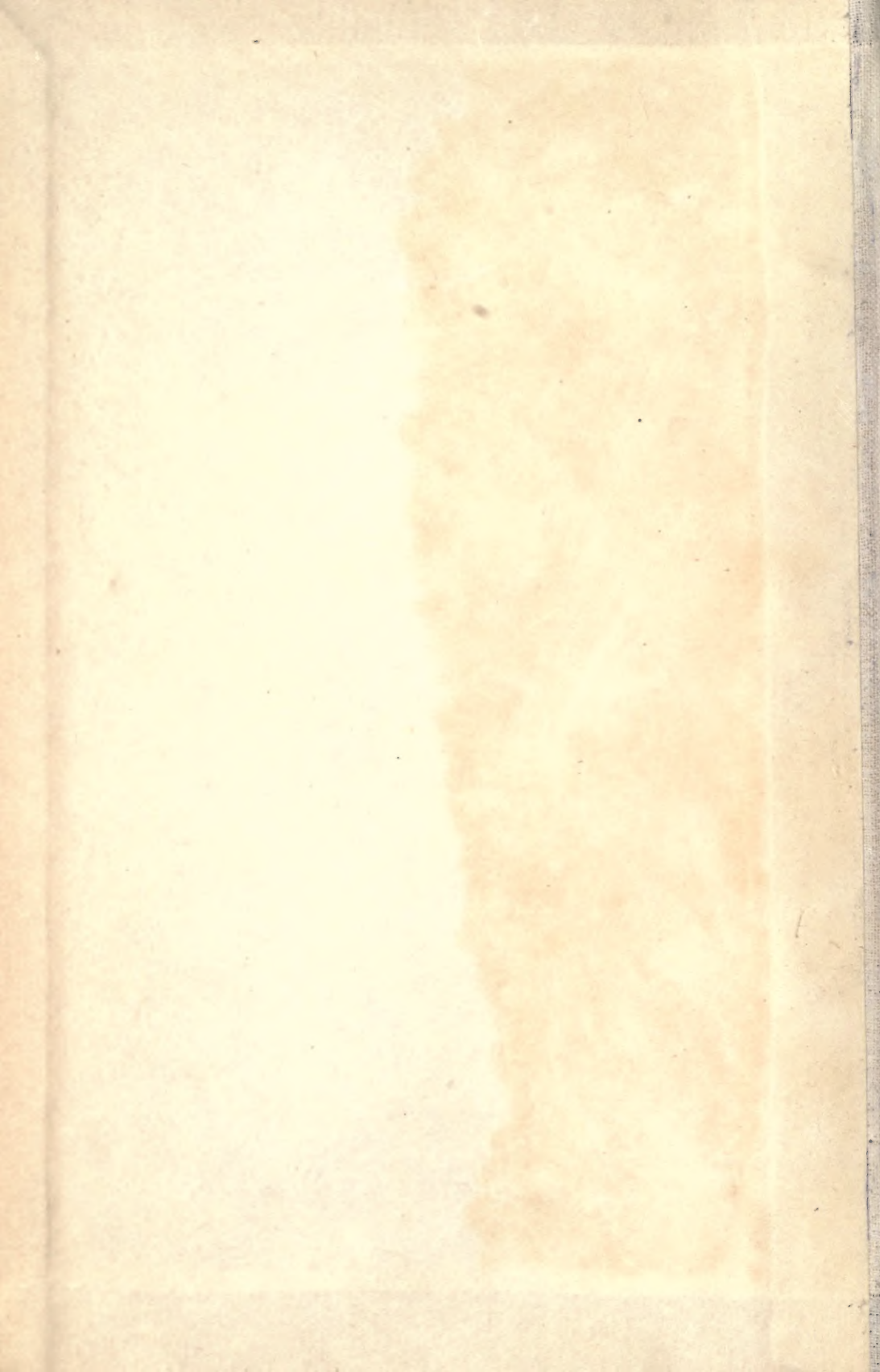


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Pioneer Log School House.




The First Registry Office in Lennox and Addington, Millhaven.

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LENNOX AND ADDINGTON  
HISTORICAL SOCIETY.

PAPERS AND RECORDS.



VOL. V.

SCHOOL PAPERS.

PRICE, 25 CENTS.

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1/12/20

NAPANEE, ONTARIO.  
PUBLISHED BY THE SOCIETY.  
1914.

PRINTED AT THE BEAVER OFFICE.



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CONTENTS.

Pioneer Log School House.....	Frontispiece
The First Registry Office in Lennox and Addington, Millhaven .....	Frontispiece
Chronology .....	4
Publications of the Society.....	5
Introduction—The Bell and Laing Papers—by C. M. W..	6
The Bell and Laing School Papers.....	7
Notes, by C. M. W.....	23
Introduction—An Early School Register—by W. S. H..	28
An Early School Register.....	29
Notes, by W. S. H.....	58
Index .....	62

## CHRONOLOGY.

Society Organized.....	May 9th, 1907
Constitution Adopted.....	June 11th, 1907
First Open Meeting held.....	Oct. 25th, 1907
Affiliated with the Ontario Historical Society .....	March 31st, 1908

### Papers and Records Published :—

Volume I.....	June 12th, 1909
“ II.....	September 19th, 1910
“ III.....	November 15th, 1911
“ IV.....	June 14th, 1912

## OFFICERS SINCE ORGANIZATION.

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*John Gibbard, Esq.....	1907
*James Daly, Esq.....	1908 to 1913
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\*Deceased.

## PUBLICATIONS.

Vol. I. Chronicles of Napanee, first published in 1873 and 1874. The Origin of Some of Our Local Names, by W. S. Herrington, 1908. Yarker and Vicinity, by E. R. Checkley, 1908. Some Notes of Early Ecclesiastical History,—Bay of Quinte District, by Rev. Canon Jarvis, 1908. Some early Amusements of the County, by C. M. Warner, 1908. The Village of Centreville, by J. S. Lochhead, 1908.

Vol. II. Early Education, by Frederick Burrows, 1909. A Story of the Rear of Addington County, by Paul Stein, 1910. John Thomson, Inventor of a Process for Making Wood Pulp, by C. M. Warner, 1909. Newburgh, by Geo. Anson Aylesworth, 1910. The First Telegraph Office in Napanee, by Mrs. John Perry Hawley, 1909. The following copies of Original Documents in the Collection:—In Memoriam, B. C. Davy, Esq., (1874); Assignment of a Slave, (1824); School Teacher's Contract, (1818); Proceedings of the Napanee Club Library, (1853); Programme of Procession when Corner Stone of the Market Hall was laid, (1856); Montreal's Invitation to Celebrate the Completion of Grand Trunk Railway between Montreal and Toronto, (1856); Railway Pass to Attend the Above Celebration, (1856).

Vol. III. The Casey Scrap Books. Introduction by W. S. Herrington, 1910. Concerning Mr. Thomas W. Casey, by A. Dingman. An Old Adolphustown Burying Ground, by T. W. Casey. Champlain, the Discoverer of Bay of Quinte and Lake Ontario, by T. W. Casey. Champlain in the Bay of Quinte District, by T. W. Casey. First Explorers and Discoverers of this Section, by T. W. Casey. This County a Century Ago, by T. W. Casey. Our County's First Surveys, by T. W. Casey. The Adolphustown U. E. L. Burying Ground, by T. W. Casey. In Old Time Graveyards, (from Toronto Sun, Aug. 9th, 1899). The Old Time District Councils, by T. W. Casey.

Vol. IV. The Casey Scrap Books—Part Two. Early Bay of Quinte Steam-boating, by T. W. Casey. Early Slavery in the Midland District, by T. W. Casey. Some Anti Rebellion Arrests, by T. W. Casey. Our First Representatives in Parliament, by T. W. Casey. This County in the Sixties, by T. W. Casey. Amherst Island, by T. W. Casey. Newburgh, by T. W. Casey.

## INTRODUCTION.

Shortly before the death of Dr. William Canniff, whose valuable work, "The History of the Settlement of Upper Canada" was published in 1869, he presented to the Lennox and Addington Historical Society a portion of his collection of papers and documents. In that collection were found a few papers on the early schools in the Bay of Quinte District.

References to these have been made in Dr. Canniff's own book ; Dr. Hodgins in Volume I. of the "Documentary History of Education in Upper Canada" has copied a few of them, and Mr. W. S. Herrington quotes from some of them in his "History of Lennox and Addington".

It has been deemed advisable to print exact copies of all of these papers in order to have them in convenient form for reference. The original spelling is given and a few explanatory notes are added.

The Society hopes to publish, at an early date, a complete list of all papers secured from Dr. Canniff. There are several hundred of these, most of which relate to the militia of the Bay of Quinte district during the years 1787 to 1833 inclusive.

C. M. W.

Napanee, March 1st, 1914.

THE BELL AND LAING SCHOOL PAPERS.

Address

Mr. William Bell<sup>1</sup>  
at the Head of the Bay of Quinte.

Sir. I received your letter, respecting the Mohawk School.<sup>2</sup> I can give you no positive answer at present; because I have agreed, conditionally, with a Schoolmaster at Montreal. That is, if he comes up he is to have the School. But three or four weeks are elapsed since he promised to give me a positive answer. I expect daily to hear from him; altho I do not think it very likely that he will accept the Employment.

Some time ago Mr. Ferguson<sup>3</sup> mentioned you to me as a Person who would probably undertake that charge. I told Cap't. John<sup>4</sup> that if the person from Montreal disappointed me, I would talk with you on the subject. Therefore if you come to Kingston about the time you mention I will be able to give you a positive answer.

The salary is £30 Sterling, with a house to live in and some other advantages which depend wholly on the pleasure of the Mohawks. But the teacher must be a man and not a woman however well qualified.

I am

Sir

Your very humble Serv't

John Stuart.<sup>5</sup>

Kingston

Sep't 26, 1796.



Kingston, March 16, 1800

Sir,—By a letter lately received from your place I am happy to hear that the school is now furnished with a dozen or more Scholars. And it is expected that you will be very strict in your Discipline and see that Prayers are read, night and morning,—that the Children are taught the Lords Prayer, Creed, and ten Commandments,—that the Children may not be sent Home, even if their Parents do not send wood at the stated times,—that cattle may not be allowed to go into the School, but that it be kept clean, and the wood belonging to it, may not be used unless in school Hours.

The opportunity for writing being unexpected I can only give you these short hints at present. However your own Discretion will point out to you that every reasonable method of giving satisfaction, and being useful, should be adopted.

I am, Sir

Your hum'l Servant

Jno Stuart.

Mr. William Bell  
Schoolmaster to  
the Mohawks.  
Mohawk Village.

---

Mohawk Village, 30th March, 1801.

Rev'd Sir,—

I received a letter from you dated 27th Feb'y and also half a dozen Mohawk primers.<sup>9</sup> The primers I am at a loss how to dispose of as by giving them to any particular Children would affront others, and there is not enough for the whole children that I have reason to expect will come to school in the summer. I am sorry to inform you that your

letter did not reach me in time to see Mabie before he left your land.<sup>10</sup> However I left word with Mr. Somes to tell him to come to me when he comes down. He moved to some place up the Bay the 24th of Feb'y with all his cattle Etc. I had a letter ready wrote to inform you that he had left your land when I received yours, but I am told that he will be down as soon as the ice is out of the Bay to bring his fowls and shingles which he has been making on your land. I am told he has made a great many thousand shingles last winter for sale. He and a man who boarded at his house in partnership and injured the place very much by taking the best of the pine timber for that use. Now Sir in order to prevent such practices in future I think it would be necessary to put a stop to his taking away what shingles he has made and the stuff which he has ready to make more of. He has cleared last season and sow'd some wheat which looks very well, which wheat if he should not pay you before harvest will pay you and a Great Dale to Spare. I have put off writing you thinking to see the man and let you know what he said with respect to paying you and when you might expect it.

As there is a Great Dale of Repairs wanting to the fences, I have told Mr. Somes that he should have the use of the place for this year for the sum of £3-0-0 which sum he is satisfied to pay you. Mabie has about half the land that is cleared taken up with wheat and rye. I am

Rev'd Sir your  
Most obed't  
& humble servant  
William Bell

Mr. Somes promises to take care that no persons shall cut or take away any timber off the land Etc.

The Rev'd John Stuart  
Kingston.



Kingston, Sep't. 11th 1801

Sir,—

I have waited with Patience to see whether (the) Mohawks would send their Children more regularly, but if the accounts I receive are true the money is (spent) to no purpose. I am told that there has not been a (days) School since last spring, and as I have never found (the) fault was on your side I cannot, in conscience, allow (the) Salary of the Society to be paid for nothing.

Therefore unless Capn John and the Chief men of (the) village will promise that the school shall be furnished with at least six constant scholars I must dismiss you (from) their service. That is if you now have or are promised immediately six scholars the school may continue ; if not it must cease as soon as you receive this notification.

I hope you will see the reasonableness of this determination of mine and you may show this letter (to) Capn John & the other Mohawks. by which they (will know) the continuance or discontinuance of the School (is) wholly on themselves.

I am Sir

Your Friend

(John Stuart)

Note.—The signature has been torn from this letter, but it is in the Rev. Mr. Stuart's handwriting, and was evidently sent by him to Mr. Bell.

---

Kingston, Aug 26th, 1802

Dear Sir,—

I have not yet received any letter from the Society ; But, for the reasons which I mentioned to you, I think it will be expedient to let the Mohawk School cease, at least, for some time. I therefore notify you, that after your present Quarter is ended you are not to expect a continuance of the Salary. I expect to see you at the Village, in the course of a few weeks. In the meantime I am

Sir

Your very hum'l Servant

Jno Stuart

Mr. Wm. Bell.

Quebec 21st May 1795.

My Dear Son<sup>11</sup>,—

I hope this will find you in health as we are at present thank God for it. On the 9th inst. your Father rec'd a letter from Mr. Betty. I understand by it you are well and I hope happy though I should have been more so to have had a letter from you by the same conveyance, as the December packet (by which I suppose you wrote) was taken. However we had pretty early intelligence through Mr. Lymburner of your being arrived in the Downs on the 11th November. We have enjoyed a tolerable share of health. Although it has been a very sickly winter there has not been many deaths. Some few however have died with very short illness. Mr. McKay (our neighbor) died early in the winter. Mr. Reid of the 60th Reg't also of the brain fever. Mr. Colins went to bed very well and was found dead next morning. Mr. Webb is also dead. About a fortnight ago Mr. Willard (being crazy as they supposed) fired a gun into the printing office which unfortunately killed doctor Lajer's eldest son. He survived till next day and next morning when Hill told Mr. Willard he was dead he strangled himself.

We lately rec'd a letter from Mr. Hayward who desires his best wishes to you. Mr. Warner desires likewise to be remembered to you. Mr. O. Ayhoim likewise.

We have had very poor markets this long time. Everything very scarce and very dear. All the people that were in prison for treason are dismissed. John Neilson is not returned nor do we hear anything about him.

I hope you find London agreeable altho we have been told it has been very cold there. I fear you have suffered with your toes. I beg you will write me soon and let me know how Mr. and Mrs. Betty and your Aunt received you and how they behave to you since and how you like the people where you are. Tell me how you are situated and where you lodge. Tell me all the curiosities you have seen. Be sure fill you letter full. I make no doubt but you have heard all the Ministers that are worth hearing in London by this time. Though you live

in a place full of snares and temptations yet the almighty is all sufficient to keep you in the midst of them. I hope you will not leave off to watch and pray. I never neglect to humbly beseech the Almighty to bless you and guide you in the way he would have you to go that the light of his countenance may shine upon you continually. I suppose your father will write you by this opportunity. Your sisters join me in love to you. Pray give all our best respects to Mr. & Mrs. Betty & love to your Aunt.

Your father has wrote to Mr. Betty for 500 Queens Needles, however there is a very pretty sort of needles I don't know the makers name they are marked with the letter C under the eye. They are made in Liverpool. If Mr. Betty could procure that sort it would be better.

I remain

Your affectionate Mother

Elizabeth Laing.

I beg you will write me often. When there is no opportunity of a vessel coming here put your letters in the bag at the Coffee House to go by some vessel to New York—directed to the care of Messrs. Burkanan & Mabie, Merch'ts. New York.  
Robert Laing.<sup>12</sup>

---

Upper Canada 26th October 1816.

Honourable Sir,<sup>13</sup>

A becoming amendment to my behaviour appears to me such an acknowledgement as you would expect that I had the honour to receive your letter of the 27th February yet as my conduct here though it should be offensive might from its being without your official notice escape your observation. I am now so far conformed to the counsel which through sympathy in my Father's feelings you were pleased to bestow on me as to be occupied in the capacity of elementary instructor where my manners are in some degree approved by my em-

ployers having engaged me for a second term in the same situation when the first one ended.

Notwithstanding my mode of life as represented to you gives me no claim to be treated with delicacy I have derived comfort from the terms of consideration in which you have seen meet to speak of (to) my near connexion and I hope it may prevent you regret for preferring mildness before severity in my case, that my subsequent conduct has invited other instances which indicate that a habit marked by drunkenness the source of so much disorder may be quickly abandoned for one of steady sobriety and of course that probably many persons might easily benefit themselves and others by avoiding that evil through the force of their own reflexion awakened or assisted if necessary by Christian representations from friends.

In the humble desire that intention to express by this the sense I have of your compassion for my relations and consideration and lenity towards myself may sufficiently appear to obtain from your liberal discernment such allowance as anything here submitted has need of.

I beg leave to subscribe myself,

Honourable Sir,

Your greatly obliged,  
and obedient servant

Robt Laing.

---

Mr. Robert Laing at the Township School House 4th Concession of the town of Fredericksburgh<sup>14</sup> to the care of Mr. Miles,<sup>15</sup> Printer, Kingston, Upper Canada. Mr. Osgood begged the favor that he would forward it to its address—

From William Laing, Quebec.

1817

(Last line and date are in different hand.)

A LIST OF CONTRIBUTORS.<sup>16</sup>

Commencing 26 Jan'y 1817.

	Scholars Names	
Mr. Jacob Smith Senr	(Katy (Bekky (George (William	192
_____	(Polly (_____ (_____	53
Mr. Matthias Smith	(July Ann (Philip (Viney (Elizabeth	228
Mr. George Smith	(Samuel (Philip (James (Hercim (Doctor	413
Mr. John Pickle	(J. Easudy (Katy (Terysa	203
_____	(William R. (_____ (Mary J.	123
Mr. George Lucas	(Daniel (George (Clarinda (Maria	299
Mrs. Bowen	(James (Peter (Jacob	134
Mr. Asabel Bradshaw	(_____ (George (Sheldon (Charles (Martin	305

Mr. Kauchner	(Everard (Barbara	110
Mr. Scriba	(Rachel (Jacob	72
Mr. Shaw	(Betsey	
Mr. Sharp	(Jacob	

We the Subscribers promise according to the number of Scholars subscribed for by us severally to pay Robert Laing Ten Dollars when due for keeping School in Mr. Peter Cole's house for one month commencing 28 April 1817 each day Sundays and every other Saturday excepted and also to contribute according to our several portions to furnish him with board, lodging and washing during the same, he to make up after the end of the month any loss of time that he may not attend duty during the same, and agreeing to quit when a majority of the subscribers shall desire it on being paid for the time he has remained.

Big Island<sup>17</sup> 28 April 1817

Subscribers	Number of Scholars	Subscribers	Number of Scholars
Peter Cole... ..	3 .		
James Benedick... ..	2 .		
Jacob Tremper ... ..	2 .		
John Prich... ..	1 .		
Cornelious Greenleaf . .	1 .		
James Parke... ..	1 .		
John Vader... ..	2 .		

We the Subscribers do hereby engage and accordingly do hire Robert Laing to keep School at the school house near Mr. Essom Loveless house in Ameliasburgh<sup>18</sup> on the following conditions, Vis. that he is to keep a steady day School for one quarter to commence on Friday the 8th inst. School hours to be seven hours in the day or there-

about, but in dull weather the School may be dismissed at an early hour. Every other Saturday to be a holiday—and he is not bound to keep school when there is not a proper supply of firewood.<sup>19</sup> And we do promise to furnish him with board lodging washing for the quarter according to our several proportions.

And to pay the Trustees<sup>20</sup> for him seven shillings & six pence<sup>21</sup> per quarter for each Scholar subscribed for by us severally in monthly payments.

We promise also to pay our respective proportions to repair the school house and keep it in repair. And to furnish one cord of wood made sufficiently small by chopping or splitting for each Scholar Subscribed for by us or two dollars for a cord.

We appoint Mr. John Snyder to act as Trustee to receive the payments above mentioned and the supply of wood.

Ameliasburgh 6th January 1818.

Subscribers Names	Number Subscribed for	Subscribers Names	Number Subscribed for
Essom Loveless ... ..	2 .		
John Snider... ..	3 .		
Henry Vantassel ... ..	1 .		
David Gerow... ..	1 .		
John Loveless... ..	1 .		
William Crompton .. .	1 .		
— Cross... ..	2 .		

This agreement made this ninth day of May, One Thousand eight hundred and eighteen, between Robert Laing, Teacher, of the first part, and the other Subscribers hereto, Inhabitants of Hallowel<sup>22</sup> of the Second part, Witnesseth,—That the said Party of the first part engages to keep a good school, according to his ability, and to teach Reading, Writing and Arithmetic, if required, for one Quarter to commence on \_\_\_\_\_ next, at the School house nearest to Daniel Leavens, and William Clark, in the second Concession of the said Township. That he is to keep school from eight

o'clock till twelve, and from half after one till five o'clock each School day ; the remainder of the time, and every second Saturday, to be at his own disposal, but he is to be allowed the liberty used by other teachers, of being absent at other times, if he should require it, and make up for the same. That in a general way he is to cause the scholars to say six lessons each day besides tasks, if practicable, but is nevertheless subject to reasonable directions respecting the School from the said Daniel Leavens and William Clark, who are hereby acknowledged Trustees thereof—And the said party of the second part doth promise, according to the number of Scholars subscribed for by each of them respectively, to pay the said Robert Laing, at the rate of Twelve dollars and a half per month ; whereof one half in Cash at the end of the Quarter, and the other in orders or other value Monthly, if requested, and to furnish him with board, lodging and washing, as aforesaid, during the said term. And if the said Trustees, for good cause, should desire him to retire from the said Employment before the time above appointed, he is to be paid for the days he has kept at the rate of Twenty-four to the month—

In Witness whereof, we have hereunto severally and respectfully subscribed our names the day and year first herein written—

Robe't. Laing, Teacher.

Subscribers for Scholars.	Number by each.	Subscribed
Daniel Leavens.....	2	
William Clark.....	3	
John Huff.....	$\frac{1}{2}$	<sup>23</sup>
David Clark.....	$1\frac{1}{2}$	
Eli McConnell.....	$\frac{1}{2}$	
Norman Leo Harvey...	1	
Henry Gerow.....	$\frac{1}{2}$	
Abraham Greene... ..	$1\frac{1}{2}$	
Reuben Burlingham... ..	$1\frac{1}{2}$	
Peter Leavens... ..	$1\frac{1}{2}$	



We the Subscribers engage to employ Robert Laing to teach. Reading, Writing and Arithmetic if required at the School house near the Farms of Peter Leavens and Daniel Leavens at the rate of ten dollars per month and to find him with board lodging and washing provided he keep a good school—to enable him to do which we promise to support such proper endeavours as he may make for that purpose. School to begin on Monday the 17 May 1819. School hours to be from 8 to 12 and from 1 to 5 or thereabouts.

We are to supply the Children properly with books.<sup>24</sup> He is engaged till the first of September—and Daniel Leavens, Peter Leavens and William Clark are to be Trustees till then if they are willing (and) receive (such) money (and) have charge of the allowance from the Government if any should be applied for—for the above period. And may require payment up to the time he is discharged—Not more than 9 shillings per Scholar.  
Hallowel May 1819.

Subscribers Names	No.	Subscribers Names	No. of Scholars.
. . .		William Muskell . . . . .	
. . .		Benjn Gerow .. . . .	I
. . .		Isaac Gerow .. . . .	I
. . .		Daniel Leavens .. . . .	1½
. . .		Reuben Burlingham . . .	1½
. . .		Peter Leavens . . . . .	1½

---

Article of agreement between Robert Laing of the one part and we the undersigners of the other part that is to say that Robert Laing doth engage to keep a regular School for the term of seven months from the first day of November next at the rate of two pounds ten shillings per month and he further doth agree to teach reading writing and arithmetic to keep regular hours—keep good order in school as far as his abilities will allow, see that the Children goes orderly from School to their respective homes, and we the under signers doth agree to pay Robert Laing the sum above named of ten

dollars<sup>25</sup> per month for the time above mentioned and further doth agree to find a comfortable house for the school and supply the same with wood fitted for the fire and further to wash mend lodge and victual him for the time of keeping said school. School to be under the Charge and inspection of the following trustees William Clark, Peter Leavens and Daniel Leavens.

Hallowell Oct 28th 1819.

It is understood that the said Robert Laing has performed his business rightly till he is discharged.

Robt Laing.

Subscribers Names	Scholars.	Subscribers Names	Scholars.
William Clark .. . . .	3 .		Number
Peter Leavens . . . . .	2 .		Scholars.
Daniel Leavens . . . . .	2 .	Norman S. Harvey .	1
Benjamin Leavens . . . . .	$\frac{1}{2}$ .	John Tucker .. . . .	1
Abraham Gunter . . . . .	2 .	D C ——— .. . . .	1
Reuben Burlingham . . . . .	2 .	Henry Gerow .. . . .	1
Isaac Gerow .. . . .	1 .		
William Muskel . . . . .	$\frac{1}{2}$ .		
Benjn Gerow . . . . .	2 .		

Quebec 26th Sep't 1821

Dear Brother

I received yours of the 27th ulto and was much concerned to learn you had not received the box and letter I sent from hence in the Steam Boat Quebec by Mr. David Douglas the 10th ulto. I wrote in haste as it was late in the day I heard he was going up. The letter was to be put in the post office at Montreal and the case was directed agreeable to your direction to Peter Smith Esqr Kingston to care of Messrs. Forsyth & Co. Montreal. I wrote again by the thursday post from hence more particulars. I hope you will have received all safe before this comes but if not you will apply as above and let us know the result that we may make enquiry as we will of course be anxious and hope you will let us know how you make out. We are all as usual and join in Affectionate Remembrances

I Remain

Dear Brother

Your Affectionate Sister

Ann Laing

The outside address.

Mr. Robert Laing

School Master Belleville<sup>26</sup>

Upper Canada.

At Public )

) Auction ) Will be sold on Thursday the 23rd Day of October 1823 at the House of John Taylor Innkeeper in the Township of Thurlow at the hour of ten o'clock in the forenoon the following wearing apparel and Books, the Property of the late Robert Laing Deceased—Vizt 1 New Blue Coat, 1 Drab Surtout Coat, 3 Satton Wiastcoats, 3 Wollen Wiastcoats, 4 Cotton Wiastcoats, 1 Silk Handkerchief, 1 pair of Shoes, 1 Razor, 1 Comb, 9 pair of Stockings, 1 Cotton Nightcap, 1 Back of an old Wiastcoat, about  $\frac{1}{2}$  lb of Thread, 6 fine linen Shirts, one old Shirt, 1 Diaper Towell, 2 Cotton Handkerchiefs, 2 Dozen and 8 Buttons, 1 Gilt Bible, 1 Lattin Bible, 1 Old Lexicon, 1 Shorter Catechism, 1 Lattin Grammer, 1 Lattin and Grek Book, 1 Hymn Book, 1 Lattin Vergel, 1 Greek Grammer, 1 Lattin Dictionary and one Book,—The whole of the above Property to be Sold to the Highest Bider in order to Defray the Funeral Expenses of the said Robert Laing and if any money should remain after the Funeral Expenses are paid the same to be Equally Devided amongst the Creditors, Provided they bring just accounts Duly authenticated on the Day of Sale to be Delivered to William Bell Esqr.

Coroner for the Midland  
District.

Reverse.

An Advertisement  
of the effects of the  
Late Robert Laing  
to be sold on the  
23rd Day of Octr 1823  
to be put up at  
Belleville.

## NOTES.

1. William Bell was born about 1760, presumably in Ireland as early letters from his brother were sent from that country. He served as a British soldier through the American Revolutionary War and came to Canada shortly after peace was declared. During the war he was with Lieutenant James Lavice of the 31st regiment of foot and on active duty in the Lake Champlain region for about eight years. Our first records of him tell of a partnership with John Ferguson in a store in the 8th township on the Bay of Quinte, Sidney, in 1789. From this date his life was entirely spent in this township, at the Mohawk village and in the township of Thurlow. He devoted but a portion of his time from 1796 to 1802 in teaching the Mohawks and appears to have given up teaching in 1802.

The most interesting part of his career is that portion associated with the army. He was actively connected with the Hastings Militia from the time he first arrived in the country until his retirement in 1824. Early in 1798 he was commissioned an Adjutant, later in the same year as Captain, in 1800 as Major and in 1809 received his commission as Lieutenant-Colonel from Lieut.-Governor Sir Francis Gore.

On April 24th 1824 in reporting the rolls and returns of the eleven companies of Hastings Militia he asked his old friend and associate for so many years, Colonel Ferguson, stationed at Kingston, to be relieved from further duty, complaining that rheumatic pains in his back prevented his attending to the duties of his office. He was then in his sixty-fourth year. He served his new country well throughout the war of 1812.

Lt.-Col. Bell was included among the first appointments of Magistrates for Thurlow and he held Court regularly after his appointment. No record of his death is obtainable.

In the collection of the Lennox and Addington Historical Society several hundred letters, muster rolls and other interesting papers which belonged to Lt.-Col. Bell are preserved.

2. The Mohawk School was situated in the tract of land bordering upon the shores of the Bay of Quinte which was bought from the Mississaugas by General Haldimand and conveyed to the Mohawks. The precise time that the school was opened is not known but reference is made to it as early as Sept. 18th, 1792, when John Binger was employed as teacher. Binger taught the school until 1795.

3. Mr. John Ferguson was actively engaged in trade with the Indians of the bay district for a number of years throughout which time he was in partnership with Mr. Bell. He was Colonel of the Hastings Militia throughout the war of 1812. During that war he had charge of the Hastings

soldiers on duty at Kingston. He should not be confused with Lieut. Ferguson, who with Capt. Singleton started the first store in Thurlow at Myers Creek. Col. Ferguson lived in Kingston and held his military position for many years after peace was declared.

4. Captain John Brant, (Deserontyou), was a cousin of the celebrated Mohawk Chief, Joseph Brant, (Thayendaneagea). He was instrumental in locating the Indian reservation on the bay. He spent a considerable portion of his time at the Bay and was a trusted friend of Mr. Stuart. A certificate of character given him by the missionary, on September 9th, 1806, is in the Lennox and Addington Historical Society collection. Forrester's Island, situated in the Bay of Quinte, opposite Deseronto, was formerly called Capt. John's Island, after Chief Deserontyou. Captain John Brant died of cholera at Brantford, Ontario, on August 27th, 1832.

5. The Reverend John Stuart, D.D., was born in Harrisburg, Pa., in 1740. He received Holy Orders in the Church of England in 1770, and was immediately appointed missionary to the Mohawks at Fort Hunter. He experienced many difficulties during the American Revolutionary War, because of his loyalty to England, and was ultimately forced to leave the United States. He finally settled at Cataraqui, Upper Canada, in August, 1785. Mr. Stuart is frequently referred to as the last missionary to the Mohawks. He was the first clergyman to settle in Upper Canada, and was known as the father of the Church of England in Upper Canada. Dean Starr in his interesting history of Old St. George's, (Kingston), relates many incidents in the life of "The little gentleman". Mr. Stuart died at Kingston, on August 15th, 1811.

6. From this draft it is apparent that Mr. Ferguson's recommendation and his talk with Mr. Bell, after his arrival in Kingston, secured for him the position of teacher.

7. The Society for the Propagation of the Gospel in Foreign Parts not only employed Mr. Stuart to work in the missions among the Mohawks, but likewise set apart a sum of £30 as a salary for a teacher to instruct the children of the Indians upon the Bay of Quinte. The Society had its headquarters in England.

8. In these days difficulty was experienced in educating the Indians. They seemed to have a prejudice against sending their children to school. Undoubtedly they were influenced by the fear that the children would not turn out strong men and women if they were confined for so much of the time. The Government experienced the same difficulty for many years after the Indian Schools were established.

9. The only regular school book used was the primer, which had been translated into the Mohawk language. The New Testament was the principal book in the school. This had been translated for the Indians and several copies are now known to exist. The teachers were instructed to teach the Christian religion.

10. Mr. Stuart was an extensive land owner. He is reported to have had title to four thousand acres at one time, and some of his lands were near the Mohawk reservation, in Thurlow.

11. This letter sent by Mrs. Elizabeth Laing to her son, Robert Laing, who was evidently on a visit to the old land, is given to show some of the characteristics of the future teacher's mother. It is most interesting because it tells of some of the conditions at Quebec, in May, 1795, and of the methods of travel and of receiving mail.

12. Robert Laing, some of whose correspondence and contracts for teaching school are given in this little volume, evidently spent his younger days at his father's house in Quebec City. No record of his birth is obtainable. This letter from his mother would indicate that his visit to London was made while he was yet a young man. If the school teacher referred to by Mr. Stuart in the first letter given in this volume was Robert Laing, as is probably the case, he evidently did not remain a long time in the old land. Our next reference to him is in a letter sent from Quebec in 1800, in which he is reproved for his bad habits and particularly for his use of liquors. His own letter of October 26th, 1816, tells of being employed as a teacher in Upper Canada, and would indicate that he had reformed. According to the address which follows this letter he was teaching at the school house in the fourth concession of Fredericksburgh, Lennox and Addington, in 1817.

The various contracts which follow show that he taught at Big Island, Hallowell and Ameliasburgh, while the letter from his brother would indicate that he was located at Belleville in 1821. His death probably occurred in 1823, as we find the coroner advertising his personal effects for sale on October 23rd of that year. The papers copied here are the only ones relating to Robert Laing known to exist.

13. The address for this letter has been lost. The gentleman to whom it was written was evidently a friend of Laing's father, William Laing, and probably lived at Quebec. This is a copy of the letter kept by Laing.

14. Fredericksburgh is one of the townships in the County of Lennox and Addington, originally being called Fourth Town. It was named for one of the sons of King George the Third. There has never been a village of much importance in the fourth concession.

15. Mr. Miles, the printer referred to here, was the printer and publisher of the "Kingston Gazette". This weekly paper was started in 1810, and it cost the subscribers four dollars per annum. It was a four page paper, the page being about 11 in. by 17 in.

16. These names of contributors are those of the parents sending pupils to the school at that time. The numbers given after the names of the children evidently indicate the aggregate number of days all of the children

of each subscriber attended school during the term. Part of this document is missing. The original probably gave the school register.

17. Big Island is located in the Bay of Quinte, off the north shore of the township of Sophiasburgh, in the County of Prince Edward. It lies directly south of the present village of Shannonville, which village is situated at the western extremity of the Mohawk reservation. The Island contains about three thousand acres of good farm land.

18. Ameliasburgh, named for Amelia, one of King George the Third's daughters, is the most westerly township in Prince Edward County. It was originally known as Seventh Town.

19. This teacher had evidently found some difficulty in keeping a good supply of wood on hand during the winter months. In one of the early school registers in the Lennox and Addington Historical Society Collection, several days have the following entry, "No wood, no school".

20. The fact that trustees are mentioned in this contract and that a school house was provided, would indicate that an effort was being made to operate the school under the act of 1816, and therefore receive a Government Grant. To secure such a grant they would have required at least twenty scholars.

21. Note should be made of the fact that in one contract before given the pay of the teacher was named in dollars. The price of wood is given in dollars in a later paragraph of the same agreement.

22. Hallowell is a township in Prince Edward County, lying immediately south of Sophiasburgh. The principal town in it at the present time is Picton.

23. Mr. W. R. Rigg, ex-Inspector of Public Common Schools in the County of Leeds, in an interesting letter on early schools, written in 1896, explains the "half a scholar" as follows,—“The 'signer' became bound to pay the teacher one dollar at the rate of two dollars per scholar, whether he sent any pupils to the school or none, though he generally contrived to send one or two for an occasional few days, and then omitted sending any for a month, 'to make up', taking special pains that his 'average attendance' should not exceed one scholar for half a term, or half a scholar' for the whole.”

24. This is the first reference to the supply of school books in Mr. Laing's contracts. In the earlier days it was quite the common thing for the teacher to have the only books used in the school.

25. The apparent difference in the price named here, and the one given in the early part of the document is explained by the fact that the "pound" of those days was equal to \$4.00, and the "shilling" to 20 cents.



26. Belleville had been so named in 1816. The Kingston Gazette of Aug. 24th, 1816, tells of the interesting manner in which the name was selected. "The Lieutenant-Governor, in council, has been pleased to give the new town (formerly known by the name of Myer's Creek), at the River Moira, the name of Bellville, by the request and petition of a great number of the inhabitants of that town and the Township of Thurlow." In the issue of Sept. 7th, the Gazette remarks, "We were under the impression, from the very pleasant situation of that town (Bellville) that its name was from the French; but we have since been informed that it has been given the name Bellville in honor of Lady Gore". The Lt.-Governor's wife was Lady Bella Gore. The old name of Myer's Creek was after Captain Walter Meyers of Jessups' corps, who moved to the mouth of the Moria in 1790, where he built a saw mill in 1791, and a grist mill in 1802. The population of Bellville was about 150 in 1818. Note that the original spelling was Bellville instead of Belleville as at the present time.

## INTRODUCTION.

Among the interesting records of our Society is a school register, which is herewith reproduced in full. The family names are those of the early settlers of the first and second concessions of Ernesttown, along the bay shore, east of Millhaven. The little hand-made book is similar to one known to have been kept by John C. Clark in 1810, in Wilton, and the handwriting appears to be the same. Is this the same John C. Clark who taught school in Fredericksburgh in 1786, who is said to be the first school teacher in the County of Lennox and Addington? If so, he must have been pretty well advanced in years at this time.

Paper was scarce, as the little book was used for other purposes than that for which it was originally prepared. It may be that it was more convenient to make the other entries in the register, as it was so small, seven inches by three and one-half, that it could be easily carried in his pocket, and he could always have it ready at hand. Every available space was used. The writing, other than that devoted to the school attendance, is in a cramped hand, and some of it so small that it cannot easily be read without the aid of a glass. The writing itself, and the fact of the weather record having been so faithfully kept, indicate that the penman was an old man. Young men, as a rule, are not given to keeping records of this character.

W. S. H.

AN EARLY SCHOOL REGISTER.

DAY BOOK COMMENCING OCT 31 1831.

Names of Schollars	31	Nov.1	2	3	4	5
	M	T	W	T	F	S
Ira Smith.....	p	p	p	a	p	½
Eliza Smith.....	p	p	p	p	a	a
David Smith.....	p	p	p	p	a	a
Mary Garbutt.....	p	p	p	p	p	p
Nancy Garbutt.....	p	p	p	p	p	p
Henry Garbutt.....	p	p	p	p	p	p
Henry Walker... ..	p	p	p	p	p	p
Anthony Rankin... ..	-	p	p	p	p	p
James McAuley... ..	-	p	p	p	p	a
Richard Baker... ..	-	p	p	p	p	p
William Baker... ..	-	p	p	p	p	p

Decemr 1st Snow above one foot deep. Cold.

2nd—Weather very cold. Sleighs going lively

3rd Wind N.E. Clear and very cold. 4 o'clock cloudy.

4th Wind N.E. Snowing most of the day, and more mild.

5th 9 o'clock wind S.W. 2 o'clock wind N.W. Cold good sleighing.

6th 9 o'clock wind S.W. cloudy, snowing. 1 o'clock still snowing

7th 8 o'clock wind N.W. very cold and clear. 2 o'clock clear.

8th 8 o'clock wind N.E cold and cloudy. 4 o'clock P.M. W South chilly

9th 8 o'clock w S.W. clear and pleasant 1 o'e mild thawing in the sunshine.

10th Wind S.W. cloudy

## DAY BOOK

Names	Nov'r	M. 7	T. 8	W. 9	T. 10	F. 11	S. 12
Ira Smith.....		a	a	p	p	a	
Eliza Smith.....		p	p	p	p	p	
David Smith.....		a	a	a	a	a	
Mary E. Garbutt.....		p	p	p	p	p	
Nancy Garbutt...		p	p	p	$\frac{1}{2}$	p	
Henry Garbutt...		p	p	p	p	p	
Henry Walker...		p	p	p	$\frac{1}{2}$	p	
Anthony Rankin...		p	p	p	p	p	
James McAuley.....		p	p	p	p	p	
James Baker...		p	p	p	p	p	
Richard Baker...		p	p	p	p	p	
William Baker.....		p	a	p	p	p	
David McAuley...		p	p	p	p	p	
Martha Purdy.....		p	p	p	p	p	
Charlotte Odle.....		p	p	p	p	p	
George Lamkin...		-	p	p	p	p	

## DAY BOOK

Names of Scholars	Novr	M. 14	T. 15	W. 16	T. 17	F. 18	S. 19
Ira Smith.....		a	p	p	p	a	p
Elizabeth Smith...		p	p	a	p	p	p
Eliza Smith.....		p	p	p	p	a	a
David Smith...		p	p	p	p	p	a
Mary E. Garbutt.....		a	a	a	a	p	p
Nancy Garbutt.....		p	p	p	p	a	a
Henry Garbutt.....		p	p	p	p	p	p
Henry Walker...		p	p	p	p	p	$\frac{1}{2}$
Anthony Rankin...		p	p	p	p	p	p
Mary McAuley...		p	p	p	p	p	p
James McAuley...		p	p	p	p	p	a
David McAuley...		p	a	a	a	a	p
James Baker...		p	p	p	p	p	p
Richard Baker...		p	p	p	p	p	p
William Baker...		p	p	p	p	p	p
Martha Purdy.....		p	a	a	p	a	p
Charlotte Odle...		p	p	p	p	a	a
George Lamkins...		p	p	p	p	p	p

11th Wind S.W. cloudy and cold

12th Wind South W. Clear and cold

13 Wind S.W. Cloudy and very cold. High wind.

14 Wind N. clear, and perhaps the coldest morning this season.

Names of Scholars	Novembr	M	T	W	T	F	S
		21	22	23	24	25	26
George Lamkin...		p	p	a	a	a	
Elizabeth Smith...		a	p	a	a	a	
Ira Smith...		p	a	p	p	a	
Eliza Smith...		p	p	$\frac{1}{2}$	p	a	
David Smith...		a	p	p	p	a	
Mary E. Garbutt...		a	p	p	p	p	
Nancy Garbutt...		p	a	a	a	a	
Henry Garbutt...		a	p	p	p	a	
Archd Garbutt...		p	a	a	a	p	
Henry Walker...		p	p	p	p	p	
Anthony Rankin...		p	p	p	p	p	
Mary McAuley...		p	a	a	a	a	
James McAuley...		p	p	p	a	p	
David McAuley...		a	a	a	a	a	
James Baker...		p	p	p	a	p	
Richard Baker...		$\frac{1}{2}$	p	p	p	p	
William Baker...		p	a	a	a	a	
Martha Purdy...		p	p	p	p	a	
Charlotte Odle...		a	p	p	p	p	

15th Wind North, fair 8 o'clock very cold. 1 o'clock wind S.W. Snowing

16, 8. o'clock high wind S.W. cloudy. A severe storm 2. o'clock a tremendous blow, with flurries of snow 4. o'clock

17th 8. o'clock snow fell last night over a foot. Wind W. Snow and drift like also. 2. o'clock wind blowing a gale and the snow flying that I cannot see but a few rods. 5. o'clock clear and very cold.

Names of Scholars	Novr	M. 28	T. 29	W. 30	T. 1	F. 2	S. 3
George Lamkin... ..		a	a	a	a	p	p
Elizabeth Smith... ..		a	a	a	p	p	p
Ira Smith... ..		p	a	p	p	a	p
Eliza Smith... ..		p	a	a	p	p	p
David Smith... ..		a	a	a	a	a	a
Mary Eliza Garbutt... ..		p	p	p	p	p	p
Nancy Garbutt... ..		a	a	a	a	a	a
Henry Garbutt... ..		p	p	p	p	p	p
Archd Garbutt... ..		a	$\frac{1}{2}$	a	a	a	a
Henry Walker... ..		p	p	p	p	p	p
Anthony Rankin... ..		p	p	p	p	p	p
Mary McAuley... ..		a	a	a	a	a	a
James McAuley... ..		p	a	a	a	a	a
David McAuley... ..		a	a	a	a	a	a
George Baker... ..		p	p	$\frac{1}{2}$	a	a	a
James Baker... ..		p	p	p	a	a	p
Richard Baker... ..		p	p	p	a	a	p
William Baker... ..		a	a	a	a	a	a
Martha Purdy... ..		p	a	a	a	a	a
Charlotte Odle... ..		a	a	a	a	a	a
Jacob Homes... ..		p	p	p	a	a	a
Ann Swan... ..		p	p	a	a	a	a
Jacob Helmer... ..		p	a	a	a	a	a

Scholars Names	Deer	M. 5	T. 6	W. 7	T. 8	F. 9	S. 10
Mr. George Smith... ..		1½	a	a	a	a	Mr Rankin Cr by 26th Flour
Mr. J. Lamkins... ..		1	½	1	1	1	
Mr. Wm. Garbutt... ..		2½	2	2	2	2	
Mr. Henry Baker... ..		2	2	2	a	2	
Mrs. Walker... ..		1	1	½	a	1	
Mr. Rankin... ..		1	1	1	1	1	
Mr. Samuel Purdy... ..		2	1	1	1	1	
Mr. Joseph Purdy... ..		a	a	a	a	a	
Mr. Saml Swan... ..		a	a	a	a	a	
Mr. James McAuley... ..		1½	1½	2	2	2	
Mr. B. Vanwinckel... ..		a	a	a	a	a	

- 18th Wind N.W clear and very cold, the coldest day this winter. 5 o'clock cloudy, has the appearance of snow.
- 19th 8. o'clock A.M. snow fell last night about 5 inches, still snowing. 1. o'clock P.M. Fair and Calm
- 20th 8. o'clock M. Wind S.E. Snowing. 1. o'clock wind S.W. severe storm. 2. o'clock P.M. Roads drifted full and still snowing and drifting.
- 21st 8. a.m wind high from S. W. snow still drifting and cloudy. 9 a.m. snow and blow, a tremendous storm. 1 P.M. a little thaw south side of the house, snow flies like Jan'y
- \*22d 8. a.m. Fair and very cold. The Ice took in the lake last night. 1 P.M Fair and Cold. 4 o'clock. Boys Skating on the ice
- 23d 8 a.m Wind South Cloudy. 1 P.M—Wind South cloudy, weather more mild. 9 P.M. a heavy wind from S. Appearance of a Storm. Cloudy.
- 24th 8. A.M Wind S. snowing very fast. 2 P.M. W. S.W. mild thawing a little South side of house.
- 25th Christmas, fair, calm and pleasant 9 o'clock 2 P.M. Cloudy but pleasant.

Scholars Names	Deer	M. 12	T. 13	W. 14	T. 15	F. 16	S. 17
George Smith... ..		a	a	a	$\frac{1}{2}$	a	
J. Lamkin... ..		1	1	1	1	1	
Wm Garbutt... ..		a	1	$1\frac{1}{2}$	2	$1\frac{1}{2}$	
Henry Baker... ..		1	1	2	2	2	
Mrs. Walker... ..		a	1	1	1	a	
Mr. Rankin... ..		1	1	1	1	a	
Samuel Purdy... ..		$1\frac{1}{2}$	2	2	1	a	
Joseph Purdy... ..		1	a	1	1	a	
James McAuley... ..		1	2	2	2	1	
Samuel Swan... ..		a	a	a	a	a	

Teacher Sick—No school.

- 26th 8. A.M. Wind N.E. Cold. Snowing a little. 1 P.M. wind S.E. snowing fast
- 27th 8. o'clock. Wind W Fair Cold but pleasant.  
1. P.M. W. S.W. Fair and pleasant. -
- 28th 8. o'clock. W. N. cold and snowing. 1. o'clock. W. N.E. cloudy and snowing a little. 4. o'clock. Snowing yet.
- 29th 8. o'clock. A.M. calm, Cloudy but mild.  
1. o'clock. P.M. Still cloudy and mild  
4. o'clock Wind rises from West, weather cooler and snow drifts
- 30th 8. o'clock. Wind W. Fair and cold  
1. o'clock. P.M. Fair and pleasant
- 31st 8. o'clock. A.M. Wind S.E. cloudy, snowing a little  
1. o'clock. P.M. Wind S.E. Snowing very fast.
- \*Mrs. Galacher died at Mr. Roses at 1 o'clock this morning.



Scolars Names in numbers	December	M. 19	T. 20	W. 21	T. 22	F. 23	S. 24
Mr. George Smith... ..		—	—	—	—	—	—
“ J. Lamkin... ..		1	1	1	1	1	1
“ Wm. Garbutt... ..		2	2	2	2	1	1
“ Henry Baker... ..		2	1	1	1	1	2
Mrs. Walker... ..		1	1	1	1	1	1
Mr. Rankin... ..		1	1	1	1	1	1
“ Saml Purdy... ..		—	—	—	—	—	—
“ Joseph Purdy... ..		—	—	—	—	—	—
“ James McAuley... ..		2	3	1	1½	2	2
“ John Hough... ..		1	1	1	1	1	1
“ Saml Swan... ..		—	—	—	—	—	—

Jany 1st 1832. Fair, calm and mild, thawing a little, south side of the buildings—4 o'clock P.M. cloudy and cold

\*Mrs. Galacher Buried.

2nd 8. o'clock A.M. wind N. Cloudy and cold. 1. o'clock P.M. wind N.E. clear and cold. 10. P.M. Wind S.E. Snowing fast.

3rd 8 A.M. Wind S.W. Cloudy. Roads drifted full  
1. P.M. Wind S.W. Snow flying and cold.

4th 8 A.M. Wind N. Cloudy and one of the coldest mornings this winter. 1 P.M.—Wind N.E. cloudy and cold.

5th 8 A.M. Wind South, Cloudy weather milder  
1. P.M. Wind S.W. Snowing moist thawing little.  
4 P.M. Wind W. Cloudy, mild, appearance of a thaw.

Proprietors	Decr	M. 26	T. 27	W. 28	T. 29	F. 30	S. 31
Mr. George Smith...		—	1	1	2	2	No wood at the School House of Purdy Cr 27 lb flour.
" J. Lamkin...		—	—	—	1	1	
" Wm Garbutt...	2		2	2	2	1	
" Henry Baker...	2	2	2	2	2	2	
Mrs. Walker...	1	1	1	1	1	1	
Mr. Rankin...	—	—	—	—	—	—	
" Saml Purdy...	—	—	—	—	—	—	
" Joseph Purdy...	—	—	—	—	—	—	
" James McAuley...	1	1	1	1	1	1	
" John Hough...	1	1	1	1	—	—	
" Saml Swan...	—	—	—	—	—	—	

6th 8. o'clock A.M. Wind N.W. brisk and snowing. the anticipated thaw has shifted to cold.

1. o'clock P.M. Calm. Cloudy but mild. A wood bee

7th 8. A.M. Wind N. Fair and pleasant. 1 P.M.—Wind S.E. pleasant—cloudy

8th 8 o'clock Wind E. 2—wind South begins to rain and freeze. 10 P.M. Wind shifted to N.E.—a little snow.

9. 8 A.M. Wind S.W. Cloudy but pleasant. Crust on the snow near a quarter of an inch. 1. P.M. Wind S.W. cloudy and thawing.

10th 8. High wind from South. Cloudy. 1 P.M. wind still brisk from south and cloudy

Subscribers	January 1832	M.	T.	W.	T.	F.	S.
		2	3	4	5	6	7
Mr. George Smith.....	No wood	No wood	No wood	No wood	No wood	No wood	Wood, but not chopd
“ J. Lamkin.....	No wood	No wood	No wood	No wood	No wood	No wood	Wood, but not chopd
“ Wm Garbutt.....	No wood	No wood	No wood	No wood	No wood	No wood	Wood, but not chopd
“ Henry Baker.....	no school.	no school	no school	no school	no school	no school	Wood, but not chopd
Mrs. Walker.....	no school.	no school	no school	no school	no school	no school	Wood, but not chopd
Mr. Rankin.....	no school.	no school	no school	no school	no school	no school	Wood, but not chopd
“ James McAuley.....	no school.	no school	no school	no school	no school	no school	Wood, but not chopd
“ Sam'l Purdy.....							Wood, but not chopd
“ Joseph Purdy.....							Wood, but not chopd
“ John Hough.....							Wood, but not chopd

- Jan'y 11th 8 A.M. Wind north, Cold and snowing.  
 1. P.M. Wind N.E. begins to clear away
- 12th 8. A.M. wind N. Fair, cold and good sleighing  
 1. P.M. Wind S.W. Cloudy  
 4 P.M. Wind E. snowing moderate  
 \*James Losee & Hannah Grass married
- 13th 8 A.M Wind S.W. fair and pleasant. 1 P.M wind  
 S.W. Fair and thawing very pleasant. 5, Fair,  
 this was the most pleasant day this winter so  
 far.
- 14th 8 A.M. Fair. Calm and foggy—appearance of a thaw.  
 1 P.M. Fair. Wind S. Thawing  
 \*Henry Grass shop burned last night.
15. 8 A.M. partially fair, Wind S.W. warm and pleasant.  
 1. P.M. Fair. Wind S.W. warm and Thawing. After  
 one of the most boisterous Decembers that was  
 ever known in U. C. the weather now appears  
 like April

Proprietors	Jan'y	M. 9	T. 10	W. 11	T. 12	F. 13	S. 14
Mr. George Smith... ..		2	2	2	4	2	$\frac{1}{2}$
" J. Lamkin... ..		1	1	1	1	1	1
" Wm. Garbutt... ..		$2\frac{1}{2}$	$1\frac{1}{2}$	2	2	2	$\frac{1}{2}$
" Henry Baker... ..		2	2	1	1	1	1
Mrs. Walker... ..		1	1	1	1	1	1
Mr. Rankin... ..		—	—	—	—	—	—
" James McAuley... ..		2	3	3	3	2	2
" Samuel Purdy .. ..		—	—	1	$\frac{1}{2}$	1	—
" Joseph Purdy.. ..		—	—	—	—	—	—
" John Hough ... ..		—	—	—	—	—	—
Oliver H. Ellithorp .. ..		1	1	1	1	$\frac{1}{2}$	1

16th 8 A.M. Light wind from E. partially fair and warm.  
1 P.M. wind light from S. Another warm day.

