mackenzie against Mr. E.
68. Letter of H. Mackenzie in answer to a request of Mr. Esson to be put in possession of some evidence on the points in dispute between Mr. Black and him
69. Letter of the late T. Porteous, Esq. to Rev. H. Esson, declining to comply with his request to be furnished with a copy of some evidence on the same subject.
70. Letter of Dr. Harkness, intimating his intention to give a decision, "since opinions went for nothing," &c.
71. Letter of Dr. Harkness to Mr. Esson, on the charges of disrespect, &c. advanced by Messrs. Black and Mackenzie.
72. Letter of Mr. McGill on behalf of his friend Mr. Black.
73. Note of Mr. Black of 4th July, 1830, requesting Mr. Esson to intimate that there would be no service on the afternoon of the Sunday following.
74. Minutes of a Meeting of Session, called by Mr. Esson to demand a copy of a Paper transmitted to Dr. Lee, which had been previously refused.

No.

75. Minutes on the same subject.

76. Minutes on the same subject.

77. Minutes on the same subject.

78. Minutes of a Meeting of Session to choose a Ruling Elder for the Presbytery.

79. Intimation given in the afternoon of Sunday, 20th February, 1891, by the Rev. H. Esson.

80. Letter of the Rev. H. Esson to the Rev. A. Mathieson, craving the opinion of the latter on the Ordination of Elders.

81. Letter of Rev. A. Mathieson to Mr. Esson in reply.

82. Declaration of Thomas Blackwood, Elder, on the Meeting of Session of 29th December, 1829.

er for the
ry, 1831,
, craving
g of See-