17th 8 A.M. Fair calm and pleasant.  
\*Mr. Rankins child died last night.  
1 P.M. Wind S. Cloudy, warm, has the appearance  
of rain.  
5. begins to rain. High wind from South.

18th 8 A.M. Rained most of last night, cloudy and foggy  
1 P.M. cloudy and foggy. 10 P.M. Heavy rain.

19th 8 A.M. Wind W. Fair weather getting colder, bad  
roads.  
1 P.M. Wind W. Cloudy but thawing.

Proprietors	Jan	M. 16	T. 17	W. 18	T. 19	F. 20	S. 21
Mr. George Smith... ..	3	—	1 $\frac{1}{2}$	3	3	$\frac{1}{2}$	
“ J. Lamkin... ..	1	1	$\frac{1}{2}$	1	1	1	
“ Wm. Garbutt... ..	2	2 $\frac{1}{2}$	1 $\frac{1}{2}$	2	1	1	
“ Henry Baker... ..	2	$\frac{1}{2}$	1	2	2	2	
Mrs. Walker... ..	1	1	$\frac{1}{2}$	1	1	1	
Mr. Rankin... ..	1	$\frac{1}{2}$	—	—	—	—	
“ James McAuley . . . .	2	2	1	3	3	2	
“ Saml D. Purdy... ..	1	—	$\frac{1}{2}$	—	1	—	
“ Joseph Purdy... ..	1	1	$\frac{1}{2}$	1	—	—	
“ John Hough... ..	—	—	—	—	—	—	
“ Oliver H. Ellithorp .	—	—	—	1	1	—	

Last half a day writing deeds & memorials

- Jan 20th 8 A.M. Cloudy wind S.W. Froze a little last night  
 1 P.M. W. S.W. Cloudy and thawing
- 21st 8. A.M. Wind N.W. cloudy, snowing a little colder.  
 \*1 P.M. Wind N.W. Fair and cool. Donald Ross living at Major Kreins Broke his leg near Mr. A. Ameys.
- 22nd 8. A.M Wind E. Fair, cool and pleasant.  
 1 P.M. Fair and pleasant
- 23rd 8 A.M. Wind brisk from S.E. Fair and cold  
 1 P.M. Wind do S. Cloudy and chilly
- 24th 8. A.M. High wind from S, cloudy and appearance of storm  
 1 P.M. do do do 4 o'clock snowing and blowing wild
- 25th 8 A.M. Wind N. Cloudy and very cold  
 1 P.M. Cold wind from N. Snowing a little.
26. 8 AM Wind N. partially fair and very cold  
 1 P.M. Wind E. Fair and Cold

Proprietors	Jany	M. 23	T. 24	W. 25	T. 26	F. 27	S. 28
Mr. George Smith... ..	3	1	2	2	1½	1	
" J. Lamkin... ..	1	1	1	1	1	1	
" Wm Garbutt... ..	2	2½	2	2½	1½	2	
" Henry Baker... ..	1	2	½	1	1	1	
Mrs. Walker... ..	1	1	1	1	1	1	
Mr. H. Rankin... ..	1	1	1	1	1	1	
" James McAuley... ..	2	3	3	1	3	1½	
" Saml D. Purdy... ..	—	1	1	½	—	—	
" Joseph Purdy... ..	—	—	—	—	—	—	
" John Hough... ..	—	—	—	—	—	—	
" Oliver H. Ellithorp .	1	1	—	—	—	—	
" B. Vanwinckel .. ..	1	1	1	—	1	1	

- Jan 27th 8 A.M. Wind S.W. Snowing a little and cold.  
1 P.M. Wind S.W. Snowing and blowing a cold storm
- 28th 8. A.M. Wind N. Snowing a little, bad storm last  
night  
1 P.M. Wind E. still snowing. 10 High wind & snow
29. 8 A.M. Wind N. Cloudy and cold.  
1 P.M. Fair Wind N. and very cold.  
\*5 P.M. Mr. Rose cellar took fire and Mrs. Rose  
severely burned
30. 8 A.M.—Wind N.E. Snowing and blowing. a severe  
storm.  
1 P.M. Wind N.E. still snowing, but not so cold as  
in A.M.
31. 8 A.M. Wind S.W. Cloudy  
1 P.M.— Do. Do. Do.

	M.	T.	W.	T.	F.	S.
Proprietors	30	31	Feb'y 1	2	3	4
Mr. George Smith... ..	2	2	2	2	½	—
“ Wm Garbutt... ..	—	2	1½	2	2½	1
“ J. Lamkin... ..	1	1	—	1	1	—
“ James McAuley .. ..	—	—	2	3	2	2
“ Henry Baker... ..	—	—	—	—	1	2
“ Hugh Rankin... ..	1	1	1	1	1	—
“ Saml Swan... ..	—	—	—	—	—	—
“ Saml Purdy... ..	—	—	—	—	—	—
“ Joseph Purdy... ..	—	—	—	—	—	—
Mrs. Walker... ..	—	1	1	1	1	1
Mr. John Hough... ..	—	—	—	—	—	—
“ Oliver H. Ellithorp... ..	—	—	—	—	—	—
“ Benjn VanWinckel .. .	—	3	3	3	3	2

Feb'y 1st 8 A.M. Light wind from N. Fair and pleasant  
1 P.M. Cloudy and not very cold

\*Sylvester Lamkin and Miss Hough married

2. 8 A.M. Cloudy and Raining heavy. 1 P.M. Cloudy and Thawing.

\*Mr. Edward Walker shot himself this morning at Mr. Kents Barn

3rd 8 A.M. Wind NE. Cloudy Roads soft.

1 P.M do do do  
8 P.M. Mrs. Rose died.

4. 8 A.M. Wind S.W. partially fair, cold

1 P.M do do do.

- Feb 5. 8 A.M. Wind N. Snowing and cold  
 1 P.M. do and Fair and cold  
 \*Mrs. Rose Burried
- 6th 8 A.M. Wind E. Cloudy and cold  
 1 P.M. Wind S. Snowing
- 7-8 A.M. Wind N. Fair and cold  
 1 P.M. Wind N.E. Fair and pleasant
- 8-8 A.M. Wind N.E. Snowing and cold  
 1 P.M. Do Do. Do.
- 9th 8 A.M. Wind N. Snow & blow, road drifted full  
 1 P.M. Wind N.E. Snow, hail and rain, a bad storm
- 10th 8 A.M. Wind S.W. Cloudy and cold  
 1 P.M. Wind do Partially fair and pleasant
- 11th 8 A.M. Wind N. Cloudy and cold  
 1 P.M. Wind S.E. Cloudy and appearance of rain  
 4 P.M. Rain and hail  
 10 P.M. Wind S. heavy rain, roads soft and wet
- 12th 10 A.M. Wind N.E. Snowing, weather mild.  
 2 P.M. do do do
- 13th 8 A.M. Wind W. partially fair and cold  
 1 P.M. Wind S.W. fair and cold
- 14th 8 A.M. Wind N.W. Cloudy and snowing a little  
 1 P.M. Calm, cloudy but pleasant—
15. 8 A.M. Wind N. Cloudy and mild, snow last night  
 1 P.M. Wind W. Cloudy, thawing a little
- 16-8 A.M. Wind N. Fair and cold  
 1 P.M. Wind N.W. Fair and cold
17. 8 A.M. light wind S. Cloudy and cold  
 1 P.M. Wind S.W. Cloudy and cold
18. 8 A.M. Wind S.W. Cloudy, rained a little last night  
 1 P.M. Wind N.W. Snowing



- 1831—November 23rd  
 Samuel D. Purdy one load wood
- 24th Mr. James McAuley one load wood
- Decr 3rd Mr. W. Garbutt, one load wood
- “ 14th Mr. Henry Baker—one large load wood
- “ “ Mr. Joseph Purdy, one large load—not short
- Jan'y 6th 1832 Mr. Saml D. Purdy one load—not short
- “ 17th Mr. James McAuley, one load, not cut
- “ 25th Mr. Lamkin, one load, fit for the stove
- Febr 11th Mr. Smith, one load—cut short at school.
- “ 14th Mr. Henry Baker one load—good wood—short
- “ 27 Mr. George Smith one load of wood, not short
- Mch 9th Mrs. Walker one load not short
- “ 24. Mr. Rankin one load of wood

Arithmetic's used in this school

Gaugh, an Irish work  
 Ingram, a Scotch author  
 Gray, a do do  
 Willets an American Author  
 Pikes, do do  
 Dilworth an English Author  
 Tutors Assistant do do

Proprietors	Feb'y	M. 6	T. 7	W. 8	T. 9	F. 10	S. 11
Mr. George Smith... ..	1	3	—	—	—	—	—
“ Wm Garbutt... ..	—	3	2	1	2	2	—
“ J. Lamkin... ..	1	1	1	1	1	—	—
“ James McAuley... ..	2	2	3	—	3	1	—
“ Henry Baker... ..	2	2	2	—	1	2	—
“ Hugh Rankin... ..	—	—	—	—	—	—	—
Mrs. Walker... ..	1	—	1	1	1	1	1
Mr. B. VanWinckel .. ..	2	—	—	—	—	—	—
“ Saml Purdy... ..	1	1	1	—	1	1	1
“ Oliver H. Ellithorp .	1	1	1	—	1	1	1

- 19th 8 A.M. Wind N.E. Snowing  
1 P.M. do do cloudy
20. 8 A.M. Wind E Cloudy but mild  
1 P.M. calm cloudy thawing a little  
\*John Savage & E. McAuley married
21. 8 A.M. Wind N.W. Cloudy and cold  
1 P.M. do do Fair, Snow flying and cold  
10 P.M. Cloudy wind S.W.
- 22nd 6 A.M. Wind N.E. Snowing and cold  
8 A.M. Wind S. W. cloudy snow flying  
9 do Snowing very fast  
1 do cloudy snowing a little
- 23rd 8 AM Wind N. snowing, a bad storm  
1 P.M. Wind N.W. Snow flying cloudy

	Feby	M. 13	T. 14	W. 15	T. 16	F. 17	S. 18
Mr. George Smith... ..		2	2	2	2	2	
“ J. Lamkin... ..		1	1	1	1	1	
“ Wm. Garbutt... ..		1½	1½	1½	3	2	
“ James McAuley... ..		4	3	2	2	2	
“ Henry Baker... ..		2	1	1	1	1	
“ Hugh Rankin... ..		—	1	1	1	1	
Mrs. Walker... ..		½	1	½	1	1	
Mr. Saml Purdy... ..		1	—	1	1	1	
“ B. VanWinckel... ..		—	—	—	—	—	

- 24th Last night very windy and very cold.  
 8 A.M. Wind N.W. Fair, one of the coldest mornings  
 this winter. Thermometer 2½ degrees lower than  
 in 5 years before.  
 1 P.M. Wind S.W. Fair and cold.
- 25th 8 A.M. Wind E. Cloudy & very cold  
 1 P.M. Wind S. E. Snowing & blowing, bad storm  
 5 P.M. Wind South and snowing  
 10 P.M. Calm and very foggy—  
 \*Donald Ross who broke his leg commenced walking  
 on crutches
26. 8 AM—Wind South, Partially fair and mild  
 1 P.M do do Fair and cold
27. 8 AM. Calm, fair and foggy. Appearance of a thaw  
 1. Wind S. Chilly
28. 8 AM—Wind S.W. Snowing. roads drifted full.  
 1 P.M. Wind S.W. Misty and thawing a little.

Proprietors	Feb'y	M. 20	T. 21	W. 22	T. 23	F. 24	S. 25
Mr. George Smith... ..	1	1	—	½	1	—	
“ J. Lamkin... ..	1	1	1	1	1	—	
“ Wm. Garbutt ... ..	1½	2	2	2	2	2	
“ James McAuley .. ..	—	2	2	2	3	2	
“ Henry Baker... ..	2	2	2	2	1	2	
“ Hugh Rankin... ..	1	1	1	1	1	1	
Mrs. Walker... ..	½	1	1	1	1	1	
Mr. Samuel Purdy... ..	1	1	1	1	1	1	
“ B. VanWinckel.. ..	—	—	—	—	—	—	
“ R. Douglass... ..	1	1	1	1	1	1	

29th 8 AM. wind N.W. Fair and cold  
1 P.M. Wind W. Fair and chilly

March 1st 8 AM. Wind N. Fair and very cold  
1 P.M. Wind S.W. Fair and pleasant

2nd 8 A.M. Wind N. Fair cold but pleasant  
1 P.M. Wind S. Fair and pleasant. Thawing.

3rd 8. A.M. Wind W. Cloudy but moderate  
1 P.M. Wind S.W. Fair Thawing considerable

4th 8 A.M. Calm, Fair and foggy  
1 P.M. Fair, Thawing fast, roads getting soft.  
8 P.M. Wind N.E. Cloudy. Some sleet

5. 8 AM Cloudy wind N.E. Storming sleet  
1 P.M. Wind N.E. Cloudy and raining a little  
\*Betsy Vanwinckel married to Saml Badgley  
T. Dorland Esq Died.

		M.	T.	W.	T.	F.	S.	
		Feb'y	27	28	29	Mc'h 1	2	3
Mr. George Smith... ..	Non		—	—	—	—	—	—
“ Wm. Garbutt... ..	wood		2½	1½	2	2	2	2
“ Henry Baker... ..			2	3	1½	2	2	2
“ James McAuley .. ..			3	2	3	3	3	3
“ J. Lamkin... ..			1	1	1	1	1	1
“ Hugh Rankin... ..			1	1	1	1	1	1
“ Saml Purdy... ..			—	1	1	1	1	1
Mrs. Walker... ..			1	1	1	1	1	1
Mr. Richard Douglas... ..			—	1	1	1	1	1
“ B. Vanwinckel .. ..			—	—	—	—	—	—
“ John Hough... ..			2	2	—	—	2	2

6th 8 A.M. Wind N.W. Cloudy. Snowing a little. Cold  
1 P.M. do do cloudy and chilly

7. 8 A.M. Wind N. Cloudy and cold. Roads hard  
1 P.M. Wind N. Cloudy and cold

8th 8 A.M. Wind N.E. Cloudy and chilly  
\*This morning Charles Blanchard, a carpenter, hanged himself in his barn  
1. Wind S.W. Thawing roads wet

9. 8 AM. Wind S.E. Cloudy and chilly  
1 P.M. Wind S.E. Cloudy and misty. Thawing

10th 8 AM. Wind S.E. Cloudy and thawing. road dirty  
1 P.M. Calm, Fair and thawing fast.

	March	M. 5	T. 6	W. 7	T. 8	F. 9	S. 10
Mr. George Smith... ..		1	2	3	No	No	2
“ Wm. Garbutt... ..		1	2½	1½			—
“ Henry Baker... ..		2	2	1	poor	poor	—
“ James McAuley... ..		2	2	3			2
“ J. Lamkin... ..		1	1	1			1
“ Hugh Rankin... ..		1	½	1			1
“ Saml Purdy... ..		1	1	1			—
“ John Hough... ..		2	2	2			—
Mrs. Walker... ..		1	1	1			—
Mr. Richard Douglas... ..		—	—	—			—
“ B. VanWinckel .. ..		—	—	—			—

- 11th 8 A.M. Wind N.E. Raining very steady, thawing fast Water two or three feet deep on the ice in many places, a great thaw.  
 1 P.M. Calm. Partially fair, water running in torrents. Spring approaches with rapid strides.  
 5. Brisk wind from W. with heavy rain.
- 13th 8 A.M. Wind brisk from W. Cold and snowing  
 1 P.M. Wind N.W. Cloudy and cold. Ice hard
14. 8 A.M. Wind NW. Fair and very cold.  
 1 P.M. Wind N.W. Fair and cold

	March	M. 12	T. 13	W. 14	T. 15	F. 16	S. 17
Mr. George Smith... ..		2	2	2	1	2	
“ Wm Garbutt... ..		3	2	3	2	2	
“ Henry Baker... ..		1	1	2	3	2	
“ James McAuley . . . .		2	2	2	2	1	
“ Josiah Lamkin ... ..		1	1	1	1	1	
“ Hugh Rankin... ..		1	1	1	1	1	
“ Saml Purdy ... ..		1	—	—	1	1	
Mrs. Walker... ..		1	1	1	1	1	
Mr. John Hough... ..		1	2	2	2	2	
“ Richd Douglass.. . . .		—	—	—	—	—	

- 15th 8 A.M. Wind S. Fair cold and chilly  
1 P.M. High wind from South, thawing
16. 8 AM. High Wind from S. Cloudy  
1 P.M. do do Fair and thawing
- 17th 8 A.M. Wind N.E. Cold. freezing beginning to snow  
1 P.M. do do snowing fast cold
- 18th 8 AM. Wind N.E. Still snowing. A cold storm  
1 P.M. Wind N.W. Cold and snow flying
19. 8. AM. Calm. Fair and very cold. Sleighing by Ice & land.  
1 P.M. Wind S.W. Fair and cold

	March	M. 19	T. 20	W. 21	T. 22	F. 23	S. 24
Mr. George Smith... ..	—	—	—	1	Went to Kingston	Surveying a Road	
“ Wm. Garbutt... ..	2	3	2	2			
“ Henry Baker... ..	2	2	3	3			
“ James McAuley .. ..	2	2	2	2			
“ J. Lamkin... ..	1	1	1	1			
“ Hugh Rankin... ..	1	1	1	1			
“ Saml Purdy... ..	—	—	—	—			
Mrs. Walker... ..	1	1	1	1			
Mr. John Hough ... ..	1	3	2	2			
“ Richd Douglas... ..	—	—	—	—			
“ Henry Badgley .. ..	1	1	1	1			
“ Richd Clark ... ..	—	—	—	1			

- 20th 8 A.M. Brisk wind from S. Cloudy. Appearance of storm  
1 P.M. Wind S. Cloudy & thawing. Misty.
21. 8 A.M. Calm. Cloudy & mild. a little snow last night  
1 P.M. Wind S.W. thawing partially fair  
5 P.M. Wind W. cold and freezing
- 22nd 8. A.M. Wind N.W. Fair and very cold  
1 P.M. Wind W. partially fair and cold
- 23rd 8 A.M. Wind N.W. Cloudy and cold  
1 P.M. Wind S. Fair and thawing.



	March	M. 26	T. 27	W. 28	T. 29	F. 30	S. 31
Mr. George Smith... ..		2	2	2	1	3	2
“ Wm Garbutt... ..		2	2	2	2½	3	2
“ Henry Baker... ..		2	4	3	3	2½	3
“ James McAuley ... ..		—	2	2	2	1	1
“ Josiah Lamkin... ..		1	1	1	1	1	1
“ Hugh Rankin... ..		1	1	1	1	1	1
“ Saml Purdy... ..		1	1	1	—	1	—
Mrs. Walker... ..		1	1	1	1	1	1
Mr. J. Hough... ..		—	—	—	—	—	—
“ Henry Badgley ... ..		1	1	1	1	1	1
“ Richard Clark... ..		1	1	1	1	1	1

- 24th Through the day Fair and Warm. Pigeons flying, and many summer birds appeared
- 25th 8. Wind S. Smoky, looks like Indian Summer. Fields bare except about fences, but low lands are covered with ice.  
3 P.M. High wind South. Cloudy, foggy and appearance of Rain
26. 8 A.M. Wind N.W. cloudy and snowing fast Sleighs still travelling on the ice. roads bare.  
1 P.M. Wind N.W. Partially Fair. Chilly  
\*Betsy Ladley & Wm McKee married
- 27th 8. AM. Wind E. Cloudy but pleasant. hard frost last night  
1 P.M. Wind S. Fair but chilly. thawing  
\*Susan Lockwood married
28. 8. AM. Wind N. Cloudy but pleasant. hard frost last night.  
1 P.M. Wind N.E. Fair warm and pleasant.

	April	M. 2	T. 3	W. 4	T. 5	F. 6	S. 7
Mr. George Smith... ..		3	2	1	3	$\frac{1}{2}$	—
“ Henry Baker... ..		2	3	4	3	3	4
“ Wm. Garbutt... ..		2 $\frac{1}{2}$	3	2 $\frac{1}{2}$	1 $\frac{1}{2}$	2	1 $\frac{1}{2}$
“ James McAuley... ..		—	—	—	—	2	2
“ Josiah Lamkin... ..		1	1	1	1	1	—
“ Hugh Rankin... ..		1	1	1	1	1	1
“ Saml Purdy... ..		1	—	—	—	1	—
Mrs. — Walker... ..		1	1	1	1	1	1
Mr. J. Hough... ..		—	—	—	—	—	—
“ Henry Badgley... ..		1	1	—	1	1	1
“ Richard L. Clark... ..		1	1	1	1	1	1
“ Wm. Hawley... ..		—	—	—	1	1	1

- 29th 8 A.M. Wind S. Fair warm and pleasant heard a Phebe bird sing this morning  
1 P.M. Wind S. Fair and warm
- 30th 8 A.M. Wind N.E. Partially fair and pleasant  
1 P.M. Wind S. Fair and warm
30. 8 A.M. High Wind S. Cloudy, a little rain this morning  
1 P.M. Wind S. Cloudy Rain and Thunder  
2 do Fair
- Apl 1. Wind N.W. Cloudy and cold. flurries of snow
2. 8 AM High Wind S.W. fair Cold and frosty. ground froze hard—1 P.M. Wind S.W. Cloudy and chilly Sleighs on ice yet
- 3rd. 8 A.M. Wind S. Cloudy and rain  
1 P.M. Wind N.W. Cloudy. Squalls of snow.
- 4th 8. A.M. Wind S.W. Snow and blow—bad storm  
1 P.M. High wind from S.W. Fair and cold.

	April	M. 9	T. 10	W. 11	T. 12	F. 13	S. 14
Mr. George Smith ... ..	3	—	—	—	—	2	2
“ Wm Garbutt... ..	2½	3	2	3	3	1½	1
“ Henry Baker... ..	3	4	3	3	3	3	2½
“ James McAuley... ..	2	1	2	3	3	3	2
“ J. Lamkin... ..	1	1	1	1	1	1	1
“ Hugh Rankin... ..	1	1	1	1	1	1	1
“ Saml Purdy... ..	1	1	—	—	—	—	—
Mrs — Walker... ..	1	1	1	1	1	1	1
Mr. John Hough... ..	—	—	—	—	—	—	—
“ Henry Badgley .. .	1	—	—	—	—	1	1
“ Richd L. Clark... ..	1	1	1	1	1	1	1
“ Wm. Hawley... ..	½	1	1	1	1	1	1

Apr 5, 1832 Wind N. Fair and Cold

6th Wind N.W. Fair and cold

7. Wind S.W. Fair and Warm

8 Wind N. Fair and Cold

9 Wind N.E. Fair and Cold. Cutter and horse crossing the Ice.

10 Partially fair. Wind S.E. Warm and pleasant

11th Wind S.W. Cloudy, but warm and pleasant  
1 P.M. Smoky warm weather

12 Fair and warm, smoky. Roads dry. Ice rotten but people crossing on foot

13 Wind S.E. Fair and warm, handsome weather Ice breaking up.

14 Wind S. a little rain this morning but fair the remainder of the day

15. Wind N.E. partially fair, cool, Ice clear from this to Kingston

16th Wind N.E. a heavy rain and some hail  
P.M. Snow and cold a bad storm. Boat crossing

17th Wind N.E. Still raining, Sleet and cold, snow on the ground

18th Wind N.E. Still raining and cold. P.M. Raining still

19th 8 A.M. Wind N.E. Raining yet  
P.M. Wind N.E. Partially fair

20th Wind N.E. Cloudy P.M. Fair and cool

21 Wind S.W. Cloudy and cool  
P.M. Wind S.W. Raining

22d Wind S.W. Cloudy. A little snow  
P.M. Wd N. Fair and cold

23rd Wind E. Cloudy & cold— hard frost last night

24 Wind E. Fair and cold.

25 Wind S. Foggy and rain.

26 Wind N.E. Fair and cold.

	April	M. 16	T. 17	W. 18	T. 19	F. 20	S. 21
Mr. George Smith... ..	Sick		Sick	—	2	3	3
“ Wm Garbutt... ..	Sick		Sick	2 $\frac{1}{2}$	2	2	2
“ Henry Baker... ..				2	3	2	2
“ James McAuley ... ..				—	—	—	—
“ Hugh Rankin ... ..				1	1	1	1
Mrs — Walker... ..				1	1	1	1
Mr. John Hough... ..				—	—	—	—
“ Henry Badgley... ..				—	—	—	—
“ Richd L. Clark... ..				1	1	1	1
“ Wm. Hawley... ..				1	1	1	1
“ Saml D. Purdy... ..				—	—	—	—
“ Josiah Lamkin ... ..				—	—	—	—

	April	M. 23	T. 24	W. 25	T. 26	F. 27	S. 28
Mr. George Smith... ..		3					
“ Garbutt... ..		—					
“ H. Baker... ..		3					
“ J. McAuley ... ..		2					
“ H. Rankin... ..		—					
Mrs. — Walker... ..		1					
Mr. Sam'l D. Purdy... ..		—					
“ Richd L. Clark... ..		—					
“ Henry M. Badgley ... ..		—					
“ Wm Hawley... ..		—					

Attending Court

27th Wind E. Partially. fair

28. Wind variable. fair

29th Wind S. Cloudy and rain

30 Wind E. Cloudy a little rain

May 1st Wind N.W. Brisk Fair and cold

2nd Wind E. Fair and pleasant. frost last night

3rd Wind E. Cloudy and cold. P.M. Raining a little

4th Wind N.E. Raining fast, all day cold storm

5th Wind N. Partially fair and Cold

6th Wind N.E. Fair and Cold. froze ice last night

7. High Wind S. Fair

8. High Wind. S. Cloudy and a little rain

P.M. Fair and pleasant

\*Barbary How & Mr Ruttan married

	M.	T.	W.	T.	F.	S.
	30	May 1	2	3	4	5
Mr. George Smith... ..	3	2	—	1	2	2
“ Wm Garbutt... ..	2	1½	2½	2	3	2
“ H. Baker... ..	1	1	2	1	2	1
“ J. McAuley... ..	—	2½	2	3	2	—
“ H. Rankin... ..	—	½	1	1	1	1
Mrs. — Walker... ..	1	1	1	1	½	1
Mr. S. Purdy... ..	—	—	—	—	—	—
“ Richd L. Clark... ..	1	1	1	1	1	1
“ H. M. Badgley... ..	1	1	1	1	1	1
“ Wm Hawley... ..	—	—	—	—	—	—
“ Thos. Smith... ..	1	1	1	1	1	1

9th Wind S. W. fair and pleasant

10th Calm, fair and pleasant  
P.M. Warm and Calm. Spring weather

11th Wind S. Partially fair and pleasant  
\*Protracted meeting Waterloo.

12th Wind S. Fair, Smoky and pleasant

13th Wind S. Fair, Smoky and pleasant

14th Wind S. Cloudy. Appearance of rain  
P.M. A little rain

15th Wind S. W. Rainy  
P.M. Fair

16th \*Public Fast. Wind S.W. Rainy  
P.M. Wind N.W. Fair

	May	M. 7	T. 8	W. 9	T. 10	F. 11	S. 12
Mr. George Smith... ..		3	—	2	3	3	3
“ Wm Garbutt... ..		2	3	1½	2	2	3
“ H. Baker... ..		1	1	2	2	2	2
“ J. McAuley... ..		—	—	—	—	—	1
“ Hugh Rankin... ..		1	1	1	1	1	1
Mrs. — Walker... ..		1	1	1	1	½	½
Mr. S. Purdy... ..		—	—	—	—	—	—
“ Richd L. Clark... ..		1	1	1	1	1	1
“ Henry M. Badgley ...		1	1	1	1	1	1
“ Thomas Smith... ..		1	1	1	1	1	1

- May 17. Wind S.W. Partially Fair and cold  
P.M. Wind S. Cloudy. Appearance of rain
- 18th Calm and Cloudy. P.M. Wind S.W. a little rain
- 19th. Wind N.E. Cloudy. P.M. Heavy Rain  
Went to 5th Concession.
- 20th Wind N. Fair and Cold
- 21st Wind N.W. Frost this morning Cold and chilly
- 22nd A.M. Wind N.E. Warm and Fair  
P.M. Wind S.W. Cloudy and Cold—returned from 5th  
Con.
- 23rd Wind E. Cloudy and cool  
P.M. Wind S.W. Raining  
\*Mr. Dopple died  
10, o’c. P.M. Wind very high S. Rain. Violent storm
- 24th Wind S. Rain, P.M. Partially fair—cold
25. Wind N.E. Cloudy and cold. P.M. Rain
26. Wind S.W. Fair. P.M. Wind E. Rain and Cold.
27. Wind N.E. Fair and pleasant.  
P.M. Cloudy and cold.

- May 28. Light wind. S.W. Fair and pleasant  
\*Caravan in Bath
- 29th Light Wind S. Partially fair and pleasant.  
P.M. Cloudy, Rain in the evening.
- 30th Heavy Rain last night.  
Wind West. Cloudy and Cold.  
P.M. Wind variable with rain and hail
- 31st Wind N.E. Fair and cold  
P.M. Warm and pleasant.
- June 1st Light Wind E. Cloudy P.M. Fair and warm
- 2nd Fair calm and warm. Fine weather
- 3rd Wind E. Fair and pleasant  
P.M. Cloudy & Cold—appearance of a storm
4. Wind N.E. Cloudy and cold  
P.M. A little cold rain
5. Wind N.E. Partially Fair and Cold
6. Wind N.E. Partially Fair and Cold
- 7th Wind S.W. a little rain
- 8 Wind E. Partially fair and cold  
12 o'clock—some thunder to the north
- 9th Wind S. Some Rain this morning
- 10th Wind S.E. Fair foggy and warm
- 11th Wind light and variably. Fair Warm. Mare died.
- 12th Wind S.W. Partially fair. Smoky and warm  
P.M. A heavy shower, and very seasonable
- 13th Wind E. Cloudy. P.M. Rain and warm summer weather
- 14th Wind S. Very foggy. Fair and warm
15. Wind S. Fair and warm P.M. Chilly, appearance of  
rain
16. Wind S.W. Cloudy a little rain.

## NOTES.

Page 29. The idea of utilizing the spaces at the bottom of the pages of his register, or Day Book as he calls it, evidently did not occur to him until a month after he had been keeping the record of the attendance of the scholars. The register begins on October 31st, and the memoranda subjoined was not commenced until December 1st.

It will be observed that school was kept open for six days of the week. The custom, at that time, was to treat every alternate Saturday as a holiday, and he followed this rule at the commencement of his engagement, but, later on, perhaps to make up for lost time, he had very few holidays except Sundays.

He could not have consulted his spelling book when he wrote "schollars" at the top of this page.

Page 30. Five new pupils were admitted this week. With the exception of the Smith family, the pupils were very regular in their attendance.

Two more pupils appear upon the roll—Elizabeth Smith and Mary McAuley. As these two families were already well represented, the teacher must have made a favorable impression.

Page 31.—The 17th of December was ushered in with an old-fashioned blizzard, which had a disastrous effect upon the school attendance, as will be seen by a reference to the register for that date.

Another member of the Garbutt family has put in an appearance, but it is safe to conjecture that Archibald won no prizes for his regularity.

Page 32. As the season advances the roll increases, but the new arrivals do not appear to have taken full advantage of their opportunities. The average attendance does not compare very favorably with that of the preceding weeks. The snow storm of December 1st must have kept most of the scholars at home.

Page 33. The teacher here introduces a new system and records the number of pupils from the several families instead of entering the names of pupils, although he erroneously retains the heading "Scholars Names". It may be that he had ruled his book in advance and had filled in the heading and dates before he changed his style of entry.

The attendance is on the decline.

Samuel Purdy established the first stage line between Bath and Kingston in 1816, and in the following year inaugurated a line between Kingston and York. Single fare was eighteen dollars.

The teacher records his first prediction on the evening of the 23rd, and the following entry establishes his reputation for the time being as a very fair weather prophet.



He availed himself of the vacant spaces set apart for Saturday, the 10th, to credit Mr. Rankin with 26 lbs. of flour, which, no doubt, was on account of his salary.

Page 34. The astericks are used by the teacher to direct attention to entries of events other than the weather bulletins. He adopts the phonetic system of spelling in his reference to Mrs. Gallagher.

Page 35. The slim attendance during this month may be accounted for by the severity of the weather. He says, under date of January 15th, that this was the most boisterous December ever known in Upper Canada. It must also be borne in mind that some of the scholars had long distances to travel. Joseph Purdy lived on lot 41, and Henry Baker on lot 19, both in the first concession. William Garbutt lived on lot 35, in the second concession; and James McAuley owned lot 28 in the first concession, yet these four families were all supporters of the school, sending no less than twelve scholars, some of whom had to walk two and three miles through the heavy drifts. Note the spelling of "Scolars".

Page 36. For the first time he now adopts the new heading "Proprietors" at the top of the page.

In well chosen language he reluctantly confesses his erroneous prediction of the 5th.

Samuel Purdy contributes 27 lbs. of flour to the teacher's larder, and is duly credited with that amount.

Page 37. It seems incredible, at a time when fire wood could be had for the asking, that the school should be closed for over a week through want of fuel, but here the faithful old teacher presents the fact to us in such a manner that it cannot be questioned.

He changes his heading to "Subscribers", but evidently concluded that the term was not suitable, as he falls back again during the remaining weeks to "Proprietors", and continues its use when he fills in a heading.

Page 38. As the weather moderates the attendance improves.

Page 39. Here we see the teacher figuring in a new role, writing deeds and memorials, thereby earning a few shillings to help out his small salary.

On the 24th he makes another prediction of a storm, which did not materialize.

For the five weeks following the wood famine, the teacher had no holiday on Saturday. It looks as though he was endeavoring to make up for that lost week. The scholars were not all in full sympathy with this course, as some of the most regular attendants absented themselves on this day.

Page 40. B. Vanwinckel, for the first time, avails himself of the privileges of the School, although as early as the first week in December his name appears as one of its supporters. He lived on lot twenty-seven, in the first concession.

Page 41. The Vanwinckels must have raised the old gentleman's hopes during the week, but soon dashed them to the ground, as they were not seen in the school again after Monday of the following week. That section was sorely in need of a truant officer.

The teacher, in his items of gossip, pretty well confines himself to the tragedies and matrimonial events of the neighborhood.

Page 42. Just here he indulges in a little extravagance, and sets apart a whole page for his entries of the condition of the weather, after which he resumes his former place. Note with what precision the observations are made at 8 a.m. and 1 p.m. On the 12th he varies it to 10 a.m. and 2 p.m., but as this was a Sunday he may have had good reason for postponing the entry. He made two extra entries on the 11th to establish his record as a weather prophet. The prophecy, however, preceded the storm by only three hours.

Page 43. This page was set apart on November 23rd for the purpose of keeping an account of the contributions to the wood pile, and the entries were made from time to time as the wood was hauled to the School. This is apparent from the nature of the entries, the date at the top of the page, and the fact that the same colored ink was not used throughout.

D. Purdy, the Stage proprietor, drew the first load and was also the first to relieve the wood famine on January 6th.

With what pride he records the fact that he was in possession of no less than seven arithmetics.

Page 44. E. McAuley, whose marriage was recorded on the 20th, was evidently a member of the family of James McAuley, as no scholars from that family attended school upon that day.

Page 45. The entry respecting the 24th of February appears to be a comparison merely of the temperature of that with the particular day of the month with the same day of the month of former years, otherwise he wouldn't speak of it as "one" of the coldest mornings.

Page 46. Captain Thomas Dorland was a prominent farmer in the Township of Adolphustown, and was placed in command of a company of Volunteers at Kingston during the War of 1812.

Page 47. By referring to the wood account, it will be seen that George Smith relieved the wood famine on this occasion, and none of his children were in attendance during the week to enjoy it. He also contributed a load and cut it at the school on the 11th.

Page 48. The trustees of this school, if there were any, could not be congratulated upon their management of the wood problem. Mrs. Walker came to their rescue on the 9th with one load. On Sunday, the 11th, the teacher looks forward with satisfaction to the approaching Spring, when his troubles in feeding the stove will end.

Page 50. On Friday the teacher takes his first holiday, or, at least, gives one to the scholars, and on Saturday he absents himself from school and assigns a very commendable reason for his doing so.

Page 51. The experiences of the severe winter must have been a sore trial to the old gentleman, if such he was, as he loses no opportunity to welcome the evidences of Spring. Note the recurrence of the word "pleasant".

Page 52. We can see his face aglow with delight as he listens to the merry song of the "Phebe bird" on the 29th. How disappointed he must have been on the morning of the 4th as he plodded through the "bad storm" to school.

Page 53. He again sets apart a whole page and devotes it exclusively to the weather, but does not seem to evince the same interest in the subject. For the most part he contents himself with a single entry to each day, and, in few instances does he give the hour of the day. He does not appear to have been pleased with the belated Spring. The ice did not go out of the bay until April 15th.

Page 54. There is no hint as to the capacity in which he was attending Court, and he does not appear to have seen anything in the town worth mentioning. Even his favorite theme, the weather, is disposed of in a summary manner.

Page 55. It is remarkable that a man who took such pains to preserve a record of the trifling variations in the weather took no notice of the public events of the day. Marshall Spring Bidwell and Peter Perry were making things pretty lively for the Family Compact about this time. Bath was the commercial centre of the County, and the merchants and other business men of that thriving village ought to have furnished the news gathering with more interesting gossip than we find interspersed among these items of wind, snow and rain. What good purpose these were intended to serve it is difficult to conjecture. He does not associate the conditions of the weather with any event, and rarely makes comparisons with other seasons.

Page 56. This concludes his "Day Book" of the school. Whether his services terminated with this last entry there is nothing to show.

Page 57. It appears, from the entry of May 28th, that a travelling menagerie honored Bath with a call.

## INDEX.

Addington County.....	5
Adolphustown.....	5
Ameliasburgh.....	16, 17, 25
American Revolution.....	24
Amey, A.....	39
Amherst Island.....	5
Aylesworth, Anson.....	5
Badgley, Henry.....	50
Baker, George.....	32
Baker, Henry.....	33, 59
Baker, James.....	30, 31, 32
Baker, Richard.....	29, 30, 31, 32
Baker, William.....	29, 30, 31, 32
Bath.....	58, 61
Bell, William.....	7, 8, 9, 10, 11, 22, 23
Belleville.....	22, 23, 26, 27
Benedict, James.....	16
Bidwell, Marshall Spring.....	61
Big Island.....	17, 25, 26
Bininger, John.....	23
Blanchard, Charles.....	47
Bowen, Mrs.....	15
Bradshaw, Ashabel.....	15
Brantford.....	24
Brant, John.....	24
Brant, Joseph.....	24
Burknanan & Mabie.....	13
Burlingham, Reuben.....	18, 19
Burrows, Frederick.....	4, 5
Casey, Thomas W.....	5
Cataraqui.....	24
Centreville.....	5
Champlain, Samuel de.....	5
Chapham, Calvert.....	8
Checkley, E. R.....	5
Clark, David.....	18
Clark, John C.....	28
Clark, Richard L.....	50
Clark, William.....	17, 18
Cole, Peter.....	16
Crompton, William.....	17
Cross, Mr.....	17
Daly, James.....	4
Davy, B. C.....	5
Deseronto.....	24
Deserontyou, Capt. John.....	7, 11, 24
Dingman, A.....	5
Dopple, Mr.....	56
Dorland, Capt. Thomas.....	46, 60
Douglas, David.....	21
Douglass, Richard.....	46

Education, Early.....	5
Ellithorp, O. H.....	38, 39, 40, 41, 44
England, Church of.....	24
Ernesttown.....	28
Family Compact.....	61
Ferguson, John.....	7, 23, 24
Flach, U. J.....	4
Forrester's Island.....	24
Forsyth & Co.....	21
Forward, Mrs. H. T.....	4
Fredericksburgh Township.....	14, 25, 28
Gallagher, Mrs.....	35, 36, 59
Garbutt, Arch'd.....	31, 32
Garbutt, Henry.....	29, 30, 31, 32
Garbutt, Mary.....	29, 30, 31, 32
Garbutt, Nancy.....	29, 30, 31, 32
Garbutt, William.....	33, 59
Gazette, Kingston.....	25, 27
Gerow, Benjamin.....	19, 20
Gerow, David.....	17
Gerow, Henry.....	18, 20
Gerow, Isaac.....	19, 20
Gibbard, John.....	4
Gore, Lady.....	27
Grange, Mrs. A. W.....	4
Grass, Hannah.....	37
Grass, Henry.....	37
Greenleaf, Cornelius.....	16
Gunter, Abraham.....	20
Haldimand, General.....	23
Hallowell.....	17, 19, 20, 25
Harrisburg, Pa.....	24
Harvey, N. L.....	18, 20
Hastings Militia.....	23
Hawley, George D.....	4
Hawley, Mrs. J. P.....	5
Hawley, Wm.....	52
Helmer, Jacob.....	32
Herrington, W. S.....	4, 5
Homes, Jacob.....	32
Hough, John.....	35
Hough, Miss.....	41
How, Barbary.....	54
Huff, John.....	18
Hunter, Fort.....	24
Jarvis, Rev. Canon.....	4, 5
Jessup's Corps.....	27
Kauchner, Mr.....	16
Kent, M.....	41
Kingston.....	7, 8, 10, 11, 14, 21, 24, 58
Kreins, Major.....	39
Ladley, Betsy.....	51
Laing, Ann.....	21
Laing, Elizabeth.....	13, 25

Laing, Robert.....	13, 14, 16, 17, 18, 19, 20, 21,	25
Laing, William.....	.....	14, 25
Lamkins, George.....	.....	30, 31, 32
Lamkins, J.....	.....	33
Lamkin, Sylvester.....	.....	41
Lavice, James.....	.....	23
Leavens, Benj.....	.....	20
Leavens, Daniel.....	.....	17, 18, 19, 20
Leavens, Peter.....	.....	18, 19, 20
Leeds County.....	.....	26
Leonard, R. A.....	.....	4
Lochhead, J. S.....	.....	5
Lockwood, Susan.....	.....	51
London.....	.....	25
Losee, James.....	.....	37
Loveless, Essom.....	.....	16, 17
Loveless, John.....	.....	17
Lucas, George.....	.....	15
Macauley, Robert.....	.....	8
Macdonald, Rev. A.....	.....	4
Meyers, Walter.....	.....	27
Midland District.....	.....	22
Miles, Mr.....	.....	14, 25
Millhaven.....	.....	28
Mississaugas, The.....	.....	23
Mohawks, The.....	.....	8, 9, 11, 23
Mohawk School.....	.....	7, 23
Mohawk Village.....	.....	8, 9, 23
Moira River.....	.....	27
Montreal.....	.....	7, 21
Muskel, Wm.....	.....	20
Myer's Creek.....	.....	24, 26
McAuley, David.....	.....	30, 31, 32
McAuley, E.....	.....	44, 60
McAuley, James Jr.....	.....	29, 30, 31, 32
McAuley, James Sr.....	.....	33, 59
McAuley, Mary.....	.....	30, 31, 32, 58
McKee, Wm.....	.....	51
Napanee.....	.....	5
Newburgh.....	.....	5
New York.....	.....	13
Odle, Charlotte.....	.....	30, 31, 32
Ontario Historical Society.....	.....	4
Parke, James.....	.....	16
Perry, Peter.....	.....	61
Pickle, John.....	.....	15
Pieton.....	.....	26
Prich, John.....	.....	16
Purdy, D.....	.....	60
Purdy, Joseph.....	.....	33
Purdy, Martha.....	.....	30, 31, 32
Purdy, Samuel.....	.....	33, 58
Quebec.....	.....	12, 20, 21, 25
Quinte, Bay of.....	.....	5, 7, 8, 24, 25

Rankin, Anthony.....	29, 30, 31,	32
Rankin, Hugh.....		33, 59
Rigg, W. R.....		26
Robinson, J. W.....		4
Rose, Mr.....		34, 40
Ross, Donald.....		45
Ruttan, Mr.....		54
Savage, John.....		44
Scriba, Mr.....		16
Sharp, Mr.....		16
Shaw, Mr.....		16
Singleton, Capt.....		24
Smith, David.....	29, 30, 31,	32
Smith, Eliza.....	29, 30, 31,	32
Smith, Elizabeth.....	30, 31, 32,	58
Smith, George.....		33, 60
Smith, George Jr.....		15
Smith, Ira.....	29, 30, 31,	32
Smith, Jacob.....		15
Smith, Matthias.....		15
Smith, Peter.....		21
Smith, Thomas.....		56
Snyder, John.....		17
Sophiasburgh.....		26
Starr, Dean.....		24
St. George's Cathedral.....		24
Stein, Paul.....		5
Stuart, Rev. John.....	7, 8, 9, 10, 11,	24, 25
Swan, Ann.....		32
Swan, Samuel.....		33
Thayendanagea.....		24
Thomson, John.....		5
Thurlow.....	23, 24,	27
Tremper, Jacob.....		16
Tucker, John.....		20
United States.....		24
Upper Canada.....	13, 14, 24, 25,	59
Vader, John.....		16
Vantassel, Henry.....		17
Vanwinckel, B.....	33, 40, 59,	60
Walker, Edward.....		41
Walker, Henry.....	29, 30, 31,	32
Walker, Mrs.....		33, 60
Warner, Clarence M.....	4, 5,	6
Wilson, Uriah.....		4
Yarker.....		5
York.....		58





private piece of  
writing



Spinning Wheel



Flax Wheel

1

LENNOX AND ADDINGTON  
HISTORICAL SOCIETY.

PAPERS AND RECORDS.

VOL. VI.

"PIONEER LIFE ON THE BAY OF QUINTE" AND  
"THE COURT OF REQUESTS"

By W. S. HERRINGTON, K.C.

PRICE, 25 CENTS.

*7 Relations pagés as follows -  
1-55  
8-12-16-24  
92-48*

NAPANEE, ONTARIO.  
PUBLISHED BY THE SOCIETY.  
1915.

PRINTED AT THE BEAVER OFFICE.



## CONTENTS.

	Page
Chronology .....	4
Publications of the Society .....	5
Pioneer Life on the Bay of Quinte—By Walter S. Herrington, K.C. ....	7
The Court of Requests—By Walter S. Herrington, K.C. ....	35
Index .....	51

## ILLUSTRATIONS.

	Page
Spinning Wheel .....	Frontispiece
Flax Wheel .....	Frontispiece
Foot Stove .....	8
Swift .....	8
Gears and Reeds .....	12
Crackle .....	12
The Langhorn Residence, Bath .....	16
The Finkle Tavern, Bath.....	16
Standard Weights and Measures.....	24
Large and Small Heckles .....	24
Shuttles, Water Bottle, Candle Mould, Spools and Temple .....	24
The Fairfield Residence, Bath.....	32
St. John's Church, Bath .....	32
Marshall Spring Bidwell .....	48
Promissory Notes, Free Holders Bank .....	48

## CHRONOLOGY.

Society Organized.....	May 9th, 1907
Constitution Adopted.....	June 11th, 1907
First Open Meeting held.....	Oct. 25th, 1907
Affiliated with the Ontario Historical Society .....	March 31st, 1908

### Papers and Records Published :—

Volume I.....	June 12th, 1909
“ II.....	September 19th, 1910
“ III.....	November 15th, 1911
“ IV.....	June 14th, 1912
“ V.....	March 14th, 1914

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## PUBLICATIONS.

Vol. I. Chronicles of Napanee, first published in 1873 and 1874. The Origin of Some of Our Local Names, by W. S. Herrington, 1908. Yarker and Vicinity, by E. R. Checkley, 1908. Some Notes of Early Ecclesiastical History,—Bay of Quinte District, by Rev. Canon Jarvis, 1908. Some Early Amusements of the County, by C. M. Warner, 1908. The Village of Centreville, by J. S. Lochhead, 1908.

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## PIONEER LIFE ON THE BAY OF QUINTE.

### PART I\*

Pioneer life on the Bay of Quinte does not differ materially from pioneer life in any other part of Ontario, except along such lines and to such extent as that life may be moulded or influenced by the proximity of the bay itself. The presence of an extensive body of navigable water indenting the shore line would naturally induce the residents along its shores to seek communication with each other by the means that offers the least resistance, that is by means of boats. The familiarity with this means of conveyance would have a tendency to develop a love for a life upon the water; for while familiarity with that life may breed a contempt for its dangers, the old adage holds good no further. It is not a matter of surprise, therefore, to learn that the *FRONTENAC*, the first steamer on Lake Ontario, was built on the bay shore at Bath in 1816; the first shipyard of any consequence for building sailing vessels was established just across the bay on Amherst Island about 1832, and the sailing masters upon all the inland lakes regard the homes on the Bay of Quinte as the best recruiting grounds for manning their ships.

The longer one has lived upon the banks of a stream or the shores of a bay, the more loath is he to live amid surroundings of a different character. There is a fascination about the presence of the water which baffles our efforts to describe it. There is a sublime majesty about a mountain, a weird loneliness about a desert, an appealing mystery about a prairie, but a body of water, particularly a small navigable one, seems to comport with all our moods.

It would have been difficult to convince some of our pious and sainted grandmothers that the Bay of Quinte did not leave its moral effect upon those who lived along its shores. Who is so dead to the influences of his surroundings that he has not stood spell-bound upon the shore as the boisterous waves broke with an angry roar at his feet? No sooner had one spent its energy than another with a fury as relentless rushed madly forward, followed by countless others, and yet there was no apparent loss of power.

\*Read before The Ontario Historical Society at Ottawa on June 3rd, 1914.

Or who could sit unmoved upon a moonlight night and look upon the silver sheen over the placid bosom of the water and not feel the inspiring presence of that grand object lesson of "Peace! perfect Peace!"? Why should it not be a part of the divine plan of the Creator to mould our characters by these evidences of his power and omnipresence?

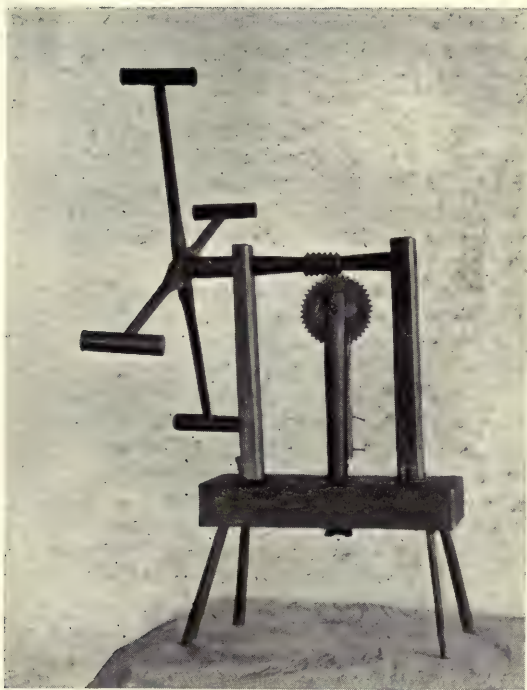
While we may not be able to demonstrate the theory of some of our ancestors that the bay has produced a benign effect upon the lives of many within the sphere of its influence, yet I believe that our physical environments mould our characters more than we are accustomed to admit. We unconsciously look through Nature up to Nature's God; and, the more avenues there are open to that God, the more likely are we to wander in that direction. Is not this mysterious influence evidenced by the superstitions of the sailors and the fishermen? They hear a voice calling to them from the waters and in their simple way they try to interpret it.

When the first Loyalists landed at the different points along the shore, the lots had not yet been marked out by the surveyors, and they were obliged to wait several weeks before the "drawings" could take place. They had brought with them a number of military tents which had seen service during the revolutionary war. Camping out in tents, as a recreation for a few weeks during the summer, is still looked upon as a rather pleasing pastime. It was, however, very annoying to the Loyalists. They had left their homes across the border eight months before to enable them to be ready to take possession of their new homes in the early spring, and it was already past the middle of June and every day lost meant one day less to enable them to prepare for the coming winter.

They had no alternative but to pitch their tents near where they had landed and wait until the surveyors had completed their work. Several weeks were thus passed in idleness and July was far spent before the "drawings" took place. This was a simple process. Small pieces of paper upon which were written the numbers of the lots to be apportioned were placed in a hat and the surveyor, with a map spread out before him, superintended the operation. The officers came first and drew their lots in the first concession, fronting upon the water. As each drew forth a piece of paper from the hat the surveyor entered his name upon the corresponding number upon the map. After the officers had been served, the other members of the company went through the same ceremony. During the few weeks that they had been waiting, some had made short trips through the forest and had observed favorite locations, and after the drawings had taken place, there was more or less



Foot Stove



~~Swift~~  
Reel



trafficking in lots and exchanging locations for a consideration ; but for the most part each accepted the lot drawn and hurried away to his future home.

The white village upon the shore was soon a scene of great confusion. Each family secured a few days' rations from the government supplies, packed up the tent and their other belongings and set out through the lonely forest. Unless one has visited a section of our country from which the timber has not yet been removed, it is difficult to form a proper conception of the condition of our older settled portions one hundred and thirty years ago. The debris of the forest lay rotting as it had fallen, the swamps were undrained, the rivers and creeks unbridged and the only roads were the blazed trails of the surveying party. The clearing up and draining of the farms has brought about a great change in the low lands. Large impassable creeks have been reduced to small streams that can be crossed with ease, and the swamps, which threatened to mire any who ventured over them a century ago, furnish a safe and firm foothold now.

It was with difficulty that the lots could be located, as there was nothing to indicate the boundary lines but the markers placed by the surveyors. When the little family group arrived at their destination, they pitched their tent again and the housewife busied herself in preparing their first meal in their new home, while the husband surveyed his domain, noting the character of the soil, the presence of creeks, mounds and other conditions favorable for the first clearing and the erection of a house. That the selection was in most cases wisely made is attested to-day by the excellent natural surroundings of the old homesteads.

As they partook of their first meal in their wilderness home they contrasted their primitive surroundings with the comforts and luxuries they had left behind them in the south ; but, with no regret for the sacrifices they had made, they laid their plans for the future. On the morrow the father and sons, if there were any, and not infrequently the mother too, set out to do battle with the forest. The short handled ship axe, not much heavier than the modern hatchet, was their only weapon. They labored with a will and cleared a space large enough for the cabin.

There was no cellar nor foundation as for our buildings of to-day. A small excavation in the centre, to be reached through a trap-door in the floor by means of a short ladder, served the purpose of the former, and a boulder placed under the ends of the base logs at each corner of the building was ample support for the walls. It was slow work, felling the huge pines, cutting them into proper lengths, hewing them into shape and laying them into position, but

slowly the building rose until it attained the height of nine feet, when the rafters were set in position. Then, too, the chimney was commenced. A stone foundation was carefully prepared, crowned with flat stones to serve as the hearth. The huge fire-place was then built of stones, and above it was erected a chimney in a manner similar to the house, but instead of using logs, small sticks, two or three inches in diameter, were laid tier upon tier in the form of a hollow rectangle. It was carried a foot or two above the peak and plastered over with clay inside and out. In many of the early dwellings there were no chimneys and the smoke was allowed to escape through a hole in the roof as best it could.

The roof was composed of thick slabs, hollowed out in the form of shallow troughs, and these were laid alternately with the hollow sides up, the convex form of one overlapping the edges of the concave forms of those on either side. There was an opening for a door, but, with timber "to burn", no lumber was to be had at any price unless it was sawed out by the tedious process of the whip saw, so doors there were none; but a quilt hung over the opening served the purpose. Two small windows, one on either side of the door, admitted light to the dwelling. These windows would hold four or six 7x9 panes of glass, but many a settler had to content himself with oiled paper instead. The sash he whittled out with his pocket knife. Sometimes there was no attempt at a transparency, and the window was opened and closed by sliding a small piece of board, set in grooves, back and forward across the aperture. The interstices between the logs were filled with sticks and moss plastered over with clay. Thus the pioneer's house was complete and not a nail or screw was used in its construction. When lumber became available a plank or thick board door took the place of the quilt in the doorway and was fastened by a strong wooden latch on the inside. The latch was lifted from without by means of a leather string attached to it and passed through a hole a few inches above and when the inmates of the house retired for the night or did not wish to be molested the string was pulled inside. The old saying "the latch-string is out" was a figurative method of expressing a welcome or saying "the door is not barred against you". The pioneers had big hearts, and to their credit it can be said the latch-string was rarely pulled in when a stranger sought a meal or a night's lodging.

If the family was large the attic was converted into a second room by carrying the walls up a log or two higher. Poles flattened on both sides were laid from side to side to serve as a ceiling to the room below and as a floor for the one above. A hole left in one corner gave admittance by

means of a ladder and one small window in the gable completed the upper room.

For the same reason that there was no door, there was precious little furniture. Some of the Loyalists brought a few pieces, a grandfather's chair, a chest of drawers or a favorite bedstead, but, as a rule, there was no furniture but such as was hewed out with the axe and whittled into shape and ornamented with a pocket knife. A pocket knife and a pen knife are not synonymous. The former was a strong knife made to serve many useful purposes, while the latter was a small knife carried for the purpose of shaping the quill pens.

For a bedstead there was a platform of poles across one end of the room, about two feet above the floor, supported by inserting the ends between the logs in the wall. Rough benches with four legs served as seats and a table was similarly constructed on a larger scale. Later on when lumber was obtainable these articles of furniture were replaced by more serviceable ones. The deal table, the board bench and the old fashioned chair with the elm bark bottom and back, woven as in a basket, were one step in advance. It not infrequently happened that in large families there were not enough seats to accommodate all, and the younger members stood up at the table during meal time. If a bedstead could be afforded it was sure to be a four-poster with tester and side curtains. Bunks were built against the walls which served as seats in the daytime but, when opened out, served as beds at night. Wooden bedsteads were also made and supplied with mattresses of boughs, corn husks, straw or feathers, resting upon wooden slats or more frequently cords laced from side to side and end to end of the framework. A trundle bed for the children would be stowed away under the bedstead during the daytime and hauled out at night. This was like a large bureau drawer with rollers or small wooden wheels on the bottom and handles in front. The handles consisted of short pieces of rope, the ends of which ran through two holes and were knotted on the inner side.

As soon as the iron could be procured a crane was swung over the fire-place and from it were suspended the iron tea-kettle and the griddle. The latter was a large disc upon which the pancakes were made. It was supported by an iron bale and was large enough to hold eight or ten fair sized cakes. The frying pans were similar to those in use to-day, but were furnished with handles three feet long so that they could be used over the hot coals of the fire-place. The bake-kettle was an indispensable article in every household. It was about eighteen inches in diameter, stood upon short legs and would hold four or five two-pound loaves or

their equivalent. The coals would be raked out on the hearth and the kettle set over them and more coals heaped upon the iron lid. These were replenished, above and below, from time to time, until the bread was thoroughly baked. The bake-kettle was superseded by the reflector, which was an oblong box of bright tin enclosed on all sides but one. It was placed on the hearth with the open side next a bed of glowing coals. In it were placed the tins of dough raised a few inches from the bottom so the heat could circulate freely about the loaves. The upper part of the reflector was adjustable, to enable the housewife to inspect the contents.

The reflector in time gave way to the bake-oven, which was built in the wall next the fire-place, so that one chimney would serve for both, or the oven would be built outdoors under the same roof as the smoke-house. The latter was a comparatively air-tight brick or stone chamber used for smoking beef and the hams and shoulders of the pigs. Before the advent of the smoke-house, strips of beef required for summer use were dried by suspending them from pegs in the chimney.

The reflector was sometimes used for roasting meat, but where the family could afford it, a roaster was kept for that purpose. It was smaller than the reflector and constructed in a similar manner and, running from end to end through the centre, was a small iron bar, one end of which terminated in a small handle or crank. This bar, called a spit, was run through the piece of meat, and by turning the handle from time to time the meat was revolved and every portion of the surface was in turn brought next the fire. The drippings from the meat were caught in a dripping-pan placed underneath for the purpose. These drippings were used for basting the roasting meat and this was done with a long handled basting spoon through an opening in the back, which could be closed at will.

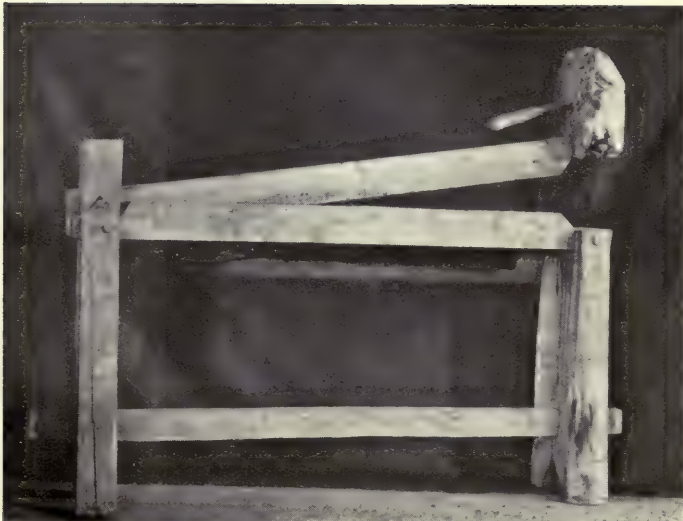
As there were no matches in the early days the fire was kept constantly burning, and when not required the coals could be covered over with ashes, where they would remain alive for hours. Occasionally the coals would die out and then one of the younger members would be sent away to a neighbor to obtain a pan of live ones. Most families were skilled in making a fire by striking sparks from a flint upon a dry combustible substance, or by rapidly revolving one dry piece of pine against another, as the Indians used to do, but these practices were slow and not resorted to except in extreme cases.

The blazing logs in the fire-place furnished ample light during the winter evenings. The inventive genius of man has since produced the kerosene lamp, gas, acetylene, elec-





Gears and Reeds



Crackle



tricity and other illuminants, but none of them can extend the bright welcome of the pine knots blazing about the old fashioned back-log. If any other artificial light was required the tallow dip was the only alternative. This was a tallow candle made before the moulds were introduced. A kettle would be placed over the coals with five or six inches of water in the bottom. When it was brought to the boiling point there was added the melted tallow, which remained on the surface of the water. The only service the water was intended to render was to support the tallow by raising it so many inches above the bottom of the kettle, where it could be made use of much more easily than it could if it remained at the bottom. The candle wicks were twisted with a loop slipped over the end of a small stick. Five or six would be thus suspended from the stick and slowly dipped into the liquid tallow, by which process the wicks became saturated and as soon as the tallow congealed they were dipped in again and the operation repeated until the wick was surrounded by a thick coating of tallow very similar to the ordinary wax or tallow candle, but not so smooth or uniform in size as those made in the moulds.

Dishes were as scarce as cooking utensils. A few earthenware plates, bowls and a platter were displayed upon a shelf and these were all the house could produce. Others were whittled out of the fine grained wood of the poplar and served the purpose fairly well until the Yankee pedlar arrived with the more desirable pewter ware.

A corner cupboard, from whose mysterious depths, even in our time, our grandmothers used to produce such stores of cookies, doughnuts, tarts and pies, completed the equipment of the pioneer's first house.

Unless the site for the homestead was conveniently near a spring or other never-failing supply of fresh water, one of the settler's first requirements was a well. The location for this was, as a rule, determined by a divining rod or witch hazel in the hands of an expert. Confidence in this method of ascertaining the presence of water has not yet died out, as the writer witnessed the payment of five dollars last summer for a service of this kind. When the well was dug and stoned up, heavy poles were laid over it to protect it. A pole was planted ten or twelve feet from the well and terminated in a crotch several feet above the ground, the distance depending upon the depth of the well. In this crotch rested another pole called a "sweep", to the small end of which, suspended over the centre of the well, hung the bucket. The sweep was so balanced that its heavy end would lift the bucket of water from the well with very little effort upon the part of the operator.

During the first season neither barns nor stables were

required, as the settler had neither stock nor crop of grain. When he did need them they were built of logs in the same manner as the house.

A small clearing about the house was made the first year in which was planted some turnip seed. This patch was carefully guarded and yielded a small crop of roots which were stored away for winter use in a root cellar built for the purpose. It was a small rough enclosure of logs built in a bank or the side of a hill and covered over with earth.

Little further progress could be made in the new home until more land was cleared, stock introduced and farming operations begun in earnest. This took years to accomplish as the land was densely wooded and even with the aid of the cross-cut saw and the oxen it was slow work getting ready for the plow. The farmers worked early and late battling with the forest, single handed and in bees, cutting and burning the valuable timber, which to-day would yield a fortune, but then, the only return from it was the potash made from the ashes. The stumps were most unyielding, particularly the pine ones, and all sorts of contrivances were devised to uproot them. Sometimes they were burned out, but this was a slow process and a large portion of the soil about them would be burned. Blasting powder was used and many patterns of stump machines, but the most common and perhaps the most satisfactory method was to cut the roots that could be easily reached, hitch a logging chain to one side and let the oxen tip it over by sheer brute force. The pine stumps made excellent fuel for the fire-place, and were also used for fences.

When the first crop of grain was obtained it was harvested with the crude implements of the day and conveyed to the threshing floor. As a rule this consisted of a bare piece of ground, sometimes covered with boards or flat stones, but more frequently the bare earth had no covering. Here the grain was pounded out with a flail and nature supplied the fanning mill by blowing the chaff away when the mixed grain and chaff were tossed into the air during a stiff breeze.

To convert the wheat into flour was a more serious matter. The government had provided a few little hand mills, but they were not adapted to the purpose, so the settler took a lesson from the Indian, burned a large hole in the top of an oak stump and pounded the wheat to a powder with a pestle or a cannon ball suspended from the end of a sweep. It was not many years before government mills, operated by water power, were erected at different points, so that this section, through its excellent system of waterways, suffered little inconvenience compared with some

parts of the province, in getting their grists to the mills.

Ten, fifteen or twenty years wrought a great change in the wilderness home. Small clearings were everywhere to be seen. Barns had sprung up, the houses had been enlarged, and the hoarse tinkling of the bells betrayed the presence of the cattle. Sheep and swine were also found on every farm, but they had to be guarded to protect them from marauding bears and wolves. Of horses there were a few. Awkward as the ox may appear with his swaggering gait, he was more than a match for the horse in finding a sure footing among the stumps, logs and fallen timbers. Breaking in "Buck and Bright" to come under the yoke and to respond to the "gee", "haw" and the snap of the whip was a tedious undertaking, but was successfully accomplished.

The general store had appeared, but the pioneer had learned to be independent, and still supplied most of his own wants. He raised his own flax, and when it was ripe he pulled it by hand, tied it into small sheaves so it would dry quickly, and shocked it up. When it was cured, it was taken to the barn and threshed out with a flail. The straw was then spread out on the ground and left for two or three weeks until it had rotted sufficiently to permit the stalks to be broken without severing the outer rind, which supplied the shreds. The object was to get it in such a condition that this outer part could be freed from the inner. It was first put through a crackle, which was a bench four feet long composed of three or four boards stood on their edges and just far enough apart so that three or four similar boards, framed together and operated from a hinge like a pair of nut crackers, would, when closed down, drop into the several spaces between the lower boards. The straw was passed over the lower boards at right angles and the operator raised and lowered the upper frame bringing it down on the flax, breaking the stalks and loosening the outer shreds from the inner pulp. To remove the pulp the stalks were then drawn over a heckle, which was a board with scores of long nails protruding through. This combed the coarser pulp away, when the same process was repeated over a finer heckle, which left the shreds ready to be spun into thread on a spinning wheel similar to but smaller than that used in spinning wool. The thread was then bleached, dyed, wound into balls and passed on to the weaver. In like manner the farmer raised his own sheep, sheared them and washed and carded the wool. Every maiden served her apprenticeship beside the spinning wheel and her education was not complete until she had learned how to spin the yarn, pass it over the swift and prepare it for the loom, which had become a part of the equipment of nearly every

house. The linen, flannel and fullcloth for the entire family were made upon the premises. Service was more sought after than style, particularly in the "every day clothes", and, if the mother or maiden aunt could not cut and make a suit, the first itinerant tailor who happened along was installed as a member of the household for a fortnight and fitted out the whole family for the next year.

The boots and shoes were also home-made, or at least made at home. Somewhere about every farm would be found a tanning trough, in which a cowhide would be immersed for three weeks in a weak solution of lye to remove the hair and any particles of flesh still adhering to the skin. It was then transferred to a tub containing a solution of oak bark and left for several months, after which it was softened by kneading and rubbing, and was then ready to be made up. The making of the boots required considerable skill. A man can wear and obtain good service from an ill-made suit of clothes, but a poor fitting pair of boots is an abomination likely to get the wearer into all sorts of trouble. Corns and bunions are not of modern origin, but have afflicted the human race ever since boots were worn. A kit of shoemaker's tools, composed of a last, hammer, awls and needles, was to be found in every house, and some member was supposed to be expert in adding a half sole or applying a patch; but few attempted to make the boots. The itinerant cobbler went about from house to house and performed this service. A few years later every neighborhood had its tannery and every village its one or more shoemakers. The tanner took his toll from each hide and the shoemaker for a bag of potatoes, a roll of butter or a side of pork would turn out a pair of boots which would outwear the factory-made articles of to-day.

The skins of the bear, fox and raccoon furnished fur caps for the winter, and the rye straw supplied the material for straw hats for summer, and some member of nearly every family was capable of producing the finished articles from these raw materials. The milliner, as such, would have had a hard time in earning a living a hundred years ago, as head-gear at that time was worn to protect the head.

The life of the early settler was not all work and drudgery. They had their hours of recreation and what is best of all they had the happy faculty in many matters of making play out of work. This was accomplished by means of bees. There were logging bees, raising bees, stumping bees and husking bees for the men, while the women had their quilting bees and paring bees. The whole neighborhood would be invited to these gatherings. It may be that upon the whole they did not accomplish more than could have been done singlehanded, except at the raisings, which



The Langhorn Residence, Bath



The Finkle Tavern, Bath





required many hands to lift the large timbers into place ; but work was not the only object in view. Man is a gregarious animal and loves to mingle with his fellow man. The occasions for meetings of any kind during the first few years were very rare. There were no fairs, concerts, lectures or other public entertainments, not even a church, school or political meeting, so, in their wisdom, they devised these meetings for work, and work they did, but Oh ! the joy of it ! All the latest news gathered from every quarter was discussed, notes were compared on the progress made in the clearings, the wags and clowns furnished up their latest jokes, and all gorged themselves with the good things brought forth from the corner cupboard.

Perhaps some special mention should be made of the logging bee, as it stands out alone as the only one of these jolly gatherings that was regarded as a necessary evil, particularly by the female members of the family. Perhaps the grimy appearance of the visitors had something to do with the esteem in which they were held at such times. The logging bee followed the burning of the fallow, which consumed the underbrush, the tops and branches of the trees and left the charred trunks to be disposed of. In handling these the workers soon became black as negroes, and the nature of the work seemed to demand an extraordinary consumption of whiskey, anyway the liquor was consumed, the men frequently became disorderly and concluded the bee with one or more drunken fights. The afternoon tea now serves its purpose very well, but modern society has yet to discover the equal of the quilting bee as a clearing-house for gossip. To the credit of the fair sex we might add that they rarely made use of intoxicants ; but the old grannies did enjoy a few puffs from a blackened clay pipe after their meals.

Whiskey was plentiful in the good old days, but the drinking of it was not looked upon with such horror nor attended with such disastrous consequences as in our day. This difference was probably due both to the drink and the drinker. Some people will not admit that any whiskey is bad, while others deny that any can be good, but the whiskey of a hundred years ago does not appear to have had as fierce a serpent in it as the highly advertised brands of the present day. It possessed one virtue, and that was its cheapness. When a quart could be purchased for six pence, a man could hardly be charged with rash extravagance in buying enough whiskey to produce the desired effect. It was considered quite the proper thing to drink upon almost any occasion and upon the slightest provocation, and if a member of a company received an overdose and glided under the table, it created no more sensation

than if he had fallen asleep. As the population increased taverns were set up at every crossing of the roads. Some of these, especially the recognized stopping places of the stage coaches, were quite imposing hostelries, and as the guests gathered about the huge fire-place on a winter's evening and smoked their pipes, drank their toddy and exchanged their tales of adventure and travel, the scene produced was one that has no counterpart in our day. It was a form of sociability and entertainment that departed with the passing of the stage coach.

In this age of railroads and motor cars we have no conception of the discomforts of travel eighty or a hundred years ago. The Loyalists clung for many years to the bateaux, the flat bottomed boats, which brought them in the first place to the shore of the bay. They were used even in long journeys, and in going west they were carried across the Carrying Place at the head of the bay by a man named Asa Weller, who kept a low wagon and a yoke of oxen ready at hand to transport the travellers from the bay to the lake and back again upon the return trip. In 1816 the first stage line in the province was inaugurated between Kingston and Bath by Samuel Purdy, of Bath, and in the following year he opened a line from Kingston to York. The roads were wretched and the fare was eighteen dollars. Fourteen years later William Weller, a son of Asa, whose business of transporting the bateaux from one body of water to the other had brought him in contact with the travelling public and acquainted him with their needs, established a bi-weekly service between the Carrying Place and York, in connection with the steamer Sir James Kempt, which carried the passengers on to Prescott. The fare from York to Prescott was £2 s10. The stage left York at four o'clock in the morning, arriving at the Carrying Place the same evening. The very term stage-coach suggests to our minds a spanking four-in-hand, in brass mounted harness, attached to a gayly decorated conveyance. We picture them dashing through a village under the crack of the coachman's whip. Away they go, rattling over the bridge down the turnpike, and with a shrill blast of the footman's horn they haul up at the wayside inn where a fat and smiling landlord escorts them in to a hot dinner. Such were not the stage coaches of our forefathers. They were simply lumber wagons, without springs, covered with canvas like the prairie schooners, or plain wooden enclosures with seats suspended by leather straps. Just think of being cooped up in such an affair from sunrise to sunset, jolting over the rough roads, dodging stumps, rocks and fallen trees, plunging down a steep embankment, fording rivers and streams, and sinking now and then to the axles in mud. During the summer months

the mosquitos and black flies added to the misery of the travellers. Even so, in this as in all things, the pioneers looked not so much on the dark side of life as on the bright. The distance was to be covered, every jolt and bump brought them one step nearer their destination. The tales of the fellow travellers were entertaining and helped to shorten the way. Perhaps he was a legislator just returning from a meeting of the House, perhaps a merchant on his way to Montreal to make his year's purchase of goods, or a young adventurer from the old country spying out an opportunity to better himself in the new world. The forest had its charms, albeit the insects at times were abominable. As they passed through a clearing the yeoman with a swing of his hat would wish them God-speed. The monotony was broken time and again by a glimpse of the bay or lake and the road, in places, followed the beach where the waves broke under the horses' feet. Awaiting them at the journey's end were that rest and peace which the home alone can afford, that bright welcome of the fire-side built with their own hands and the smiles of the loved ones who had shared all their trials and victories. It was symbolical of that greater journey through life upon which we are all embarked and which we travel but once.

#### PART II.

During the first few years of the Loyalist settlements the laws were administered in a haphazard fashion—a sort of paternal military despotism. Being a portion of the Province of Quebec, the laws of that province technically applied; but there was no machinery for enforcing them, so the officers in command of the various companies preserved order and settled civil disputes as best they could, and, considering the opportunities for differences, there was very little friction, and such as did arise was disposed of most creditably. In 1792 a government was given to Upper Canada, but, even before the arrival of Governor Simcoe, many of the communities had organized their town meetings and appointed their local officers, such as clerks, constables and overseers of highways. The Statute authorizing such meetings was based upon the organizations already in existence, so that the idea of local self-government did not originate with the legislature. Parliament merely legalized and made general throughout the entire province the holding of just such town meetings as had already been organized in many of the older townships.

It is no particular mark of superiority to-day to be enrolled as a justice of the peace; on the contrary it might be regarded as a distinction to escape it. Not so in the

early days of our province. The humblest citizen is now addressed as an esquire, but a hundred years ago all hats were doffed when the "Squire" passed through the streets of a village. He was a man of some importance. He tried petty offences in his own neighborhood, as a member of the Court of Requests minor civil actions were heard by him, but as a member of the Court of General Sessions he rose to his greatest dignity. This body of justices, assembled in General Session, not only disposed of civil and criminal cases, but were clothed with ministerial power as well. They enacted local legislation for the districts they represented, levied and disbursed the taxes, granted licenses, superintended the erection of court houses and gaols, the building of bridges and generally performed the functions of our municipal councils of to-day. They would meet periodically in the leading village of the district and would sometimes remain in session for a week, and, considering the amount of business they transacted, they were very expeditious when compared with the modern County Council.

The town meeting continued to meet once a year, the first Monday in March, to appoint its officers, and, although they had no jurisdiction to do so, to pass, repeal and amend enactments for purely local purposes. These "Prudential Laws", as they called them, regulated such matters as the height of fences, the running at large of certain animals and the extermination of fowl weeds. The people favored the town meeting, as it was of their own making. It was the first step in democratic government by and for the people. The chronic grumbler found there an opportunity to air his grievances. The loquacious inflicted his oratory upon his assembled neighbors. Each man to his liking played his part at the annual gathering and realized that he was of some consequence in controlling the affairs of the township. Thus did the inhabitants continue to encroach upon the authority of the Justices in Session, who from time to time issued their decrees dealing with some of the matters over which the town meetings had assumed jurisdiction, until 1850 when our present municipal system was introduced and the justices were practically shorn of all but their judicial power.

Parliamentary elections to-day are very tame affairs compared with those of a century ago. The open vote afforded opportunities for exciting scenes that the rising generations know not of. The closing of the bars on election day has robbed the occasion of a good deal of romance. The actual voting contest is now limited to eight hours, from nine to five, and one might rest peacefully in a room adjoining a polling booth and not be aware that an election was in progress. It was all very different even fifty

years ago. Whiskey and the open vote were two very potent factors in keeping up the excitement. Instead of having several booths scattered throughout each township there was only one in the electoral district. The principal village in the district was generally selected, but some times the only booth was set up in a country tavern, especially if it was in a central location and the proprietor could pull enough political strings. A platform would be constructed out of rough boards and protected from the weather by a slanting roof. On Monday morning of election week the candidates and their henchmen would assemble in the vicinity of the platform, which was known as the hustling. The electors would come pouring in from all parts of the electoral district. Each party would have its headquarters at a tavern or tent, or both, where the workers would lay their plans. The forenoon would be spent in listening to the orators of the day, and at one o'clock the polling would begin. It is easy to imagine what would happen to the doubtful voter when he arrived at the village. As the poll was kept open every day until Saturday night it is not quite so easy to picture the scene during the last day or two of a hot contest. Couriers with foaming horses were going and coming. Heated discussions frequently terminated in a rough and tumble fight, in which a score or more participated. Drunken men reeled about the streets until carefully stowed away by their friends in a tent or stall in the tavern stable. If the inebriate had not yet polled his vote his whilome friends would be most solicitous in the attention bestowed upon him. It not infrequently happened that the indifferent voter would purposely play into the hands of both parties. It was a golden opportunity for free lunches and whiskey, and the longer he deferred the fateful hour when he was to announce to the returning officer the candidate of his choice the more difficult it was for him to choose. In his dilemma he would seek his solace in a little more whiskey and, in the end, perhaps vote for the wrong man. If unhappily he did make such a mistake, his political guardians never failed to call his attention to the error in a manner not likely to be soon forgotten. Such incidents were thereafter associated in the mind of the offender with unpleasant recollections of the village pump or the nearest creek.

The Loyalists were so busy in clearing the land and getting the new home into shape that little time was left for looking after such matters as educating the young. There were no laws regulating the school system, no buildings nor funds for school purposes, no officials to take the lead, and what was done was the spontaneous outcome of a desire to equip the rising generation for the duties of

boy with a treacherous memory failed to place it under its proper heading, a flogging was considered a proper remedy for the offence. It sometimes happened that a boy did not see eye to eye with his teacher upon this question of corporal punishment, and a scrimmage would ensue, and if the teacher came out second best, his usefulness in that neighborhood was gone.

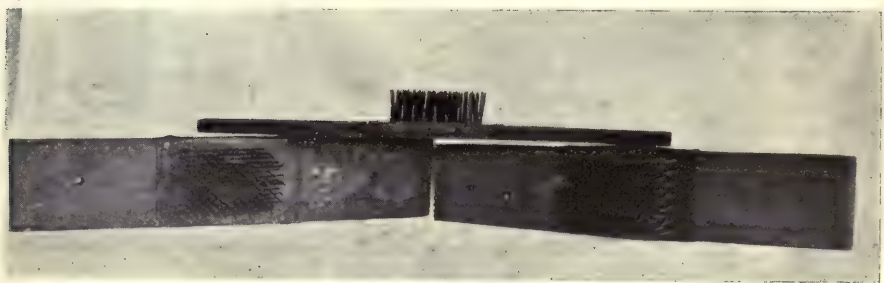
To be learned, as the teacher was supposed to be, was a distinction which gave him a certain amount of prominence, and opened up for him several other fields of usefulness. He was frequently called upon as arbitrator to adjust complicated accounts, or to settle disputes in the measurement of wood or lumber, or to lay out a plot of ground with a given acreage. He was the court of last resort in matters of orthography and spelling. If he happened to be of a religious turn of mind he might be called upon to fill the pulpit in the absence of the regular clergyman.

The Squire and the school teacher each played their parts in the administration of the affairs of the neighborhood, each carried some weight and commanded a certain amount of respect; but both yielded first place to the clergyman. While there were several denominations, the Anglicans, Presbyterians and Methodists included the great bulk of the population. The Anglicans were the pampered class, received most of the public favors, and were correspondingly haughty and independent. For the first fourteen years of the settlement the clergymen of this church enjoyed a monopoly in the matter of marrying. It was lawful under certain circumstances, where the parties were far removed from the clergyman, for a Justice of the Peace to tie the knot, and in rarer cases still for a military officer to perform the ceremony. In 1798 the privilege was extended to the ministers of the Presbyterian Church, and as they did not insist upon the wedding party going to the church, the "meenster" secured many fees which otherwise would have gone to his Anglican brother of the cloth. The great democratic body of Methodists were severely handicapped, and did not come to their own until 1831, when the gate was thrown wide open, and the clergy of nearly every recognized religious denomination were placed upon the same footing in respect to marrying as the Anglicans and Presbyterians.

Some of the extreme Loyalists could not reconcile Methodism and loyalty to the Crown, and the records inform us of more than one persecution for preaching the doctrines of the Methodist Church; in fact one duly elected member of the Legislative Assembly was refused his seat in the House because he had upon occasions filled the



Standard Weights and Measures



Large and Small Heckles



Shuttles, Water Bottle, Candle Mould, Spools and Temples





pulpit in a Methodist meeting house. It is only fair to those who opposed such extreme measures to explain that these extraordinary occurrences took place at a time when the feeling in this country against the United States was very strong, and the Methodist body in Upper Canada was under the jurisdiction of a General Conference across the line.

The life of the preacher even in our day is not one of unadulterated bliss, filled with sunshine, stewed chicken, prayers and mince pie, as a good many laymen seem to think. I can conceive of no more difficult task than being kept under constant restraint, listening to a thousand silly grievances and meeting all manner of people with a smile. So far as the comforts of this world are concerned, the modern clergyman has a very easy time of it when compared with the pioneer preacher of a hundred or more years ago. He travelled on horseback with his bible and a change of clothing in his saddle-bags, preaching ten or twelve times a week in churches, school houses, taverns and the log cabins of the settlers, wherever a few could be collected to receive the Gospel message. In all kinds of weather, the faithful preacher might be seen plodding along through the heavy snow drifts, or fording the unbridged streams upon his holy mission to the remotest corners of the settlement. No complaint escaped his lips as he threaded his way through the lonely forest, now and then humming a few snatches from some old familiar hymn. Perchance he halted beside a spring for his mid-day meal, and fervently thanked God from whom all blessings flow as he hauled from his spacious pockets the sandwiches furnished by his host of the night before. His circuit extended sometimes for fifty, sixty or an hundred miles, and he rarely spent his evenings at home, if he had one, but slept where night overtook him, glad of the opportunity to share a bunk with the parishioners' children, or make himself as comfortable as he could upon a mattress on the floor. His uniform may have been frayed and not of the orthodox cut, his sermons may not have possessed that virtue of brevity which so many congregations now demand, they may have fallen far short of some of the sensational discourses of to-day, but he was a faithful exponent of the Gospel, the plain and simple truth as he found it exemplified in the life of our Saviour. That the pioneers closely followed the tenets of the Golden Rule is largely due to the self-sacrificing efforts and exemplary life of the early missionaries.

No religious gathering among the Methodists could compare with the camp-meeting. It was the red-letter week of the year, given up wholly to prayer, singing and exhortation. The first meeting of this kind was held in the autumn

of 1805 on the south shore of Hay Bay, near the old Methodist chapel. The Rev. Wm. Case is credited with having planned the meeting, and he was assisted by the old pioneer preachers, Bangs, Ryan, Pickett, Keeler and Madden. For several years they met annually in this vicinity, and the meetings became so popular that they began to look about for a more favorable location. Several matters had to be considered. The first essential was a grove high and dry and free from underbrush, accessible both by land and water. An ideal spot was found at the head of Carnahan Bay, then known as Perch Cove. It is the first inlet north of the main channel of the Bay of Quinte, nearly opposite Glenora. At the head of this small bay a stony point separates the mouths of two creeks; Chalmer's creek on the south and a small tortuous stream on the north bearing the rather effeminate name of Mary Ann's Creek. The latter ran alongside a grove which was selected as the permanent camping ground. Near by was a never-failing spring of pure water, and Chalmer's Creek furnished a safe shelter and convenient landing for the bateaux. The auditorium was in the shape of a horseshoe, about one-half acre in extent, surrounded by tents made of canvas or green boughs supported by poles. Across that part corresponding with the opening in the shoe was a preachers' platform. In front of it was a single row of logs,—the penitent bench,—and the rest of the space was filled with parallel rows of logs,—the pews. Thither by land and water came the devout Methodists of the district; but then, as now, the females far outnumbered the males in their religious observances. With them they brought chests of provisions, their bedding and bibles. Morning, noon and night the woods resounded with songs of praise, the warning messages of the preachers and the prayers of the faithful pitched in every conceivable key. The surroundings seemed to add an inspiration to the services. When the great throng joined fervently in "All Hail the Power of Jesus' Name", to the accompaniment of the rustling leaves, the hearts of all present were deeply moved. During the closing exercises, marching in pairs around the great circle, with mingled feelings of gladness and sorrow, they sang lustily the good old hymns and then with many affectionate leave-takings dispersed to their several homes.

The staple articles of food among the pioneers were much the same as in our day. Pork formed the chief item of meat. The hams and shoulders were smoked, and the rest of the carcass preserved in a strong brine. The flour was coarser than the article we get from the modern roller mills, but none the less wholesome. Corn meal was used much more extensively than now. It was boiled and

used as a porridge for breakfast with a thick covering of brown sugar sprinkled over it, and what was left over became quite firm as it cooled and was eaten for supper with milk, or cut into thin slices and fried. Corn meal griddle cakes were also in great demand. Johnny-cake was not popular, as it was regarded as a Yankee dish, and it took a good many years for the Loyalists to reconcile themselves to anything in any way associated with their former persecutors.

Wild strawberries, raspberries, plums and gooseberries were to be had for the picking, and the thrifty housewife always laid in a good supply. The raspberries and plums were dried in the sun and put away for future use or made into a jam like the gooseberries and strawberries.

The maple furnished the most of the sugar, but cane sugar was afterwards imported, not the white lump or granulated sugar of to-day, but a moist, dark brown unrefined product known as muscovado, from which the syrup had been drained.

Tomatoes were not considered fit for human food until after the middle of the nineteenth century. If grown at all the fruit was used merely for purposes of ornamentation, suspended from strings in the windows under the name of love apples.

Although our fresh waters abounded in fish of a superior quality, the Loyalists were not what we would call a fish eating people. Perhaps no people ever were or are as a matter of choice. Most of us enjoy a fish dinner once in a while, but few, if any, of us would care to accept it as a steady diet or as a substitute for meat. The rigors of our climate and the out-door life of hard work seemed to call for something more sustaining. The bay teemed with maskalunge, bass, pickerel and pike, and in the late autumn months the whitefish and herring were very plentiful. The mascos were speared at night by the aid of a jack light, and they were even shot from the shore as they were lazily swaggering along in the shallow water. In the early spring a mess of pike could be secured at any time with very little effort. Every inlet and creek seemed to be alive with them. The white fish always has held first place among our merchantable fish. In the summer season they are caught in nets upon the shoals of the lake, and in October and November the seines are thrown across their path as they are running up the bay. I have heard an octogenarian, whose truthfulness even in a fish story I had no reason to doubt, declare that he had frequently, when a boy, speared fifty or sixty whitefish in one night.

Clergy reserves and bad roads would not in the ordinary process of association of ideas be linked together, much less

would we regard them in the relation of cause and effect. But to a great extent such is actually the case. It is only in recent years that it has dawned upon our legislators that it requires some brains and good management, as well as tile, broken stones and ballast, to construct and maintain a good road. In very few rural sections of the Bay of Quinte district, and the same holds good, I believe, of the greater part of the province, has any intelligent system of constructing public highways been adopted. Under the Constitutional Act a portion equal to one-seventh of the lands granted for settlement was set apart for the support of a Protestant clergy. These reserves lay, for the most part, unimproved. The only provision for the maintenance of roads cast upon the owners of lands the burden of keeping up the road crossing or adjoining their respective farms. The reserves were exempt from this liability, with the result that the highways along the reserves were as bad as ordinary wear and tear could make them. The load that can be carried over any road must be adapted to the worst part of it. "Why should I", the farmer asked himself, "build a good road in front of my farm so long as there is that wretched stretch along the reserve? I can take no greater load to market than can be hauled over that bad piece of road". So he neglected his own road, and his neighbors did the same. They became accustomed to poor roads, and, although there was an abundance of first-class material from which to build them, the roads were not built. The old system passed away and Statute labor was introduced. Was labor ever put to such poor use? The chief object of the pathmaster, who, as a rule, knew no more about building roads than he did about higher mathematics, was to see that the time was put in. In some places he would cause the sides of the roads to be ploughed out and the loose earth heaped in the centre to facilitate the miring of the heavy loads after the first rain. In others, the loose stones uncovered and unrolled were left to be scattered about by the horses' hoofs. It is only in recent years that a genuine effort has been put forth to rouse the people from that indifference upon the subject of good roads that took possession of them in the days of the clergy reserves.

There were courts as early as 1787, and the parties before them were represented by counsel, but there was no recognized standard of admission to the bar, nor were there any restrictions placed upon those who appeared for the unfortunate principals in the proceedings, and consequently there was no uniformity in the practice. In 1794 the Legislature empowered the Governor, Lieutenant-Governor or person administering the affairs of the province to "authorize by license, under his hand and seal, such and so many

of His Majesty's liege subjects, not exceeding sixteen in number, as he shall deem from their probity, education and condition in life best qualified, to act as advocates and attorneys in the conduct of all legal proceedings in the province." It will be observed that this Statute called for no educational test nor professional experience, which quite naturally, gave rise to an oft-repeated sarcastic allusion to the favored few so chosen as the "heaven-born lawyers". In 1797 another Act was passed, whereby all persons then admitted to practice were incorporated as the "Law Society of Upper Canada," which society, with its executive headquarters at Osgoode Hall, still administers the affairs of the legal profession. In appointing the first members of the bench and bar the Government looked not so much for legal training as common sense and uprightness. The judgeship of the first Court of Common Pleas in Upper Canada was tendered to a clergyman.

Until such time as court houses and town halls were provided, justice was administered in such convenient room as could be secured for the purpose. The first sentence of capital punishment imposed in this province was pronounced in a tavern on the shore of the Bay of Quinte at Bath, and, as summary execution was the only recognized method of carrying into effect the decrees of the court, the convict was immediately hanged to a basswood tree on the roadside, only a few rods distant. The pathetic part of this tragic incident is that it was afterwards learned that the poor victim was innocent of the charge of which he was found guilty, the theft of a watch. Such a stigma attached to this particular basswood tree that it was adopted and used for years as a public whipping post.

The first court of the General Quarter Sessions, outside the Village of Kingston, was held in a barn on Hay Bay in July, 1794, which served the purpose very well at that season of the year. When the December Sessions came on it was a different matter and the authorities appealed to the Methodists for the use of their chapel, which was granted for that sittings; but not without some unsavory comments about making "the house of prayer a den of thieves". A timely explanation was added to the effect that the reference was not directed against the lawyers, but the litigants.

Very few, if any, of the lawyers in the early days devoted themselves exclusively to the practice of their profession or depended solely upon their fees for a living. One of the first and most distinguished pioneer practitioners was Nicholas Hagerman, who lived, died and was buried upon his farm, a stone's throw from the spot where the first Loyalists landed in the Township of Adolphustown. He had

no office nor regular hours of practice, but was sought out by his clients in the harvest field or woods, and, leaning upon his scythe or sitting astride a fallen tree, he listened to the story and gave his advice. His son, Christopher, followed in his footsteps, and in due course became Chief Justice of the Province of Ontario.

Our forefathers were subject to the same physical ailments as ourselves, but they do not appear to have suffered to the same extent from disease as we do in our day. The surgeon was rarely called upon to exercise his calling, and then only when amputations were felt to be necessary or some mutilated member needed mending. Fashionable operations were unknown. The iconoclastic tendencies of the bacteria in the human body had not been discovered, or, if they had, war had not yet been declared upon them. Men went about their daily occupations too busy to bother with the microbes that the modern scientists tell us are gnawing at our vitals. Their greatest fear was from epidemics like the smallpox, which occasionally swept through a neighborhood, leaving a trail of sorrow in its wake. Licensed practitioners there were but few, and they were, for the most part, attached to the military posts. Occasionally, if the roads were passable, and they felt in the humor and saw a prospective fee of respectable proportions, they might be induced to visit a patient in the neighboring townships. In this, as in all other matters, the settlers did their best to serve themselves.

No community in this or any other age ever lacked the services of a skilled specialist in any line very long before some unqualified individual volunteered to supply the want. It was not long before the quack doctor with his vile decoctions appeared among the pioneers. Strenuous efforts were made to legislate him out of existence, but he managed to evade the statutory prohibitions and has survived to the present day. During the first few decades of the Loyalist settlements it was not so much a question of whether the quack *COULD* practise in the townships, but the question more to the point was whether the educated and skilled physician *WOULD* practise. The settlers had become so expert in treating most of their complaints that they rarely deemed it necessary to secure the services of the medical practitioner, and when the real physician did take up his abode among them he generally engaged in some other calling as well and practised his profession as a side line.

The mother or grandmother, as a rule, was the doctor, nurse and apothecary for the whole family. In the month of September, or perhaps October, when the phase of the moon was supposed to be favorable for the purpose, she

would organize an expedition to the woods in search of a supply of herbs to replenish her medicine chest. In some cases she would dig in the ground for the roots, in others the bark, leaves or stems were sought, and in others still the fruit or seeds possessed the medicinal properties. When she had gathered in her stores she would tie them up in bundles and hang them up in the attic or stow them away in some convenient nook until required. Her collection would contain specifics for nearly every ache and pain. It may be that in those days there was not the mad rush for excitement and wealth, and the average citizen kept better hours, ate plain and wholesome food and had some respect for the different organs of his body and did not make such ridiculous demands upon them as are made by some of the high livers of to-day. It may be, too, that mother's simple remedies went a long way to correct the excesses and indulgences of the weak and careless and to restore the health of the sickly. In any event the mortality does not appear to have been any greater than it is to-day. It might not be out of place to enumerate some of the uses to which many of the common herbs were put, as they possess the same, if any, medicinal properties to-day.

For coughs and colds, a syrup was made from the roots of the spignet, another name for spike-nard. The tuber of the blood-root was dried and then grated into a fine powder. This was snuffed up the nostrils as a cure for polypus. Catnip has lost little of its popularity as a medicine for children. There are few, if any, of us who have not protested vehemently against having our mouths pried open to receive a spoonful of tea made from the leaves of this common weed. The first symptoms of a stomach ache were sufficient to set the vile decoction brewing and almost any affection of the throat called for a dose of the same liquid.

The word "tansy" is derived indirectly from a Greek word meaning "immortality", because the yellow blossoms, when dried, lose very little of their original shape and color. It is doubtful if the name had anything to do with the prescribing of tansy-tea as a tonic. It was extensively used for this purpose, and I can readily conceive a patient, after taking a dose, being quite ready to eat the first thing in sight to overcome the disagreeable taste left in his mouth by the medicine.

Hop tea for indigestion and cherry bark tea for regulating the blood were remedies widely known and extensively used.

Smartweed steeped in vinegar was applied to bruises and swellings where there was no abrasion. It gave instant relief from pain and reduced the swelling. For use upon

dumb animals, particularly the legs of horses, wormwood was substituted for the smartweed.

For lame feet and other troubles requiring a soothing poultice the leaves of the plaintain were used. The stems and ribs were first removed, the leaves allowed to wilt and then crushed by rolling them between the hands.

A healing ointment for abrasions and open sores was made from the leaves of the ordinary garden bean. These were cut up, mixed with lard and heated over a slow fire. While still hot, the liquid lard, which had absorbed some of the juice of the leaves, was poured off and allowed to cool, when it was ready to be applied to the affected part.

Even the roots of the burdock, a most persistent and troublesome weed about most country homes, were put to an useful purpose. These were preserved by being dried, and when required were steeped and the tea thus produced was administered as a cure for indigestion and to regulate the blood.

The mandrake, mandragora or may-apple, has attracted much attention from the days of King Solomon to the present day. It has figured in literature in many capacities, all the way from a death dealing agent to the main ingredient of a love potion. From its roots our forefathers made a tea which they used as a gargle for sore throat.

The roots of the nerve vine were chewed to quiet the nerves, hence the name.

The roots of alacompane were utilized for man and beast. When steeped they produced a soothing and healing lotion for open wounds, and, made into a syrup, were administered to children suffering from whooping cough.

In grandmother's dispensary every little leaflet had a mission all its own.

It was not at all uncommon for a plain and simple farmer, with no pretensions of a knowledge of medicine or surgery, to acquire a reputation as a specialist in some particular branch of the profession. Perhaps in some emergency he would set a broken limb with results so satisfactory that his services would be requisitioned in the next case of a similar character. His patients so successfully treated would proclaim his fame abroad, and with the little experience thus acquired he would, in the eyes of his neighbors, become an expert in this operation. Another may accidentally have had thrust upon him the distinction of being able to reduce a dislocated joint. Dentists there were none, and extraction was the only remedy for troublesome teeth. Some one in the locality would own one of those vile instruments of torture, a turn-key. If a molar had been demanding too much attention from its owner and a hot fomentation failed to overcome the pain, the man with





The Fairfield Residence, Bath



St. John's Church, Bath



the turn-key was paid a visit. Anaesthetics were unknown, and sterilization was not practised by the unprofessional. The victim was seated in a kitchen chair and grasped the rungs on either side. The operator loosened the gum from the unruly tooth with the blade of his pocket knife, the hook of the turn-key was inserted and with grim determination the two men faced each other. The one clung doggedly to the chair, the other twisted the key. I will draw a curtain over the further details of the operation. Brute strength in the end prevailed.

Such services were, as a rule, rendered gratuitously, and while we would not care in our day to be at the mercy of such amateur practitioners, yet they were a great benefit to the neighborhood in which they resided, where it was frequently a choice of such aid as they could render or nothing at all.

Of an entirely different class were the fakirs, who, with little or no knowledge of the diseases they treated and the remedies they prescribed, preyed upon the helplessness of their patients. With such the two great specifics were opium and mercury, and when in doubt a dose of calomel was administered. Bleeding, as a remedial measure, was a very common practice, and it was not considered at all extraordinary to relieve a patient of a quart or two of blood at a time.

The educational qualifications of the quack may be inferred from the following advertisement, which was posted up in a public place in 1817 :

“Richmond Oct 17, 1817.

ADVERTISEMENT :—This is to certify that I, Solomon Albert, is Good to cure any sore in word Complaint or any Pains, Rheumatick Pains or any Complaint what so ever the Subscriber doctors with yerbs and Roots, Any Person wishing to employ him will find him at Dick Bells.

Solomon Albert”

Mr. Albert's parents misjudged the possibilities of their hopeful offspring when they bestowed upon him the christian name. He must have been quite exhausted after his literary effort in composing that advertisement.

In due season the need for doctors and medicines was no more and the grim reaper claimed his harvest. The undertaker had not yet risen to the dignity of a separate calling and the plumed hearse was unknown. Simplicity and economy were the main features of the last sad rites. The nearest carpenter was furnished with a rough estimate of the proportions of the deceased and, with plane and saw, he soon shaped a coffin out of basswood boards. This was

stained on the outside or covered with a cheap cloth, and, with plain iron handles as its only adornment, it was ready for the corpse. It was not until well on into the nineteenth century that rough boxes were brought into general use. The funeral service was held at the residence of the deceased, after which a silent procession was formed and accompanied the remains to the grave, and in the winter season the silence was intensified by removing the bells from the horses and sleighs. The general regret over the loss of the deceased was measured by the length of the funeral procession. In some neighborhoods there were public graveyards, as a rule in the rear of the church ; but in many instances a plot was selected on the old homestead, generally a sandy knoll, where a grave could be easily dug and there would be little likelihood of a pool of water gathering in the bottom. In such a lonely spot were laid the remains of many of our ancestors with a wooden slab at the head of the grave. Upon this was painted a brief epitaph and a favorite quotation from Holy Writ. In time the lettering yielded to the ravages of the weather, the paint was washed away, the board rotted and the fence surrounding the reservation, if such there was, was broken down by the cattle. Either a careless posterity neglected to remove the remains or renew the wooden marker by a more enduring monument, until sentiment ceased to play its part in the respect to the memory of the dead, the farm was sold with no reservation and the plough and harrow soon removed the only visible trace of the last resting place of some who in their time played important parts in shaping the destiny of our province.

## THE COURT OF REQUESTS.

When the Loyalists first settled in Upper Canada they were in reality within the jurisdiction of the French speaking province of Quebec ; but there was no attempt to apply the code of that province to the new arrivals. The administration of justice was left in the hands of the officers in charge of the various bands. There were no judges, no lawyers and no regularly established courts. The people were too busy to devote much time to litigation ; but when differences did arise one or both of the interested parties would appeal to the nearest officer. He may or may not have had any knowledge of the civil law or experience in adjusting legal disputes. Martial law was the order of the day ; but not that martial law that prevails in times of war when the severest penalties are meted out for trifling offences. The officer who undertook to mediate between the contending parties was not hampered by hair-splitting precedents or long established forms of procedure. He was supposed to administer the British law, but in effect he simply endeavored to apply the golden rule and made the best use he could of his common sense. For a little over four years this practice was continued and so far as is known substantial justice was done by those who thus acted as arbitrators between the contending parties.

On the 24th of July, 1788, Lord Dorchester, Governor of Quebec, issued a proclamation dividing the newly settled territory into four districts. That portion lying between the Gananoque and Trent rivers was called the district of Mecklenburgh<sup>1</sup>. He evidently thought it was time to do away with the primitive method, that had served its purpose very well, and to organize a regular system of courts. He accordingly established in each district a Court of Common Pleas, presided over by one judge, attended by a sheriff and the other necessary officers. In the opinion of Lord Dorchester the first pre-requisite for the man on the bench was uprightness. The legal qualification was a secondary matter. The commission for the first judge of Mecklenburgh was sent to the Rev. John Stuart, who is affectionately remembered as the Father of the Church of England in Upper Canada. He was a scholarly gentleman, a graduate of Philadelphia College, and a regularly ordained priest, but he had no legal training. He returned the commission and declined the appointment, which was tendered to, and accepted by Richard Cartwright, a stern, dignified, educated business man, but possessing no profes-

sional experience qualifying him for the important position. His was the only court in the district, and from his decisions there was practically no appeal. He was given a free hand, and while he was inclined to be severe in dealing with criminals, yet he acquired the enviable reputation of being an expeditious, just and fearless judge.

It was not until 1792 when the first provincial parliament of Upper Canada met at Niagara, that trial by jury was established. The draftsman of this the second act placed upon the Statute books of our Province waxed eloquent in the preamble and described this highly prized privilege as "one of the chief benefits to be attained by a free constitution." Up to this time there was no simple provision for the collection of small debts, and the absence of such a court placed a premium upon the dishonest dealings of a debtor who borrowed a few shillings and refused to return them, or made no effort to pay his small debts. To overcome this evil a statute was passed at this first session, establishing Courts of Requests, for the recovery of debts up to forty shillings. In 1816 the jurisdiction was extended to five pounds, where the amount was acknowledged by the signature of the defendant or established by a witness other than the plaintiff.

It was by the act declared to be lawful for any two or more justices of the peace acting within the respective limits of their commissions to hold a court of justice on the first and third Saturday in every month at some place fixed within their respective divisions. These divisions were arranged by the justices assembled in their General Quarter Sessions, and in so doing they adhered as far as practicable to the municipal boundaries. The act provided a schedule of fees to be collected, but everything else was left for the justices to work out for themselves. They appointed their own officers, devised their own forms, and laid down their own method of procedure. One of the divisions of this district was composed of the townships of Amherst Island and Ernesttown, including the Village of Bath<sup>2</sup>.

There lies before the writer an old and well thumbed book coming from the custody of Mr. F. W. Armstrong, Division Court Clerk at Bath, and entitled "Records of the Court of Requests, Bath". It is filled from cover to cover, 300 pages in all, with brief records of the cases tried from the 5th of June, 1819, to the 3rd of June, 1826. We learn from these public enquiries into the misfortunes or shortcomings of the residents of these townships of a century ago that no less than 1600 claims of £5 or less were adjudicated upon by this court within the period covered by those old records. Inside the front cover we find a memorandum in the handwriting of Benjamin Fairfield,

informing us that the book was purchased for twelve shillings and sixpence by Matthew Clark, Isaac Fraser, Robert Williams and Benjamin Fairfield<sup>3</sup>. These four justices were quite regular at the bi-monthly sittings, but we, from time to time, find Thomas Empey, John Carscallen, Colin McKenzie and Wm. J. McKay taking part in the proceedings, and less frequently still a few other county justices appear upon the bench.

From the imposing array of esquires presiding over this court, the reader is likely to form an erroneous conception of the dignity of the tribunal. If he has pictured to himself a procession of portly and wise looking gentlemen entering a crowded court room and taking their places upon an elevated platform, while the crier commands order and attention from the admiring audience, he is far astray in his mental reconstruction of the old Court of Requests, and will have to revise his conception of

“The justice

“In fair round belly, with good capon lined,

“With eyes severe, and beard of formal cut,

“Full of wise saws and modern instances.”

The old justices of the peace may have commanded the respect of their neighbors, for as a rule they were among the most respectable and law abiding citizens in the community; but their courts were of the most unpretentious character.

There was no public hall in which to meet, so the court was held in a private house, and it is not at all likely that the best room and furniture were set apart for the purpose. At the appointed hour the justices arrived and took their places behind a deal table in the kitchen or dining room of an ordinary village or farm house. The low ceiling and the crowded room were not likely to contribute to the comfort of those taking part in the proceedings.

It not infrequently happened that as many as fifteen cases were disposed of at a session, and it is not at all improbable that the justices, suitors and witnesses would number fifty or more individuals. It is doubtful if there was a single room in any private house in the township capable of accommodating so many for any length of time without becoming unbearable.

There was no clerk of the court to issue the processes and keep the records, but all of the clerical work was done by the justices themselves. A claimant desiring to commence proceedings against his debtor would go to the justice of his choice and obtain a summons. The form of summons adopted conveyed very little information to the

defendant as to the nature of the claim. The following is a copy of one found in the old book of records :—

Court of Requests

Midland District )  
 )  
 County of Addington ) You John Clark  
 )  
 to wit )

are hereby commanded to be and appear before the commissioners of His Majesty's Court of Requests held at Peter Davy's house in the Town of Bath on Saturday the first day of September next at ten o'clock in forenoon to answer the demand of George Ham & Co. in a plea of debt of the value of five pounds or under Lawful money of this province which they claim for value received, Herein fail not at your peril.

To any bailiff in )  
 )  
 the Court of Requests ) Sgd. A. B. Hawke, C.C.R.

Given under my hand this  
23rd day of August, 1819

The subpoenas in use were as simple and to the point, as appears from the following :—

Court of Requests

Midland District )  
 )  
 County of Addington )  
 )  
 to wit ) You Adam Van Vinele

are hereby summoned and required to be and appear in your own proper person (all excuses laid aside) before the Commissioners of His Majesty's Court of Requests held at Peter Davy's House in the town of Bath on Saturday, the eighteenth day of August at ten o'clock in the forenoon to testify what you know in a case depending between John Sharp plaintiff and Peter Ham defendant on the part of the plaintiff. Herein fail not, under the penalty of forty shillings Current money of the Province.  
Bath 9th August 1819

Sgd. George Ham C.C.R.



The initials after the signature of the justice issuing the process stand for "Commissioner of the Court of Requests."

The entries in the book were made by the justices in turn and as it was passed on from one to another the recipient acknowledged his responsibility for preserving the records for the ensuing three months, by making a memorandum to that effect upon a page of the book set apart for that purpose. This plan resembles the course of procedure adopted by the man who borrowed a sum of money from his neighbor, filled out and signed a promissory note and placed it in his own pocket book to remind himself of his indebtedness. The following are copies of a few of these entries :—

"Colin McKenzie, Esquire has taken the Court Record this day to keep the same and enter the judgments, etc., for three months. 5th of June 1824."

"Benjamin Fairfield Esquire has taken this record of the proceedings of the Court of Requests to keep and enter the judgments etc., for three months from this date. September 13th, 1824."

"Isaac Fraser Esq. has taken Record of the Court of Requests from this period 5th February 1825 to keep three months."

The records themselves were as brief as possible, yet they appear to preserve all the essential information that it was necessary to keep in connection with the trials. Practically the same form appears to have been observed throughout the entire period. The following is a copy of the record of the proceedings of the first court entered in this interesting old book :—

At a Court of Requests held at Abel P. Forward's in Bath 5th June 1819.

Present ; Matthew Clark,  
 Robert Williams, )  
 Benjamin Fairfield, ) Esqrs.  
 Thomas Empey, )

		s	d
Benjamin Bennet )	Fees	2	4
)	Defendant	1	0
vs )	Judgment	2	6
)		<hr style="width: 50px; margin: 0 auto;"/>	
Zachariah Snyder )		5	10

The Court having heard the parties find no cause of action and order the plaintiff to pay the cost taxed at £0 - 5 - 10

Gervis Worden	)		s	d
	)	Fees	3	- 2
vs	)	Judgment	2	- 6
	)			
Benj. Booth	)		5	- 8

The defendant not appearing and the plaintiff producing a note for the amount of £1 - 11 - 2 the court do order the defendant to pay the said sum of £1 - 11 - 2 with cost of suit taxed at £0 - 5 - 8

Michael Percy	)	Fees	2	- 6
	)	Subp	2	- 4
vs	)	oath	1	- 0
	)	witness	2	- 6
Outer Cork	)	judgment	2	- 6

10-10

The Court having heard the partys and evidence do order the defendant to pay the plaintiff five shillings with costs of suit, taxed at £0 - 10 - 10.

George H. Dutler	)	Fees	4	- 10
	)	ajurnment	1	- 0
v	)	oath	1	- 0
	)	evidence		
John Clark	)	subpoena	2	- 5

This action ajurned until the next court.

Samuel Nelson	)		s	d
	)	Fees	3	- 0
v	)			
	)			
Isac Chadwick	)			

The defendant came forward and acknowledged himself indebted to the plaintiff the sum of fifteen shillings which sum the Court do order the defendant to pay with cost of sute taxt at three shilling.

George McGin	)	2 sub	5	- 6
	)	2 witnesses	5	- 0
v	)	2 oaths	2	- 0
	)	judgment	2	- 6
Isaac Hough	)			

15 - 0

The court having heard the parties and witnesses do order the defendant to pay the Plaintiff 15 - 6 with cost of suit taxed at £0 - 15 - 0.

THE COURT OF REQUESTS.

41

Anthony Lake	)		s	d
	)	Fees	2	- 10
v	)	Judgment	2	- 6
	)			
James Lake	)		5	- 4

The court having heard the partys find no cause of action an order the plaintiff to pay the costs taxed at £0 - 5 - 4.

John Snyder 7th concession	)		s	d
	)			
vs	)	Fee	2	- 6
	)			

John Cumstock )

adjourned to the 19th inst.

David Bowman	)	2 summons &	s	d
	)	service	8	- 0
vs	)	subp	6	- 0
	)	adjm	1	- 0
Johnston Hawley &	)	2 oaths	2	- 0
Andrew Hawley	)			

adjourned to the 19th inst. 17 - 0

Samuel Nelson	)	summons	s	d
	)	2 oaths	0	- 6
vs	)	judgment	2	- 0
	)		2	- 6
Allen Leyman	)			

The Plaintiff having affirmed to the serving a summons the summons & producing an acct and affirming to the truth of it the court do order the defendant to pay the sum of £1 - 10 - 0 with cost of suit taxed at £0 - 5 - 0.

Isac Hough	)		s	d
	)	Fees	3	- 0
v	)	adjournment	1	- 0
	)			
Benj. Vanwinkle	)		4	- 0

adjourned to the 19th inst.

William Maginnis	)	Fees	s	d
	)	oath	2	- 6
vs	)	judgment	1	- 0
	)		2	- 6
Margaret Hartman	)			

6 - 0

In default the defendant not appearing and the plaintiff producing an account and swearing to the truth of it to the amount of £1 - 0 - 0 the court do order the defendant to pay the same with cost of suit taxed at £0 - 6 - 0.

Thus through the three hundred pages the record continues with very slight variations in the wording of the various entries. It will be observed that in many instances the costs exceed the amount recovered and in one case the costs are more than double the debt. In only one instance does any extraneous matter find a place in the book, and it might be difficult to trace the connection between the proceedings of the Court and these extraordinary entries, which are as follows :—

“July 7th, 1820”

“Clarissa Fairfield Dr  
to 3 gallons whisky per Mr. Rose  
£0 - 10 - 6”

“Calvin Wheeler Dr  
to 5½ gallons whisky”

Whiskey at three shillings and six pence a gallon would to-day be quite as startling as a private entry of a sale of the intoxicant among the records of the court proceedings.

Many an award has been set aside by proving that the arbitrator was so related to one of the parties that there was a reasonable probability of his being prejudiced in favor of or against him and no judge in our day would think of taking part in any trial if there was the faintest suspicion of his being even remotely connected with any of the parties to the action. The old justices in the Court of Requests do not appear to have been moved by any such considerations. For instance on the 4th September, 1819, the justices upon the bench were according to the record, Matthew Clark, Robert Williams, Benj. Fairfield and Isaac Fraser, and the plaintiff in the first case that came before them was none other than the same Benj. Fairfield, and the entry of the judgment in the old book is in his handwriting. It might be urged in extenuation of this particular offence that the defendant appeared in court and acknowledged his indebtedness; but we observe that in another case tried before the same justices on the same day, the same Benj. Fairfield obtained judgment against another defendant who does not appear to have been in court. He was not the only offender in this respect. Several other justices from time to time appear in the double role of judge and suitor, and in every such instance there were two or more other justices present; so that it could not be urged in their defence that it was necessary for them to

take their places upon the bench in order that the proceedings of the court might be carried on.

The 17th of March, 1827, appears to have been a record day for the court which met at Peter Davy's, at Bath. There must have been a celebration or some other special attraction on hand; as no less than ten justices answered to the roll call. A perusal of the names of those present, however, would not lead one to conclude that they would be particularly interested in any program commemorating the death of St. Patrick. They appear to have conducted their proceedings with more expedition than customary, for out of twenty-four cases upon the docket no less than ten were adjourned and four were dismissed.

What strikes the reader as quite remarkable in comparison with present day practice, is the large number of promissory notes taken in settlement of small accounts. Hundreds of these written promises were produced in this court, many of them for amounts under five shillings. That they were given in the ordinary course of business is quite evident as many of the plaintiffs producing them were general merchants in Bath. The explanation may be found in the statute extending the jurisdiction of the court from claims of forty shillings to those of five pounds, but only in cases where the amount was acknowledged by the signature of the defendant or could be established by evidence other than that of the plaintiff. In order to avail themselves of the increased jurisdiction, merchants and others acquired the habit of taking promissory notes and soon learned that it was the simplest method of establishing beyond any doubt the balance due upon an account.

Imperfect as they were the Courts of Request served an useful purpose as is shewn by the fact that this particular one provided a simple and effective means of annually disposing of two hundred and fifty or more claims, which otherwise would have remained unsettled, unless the litigants had resorted to the cumbersome and more expensive procedure of the higher courts. In 1833 the jurisdiction was extended to £10. This was a move in the right direction, but at the same time another radical change was introduced which proved a serious blunder. The justices had their shortcomings, and the fact that the personnel of those presiding was ever varying was regarded as a hindrance to the successful working of the system. The legislature sought to remedy this by appointing regular commissioners for each division, and as the coveted appointments were bestowed upon political favorites, the evils too frequently attending such preferments, crept into the proceedings of these courts. The old justices from time immemorial sought to maintain the traditions of country

"Squires". They had many failings, it is true, but upon the whole they rendered excellent service, and the public felt that there was safety in numbers. The newly appointed commissioners assumed their duties at a time when the Family Compact was making itself particularly obnoxious to the ordinary citizen, and in no part of the province was its autocratic rule resented more bitterly than in the Village of Bath, the home of Marshall Spring Bidwell<sup>4</sup>. It may be that in the violent opposition to everything emanating from the government of the day that many charges were preferred against the commissioners which could not be substantiated. The outcry was so pronounced that in 1839 a commission was issued to investigate the whole subject, and if practicable to devise a better means for the collection of small debts. The result was the introduction of our present system of Division Courts by the passing of 4 and 5 Victoria, Chapter 3. This has been amended from time to time, and the jurisdiction extended and extensive but simple rules of procedure adopted. When these courts were first introduced, each District Court Judge was authorized to lay down rules governing the practice in the courts under his jurisdiction. The following are the first rules regulating the procedure in the Division Courts of the Midland District :—

#### Midland District.

It is ordered by virtue of the powers vested in me by the Statute 4th & 5th Victoria Chapter 3, for making rules and regulations for regulating the practice and proceedings of the Division Courts in the Midland District and for establishing forms to be used therein ;

First—That the form of summons prescribed by the Act be altered, by leaving out the word "accout" and using instead thereof the word "demand" and by leaving out the whole of the clause referring to a notice of special defence after the word "statute" and using instead thereof the words "you must give to the plaintiff or leave at usual place of abode notice thereof in writing three days least before the said \_\_\_\_\_ day of \_\_\_\_\_"

Second—That all precepts or warrants against goods (except those issued under the 55th and 56th sections of the Act) shall be issued signed and sealed by the clerk and be tested in the name of the Judge and that the form thereof in the Act be altered by omitting all the words after "peril" and adding the words "witness \_\_\_\_\_ Esquire, Judge this \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord one thousand eight hundred and \_\_\_\_\_ and by his order

A. B.  
clerk of the said Division Court."

Third—That on every proceeding required by a defendant such fees as are not set down in the schedule to the act or which shall be set down in any schedule of reduced fees for such proceeding shall be paid in the first instance by the defendant on or before such proceeding.

Fourth—That the expenses to be allowed to witnesses be as follows, viz :

For their attendance s2-d6 per die

To witnesses residing more than five miles from the place where the Court is holden an allowance in addition of 3c per mile for each mile over five miles travelled in going to the court without any charge of mileage for return.

Fifth—That when the defendant intends to set off any debt or demand the notice thereof under the act 4th and 5th Victoria Chap. 3, sec. 37 shall state the particulars and items of such debt or demand.

Sixth—That when the plaintiff shall in accordance with the 40th section of the act signify to the clerk his intention to proceed for the remainder of his demand the clerk shall make an entry of such signification in the book where the entry of issue of the summons was made and if such signification be made after the rising of the court for which such summons was issued the cause shall be tried at the next court and be put at the top of that list to which it may belong according to the 31 section of the act.

Seventh—That the following be the form of summons for the jury :—

“The                                  Division Court of the Midland District  
To A. B.

You are hereby summoned to be and appear at the sittings of the said court to be holden at                                  on

                                the                                  day of                                  at

                                of the clock in the                                  noon to serve as

a juror and not to depart the court without leave.  
Dated the                                  day of  
in the year of our Lord one thousand eight hundred and forty.

By the court

A. B.

Clerk”

To the late Chief Justice Draper, who at the time, was Attorney-General of Canada is due the honor of having devised and introduced before the Legislative Assembly the original Division Courts Act, which is substantially the same as the Act in force to-day. This court has been designated “The Poor Man’s Court”; and so it is, inas-

much as it provides a cheap and simple means for adjusting small claims. If I were to pass any adverse criticism upon the practical working out of the system it would be in respect to the judgment summons. When compared with the procedure in the higher, or if you please, "rich man's courts", there is an unfair discrimination against the poor man. From his paltry earnings of a few dollars a week he may be ordered to pay so much each month to his judgment creditor, and if he fails to comply with the terms of this order he may be committed to gaol. This harsh provision is defended upon the ground that he is not imprisoned for debt but for contempt of court in not complying with the terms of the order. This is too nice a distinction. There is nothing analogous to it in our County and Supreme Courts. The result is that the dishonest debtor, who has defrauded his creditors out of thousands of dollars, may be in possession of a handsome income and be immune from attack; while his poorer neighbor may be serving a term in gaol because he neglected to pay his grocer a dollar a week.

#### APPENDIX.

1. By this proclamation of Lord Dorchester the territory comprised in what afterwards became Upper Canada was divided into four districts, as follows:—Luneburg composed of that territory east of the Gananoque river, Mecklenburg, from the Gananoque to the Trent, Nassau from the Trent to a line running north and south through the extreme projection of Long Point on Lake Erie and Hesse, that portion of the province west of the last mentioned line. At the first session of the first parliament of Upper Canada these districts were renamed respectively the Eastern, Midland, Home and Western districts. It is interesting to observe that in the proclamation above referred to, the names of the first two of these districts were spelled "Luneburg" and "Mecklenburg" respectively, and in the statute of 1792 the same were spelled "Lunenburgh" and "Mecklenburgh".

2. When the justices in their Quarter Sessions first established the Courts of Request in the Midland District there were only five divisions in the entire district as follows:—

Division No. 1, composed of the townships of Kingston and Pittsburgh.

Division No. 2, composed of the townships of Amherst Island, Ernesttown and Camden.



Division No. 3, composed of Fredericksburgh and Richmond.

Division No. 4, composed of Adolphustown and Sophiasburgh.

Division No. 5, composed of Ameliasburgh, Sidney and Thurlow.

At the present time this same territory including of course, the rear townships, is served by no less than thirty-six Division Courts.

3. Three out of four of these justices were, during some portion of the period covered by the old records, members of the Legislative Assembly of Upper Canada. Matthew Clark was elected as a representative of Lennox and Addington in 1823, after the expulsion of Barnabas Bidwell from the house. His parliamentary career was cut short, as the same forces that drove Bidwell from public life appealed against his election upon a mere technicality, and he was unseated.

Isaac Fraser was elected in 1817 as a supporter of the Family Compact and continued to represent the riding until 1820. He was a hard-headed and thoroughly conscientious Presbyterian, but saw nothing improper in securing for himself the appointment of Registrar for Lennox and Addington, the first one to hold the office in the county. Prior to his appointment the records were kept in the city, then town, of Kingston. He built a small stone building at Millhaven, which was used exclusively for the purpose. A picture of this the first registry office in the district outside of Kingston, appeared in Volume V. of the publications of the Lennox and Addington Historical Society. He held the office until his death in 1858.

Benjamin Fairfield was also a member of the Legislative Assembly from 1812 to 1816, and likewise filled the position of Registrar of Lennox and Addington from March, 1818, to February, 1819.

In the reminiscences of John Collins Clark, published in this volume, will be found several comments upon the Fairfield family. There is also reproduced herewith a photograph of the old Fairfield residence still standing on the bay shore at Bath. It is doubtful if there is a more typical or better preserved house of the early U. E. L. period in the province. This building was erected in 1796, and with proper care bids fair to stand for another century. The main timbers are of solid oak, the lumber entering into its construction was sawed by hand, and the nails were made by the village blacksmith. In its day it was among the handsomest houses in the district, and its beautiful location makes it still one of the most attractive

homes on the shores of the bay. For generations following the event, the descendants recalled with pride the gay festivities which marked the house warming of the old building. As several of the guests came in their lumber wagons from Kingston, a distance of eighteen miles, over roads little better than a modern trail through an undrained woods, the entertainment that awaited them was worthy of the occasion. For three days the tables groaned under their burden, and for three successive nights the fiddles screamed, and the dancers made merry.

St. John's Church at Bath, a picture of which is also shewn herewith, was erected three years earlier than the Fairfield residence, and bears many traces of belonging to the same period. This church has been in continuous use for one hundred and twenty-two years, and we have yet to learn of any other in the province of Ontario to equal it. This building rests upon a well built stone foundation, and the timbers in the frame are said to have been cut from the lot upon which the church stands. As originally erected in 1793, it was 30x48, but an extension of twelve feet was added to the length in 1844, thereby increasing the dimensions to 30x60. The joists are from three to four feet apart and will average about ten inches in diameter, and some of the boards in the lower floor are fifteen inches wide. The rafters in the older portion are of oak squared to four or five inches with an adze and fastened by wooden pins. Those in the extension are made from heavy plank. The original entrance was in the centre of the south side, but in 1837 this was walled up and two doors were placed in the west end, corresponding with the two aisles within. There they remained for forty years. In 1877 the seating arrangement was changed, new pews were installed which called for one wide centre aisle and two narrow side aisles. To meet this new order of things a door was cut in the centre and the two small windows, as shown in the photograph, took the place of the doors. In 1829 a "singers' pew" was built in the western gable at the base of the tower, and was lighted by the window over the entrance.

4. Marshall Spring Bidwell was not a Canadian by birth, but came to Bath with his father about the year 1811; yet we may fairly claim him as a Lennox and Addington boy. He was a noble character, and the kind of man who would come to the front in any sphere of life. In the face of strenuous opposition he was returned to the Legislative Assembly as the representative of this county in 1824. He was a young man, only twenty-five years of age; yet he held his seat for thirteen consecutive years, during four of which he was Speaker of the House. He was



Marshall Spring Bidwell



Promissory Notes, Free Holders Bank



uncompromising in his attacks upon the Family Compact, and was finally driven from the country by the stubborn and hot-headed Governor, Sir Francis Bond Head. He went to New York, where he became the leader of the bar, and died in 1872, universally respected.

Many well merited eulogies have been passed upon him, but none more eloquent than his own words as contained in a hitherto unpublished letter from the collection of Mr. C. M. Warner. He had sacrificed a lucrative practice in Kingston, and although guiltless, had left his home and friends under a dark cloud of suspicion. At the time of writing he was alone in a great city with no immediate prospect for the future; yet not one word of reproach has he for those who had so cruelly wronged him. His kind and sympathetic nature manifested itself in his enquiries about the young man he was anxious to help, and in his touching reference to the grief of his friend. The letter reads as follows:—

New York, 2 January, 1838.

My Dear Sir:—

I have been here for a fortnight, and expected to have visited Washington before this time; otherwise I should sooner have written you. This expectation I can no longer entertain.

I have left Upper Canada, forever, at the request of Sir Francis Head, to whom I have given a written pledge not to return. I was not implicated in the recent revolutionary movement; but was an object of suspicion on account of my political opinions, & supposed influence.

I have felt anxious to see you about John Hunt. And I had been intending to write you about his future prospects & situation. I shall not have the means of keeping him longer at school. I do not know what I shall do, or where I shall go; and my limited resources may soon be exhausted. Mr. Brainerd has written my sister since I left Toronto that John had taken charge of a school. This, I learn from a letter which she wrote Mrs. Bidwell who is at St. Croix, & which, coming into my hand, I opened and read, not having received any letters myself from home.

What is to be done about him? I wish you would write me on the subject. A letter addressed to me here to the care of Francis Hall, Esquire, Editor of the Commercial Advertiser, will be handed to me or forwarded to me if I should be absent.

I have sympathized with you most sincerely in your recent trial and should have written immediately and expressed my condolence, if I had not felt that your grief was too sacred to be disturbed even by the utterance of

sincere sympathy. I can participate in your feelings more readily because I have for years been in a state of trembling anxiety about Mrs. Bidwell's health. Hitherto the Lord has been better than my fear and has spared her for my comfort, but her condition has been such that I have felt that she was a blessing which was continued at His good pleasure alone and preserved only by His Mercy. Happy was I to learn that amidst your great & sore trial you had precious & inestimable consolation, and that your's is not the "sorrow without hope".

I suppose Cousin Emily is with you. If so, be pleased to remember me to her most affectionately. If I should ever get settled in my native land, I hope to see her at my house.

I am, dear Sir,

Your friend & faithful servant,

Marshall S. Bidwell.

James Larned, Esq.

I should be glad to hear all about Mr. Hunt's children—where they are &c.

## INDEX.

	Page
Addington, County of.....	38
Adolphustown, Township of.....	29, 47
Albert, Solomon.....	33
Algonquins, The.....	23
Ameliasburgh, Township of.....	47
Amherst Island.....	7, 46
Anglicans, The.....	24
Armstrong, F. W.....	36
Aylesworth, George Anson.....	5
Bangs, Pioneer preacher.....	26
Bath.....	7, 18, 29, 36, 38, 43
Bell, Dick.....	33
Bennett, Benjamin.....	39
Bidwell, Barnabas.....	47
Bidwell, Marshall Spring.....	44, 48, 50
Booth, Benj.....	40
Bowman, David.....	41
Brainerd, Mr.....	49
Burrows, Frederick.....	4, 5
Camden, Township of.....	46
Canada.....	23
Carrying Place.....	18
Carnahan Bay.....	26
Carscallen, John.....	37
Cartwright, Richard.....	35
Case, Rev. William.....	26
Casey, Thomas W.....	5
Catnip.....	31
Chadwick, Isaac.....	40
Chalmer's Creek.....	26
Checkley, Edwin R.....	4, 5
Christinals, The.....	23
Church of England.....	35
Clark, John.....	38, 40
Clark, John Collins.....	47
Clark, Matthew.....	37, 39, 42, 47
Clergy Reserves.....	27
Commercial Advertiser.....	49
Common Pleas in Upper Canada, Court of.....	29, 35
Constitutional Act.....	28
Cork, Outer.....	40
County Council.....	20
County Courts.....	46
Cumstock, John.....	41

Daly, James.....	4
Davy, B. C.....	5
Davy, Peter.....	38, 45
Division Court Clerk.....	36
Division Courts.....	47
Documentary History of Education in Upper Canada.....	23
Dorchester, Lord.....	35, 46
Draper, Chief Justice.....	45
Dutler, George H.....	40
Eastern District.....	46
Empey, Thomas.....	37, 39
English, The.....	23
English Church.....	22
Erie, Lake.....	46
Ernesttown, Township of.....	46
Esquimalts, The.....	23
Etechemins, The.....	23
Fairfield, Benjamin.....	36, 37, 39, 42, 47
Fairfield, Clarissa.....	42
Fairfield Residence.....	47, 48
Family Compact.....	44, 47
Flach, Ulysses J.....	4
Florida.....	23
Forward, Abel P.....	39
Forward, Mrs. H. T.....	4
Fraser, Isaac.....	37, 39, 42, 47
Fredericksburgh, Township of.....	22, 47
Frontenac, Steamer.....	7
Gananoque River.....	35, 46
General Sessions, Court of.....	20
General Quarter Sessions, Court of.....	29, 36
Gibbard, John.....	4
Glenora.....	26
Grange, Mrs. Alexander W.....	4
Hagerman, Nicholas.....	29
Hall, Francis.....	49
Halliwell, Township of.....	22
Ham & Co., George.....	38
Ham, George.....	38
Ham, Peter.....	38
Hartman, Margaret.....	41
Hawke, A. B.....	38
Hawley, Andrew.....	41
Hawley, Geo. D.....	4
Hawley, Mrs. John Perry.....	5



INDEX.

53

Hawley, Johnston.....	41
Hay Bay.....	26, 29
Head, Sir Francis Bond.....	49
Herrington, Walter S., K.C.....	4, 5
Hesse, District of.....	46
Home District.....	46
Hough, Isaac.....	40, 41
Hunt, John.....	49
Hurons, The.....	23
Iroquois.....	23
Jarvis, Rev. Canon.....	4, 5
Keeler, Pioneer preacher.....	26
Kempt, Sir James, Steamer.....	18
King, Solomon.....	32
Kingston.....	18, 22, 29, 47, 48, 49
Kingston, Township of.....	46
Lake, Anthony.....	41
Lake, James.....	41
Law Society of Upper Canada.....	29
Legislative Assembly of Upper Canada.....	24, 45, 47, 48
Lennox and Addington.....	47, 48
Lennox and Addington Historical Society.....	47
Leonard, Raymond A.....	4
Leyman, Allen.....	41
Lochhead, J. S.....	5
Long Point.....	46
Louisiana.....	23
Loyalists, United Empire.....	8, 11, 19, 21, 24, 27, 29, 30, 35, 47
Luneburg, District of.....	46
Lunenburgh, District of.....	46
Macdonald, Rev. Alexander.....	4
Madden, Pioneer preacher.....	26
Maginnis, William.....	41
Mary Ann's Creek.....	26
Mecklenburg, District of.....	46
Mecklenburgh, District of.....	46
Methodists.....	24, 25, 26, 29
Midland District.....	38, 44, 46
Millhaven.....	47
Mississippi.....	23
Montreal.....	23
McGin, George.....	40

McKay, Wm. J.....	37
McKenzie, Colin.....	37, 39
Nassau, District of.....	46
Nelson, Samuel.....	40, 41
New Britain.....	23
New England.....	23
New France.....	23
New Mexico.....	23
New York.....	49
Niagara.....	36
North America.....	23
Old Mexico.....	23
Ontario Historical Society.....	4, 7
Ontario, Lake.....	7
Ontario, Province of.....	7, 30, 48
Osgoode Hall.....	29
Parliament.....	19
Paul, William J., M.P.....	4
Perch Cove.....	26
Perey, Michael.....	40
Philadelphia College.....	35
Pickett, Pioneer preacher.....	26
Pittsburgh, Township of.....	46
"Poor Man's Court, The".....	45
Presbyterians, The.....	24
Prescott.....	18
Prince Edward, County of.....	22
Purdy, Samuel.....	18
Quarter Sessions.....	46
Quebec, Province of.....	19, 35
Quebec, Town of.....	23
Quinte, Bay of.....	26, 28, 29
Requests, Court of.....	20, 35, 36, 37, 38, 39, 42, 43
Richmond.....	33, 47
Robinson, John W.....	4
Ryan, Pioneer preacher.....	26
Sharp, John.....	38
Sidney, Township of.....	47
Simcoe, Governor.....	19
Snyder, John.....	41
Snyder, Zacariah.....	39
Sophiasburgh, Township of.....	47
St. Croix.....	49

INDEX.

55

St. John's Church, Bath.....	48
St. Lawrence River.....	23
St. Patrick.....	43
Stein, Paul.....	5
Stuart, Rev. John.....	22, 35
Supreme Courts.....	45
Tadousac.....	23
Thomson, John.....	5
Thurlow, Township of.....	47
Trent, River.....	35, 46
Upper Canada.....	19, 25, 35, 36, 46, 47, 49
United States.....	25
VanVincle, Adam.....	38
Vanwinckle, Benj.....	41
Warner, Clarence M.....	4, 5, 49
Weller, Asa.....	18
Weller, William.....	18
Western District.....	46
Wheeler, Calvin.....	42
Williams, Robert.....	37, 39, 42
Wilson, Uriah.....	4
Worden, Gervis.....	40
York.....	18



*Portrait of Charles Canniff James*



CHARLES CANNIFF JAMES,  
LL.D., C.M.G.

Born at Napanee, June 14, 1863.  
Died June 23, 1916.



JOHN SOLOMON CARTWRIGHT.



MARSHALL SPRING BIDWELL.



GEO. H. DETLOR.



PETER PERRY.

Candidates for the County of Lennox and Addington for Election to the  
Legislative Assembly, 1836.

LENNOX AND ADDINGTON  
HISTORICAL SOCIETY.

PAPERS AND RECORDS.

VOLS. VII & VIII.  
(DOUBLE NUMBER.)

"THE CONSTITUTIONAL DEBATE IN THE  
LEGISLATIVE ASSEMBLY OF 1836"

WITH INTRODUCTION

By WILLIAM RENWICK RIDDELL  
LL.D., F. R. Hist., etc.

PRICE, 40 CENTS.

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NAPANEE, ONTARIO.  
PUBLISHED BY THE SOCIETY.  
1916.

PRINTED AT THE BEAVER OFFICE.





CONTENTS.

	Page
Chronology .....	4
Officers .....	4
Publications of the Society .....	4
Preface .....	5
Introduction by William Renwick Riddell, LL.D., F.R. Hist. Soc., &c .....	7
Debate .....	19

ILLUSTRATIONS

- The late C. C. James, LL.D., C.M.G..... Frontispiece
- Candidates for the County of Lennox & Addington  
for election to the Legislative Assembly, 1836.... Frontispiece

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Constitution Adopted.....	June 11th, 1907
First Open Meeting.....	Oct. 25th, 1907
Affiliated with Ontario Historical Society.....	March 31st, 1908

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PREFACE

It is with no small degree of pride that the Executive Board presents to the members of the Lennox and Addington Historical Society this number of its publications. While our Empire is engaged in a life and death struggle for the preservation of its national ideals, it is well for us occasionally to call to mind the part our forefathers played in securing for us the rights and privileges which we now enjoy. Not the least among these blessings is responsible Government. Among the documents presented to our Society by the late Dr. James Canniff a few years before he died was a pamphlet published eighty years ago containing a verbatim report of the various addresses delivered in the Legislative Assembly of Upper Canada upon the motion for the adoption of the report of the Select Committee appointed to deal with the question of the duties and responsibilities of the Executive Council. If we did nothing more than reproduce the pamphlet we would feel that we were rendering a great service to our members and all others reached by our publications. We are singularly fortunate in being able to publish at the same time an introduction from the pen of the Hon. William Renwick Riddell, LL.D., F. R. Hist. Soc., one of our most distinguished Judges of the Supreme Court of Judicature for Ontario. It was originally planned that the biographical notes upon those participating in the debate should be written by the late Charles Canniff James, C.M.G., LL.D., but his untimely death occurred before he was able to prepare the manuscript. It is most regrettable that we were unable to secure this contribution from Dr. James, who always took the deepest interest in all matters appertaining to his native town, and on many occasions rendered our Society most valuable assistance. No town in Ontario can boast of a nobler son than he, who unreservedly dedicated his life to his country's service, and at all times wisely and faithfully discharged the onerous duties assumed by him. Owing to the completeness of Mr. Justice Riddell's Introduction, we are still able to publish the pamphlet in a setting of which we have just cause to be proud.

W. S. HERRINGTON,  
 Pres. L. & A. H. S.

Napanee, November 8th, 1916.



# OCCASION AND CAUSES OF THE DEBATE

BY

WILLIAM RENWICK RIDDELL, LL.D., F. R. Hist. Soc., Etc.,  
Justice of the Supreme Court of Ontario.

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When the first Parliament of Upper Canada met at Newark (Niagara-on-the-Lake), Monday, September 17th, 1792, His Excellency the Lieutenant Governor, Colonel John Graves Simcoe, in the Speech from the Throne, said to the Members of the Legislative Council and Legislative Assembly (or House of Commons) :

"I have summoned you together under the authority of an Act of Parliament of Great Britain passed in the last year and which has established the British Constitution, and also the forms which secure and maintain it in this distant country.

The wisdom and beneficence of our Most Gracious Sovereign and the British Parliament have been eminently proved, not only in the imparting to us the same form of Government, but also in securing the benefit of the many provisions that guard this memorable Act ; so that the blessings of our invaluable constitution thus protected and amplified we may hope will be extended to the remotest posterity . . .

The British form of Government has prepared the way for its speedy colonization" (i.e., the colonization of Upper Canada).

Both Houses made a most loyal address in answer, that of the Council following closely the wording of the speech from the Throne.

In his Speech from the Throne closing this Session, Simcoe said that the Constitution of the Province was "the very image and transcript of that of Great Britain". (1)

From the very beginning of our national career, it has been considered that our constitution is the very image and transcript of that of the mother country ; and no small part of the disputes and troubles between the

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(1) The speech from the Throne and the Answers will be found in the Seventh Report of the Bureau of Archives, Ontario, 1910, pp. 1-3 ; Sixth Report of the Bureau of Archives, Ontario, pp. 2-3. The closing speech is on page 11 and 18 respectively.

Governors and Parliament, and between the two Houses of Parliament arose from the contention that the British Constitution was not followed in the government of Upper Canada.

It will be well in the first place to define what is meant by the "Constitution". In American law and parlance the Constitution is a written document expressed in terms, more or less precise, which defines powers, lays down rules and limitations and which may be interpreted by Courts in all cases of difficulty. In English law and parlance, the Constitution is not a written document, but it is the totality of the rules more or less vague upon which the government of the people should be conducted; in cases of difficulty, Parliament must decide, the Courts have no jurisdiction in the matter.

In the American sense whatever is unconstitutional is illegal, however right it may be; with us what is unconstitutional is wrong however legal it may be. (2)

But whenever there is a written document, be it Statute or otherwise prescribing any proceeding, etc., etc., in Government, the word "unconstitutional" will in that regard take on the American connotation.

In the case of Upper (as of Lower) Canada, the Charter of her government is to be found in the Constitutional Act of 1791, 31 George III., c. 31. The only part of this Act which will be examined here is that part which deals directly or indirectly with the Executive Council, as it is upon the Duties and Responsibilities of the Executive Council that the Debate now under consideration was had. While there is in the Act, sections 2, 3, 13, 14 and 20 express provision for the summoning of Legislative Councillors and the election of Members of the Legislative Assembly, there is no express provision for Executive Councillors. But an Executive Council was necessarily implied: Section 34 provided for a Court of Appeals consisting in part of "such Executive Councillors as shall be appointed by His Majesty for the affairs of such Province"; section 38 authorized the Governor "with the advice of such Executive Council as shall have been appointed by His Majesty, his heirs or successors within such Province" to erect Parsonages and endow them.

Outside these two sections there was no provision for the duties of the Executive Council, and consequently the position of the Executive Council was left very much at large. (Section 50, indeed, gave the Governor power with the assent of the major part of his Executive Council to make laws for his Province before the meeting of the First

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(2) See *Bell v. Town of Burlington* (1915) 34 O.L.R. 619, at pp. 621, 622, for a discussion of this distinction.

Parliament, such laws to remain in force till six months after such meeting unless in the meantime repealed by Parliament,—but this was a purely temporary provision.) It is obvious that it might be a matter of much honest contention, and indeed it more than once formed the battle ground of party.

An Executive Council was in fact appointed at the beginning of Upper Canada's separate existence and the institution was continued without interruption.

In the Province, the House of Assembly claimed the rights and privileges of the British House of Commons and (speaking generally) had the claim allowed; the Legislative Council corresponded to the House of Lords (3) there was nothing in the formal constitution of England to which the Executive Council could correspond but the Privy Council, and nothing in the informal constitution but the Cabinet.

At the present time there is little difficulty in determining the relative functions and powers of the Crown, the Houses of Parliament, and the "Ministry"; but in 1792 it was not so easy.

At the Common Law and before the Revolution of 1688, the King did not only reign, he also governed. He was master in theory, and in practice he was as much and as far master as his subjects would permit without successful armed opposition. The Revolution changed both theory and practice, thereafter both in theory and in practice the King must find a Minister who would take upon himself the responsibility of the King's acts.

While this was never forgotten, the King, George III., in his long reign came perilously near the old practice in some instances; but he never failed to find a minister to father any of his acts, however unwise. In every case the King was considered blameless, "the King can do no wrong," and the Minister was the culpable party. That is Responsible Government, i.e., the Minister who is responsible for the advice to the King is responsible to the representatives of the people in Parliament, for giving such advice.

In the mother country, these propositions were acknowledged in theory and fairly well observed in practice.

In Upper Canada, there was no resident hereditary head of the State, who could do no wrong. The effective

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(3) There was a very curious provision in the Act of 1791. Section 6 authorized the Crown to annex to any hereditary title of honour, rank or dignity conferred by Letters Patent under the Great Seal of the Province, an hereditary right of being summoned to the Legislative Council. This right was never exercised and this Province fortunately escaped an hereditary second house of Parliament.

power at the head of affairs was an officer appointed for a short term of years by the King on the advice of the Home Administration, not to reign, but to govern; he had specific instructions as to many of his duties, and was responsible to the authority which appointed him. Unlike the King, he could do wrong; unlike the Home Ministry, he was responsible not to the people or their representatives, but to an authority across the seas. It naturally followed that those whom he appointed to carry on the business of state were responsible to him alone and not to Parliament; their advice he need not seek; if sought and given, it might be neglected, and he could not hide himself behind any officer or the advice of any officer.

The Constitution of Upper Canada, then, was far from being the image and transcript of that of Great Britain.

In the early days of the Colony the inhabitants were too much engaged in material matters, in chopping down the forests, in clearing the land and in making a home in the new world, to pay much attention to the theory or indeed to the practice of government. The Governor had Crown Lands to draw upon and other revenues, and did much as he pleased without interference or complaint; Parliament had certain taxes imposed by its own authority and certain customs' duties, and this money was expended under the order of Parliament. The money at the disposal of the Governor tended rather to decrease than to increase; that of the Parliament had the reverse tendency, and it was inevitable that at some time the Governor would desire to encroach on the money of Parliament. And if money is not the root of all evil, it is the root of most revolutions and constitutional changes.

In 1803, the first instance on record occurred of the Governor (Hunter) using some of the Parliament's money without its consent; the money was employed for useful and necessary purposes, but in the absence of the consent of Parliament this was unconstitutional (in our sense of the word, i.e. legal, but not in accordance with our views of government). Hunter continued this practice till his death, apparently without open complaint; but in 1806 the matter received the serious attention of the Houses of Parliament. On March 1st, 1806, (4) the House of Assembly approved an address to Hon. Alexander Grant, the Administrator of the Government, successor to Hunter, in

(4) The address is to be found in the Eighth Report of the Bureau of Archives for Ontario (1911) page 107; it seems to have been drawn up by William Weekes, a notorious agitator who afterwards was killed in a duel at Fort Niagara, N.Y., by William Dickson; see an article in the Canadian Law Times for 1915, page 726. "The Duel in Early Upper Canada."



which it complains "that the first and most constitutional privilege of the Commons has been violated in the application of moneys out of the Provincial Treasury to various purposes without the assent of Parliament or a vote of the Commons House of Assembly. The comment on this departure from constituted authority and fiscal establishment must be more than painful to all who appreciate the advantages of our happy Constitution and who wish their continuance to the latest posterity; but however studious we may be to abstain from stricture we cannot suppress the mixed emotions of relative condition, we feel it as the representative of a free people, we lament it as the subjects of a beneficent Sovereign, and we hope that you in your relation to both will more than sympathize in so extraordinary an occurrence."

It is plain that the House understood that it was not precisely in the same case as the House of Commons at Westminster. Had it been, it would not have abstained from stricture, it would have vigorously assailed the Ministry and ousted them from office; the Ministry might consider themselves fortunate if they escaped impeachment. But it was recognized that the Administrator or Governor was the sole person responsible and blamable; and courtesy to His Majesty's representative restrained even that House, radical as it was. (5)

Grant temporised, and a peace was patched up. When Gore became Governor he informed the House that the money would be replaced. (6) The House, not to be outdone, presented an address to Gore about a month thereafter, wherein they "beg leave to inform Your Excellency that we have relinquished the sum of £617.13.7 paid by the late Lieutenant Governor Hunter without the concurrence of the other branches of the Legislature, as we are convinced that the same was expended for the public use and for the benefit of this Province." (7)

No further trouble came on till after the war of 1812-14: everyone in the Province was too busy to raise questions concerning the Constitution.

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(5) The sum was not very large—£617.13.7, (\$2470.72). It is reasonably certain that the mainspring of the objection by the House of Assembly was the well-known Robert Thorpe, Puisne Justice of the Court of King's Bench. Some account of Thorpe will be found in an article "Scandalum Magnatum in Upper Canada" in the *Journal of the American Institute for Criminal Law and Criminology* for May, 1913.

(6) In the speech from the Throne, February 2nd, 1807 (Eighth Report of the Bureau of Archives, Ontario, 1911, page 122).

(7) In an Address to His Excellency, page 175; March 7th, 1807. The motion to abandon the claim passed by a vote of 12 to 2—Thorpe and Ebenezer Washburn, (the Member for Prince Edward and a life-long Radical), voting in the negative.

But in 1818, a new complaint was made that Gore had expended considerable sums "in a manner obnoxious to Constitutional proceeding," and "thereby the sense of the country . . . over-ruled by an exercise of authority over the public moneys wholly unconstitutional and so subversive of legislative power as to call for the most serious notice in' the House of Assembly. (8) Nothing was done about this, as the Administrator, Samuel Smith, promptly prorogued Parliament. (9)

But even yet there was no real movement to make the Executive Council a Responsible Ministry; nor did the notorious Robert Gourlay urge this as a reform called for by the Province. (10)

In Lower Canada there had been and continued to be a demand on the part of the French Canadians that the Executive Council should be responsible to the representatives of the people (11) but so far the demand had no distinct echo in the Upper Province.

From almost the very beginning of the Province there had been one, here and there, who desired a real and responsible Ministry, but this wish was practically inarticulate; and it was not till the early part of the third decade of the nineteenth century that it can be said that there was a party calling for this reform. Even when the Reform party was organized, the demand for Constitutional Government did not recommend itself to all Reformers. Gourlay for example jeered at it (12) and while it may be said that it was implied in the demands of Mackenzie and his friends, it was not at first explicitly stated.

However, before long it was manifest that the members of this party were with few exceptions agreed that the promise of Simcoe should be more fully implemented and that the Executive Council should be made responsible to the people, as was the Ministry at Westminster.

All legitimate means were taken to bring about the change desiderated, but in vain. I do not propose here to

(8) Ninth Report of the Bureau of Archives, Ontario (1912) pp. 558, 599. (Under date Saturday, 28th March, 1818.)

(9) Ninth Report of the Bureau of Archives, Ontario, (1912) pp. 564, 566; very appropriately on All Fools' Day, Wednesday, 1st April, 1818.

(10) See my *Life of Gourlay*, just published by the Ontario Historical Society, 1916.

(11) It may be that this demand was rather with a view to the "loaves and fishes" than on constitutional grounds: that it was again and again urged is certain.

(12) See my *Life of Gourlay*, p. 112.

give an account of these efforts ; they may be read of in the pages of Dent and Lindsey. (13)

In the course of time, Sir Francis Bond Head was sent out as Lieutenant Governor, and it is in reference to his claims and his conduct that this debate took place. For some reason the Reformers believed Head to be a thorough-going Liberal, a "tried Reformer" who would redress all their grievances ; but they were soon to learn their mistake.

Nobody knows why Head was appointed Governor ; he could not even guess himself ; but there never was a person more utterly satisfied with himself, his actions and judgment than was the new Governor. Arriving in Toronto, January 23rd, 1836, while the Parliament was in session, he deemed it proper four days thereafter to attend Parliament in person, instead of pursuing the usual method of sending a written Message. He told the amazed members "I have nothing either to promise or profess," and shortly afterwards sent Parliament a copy of his Instructions. These Instructions made it manifest that there was to be no Responsible Government in the true sense of the words, but that the Governor was held responsible to the Home authorities, not to the people of the Province. The House of Assembly indeed had the right to remonstrate against the conduct of the Governor, but had no control over him.

An Address passed by the House on the motion of Mackenzie failed to draw from Head a definite answer ; he could never be got to understand that the Reformers were anything other than Republicans, determined to destroy all connection of the Province with the Mother Country. Still, as there were only three existing Executive Councillors, it seemed necessary to increase the number ; and Head thought it wise to take into the charmed circle some of the more temperate of the Radicals.

He accordingly appointed Dr. John Rolph, and Robert Baldwin, prominent members of the Reform Party, and John Henry Dunn who had not taken a strong stand either way.

It is reasonably plain that the appointments were accepted on the understanding that Head should be governed by the advice of his Council, so that the House of Assembly would know where to attach blame. Moreover it was necessarily implied that if the advice of the Council did not recommend itself to Parliament, the Councillors would be removed, thus making a real Responsible Government.

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(13) Dent's "The Story of the Upper Canadian Rebellion", an interesting but not wholly accurate work : Lindsey's "Life of William Lyon MacKenzie."

Head never had the slightest intention of being controlled by the Council or indeed by anyone. He forthwith proceeded to make appointments which were wholly obnoxious to the majority of the House. The Council protested, all six joining in a document in favour of what Head calls "the republican principle of making the Lieutenant Governor's Executive or Privy Council responsible to the people . . . a democratic principle of government which I felt so long as the British flag waved in America, could never be admitted." He declined to accede to the demands of the Council; the Council unanimously resigned, and their resignations were accepted, March, 1836. Their conduct in so resigning was approved by the House by a vote of 27 to 21. The correspondence between the Governor and his Council was referred to a Committee of the House. The Committee reported. This Debate was on the motion to adopt the Report of the Committee, and is self-explanatory in most instances. (14)

The Committee was composed of Peter Perry, Chairman, and Messrs. Morrison, Roblin, Norton and Charles Duncombe. The Report (No. 106) is very long, taking up with its appendices 70 foolscap-size pages in the "Appendix to Journal of Assembly, 2nd Session, 12th Parliament, Vol. 3."

It starts off with a reference to "the increasing dissatisfaction which has been produced by the mal-administration of our provincial affairs under Lieutenant Governors Gore, Maitland and Colborne", the removal of Colborne owing to complaints, and the appointment of a successor, Head, "to administer the affairs of the Province in such a way that the people should have reason to be attached to the parent State". The lively and general satisfaction felt on the appointment as Executive Councillors of Rolph, Baldwin and Dunn was mixed with serious apprehension of the influence of the old Councillors. Complaint is made that the principles of the British Constitution were not put in practice as it regarded the Council in the past, and it was plain that matters were not bettered by the appointments of the three new men—"the appointment of the new Councillors was a deceitful manoeuvre to gain credit with the country for liberal feelings and intentions where none really existed, for it was notorious that His Excellency had really given his confidence to, and was acting under the influence of secret and unsworn advisers."

It is claimed that "the responsibility of the Governor

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(14) These facts are to be found in detail in Lord Durham's Report, Sir Francis Bond Head's Narrative, Lindsey's Life of William Lyon MacKenzie, the Makers of Canada Series, etc., etc.

should consist in great measure of selecting good Councilors and acting with their good advice"; and that he should in matters of patronage receive the advice of his Council.

The necessity of an Executive Council under the Act of 31 George III. is pointed out in opposition to the Governor's contention. Simcoe's Speech from the Throne is quoted, as is his speech closing the first Session of Parliament in which he says "this Province is singularly blessed not with a mutilated Constitution but with a Constitution which . . . is the very image and transcript of that of Great Britain."

The answers made by Head to popular Addresses came in for comment, criticism and censure; the conclusion is expressed that His Excellency was not so much shocked at the doctrine contended for by the Assembly as he was averse to its practical bearing against his own arbitrary pleasure; and reasons are given at length for that conclusion.

The Report concludes "The privileges of Parliament were not more obvious and certain or more important than the duties and functions of the Executive Council for the peace, welfare and good government of the country, and it only needs on the part of the people and their representatives the same firm and constitutional exertions to insure the same success in the present all-important contest."

A few remarks may not be out of place: "Mr. Gourlay" mentioned by Dr. Morrison, is the well-known Robert (Fleming) Gourlay, the agitator malgre lui, (15) who was banished from Upper Canada in 1819, and afterwards adopted the title "The Banished Briton".

"Governor Preston" was Sir Robert Prescott, Governor General of Canada: he had disputes with his Council at Quebec concerning some land grants—he charged them with dishonesty; they, him with deceit and falsehood; and he was recalled.

"Mr. Sullivan" was Robert Baldwin Sullivan, cousin of Robert Baldwin, a man of the highest character and attainments, afterwards a Justice of the Court of Queen's Bench. On the resignation of the Council, he, with John

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(15) Gourlay on coming to this Province did not intend to remain, but being made ill by mosquito bites and laid up for some weeks, his intention was changed. There is no reason to suppose that he wished to agitate politically; but his economic investigations roused the suspicion of the governing classes, especially Dr. John Strachan, and the opposition of these forced Gourlay, (as he thought) into politics. See my *Life of Gourlay*, p. 57, note (42).

Elmsley, Augustus Baldwin and William Allan, had been appointed to the Council (March 14th, 1836). Elmsley was the son of Chief Justice Elmsley; Augustus Baldwin (Admiral Baldwin) the brother of William Warren Baldwin, and uncle of Robert Baldwin. William Allan was a well-known Tory Magistrate in Toronto. None of these could at that time be considered of the Radical stripe of politics; Allan and Elmsley were always ultra Tories.

"The hon. and learned Solicitor-General" was Christopher Alexander Hagerman, afterwards Justice of the Court of Queen's Bench.

From about 1824 there had been efforts made to suppress the Orange Order, then almost wholly Tory in its membership; but in vain. Head had no sympathy with the movement.

"Mr. Francis Collins" was the editor, proprietor, and publisher of "The Canadian Freeman," a strongly Radical weekly, published in Toronto. He got into trouble with the Government and was prosecuted for libel. (16)

"Mr. McKenzie" is of course William Lyon Mackenzie, whose press was destroyed by certain scions of Tory families—a celebrated scandal of the times. (17)

"The Chief Justice of Newfoundland" was Henry John Boulton.

"William Forsyth of the Niagara Falls" claimed certain land which was also claimed by the Crown and which was taken possession of by a military force under the command of Captain George Philpotts of the Royal Engineers on the direction of Governor Maitland. It became a political question, the Radicals taking Forsyth's part; but from all the material available it seems clear that he was in the wrong. (18)

The case of *Mostyn v. Fabrigas*, referred to by the Solicitor General (Hagerman) was tried in 1774. John Mostyn was the Governor of Minorca. Anthony Fabrigas was endeavoring to raise a rebellion against British rule in the Island, and was imprisoned by order of the Governor. Fabrigas sued Mostyn in the Court of King's Bench at Westminster; and that Court held that the defendant

(16) A reasonably full and accurate account of Collins will be found in Chapter IX. (Vol. 1.) of *Dent's Rebellion in Upper Canada*.

(17) See *Dent*, Chapters V. and IX. (Vol. 1); *Lindsey's Life of William Lyon MacKenzie, etc., etc.*

(18) See *Dent*, Chapter VII., Vol. 1. I have also examined the legal proceedings extant, and think Forsyth had no rights in the property taken from him.

might be sued notwithstanding that he was Governor. (19)

Peter Robinson was Commissioner of Crown Lands, the brother of Sir John Beverley Robinson and the founder of Peterborough, Upper Canada. (20)

(19) The case is reported at length in Reports of Cases adjudged in the Court of King's Bench by Henry Cowper, Vol. 1. at page 161.

Wyatt v. Gore is reported in Holt's Reports, page 299. This report is best known from the curious mistake made by the reporter in calling Upper Canada an "Island". The case was tried in 1816, and it decides that the Governor of a Province may be guilty of libel for handing a libellous document to his Attorney-General. Serjeant Firth, Gore's former Attorney-General, gave evidence for the plaintiff, *con amore*, as he had had difficulties with Gore also.

(20) Of those voting on the Reform side :

Robert Alway was one of the two members for Oxford.  
 William Bruce one of the two members for Stormont.  
 William Buell one of the two members for Leeds.  
 Alexander Chisholm one of the two members for Glengarry.  
 John Cook one of the two members for Dundas.  
 Charles Duncombe one of the two members for Oxford.  
 David Duncombe one of the two members for Norfolk.  
 James Durand one of the two members for Halton.  
 David Gibson member for 1st Riding of York.  
 (Dr.) John Gilchrist one of the two members for Northumberland.  
 Caleb Hopkins one of the two members for Halton.  
 Matthew M. Howard one of the two members for Leeds.  
 Samuel Lount one of the two members for Simcoe.  
 Aeneas McDonell one of the two members for Stormont.  
 John McIntosh member for the 4th Riding of York.  
 William Lyon MacKenzie member for the 2nd Riding of York.  
 Gilbert McMicking member for the 4th Riding of Lincoln.  
 Elias Moore one of the two members for Middlesex.  
 (Dr.) Thomas David Morrison member for the 3rd Riding of York.  
 Hiram Norton one of the two members for Grenville.  
 Thomas Parke one of the two members for Middlesex.  
 Peter Perry, one of the two members for Lennox and Addington.  
 John P. Roblin one of the two members for Prince Edward.  
 Jacob Rymal one of the two members for Wentworth.  
 Peter Shaver one of the two members for Dundas.  
 James E. Small member for the City of Toronto.  
 David Therburn member for the 3rd Riding of Lincoln.  
 Charles Waters one of the two members for Prescott.  
 William B. Wells, one of the two members for Grenville.  
 James Wilson one of the two members for Prince Edward.  
 Dennis Woolverton member for the 1st Riding of Lincoln.  
 Henry W. Yager one of the two members for Hastings.

Of those voting on the Tory side :

George I. Boulton was one of the two members for Durham.  
 John Brown one of the two members for Durham.  
 Francis Caldwell one of the two members for Essex.  
 Robert Graham Dunlop member for Huron.  
 John Bower Lewis one of the members for Carleton.  
 William McCrae one of the two members for Kent.  
 Donald McDonell one of the two members for Glengarry.  
 Alexander McDonell one of the two members for Northumberland.  
 Thomas McKay member for Russell.  
 Archibald McLean member for Cornwall.

Allan N. McNab member for Hamilton.  
 Edward Malloch member for Carleton.  
 William Hamilton Merritt member for Haldimand.  
 Charles Richardson member for Niagara.  
 William B. Robinson one of the two members for Simcoe.  
 George Rykert member for the 2nd Riding of Lincoln.  
 Solicitor General Christopher Alexander Hagerman member for  
 Kingston.  
 John Strange one of the two members for Frontenac.  
 Francis L. Walsh one of the two members for Norfolk.  
 John A. Wilkinson one of the two members for Essex.

**Not voting :**

David Jones member for Brockville.  
 William Morris one of the two members for Lanark.  
 Josias Tayler one of the two members for Lanark.  
 Jacob Shibley one of the two members for Frontenac.  
 James H. Samson one of the two members for Hastings.  
 Marshall Spring Bidwell (Speaker) one of the two members for  
 Lennox and Addington.  
 Hermannus Smith one of the two members for Wentworth.  
 Nathan Cornwall one of the two members for Kent.



**IMPORTANT DEBATE**  
ON THE ADOPTION OF THE  
**REPORT OF THE SELECT COMMITTEE**  
ON THE DIFFERENCES BETWEEN  
**HIS EXCELLENCY AND THE LATE EXECUTIVE COUNCIL**  
IN THE  
**HOUSE OF ASSEMBLY, APRIL 18th, 1836**

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Dr. Morrison, seconded by Mr. Gibson, moved that it be—

“Resolved—That the Report of the Select Committee to whom was referred the communications between His Excellency the Lieutenant Governor and the late Executive Council be now adopted, and that the Memorial to the House of Commons accompanying the same be also concurred in and adopted and signed by the Speaker, and transmitted by him to some member of the House of Commons, with the request of this House that he will present the same and support its prayer.”

Dr. MORRISON said that a more exciting and important topic had never come before that House. The whole Province was now agitated by it. In the remarks he was about to make, he should endeavour to confine himself to the main point. The question was, whether or not the advantages of the British Constitution were to be enjoyed by the Province? There were various opinions entertained in the country as to what constituted good government. The House, at the commencement of the Session, had given its opinion in favour of elective institutions; and expressions of public opinion had since been given by the country that this was necessary to preserve the union with the mother country. The important question to be discussed that day was not urged forward by the House, but had been forced upon it by the head of the administration entering into the discussion of the preliminaries of government; and upon him would rest the blame if it should lead to the further inquiry whether the people or the king should elect the governor. The question before the House might be narrowed into this principle: If there is an Executive Council, what duties have the people a right to expect from

it? One thing was clear, there had been an Executive Council from the earliest period. But this was strangely denied by the present Lieutenant Governor; although, if he had searched the records of the Province, he would have found that it had existed coeval with the government itself. (Here the hon. gentleman read at some length from the works of Mr. Gourlay.) It would be worth while also to read the whole account of Governor Simcoe's administration. But he would not rest this question upon the bare authority of Governor Simcoe, but would refer to the last clause of the Constitutional Act, and to the King's Instructions, in which an Executive Council was plainly represented as an essential appendage to the Government. But he would contend further, that, laying aside all arguments deducible from law, established usage, and general admission, the very principles of colonial government required the existence of such a Council to advise on all affairs of the Province. He had often admired that principle in the British Constitution which allows that the King can do no wrong. The meaning of this was, that he was not subject to trial by law; because, being one branch of the legislature, he is and ought to be free in the discharge of his duties. But still there was responsibility in the Government; because the King is surrounded by a responsible cabinet and Privy Council. The necessity for such a body as the Privy Council arose out of the very nature of the Government, although there was neither statute nor common law which provided for its existence, any more than for that of the Executive Council here. In order to avoid despotism, there must be a cabinet ministry liable to impeachment for the advice they give; and as the Lieutenant Governor here is the representative of the King by royal commission, the same principle should hold good, that he can do no wrong, and therefore he should be surrounded by responsible advisers, liable to punishment as in England. Without some such responsibility the Government must be the height of despotism, and the most ardent admirers of the British constitution would most strongly deprecate its existence. If unlimited power being vested in the King would constitute a despotism, is it not equally so if vested in the Governor? He would ask, if the day had arrived when the people would tamely submit to be deprived of those blessings which had cost the blood of patriots? No, he hoped the time had come when they would contend for good government. It would be as reasonable for judges to dispense with juries, whose business it is to inform the conscience of the court, as for a governor to rule without responsible and intelligent advisers. It might as well be said that the Parliament is only to legislate on

some affairs, as that the Executive Council is only to advise on some affairs. The very term Executive Council implied that it was to give counsel or advice on all Executive matters. But how does the doctrine laid down by His Excellency accord with this, when he declares that he alone is responsible, and that he will ask advice only when he pleases? To advise was the very essence of their office; and they had as much right to exercise their privilege, as the Governor had to exercise his constitutional powers. It had always hitherto been supposed that the Council was consulted on all the affairs of the Province. That belief had been inculcated in all the public records,—in the Journals of the Assembly, and in speeches from the Throne, and had never before been questioned. Was it to be admitted that Sir Francis Head, an entire stranger in the Province, was to come and upset opinions that had been entertained for fifty years? He (Dr. M.) would appeal to the people whether they would submit to this from an individual whom nobody knew. The long existence of the practice, if nothing else, had made it the constitutional law of the land. (Hear, hear!) Yes, the first Governor had an Executive Council. The 31st Geo. III., chap. 31, showed that there was to be one. And, if such a Council does exist, the Royal Instructions state that they are to be advised on all affairs of the Province. It was the most odious doctrine that ever was promulgated, to tell the Council at this late day that they are to be limited in their advice to only those subjects on which the Governor may feel it necessary to ask it, and that they are alone responsible to him for that advice. In the year 1799, Governor Preston of Lower Canada took upon himself the same authority, but the Tory Council told him they would not submit to it. He continued to act without their advice, and he had to walk about his business. Sir Peregrine Maitland did the same, and led some persons into crime. The Executive Council told him it was their province to advise him, and that, if he continued to act without advice, they would accuse him, and he must be recalled. Indeed, it was evident that the Governor could no more act by himself than the Assembly could. The privileges of both were defined by law. He would close by observing that Sir Francis Head, in replying to the Address of the City Council, had entirely mistaken the subject of it. He had represented them as dictating whom he ought to appoint as Executive Councilors. But they did no such thing: They said what every constituted body has a right to say—that the present Council had not the confidence of the country. But they nominated no persons in their stead, but left the whole Province to His Excellency, from which to make his selection.

Mr. PERRY commenced by remarking, that, if there ever was an important crisis in the affairs of Upper Canada, for good or for evil, it was the present time. There generally was a time in the history of every country, which, like the "tide in the affairs of men," as it was improved or neglected, exalted that country to greatness and prosperity, or sunk it into insignificance and contempt. That time, in his opinion, had arrived in Upper Canada. (Hear, hear!) For many years we had been struggling to get along in the best way we could, but things had still been getting worse instead of better. At length the time came when it was ardently hoped the prosperity of Upper Canada would be advanced, her grievances redressed, and her people made contented and happy; but, as if some evil genius presided over her destinies, at that very time this question was forced into discussion. People of all classes, Tories as well as reformers, had at different times complained of the administration of affairs in this Province,—it had given satisfaction to none. When reformers made complaint, they were denounced as being factious, as demagogues, revolutionists, destructives, &c.; but they never were told they should not enjoy the blessings of the British constitution;—in fact the contrary was the answer on all occasions: "You have the British constitution, and what more do you want?" There had been a sort of deception practised upon the country: the complaints to which he alluded had been mostly directed against the Executive Council; they had to bear the odium of all the unpopular acts of the Lieutenant Governor, and they had heretofore been prudent enough to keep up the delusion, knowing that the matter would not bear the light of investigation. Who, he would ask, had brought up the discussion of this question? Was it the people, or the Council? No: he would say in his place, without fear of successful contradiction, that it was Sir Francis Bond Head. (Hear!) He had, to use his own emphatic language, "dragged it into day-light." What did he come here for? Avowedly for the purpose of redressing the grievances of the country; for he tells us in one of his popular appeals, "the grievances of this Province must be corrected,—impartial justice must be administered; the people have asked for it—their Sovereign has ordained it. I am here to execute his gracious commands." Well, what did he do when he came here? He sent for the Hon'ble Robert Baldwin, and he told His Excellency in plain simple language which could not be misunderstood, that, if he took office, it would be to advise him as a cabinet minister advises the King. Doctor Rolph told him the same thing. But did His Excellency tell them, before they went into his Council, that he could not accede to nor accept of their

services on these terms? No; but urged them to take office, at the same time telling them that they would have a better opportunity to discuss that question in Council. It seemed he wished to get them into his Council that the question might be "dragged into day-light," relying on his abilities as a writer to carry him through in writing down that great constitutional question in this Province. When they, with Mr. Dunn, consented to take office, he wrote a note to them to be read publicly in the House of Assembly, saying that they had done so free and unpledged; but the note was not forthcoming till the day after they were sworn, notwithstanding he tells the country, in one of his popular replies, that it was delivered to them before they were sworn into office—just as he tells many other things—and then it was altered from the draft agreed upon at the time they were sworn; thus stooping to duplicity in order to get them into the Council, knowing that they were opposed to his principles. Having thus got them in, he proposed that no business should be done till the question was discussed between him and them, and they each should understand their relative duties. But did he do so? No, he went on administering the government as if there was no Council, making appointments to office, without coming to any decision with his Council; and seeing this they resigned office like honest men and gentlemen,—not only the new councillors, but also the three old members, who were generally thought to belong to the old tory school. They drew up a formal request to His Excellency, representing their views on the question at issue between them; which was never intended to be made public, as they took all precautions to keep it secret,—they even swore the junior clerks of the office to secrecy, and then went up to him in a body and read it to him. He might have told them in answer, 'Gentlemen, I find the practice of my predecessors different from what you claim, and I will submit the question to the decision of His Majesty's Government.' But did he do so? No, by no means; but like a tyrant he told them, 'What you have written you have written; you have put your foot in it, you must now retire from your principles or from my confidence.' Immediately he got it put into print for circulation throughout the country, (he must get credit for good manoeuvring;) and thus he has been the cause of dragging the question before the country, and if any evils arise from it he must take the consequence. If the people be aroused to discuss questions of government, upon him must fall the blame. No doubt His Excellency never thought of such consequences following; or if they did follow, that he could put them down as he would the clamours of the Kentish paupers. But he would find himself

mistaken ; the people of Upper Canada were British subjects who understood their rights, and would not submit to be deprived of them by Sir Francis Bond Head or any other Francis. The question now before the country was not whether we should have a new constitution, like the United States ; no, but whether we should have the British constitution administered in all its blessings and advantages, as Governor Simcoe promised us ; or whether we should have all its evils,—pensions, high salaries, established church, retories, &c.—without any of the advantages attending it ? It was admitted by Sir Francis himself, that if the King was here he would require an Executive Council to advise him. And was it not most ridiculous and absurd in His Excellency to set himself above the King, to proclaim that he was all-wise and all-powerful, and required no assistance in the government of the country ? If it was necessary for the liberties of the people that the King, whose interests were identified with theirs, should have this check over him, was it not much more necessary in the case of a captain of the Waggon Train or a commissioner of Poor Laws, who had no other interest in this country but the few paltry pounds he put into his pocket while he was here ? The Council claimed nothing but what was admitted in England ; not one of the editors in the Province said they did ; he knew His Excellency said they did—as he said many other things which it would take more than his word to make go down as truth. (Hear, hear !) His Excellency says, the constitution of this Province ordained no such absurdity as an Executive Council ; but the latent intention of His Majesty to create a Council was soon made known by the King's Instructions. He (Mr. P.) would like to know what he meant by the word "soon," for it was not till 27 years after the passing of the 31st Geo. III., cap. 31, that the Instructions which he sent down to the committee were transmitted to this country,—they were dated in 1818 ; but that was of no consequence, for he would say with his hon. friend, that if neither the Constitution nor the Instructions said one word about an Executive Council, it would, notwithstanding, be required by the form of government. There was no such thing in the constitution of England, but it had grown out of necessity. The British government was a government of three branches. With the King rests the executive branch, in whom there must of necessity be a great deal of power entrusted, such as making war and concluding peace, entering into treaties, the power of life and death, &c. &c. ; and there ought to be some check upon the exercise of such power. What was that check ? It was the Cabinet Council, the bulwark of the rights and liberties of the country. Talk to Englishmen of resigning the con-

trol they possessed through a Cabinet Council having the confidence of the House of Commons, and you might as well talk to them of resigning their hearts' blood : yet there was not a word in the constitution or laws of England which said that the King should be advised by his Council. Was not such a check as necessary in this country as in England ? It was even more necessary ; and the Council should be responsible to the people for reasons which he stated before,—the Governor having no permanent interest in the country. But His Excellency not only says that the constitution ordained no such absurdities, we would be ruined if we had it,—yes, it would be the ruination of the country ; and, in fact, that it would be unconstitutional for the Governor to advise with his Council. And then, notwithstanding, he says, the constitution ordained no such absurdity as an Executive Council : he tells us again, that, to supply his want of local knowledge, the constitution has wisely provided an Executive Council. (Hear !) Never in his (Mr. P.'s) life did he hear such a mass of contradictions as His Excellency had put forth in his various documents. He might just as well say that the House of Assembly should not legislate upon all matters of the Province, as that the Council should not advise upon all its affairs. The Governor admits that if he stood in the place of the King he would need a Council ; but he says he is only the minister of the Colony ; yet, in the Instructions to which he appeals, the Government of this country is called in five different places "your Government." And he has a discretionary power : he could declare war. (Hear !) Yes, he could ; and he calls parliaments and dissolves them at his will and pleasure : it is therefore necessary that he should have a council to advise him upon those important matters.

Those who took a part in the debate which took place in the Imperial Parliament on the passing of our Constitutional Act, well knew that it was part of the constitution of England that a cabinet council should exist, and they must have intended when giving to Canada "all the forms," yes, "the very image and transcript of the British constitution," that there should be a cabinet council to advise the Governor upon all the affairs of the province ; and it would be found that this was their purpose, both from the Act itself and from the language of all public documents from that time to this. Governors Simcoe, Hunter, and all others down to this day, acknowledged the principle, although they found it their interest to deny it in practice. And so says Lord Stanley, who was not a reformer ; and the Constitutional Association of Quebec, who were not reformers, but tories, set out by saying in their Declaration, that there should be an executive council

to advise the Governor on all the affairs of the province. And he had no doubt but if a question had been moved in that house for an elective legislative council, and the present resolution was moved in amendment, it would be supported by all the tories in the house, even by the Sol.'r General himself. (Hear him !)—(The hon'ble gentleman here read some extracts from the report of the Canada committee of the House of Commons, which was drawn up by Mr. Stanley.)—It must be conceded that the Governor takes advice of somebody, and if not from his council it must be from secret, unsworn, and irresponsible advisers. Was there a man in Upper Canada who wished such a system pursued? Did even the tories desire it? for it must be granted that if persons were allowed to advise him in that way, they would feel no restraint, but would say any thing true or untrue that might suit their purpose. No one of any party was desirous of the welfare and prosperity of Upper Canada who wished the government to be administered in that way.

The Governor says the Council take an oath of secrecy, which to his mind appears to be an oath of non-responsibility to the people. But was it not the same as the oath taken by the King's Council in England? The very same; it was an old oath; the King's Council were sworn to secrecy, and yet His Excellency admitted they were responsible to the people. (The hon. member read the oath.) The very oath itself bound them to give advice upon all matters of the government; and when they were thus sworn to give the Governor their best advice upon all matters which they thought was for the peace, welfare, and good government of the Province,—was it just, was it honourable, to bring the charges against them which had been done in His Excellency's appeals to the people in the shape of answers to public addresses? His Excellency further says, it would not only be unconstitutional but it would be inexpedient that the government should be administered here as it is in England, and men could not be found properly qualified to take office as often as a change would make it necessary. Now, he (Mr. P.) would say that Upper Canada contained within itself men as well fitted for all the purposes of good government as any other country in the world, and who would lose nothing in comparison with the statesmen of any nation; and he must say, it was not becoming in His Excellency to speak so contemptuously of the people of Upper Canada; and not only of them, but also of all the Englishmen, Irishmen, and Scotchmen, who had emigrated here. But it seemed he was the only man fit to administer the government. Again he says, that if it was administered as was proposed, it would fall into the hands of a few dominant families at Toronto. (Hear !) What had he done



to take away the power of the family compact? Nothing; he took his new council from those very men who had "built and feathered their nests in the branches of the tree of abuse." He told the House that when he named his council he thought they would be the most acceptable men to the people of Upper Canada. Was there a man in the country who believed that when he penned that declaration he himself believed it was true? But that was nothing singular, for he kept men in his council who had convicted him of deliberate falsehood. When he was asked by the house whether a certain document was in existence, he replied it was not; but Mr. Sullivan, when examined before the committee, said there was such a document, and that it was drawn up by his Excellency himself and executed in the council chamber; and Captain Baldwin said the same: they only differed about who suggested it. Mr. Sullivan said he did, but Captain Baldwin said it was Mr. Elmsley; yet he still kept this very Robert Baldwin Sullivan in his council. Could any one believe that 57 rectories would have been established in Upper Canada, contrary to the often expressed wish of nineteen twentieths, if not ninety-nine hundredths, of the people, if the government was administered by the advice of a Council responsible to the people? What use was it to the people of this Province that the Governor was responsible to Downing Street? Suppose he appointed Sheriffs and other important officers who would exercise their power to oppress the people, what redress could be had? for it must be proved, to sustain a charge against him, that he was actuated by improper motives; but this it would be difficult, if not impossible, to do. Such responsibility was all a "bubble," and His Excellency had better been writing about bubbles than about such responsibility. How could a case be made out against Sir John Colborne for setting apart 57 rectories last year contrary to the almost unanimous wish even of the last tory House of Assembly? The hon. and learned Solicitor-General said, the other day, that he (Sir John Colborne) was compelled to do so by the Constitution. This was not the case; the constitution authorised but did not compel it to be done. Because the constitution authorised the Assembly to stop the supplies, was it to be argued that they must do so? How could Sir John Colborne be impeached for withholding from the House of Assembly important information relative to the revenue, when the Everlasting Salary Bill was under consideration? Instead of being impeached or turned out, he actually made his boast of it and was approved of. And one of the answers of His Excellency, Sir F. B. Head, to the House was enough to impeach him; for, at the very time when measures were taking in the Parent State to

suppress Orange Societies, His Excellency tells the Assembly he will take no step to suppress them in this country: That very answer showed not only that he had no regard for the wishes and feelings of the people of Upper Canada, but also that he had none for the wishes of His Majesty's Government.

His Excellency says it is better that the people should apply to him for redress of their grievances, than to his Council. Well, he (Mr. P.) need not go back to the case of Mr. Francis Collins, the destruction of Mr. McKenzie's printing office, &c.; he would say nothing of these bygone matters, but come at once to His Excellency's own administration,—and what would be found? There was a gentleman who was well qualified to be at the head of the office which he had long been in as its chief clerk, and he had applied to the Governor for it, backed by such a recommendation as he might well be proud of, and which few indeed could boast—a recommendation signed by men of all parties and all classes, in the House of Assembly, the Legislative Council, and elsewhere, (he referred to Mr. Radenhurst;) but did His Excellency give him the situation? No. And when the Assembly subsequently addressed him to inquire whether the office was filled up, plainly insinuating their wishes in regard to Mr. Radenhurst, he did not even mention his name in his reply. And did not he connive, in the most disgraceful way, to prevent Mr. McDonell being promoted to the colonelship of the regiment which by rank he was entitled to? And was there not a young stripling of a boy taken out of Peter Robinson's office the other day, and made collector of customs in Prince Edward, as if there was not a man fit for the situation in that county? If these things were appealed against, what redress could be got at the Colonial Office, where one man was out and another in while the complaints were on their way there? Look to the removal of the two crown officers, which was done to the great joy and satisfaction of the people of Upper Canada, and see how, by interested misrepresentations, they were re-appointed,—the one to the Chief Justice of Newfoundland, and the other installed in his former situation. Suppose His Excellency should appoint a man to be a judge of the King's Bench, with slender qualifications as to character and still slenderer talents and knowledge of the laws, and he should, either from his ignorance or wickedness, sacrifice a man's life. How was redress to be obtained? Then, there was the case of William Forsyth of the Niagara Falls, whose premises were invaded and whose property destroyed by a military force by command of the Lieutenant Governor; he applied to the Colonial Office

after seeking in vain for redress in this country, but had not obtained justice yet, nor was there any more probability of his getting redress than there was years ago. This responsibility to Downing Street was of no practical use to the people of this country, and therefore the necessity of a responsible Executive Council to advise upon all matters relative to the government of the colony,

His Excellency told the House that he was preparing remedial measures for the consideration of his Council. What, he (Mr. P.) would ask had become of them? he would like to know where they were; His Excellency had every opportunity to bring forward his remedial measures, but not one of them had made its appearance; on the contrary, there was not a step he had taken yet, that has given satisfaction to the country; and notwithstanding all his professions of coming here to "root out the tree of abuse," we are just where we were,—he had done nothing but dismissed one Council and appointed another. He says he has followed in the same track of other Governors. He (Mr. P.) denied it. His Excellency told them, there never was an Executive Council till 1818, but he did not deny, that other Governors had an Executive Council before that time, and thus he contradicted himself. But saying nothing about that, he would ask, what was the use of recalling Sir John Colborne, and sending him, if he was to follow in the course of other Governors? He admits there are certain families who have actually grown rich upon the abuses of the Government, so that agitators have subsisted by exposing them, and therefore, there must have been some use in recalling Sir John Colborne and sending out Sir Francis Head; but if he intends to do just as others have done, he (Mr. P.) must say, that of the two, he would prefer Sir John Colborne; indeed they should never be named in the same day. (Hear, hear, and laughter.)

The very state of our affairs in a country blessed by Providence, with so many natural advantages, proves that there must be something wrong in the administration of our Government; and he would maintain, that it became the Representatives of the people, after the question had been "dragged into day light" as it had been, to support the principle of responsible Government, and if it had not hitherto been introduced to the country, to do it now, for the interests of the country required it. In doing so, they did not seek for any change in our Institutions, but merely to enjoy the same blessings as our fellow-subjects in the Mother Country. He further maintained, that it was their bounden duty to use all constitutional means, to obtain these desirable ends. What could they do? In the first place, they could stop the Supplies, and in the next place,

appeal to the King and Parliament at home. It was admitted on all hands, that they might withhold the Supplies ; but it might be said the time had not yet come, when it was proper to do so. In the name of God, when would it come ? It might be said that in England the supplies have not been withheld in times of great agitation. He would admit it. But why ? Because the majority of the Commons always rules the Ministry. He was aware that many scare-crows would be held up, but he was of opinion, notwithstanding, that this was the time.— Perhaps it would be said that we ought to tell the Governor what we intend to do. But the House had been as moderate as men could be, under their circumstances. They intimated, in their address to the King last year, their intention, and the only remaining question was, whether the right time had arrived. He believed the House would not be doing its duty if it did not now take a firm stand ; when the Constitutional rights of the people were invaded by force and violence, when the Governor tells them that they cannot have the British Constitution, and thus attempts to strip them of their birthright.— Under such circumstances, should the House grant the supplies, it would betray its trust. When the new Council was formed by the addition of known reformers, it caused universal satisfaction. But for what purpose was it formed ? Merely to be a screen for Sir Francis Head,—a mere delusion. When that Council was dismissed, the House went up to the Governor with an Address, expressing their regret that such a step had been taken. They afterwards passed resolutions declaring their want of confidence in the present Council. But what was the result ? The Governor would not dismiss them but he derided the people, telling them that he had confidence in his advisers. Why, it would be committing political suicide, to grant the supplies under such a state of things. Perhaps he would be told that if the supplies were stopped, the Governor would refuse the contingencies. Well, let him refuse them. He was addressed for £2,000 several days ago, and was to give an answer to-day at 12 o'clock. What it was he did not know ; but had little doubt but it was a refusal. It was also reported by some of his satellites that he intended to shut up all the public offices. Let him do so ; if he thinks it will advance the interests of the country or the purpose for which he was sent here, let him do it. Of course he had the power in his own hands if he pleased. The farmers of the country were independent of him,—they could “shear their own fleece and wear it.” He would say here in his place, that if the supplies were stopt, and his Excellency did not dissolve

the House, it would be a clear admission that he was aware the country did not go with him. The Executive Council were bound by their oath to advise him to dissolve the House—to send home those demagogues, and get men who would go with him. He trusted that day would decide the question whether the supplies were to be stopt or not; and if they were, let His Excellency come down and thunder his cannon in their ears, dissolve the House, and see what the consequence would be. Let him denounce us as traitors to the interests of the country, betrayers of the trust reposed in us by our constituents, and send us back to them again, and ask them whether they approve of us or not. The whole course of His Excellency, not only on general matters but in particular acts, was to be condemned. He had interfered with the privileges of the House of Assembly, in saying he was surprised it should address him on the subject of the present Council till the Committee had reported. And does he not speak of this matter most freely to members of the Assembly, and to private persons out of doors? He tells them, 'The House of Assembly has got the pig by the wrong ear,—they have got hold of the stick by the wrong end.' Many names are already in his black book; my name, I am told, occupies a very conspicuous place there. And did not he influence officers high in His Majesty's service to come to this House and pilfer that very Report from the table, in order that he might see it and be able to shape his course accordingly?

If ever the time could come to stop the supplies, it was now. Had not every step of the Executive Government been against the interests of the country? Look at the 57 rectories; and instead of that number there would soon be 444, as the Solicitor General wished there was the other day. If the House did not take a stand now, they would soon have no privileges to guard, or none worth contending for. He recollected when Mr. Boulton refused to give evidence before a committee of the House, he was brought to the bar and received a lesson from the Speaker; and he afterwards turned out one of the greatest sticklers for the rights of the people in the Assembly he (Mr. P.) ever saw. And he had no doubt but Sir Francis Head, when he was broken down from his present haughtiness, would be a useful Governor to Upper Canada, and as great a stickler for the privileges of the House of Assembly, as Mr. Boulton was. He was desirous of moving the following amendment:—

"That this House regards it as one of the brightest features and most important attributes of the British Constitution that the head of the Government is assisted

in all its affairs by the advice of known and responsible Councillors and Officers who possess the confidence of the people ; and that the people of this Province had imparted to them the same form of Government by the British Statute 31st Geo. 3rd, chap. 31st which, in the memorable language of the revered Simcoe, 'established the British Constitution and all the forms which secure and maintain it in this distant country,' and 'singularly blessed this Province, not with a mutilated Constitution, but with a Constitution which has stood the test of experience and is the very image and transcript of Great Britain.' "

Let any man who pretends to be for the Constitution of the country, vote against that proposition ; but whatever became of the amendment, he hoped the original resolution would be adopted, that the country might know the Report had the sanction of that House.

MR. McNAB said, that before entering into the discussion of the important question now before the House, and which had been so unfairly kept from the country, he would endeavor to remark upon what had fallen from hon. gentlemen who had spoken before him. He expected that the hon. and learned member who introduced this matter, would have furnished the House with something like authority for the principles he advocated ; but the only authority he adduced, was that of Mr. Gourlay's opinion. The whole proceedings on the part of those who called themselves Reformers, in regard to His Excellency and the Administration of the Government, were the most singular he ever saw. When Sir Francis Head arrived here, they extolled him to the highest pitch. The hon. member for the second Riding of York, sent out "epistles to the farmers," through the Correspondent and Advocate, praising him as a "Radical of the first water." But short-lived was his popularity with them ; for the very first speech he made, his very first communication to the House of Assembly, was, on motion of the learned Doctor from Oxford, referred to a committee of privilege, as a breach of the privileges of the House. This must have been premeditated, for the hon. and learned Doctor had his motion prepared before he heard the speech delivered.—He did not even take his seat on the return of the House, from the Bar of the Legislative Council, but actually made the motion before the Speaker was fairly settled in the chair. When it was rumoured that the Executive Council had resigned, the House addressed His Excellency for information concerning the facts, and he, in the most frank manner, communicated the correspondence between him and his council on that subject. His Excellency's Reply, together with the correspondence, was referred to a

select committee ; and it was worthy of remark, of whom that committee was composed. Were the members chosen from both sides of the House ? No, they were from only one side ; and although he moved to add two from that side of the House with whom he generally acted, in order that the opinions and views of both parties, might be fairly represented in the committee, it was refused. He said then, and he must still say, that he thought it was very unfair. He wished to have the hon. and learned members for Cornwall and Kingston named on the committee, both Lawyers of high standing, and he thought it was due to their side of the House, that they should be on it ; but no, not one but men of their own party would they appoint : and would it be believed, those hon. gentlemen who took on themselves the whole responsibility of this great question, and would not receive any assistance from others, voted against his motion.—Having got it all their own way, they had at last brought in a Report embodying the grievances of the last seven years. But it ought to be known it was all from one side of the House. What authority had they shown for the principles of the Report ? Why, the learned Dr. (Morrison) had found the authority of Mr. Gourlay. (Hear.) After sitting in secret conclave upwards of three weeks, they brought it in, late on Friday night, or rather on Saturday morning, and immediately resolved that it should be printed. Where was the necessity for being in such hurry to get the order passed for printing it ? Did they print the documents sent down by his Excellency, before they petitioned the people of the country to petition the Assembly to stop the supplies ? (Hear, hear.) No, but it was to prevent hon. members on his side of the house from reading and examining this precious document, in order that they might be prepared to answer any thing like argument, that might be found within its two or three hundred pages. Yet that house ordered the report to be distributed among the clerks, to be copied for the Correspondent & Advocate newspaper, and that its discussion should be the first thing on the order of the day for Monday morning : thus was a great majority of hon. members on his side of the house driven into the discussion of the subject, without even affording them an opportunity of reading the report.

Such is the manner in which the committee was appointed and the Report made ; and how have they proceeded this morning ? Did they come forward and propose to discuss the question in committee of the whole House, in such a way that an opportunity would be afforded to the hon. and learned Speaker to express his sentiments, and give the House the benefit of his learning

and talents on this great question? No; but with the Speaker in the chair, one moves a resolution, and another moves an amendment to it, which was a manoeuvre to prevent any one from the other side of the House from recording their sentiments on the Journals. (Hear, hear.) Was that fair? They should not do so; and he could assure them that he, and those who took the same view of the question that he did, would take another opportunity of recording their sentiments. They come forward and talk of responsible Government:—but he would like to ask those gentlemen, if they wished the Government to be responsible to the Mother Country? If they did, he must declare that he thought it would be most unjust to turn out the members of the Executive Council, when they could not go with the majority of the House of Assembly. (Hear, hear!) Yes, he would declare it would be the most iniquitous system for this country to be governed by the majority of the Assembly, and much worse than our present system was represented to be by those gentlemen. Why, they would turn out every officer who was not of their party; and yet this was the system they wished to introduce into this country. Such was not the practice of the present Government; the records showed that all the patronage was not bestowed on one side, although the hon. gentleman from Lennox and Addington had asserted it was. He complains of the appointment of some young gentleman, a Mr. Beeston, to the office of Collector, and says that the Government should act impartially, and the fittest men should always be selected to fill office. Was that the course pursued by the majority of that House, of which that hon. gentleman claims the honor of being the leader? It was not; for instance, that hon. gentleman had received no less than three appointments this Session, from a majority of the House:—1st. A Commissioner with Mr. Bidwell, to treat with Commissioners on the part of Lower Canada, on all subjects connected with this Province. 2d. To sell the Stock and arrange all the affairs of the Welland Canal. 3d. For disposing of the School Lands; and each appointment to the tune of \$4 per day. And was he the fittest man in Upper Canada to discharge the duties of those several offices? He (Mr. McNab) supposed the majority of the House intended to commit the affairs of the Welland Canal to his holy and safe keeping, in consequence of the friendly feeling he had uniformly shown towards that great work. As to the Government confining their appointments altogether to persons of one class of politics in the country, it was not true; the opposition benches on the floor of the House gave a flat contradiction to the assertion. The hon. gentleman himself was a



Justice of the Peace,—it was true, he did not hold very high rank in the Militia, but whose fault was that? He (Mr. McNab) was sure it must be fresh in the recollection of many hon. members, the reasons assigned by that hon. member, for retiring from the service. According to his own statement, he had the honor of holding the rank of Corporal in the Militia, and was one of the gallant band who made such an admirable retreat before a shot was fired, after marching many miles to take the Brig Oneida, and immediately after retired from the service; consequently his promotion was stopped, and thus was His Majesty deprived of the Military services of the hon. and gallant Corporal. The hon. member for Dundas (Mr. Shaver) was also made a Magistrate, and also held the commission of Captain of Dragoons; and was not he a thorough-going Reformer? And was he the fittest man in all the county of Dundas to be a Justice of the Peace, and Captain of Dragoons? His hon. colleague was a Justice of the Peace—Mr. Chisholm was also a Justice of the Peace and Colonel of Militia. Dr. Bruce had also accepted the appointment of Coroner since he had been in Parliament,—in fact, said Mr. McN. there is scarcely one of the gallant band of Reformers that are now before me, who does not hold some situation under the Government. In addition to which, they have all been well provided for by the majority of this House. No less than eight members of the opposition were, by their own votes, and those who act with them, appointed in one batch, Commissioners at \$4 per day. Even the hon. and learned Doctor (Morrison) opposite had accepted an office during the present Session from the Government he is forever abusing. He hoped the hon. and learned gentleman would not get into a passion with him for mentioning his name, at least not such a passion as he saw him in, in the Methodist Committee Room—he referred to the gentleman who sat all Good Friday, trying the Methodists; had not he taken office under the Government? Yes, he had, he was a member of the Medical Board, appointed by Sir F. B. Head, as that hon. and learned gentleman says, without the advice of the Council. And with all the boasted independence of the majority, they were continually applying for every little office that became vacant in their own part of the country, while they were playing into each other's hands in the way of appointments in that House. It was truly ridiculous to hear hon. members abusing the Government for not appointing persons to office who were unfit to discharge the duties required of them,—while the Journals of the House showed that with the exception of one or two, every member on the opposition, had either obtained

appointments from the Government or from the House, and some of them three and four situations; for instance appointing the hon. member for Halton, Mr. Durand, a Commissioner to sell the School Lands, and at \$4 per day, when it is a notorious fact, there is not a foot of School Lands in the Gore District, and he knowing this, and voting for his own appointment.

There were some more of the proceedings of the party relative to this matter which ought to be exposed. When the documents came down to the House, he moved to print 5,000 copies of them that they might be sent forth to the country; but the learned Mayor and others opposed and defeated the motion; while they prepared a petition, sent it forth to the country, got a few signatures to it, and when it came back, they say, "Here is an expression of public opinion." That was what he (Mr. McNab) called begging the question. They ask the people, "If we oppose the Governor, stop the supplies, bring the government into embarrassment, and throw every thing into confusion, will you support us at the next election?" And these petitions they call a spontaneous expression of public opinion. Here is the document, which I will read to you: it is signed William Lyon Mackenzie, a gentleman whom I suppose you have heard of. (Laughter.) (The hon. gentleman read from the circular letter which accompanied the petition, and then from the language of His Excellency in answer to addresses, and asked—) Is that like the language ascribed to him in this circular? And yet you hear his Excellency accused of "garbling" when a clerical error happened in leaving out the word 'these' in the extract from the King's Instructions; and this too by men who had the face to send forth such perverted language as an exposition of his sentiments. (Hear, hear!)

Was not the Governor sworn to uphold the British constitution in this Province? And if his Executive council should take a different view of matters, and give him such advice as would, if followed, lead to the overthrow of British supremacy in the country, was he not bound to dismiss them, whether they were approved of by the majority of the Assembly or not? Was a system which had been acted upon for fifty years to be abandoned for the mere opinion of Mr. Attorney Baldwin or John Rolph? (Hear him!) And because his Excellency was pleased to accept of their resignations would any man think the less of him? or would he do so even if Sir Francis Head had expelled from his councils men who had signed a document which was a libel upon the people of Upper Canada, and which contained doctrines destructive of our connexion with the Parent State? The Report

states that his Excellency said, if the council would retire from their principles he would keep them in his service, and that such declarations are calculated to corrupt the public morals. The expression of his Excellency on that subject was merely the usual hint to resign; but what did the council say? At the conclusion of their document to the Governor they pray, that if their proposal is not acceded to, they may be allowed to disabuse the public mind. They were quite willing to settle the matter with their consciences, and continue in the council, if they could be allowed to publish to all Upper Canada the secrets of the Executive Council. But no, his Excellency tells them he does not want such men for his confidential advisers.

Honourable members on the opposite side talked a great deal about the Everlasting Salary Bill, as they called it. He voted for that bill, and counted it one of the best public actions of his life. (Hear, hear!) It was well for Upper Canada that that bill was passed; for, if it was not, they would now be able to accomplish their object. They would be able to dismiss the judges and all the public officers, at any time, and would vote no salary to the Governor if he did not see proper to appoint Doctor Morrison, Peter Perry, &c. to office, and make William Lyon McKenzie postmaster-General. (Laughter.) What were the salaries voted by that bill? In the first place, there was the salary of the Governor, £2000, should not that be paid? Then, there was the salary of the Chief Justice £1250; should he not be paid? and was not the present Chief Justice an honour to Upper Canada?—the son of one of those U. E. Loyalists about whom so much had been said in that house,—the descendant of a gallant officer, and who, with many other officers of that distinguished regiment, after fighting during the whole of the Revolutionary War, came and settled with their Colonel the late General Simcoe, in this country. Two judges, £1000 each. The Attorney General £300. Should not he have a salary? was not that office necessary? The Solicitor General £200; and five Executive Councillors £100 each. That was the sum total of the everlasting Salary Bill about which so much had been said; and he must say again, that he thought making the salaries of those officers permanent was the best thing ever done for Upper Canada. Talk about the extravagance of the Government when the contingent account of the House of Assembly this year was between £9,000 and £10,000—more than is required for the support of the whole government of the colony. (Hear, hear!) A great deal had been said about the terms upon which the three new councillors took office; but the note from the Governor to them said.

"I shall rely on your giving me your unbiassed opinion on all subjects respecting which I may feel it advisable to require it." If he practised any deception upon them, why did they not return the note at once and require explanation immediately when copies of it were read in the House of Assembly and Legislative Council? Did they not authorise the Speaker in this House, and the hon. Captain Baldwin in the Legislative Council, to read this note, for the express purpose of informing the Legislature and the Country of the terms on which they accepted office? It might be that Mr. Baldwin had some wisdom, and Mr. Rolph a great deal of cunning, and they knew his Excellency was a stranger in the country, that there was a great deal of business, and they thought he would need them and would keep them on their own terms. But they found their mistake, for he no sooner saw the document they presented him than he bowed them out of office. And he (Mr. McNab) did think, if his Excellency had acceded to their views he should have lost his head for it. They found no fault with the note explaining the terms on which they took office, but went to the Council Chamber, and drew up the declaration which caused their dismissal; and he believed they would give half what they were worth if they could recal it and go back to the Council again.

The hon. member for Lennox and Addington says the Governor has power to declare war. That was new doctrine; at least he never heard before that a Lieutenant Governor of a colony had the power of making war. That hon. gentleman and those who act with him will find war enough when they go back to their constituents, for he (Mr. McN.) was persuaded the document they had brought forward would not go down with the country, but they would be told by the people, "You have brought yourselves into collision with the Governor, you have stopt the supplies and thereby deranged the affairs of the government, retarded the improvement of the country, and injured the public credit abroad; that is not the way to advance the interests of this Province, and you are not the men to be entrusted with them." Let it be known that this Radical Parliament was the first in the history of the country to stop the Supplies. When Mr. Hume proposed such a thing in the House of Commons it was denounced as a revolutionary project and was scouted at once. The hon. member for Lennox and Addington talks a great deal about the language of the Governor; but what sort of language did he make use of about the head of the Government to-day? Such I am sure as the people of Upper Canada will not approve of. He (Mr. McN.) feared, when he came into the House in the morning, he would find

difficulty in meeting the arguments which would be brought forward on the other side; but he did not feel so now; they had brought forth nothing like argument to show that the Executive Council should be responsible to the people. Governor Simcoe, and all from his time to the present, had followed the same practice with regard to taking the advice of their council; and he was persuaded the people would not approve of the present measures. No Radical Parliament would ever die a natural death in Upper Canada; the last one sat only two years, and it was called the Long Parliament, and it was not very probable the present one would sit much longer.

Having said so much in reply to hon. members on the other side who had spoken before him, he would now proceed to the main question.

It was difficult to conceive what object the Executive Council had in view when they made their representation, or rather it was difficult to conceive how the real bearing and effect of the representation could have escaped them, for he would be unwilling to charge the whole of them with having made it knowingly. It opens with an almost express declaration of the truth of a variety of statements, which, although zealously asserted and put forth by a particular political party, have been denied with equal zeal and more truth by their opponents. These assertions too reflect strongly on the administration of the government in former times, and therefore came with a peculiarly ill grace from the heads of departments. For example, they assume as the proper construction of the opinion expressed by lord Glenelg, that the condition of the province is "unhappy"; they attribute it to an "unconstitutional abridgement" of their duties. They assert an "established opinion" in the country on the subject, infer a state of discontent when they speak of contentment being "restored", and treat the public mind as in a state of excitement bordering on revolution, which cannot be prevented unless "the system of local government is altered and conducted according to the true spirit and meaning of the constitutional act"; the whole forming a running commentary on the seventh report of the committee of grievances, admitting its truth in some important particulars, and falsifying in spirit and almost in letter the address of the Legislative Council in reply to lord Goderich's celebrated despatch, to which three, if not four, of the very Executive Councillors expressly assented.

The representation may be examined under two heads,—the matter and the manner: 1st. The Executive Council claim as a constitutional right, or rather as a duty imposed on them by the constitution, and which they have

taken an oath to discharge, to advise the King's representative on the affairs of the province generally, i.e. to have all the affairs of the province submitted to them for their advice, without reservation. This claim is founded upon the language of the 31st Geo. 3d, which speaks in one or more clauses of such Executive Council as shall be appointed for the affairs of this province; and it is inferred, that because they are so appointed for the affairs, &c., and because only some particulars are fixed in which their concurrence is necessary, the consequence is that their advice must be taken on all affairs, though their concurrence to particular acts only is required. This seems a forced construction even upon the words of the act, still more so when other considerations are adverted to. Would it have been such a violation of the 31st Geo. 3d, as to have prevented the affairs of the province from being carried on, if no Executive Council had ever been appointed; or if one had been appointed limited to the particular matters mentioned in that statute? In other words, is the Executive Council so integral and necessary a part of the government, that the government can have no existence without it? He should find it very difficult to assent to the affirmative of such a proposition, and however impolitic he might deem such a course, and however he might condemn it, he was not prepared to say, that the public business (with the particular exceptions adverted to) might not be legally and constitutionally carried on, though there were no Executive Council. If, otherwise, there must be a species of interregnum, on the resignation of the Council, and a cessation of business till its reorganization not required by any constitutional principle, and occasioning an uncalled for inconvenience to the public service. The appointment of the Council rests entirely with the Sovereign; he appoints what number he pleases, and dismisses them at pleasure, although, to use the terms of the statute, they are appointed for the affairs of the province. He could not deduce from that expression any thing directory on the part of the legislature, as to the nature of the appointment or of the rights or duties of the Executive Council. They are not, either as individuals or as a body, responsible for the advice they give, and it cannot therefore be necessary, as a constitutional principle, that their advice should be taken, with a view to hold them responsible to the public for the measures which the government adopts. To understand the question thoroughly, it was necessary to analyze the office of Lt. Governor. The portions of the kingly prerogative, which is delegated to him, are to be administered by him under his personal responsibility; he is to obey such instructions

as he may receive from the home government, or in the exercise of a sound discretion in matters on which he is called upon to decide, without reference to that government. In the mere exercise of the prerogative, the performance of those acts which the Crown alone can perform, he stands in the place of the Sovereign ; but for the propriety of the course he may take in any such act, he remains personally and individually responsible, not in this province, by reason of the nature of his office, but to the King's government, and to the British parliament : the one of which may dismiss him, the other impeach him. Although therefore clothed with executive functions, he exercises them as a minister, subject to the same responsibilities as the ministry at home. This responsibility is in its nature indivisible ; whatever acts are done must be viewed as done by him alone. The Lieutenant Governor requires the concurrence of the Executive Council in certain points, and he has the right of applying for their advice on any other affairs he may deem advisable. To give him this right they are constituted a council for the affairs of the province, in order that he may advise with them, whenever any subject presents itself rendering such advice desirable. The very limitation of the advice of the Executive Council to certain specified cases, would appear to negative the necessity of their advice on other occasions, while their being an Executive Council for the affairs of the province renders them liable to be called upon for their advice as often as the Lieutenant Governor may require it. Such was the construction put on the 31st Geo. 3d, by the ministry by whom the act was carried through the British Parliament, and such construction had uniformly prevailed to the present day.

In the consideration of this question, it must be carefully borne in mind, that we are construing a law that exists, and not enquiring into the policy of forming an Executive Council on other principles. Arguments drawn from any supposed advantages that would result from converting the Executive Council into an administration of individuals holding office in the colony, liable to lose their offices when the policy they pursue is not acceptable to the majority of the House of Assembly, are foreign to a proper consideration of the question that now arises. Upon that point he should only remark, that such a scheme seemed rather difficult to reconcile with the relation of colony and parent state, and that it would seem rather unjust that the members of the local government should be responsible for the policy pursued here, while that policy is dictated by the home government ; and that unless the home government has the right of such

dictation, the connexion with the mother country becomes merely nominal, extending in reality to little more than the appointment of the Lieut. Governor.

Having thus far adverted to the matter of the communication, a few remarks might be offered on its manner. The Council commenced by an assertion that they made their representation "impressed with the oath which they have taken"—they argue that they are in duty bound to advise the Lieutenant Governor on all the affairs of the province, and that no affairs of the province ought to be withheld from their view, which he presumed to mean, that they felt impressed that they were sworn to advise the Governor on all the affairs of the province, and could not conform to the spirit of their oath, unless all such affairs were submitted to them. In no other view could we justify them in making so novel a demand on the Lieut. Governor, at the moment when his attention was necessarily much occupied with the legislature, and when, from his being a stranger in the province, he might find it useful to make frequent reference to his Council. It seemed strange that, resting their application on the obligation of their oath, they should conclude their representation by a prayer, not that they might be allowed to retire, but that they may be allowed "to disabuse the public from a misapprehension of the nature and extent of the duties confided to them";—that is, to be allowed to tell the public, "We believe the duties of our office require us to advise on ALL the affairs of the province—we have taken an oath to perform those duties—we are prevented, by the course the Lieut. Governor adopts, from discharging the obligation of that oath; but our scruples of conscience, which impelled us to represent the matter to the Lt. Governor, and to require what we have required, will be removed if we are allowed to let you know the true state of the case. We have no objection to remain Executive Councillors, although restrained in the discharge of our sworn duties; our only objection is to be thought responsible by the public when we are not so in fact." It was obvious there could be but one answer to such a communication. He would offer no remarks on the present Council; but it must be evident, that a new appointment was rendered unavoidable, unless his Excellency had been unwise enough to yield the point in dispute, and while he remained in his own person responsible, to submit to the views and opinions of the Council in the administration of the government.

MR. McLEAN remarked, that the Report under consideration contained 104 pages, and, owing to the shortness of the time since it was brought in by the



Committee, little opportunity had been afforded for hon. members not in the secrets of the committee-room to become acquainted with its contents. That, however, was not of much consequence, for the very principle avowed by the framers of it during this discussion, as being the foundation of the Report, was quite sufficient to cause its rejection by every loyal and patriotic man. That principle was, "responsible government." Perhaps he did not properly understand what was meant by a responsible government; but he took it for granted that it meant a government responsible to the House of Assembly. Now, he would like to ask hon. members who seemed so anxious to have a responsible government, as they call it, if they were to form an Executive Council responsible to the House of Assembly, whether its members could retain their situation? Surely they could not; nor had he any idea that any one of the gentlemen who were called Reformers, and who were appointed to the Executive Council, ever thought of being responsible to that House. It was practically impossible that such responsibility could exist; for, being consulted upon all affairs of the Crown, and being responsible to the House of Assembly for the advice which they gave, they would acquire such power and control over the Governor as was altogether inconsistent with the proper subjection of the government of this Province to that authority of the Mother Country which must be necessarily maintained by every Parent State over its Colonies. Notwithstanding all that had been heard of the grievances of the country and the means of redressing them, it was now avowed that nothing would satisfy the majority of that house but what they call a responsible Government;—that is a government responsible to the House of Assembly of Upper Canada, but not to Great Britain. But the very moment we establish that doctrine in practice, we are free from the Mother Country. If it was the wish of the majority of that house to separate this Province from the fostering care and protecting power of that country, or from what they ungratefully called her "baneful domination," let them adopt that Report. But they might rest assured that the people of this country had eyes and ears,—they could read and understand, and they would discriminate between those who were actuated by patriotic motives and those who were only the demagogues of the hour, (hear, hear!) whose element was agitation, but who had no sincere desire to remedy the real grievances of the country. (Hear, hear.) Yes, hear; he hoped the people would hear and understand. He was not in that house to court the popularity which was gained without merit and lost without a crime; but he trusted that so

long as he had the honour of a seat in it, he would fearlessly advocate those measures which he considered were for the interest of the country to be adopted, and as fearlessly oppose all others of a contrary tendency, however speciously they were put forth.

The discussion of this question, it was said, was forced upon the house by His Excellency the Lieutenant Governor. He (Mr. McL.) would like to know how he had done it. He came to this Province an entire stranger, and, as he said, unconnected with the political differences of the country; and what interest could he have in agitating such a question? He came here a professed Reformer, he was even called a "Reformer of the first water" by those very persons who now seemed to think they could not find epithets sufficiently abusive by which to designate him—but the moment he would not agree to all their views they attacked him in the grossest manner. The Report stated that the first Governor of this Province was a member of the British Parliament when our Constitutional Act was passed, and it greatly extolled him for his liberal and patriotic views in regard to this Colony; but do we find in any of his acts, speeches, or proclamations, one word about "responsible government?" Not one syllable. The bone of contention seemed now to be whether the Governor is bound to consult the Council upon all affairs of the Colony; but the very first act of Governor Simcoe, whom the hon. member for Lennox and Addington holds up as a pattern to all other Governors, namely, the division of the Province into Districts, was evidently done without the advice of the Executive Council; as the Proclamation on that subject says not one word of its being done with their advice and consent. And the very first act he performed, when the first Parliament met, was to appoint a Speaker of the Legislative Council, which was also done without the advice of the Executive Council. How, then, could hon. members stand up and say that the Governor was bound to consult them on all affairs, when such was not Governor Simcoe's practice, and when the very Act under which we live only requires him to do so on two or three occasions? The moment you declare that he, through his Executive Council, is amenable to this House, that very moment you declare the Mother Country has nothing to do with us. He is appointed by His Majesty as one of his Ministers, and he has a painful duty to perform for which he is accountable to his Sovereign. But hon. gentlemen on the opposition say, "Shall we have a Governor who is only responsible to Downing Street, 4,000 miles distant?" Sir, (said Mr. McLean) I look upon all such expressions as that to be tantamount to a

declaration of a wish for independence from the Mother Country, and they show but too clearly that the persons who make use of them are tired of the connexion? (Hear, hear.) To be sure they do not come out and say so plainly, for they well know there is too strong an attachment to that country by the people of this Province to tolerate it; and therefore they insidiously instil, under specious names, the poison of their principles into their unsuspecting minds; thus endeavouring to destroy their confidence in the justice of the Government of Great Britain towards them, and render them discontented with their present colonial condition. (Hear!) While they thus industriously labour to agitate this country, they are not idle in forwarding the same designs with the Government at home, by endeavouring to create distrust of the loyalty of the people of this Province. Address after address, and representation after representation, and grievance report after grievance report, embracing "every imaginable topic of complaint," are sent home, which must produce a very unfavourable impression respecting the people of this Colony. And it is to be feared, if they continue crying "grievance, grievance, grievance!" that, like the boy who cried "wolf", they will not be heeded when there is some real grievance to complain of, and then their object will be accomplished. He held it to be the duty of every good subject to inculcate peace, and do all he could for the good government of the country; but he would ask, was it consistent with the duty they owed to the Government to be crying out "grievance" continually? Or, was it a duty the members of that House owed to their constituents, to get up petitions in the House and send them out to the country, asking the people to sign them? Would it not be better to leave it to the good sense of the people to petition them when they saw a necessity for so doing? But no, they could not wait for that, but sent out petitions calling,—yes, actually calling on the people to sign them.

In further discussing this question he would remark, that the very next clause of the Constitutional Act to that on which they found their claim that the Council should be consulted upon all occasions, says that the Governor shall do certain acts without their advice—present an incumbent to such rectories as were established with the advice of the Council. But what does all this agitation amount to? Just to this: the late Executive Council claim to be consulted on all the affairs of the Province; the Governor says, "No, gentlemen, I am sent here by the King with particular instructions for the government of the Colony—I will consult you whenever I

think it necessary ; and if you claim to be consulted upon all occasions as a matter of right, you must give up such opinions or leave my Council." This was just the whole matter. Was there any thing new or extraordinary in His Excellency's conduct ? No one could say so with truth ; but, on the contrary, he had acted in conformity with the view taken of the matter by the Act and all who administered it. But, because certain individuals had expressed different views, the house was called upon to take such measures as never were taken on any question in this country—to adopt the Report and stop the supplies. Would the people support the majority in this course ? No, they have had too much opportunity of judging of the acts and disposition of that majority already ; and if this resolution was adopted, they would ask, "what good is to result from it ? why is the public business stopped ?" They would be told in answer, "We want to get a responsible government." Then they would ask, "What do you mean by a responsible government ? must not the Governor be responsible to the King ?" What would those gentlemen reply to such a question ? He was inclined to believe they would find more difficulty in satisfying the people even with regard to that plausible term, responsible government, than they anticipated ; for they would find themselves mistaken if they imagined that the great bulk of the people had not sufficient understanding to know that a responsible government, in the sense in which they meant it, was inconsistent with a state of Colonial relationship ; and they were not yet prepared to throw off their allegiance, and break the connexion which subsists between this Colony and the mother country. He did not believe the country would support them in these measures. He had not much time to look over the Report, but, from what he had seen of it, he would say, that he never saw so disgraceful a public document emanate from any public body. (Hear, hear !) He would, however, warn hon. gentlemen that the people would not be cajoled and bamboozled by abusive language instead of argument. The hon. member for Lennox and Addington said that so much precaution was taken in the Council to keep their representation secret, that the junior clerks were sworn to secrecy. Well, he (Mr. McLean) would like to know how the hon. gentleman became acquainted with that fact ; but he would say this, that, if any member of the Council administered such an oath, he far over-stepped the line of his duty and authority. ("Show it," from Mr. Perry.) Show it, he says ; why he has just as much right to administer such an oath of secrecy as any member of the Council had, and to do so is con-

trary to the statute against unlawful oaths, (hear.)

Mr. Perry, interrupting,—he never said that any member of the Council swore the clerks. He only said they were sworn to secrecy.

Mr. McLean replied, well, how does that help it?—(hear, hear.) How dare they require any other person to do what was against the law of the land? No other person would feel it necessary to do so; and by their doing it they proved themselves unworthy of their situation. Just as well might that hon. member swear any of the copying clerks of this House to keep any thing secret he was copying for him. It was said Mr. Baldwin did not receive the note from His Excellency till after the new members were sworn in: what difference did that circumstance make? If they found fault with the terms of it when they did receive it, why did they not at once resign office? Was it to be supposed the King would send out a Governor here, who was to be accountable to him for the manner in which he administered the Government of the Colony, and bind him hand and foot and deliver him over to an Executive Council who were to be under the control of the House of Assembly? What authority would His Majesty then have in the Colony? or on what principle of justice could he hold the Governor responsible for the administration of its affairs? Such principles were contradictory and inconsistent, and would not go down with an intelligent and reflecting people. (hear, hear.) Public opinion on the subject had already been shown from the spontaneous meetings which had been held in different parts of the country, and the addresses which had been forwarded to His Excellency, the signatures to which he was authorized to say amounted already to 5,000, and they were pouring in daily. A few months, he was convinced, would prove to the majority of that house, that they had misrepresented the feelings of the people of this country, who did not desire a system of responsible Government, or self Government, that was inconsistent with their connexion with their revered Mother Country.

MR. WELLS remarked, that he found great difficulty in rising to address the House after the hon. and learned member for Cornwall; but he felt it to be his duty to express his sentiments on this question. The ancients had a custom of crowning their heroes with laurels at the close of any great battle; and in accordance with that custom he thought the people ought to crown the hon. and learned member at the close of the session for his patriotic exertions. He had talked a great deal about responsible government, and called all who advocate this measure demagogues, whom the people would spurn from them at

another election. That hon. and learned gentleman had, to be sure, a good opportunity of knowing at the last election what the country thought of the men he politely termed demagogues, when he was turned out of the representation of the county of Stormont and had to get some few canal-men to put him in for the little village of Cornwall. Such remarks about public opinion came with a very bad grace from that gentleman. His Excellency, he says, came here to make those reforms which are required. Does the hon. and learned gentleman indeed admit that there was any abuse to reform? Who ever heard him talk of reform before, except it was to oppose it?

MR. McLEAN. I did not say so—but that he was called a reformer.

MR. WELLS. Well, His Excellency says himself that he has come here for the purpose of reform; but that hon. and learned gentleman says no reform is necessary, and yet he pretends to be a supporter of His Excellency! That, however, was just as consistent as the rest of his conduct. With regard to His Excellency's measures of reform, he (Mr. W.) thought they would amount to about the same thing as the reform of the hon. and learned member for Cornwall. That hon. gentleman made a long speech, containing a great many bold assertions; one of which was, that Governor Simcoe did not consult his Executive Council in his first act as Governor of this Province. He (Mr. W.) was willing to admit that the proclamation does not say he did, but it was for that gentleman to prove he did not consult his Council respecting the matter on which it was issued. Such begging the question was the sign of a bad cause. He says those who call themselves reformers won't come out and declare what they want, and insinuates that they want a separation from the mother country. Such assertions were a libel upon the reformers of Upper Canada: and if a separation was desired by any in this country, it was by the hon. and learned gentleman's party. Look at the Montreal Rifle Corps,—the "casting about in the mind's eye for some new state of political existence,"—the threats of those high in office that they would resist the law by physical force when it did not suit them, and many other similar instances. And, indeed, all the acts of his party have done more to bring the affairs of the country into a state of confusion, than all the reformers ever did. (Hear, hear.) Have they not upheld every abuse? The people have declared that reform is necessary to preserve the union of the Empire, but he says no reform is necessary.

The hon. and learned gentleman from Hamilton found great fault because the committee were all from one side

of the house. But suppose two members had been appointed from the other side, as he proposed, what could they have done against the five others? No doubt he would like that such persons should be appointed by the majority of the house on their committees; but he (Mr. W.) thought the majority knew their own business, and who to appoint to transact it;—not tories, for they could not put confidence in them. Then the hon. gentleman made a great outcry about stopping the supplies, and said it had not been done in England for a hundred years. No doubt he would not like them to be stopped, as he and his friends expect to be benefitted by them; but so long as the Government is administered contrary to the wishes of a majority of the House of Assembly and of His Majesty's Government, the supplies should be stopped, whatever consequences might follow. Lord Glenelg says in his Despatch, that they should be withheld whenever the interests of the country require it; and this act of the house will be approved of by all who are not willing to bow down to the golden calf.

With regard to the question of the Executive Council, the first thing to be considered was, does the constitution appoint them? and next, are they to be consulted on all the affairs of the Province, or only on a few? It is quite foreign to the principles of the constitution, that they should be consulted only on such matters as the Governor pleases. That he believed would be admitted. He considered it to be the brightest gem in the British Constitution, that the King was dependant on the people through the Cabinet Council; and the constitution of this country, as explained by Governor Simcoe, required that the council should be consulted on all the acts of the Governor, and be responsible to the House of Assembly for the advice which they gave; and without it the government was nothing but a despotism,—the mere government of one man, who was a stranger to the country. When His Excellency first came to the country he admitted the principle that a Ministry should govern the Province, for he sent for the hon. Robert Baldwin, and required him to name the other members of the Council, according to the English principle; but he did not carry it out in practice. Why should he have been so very particular in naming his Council, if he did not intend to take their advice? A great deal had been said about those petitions; but if any hon. members thought their constituents could be deceived by the petitions, he knew it was not the case with his. They speak as if we were chucking the petitions down the throats of the people; but when they received them, they were at liberty to sign them or not, as they pleased. Not

only a great deal had been said in that house about not printing the documents that were referred to the Committee, but some fellow down in Quebec had the ignorance and impudence to propose a resolution at some meeting, condemning the House of Assembly of Upper Canada for not printing them. (Hear him.) Let His Excellency dissolve the house, and see if the constituency of the country will not acquit themselves nobly, and show him that Britons were never born to be slaves. (Loud cries of hear. hear.) We might derive a useful lesson from the page of history. In the old Colonies, now the United States, secret despatches were sent home, recommending measures contrary to the interests and wishes of the people, till they could stand it no longer; and so it would be in this country if the present system was continued,—it would result in open rebellion. It was the duty of members of that house to do all they could for the interest of the country; and as he believed nothing else would secure attention to our complaints in England but stopping the supplies, he would vote for the resolution.

THE SOLICITOR GENERAL began by observing, that when this important subject was referred to a Select Committee, the house and the country had a right to expect that an able, statesman-like and temperate report would have been made, containing intelligible, if not convincing arguments, and referring to authorities which would at least have the appearance of plausibility, if they were not found absolutely conclusive in favour of the views of its framers:—he regretted, however, to state that in these expectations the country at least, if not the house, would be completely disappointed. The dispassionate and intelligent reader of the voluminous document then lying on the table, would search in vain throughout its pages for dignity of sentiment, patriotic views, or calm, convincing argument illustrative of truth: while, as a literary production, it would be found to be beneath criticism,—and in its general style and language, so marked with an utter disregard of all delicacy of feeling, and the ordinary courtesies of life, as to render it a disgrace to any legislative body that might sanction its promulgation. The speech of the Chairman of the Committee, which had been addressed to the house, was but a repetition of the leading statements contained in the Report, and like the Report itself, contained no one solid argument to sustain the new and most extraordinary interpretation of our Constitution which had suddenly broken in upon the minds of some of our self-styled reformers. It would not be surprising therefore if, in the course of the remarks he should address to the house, he should not refer very



frequently either to the Report or to the speech of the Chairman, as in fact his principal duty would be, to endeavour to supply information which had been altogether overlooked or disregarded by the advocates of the new theory. It appeared to him that the point to which the Committee should have turned their attention was the origin of Executive Councils in the Colonies—the duties originally assigned to them,—and the responsibility, if any, which attached to them as Councillors:—had this course been adopted by the Committee, they would have been greatly assisted in coming to a correct conclusion—and why they had not done so, he would not stop to enquire, but leave it to the public to conjecture motives, of which they could form as good an opinion as he could. Another advantage which would have resulted from this plan of investigation, had it been adopted, would have been, that the Committee would have informed themselves of the utter impossibility of the Lieutenant Governor's divesting himself of responsibility, and that by the Laws and Constitution, he is emphatically and distinctly responsible to the King as the head of the Empire, politically; and to the people of this Province, individually, in his private capacity, for every act of his Government; and that the Executive Council are not, and cannot be made responsible to the people for any of their acts. Without further remark he (the Sol. Gen.) would proceed to show on what grounds, and upon what authorities, he rested these opinions. There were not many works extant containing a history of the Constitutions and forms of Government in the Colonies, but there were a few, and some of them giving a very explicit account of the Councils appointed by the Crown,—their duties and responsibilities, especially in the Colonies in America: and in order to attract the attention of the House to the line of argument he intended to pursue, he begged hon. members would bear in mind that it would eventually appear, that the Executive Council of Upper Canada, which it was contended was created by, as well as identified with, the Constitution of the Province, (as conferred by the 31st Geo. 3.) was merely the continuation of a body that had existed in Canada from the first moment of an organized Government after the Conquest, down to the period of the passing of that Act, which divided the Province of Quebec into Upper and Lower Canada,—and which was precisely similar to those existing in the old Colonies, on this Continent, and the West Indies. The first authority he should cite in support of this argument was that of a gentleman who held the office of Chief Justice of Georgia, during the time that State was a Colony of Great Britain, and subse-

quently held high legal appointments in the West Indies. This gentleman in his remarks on the Council says,—

“They are to give advice to the Governor or Commander in Chief for the time being when thereunto required; and they stand in the same relation to the Governor in a Colony that the Privy Council does to the King in Great Britain: in some cases the Governor can act without their advice and concurrence, and there are other cases in which the Governor is required by his instructions not to act without the advice and concurrence of his Council”—“which (instructions) every Governor and Commander in Chief should carefully attend to.”

“The Council sit as Judges in the Court of Errors or Court of Appeal.”

“The Council are named in every Commission of the Peace, as Justices of the Peace throughout the whole Colony.”—Stoke's Constitutions of the British Colonies, pp. 239,240.

Thus we see the origin of Councils in the Colonies, and the duties assigned to them, and how completely the duties heretofore performed by the Council in this Province correspond with those imposed on the Councils in the old Colonies now separated from Great Britain, as well as those which remain appendages of the Empire. In the old Colonies, they advised the Governor when required by the King's Instructions, they do so here; in the old Colonies they constituted a Court of Appeal, by our Constitution that duty is imposed upon them here;—and in this Province, as in the other Colonies, their names appear as Justices in every Commission of the Peace throughout the Province. The same author observes, that when a new Governor came to a Province, the names of the persons who were to constitute his Council were named in his instructions, and that no other appointment or commission was necessary; but this practice has now fallen into disuse, at least in this Province. The last set of instructions containing the names of the Council were those brought out by Sir Peregrine Maitland; but it should be borne in mind, that those very instructions are these now laid on the table by command of Sir Francis Head, that they contain the names of the Councillors then existing in Upper Canada and prescribe their duties. These instructions and these duties have undergone no change since that period.

Governor Simcoe, the first Governor that came to this Province, brought with him the first instructions that were designed to direct the King's Representative, the Council, and other Officers of the Government in their duties; and as they were in the adjoining building, on

record in the books of the Council, it was somewhat strange that the Committee did not examine them. They would be found to be the same as those delivered to Sir Peregrine Maitland.

In some of the old Colonies the Council was possessed of legislative power conjointly with the Governor, and sometimes formed an intermediate legislative branch between the Governor and an Assembly elected by the people :—of course, in all matters relating to the enactment of laws, the Governor could not act independently of the Council, except in so far as respected the assenting to or refusing of bills. Upon the death, removal, or resignation of the Governor, the senior Councillor by the King's Instructions assumed the Government, as in this country, unless the senior Councillor happened to be Superintendent of Indian Affairs, or Surveyor General of the Customs, (which officers were always extraordinary members of the Council,) in which case the Government devolved on the ordinary member of the Council next in seniority.

Such was the nature and constitution of the Executive Councils in the old Colonies in America, and although in the majority of those Governments, Legislative Assemblies existed, one branch elected by the people as in this country, yet there is no trace of any pretence that those Councils were responsible for their official acts to any other person or party than the King. Responsibility to the elective branch of the Legislature was never thought of ; and the Chief Justice of Georgia, whose work he had quoted, and who had resided and held office in several of the other Colonies, distinctly states, that the Executive Council were guided by the King's Instructions, and were therefore responsible to His Majesty only. They were appointed as in this Province by the King, and removed at his pleasure ; they advised his representative, when required, in secrecy ; their acts could be known to the King only, and to him only were they accountable for them.

Let us now consider the origin and constitutional powers of the Executive Councils in these Provinces : they will be found to be precisely similar to those already described.

It would be recollected that Canada was obtained by conquest from the Crown of France in 1759, and that by the Treaty of Paris in 1763, it, together with other Territories in America, was finally ceded to Great Britain :—the form of Government in Canada between the years 1759 and 1763, was of course a purely military despotism, regulated by the terms of the capitulation. In the year 1763 the King issued his Proclamation, in which he

declares, that the Territory in America, ceded by the Treaty of Paris, should be erected into four separate Governments, viz. : Quebec, comprising the whole of Canada ; East Florida ; West Florida ; and Grenada. For the purpose of shewing clearly the views of His Majesty with respect to the form of Government intended by him to be established in those Territories, it would be proper to refer to the Proclamation itself, which contains the following passage :—

“And whereas it will greatly contribute to the speedy settling our said new governments, that our loving subjects should be informed of our paternal care for the security of the liberty and properties of those who are and shall become inhabitants thereof, we have thought fit to publish and declare by this our proclamation that we have, in the letters patent under our Great Seal of Great Britain, by which the said governments are constituted, given express power and direction to our Governors of our said Colonies respectively, that so soon as the state and circumstances of the said Colonies will admit thereof, they shall, with the advice and consent of the members of our Council, summon and call general assemblies, within the said governments respectively, in such manner and form as is used and directed in those Colonies and Provinces in America which are under our immediate government ; and we have also given power to the said Governors, with the consent of our said Councils and the Representatives of the people, so to be summoned as aforesaid, to make, constitute, and ordain laws, statutes, and ordinances, for the public peace, welfare, and good government of our said Colonies, and of the people and inhabitants thereof as near as may be agreeable to the laws of England, and under such regulations and restrictions as are used in other Colonies ; and in the mean time, and until such assemblies can be called as aforesaid, all persons inhabiting in, or resorting to our said Colonies, may confide in our royal protection for the enjoyment of the benefit of our laws of our realm of England ; for which purpose we have given power under our Great Seal to the Governors of our said Colonies respectively, to erect and constitute with the advice of our said Council respectively, Courts of Judicature and public justice within our said Colonies, for the hearing and determining of causes, as well criminal as civil, according to law and equity, and as near as may be agreeable to the laws of England, with liberty to all persons who may think themselves aggrieved by the sentence of such Courts, in all civil causes, to appeal, under the usual limitations and restrictions, to us in our Privy Council.”

Here then was the root from which sprung our present

Constitution. In the above extract it will be observed, that in the Patent constituting the Government of Quebec, allusion is made to "a Council," and that the Governor, with the advice of such Council, might summon and call a General Assembly, "in such manner and form as is used and directed in those Colonies and Provinces in America which are under our immediate government." Now it would scarcely be contended that the Council thus created by the King, could be responsible to any other power than himself. There was not at that time, nor for years afterwards, any representative body in the Colony; and it might be further remarked, that had an Assembly been convened in pursuance of the power contained in the proclamation, it (the Assembly) was to be constituted as in the "other Colonies and Provinces in America," and it does not appear that it was to be clothed with greater powers than they possessed. No Assembly, however, was ever called under the authority of the proclamation, and Canada continued to be governed by a military officer, assisted by a Council, until the year 1774. For eleven years an Executive Council did exist, clearly and positively irresponsible to any power but the Crown, and possessed too of powers greatly transcending those of the present Council, for it appears by the 4th section of the Act 14th Geo. III. ch. 83, that with the Governor it had power to enact laws by which the inhabitants of the Colony were bound. This Act, the 14th Geo. III. was the first passed by the British Parliament giving a settled form of government to Canada, and in it allusion was made to the existence of a Council, possessing the powers just mentioned. That Act authorized His Majesty to appoint a certain number of persons as Legislative Councillors, who, when appointed, should hold their offices for life; and ordained that the laws and ordinances passed by them, and assented to by the Governor, on behalf of the King, should supersede all ordinances previously made by the Governor and Executive Council. The Executive was not, however, done away with; on the contrary, it continued to exist to advise the Governor; and by an ordinance passed in the year 1785—by the Legislative Council and Governor, it was constituted a Court of Appeal as in the old Colonies: which ordinance is recognized and confirmed by our Constitutional Act, 31st Geo. III. ch. 31, sec. 34. Before proceeding to examine the provisions of the important act last mentioned, it might as well be asked whether the Executive Council of Quebec, between the years 1774 and 1791, could be said to be responsible to any other power than the King for their official conduct? It would be manifestly absurd to say that it was responsible to the

people, at a time when the people had no voice in the Government. The Governor and the Legislative Council were both appointed by the King; the Executive Council was a body created by the King, which he could continue or suppress at his mere will and pleasure—there being no law or ordinance that required their existence. Being appointed, their duties were defined by the King, and lessened or extended according to his sole decree, unless where particular duties were imposed by ordinance; and when so, those duties were of a character distinct from those of advisers of the King's Representative. Where, then, should we seek for their responsibility to the people? It could no where be found. (Hear, hear.) If then up to the time of passing the Constitutional Act the Executive Council were alone responsible to the King, the next and most important question to be decided was, whether by that act their character was changed,—whether in fact, as is now alleged, "The Executive Council of this Province is by the Constitution responsible to the people, and not to the Crown—and like the Cabinet in England should go out of office upon a vote of the Assembly, and that the Governor is bound by their advice, and is not responsible for his acts, any more than the King is for his acts." Those who blindly contended for a principle so dangerous to the peace, welfare, and good government of this Province, would search in vain for support from the great Charter conferred upon its inhabitants for the protection of their liberties. That act recognizes a Council to be appointed by the King, but it creates no such body. It was manifest that when the 31st Geo. III. was passed, the British Parliament had before it the King's Proclamation of 1763—the Royal Instructions to the Governor—the Act of 14th Geo. III. ch. 83—and the ordinances of the Province of Quebec, passed in virtue of the last mentioned act; each of which was specifically referred to in the Constitutional Act; and Parliament assuming that the King in the exercise of his royal prerogative would continue a Council which had previously existed, required of it, when created, certain specified duties, but no where making it a Cabinet which by its advice was to govern the Province, and assume the power and responsibility of the Crown,—rendering the King's Representative a mere cipher, subject to its domination and control. A principle so preposterous as this, could no where be found in the Constitution. (Hear, hear.) Nothing could be more clear than that it never was intended that the Council should have greater powers than were entrusted to it prior to the passing of the Constitutional Act; which powers were defined in the King's instructions, and in the laws and ordinances then

in, force in the Colony, passed in pursuance of the powers given by the 14th Geo. III. By an ordinance of the Province of Quebec the Governor and Executive Council were constituted a Court of Appeals, and were continued such by the 34th section of the Constitutional Act—and by another section the Governor was required to act with the advice of his Council in erecting parsonages and endowing them : these are the only duties specifically required of, the Council ; all others depend on the will of the Sovereign. If, as is contended, it was meant that nothing could be constitutionally done without the advice of the Council, was it to be believed that so important a principle would have been left in doubt by the eminent Statesmen who framed the Constitution ? — It was inconsistent with common sense to suppose they would have been so blind to their duty. (Hear, hear.)

But in truth, there could be no doubt in the minds of dispassionate and intelligent men—the Constitution itself gave a plain and distinct negative to the assertion, that the Governor is at all times, and upon every public matter, to consult the Council. It would be admitted that no duty which a Governor has to exercise can be of greater importance, than deciding on the Laws presented to him by the other branches of the Legislature for the Royal assent ; and it may be fairly argued, that if upon any one point more than another he stands in need of the advice of a council, it must be in coming to a decision on questions which may involve the safety of the liberties and property of the people of the country ; notwithstanding this, however, he is not to be guided by the advice of his Council, but by the Royal Instructions. This was a provision of the Constitution itself, couched in the following plain and intelligible words :

“Sec. XXX. And be it further enacted by the authority aforesaid, That whenever any bill, which has been passed by the Legislative Council and by the House of Assembly in either of the said Provinces respectively, shall be presented, for His Majesty’s assent, to the Governor or Lieutenant Governor of such Province, or to the person administering His Majesty’s Government therein, such Governor or Lieutenant Governor, or person administering the Government, shall, and he is hereby authorized and required to declare, according to his discretion, but subject nevertheless to the provisions contained in this act, and to such instructions as may from time to time be given in that behalf by His Majesty, his heirs or successors, that he assents to such bill in His Majesty’s name, or that he withholds His Majesty’s assent from such bill, or that he reserves such bill for the signi-

fication of His Majesty's pleasure thereon.

This section of the Constitutional Act was important for several reasons, but principally because, in the first place, it at once overthrows the doctrine that the Governor is on all occasions to consult his Council, or act by its advice; and secondly, as shewing that the King's instructions from time to time given were recognized by Parliament, and embodied in the Constitution as binding on the Governor. (Hear, hear.) The clause just quoted required the person administering the government to assent to or reject bills "according to his discretion," not by and with the advice of his Council, but in conformity with the instructions he may "from time to time" receive from His Majesty. How absurd would it then be for a Governor, were he to apply to his Council in a doubtful case for advice, and acting upon it, assent to a bill contrary to the orders contained in his instructions, which, by the express terms of the Constitution, were to be his guide. How would he excuse himself by alleging that he acted upon the advice of his Council, instead of his instructions? Where then must the responsibility rest? Upon himself, of course; and it would be out of his power to rid himself of it, and cast it upon another. (Hear, hear.)

The Constitution having thus emphatically recognized the Royal Instructions, as binding upon the Governor, and forming a part as it were of the Constitution itself, it would be proper again to refer to those Instructions for the purpose of placing before the house, in a clear and connected manner, the duties required by the Sovereign of the members of his Council when he appointed them to their office: the following were the words employed:

"To the end that our said Executive Council may be assisting to you in all affairs relating to our service, you are to communicate to them such and so many of these our instructions wherein their advice is mentioned to be requisite, and likewise all such others from time to time as you shall find convenient for our service to be imparted to them."

Language could scarcely be more intelligible, or free from ambiguity, than was here employed; and let it be borne in mind, that these instructions were brought to this country by Governor Simcoe, who was also the bearer of the Constitution conferred upon this Province, and which he was charged to put in operation. They were moreover delivered to him after the Constitutional Act had passed the British Parliament, and by the same Statesmen who had conducted that measure to maturity. (Hear, hear!) If, then, the measure now contended for was correct, those Statesmen were the first to attempt to violate the Con-



stitution they had framed, and Governor Simcoe was selected and agreed to assist them in their design ! There was something so wicked and preposterous in the mere mention of such a conspiracy that the mind instantly repels it without further investigation.

The Councillors named in the instructions containing the paragraph just quoted, were sworn into office in the presence of Governor Simcoe, and it would be too much for the most credulous to believe that such would have been the case if that able and excellent man believed that the duties of those Councillors were unconditionally circumscribed by the King, from whom he had just received his commission as the first Lieutenant-Governor of Upper Canada.

And here he (the Sol.-General) would pause on this branch of the subject, and calmly, but earnestly, entreat hon. members to consider the question as he had attempted to present it to them. An attack has been made upon the Lieutenant-Governor, of a most violent—one might say ferocious, character—and he is charged with an attempt to change the Constitution, or to prevent His Majesty's subjects from fully enjoying it, by refusing to surrender his power and responsibility to the Executive Council !—but, upon a candid examination, will any one say that he could have acted differently from what he had done ? Clearly not. Were he now to adopt the views contained in the Report of the Committee, he must place himself in direct opposition to the commands of the Sovereign contained in his Royal Instructions, and by which every preceding Governor had been bound. The real state of the question is this—it is with the King that the House is coming into collision, and not with his representative. If Sir Francis Head be wrong, the error did not originate with him : The King on his throne is the party this attack must affect—it is against his royal authority that this House is now contending ; and, to be successful, they must compel him to surrender, as unconstitutional, the powers he has exercised without dispute ever since, and long before, Upper Canada became a portion of his dominions. For his own part, he (the Sol.-General) earnestly prayed, that, for the safety, peace, and tranquillity of the country, the attempt now made by the House might fail :—In its success he sincerely believed the highest interests of the Colony would be sacrificed ; but he had too much confidence in the wisdom and integrity of Government to suffer himself for a moment to imagine that a scheme so certain to bring destruction on our most valued institutions could succeed ;—something more than blustering language, and insulting resolutions, and abusive reports,

must be resorted to, in order to obtain so important a change in the system of our Government as that contended for by the majority of the House. With the British nation, hard names and violent conduct would avail but little; on the contrary, such proceedings would effectually counteract the result sought for, especially when they betrayed themselves, as in the present instance, in public documents emanating from a legislative body whose acts should be marked with dignity, forbearance, and calm reasoning. There were few men whose political sentiments he more cordially detested than those of Mr. Joseph Hume, of "baneful domination" memory; but let the Report under discussion be laid before that gentleman, and he was satisfied that it would be treated with contempt even by him for its rudeness and its entire destitution of dignity and argument. The House might, if it pleased, destroy the prosperity of the country, and spread embarrassment through all classes of the community, by refusing supplies, but what would this avail? The King upon his throne must be attacked and overcome before his right to issue and enforce those Instructions could be invalidated. (Hear, hear! and applause.)

From what he had stated it was evident that the powers of the Executive Council were limited by the King, and that their very existence was dependent upon his pleasure. It had been stated that the Council ought to be responsible, not to the Crown but to the people, and that, if such were not actually the case, it ought to be so. This he would deny in the most distinct and unqualified manner, and he defied any man in Upper Canada, or in the whole world, to maintain such a position. It was not so;—it ought not to be so. (Hear!) Suppose that the Council should be compelled to retire whenever a House of Assembly (no matter what its political character) should say it was not worthy of confidence, the right of the King to appoint the advisers of the Governor would in such case be at once destroyed. It might be said the House did not wish to dictate what particular persons should compose the Council;—but such an assertion would be mere evasion. If the House were at liberty to remove the Councillors by declaring their want of confidence in them, they could repeat their declarations until they obtained the particular persons they desired, and this would be virtually appointing them. Where, under such a state of things, would be the King's authority? The moment the House had power to say who should compose the Executive Council, that moment the kingly office and authority would be annulled, and the power and patronage of the Crown, within the Colony, would be transferred to the

House of Assembly. (Hear, hear.) The hon. and learned gentleman (Dr. Morrison) might smile, as he observed he did, but he knew it could not be otherwise; and no single argument could be brought to bear against this plain and obvious truth. In favour of the new theory of responsibility to the House of Assembly it had been asked, how will you get rid of the consequences of any improper acts of the Governor, seeing that his removal will not make reparation to injured individuals, or restore the lives of any who may have been victims of his unadvised tyranny? But he (the Sol.-Gen.) would ask how, so far as the consequences of improper acts are concerned, would the matter be amended by making the Council responsible, instead of the Governor? Would that restore the dead to life? Would that make good any injury that might otherwise accrue to individuals, or to the Colony? But that was not all. The responsibility contended for was a mere shadow—(hear, hear,)—a mere illusion of the fancy. The Governor was really, and tangibly responsible for his acts, and might be punished; as he should take occasion to show in the course of his argument. But how would you punish the Council? It was impossible to do so, otherwise than by dismissing them; for this obvious reason, that as they are, and must of necessity be sworn to secrecy, it would be impossible to find who among them gave bad advice, and who opposed an improper measure. Thus, the punishment, if such it could be called, must be inflicted on the innocent as well as the guilty, or all must go free. If he had not misunderstood some hon. gentlemen who were in favour of the new system, they had contended that the Council should be consulted on all occasions, but admitted that the Governor might act upon their advice, or reject it, at his pleasure. How then would they hold the Council responsible? To be sure the late Council have said,—“We have laboured under much odium, and we wish to be allowed to tell the people that we are not guilty, when any unpopular act takes place without our advice.” Suppose this were granted, would not common candour require that they should tell the people that they did not deserve the credit of a popular act, if done against their advice? Where would be the obligation of their oath, if, contrary to it, they were thus to “respond to the people.” Such a system of responsibility might have peculiar charms for some hon. gentlemen, but it was really beyond his comprehension to perceive its propriety. Just look at the absurdity of the Council communicating with the public whenever their advice was not acted on, and telling the people—“We are not tyrants, but the Governor is a despot.” Sworn agitators! (Hear, hear.)

However fond of new things reformers might be, and whatever they might declare to the contrary, they did not, they could not wish for such a state of things, if they really had the peace of the country at heart. (Hear, hear.)

It had been argued that the Executive Council is here what the Cabinet is at home. Now this was just as absurd, and betrayed the same ignorance of facts, as the declaration in the Report, that the Governor has power to declare war! The Executive Council strictly resembled the King's Privy Council, and it might be worth while to direct attention for a moment to that body, and its powers. Some hon. gentlemen seemed to imagine that the King consults the Privy Council on all occasions; but in this they were entirely mistaken. The King could call on his Privy Council or any portion of its members for advice whenever he pleased, and they were bound to give him their assistance whenever required of them, and that too whether they agreed with the general policy of the government or not. The Privy Council, at present, was composed of a great number of gentlemen of different political views, and the King could act with or without their advice. They were altogether differently constituted from the Cabinet Ministers, which last held their offices virtually at the will of the House of Commons; but the changes of the Cabinet do not at all affect the Privy Council. The latter are bound by their oath to give their advice in any case in which it may be asked, but His Majesty is not obliged to ask it; but he may send for other persons, if he pleases, and consult them, and then act according to the best of his judgment.

During this discussion there had been various authorities quoted on the other side, and among others, that of Lord Stanley had been adduced; now, he was also willing to refer to that able and honest nobleman's opinion, given when he was a member of the Cabinet.

"—The Executive Council (he says) is a body acting in the nature of the Privy Council in this country—advising the Governor, but not responsible to him, and forming a Council against whose opinion as well as with it, he may act—and subject also to the control of the Treasury here as auditing and passing the accounts of the Province, so far as the jurisdiction of the Treasury extends."

So much for the opinion of Lord Stanley when a Cabinet Minister, and when it became necessary for him to inform himself of the constitutional duties and powers of the Executive Council. It will scarcely be found to favour the notion that the Executive Council are responsible to the people rather than to the Crown; and far less will it establish the opinion, that the Governor is bound

by the Constitution to consult them on those affairs not specified in the Constitution or the King's Instructions, except when he may think it proper and necessary to do so. He would next adduce that of the Hon. James Stuart, late Attorney General of Lower Canada, a very eminent and able lawyer, who says, that "it would, in his opinion, be better if the Council were more frequently consulted;" but he never intimated, that the Constitution required them to be consulted on all affairs. He (the Sol.-General) knew not how often the Executive Councillors were consulted on general affairs; but he knew that when they were, they were bound to give their honest advice, and the Governor had the same right to act upon it, or to decline following it, that His Majesty had with regard to the advice of his Privy Council. If this were not the case, the Governor would be the mere passive tool of his advisers, and, according to the system against which he was contending, they, the Council, must be equally the tools of the majority of the Assembly. Such a system would annihilate the kingly authority. (Hear, hear.) Such was not the Constitution of England, or of this Province; but the blind theory of the hon. member for Lennox and Addington. It was much to be lamented that hon. gentlemen did not think, and examine, before they rushed into such absurdities. It was still more remarkable that the late Executive Councillors, who had thrown the affairs of the Province into such confusion, should have imagined that, consistently with their oath of secrecy, they might insist upon being consulted upon all occasions, and then proclaim to the people the result of their deliberations. (Hear, hear.) Another argument had been adduced, which had not a little astonished him. He alluded to the reference which had been made to the administration of Governor Simcoe, who had been eulogized as the best Governor that had ever been appointed to the Province. He (the Sol.-Gen.) was as ready as any other hon. gentleman to admit, that General Simcoe was a most excellent man; and he would be the last to detract from his well earned merits. While in England lately, he was highly gratified, and much affected, on observing a splendid monument which had been erected to the memory of that gallant officer, by the gentlemen of Devonshire, in the Cathedral Church of Exeter, bearing a highly honourable and appropriate inscription, and ornamented with devices commemorative of his valuable services during the American Revolution, and while Governor of Upper Canada. But could any person prove that he had administered the Government differently from his successors, in the point which was that day the subject of debate? No, it was

impossible. He would refer hon. gentlemen to the Council books, and ask them whether Governor Simcoe consulted his Council on all affairs ? The result of such an examination would be fatal to the argument which hon'ble gentlemen had attempted to bring to bear upon Sir Francis Head. Look at the other public records of the Province. Governor Simcoe had assented to laws, summoned parliaments and dissolved them, issued proclamations dividing the Province into Districts, (certainly one of the most important powers ever entrusted to a Governor) ; and all this without any mention being made of the advice of the Council. It was probable that he might have conversed on these subjects with his old friends and companions-in-arms, by whom he was surrounded in this country, and the Councillors appointed ; but it could never be shown that the Council was to assist him on all occasions : the instructions delivered to him, as has been shown, made this unnecessary. The same observations would apply to the administration of General Hunter, Mr. Gore, and indeed every succeeding Governor. Yet it was now declared, in order to bring odium upon Sir Francis Head, and to induce him, by intimidation, to yield up to irresponsible advisers one of the most important prerogatives entrusted to him by his Sovereign, that he is, in this particular, taking a stand never before assumed by his predecessors. (Hear, hear.) But bold assertions could not, in this day, be passed off on the country as facts, and hon. gentlemen would find this to be the case before this question was settled.

It had been contended, that Governor Simcoe said we had the very image and transcript of the British Constitution. He (the Sol.-Gen.) would say we had more ; (hear, hear ;) even the Constitution itself, except such portions of it as we had refused to receive. Every part and parcel of the British Constitution that was necessary for the practical purposes of good government in this Province had been extended to it. The British Constitution, consisting of King, Lords, and Commons, each branch possessing its peculiar rights, powers and prerogatives, and the laws and institutions of the Empire, were not confined to Great Britain and Ireland,—their influence reached throughout all the widely extended dominions of the British Empire, and shed their protecting power and blessings to the remotest portion of the realms and possessions of our Sovereign : and the people of Upper Canada are as much protected by that Constitution as if they lived in an English County. Nay, more, for the British Parliament had given up a portion of its legitimate powers, and imparted them to these Colonies. Thus the

Provincial Legislature had power to make laws, without any interruption or interference on the part of Great Britain, except where such laws would militate against the general interests, or any of the great constitutional principles, of the Empire. Such a check it would of course be necessary to preserve, so long as we remain a Colony. Besides this, we are under the powerful protection of the British Crown; and were our rights to be infringed by any nation or power on earth, the arm of mighty England would at once be raised for our defence, and to protect us from injury or insult. (Hear, hear.) Yes, he would ask, who provides fleets and armies for our protection?—who erects forts and constructs canals at an expense of millions for our benefit?—who gives protection to our trade, and exclusive privileges to our commerce?—who nurses and cherishes all our institutions until we shall be able to manage and bear the expenses of them ourselves? It was the Parent State; it could not be denied that all these blessings flow from the practical working of the British Constitution, and that, so far as was compatible with our Colonial relation, we had the full benefit of that Constitution. In our local Legislature, we had the principles of King, Lords, and Commons. We had trial by jury—the habeas corpus Act—and every other privilege essential to the protection of life and property. It should be further recollected, that we thus possess the laws and protection of the British Government without its expenses; so that it is true, as Sir Francis Head has asserted, that though we may not have the exact image and transcript of the British Constitution, the only point of essential difference is as it respects its expensive arrangement and machinery.

The first act of the Provincial Legislature, which in its constitution resembles the Imperial Parliament, and is a sort of imperium in imperio, was to adopt all the English laws, except the Poor and Bankrupt laws; the former happily being unnecessary in a country where honest industry will generally suffice to secure a competency of wealth and comfort. The Court of Chancery, and other important institutions of England, we can have whenever we wish to avail ourselves of them. Indeed, it was clear that this Province possessed the advantages of the British Constitution, with many additional blessings, without any of its burthens.

He would now again pass to the question of the responsibility of the Government. If, by that term, it was meant that the Lieutenant Governor should be responsible to every individual in the Province, he would prove that he is so. (Hear, hear.) Yes, and he would prove in the

most satisfactory manner that the responsibility contended for by some hon. gentlemen is a mere shadow, a thing of nought, compared with that which really exists, according to the laws and constitution of this Province.

As long ago as in the reign of William III. it appeared that some of the Colonial Governors did not always conduct themselves with propriety, and an Act was passed which, as it was short, he would beg leave to read :

“Whereas a due punishment is not provided for several crimes and offences committed out of this His Majesty’s realm of England, whereof divers Governors, Lieutenant Governors, Deputy Governors, or Commanders-in-chief of plantations and colonies within His Majesty’s dominions beyond the seas, have taken advantage, and have not been deterred from oppressing His Majesty’s subjects within their respective governments and commands, nor from committing several other great crimes and offences ; not deeming themselves punishable for the same here, nor accountable for such their crimes and offences to any person within their respective governments and commands : for remedy whereof, be it enacted by the King’s Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the authority of the same, That if any Governor, Lieutenant Governor, Deputy Governor, or Commander-in-chief of any plantation or colony within His Majesty’s dominions beyond the seas, shall after the first day of August, one thousand seven hundred, be guilty of oppressing any of His Majesty’s subjects beyond the seas, within their respective governments and commands, or shall be guilty of any other crime or offence, contrary to the laws of this realm, or in force within their respective governments or commands, such oppressions, crimes, and offences, shall be enquired of, heard and determined, in His Majesty’s Court of King’s Bench, here in England, or before such Commissioners, and in such county of this realm, as shall be assigned by His Majesty’s Commission, and by good and lawful men of the same county, and that such punishment shall be inflicted on such offenders, as are usually inflicted for offences of like nature committed here in England.”

Let it be remembered, that the Act he had just read was passed when the present United States formed part of the British Empire,—when there were Legislative bodies in those colonies, similar to those in Upper Canada. But if the Executive Councils had been Cabinets, and responsible for the acts of the Governors, why was such a law passed ? It would have been the height of absurdity. The Act shows plainly that the responsibility rests upon the



Governor, and that he cannot be allowed to shelter himself under any pretended responsibility to his Council; and this Statute is in force at this day. He (the Sol-Gen.) would grant that a Governor could not be prosecuted in this country: and why? Because, as Lord Mansfield says, if he could, he might be imprisoned; and thus the colony be without a Governor, and the power and authority of the Crown be destroyed. But what of this? He can be prosecuted in England, and tried like any other individual by a jury of his country. In the year 1774 a Governor Mostyn was prosecuted, by a person of the name of Falrigas, and a verdict of £3000 rendered against him for an act which would have been, perhaps above any other strictly illegal acts, considered excusable. It was for imprisoning a man who had been accused of stirring up treason and rebellion in the colony. (Hear, hear.) Here was proper responsibility, and proper redress; and Lord Mansfield in pronouncing the judgment of the Court declared,—

“That a Governor was not that sacred character that an action would not lie against him for an illegal act committed by him within his Government—but that for many reasons, if an action did not lie against any other man, for an injury done, it should most emphatically lie against the Governor—but that he must be tried in England to see whether he had exercised the power delegated to him legally and properly; or whether he had abused it in violation of the laws of England, and the trust reposed in him.”

It was not pretended that this gentleman had been advised to do what he had done by his Council; and if he had set up such an excuse it would have availed him nothing. If, however, it had been in his power to shelter himself under the advice of his Council, the consequence would have been that the man who had sustained a grievous injury would have been without any remedy,—an admirable proof of the advantage of taking away responsibility from a Governor and placing it nominally on a Council that cannot be prosecuted. Neither are we without examples of the responsibility of Governors to individuals for injuries done them nearer home. Honourable gentlemen no doubt recollected Governor Gore; and some of them might have heard of Judge Thorpe, Mr. Surveyor General Wyatt, and others, who either abandoned their situations or were suspended by Mr. Gore for alleged misconduct. Mr. Wyatt was so disposed of, but, considering himself unjustly treated, he brought an action against Mr. Gore when in England and during the time he was on leave of absence as Lieutenant Governor of the Province, and

received £300 damages against him. Many other cases might be adduced proving the responsibility of Governors for their acts, and showing that they never pretended to shelter themselves under the advice of their Council. Neither could they do so; for the laws and constitution make them, and not the Council, responsible for whatever injury may have been committed by them. They are known, tangible individuals; but a Council could not be so prosecuted—and if a party were told to seek redress from it, for an injury however enormous, he would find that his hopes of compensation were visionary and unfounded.

He would conclude this part of the subject by referring to two Acts of the Imperial Parliament showing the heavy responsibility imposed upon Governors of Colonies, and from which neither an Executive Council, nor any other power but Parliament itself, could save them. The first is an Act passed in the 7th and 8th years of William and Mary, for preventing frauds, and regulating abuses in the Colonial Trade, by the 4th clause of which it is enacted that if a Governor of any of the Colonies shall fail to do the utmost in his power to carry that law into effect, he should forfeit one thousand pounds, and be removed from his government. The second Act was passed in the 4th year of Geo. III. to prevent paper bills of credit, issued in the Colonies in America, from being made a legal tender by any Act of the local Legislature; and by the 3rd section of which it is enacted that if any Governor shall give his assent to a bill passed by a Colonial Assembly in opposition to the intent and meaning of that Act, he should forfeit £1,000, be removed from his government, and for ever rendered incapable of any public office or place of trust. Of what avail, he would ask, would it be to a Governor of Upper Canada, who had rendered himself liable to punishment under the provisions of either of these Acts, to plead as his excuse that he had acted by and with the advice of the Executive Council? Should such a plea save him from punishment, where would the responsibility rest then? (Hear, hear.) He might multiply proofs and authorities, but it could not be necessary. Those hon. gentlemen who wished to be influenced by honest argument and truth had heard enough, and if any were already determined as to their votes, without regard to facts or arguments, they must pursue their own course. It had been asserted that the doctrine laid down by His Excellency was altogether novel; but when, he would ask, had responsibility been claimed at any former period of our history by the Council, or by anybody on their behalf? Where was the proof of it? ("Where is it not?" from Dr. Morrison.) The hon. and learned gentleman asks,

“where is it not?” He (the Sol.-Gen.) was really surprised. Why was there no noise made about it last Session? Had not that hon. gentleman himself, and those with whom he acted, declared that the Council was a perfectly irresponsible and useless body? Perhaps the hon. gentleman has forgotten this, but his memory should presently be refreshed. When the Act was passed, making a permanent provision of £500 annually for the support of the Council, it was asked often during the debate, and particularly by the hon. member from Lennox and Addington, “What is the use of such a body, responsible to no one for their conduct?” He (the Sol.-Gen.) had no doubt but those arguments would be found in the speeches of hon. members, as reported at that time in the public papers; but now they seem to have acquired new light. (Hear, hear.) To show that some changes of opinion had occurred, he would read an extract from the famous Grievance Report of last Session:—

“It appears that it is the duty of the Lieutenant Governor to take the opinion of the Executive Council only in such cases as he shall be required to do so by his Instructions from the Imperial Government, and in such other cases as he may think fit.”

Now, he particularly desired to call the attention of the hon. member, (Dr. Morrison), to the fact, that his own name, the name of T. D. Morrison, was stuck to that Report. Yes, there he was, saying the very thing which he, now declares, and almost swears, is not true. (Hear, hear, and laughter.) The hon. gentleman who fabricated that Report knew well that the Council, as well as the Governor, was only responsible to the King, and that such was the Constitution.

He (the Solicitor-General,) felt an unwillingness to refer to the extraordinary conduct of the late Councillors, with all of whom, except one, he had ever been, and hoped still to continue, on terms of friendship and intimacy. It was a maxim with him, never to allow political feelings to destroy private friendship; he had become perfectly callous to the attacks made upon himself by political opponents, and should never suffer them to affect him. But his public duty required him to refer to the letter which had been read in that House, and in the Legislative Council, setting forth the terms on which those gentlemen took office. It was asserted, in the Report under consideration, that that letter, as read in the two branches of the Legislature, had been altered from the original draft shown to those gentlemen by His Excellency, and that it did not contain the terms on which they accepted office. (Hear.) But, if this were true, would those gentlemen have taken office under

such circumstances? If gentlemen, so distinguished for acuteness and deliberation, had seen additions of such importance made to the original draft, would they not have returned the letter to His Excellency, and have retired, saying—"No Sir, these are not the terms on which we accepted office?" Or if they did not wish to embarrass the Government by retiring, could it be supposed that they would have put the letter into your hands, Mr. Speaker, and in the hands of a friend and member of the other House, for the purpose of having it read, as it was by you, with much emphasis and apparent satisfaction, for the express purpose of shewing the conditions upon which they had accepted office, if it did not truly describe those conditions? He (the Sol.-Gen.) was bound to assume that the assertion made in the Report, was unauthorised, because, he could not for a moment suppose that the hon. Speaker of this House would have consented to read to the House, on behalf of his most intimate friends, as an authentic document, one which he must have known was not so. He felt very sensibly the embarrassing situation in which the hon. Speaker must be placed on the present occasion, and would most gladly sit down in order that a motion might be made for the House to go into Committee, and thus allow the Speaker an opportunity to express his views on this affair. Indeed, it was most unfair in the majority of the House not to go into Committee; as by the present course, the House was deprived of the valuable legal opinions of the hon. Speaker on so important a subject. But to him (the Sol.-Gen.) it appeared perfectly clear that as the Speaker was the intimate friend of the late Councillors, and had been consulted by them at every stage of the proceedings which led to their taking office, he must have been, by direct information, or otherwise, aware of the incorrectness of that letter, if it were incorrect; and therefore, if it were so, he would not have permitted himself to be the medium of communicating it to the House. Hence, he (the Sol.-General) was bound to believe that that letter contained the real principles under which those gentlemen became Councillors. Now, he would ask, if they accepted office with an understanding that their advice was to be limited to those affairs on which His Excellency might feel it necessary to consult them, how could they have understood the Instructions in that unlimited sense in which they have construed them in their address to His Excellency? (Hear, hear.) There was a something of mysteriousness hanging over the whole affair which he could not comprehend.

It had been stated, that after His Excellency received

the address from the Council, it was wrong for him to require them to renounce their principles or retire from office. But how could His Excellency do otherwise? He replied to them in a document in which he gave his exposition of the Constitutional powers of the Council, and then, he, in substance, said,—“Your views and mine are directly at variance on a vital principle of Constitutional law—it is impossible that we can act harmoniously under such circumstances—you must therefore calmly weigh the views which I have laid before you, and if you cannot conscientiously accede to them, I cannot conscientiously give them up, and therefore we must part on good terms.” Had His Excellency done otherwise, he would have been justly condemned.

It had been stated by the hon. member for Lennox and Addington that the Executive Council were willing to withdraw the paper they had addressed to His Excellency when they discovered the difficulties it was likely to lead to; and that it was proposed to erase it from the Council books, and that the Clerks of the Executive Council had been sworn to secrecy on the subject. All that he could say was, that if this statement was true, it involved very serious charges against these gentlemen: in the first place, he knew of no authority under which the Councillors could administer such an oath to the Clerks, and if no such authority existed, then the oath was an illegal and a profane oath; and in the second instance, the proposal to erase from the records of the Council the document they had so deliberately signed, if made as asserted by the hon. member, (which he was bound to discredit) was most reprehensible: and he must say that if such a proposal was made to His Excellency, and he had not forthwith dismissed those who made it from office, he would not have performed his duty; unless indeed they had been convinced of their error of judgment, and on that account wished to retract their opinions. To continue them as Councillors, they retaining the opinions they had expressed in opposition to the Governor would have been objectionable indeed. Suppose by way of illustration, that two or three Clergymen should write an elaborate document to their Bishop, declaring their disbelief of the great truths of Christianity, and stating their reasons, thinking thereby to convert him to their views, and that the Bishop should reply at length to their objections, and inform them if they persisted in their opinions they must be suspended, as he could not labour in connexion with persons holding such sentiments; suppose that when they see they are in consequence likely to lose their livings and be expelled from the Church, they should request permission to recall their declaration, at

the same time retaining their opinions. What would be the duty of their Bishop? Evidently to say, "No, gentlemen, it will not be sufficient that you withdraw the testimony of your guilt, you must retract your opinions, you must declare that they were wrong," and that you no longer retain them, before I can consent to continue you in your sacred office." Now, the affair with the Council was precisely similar. If the gentlemen were not convinced by the able, plain and kind reply of His Excellency, they were bound in honour to retire, even if not requested to do so. He had too high an opinion of the honourable feelings of those gentlemen to believe that they had proposed to withdraw their paper and continue in office, retaining the opinions they had avowed, and he was astonished that such an assertion should be made. If true, nothing in his opinion, could more fully prove their unfitness for the confidential and honourable situation of Executive Councillors than that they were capable of making such a proposal.

A great deal had been said about His Excellency having garbled the documents sent to the Council. It appeared that, through a clerical error, the word "these" had been omitted, and on this ground His Excellency is charged with a laxity of moral principle. To say nothing of the unjustifiable grossness of this charge, it was really astonishing that hon. gentlemen could not discover, that, if His Excellency had designed to garble his extracts, it would have been as easy a matter for him to have done so the second time as the first, and thus not have exposed himself. Such accusations were no credit to those who made them. Such charges might, with much stronger semblance of truth, be brought against the authors of the Report under discussion. A most laboured effort had been put forth by the Committee to impeach the character of His Excellency in reference to the arrangement which had been made between two of the Councillors concerning the administration of the government in case of the death of His Excellency. As it respected the arrangement itself, it was altogether unnecessary. It appeared to have been made under the impression that the senior councillor must otherwise become the administrator of the government in the case supposed. But that was a mistake. When Mr. Smith was sworn into office there were two older Councillors than himself, Mr. Baby and Chief Justice Powell; neither of whom was forbidden by the Constitution to administer the Government. But no man is obliged to assume the office. He would now state the facts of this case, and leave every honest mind to judge whether there was any foundation for the abuse which had been heaped upon His Excellency. One of the Councillors, before they were sworn into office—(let

that be remembered)—suggested that, in case of His Excellency's death, the administration of the government should devolve on the hon. Mr. Allan. To this Mr. Sullivan readily assented, being anxious to be free from so great responsibility. And to place his wish beyond doubt, it was suggested by Mr. Sullivan that a writing should be drawn and signed by him, declaring that, in the event of the Government devolving on a Councillor, he would resign and make way for Mr. Allan. This conversation took place in presence of His Excellency, who was requested to draw an instrument to that effect. He did so, and it was signed by Mr. Sullivan; and Mr. Allan received it, and there the matter rested. It was no official document,—it was not done in Council, nor was any record made of it. It was a private arrangement between two gentlemen, with respect to which the Lieutenant Governor was perfectly indifferent. (Hear, hear!) Now, what does the Report state? It states that when His Excellency was addressed by the House for information, he intimated—(mark the expression)—he “intimated that he knew of no such agreement, and that in fact no document of such a nature existed.” Now, this was plainly a misrepresentation. His Excellency intimated no such thing; and to prove this, it will be most satisfactory to read the answer His Excellency did give to the Address of the House for information on this subject. It is as follows:—

“Gentlemen—I herewith transmit as much of the information desired by the House as I possess.

“I have entered into no bond or agreement, of any sort, with my present Executive Council, and I do not possess, nor does there exist in Council, any document of such a nature, between two or more of the said Council.”

This answer was in the possession of the committee at the time they made the unfounded assertion contained in their Report. Any man of ingenuous disposition—any man who was not desirous of perverting the truth, would have at once seen that His Excellency, merely wished to inform the House, that officially he had no controul over any document such as was referred to, but that he by no means intended to convey the idea, that “no document of such a nature existed;” on the contrary, he very plainly intimated the reverse, and to prove that he had no objection to its being made public, and that he was ready to assist in its disclosure, he permitted Mr. Sullivan to appear before the Committee and state every thing he knew respecting the matter. Had His Excellency desired concealment he could have prevented this: and the Committee would then have been left without this new topic, upon which to assail the Lieutenant Governor. But, as an honest man, he had no

desire to conceal the truth—all he asked, was, that the truth should be plainly told, and no false interpretations placed upon it. Much stress was laid upon Mr. Sullivan having expressed an unwillingness at first to state who drew up the document. But why was he unwilling? Undoubtedly, because he suspected the dishonourable use that would be made by the Committee of that information. (Hear, hear!) But it would be a mere waste of time for him to attempt further to show how utterly impossible it was for any imputations to be fairly cast upon the character of His Excellency with regard to that transaction. What he had said had not been for the sake of convincing the Committee, or those who were already determined to sustain the Report, and all the slanders contained in it; but to show to the country the real nature of a transaction which had been so shamefully misrepresented, for party purposes. (Hear.)

He had detained the house a long time, but he hoped that the vast importance of the subject would form for him a sufficient apology. He had felt a deep and thrilling interest in the question before the house, and although he had no doubt as to the course which the majority would pursue, and that it would be of no avail for him to argue against the decision which had been already determined on, yet that regard which every patriotic man must feel for the prosperity of the country in which the interests of himself and his posterity are at stake, rendered it impossible that he should say less than he had. The subject was an exciting one, but he had endeavored to confine himself to a deliberate consideration and calm discussion of its true principles and merits, and of those prominent features of the Report which, from their connexion with the main question, seemed to possess some importance. He hoped that he had accomplished what he proposed at the commencement of his observations. He had noticed the origin of the Executive Councils—he had pointed out their legitimate functions, and how far their existence was identified with the Constitution. He had shown the real responsibility of Colonial Government; and had made it obvious that the system advocated by the late Council and in the Report, if indeed it might be called a system, would completely remove that responsibility from where alone it could safely rest, and would introduce in its stead a merely ideal responsibility, subverting the best interests of the country, and annihilating in it every vestige of British rule. (Hear, hear.) And now he would close his remarks by expressing his deep regret that men should be found occupying the important and distinguished places of representatives of a patriotic people, who would abuse the trust committed to



them, and avail themselves of their parliamentary privileges to traduce the character, and misrepresent the conduct, of as honest, upright, disinterested, straightforward, able, and truly patriotic a man as ever was entrusted by Britain's Monarch with the government of any Colony of the Empire.—(Hear, hear,)—a man whose only study was to maintain alike inviolate the prerogatives of his Sovereign, and the indefeasible rights of the people, (hear, hear;) whose most ardent desire was, to carry out in all their extent the benevolent designs of one of the most indulgent and patriotic Kings that ever wore the British Crown, (hear, hear;) and who still would persevere in accomplishing the important work entrusted to him, amidst all the obstacles which might be thrown in his way. (Hear, hear.) Yes, such was the individual against whom all the vituperative language of that laboured Report was directed;—such was the individual who, it might be almost said, immediately on his arrival, is accused of crimes and offences which, if true, ought not only to depose him from his exalted office, but ought for ever to close against him the door of civilized society. (Hear, hear.) He would not give that man credit for much strength of understanding, or honesty of principle, or goodness of heart, who would not decide that there was some other object kept in view, by the framers and advocates of that Report, than the investigation of constitutional principles. It spoke not the calm and dignified language of virtuous patriotism, but that of an unworthy and factious attempt to embarrass the administrator of the Government. That would be traced by every candid man in almost every paragraph, and it would produce in the country a very different effect from that which the supporters of it appeared to anticipate.—(Hear, hear.) He supposed that hon. members were resolved, however, to try the experiment. Well, let them do so. They had of course power to stop the supplies necessary for carrying on the Government in an advantageous manner; but there was another power from which theirs was derived; and it was for the people to decide whether it was for the peace, welfare, and good government of the Province that the Courts of Justice should be impeded in their important proceedings,—that the public offices should be shut up, and that the industrious farmer and mechanic should suffer from the suspension of all internal improvement. Yet such every hon. member knew must be the inevitable result of stopping the supplies.

But this, notwithstanding all the evils that would result from it, would undoubtedly be done; and then efforts would be made to persuade the country that it was done from a regard for their rights and interests. (Hear, hear.)

But the people would not believe it ; there was too much intelligence in the country for such a deception to be practised upon its inhabitants. There was no Colony that possessed the power and the advantages which had been entrusted and granted to Upper Canada, for the benefit of those patriotic men who were among its first inhabitants, and who risked their lives, and sacrificed their property, in defence of British principles ; yes, many of them had fought and bled for the sake of the privileges which they then enjoyed under merely chartered governments. But the British Government, with that nobleness by which it has ever been distinguished, generously decreed a reward to their loyalty by increasing and greatly extending the privileges they had previously enjoyed, and conferred upon this Province that constitution which it was the object of the Report under consideration to subvert and destroy under the false pretences of supporting it. (Hear, hear.) Yes, the object could not be concealed, and the country will pronounce an equitable sentence on its authors and abettors. The powers entrusted to the Colonial Legislature were never intended to be exercised in the manner now contemplated. It never was supposed that an effort would be made to withhold the necessary supplies for carrying on the Government, because of a difference of opinion having arisen between the Governor and the majority of the House on a constitutional question ;—and on a question which the Imperial Government alone could decide. What was the meaning of such a step ? It was saying most distinctly, not to the Governor, for he had not power to grant what was demanded of him, but to the King, “Unless this question be decided according to our dictation we will refuse to co-operate with the Government, we will array ourselves against the constitutional powers of the King’s representative, or in other words, against the King himself.” (Hear, hear.) Such was the language spoken by the measure, and although it might be denied, it could not be disproved. A certain system is laid down by our Reformers in the Assembly, and it is designated responsible government ;—it is asserted that it is the system acknowledged by the constitution, and the Governor is required to act upon it. He dissents, and states that he cannot view the constitution in that light, and therefore cannot, in accordance with his oath, administer the government on such principles ; but he points to the imperial government as the only tribunal competent to award a decision, and to that decision he declares himself willing respectfully to bow. Why then does not the House wait for that decision ? If hon. members were willing to abide by it, and to uphold the Constitution as it exists, why stop the Supplies ? Such a step is evidently an attempt to in-

timidate the Government, and it loudly declares to the King, "you must either decide that our construction of the constitution is right, or you must make such changes as will accord with the system we have demanded; and if you will not, we will not be governed by you." (Hear, hear.) Suppose the Government should decide that that system cannot be established without destroying all colonial dependency, what then must be done? The answer was obvious:—but there were more than 150,000 men, loyal and true, within this province, who would never consent to have the authority of the Sovereign trampled under foot; and never, without their concurrence, could the moral power of the Government be put down. (Hear, hear.) If the refusing to vote the Supplies would not open the eyes of the people, they would deserve to be slaves;—not the slaves of the British Monarch, for such a relation could not exist within the boundaries of his Empire,—(hear, hear.)—but the slaves of the present majority of the House of Assembly, whose eager grasping after uncontrolled power sufficiently proved how utterly disqualified they were for possessing it. (Hear, hear.) He was but an humble individual, and stood in a minority in that House; but, of that minority he was proud on the present occasion,—and he felt assured the cause he and his estimable friends were now advocating would be found to be the cause of the people, and that he was expressing the views of those who constituted the worth, and the intelligence, and the patriotism of the country. Whatever might be the result of that evening's discussion, and he had no expectation but that the Report would be adopted, it would afford him unmixed satisfaction to the latest period of his life, that he, and his respected friends around him, had lifted up their voices, and recorded their votes, against a measure so fraught with most disastrous consequences to the Province, and so directly at variance with every principle which ought to find a lodgment in a Briton's heart. (The hon. and learned gentleman resumed his seat amidst loud cheers from the crowded galleries, and the space below the bar.)

Mr. ROBLIN said, that, with regard to the document which had been spoken of between Mr. Sullivan and Mr. Allan, he was as well satisfied as any thing could be, when the Governor's reply was read, that he had been misinformed; and he was very much astonished when Mr. Sullivan told the committee there was such a paper.—But it is argued there is no such paper in Council. That was a way of getting along that he was not used to. But, leaving that matter, he would come to the question of responsible government. The constitution recognized "such Executive Council as shall be appointed by His Majesty for the affairs

of the Province," and therefore he argued that the Act created an Executive Council. The hon. and learned Solicitor-General stated that the Report said the Governor should consult the Council upon all the affairs of the Government. Now, it said no such thing; but the Royal Instructions said so, and also that the senior Councillor should administer the government in case of the death of the Governor. The simple question was, Ought we not to have a responsible Executive Council in this Province? Why not? He could not see how it was going to curtail the prerogative of the Crown, as it had been argued. Was the Lieutenant-Governor to have more power than the King himself? (Hear, hear!) He had an Executive Council, just as the King had his Privy Council; and from the Privy Council the King selected his Cabinet Council, whose advice he was to take upon all affairs of the government. (Hear, hear!) Whenever they gave advice, the King acted in accordance with it, so long as he retained them in office. The acts of the Government were the acts of the Council, and in that way their opinions went forth to the country. But, if they did not suit the views of a majority of the representatives of the people, the Council must go out of office; for it was contrary to all the principles of good government that two bodies should be constituted to act together who at the same time held views contrary to each other; just as the good book said, a house divided against itself could not stand. It was not required that if the Governor advised with the Council he should act with that advice; but it was wished to know who did anything for the good of the country and who did not. If they were paid £500 a year, he would like to know what good they did for it. If they gave the Governor advice and he did not please to act according to it, the House of Assembly wanted to know it, that in such case the matter might be submitted to the decision of His Majesty's Government. If they say, we approve of your course, and you may dismiss your Council, he would of course do so. He takes another; but they cannot agree with the people. Here we are at a stand, and obliged to recur to first principles, and ask for what purpose governments were instituted, if it was not for the good of the people? That should be the foundation of all governments, the welfare of the people. And were not the people of Upper Canada to be the judges of what was for their own good, and what was not? or was the Colonial Minister at 4000 miles distant to be judge of what was for our good, and tell us, "You must swallow whatever I please to cram down your throat, whether you like it or not?" These were his opinions on government, and he was satisfied that on no other principle could it exist. While the

people of this Province could look to other countries where government was thus administered, they would not be contented so long as the present state of things existed here, and while the rights enjoyed by others were denied to them. If the Governor could not agree with the Representatives of the people, they being a factious set of fellows like the present House of Assembly, let him dissolve them and appeal to the people. Should he do this, and a majority of the same sentiments be again returned, what was to be done? Could we get on in this way? Surely the British Government had no desire, and could have no interest, in persisting to govern this Colony in a manner contrary to the wishes of its inhabitants. The hon. and learned Solicitor General had told the house in pretty plain terms that it was unconstitutional to stop the Supplies; but they had the opinions of Mr. Stanley and Lord Glenelg against the opinion of the hon. and learned Solicitor, which he was inclined to think was quite as good authority. If a Governor was sent out here, who, under all the circumstances, could not administer the government according to the wishes of the representatives of the people, he (Mr. R.) would say, give us another Governor or another House of Assembly. He had thought seriously upon the question of withholding the supplies, and had come to the conclusion that it was best to do so at the present time; for then they would bring matters to an issue at once, and see who was right. The question of course would be referred to His Majesty's Government; and they would have to recal the Governor or turn out the Assembly as often as they were elected, until they agreed.

The Executive Council ought, in his opinion, to be responsible to the people; he would not take upon him to say they were so at present, but they should be so, that it might be known who it was that gave the advice by which the Government was conducted. At present it was never known whether it was by the advice of the Council, or some other persons, or whether the Governor acted as he pleased himself. His Excellency had provoked this discussion, and "dragged the question into day-light;" and in one of his documents he had admitted that he should advise with his Council, for he says he cannot divulge which of the members of his Council advises him, which plainly implied that he should consult them. If he agreed with the Council, he might in his public documents say, "I have done so with the advice of my Executive Council;" or "on my own responsibility," if he disagreed with them. There was nothing in his oath which in his (Mr. R.'s) opinion prevented him from doing this, although he might not divulge which of the members gave him the advice by which he acted.

His Excellency says, "whenever embarrassment requires it he must draw upon their sterling fund," meaning their advice; that is, he will in ordinary affairs think and act for himself; but whenever, perhaps by his own unadvised mismanagement, the affairs of the government gets into embarrassment, he will ask their advice, that they may bear all the odium of the measures he has pursued. Then, he goes on to say, "if they faithfully honour his bills, they fulfil their duty to their oath, their Sovereign, and to him." What he meant by honouring his bills, he, (Mr. R.) being a plain farmer, might not understand so well as some others, but he believed it meant this,—when one merchant draws a bill upon another, his friend pays it according to instructions received from the drawer; and His Excellency must, therefore, mean that if the Council approved of the "remedial measures" which he told the House he was preparing, they discharged their duty. He could not agree with His Excellency in this limited interpretation of the powers and duties of the Executive Council as they were set forth in the Constitutional Act and the King's Instructions, for the latter say, "You are to communicate to them such and so many of these our Instructions, &c., and all such others from time to time as you shall find convenient for our service." What did the word convenient mean, upon which so much stress had been laid? Not that it would be inconvenient to ask their advice upon all occasions; but the better to enlighten their judgments and inform their minds, in order that "impartiality" might be assisted by "knowledge," he should communicate to them the views of His Majesty's Government as often as he might find it convenient to enable them to come to a judicious and proper decision. That was what he considered the word "convenient," in the Instructions, to mean. The Governor, at the conclusion of his reply, tells the Council, that, "to the opinions they have expressed he can never subscribe." What were those opinions? Not that they might be allowed to tell the advice they gave, but simply to inform the public when they advised a measure and when they did not. But no, he tells them he will not allow them to do so; "The country shall not know whether you advised me in the course I have pursued or not."

The adoption of the resolution before the House would decide the question whether the Supplies were to be stopped or not. To do so he acknowledged was a strong measure, it was the last resource; but what was to be done? That House and the Country had addressed His Majesty's Government for the last four or five years, setting forth that there was no Established Church in Upper Canada, and praying that there might be none

established and endowed, but that the Clergy Reserves might be devoted to general education. But how had they been respected or answered? In the last year no less than fifty-seven Rectories had been established and endowed out of those Reserves. Were they to grant the Supplies and again address His Majesty and say, "We pray your Majesty this system may not be continued?" (Hear.) No; if there ever was a time, or if there ever could be a proper time, to stop the Supplies, it was now. Let His Majesty's Government be plainly told, "if you will not attend to our representations, we will not support your Government;" that was the meaning of stopping the Supplies, and he hoped it would wake them up to pay attention to our affairs. Whether his constituents would approve of the vote he was about to give, he could not tell; but it never had been any advantage to him to be a representative of the people, and he was willing cheerfully to retire into private life, if the people would not support him in taking what he willingly acknowledged, was a bold stand—a very important step, but which he thought, all the circumstances of the times required. He had, however, made up his mind on the subject, and was prepared to vote for withholding the Supplies.

MR. PARKE observed, that the principal arguments against a responsible Executive Council in this Province seemed to be, that it would destroy the power of the mother country in the colony. But it should be remembered that England, when she passed our constitutional act, reserved to herself the power of regulating our trade and commerce, and retained in her hands the whole patronage of the government. For what was this done? To maintain her control over the affairs of the colony. But that she should exercise any such control through the Executive Council, was never intended when the act was passed. That Council was not appointed by any law, but by the principle upon which all laws were founded, that of safety and protection against oppression; and to take away that check over the Executive Government would be the very essence of tyranny. The Government of Upper Canada must be administered by an Executive Council responsible to the House of Assembly; for it never could be intended by the people of Great Britain, that their fellow subjects in Upper Canada should be degraded into the condition of slaves. The Governor, we were told, was responsible to Downing Street; but had they ever been called to account for tyrannizing over the people? No; but they were praised when they exercised their power for the interest of those who appointed them. The hon. and learned Solicitor General said the powers of the Executive Council were

derived from the King's Instructions ; but he (Mr. P.) contended that he had no right to give such instructions without Act of Parliament. (Hear, hear.)

MR. NORTON.—After the very severe castigation which the hon. and learned gentleman from Cornwall (Mr. McLean) has been pleased to bestow upon me for the crime of having been born in the United States, it may be considered presumption in me to say one word upon a subject of this nature. I will give the hon. and learned gentleman all the advantage, and all the honour that he is entitled to, for having made the discovery that a man was disgraced in consequence of his birth-place. I have seen, Mr. Speaker, men, nay even hon. and learned gentlemen, whose conduct was a disgrace to the high station they held, to themselves and to the country that gave them birth ; (hear, hear,) but that the country should disgrace the man, is a discovery left for no less an honourable, noble, and generous personage than the gentleman from Cornwall to make. That man who is so lost to the noblest feelings of our nature, as not feel a glow of pride at the mention of his native land, is indeed only fit to become the base and abject slave of such a man as the hon. and learned gentleman has upon this occasion shown himself to be. The law in your Statute book, Sir, has made me eligible to a seat in this House, and the spontaneous and united voice of as intelligent, patriotic, and loyal a people as Upper Canada can boast has done me the honour to send me here, and they expect that I will do my duty to my God, my King, and my Constituents ; and, Sir, I shall not shrink from the task upon this occasion, notwithstanding the sneering taunts, which no gentleman would make, but which could have emanated from no other than the hon. and learned member. (Hear, hear.) The hon. and learned gentleman says, grievances are preached continually, which are sickening to the ear—I doubt not, Mr. Speaker, but such cries are sickening to the ears of the hon. gentleman, but was he ever known to lend a helping hand to redress those grievances, has he not invariably denied that there existed any grievances ? He has been pleased to laud the people of this Province for their intelligence and discrimination, and warned the majority of this House that the people were too intelligent and too enlightened to be duped by any artifice, from asserting and maintaining those just rights. Pray, sir, how long since that hon. and learned gentleman has made the discovery ? Has he not invariably opposed every measure giving the people a voice in the management even of their local affairs ? Has he not invariably scouted the idea of consulting the people ?—If the records of your



journal since the first day of his taking a seat in the House of Assembly, answer the question, among the specimens of his regard for the people you will find his support for the celebrated Gagging Bill, preventing these enlightened and intelligent people from meeting and petitioning for a redress of these grievances. (Hear, hear.) No surer proof however can be given of the march of intelligence in the county which he formerly represented, than that the people very plainly told him they had no further need for his valuable services. (Hear, hear.) With regard to the question before you, the hon. and learned Solicitor General, (the only hon. gentleman opposed to it, who had undertaken to use any argument,) had really made out our case most admirably. The whole drift of his argument was to show us that the Executive Council of this Province was exactly similar to that body in England called the Privy Council, and he has quoted several authorities to prove this fact. Well, Mr. Speaker, what else do we contend for; this is all we have ever asserted, and we complain that although a similar body, and constituted for similar purposes, yet they cling to office after having entirely lost the confidence of the people. Yet while the Solicitor admits that we have the "very image and transcript of the British Constitution," His Excellency denies it,—(hear, hear,)—and he is the first person in the Province who has ever done so. Those very hon. gentlemen, who now say it would be the greatest curse that could be inflicted upon this Province, if we had responsible Executive, should refresh their memories before they so loudly proclaimed their own inconsistency. Did not our Address to His Majesty in the last Parliament, respecting the Banks, declare, in the most emphatic language, the necessity of a responsible Government? did not that address receive the support and the vote of every member in that House? Let us come a little nearer the present period: let hon. gentlemen look at the Resolution upon which an Address was founded to His Excellency on the 14th of last month, upon the subject of the late Council, which reads as follows:

"Mr. Perry, seconded by Mr. Chas. Duncombe, moves that it be Resolved, That this House considers the appointment of a responsible Executive Council to advise the Lieutenant Governor, or person administering the government of the affairs of this Province, to be one of the most happy and wise features in our Constitution, and essential in our form of government, and as being one of the strongest securities for a just and equitable administration of the government, and full enjoyment of our civil and religious rights and privileges."—(Hear, hear.)

Now, Mr. Speaker, this resolution was adopted after a whole day's debate, and upon which there was a call of the house, and when there were fifty-five members present, (the fullest House we have had during the present session,) and when the yeas and nays were called for, the only members found to oppose it were Messrs. Boulton and Malloch. (Hear, hear.) But, sir, when these hon. and learned gentlemen found that such was not the opinion of Sir F. B. Head, they immediately change their colours, (hear, hear,) and now denounce this very principle as the most absurd and wicked principle ever agitated in this House. What are we to think? What will the public think of such men and such conduct? I will ask hon. gentlemen to satisfy their own consciences and the country for this (to use the mildest term) most gross and flagrant inconsistency, and dismiss from my mind the humiliating reflections which their conduct has created. During the whole discussion, not one argument of my hon. friend from Lennox and Addington (Mr. Perry) has been answered: sir, they are unanswerable, as well as those of my hon. friend from Prince Edward (Mr. Roblin.) I trust, Mr. Speaker, that I feel deeply the responsibility of this day's proceedings, of the vast importance of the question now before us. We have arrived at a most critical juncture in the history of this Province. The fate of this measure doubtless decides whether we are to enjoy the "very image and transcript of the British Constitution," or whether we are to have a mutilated and degraded one; whether we are to have a constitutional and responsible government, possessing the confidence and affections of the people, or whether we are to be governed by the arbitrary will of an irresponsible vacillating Executive. We are called upon to protect the sacred rights and privileges for which the brave U. E. Loyalists nobly struggled and nobly bled. Those rights and privileges which are the palladium of our liberties, one of the foremost pillars in the British Constitution. Those rights and privileges which form the basis of every free and enlightened government throughout the world, viz. responsibility to the people. (Hear, hear.) When therefore shall this house assert with independent dignity, a resolute and unequivocal declaration of those sacred rights and privileges secured to us by that Constitution, which, from our earliest infancy, we have been taught to reverence and obey? When, I say, shall we stand forth in its defence, but in the instant of its most imminent danger? Low indeed shall we be placed in the scale of human nature if we quietly suffer ourselves to be longer governed by a secret, unknown, and unconstitutional influence, base in itself as it is treacherous in its conse-

quences. An administration such as this can only receive the support of those who know no higher and more noble principles to actuate their conduct, than the aspiring to or obtaining some office of emolument, and who are willing to obtain and hold them by no worthier tenure than secret influence. Every true friend to his country cannot but admit, however, that a responsible Government, possessing the confidence of the people, is the only government that can secure the country against the infinite abuses so natural to the possession and exercise of power. Should we unfortunately ever become so unmindful of our interests as to suffer this great bulwark of our Constitution and of our liberty to be wrested from us, we should soon become the miserable and abject slaves of a secret despotism. So long as the Governor is guided by a secret, intriguing, underhand influence, the Executive Council act the part of puppets to some unknown juggler behind the screen. (Hear, hear.) They are not allowed to consult their own opinions, but must pay implicit homage to those whom they know not, and perhaps whom but to know were but to despise. (Cries of hear, hear, hear.) The only rule that guides them is a secret mandate which carries along with it no other alternative than obedience or ruin. What man, who has the feeling, the honor, the spirit, or the heart of a man, would stoop to such a degraded condition for any official dignity or emolument whatever. The Council who would act so dishonorable a part, and the country that would submit to it, would be mutual plagues and curses to each other. What, sir, is the distinction between an absolute and a limited monarchy but that the sovereign in the one is a despot and may do what he pleases; while in the other, he is himself subjected to the laws, and consequently not at liberty to advise with any one who is not responsible for that advice. The prerogatives of the Crown are by no means to be exerted in a wanton and arbitrary manner. The good of the whole is the exclusive object to which all the branches of the Legislature and their different powers invariably should point. It is undoubtedly the prerogative of the Crown to select the Council, but to secure the blessings of good government that Council must possess the confidence of the public. That Governor must be bold indeed, who dares to despise and reject the voice of the people, and short must be the duration of that administration that is not upheld by the popular will. Is there an individual here who feels for his honour, so lost to every honourable, every patriotic feeling, so regardless of his dearest and most sacred rights and privileges, as to feel callous and indifferent in such a crisis as this? If there be, then I say that man is

unworthy to enjoy, because he cannot duly appreciate the blessings secured to him by that Constitution which has been the glory and the pride of ages. Sir, I fear not the result of this most important crisis, I feel confident that the characteristic spirit of British subjects is still equal to the trial. I trust they will feel as jealous of secret influence as they are to open violence. (Hear, hear.) I trust they are not more ready to defend their interests against foreign depredation and insult than to encounter and defeat this midnight conspiracy against the constitution. We are now deliberating on the life and blood of our constitution. Give up the point of responsibility to the people, and we seal our own quietus, and are accessory to our own insignificance and destruction. Though we have been most unjustly deprived of our just weight in the constitution, yet if we acquit ourselves honourably to our constituents, to our friends, to our own consciences, and to the public, whose trustees we are, and for whom we act, we shall come out of this struggle honourably and triumphantly. I have too much confidence in the justice and the magnanimity of the British Government to suppose for one moment that they will oppose our wishes—wishes founded so strong in justice, and so dear to our best interests. Whoever wished for the liberty secured to us by the constitution, whoever wished for good government, whether he be a whig or a tory, conservative or radical, they should equally unite in wishing for the removal of the present administration, because until this is done there can be neither freedom of constitution nor energy of government. I have seriously reflected on the course I ought to pursue upon this momentous question, and I deliberately declare, that I have never in my life supported any measure with a firmer conviction of duty. (Hear, hear.) The glorious cause of freedom, of reform, of civil and religious liberty, and of the constitution in its purity, ever has, and ever shall receive my deliberate support. Thus far this course has borne me up, under every aspersion to which my character has been subjected. The resentment of the mean, the aversions of the great, the rancour of the vindictive, and the subtilty of the base, the dereliction of friends, and the efforts of enemies have never succeeded in diverting me from what I believed to be my conscientious duty.

(Mr. Norton's speech is copied from the Correspondent and Advocate, and the Reporter of the Guardian perceives that the commencement of it is a reply to some remarks made by Mr. McLean which were not heard by him, and therefore do not appear in the report of that gentleman's speech.)

MR. ROBINSON said, he supposed he would be the only member for the Home District that would vote against the resolution, and therefore would take the liberty of making two or three remarks. The differences on this question had been called "a matter of dry law," but it would not appear to be a very dry subject to any one who had attentively listened to the speech of the hon. and learned Solicitor General. It was a speech full of argument and historical information. He thought it was so utterly impracticable to have an Executive Council responsible to the House of Assembly, that it could never have been the intention of His Majesty's Government that such a responsibility should exist. He must say, that when he has heard these measures brought forward under the name of Reform, he always feared they did not intend Reform but Revolution. The history of all Revolutions would show the specious names by which those measures were called which finally thus terminated. (Hear, hear.) With regard to withholding the Supplies, hon. members should ask themselves before doing so, whether the end would justify the means. He thought not. So much had already been so well said, that he would not take up any more time.

MR. PERRY remarked, that the hon. gentleman before he sat down, observed that so much had been said on his side of the question that it was useless for him to say any thing more. Now, in the name of common sense, what had they said to support the position of His Excellency? Was it any thing said by the hon. and learned member for Hamilton? His arguments were, that some members of the majority of that house had been made Captains of Militia and Justices of the Peace. But his hon. friends from Dundas and stormont (Messrs. Shaver and Chisholm) when they were appointed were great tories, but they saw their error and left the ranks of the tories, because they saw it was a wicked system. Indeed, the minority seemed broken down in spirit as well as argument during the discussion. The only thing on which they seemed to be animated was concerning the remark he made, that the junior clerks of the Council were sworn to secrecy, which they said was unlawful, &c.; but there was no law which required the senior clerk to be sworn, and yet it was well known that he was. What then had they made of it? Then they seemed to turn into ridicule what he (Mr. P.) said about the Governor having power to declare war; but what did the King's Instructions to the Governor say? "You shall not make war." Were hon. gentlemen satisfied now? (Hear, hear, and laughter.) That was just what he expected from ignorance. "You

shall not make war except in some special emergency." Did not that very exception give him the power? Most certainly it did. Had it been shown that there was any difference between the oath of the Executive Councillors here and the Privy Councillors in England? The Privy Council and the Cabinet Council were the same;—all the members of the Privy Council were not Cabinet Councillors, but all Cabinet Councillors were Privy Councillors. They were not properly two offices; but the Cabinet Councillors held the seals of office so long and no longer than they retained the confidence of the people. There was not one letter of the law which required the King to take the advice of the Cabinet Council, yet it was invariably done; and what he contended for was, that the practice pursued in England ought to be followed in this Province.

MR. MERRITT wished to say a few words on this question. It was a matter of great importance; but he did not agree with the sentiments of any hon. members who had spoken on it. The late Council say, they wish the course to be pursued which they proposed, in order to prevent the adoption of other measures uncongenial to the constitution of the country; and the majority of the house pursued the same means to attain a different end. There was some inconsistency here which he could not comprehend. He neither entirely approved of the measures of the Governor nor those of that house. It was constitutional and right to refuse the Supplies when it was necessary to do so; but he did not think it was necessary in the present stage of the question; for he was satisfied that if they would calmly and temperately discuss it, and point out the remedy, they would obtain it. It was admitted he believed on all hands, that some change was necessary: but there was difference of opinion respecting what that change should be. He found fault with the Colonial Office for dismissing the Crown Officers; and he was of opinion that there were too frequent changes at that Office, and not that stability in our Colonial Government which was necessary for the public good. They dismissed officers for the expression of their opinions. We also saw persons go home and make representations about our institutions, for instance the representations that were made by a certain individual concerning our Banking Institutions, and these were adopted and attempted to be forced upon us to the ruin of the country. Such things should be prevented. If that house would make such representation to England as he had mentioned, he thought they would get the change desired; but if they adopted the Report and stopt the Supplies, he could see no good that would result from it. They were going on in the

same track as Lower Canada, and would get into the same difficulties, which they could not tell what would be the end of. He was satisfied this course of conduct would not result in the good of the country. He was constrained to vote against the Report, and could not consent to withhold the Supplies.

MR. DURAND said, that when the hon. and learned Solicitor-General got up, he (Mr. D.) expected that he would dissect the Report, and tear it all to pieces. The hon. and learned gentleman said he had taken notes, and that he would give it a showing up. But what had he done? He had made a long speech with nothing in it. He had attempted to defend the Governor in the course he had taken; because, no doubt, the hon. and learned gentleman had whispered in the royal ear as a secret adviser. At the beginning of the Session the hon. and learned gentleman had said he was willing to go all lengths to meet reformers; but, when he found he could blow into the royal ear, he turned round, and said he had not yet reached his meridian. The Report before the House was an important and able one, and when it reached England it would procure redress of the public grievances. It would show that the House was determined to take a firm stand. A good deal had been said against stopping the Supplies, but that was the only remedy which the representatives of the people had in their hands. He would repeat what he had before said, that this was the most important measure that had been discussed this Session, and reformers would now get their rights. The Tories, who opposed the Report, were completely foiled, and were afraid to come up to the scratch. The great question was, Shall we have responsible government or not? He hoped we should, and for that reason he would support the Report. He was not afraid to go back to his constituents, and tell them he had done his duty. The Tories were the persons who had reason to be afraid. If the country should decide against him, he could not help it. He had not come here from personal choice, or for his own interest, but to promote the good of the country; and he should vote for the resolution, because he believed it was his duty to do so.

MR. RICHARDSON rose amidst loud cries of "question." He said, if he were not in the minority he should not hear so much clamour on rising, from those who were afraid of discussion. He thought as it was late, the debate ought to be adjourned. (Confused cries of "hear, hear," "go on," &c.) It was now proposed to stop the supplies; but was it just to those who were opposed to that measure, to bring on the question when it

was only 48 hours to the close of the session, and therefore not time to discuss it? (More confusion.) His opinion most decidedly was, that these proceedings were carried on in concert with the Papineau party in Lower Canada, in order to effect a change in our Constitution and break off the connexion with the mother country. (The cries of "question," "hear him," "go on," "go a-head," coughing, &c. increased to such a degree that the hon. gentleman could not be heard, and was obliged to sit down.)

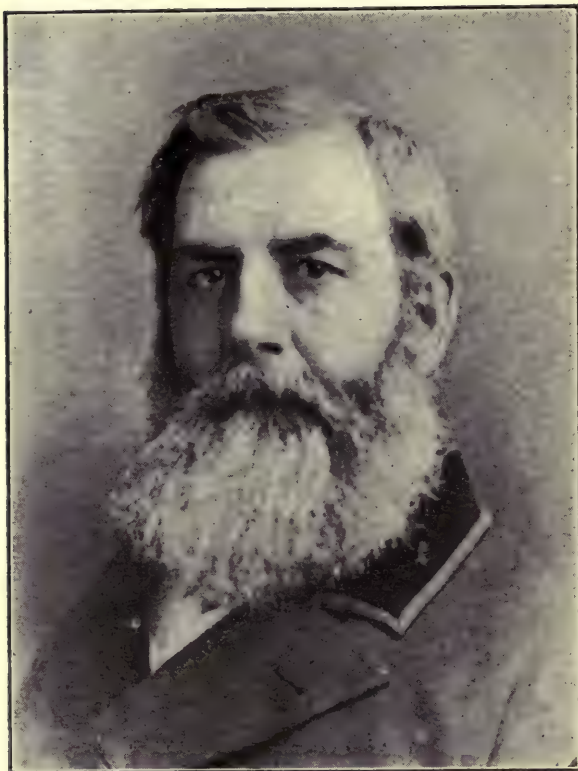
Mr. Perry's amendment was adopted, and on the original question as amended, the yeas and nays were taken as follows :

	YEAS.		NAYS.
Messieurs	Alway,	Messieurs	Boulton,
	Bruce,		Brown,
	Buell,		Caldwell,
	Chisholm,		Dunlop,
	Cook,		Lewis,
	Duncombe, of Ox-		McCrae,
	ford,		McDonell, of
	Duncombe, of		Glengarry,
	Norfolk,		McDonell, of Nor-
	Durand,		thumberland,
	Gibson,		McKay,
	Gilchrist,		McLean,
	Hopkins,		McNab,
	Howard,		Malloch,
	Lount,		Merritt,
	McDonell, of		Richardson,
	Stormont,		Robinson,
	McIntosh,		Rykert,
	Mackenzie,		Solicitor General
	McMicking,		Strange,
	Moore,		Thom,
	Morrison,		Walsh,
	Norton,		Wilkinson,—21.
	Parke,		
	Perry,		
	Roblin,		
	Rymal,		
	Shaver,		
	Small,		
	Thorburn,		
	Waters,		
	Wells,		
	Wilson,		
	Woolverton,		
	Yager,—32.		

Majority for the Adoption of the Report, sending it and the Memorial to England, stopping the Supplies, &c.—11.



*from the portrait to vol. 22*



WILLIAM CANNIFF, M.D., M.R.C.S., Eng.

Born 30th June, A.D. 1850

Died 18th Oct., A.D. 1910



LENNOX AND ADDINGTON  
HISTORICAL SOCIETY

PAPERS AND RECORDS

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NAPANEE, ONTARIO  
PUBLISHED BY THE SOCIETY  
1917

PRINTED AT THE BEAVER OFFICE



CONTENTS

	Page
Chronology.....	4
Officers.....	4
Publications of the Society.....	4
Introduction.....	5
The Canniff Collection.....	7
Index.....	59

ILLUSTRATION

The late William Canniff, M.D., M.R.C.S., Eng....Frontispiece

## CHRONOLOGY

Society Organized .....	May 9th, 1907
Constitution Adopted.....	June 11th, 1907
First Open Meeting.....	Oct. 25th, 1907
Affiliated with Ontario Historical Society.....	March 31st, 1908

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Vol. I. Chronicles of Napanee.....	June 12th, 1909
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Vol. III. The Casey Scrap Books (Part I).....	Nov. 15th, 1911
Vol. IV. The Casey Scrap Books (Part II).....	June 14th, 1912
Vol. V. The Bell and Laing School Papers.....	March 14th, 1914
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## Introduction

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Two years before his death Dr. William Canniff gave to Mr. Clarence M. Warner for the Lennox and Addington Historical Society several hundred documents which he had been treasuring for years. At page 100 in his Settlement of Upper Canada, in commenting upon John Ferguson, he writes, "It has been our good fortune to come into possession of a good many public and private letters penned by his hand, and invaluable information has thus been obtained." Again at page 547 he says, "Through the kindness of Mr. Sager, of the front of Thurlow, grandson of the late Colonel William Bell, we have had placed in our possession a portion of the papers left by Colonel Bell, of an official and semi-official character." The papers referred to in the passages just quoted are among the ones that were given to Mr. Warner, and were by him classified and catalogued under five headings:—Case number 14 "Muster Rolls and Returns", Case number 15 "Personal Papers", Case number 16 "School Accounts, etc.", Case number 17 "Militia Papers", and Case number 17 (a) "Memoirs and School Papers". A catalogue of these papers may not be very interesting reading for the ordinary member of the Society, but to many others whom our publications reach, they will be of great interest, and may point the way to much useful information not to be gathered from any other source. If Dr. Canniff prized them so highly nearly half a century ago, they certainly have not deteriorated since they came into his possession. The "School Papers" were reproduced in Volume V. of the Papers and Records of our Society, and in the same volume will be found a brief biographical sketch of Colonel William Bell. Dr. Canniff frequently refers to John Ferguson in his history, and particularly in Chapters X. and LII. He was Lieutenant of the County of Hastings, and later Colonel of the Militia and as such exercised a general supervision over all military affairs of that County. Bell, during the period covered by the correspondence, rose from the ranks to be a Lieutenant-Colonel and received all of his orders from Ferguson. William Bell figures in many other capacities in these papers. He was a farmer, storekeeper, Justice of the Peace, Coroner, and for a time a teacher in the

Mohawk reserve. Throughout his entire career he kept in close touch with Ferguson, with whom there was a sort of partnership in many of his business transactions. They were, I believe, related by marriage. Bell was always very respectful towards Ferguson, and the latter did not hesitate to administer a severe reproof when he thought the occasion demanded it.

Case number 14 contains a large number of Muster Rolls and Militia Returns. These were the bane of Wm. Bell's existence. He coaxed, scolded and threatened his subordinate officers in his endeavors to make these out fully and promptly, and he in his turn was coaxed, scolded and threatened because he did not secure and forward them to his superior officer.

W. S. HERRINGTON.



# The Canniff Collection

(Case Number 15.)

The following is a list of the contents of Case No. 15 :

1. Letter from David Bell, Ireland, to his brother, William Bell, dated 7th November, 1779.
2. Order from Reuben Pitcher for seven shillings in favor of Wm. Bell, dated 1786.
3. Letter from John Grant to Wm. Bell, complaining of hard times, dated at La Chine, February 21st, 1787.
4. Receipt from Adam Gordon to Wm. Bell, dated Montreal, 1788.
5. Letter from John Ferguson to Wm. Bell, from Elizabethtown, holding out inducements for Bell to join him in a "job" he expects to get from the Government, dated 18th December, 1788.
6. Letter from James Woods to Wm. Bell, dated 1st October, 1788.
7. Letter from John Ferguson to Wm. Bell, dated 4th July, 1789.
8. Letter from John Ferguson to William Bell, authorizing the purchase of a feather bed at an auction for one pound, dated 8th August, 1789.
9. Letter from John Ferguson at Kingston to Wm. Bell at La Chine, complaining of hard times and advising him not to go to the northwest, dated 31st March, 1788.
10. Letter from Capt. D. MacDougall at La Chine to Wm. Bell, "Kingstown", regarding purchase of lands, dated 4th August, 1789.
11. Letter from John Blaken to Wm. Bell, dated 22nd September, 1790. In this letter the following description of a novel surgical operation appears: "The day after you left me I was taken with a violent nose bleeding, and continued for 24 hours, and I suppose would have continued until now if my father-in-law had not butchered my arm with a broken lance to turn the course of the blood, and has lamed my arm so that I am unable to do anything ever since."
12. Letter from John Ferguson, of Kingston, to Wm. Bell, of Sidney, regarding conditions at Kingston, dated 15th October, 1790.

12 (a). A letter similar to number 12, dated 11th November, 1790.

13. Letter from J. Grant of La Chine, to Wm. Bell, of Sidney, complaining of hard times, dated 20th February, 1790.

14. Record of laundry lists in Wm. Bell's handwriting, extending over several weeks. The following is a fair sample: "Sydney, Oct. 4th, 1790, 4 shirts, 3 westcoats, 2 pr. trousers, 3 handkerchiefs, 1 pr. breeches, 2 pair stockings, 1 night cap, 1 table cloth."

15. Letter, John Ferguson to Wm. Bell, dated 11th March, 1790.

16. Order, Joseph Pritchard, dated 5th June, 1791.

17. Order, John German, 1st July, 1791.

18. Letter from John Ferguson to Wm. Bell, asking for butter, meat and lumber, etc., dated 3rd April, 1791.

18 (a). Letter, John Ferguson, of Kingston, to Wm. Bell, of Sydney, again complaining of hard times, dated 12th May, 1791.

19. Letter from John Ferguson, at Sydney, to Wm. Bell, at Kingston, dated 23rd July, 1791. "Send a memorandum of what you want from Canada. I think I heard you say you had a quantity of apple seed. If you can spare any send me a little. I mean to have a couple Canadians for the winter."

19 (a). Letter from John Ferguson, Kingston, to Wm. Bell, Sydney, complaining of shortage of potatoes and garden seeds, dated 17th April, 1791.

20. Letter from John Ferguson to Wm. Bell, reprimanding him for quarrelling, dated 20th May, 1792.

21. Contract for the manufacture of shingles at \$3.00 per thousand, dated 27th November, 1792.

22. Letter from John Ferguson to Wm. Bell, regarding the sowing of fall grain, dated 20th August, 1792.

23. Letter from Wm. Bell, of Thurlow, to Robert McCauley, at Kingston, dated 6th October, 1793. The following is an extract: "Your goodness gives me courage to make another request of your favours which is to be so kind as to send me a few more necessaries which will augment my acct. with you, and I am in hopes to have it in my power to discharge the whole in the course of the next season, the following is the articles I stand much in need of at present, viz.,

3 gallons best rum  
2 ditto port wine  
a loaf of sugar  
a quire writing paper  
1 lb. green tea".

24. Letter from S. Aitkins, of York, to Wm. Bell, of Thurlow, regarding allotment of lands, dated 28th August, 1793.

25. Letter from John Ferguson, respecting a lawsuit over the sale of lot 31, in the first concession of Sydney, for £50, dated 1793.

26. Letter from John Ferguson to Wm. Bell, dated 16th Nov., 1793.

26 (a). Letter from Wm. Bell to S. Aitkins, asking for an allotment of lot 37 in the first concession of Sydney, dated 25th June, 1793.

27. Last will of David Vanderhider, as follows: "In the name of God, Amen, I David Vanderhider of Thurlow, being weak in body but of sound memory (bleased be God) do this day, being the twenty-first of August in the year of our Lord one thousand seven hundred and ninety-five, make and publish this my last will and testament in manner following (that is to say) I give my beloved friend Phillip Sweek all the following articles vizt, one broad ax, one brass kettle, and one iron pott, now in the possession of Mr. John McArthur of Murray in the District of Northumberland and likewise to receive from the said McArthur wages from the first of Novr. till April being five months and payment for thirty-five bushels of potatoes two bushells of wheat at seven shillings and six pence pr bushell which I bought from Mr. John Chisholm and one bushell of wheat which I bought from Mr. Arehd. Chisholm at seven shillings and six pence pr bushell, mushrat skins in the fall of the year to the ammount of one pound eighteen shillings to your son out of which I had one yard and a quarter of cloath two weeks wages in the fall helping you to move your things from Thurlow to Murray geting stone for a chimney back and digging a cellar (till the bay was froze up) four gallons and a half of rum at seven shillings and six pence pr gallon a hogg which I paid two dollars for in the begining of winter and kept it all winter and next summer and in the fall Mr. McArthur fatted it and made use of it, two buek skins and two doe skins, the whole of the above mentioned articles I give and bequeath to the before mentioned Phillip Sweek his heirs and assigns, he first paying the said McArthur for the following articles vizt, two arm bands valued at five shillings each five scalping knives, one pound of powder and four pounds of shott, four tommeyhawks valued at two shillings and six pence each and one quarter of a pound of vermillion and I make and ordain the before mentioned Phillip Sweek the sole executor of this my last will in trust for the interests and purposes in this my last will contained in wittness whereof I the said David Vanderhider have to this my last will and

testament set my hand and sail the day and year above mentioned.

Signed sealed and delivered by the )  
 said David Vanderhider as for his ) his  
 last will and testament in presence ) David x Vanderhider  
 of us who were present at the sign- ) mark  
 ing and sealing thereof )

Wm. Bell.

28. Letter from Wm. Bell, of Thurlow, to George Irlinson, asking for the loan of £5, dated 6th February, 1795.

29. Information and warrant for the arrest of William Bell for assault, dated 15th September, 1796.

30. Letter from Wm. Bell at Mohawk village to John Ferguson, dated 26th April, 1798, imploring him to join him in a project for the building and operating of a still house.

31. Letter from John Grant to Sergt. Wm. Bell, dated June 10th, 1797.

32. Form of contract for the loan of a pair of steers to be returned in three years "at which time they are to be well broken and in good order saving accidents by thunder or lightning or the bite of a snake".

33. Letter from A. Chisholm to Wm. Bell, dated 12th November, 1797.

34. Dunning letter from William Dougall of Hallowell to Wm. Bell, dated March 11th, 1800.

35. Letter, James Irvine, J.P., to Robert Land, severely reprimanding him for his dissolute habits.

36. Letter from Surveyor General's office to Timothy Thomson, Esq., M.P., regarding the location of a lot, dated 31st October, 1801.

37. Letter from John Ferguson to Wm. Bell, respecting the purchase of uniforms, dated 10th March, 1801.

38. Receipt and release from Abm. Allen to Wm. Bell, dated 27th March, 1802.

39. Dunning letter from John Kirby to Wm. Bell, dated 38th Jany., 1804.

40. Certificate of good character from John Stuart, formerly missionary to the Mohawks at Fort Hunter, N. York, to Captain John Deserontyon, dated 9th September, 1806. This document is endorsed, signed and sealed by W. Hans, D.L.G.

41. Letter from John Ferguson to Wm. Bell, dated 1st June, 1805.

42. Letter from the Deputy Surveyor of His Majesty's woods to Wm. Bell, dated 10th May, 1810.

43. Letter from Jas. McNabb, at York, to Col. Wm.

Bell, respecting lots in Thurlow, dated 23rd July, 1810.

44. Letter from John Ferguson to Wm. Bell, complaining of the scarcity of flour in Kingston, dated 8th July, 1811.

45. Letter to Wm. Bell from his nephew, Jacob H. Bell, of Montreal, who left Ireland two years before and had been hunting for his uncle ever since, dated 1813.

46. Receipt of Wm. Bell for large quantities of flour and peas to be delivered by him at Kingston, dated 8th February, 1814.

47. Letter from John Ferguson to Wm. Bell, regarding the transport of Indian goods, dated 27th February, 1815.

48. Letter from L. McNabb to Wm. Bell, complaining that Bell had assessed him as a merchant, dated 10th April, 1815.

49. Recognizance taken before Wm. Bell, J.P., at Thurlow, on October 20th, 1815, for the appearance of the prosecutor, and also of the accused at the next general sessions of the peace for the Midland district to be holden at Adolphustown.

50. Public notice by Wm. Bell, Lt.-Col. of the 1st regiment of Hastings militia, calling upon the inhabitants to take the oath of allegiance, dated 21st October, 1812.

51. Letter from John Ferguson to Wm. Bell, exhorting him to drill his men well and maintain the reputation already acquired of having the best regiment in the district, dated 14th June, 1816.

52. Receipt for twenty shillings, being Wm. Bell's subscription to Kingston Gazette, dated 25th July, 1815.

53. Letter from Jas. McNabb at York to Wm. Bell, at Thurlow, regarding the location of lands for which Bell had forwarded applications, also suggesting that a petition be sent in for the division of the district, dated 16th February, 1817.

54. Letter from Alex. Taylor to Wm. Bell, asking for the loan of a cross-cut saw.

55. Deposition of Spencer Patrick, taken before Wm. Bell, J.P., complaining that one, Wm. Dodds, an invalid, was suffering from neglect, dated 14th February, 1817.

56. A receipt for one pound.

57. Letter from James Nickall, of Kingston, to Wm. Bell, of Thurlow, informing him, that upon an application being sent to him he will remit a license to two parties who had been married by Bell, dated 31st January, 1818.

58. A beautifully engrossed letter from Patrick Strong, of York, to Wm. Bell, dated 18th June, 1818. In this letter he explains, that Bell's children were not entitled to the U. E. privilege, and must pay the regular fee for certain lands they were endeavoring to obtain. After com-

menting severely upon some irregular legal proceedings in which he and Bell were interested, he concludes his letter as follows: "Times are amazing dull at Little York. No such thing as cash to be seen. We expect our Governor Mr. Gourley, from below, soon; he is doing all he can to put our Land Granting Gentry and big men through their facings, and all I can say for him is God speed the plough."

59. Letter from James McNabb to Wm. Bell, dated 10th October, 1818. In this letter the following appears: "Please inform Mr. Dan'l Brown that the Council has granted to him a town lot in the village of Belleville and that he should lose no time in making his choice of a lot and sending up the fees (about £8) and I will see to his name being entered with ink on the map".

60. Warrant issued by Wm. Bell, J.P., for the arrest of Phillip Zwick, charged with assaulting one Mary Stimers, dated 27th November, 1818. Upon the back of the warrant appears the following endorsement, "Phillip Swick, junior, proves that Mary Stimers on this affair was the first aggressor, and pelted him with stones at the time the within affray took place, and that it was after that he struck her with a whip, and having already taken the examination of Mary Stimers with all the evidence in allusion to this breach of the peace, would discharge him if the within named magistrate were not now personally attending a Court of Justice in sight. Therefore to him I refer the constable with the prisoner."

5th Decr. 1818.

Sgd. J. McNabb, J.P.

61. Letter from S. McNabb to Wm. Bell, demanding payment of an account placed in his hands for collection, also asking for certain fees for conveyancing, dated 6th March, 1819. The demand for payment of this account begins as follows: "I really would be happy if you could make it convenient to discharge Mr. Grey's account for the Montreal Herald".

62. Oath of allegiance of Tobias Bleecker.

63. Letter from John Ferguson to Wm. Bell, rebuking him for meddling as a magistrate, with Courts of Requests, or any other business but where the King was concerned, and advising him to settle a suit brought against him for illegally issuing a warrant, dated 27th January, 1820.

64. Oath of allegiance, signed by several militia officers, apparently from Erneststown, among them are Joshua Booth, Sheldon Hawley and Isaac Fraser. No date.

65. Letter from John Ferguson to Wm. Bell, stating that he would consider it a great honor to be named as a candidate for Hastings, dated 14th March, 1820.

66. Letter from John Ferguson to Wm. Bell, concerning his inability to be present in person at the election.

67. Notice of meeting of the committee of the Midland District Agricultural Society at Bath sent to Wm. Bell, a member of the committee, dated 1st June, 1821.

68. Oath of allegiance of Joseph P. Huycke, taken before Wm. Bell, J.P., at Thurlow, on 16th July, 1821.

69. Notice by executor of the estate of John W. Meyers, asking for payment of accounts due the estate, dated 19th February, 1822.

70. Warrant issued by Coroner Wm. Bell, summoning a jury to enquire into the death of John W. Canniff, dated 4th May, 1822.

71. Oath of allegiance of Emerson Ruff, taken before Wm. Bell, J.P., 22nd August, 1822.

72. Letter from Richard Bell to his uncle, Wm. Bell, 23rd July, 1822.

72 (a). Letter from Richard Bell to his uncle, Wm. Bell, 14th July, 1823. He states that timber is selling in New Brunswick at twenty shillings sterling per ton.

73. Letter from Wm. Bell to Hugh C. Thompson, Kingston, dated 26th June, 1822. In this letter appears the following: "I am sorry to acquaint you that I seldom get your paper delivered at my house altho I have put up a box on a Plumb tree almost hanging over the Road in front of my House the old man that carries the mail has sometimes taken them to Belleville to Nelsons".

74. Letter from Jacob H. Bell, of Kingston, to Wm. Bell, Thurlow, dated 3rd December, 1813. In this appears the following: "We are not in quite so much dread of the Americans as we have been some time ago it is said that there is 5000 them between Cotte du Lac and Prescott on their way up but whether this is authentic I cannot say".

75. Notice to Col. Bell of the funeral of John Carmichael, dated 21st April, 1823.

75 (a). Letter from John Ferguson to Wm. Bell, dated 15th July, 1824. The following is an extract: "I am sorry to hear that you are so badly off for flour, and the more so, as I have it not in my power to relieve you, as there is very little flour here, and what is cannot be had for less than six dollars and a half, cash paid down, which last I have not, nor have I had five dollars in my possession these five weeks past".

75 (b). A love song of eight stanzas, composed by Stephen Ferguson Bell, in 1823. The first stanza reads:—

"My Julia my life my love  
To the to the I call  
I cannot live if thou remove  
For thou are all in all."

The other seven are just as bad.

76. Apology from Daniel Canniff to Wm. Bell for that he "did in an unguarded moment of passion insult and abuse William Bell."

77. Muster roll of the Mohawk Tract.

78. Letter from the Council of Indian Chiefs of the Mohawk Tract to Wm. Bell, concerning some threatened litigation, and suggesting that he refuse to listen to the complaints of hot headed young men, and leave it to the Indians to settle their differences according to their own customs, dated 2rd April, 1828.

79. A certificate signed by sixteen Mohawk Chiefs to the effect that all Indians are privileged to cut timber anywhere upon the reserve outside the enclosed fields, dated 3rd April, 1828.

80. A summons issued by Chief Joseph Claus, calling a Council of the Chiefs to deal with a question of cutting timber upon the reserve, dated May 1st, 1828.

81. A summons, issued in the name of Alexander Fisher, one of the judges of the District Court by A. Hagerman, Plaintiff's attorney, against Wm. Bell, for twelve pounds ten shillings, dated 28th December, 1820.

82. Letter from the Mohawk Village to Col. Wm. Bell, in which the Chiefs present their thanks for his forbearance and kindness in referring a dispute among the Indians to the Chiefs to settle, dated 25th May, 1829.

83. Copy of directions for the guidance of the Court of Requests at Kingston, dated May, 1829.

84. Minutes of town meeting for the Township of Tyendinaga, held at the house of Richard Lazier, in Shannonville, in 1830.

84 (a). Minutes of town meeting for the Township of Tyendinaga, held at the house of Thomas D. Appleby, at Shannonville, in 1831.

85. Minutes of town meeting, held at the house of Thomas D. Appleby, on 2nd January, 1831. At this meeting the following prudential law was passed: "No hog to run at large till six months old, all hogs after six months old to be free commoners till they trespass, then the owner to pay said damage". All of the foregoing minutes are written on loose sheets of paper. This practice, if general, would partly account for the fact that it is very difficult to secure the minutes of the early town meetings of most townships.

86. Notice demanding payment of subscription to Genesee Farmer, dated July 11th, 1836.



# The Canniff Collection

(Case Number 16)

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While Case Number 16 was intended to contain militia papers only, a close scrutiny of its contents discloses the fact that a number of miscellaneous letters and documents are among the number.

1. An order, dated June 27th, 1795, directing Wm. Bell as pathmaster, to "order all hands to work at the roads".
2. The following brief communication, dated 27th January, 1796, recalls familiar names: "Wm. Bell, I expect youll not fail to have wheat into Capt. W. Myers Mill very shortly for what you owe me and oblige Sir, Your obedt. serv't John Bleeker".
3. An order from John Ferguson, dated 29th November, 1796, directing that the inhabitants of the County of Hastings be summoned to meet for the purpose of enrollment.
4. Letter from John Ferguson to Wm. Bell, dated 29th November, 1798, advising him of his appointment as adjutant and directing him to enroll the militia.
5. Order for a pair of stills and pewter worms.
6. Letter from John Ferguson to Major Alexander Chisholm, dated Dec. 13th, 1798, giving directions as to the formation of a company.
7. A similar letter to Captain Wm. Bell.
8. Commission appointing Wm. Bell Captain.
9. Commission appointing Wm. Bell Adjutant.
10. Letter from John Ferguson to Wm. Bell to meet him in Sydney to receive his commission.
- 10 (a). Order of John Ferguson, 25th February, 1799, for assembling the militia of Hastings.
11. Letter from John Ferguson to Captain Wm. Bell, dated 1st March, 1799, warning him to hold himself in readiness.
12. Notice of adjutant Wm. Bell, calling upon the militia of Hastings to assemble for parade "armed agreeable to the Act". They are cautioned to have "their crossbelts well cleaned".
13. Letter from John Ferguson, Lieutenant of the County of Hastings, to Capt. Wm. Bell, dated 10th March, 1799, forwarding copy of circular from the president, re-

questing that the men ordered to be selected for immediate service be instructed "in loading and firing and in the evolutions necessary for preserving the order of march and deploying before an enemy".

14. Circular letter, asking for a report on the state of the Militia.

15. Informal letter from Ferguson to Bell, giving directions about equipment, etc.

16. Directions from John Ferguson to Captain William Bell, commanding the detachment for immediate service from the battalion of militia of the County of Hastings "regarding the teaching the volunteers and drafts who are to assemble at Wallbridges every other Saturday the platoon exercise that is to say, to load and fire with expedition and orderly".

17. Letter, asking that a militiaman be excused from attending training.

18. Order for assembling militia.

19. Notice of Captain William Bell, summoning militia to assemble.

20. Summons to officers of Hastings' militia to appear at the general sessions at Kingston, on April 23rd, 1799, to take the oath of allegiance.

21. Notice from Capt. Wm. Bell, calling upon defaulters to pay a fine for non-attendance at drill.

22. Notice of promotion of Capt. Wm. Bell to his majority.

23. Order for uniform as follows: "Red coats with blue facings, long yellow buttons and white lining with shoulder straps, the light infantry to have short coats with wings".

24. Wm Bell's commission as Major.

25. Summons for a funeral meeting of the battalion of militia of Hastings.

26. Memorandum concerning officers' uniforms.

27. Order for enrollment 1800.

28. Notice of promotions.

29. Order of John Ferguson, directing attention of officers to the manner in which they have been neglecting their duties.

30. Letter from John Ferguson, giving details of cost of officers' uniforms, and advising Wm. Bell "if any of these gentleman wish to have them from Montreal and will put into my hands sixteen bushels of wheat each, as a part payment I will send for them".

31. Order for assembling militia.

32. Letter from John Ferguson to Wm. Bell, congratulating him upon the improvement of his command and enquiring about some delinquents.

33. Letter to Major Wm. Bell, complaining about not having received returns.
34. Copy of reply with particulars about organizing a troop of horse.
35. Appointment of Sergeant David Harris.
36. Requisition for dates of certain commissions.
37. Letter from J. Ferguson, complimenting Major Wm. Bell on the work of his battalion and granting them exemption from certain training.
38. Order for battalion parade and exercise in firing, Ferguson to Bell, 1801.
39. Letter from Ferguson to Bell.
40. Order of William Bell for companies to meet at the mouth of the river in Thurlow.
41. Letter shewing details of cost of uniform amounting to £4 s11 d2 each.
42. Order for assembling of the militia of Hastings, for the purpose of exercising and training, 1801.
43. Letter for copies of orders.
44. Letter enquiring as to false report of a certain officer as to attendance of his company at training.
45. Order of Major Bell for assembly of company
- 45 (a). Order of John Ferguson, Lieutenant of the County of Hastings, for the assembly of the militia of Hastings.
46. Similar to number 45 (a).
47. Similar to number 45 (a), and asking for full report of conduct of men, condition of arms, etc.
48. Order cancelling order to assemble for training, owing to the lateness of the seeding.
49. Peremptory demand for returns which have been delayed, 1805. This communication from John Ferguson is addressed to Lieut. Colonel William Bell.
50. Reply from Lieut. Col. Bell, giving excuses for not forwarding returns.
51. Order for the assembly of the militia of Hastings at the usual place of rendezvous.
52. Letter from Lieut. John Ferguson, demanding that a certain captain be prosecuted for not making a proper return.
53. Order for battalion to parade, dated 4th June, 1808, signed by John Ferguson, Colonel of Hastings militia instead of Lieutenant of the County of Hastings as formerly.
54. Original commission by His Excellency Francis Gore, appointing William Bell Lieutenant Colonel in the first regiment of militia in the County of Hastings in the Midland District, dated January 2nd, 1809.
55. Order of Colonel Wm. Bell.

56. Letter, transmitting order from His Honor the President Major General Brock, dated 6th of April, 1812.

57. Letter from Ferguson to Bell, advising him that "war is declared by the United States against Great Britain", and requesting him to hold his battalion ready for active service.

58. Permit for William Bell to return from Kingston to Hastings.

59. Order regarding absentees sending substitutes.

60. Letter regarding passports and for certain men who had "been ballotted for active service" to repair to Kingston without loss of time.

61. Order for assembling of Hastings militia at the mouth of the River Moira.

62. Order for deserters to march to Kingston under escort, dated 1st August, 1812.

63. Order of Col. Ferguson, for muster of Hastings militia for active service, dated 10th Sept., 1812.

64. Order of Lt. Col. Bell, for battalion to assemble for active service, 12th September, 1812.

65. Order of Lt. Col. Bell, for certain men to proceed to Kingston immediately, dated 15th October, 1812.

66. Letter, offering to purchase Lt. Col. Bell's red coat.

67. Letter from Col. Ferguson to Col. Wm. Bell, requesting men on furlough to be sent to Kingston, dated 20th October, 1812. "The reason why these men are wanted is because there are a number of American prisoners, taken at the death of General Brock, expected down every hour and there is not men enough to guard them down".

68. Order for arrest of deserters.

69. Order of Lt. Col. Wm. Bell, for assembling five companies at mouth of River Moira "each man to be provided with one blanket and three days provisions also arms and ammunition", dated 12th November, 1812.

70. Letter from Bell to Ferguson, with returns.

71. Order for arrest of deserters.

72. Letter, concerning deserters.

73. Pass granted by Richard Cartwright, O.C.

74. Order for arrest of deserters.

74 (a). Peremptory order from Ferguson to Bell, to send down certain men for duty, dated 10th March, 1813.

75. Order for Sergeant James Liddle to report for duty.

76. Order for assembling of Hastings militia, dated 20th September, 1813.

77. Summons from James McNabb to Lieut. Col. Bell to answer to a complaint.

78. Order from Ferguson to Bell to send down seventy-five men with their officers.

79. Order for seventy-five men "to be ballotted unless their service is volunteered". The letter concludes with: "I need not tell you that an attack upon this place (Kingston) by the enemy is daily expected", 1st October, 1813.

80. Order of Wm. Bell, for the apprehension of deserters.

81. Order from Ferguson to Bell, forwarding request from His Honor the President for a return of all teams of oxen and horses in the County.

82. Request from James McNab, J.P., to Lieut. Col. Bell for five militia men to take down a bateau to the sixth township.

83. Letter advising that the Honorable Colonel Cartwright has obtained permission from the President to have the detachments from the County of Hastings relieved every two months.

84. Order for all men to return to duty and for the arrest of certain deserters.

85. Circular letter of Lieut. Col. Bell for return of men to duty.

86. Request for men to load a boat at Napanee Mills with provisions for the troops at Kingston.

87. Circular letter from Lt. Col. Bell, to the captains or officers commanding companies in the Hastings militia, dated 20th November, 1813.

88. Letter from Bell to Ferguson.

89. Order for arrest of deserter.

90. Letter from Ferguson to Bell, for fifteen sleighs.

90 (a). Summons from Lt. Col. Wm. Bell to Capt. Jacob W. Meyers to appear at Margaret Simpson's house to answer for neglect of duty in not furnishing his quota of men agreeable to the general order.

91. Order from Ferguson to Bell, to send one subaltern, one sergeant, and ten rank and file to assist in the public works at Kingston, dated 26th January, 1814.

92. Resolution of officers of the militia of Hastings for devising means for securing better instruction in their military duties.

93. Appointment of Court of Enquiry to investigate complaints against certain officers, for neglect of duty in not furnishing their quota of men.

94. Order of Col. Ferguson to assemble battalion.

95. Letter from Ferguson to Bell, complaining among other things about officers sending to Kingston men who are not fit for duty.

96. Militia order from Col. Ferguson, for Hastings

battalion to assemble and to forward certain men to Kingston. Officers are warned not to send men unfit for duty.

96 (a). Letter from Ferguson to Bell, commenting upon the laxity of the dealings of officers with deserters.

97. Order for arrest of two officers to attend a general court martial to answer to the charge of disobedience of orders in not sending men for actual service at Kingston when required to do so.

98. Order to forward men to Kingston.

98 (a). Letter from Ferguson, cautioning Bell to see that order is strictly observed.

99. Copy of order of Lieut. Gen'l. Gordon Drummond, warning all magistrates to pay strict attention to orders for requisitioning men to be employed in towing the King's bateau and for other purposes.

100. Order for arrest of a delinquent.

101. General order, announcing articles for a convention entered into for the mutual release of all prisoners of war except certain hostages, dated 24th April, 1814.

102. Copy of order forwarded to all magistrates and commanding officers to furnish such horses, wagons and men as may be required for the transportation of provisions, etc.

103. Letter regarding the arrest of a captain.

104. Requisition for "bateaumen".

105. Letter from Colonel Ferguson, announcing the pleasure of the Lieutenant Governor in directing the release of a certain Lieutenant from arrest.

106. Letter from Wm. Bell to Lieut. Zwick, to secure men to take charge of prisoners.

107. Letter from William Bell, announcing a report that "our people have taken Oswego".

108. Letter from William Bell, for bateaumen.

109. Letter to Colonel Wm. Bell, enclosing copy of general order of Lt. General Drummond, asking that a quantity of provisions be sent to Burlington Heights.

110. Copies of letter, order and court martial proceedings from the Deputy Adjutant General.

Head quarters, Kingston April  
15th, 1814.

#### Militia General Order

At a general Court Martial assembled at Kingston by order of His Honor the President and Lieutenant General Commanding His Majesty's Forces in Upper Canada on the 4th of the present month, and continued by adjournment to the 13th instant, was arraigned Lieutenant Colonel

Benoni Wiltsie of the 2 regiment of Leeds Militia on the following charges, viz :

1. For having in the month of November last, disregarded the Orders given him by Colonel Stone Commanding the 2d regiment of Leeds Militia, directing him to call out the men of that regiment at a time when the enemy appeared of the coast.

2. for permitting the Militia men, when called out on military service to leave their post without orders from the Commanding Officer to that effect, and contrary to his wishes.

3. for endeavoring to circulate disobedience and insubordination, by making use of language tending to dissuade the militia of the above mentioned regiment from obeying the orders issued to them, when called upon to perform military duty.

4. for making use of language unbecoming an officer and a gentleman towards the commanding officer Colonel Stone.

Opinion and sentence. The Court after mature deliberation, found the prisoner guilty of the whole of the charges preferred against him, and therefore order and adjudge the said Lieut. Colonel Benoni Wiltsie to pay a fine of fifty pounds and to hold him unfit to serve His Majesty as an officer in any military capacity pursuant to the militia laws of this Province.

At the same General Court martial was arraigned Lieut. Samuel Kelsie, of the 2d regiment of Leeds Militia on the following charges, viz :

1. For unofficerlike conduct, in initiating a suit in civil law against His Commanding Officer Colonel Stone for pay due him for service performed as a militia officer.

2. For in an indecent and unbecoming manner, levying an execution on the property of His Commanding officer Colonel Stone, in discharge of a suit commenced for the recovery of pay due him for service as a militia officer.

Opinion and sentence. The Court after mature deliberation were of opinion that the prisoner Lieutenant Samuel Kelsie was guilty of both the charges preferred against him, and therefore sentence him to be cashiered.

At the same Court Martial was arraigned Private Charles Morgan of the 2d regiment of Leeds militia on the following charges, viz.—

1. For deserting to the enemy on or about the 31st October, 1812.

2. For unsoldierlike conduct in initiating a suit at

civil law, against His Commanding Officer Colonel Stone, for services done by him as a militia man.

Opinion and Sentence. The Court after having maturely considered the circumstances of the case, were of opinion that the prisoner Charles Morgan, not having at the time taken the oath of allegiance, nor having been enrolled in any regiment or company of militia, or having been called upon for that purpose by any officer, does not come under the Militia Law of this Province, but being to all intents and purposes an alien, cannot be guilty of desertion, and therefore under those circumstances of the case, do acquit the said prisoner of both the charges preferred against him.

At the same General Court Martial was arraigned Captain Jacob Weldon Meyers of the 1st regiment Hastings Militia on the following charges, viz.—

For disobedience of orders in not furnishing two men from his company for actual service at Kingston when required so to do by his commanding officer.

Opinion and sentence. The Court after maturely considering the circumstances of the case, were of opinion that Captain Jacob W. Meyers was guilty of the charge preferred against him, and therefore sentence him to pay a fine of three pounds currency, and to pay the costs attending the prosecution.

At the same general Court martial was arraigned Captain Samuel Budsiye Gilbert of the 1st regiment of Hastings Militia on the following charge, viz,—

For disobedience of orders in not furnishing two men from his company for actual service at Kingston when required so to do by His Commanding Officer.

Opinion and sentence. The court after mature deliberation were of opinion, that Captain Samuel B. Gilbert was guilty of the crime laid to his charge, and therefore sentence him to pay a fine of five pounds currency, and to pay the costs attending the prosecution of the said charges.

His Honor the President approves of the foregoing sentences, and directs that the general fine therein adjudged be forthwith paid to the Commanding Officers of the 2d regt., Leeds and 1 regt. of Hastings Militia respectively who will report their receipt of the same to the Adjutant General of Militia for His Honors further pleasure thereon.

By Command of His Honor

(signed) C. Forster Lieut. Col.

Adjutant General of Militia

Copy

Upper Canada

(signed) Nathn Coffin, Lieut. Col.

Dy. Adjt. Gen. of Militia

Upper Canada



In answer to the letter preferring a charge of disobedience of order against Lieut. John Reed of the 1 regiment of Hastings Militia, in not attending the above General Court Martial as an evidence, when ordered so to do by His Commanding Officer Lieutenant Colonel Bell, His Honor the President has been pleased to direct, that Lieut. John Reed will be tried at a suitable opportunity but is to continue his duty until then.

Signed Nath. Coffin, Lieut. Col.  
Dy. Adj. Gen. Militia  
Upper Canada

Colonel Ferguson  
Commanding 1 reg.  
Hastings Militia.

111. Letter from the Deputy Adjutant General to Colonel Wm. Bell, expressing the Lieut. Governor's concern at not having a situation to which he could appoint him.

112. Copy of Capt. Chisholm's report concerning prisoners in his division.

113. Explanation of a man charged with deserting.

114. Letter to Colonel Bell for men for the bateaux.

115. Order of Colonel Bell for men to man the bateaux.

116. Letter from Bell to Ferguson, about men for bateaux service.

117. Letter from the Deputy Adjt., General, threatening to report Colonel Bell unless crews be provided immediately for the bateaux loaded with flour for the troops in Kingston.

118. Order to forward men for duty in Kingston.

119. Letter to Wm. Bell for a bateaux crew.

120. Letter from Colonel Bell to Adjt. Thompson, forwarding copy of militia general order.

120 (a). Requisition for men for bateaux.

121. Letter from Colonel Bell to Lieut. Zwick.

121 (a). Letter to Bell, for more men for the boats.

122. Order for forwarding delinquents under guard to Kingston.

123. Memorandum re endorsement to be made on orders.

124. Militia order concerning appointment and duties of an orderly for Colonel Bell.

125. Warrant for arrest of Benjamin Gerow, for using seditious expressions.

126. Certificate of Col. Richard Cartwright, exempting Reuben White from other militia service.

127. Letter from Col. Ferguson about white belts.

128. Order offering rewards for the capture of certain deserters.

129. Order of Colonel Ferguson, for annual meeting of militia.

130. General order of court martial proceedings as follows :—

Head Quarters, Falls of Niagara Oct. 28, 1814.

Militia General Orders

At a General Court Martial held at Stamford on the 25th instant and continued by adjournment to the 27th of the same month, Private John McMillan of the 2d regiment of Lincoln Militia was arraigned on the following charges, viz,—

1st. For having deserted to the enemy with his arms and accoutrements when on duty, on or about the 6th of October, 1813.

2d. For having been taken, bearing arms in the service of the enemy on or about the 17th of September last.

And the Court after duly considering the evidence for the prosecution, and on behalf of the prisoner, were clearly of opinion that he is guilty of both charges ; and therefore sentence him to suffer death at some place and time as His Honor, the President, may be pleased to direct.

His Honor the President, approves the finding and sentence of the court and directs that the same be carried into execution at Bridgewater on Monday morning next the 31st instant at 11 o'clock.

The General Court Martial of which Lieut. Colonel Dickson is president is dissolved.

By Command of His Honor the President

C. Forster

Adjutant General of Militia  
Upper Canada.

Head Quarters Falls of Niagara November 1, 1814

Militia General Orders

At a general court martial held at Cornwall on Saturday the 3 September last John Johnson of the 1st regiment Stormont Militia was arraigned on the following charge, viz. for having deserted to the enemy near Cornwall on or about the 10th day of November, 1813.

The Court having weighed the matter and upon due deliberation are of opinion that the prisoner John Johnson is not guilty of the charge preferred against him, viz. for having deserted with his arms to the enemy on the 10th November, 1813, but find him guilty of having deserted from his company when before the enemy and having delivered his arms to them unnecessarily ; and do therefore sentence him to be transported beyond Seas for Life at

what time and to what place, His Honor the President or person administering the Government of the Province may be pleased to direct. His Honor the President approves the finding and sentence of the court and directs that the prisoner John Johnson be detained in confinement until an opportunity offers of carrying the sentence into effect. The Court martial of which Lieutenant Colonel MacLean of the 1st regiment of Stormont Militia is president is dissolved.

By command of His Honor the President

C. Forster  
Adjutant General of Militia  
Upper Canada.

Lieutenant Colonel William Bell of the 1st regiment of the Hastings Militia is hereby required to promulgate to the regiment under his command these two proceedings and sentences of General Court Martial in the most convenient and public manner possible.

Kingston 1st December, 1814.

John Ferguson Col.

Commanding 1 regiment  
Hastings Militia

131. Complaint of a sergeant major that too many are presuming to interfere with him when on duty.

132. Circular from Colonel Bell forwarding copy of circular from the Dep. Adj. Gen'l giving information about certain prisoners who escaped from their guard at Hallowell (Picton).

133. Militia order for court martial to assemble.

#### Militia Orders

County of Hastings

5th Novr. 1814

A Militia Regiment Court martial to assemble at the mouth of the river Moira at the home of Margaret Simpson, on Saturday the 19th day of Novr. instant at the hour of ten o'clock in the forenoon, for the tryal of all such delinquents as may be brought before them.

Capt. Alex. Chisholm, President  
Lieut. Wm. Ketchison )  
Lieutenant Alec. Gilbert ) Members  
and Ensign Olipt. Petrie )

All officers are hereby required to bring such delinquents forward for tryal, before the said court martial as may belong to their respective companies.

William Bell, Lt. Col.

1st Regt. Hastings Militia

Capt. and Adjutant Thompson will communicate his order to the officers commanding company, and also direct that all officers belonging to the battalion of the County of Hastings attend on the same day, and at the same time and place.

Wm. Bell, Lt. Col.

134. Proceedings of a regimental court martial.

Thurlow 19th November, 1814

FIRST

Proceedings of a Regimental Court Martial, held here this day by order of Lieutenant Colonel Bell, for the trial of such persons as may be brought before it belonging to the first Regiment of Hastings Militia,—

Captain Alexander Chisholm,	President
William Ketchison	)
Archibald Chisholm	) Members
Ensign Alex. Oliphant Petrie)	

The Court being duly sworn proceeded to the trial of Lewis Rosebush for disobedience of orders, having on the thirty-first day of July, last been duly warned to proceed to Kingston to discharge his duty as a private Militia man. Sergeant Spencer Patrick being duly sworn, says, he warned Lewis Rosebush in obedience to the orders he had received from Captain Gilbert Harriss to hold himself in readiness to go to Kingston to do duty as a militia man, that on the                    day of                    he received orders from Captain Harriss, to make Lewis Rosebush prisoner, and take him before Colonel Bell, that on the approach of Sergeant Patrick, the said Rosebush went to a barn, armed with a stick or cane in which there was a sword and said he would not suffer himself to be taken.

The Court further proceeded to the trial of Samuel P. Cummings for not attending Captain Harriss's company training on the twenty-fourth day of September last. Captain Harriss being duly sworn, says that Samuel P. Cummings did not appear at the company training on the twenty-fourth day of September last.

Samuel P. Cummings being put on his defence says he understood Captain Harriss was not at home on the twenty-fourth day of September last, and further, that he had business at the river Moira, which he must have at all events attended to.

The Court further proceeded to the trial of Iedediah Cummings, for neglect of duty on the twenty-fourth days of June and July last, Captain Harriss being duly sworn says that the said Iedediah Cummings was absent from

both the company trainings on the days above mentioned.

Samuel P. Cummings being duly sworn, says that Iedediah Cummings was absent from his home on the twenty-fourth days of June and July last, and believes he was at work in the district of Newcastle, does not know what was the cause of Iedediah Cummings leaving home.

The Court further proceeded to the trial of Henry McMullen, for neglecting to attend company trainings on the twenty-fourth days of June and July last.

Captain Harriss being duly sworn, says that Henry McMullen was not present at the company trainings on the twenty-fourth days of June and July last and has reason to think the said Henry McMullen absented himself to avoid doing his duty as a militia man.

The Court further proceeded to the trial of Stephen McMullen, for neglecting to attend company trainings on the twenty-fourth days of June and July last.

Captain Harriss being duly sworn says that Stephen McMullen was not present at the company trainings on the twenty-fourth days of June and July last, and has reason to think the said Stephen McMullen absented himself to avoid doing his duty as a militia man.

The Court further proceeded to the trial of Leman Barnum for neglecting to attend company training on the twenty-fourth day of October last.

Lieut. Phillip Zwick being duly sworn, says that Leman Barnum was not present at the company trainings on the twenty-fourth day of October last.

Leman Barnum being put on his defence, says that on the twenty-fourth day of October last he was at work at the Napanee river, drawing timber, which he believes was intended for the use of Government, that he only arrived at home on his return from the Napanee river on the thirteenth day of November instant.

The Court further proceeded to the trial of Thomas Badgely for neglecting to attend the company training on the twenty-fourth day of October last.

Lieutenant Phillip Zwick being duly sworn, says, that Thomas Badgely was not present at the company training on the twenty-fourth day of October last.

Thomas Badgely being put on his defence, says that on the twenty-fourth day of October last, he was at work in the township of taking care of a quantity of wheat belonging to himself, and could not possibly leave it without it being injured.

The Court having heard the evidence against Lewis Rosebush is of opinion that he is guilty of the crime laid to his charge, and do sentence him to pay a fine of twenty

pounds currency, in default of payment to be committed to gaol for the span of six calendar months.

The Court having heard the evidence for and against Samuel P. Cummings, do sentence him to pay a fine of one pound currency together with all reasonable expenses.

The Court having heard the evidence, for and against Iedediah Cummings, do sentence him to pay a fine of one pound currency together with all reasonable expenses.

The Court having heard the evidence against Henry McMullen, sentence him to pay a fine of two pounds currency, together with all reasonable expenses and in default of payment to be committed to some safe place of confinement for the span of twelve days.

The Court having heard the evidence against Stephen McMullen sentence him to pay a fine of two pounds currency, together with all reasonable expenses, and in default of payment to be committed to some safe place of confinement for the span of twelve days.

The Court having heard the evidence for and against Leman Barnum is of opinion that he acted thro ignorance and do acquit him.

The Court having heard the evidence for and against Thomas Badgeley sentence him to pay a fine of ten shillings currency together with all reasonable expenses.

The Court was then adjourned until the 3rd December ensuing.

Thurlow, 3rd December, 1814

The Court reassembled here this day pursuant to adjournment, and proceeded to the trial of Solomon Reid for appearing on parade without fire arms on the twenty-fourth day of October last.

Captain John McMichael being duly sworn says, that Solomon Reed appeared on parade without fire arms on the twenty-fourth day of October last.

Solomon Reed being put on his defence says he cannot possibly procure fire arms without actually distressing his family.

The Court further proceeded to the trial of David Seley for appearing on parade without fire arms on the twenty-fourth day of October last.

Captain McMichael being duly sworn says, that David Seley appeared on parade without fire arms on the twenty-fourth day of October last.

David Seley being put on his defence says, he cannot possibly procure fire arms without actually distressing his family.

The Court further proceeded to the trial of James Badgeley for appearing on parade without fire arms on the twenty-fourth day of October last.

Captain McMichael being duly sworn says, that James Badgely appeared on parade without fire arms on the twenty-fourth day of October last, and believes could fire arms be obtained Badgely would purchase a stand.

James Badgely being put on his defense says, he has not an opportunity of procuring arms, there being none to be obtained.

The Court further proceeded to the trial of Joseph Parks, for being absent from the company training on the twenty-fourth day of October last.

Captain McMichael being duly sworn says, that Joseph Parks did not appear at the company training on the twenty-fourth day of October last, and that he does not make a practice of attending any company training whatever.

Joseph Parks being put on his defence says, that he was considered unfit for militia duty when in Kingston in the month of March, 1813, and that Captain Jacob Myers, sometime in the month of November following, told him, he should not attend any company training whatever.

The Court further proceeded to the trial of Luke Potter, for not attending company training on the twenty-fourth day of October last.

Lieutenant William Ketchison being duly sworn says, that Luke Potter was absent from company training on the twenty-fourth day of October last.

Luke Potter being put on his defence, produced a certificate signed by N. Coffin, Deputy Adjutant Gen'l of Militia, dated 26 June 1814, stating that Luke Potter is reported by a medical board as unfit for militia duty.

The Court further proceeded to the trial of Isaac Whiteman, for being absent from company training on the twenty-fourth day of October last.

Lieutenant Ketchison being duly sworn says, that Isaac Whiteman was absent from company training on the twenty-fourth day of October last.

Isaac Whiteman being put on his defence, says, that he is incapable of doing militia duty owing to his left arm being lame.

The Court further proceeded to the trial of Francis Pimble, for being absent from the general training on the fifth day of October last.

Lieutenant Ketchison being duly sworn, says, that Francis Pimble was absent from the general training on the fifth day of October last.

The Court having heard the evidence for and against Solomon Reid is of opinion that what he states is truth, he having a certificate from Captain McMichael to that effect and do acquit him.

The Court having heard the evidence for and against David Seley, is of opinion that what he states is truth, he having a certificate from Captain McMichael to that effect, and do acquit him.

The Court having heard the evidence for and against James Badgely, and owing to the scarcity of fire arms do acquit him.

The Court having heard the evidence for and against Joseph Parks, sentence him to pay a fine of twenty shillings currency, with all reasonable expenses, and in default of payment, to be confined fifteen days unless the fine and expenses be sooner paid.

The Court having heard the evidence for and against Luke Potter, is of opinion that the certificate he produced is not meant to exclude him from attending company trainings, and do sentence him to pay a fine of twenty shillings, with all reasonable expenses, and in default of payment, to be confined fifteen days unless the fine and expenses be sooner paid.

The Court having heard the evidence for and against Isaac Whiteman, is of opinion that what he states is truth, and do acquit him.

The Court having heard the evidence against Francis Pimble, is of opinion and do sentence him to pay a fine of forty shillings currency, with all reasonable expenses, and in default of payment to be confined one calendar month unless the fine and expenses be sooner paid.

The foregoing proceedings are submitted to Lieutenant Colonel Bell for his approval and further directions thereon.

135. Letter from Bell to Ferguson enclosing rolls and returns with explanations.

136. Letter from Ferguson to Bell, asking for particulars about conveying a load of goods to York.

137. Letter from Ferguson to Bell, advising him that to avoid impressment as much as possible the Lieut. Governor has instructed him to offer to pay thirty shillings per hundred weight for conveying Indian presents from Kingston to York.

138. Order of Col. Wm. Bell, for meeting of officers at the house of Margaret Simpson, to receive orders, dated 16th December, 1814.

139. Letter from Ferguson to Bell, demanding immediate reply about furnishing fifteen teams to convey Indian goods to York at thirty shillings per hundred weight.

141. Letter from Lieut. Col. Bell to Wm. Meyers.

142. Letter from A. O. Petrie, forwarding court martial proceedings for the approval of Lieut. Col. Bell.

143 and 143 (a). Letters forwarding lists of men who



had engaged to go to Kingston to transport Indian stores from that place to York.

144. Letter from Ferguson to Bell, about storing and forwarding Indian goods. The letter concludes with "several gentlemen from York give a very good account of the roads".

145. Receipt for linen and ammunition.

146. Blank forms reading as follows :—

#### COMMISSARIAT TRANSPORT.

I certify that \_\_\_\_\_ are employed with their sleighs and horses, under my orders in transporting stores, provisions, and forage, on the communication between \_\_\_\_\_ and \_\_\_\_\_ and that they are not liable to be impressed into any other service.

To all military and civil officers \_\_\_\_\_ 1815

147. Letter to provide transport to York for Captain Livingstone.

148. Order explaining method to be strictly adhered to in transporting goods.

149. Order, forbidding any officer of the battalion of militia of Hastings to leave the country without notifying the officer commanding the battalion.

150. Letter from Francis Vandervoort, stating that he had lamed his horse the last time he took a load of goods to York, and therefore begs to be excused this time as his horse is still lame.

151. Letter from Ferguson to Bell, urging haste in forwarding goods to York, dated 11th February, 1815.

151 (a). Letter urging expedition in carrying on the transport, dated 19th February, 1815.

152. Certificate of Lieut. Col. Wm. Bell to the effect that Benjamin Ketcheson reports that he had spent two and one half days in a fruitless effort to secure sleighs for transporting Indian presents from Thurlow to York. Attached to, and based upon the foregoing report, is the warrant of Solomon Hazelton, J.P., authorizing Ensign Bryan Ketcheson to impress ten sleighs and horses for the above purpose.

152 (a). Letter from Ferguson to Bell, urging further exertion in transporting goods to York.

153. Order to Solomon Hazelton, J.P., to give the necessary impress warrants for thirty sleighs for transporting His Majesty's stores, etc., from Thurlow to York.

154. Account of Indian goods on 7th March, 1815, remaining in store in the barn of Lieut. Col. Wm. Bell, at Thurlow, and forwarded on the 10th, 11th and 20th of the same month to the store of Capt. McIntosh, at the mouth

of the Moira River. This document is published in Dr. Canniff's history at page 671.

155. Letter re militia law.

156. Letter delivered by a man prepared to take a load of goods to York. In this letter Ferguson expresses the hope that Bell's difficulties will soon cease as he had exhibited several charges against Clark, among them was one for impeding and obstructing His Majesty's service in the transport of Indian stores from Kingston and Thurlow to York.

157. Letter from Lieut. Col. Bell to Sergeant James Yeomans, reproving him for not looking more sharply after the stands of arms for which he was responsible.

158. Order of Lieut. Col. Wm. Bell, to provide escort for two prisoners.

159. Militia General's order announcing promotions.

160. Order for arrest.

161. Militia order reading as follows :—

Upper Canada	)	
Midland District	)	Militia Orders
County of Hastings	)	

It having been reported to me that Lieutenant John Reid has behaved unbecoming the character of an officer and a gentleman, in passing counterfeit money, knowing it to be so, he is hereby suspended from doing duty as an officer of militia in the 1st regiment of the County of Hastings until the pleasure of His Honor the president is known on the subject and all other officers of the same battalion are desired to take notice of the order, and to refrain from being in company with the said Lieutenant Reid, as any officer of the said battalion, who may be known to keep company, or correspondence, with the said Lieutenant Reid, until he has cleaned up his character, will be treated in like manner, and prosecuted as the law directs.

Kingston, 18 April 1815

John Ferguson Colonel  
Commanding 1st regiment Hastings Militia

162. Letter from Richard Cartwright to Col. Ferguson :—

Kingston, 18th April, 1815

Sir,—

In answer to your note of yesterday I have to observe, that tho' I have doubt whether the persons in question can now be punished as deserters from the militia yet I am very clear that they are liable to be tried for treason, or treasonable practice as adhering to the King's enemies, and ought immediately to be committed under that charge,

by any magistrate before whom a complaint of that kind can be made an oath.

I am,  
Col. Ferguson Sgd. Richard Cartwright

163. Deposition of Reuben Potter,—

The examination of Reuben Potter of the County of Hastings a militia man, heretofore enrolled in Captain Leonard Meyers company of the 1st regiment of the Hastings militia.

Reuben Potter says he left this province about the last day of July, or first day of August, in the year one thousand eight hundred and twelve, and that he returned to this province from the United States since the termination of the war.

Reuben Potter

Taken the 25th day of April )  
1815 before me )  
John Ferguson, Col. )  
Comm. 1st reg. H.M. )

164. Deposition of Richard Davis.

164 (a). Order for Reuben Potter and Richard Davis, to return to Hastings.

165. Letter to Lieut. Col. Wm. Bell, advising him of the arrest of Reuben Potter by Capt. McIntosh.

166. Letter from Ferguson to Bell, concerning proceedings to be taken against Potter and Davis for desertion, also enquiring about goods left in storage on the way to York.

167. Order from Col. Ferguson, concerning court martial, and the collecting, repairing, and cleaning, of arms and accoutrements.

168. Letter from Lieut. Col. Wm. Bell to Sergeant James Yeomans, transmitting order of Col. Ferguson to collect arms and accoutrements.

The following appear in the handwriting of Lieut. Col. Wm. Bell :—

169.

Crime 1st

John Henesy Private in Capt. Chisholm Company of the Hastings Militia confined by Lt. Colonel William Bell for refusing, when he was required by Capt. McIntosh to say God Bless the King, said he could not say that word as he had not received any more than six pence a day from the King he could not say God Bless that man, that had given him no more than six pence a day, and other dis-

respectful words to Lieutenant Colonel Bell when in the execution of his duty.

William Bell, Lt. Col. 1st regt.

Thurlow, 10th Apl. 1815, Hastings Militia Commanding

Crime 2nd.

Theophilus Nelson inkeeper, and private militia man in Capt. Simon McNabbs company of the Hastings militia confined by order of Lt. Colonel Wm. Bell of the battalion of militia of the County of Hastings, for neglecting his duty in permitting Jonathan Seldon a prisoner, given into his charge, as a militia man willfully to escape; who had deserted to the enemy from his duty at Kingston, when he was there on duty in the embodied militia, on or about the                    day of July, 1812, and was apprehended at Meyers Creek on the 8th day of April, 1815, by Capt. John McIntosh.

Wm. Bell Lieutenant Colonel 1st  
regiment Hastings Militia Commanding.

170. Proceedings of a militia regimental court martial held at Thurlow on 11th day of April, 1815, by order of Lieut. Colonel Wm. Bell.

Capt. Alexr. Chisholm, President	
Lieut. Philip Zwick	)
Ensign Wm. Zwick	)
Ensign Hugh Cunningham	) Members
Ensign Peter Holmes	)

The court proceeds to the tryal of Theophilus Nelson, for neglect of duty and dissobedience of orders.

The evidence of Capt. John McIntosh after being duly sworn, saith, on the morning of the 9th April 1815 Jonathan Seldon was brought to me before I was out of bed. I then directed the men that had the prisoner in custody to Mrs. Simp. to get their breakfast. Mr. Nelson was willing to take charge of the prisoner, and likewise took charge of the prisoner, and then asked, where he must deliver the prisoner in the morning. I told him not to fetch him to me, I would go up to his house in the morning, and accordingly went up on the morning of the 10th inst. I met Mr. Nelson on the plains, near to his own house, and asked him where was Seldon. Mr. Nelson said, he was gone down with Wm. Maybee to see Colonel Bell. I asked Mr. Nelson how he could take it upon him to countermand my orders, whether you consider me as a sipher. I believe that Mr. Nelson knowingly, and willingly, let the prisoner go.

The evidence of Lieut. John Taylor of the Durham

militia saith on his oath, he saw Mr. Nelson in front of his house, and asked him if Jonathan Seldon was yet there, he told me he was not, he was gone to Colonel Bells with Wm. Maybee, and said I saw Wm. Maybee going from Mr. Nelsons house and Jonathan Seldon was not with him, the above was on the 9th in the afternoon.

The prisoner Theopelus Nelson saith in his defence, I deny the charge of willfully letting the prisoner Jonathan Seldon go, with the intention of making his escape. Wm. Maybee requested that the prisoner might go with him, and he would be accountable for his return in the morning of the 10th inst. The evidence of Capt. John W. Meyers in behalf of the prisoner, he saith on his oath that, the prisoner was in Mr. Nelsons charge after being in Mr. Nelsons house. Wm. Maybee requested Mr. Nelson to let the prisoner go to Colonel Bells, and he would come back with him on the 9th inst., then Maybee, and the prisoner went out of the house, as I thought to go to Colonel Bells, after being gone a short space of time, the prisoner returned, and said to Mr. Nelson that it was Mr. Maybee's request that the prisoner might go with him to his own house, and stay there that night, and they would return in the morning, and I saw no private conversation between Mr. Nelson and the prisoner, nor no person else.

Capt. McIntosh Saith, that he considered himself as doing his duty as a capt. of militia on actual service, and also considered Mr. Nelson on actual service.

After hearing the evidence, the court is of opinion that Theopelus Nelson is guilty of the crime laid to his charge, therefore sentence him to pay a fine of ten pounds cost, and charges £5.7.6 and in default of payment, that the prisoner Theo. Nelson shall be committed to some place of confinement for the space of 4 months, or untill the fine and expenses is paid. I approve of the above sentence, and order the same to be immediately carried into execution.

Wm. Bell, Lt. Col.  
1st regiment Hastings Militia  
Commanding.

The Court proceed to the tryal of the prisoner John Henesey.

The evidence of Capt. John McIntosh saith on his oath that on the 10th day of April, 1815 I asked John Henesey when he was going to take a glass of grog, I asked him to say God bless the King. John Henesey said he could not say that. I then said cannot you sayd God bless the King. He said no, his pay was so small that he couldn't, then say God bless a man that did not give him more than six pence a day. Colonel Chambers

then asked him if he could say God dam him, he said no, he could not say that neither.

Ensign Hugh Cunningham after being duly sworn, corroborats the above.

After hearing the evidence the court is of opinion that the said John Henesey is guilty of the crime laid to his charge therefore sentence him to pay a fine of one pound, and costs of court 17.6.

Alexander Chisholm Capt. president.

I approve of the above sentence and order the same to be immediately carried into execution.

Wm. Bell, Lt. Col.

1st regiment Hasting militia Commadg.

171.

County of Hastings ) A Militia regimental court martial  
Militia orders ) to assemble on the 11th instant.

The house of Margaret Simpson, near the mouth of the River Moira, at the hour of 9 o'clock in the forenoon, to try all such prisoners that may be brought before them.

Capt. Alex. Chisholm,  
Lieut. Philip Zwick  
Ensign H. Cunningham  
Ensign Peter Holmes  
and Ensign Wm. Zwick

All officers are hereby required to bring forward all delinquents that may belong to their respective companies for tryal before said court martial.

Willm Bell, Lieut. Colonel  
1st regiment Hastings militia

Thurlow, 10th April, 1815

172.

Thurlow, 10th Apl. 1815

Sergt. Ozekul Lawrence

Sir,—You are hereby required and strictly commanded to apprehend the body of John Henesey private of Capt. Chisholms company of the Hastings militia and bring him here to the house of Margaret Simpson at the hour of nine o'clock in the forenoon of the eleventh inst., to answer to the complaint of Lt. Colonel Wm. Bell and herein fail you not.

Given under my hand the day and year above written

Alexander Chisholm Capt.

173. Order of Lieut. Col. Wm. Bell, for the issuing of rations for prisoners.

174.

Thurlow, 12th Apl. 1815

James McNabb, Esquire,

Sir,—Theopelus Nelson, a private man in Captain Simon McNabbs company of the Hastings militia, having been tried by a militia regimental court martial, by my orders, and sentenced by the said court martial to pay a fine of ten pounds currency, and five pounds seven shillings and six pence cost and charges, which sum, the said Theopelus Nelson refuses to pay, this therefore is to require you to issue a warrant of distress, to levie the above amount by distress, and sale of the goods, and chattels, of the aforesaid Theopelus Nelson, agreeable to the 15th clause of the militia act, passed in the 54th of the King, and in the year of our Lord 1814.

I am sir your most obedt. humble servant

William Bell,

Lt. Col. 1st regt., Hastings Militia  
Commanding.

174 (a). Order, suspending a Lieutenant for passing counterfeit money.

175. Letter from Bell to Ferguson, endeavoring to clear up the troublesome matter of the Indian goods, that appear to have been 'left on the way to York', and also excusing himself for the delay in collecting the arms and accoutrements.

176. The evidence of Capt. John McIntosh taken upon the trial of John Henesy.

177. Certificate of payment of a reward of six pounds, and one shilling, for bringing in a deserter.

178. Letter requesting signature to a return.

179. Letter for information concerning certain correspondence, about forwarding returns of men who had sleighs and horses fit for service.

180. Memorandum of Lieut. Col. Wm. Bell, explaining the circumstances under which he apprehended John Rice. On the back of this are endorsed a number of miscellaneous memoranda, varying from a reminder that he needed one pound of pepper, to an acknowledgement of having received pay for apprehending John Rice, and also his son's pay for acting as his orderly.

181. Subpoena for Bell to appear as a witness upon the trial of John Rice.

182. Notice as to the time and place of the fall training for 1815.

183. Letter from Ferguson to Bell, announcing that the quarter master is being sent up to collect the arms, accoutrements, drums and fifes. Elijah Ketcheson is

recommended as a proper person to be appointed sergeant.

184. Letter from Bell to Ferguson, enquiring about the appointment of a training day and asking when he is to get pay for the storage and forwarding of the Indian goods.

185. Letter from Ferguson to Bell, in which the writer refers to "the change of the seat of Government to this place", dated June 10th, 1816.

186. Letter from Bell to Ferguson, pleading his inability to raise a dollar to transmit to the Receiver General as ordered.

187. Commission to William Bell as Coroner, dated 25th July, 1816.

188. Bail bond taken before Wm. Bell, J.P.

188 (a). Subpoena for witness to appear before Court of King's Bench at Kingston.

189. Summons to appear before the Court of Requests at the house of Margaret Simpson.

190. Letter from Bell to his lawyer, Christopher Hagerman, advising him of the settlement of an action.

191. Copy of letter from Bell to Ferguson, enclosing rolls and returns of complaints.

192. Proceedings before Coroner Wm. Bell upon an inquest.

192 (a). Letter from Ferguson to Bell, threatening to report him to the Lieut. Governor for neglect of duty.

193. Letter from Ferguson to Bell, concerning a parade to be held at Belleville.

194. Militia order of Lieut. Col. Wm. Bell, for the assembling of the Hastings Militia on "the plains in Belleville on Saturday, the 30th day of October, 1819".

195. Letter from the Adjt. Gen'l to Lt. Col. Bell asking for returns.

195 (a). Letter from Ferguson to Bell, acknowledging receipt of returns, and complaining, that the postage was not prepaid, and that he had to pay five shillings and eight pence.

196. Copy of order in council for giving location tickets to members of the militia who served in the war.

197. Letter from Ferguson to Bell, warning him to order a fall meeting of the militia of the County of Hastings.

198. Letter from Ferguson to Bell, dated 30th May, 1821, pointing out that the militia must according to statute assemble on the 4th of June.

198 (a). Order of Lt. Col. Wm. Bell, calling upon Hastings militia to assemble on June 4th.

198 (b). Letter from Ferguson to Bell, regarding rolls, returns and conduct of certain officers.



199. Certificate of marriage solemnized by William Bell as a justice of the peace, under the provisions of a statute authorizing him to do so in case there was no Church of England minister residing within eighteen miles of either of the contracting parties.

200. Letter from Ferguson to Bell, about filling vacancies in Hastings and asking for complete returns as to the assembly of June 4th.

201. Letter from Bell to Ferguson, enclosing returns and explaining absence of certain members.

202. Copy of Act in pamphlet form, respecting part of militia laws dated 17th January, 1822.

203. Notice of appointment of sergeants from Ferguson to Bell.

204. Certificate of returns of delinquents having been made.

205. Summons issued by Wm. Bell, J.P., dated 9th April, 1822, calling upon certain parties to appear before the Court of Requests.

206. Order of Col. Ferguson, 21st October, 1822, for the selection of Flank Companies for the 1st regiment of the Hastings militia and outlining the procedure to be adopted.

206 (a). Letter from Ferguson to Bell, with additional particulars about the Flank Companies.

207. Letter from Ferguson to Bell, 23rd January, 1823, requesting him to take charge of a box of arms at Grant's store.

208. Letter from Ferguson to Bell, regretting the falling off in the membership of the regiment and suggesting means of adding to their numbers.

209. Order from Col. Ferguson to Lieut. Col. Bell, to call out the Hastings militia for fall training.

210. Letter from Ferguson to Bell, complaining of the failure of a certain officer to do his duty, and demanding prompt action or a resignation.

211. Letter from Bell to Ferguson, dated April 26th, 1813, enclosing incomplete returns, with an explanation that bad roads and bad weather rendered it impossible to secure a full attendance of officers at the last assembly. In this letter, he intimates his intention of resigning.

212. Letter from Ferguson to Bell.

213. Certificate of out-pensioner John Joyee, containing instructions for the guidance of out-pensioners.

214. Letter from Bell to Ferguson, dated 24th April, 1824, with incomplete returns and explanations. In this letter appear the following pathetic remarks, "I was not on the parrade myself as I was not able to stand out so long, being in such great distress with Rumatic pains in

my back, and both shoulders, on which account and for no other Reason, I wish to Resign as I am not able to do the duty of my situation in the militia, as it ought to be done, which I believe to have proceeded from the effects of the hard services of the Revolutionary war on and about Lake Champlain, for about 8 or 9 years with Lieutenant James Davice of the 31st regt. of Foot to which regiment you know I formerly did belong. I am now in the 64 year of my age and it need not be wondered at if I begin to be infirm from the Hardships I have seen in the Revolutionary war in the Services which was allotted to me to Perform mostly in the winter Season”.

215. Order for a court of enquiry to enquire into the cause why Major Chisholm neglected to muster the inhabitants as ordered and why the officers and captains neglected to furnish rolls and returns.

216. Letter from Adj. Gen'l to Colonel Ferguson, forwarding forms of returns to be used.

217. Letter from Ferguson to Bell, forwarding forms of returns.

217 (a). Letter from Ferguson to Bell, instructing him to bring a certain officer before a magistrate for not forwarding roll and returns.

217 (b). Letter from Bell to Ferguson, forwarding returns.

218. Letter from Ferguson to Bell, acknowledging certain returns, but asking for further returns.

219. Proceedings of Court of Enquiry into conduct of officers for not making returns. The officers are excused upon the ground that they did not understand the instructions.

219 (a). Proceedings of Court of Enquiry into the conduct of Major Chisholm for neglect of duty. The Major is excused owing to bad roads and his indisposition.

219 (b). Letter from Bell to Ferguson, enclosing resignation of Capt. Petrie, who assigns no reason for so doing.

220. Order of Lieut. Col. Wm. Bell, requiring officers to meet at the house of John Taylor in Thurlow Township on Friday, the 19th day of August, 1825, to receive orders.

220 (a). Order of Lieut. Col. Wm. Bell, for a meeting of the officers of 1st regiment of the Hastings Militia.

221. Letter from Capt. Robt. D. Liddell to Lieut. Col. Wm. Bell, forwarding names of persons wishing to have their names taken off the roll of the company of Light Horse.

222. Letter from John W. Ferguson to Lieut. Col. Wm. Bell, resignation of Col. John Ferguson, and certain recommendations made by him and concluding with “The

Col. is much better than when you saw him, -but without any use of his left side".

223. Letter from Adjutant General to Colonel Bell, requesting the names of thirty-five candidates for the troop of cavalry.

223 (a). Letter from Adjutant General to Col. Bell, stating that the Lieut. Governor declines to accept the resignation of Capt. Petrie, who assigned no reason for resigning, also instructing the Colonel to take proceedings against him if he declines to serve.

224. Militia General Order from the office of the Adjutant General, advising of the promotion of Lieut. Col. Bell to be Colonel vice Ferguson who resigns ; and of Major Alex. Chisholm to be Lieut. Colonel vice Bell promoted, dated June 1st, 1825.

225. Copy of letter to the Adjutant General, containing suggestions respecting the division of the Hastings Militia into two regiments, dated 1st Sept., 1826.

226. Copy of circular of Colonel Bell to the officers, commanding companies of the First Regiment of Hastings Militia, in which he goes carefully into the question of irregularity, and neglect of duty, and threatens to deal severely with all delinquents. This document bears a most striking resemblance to the orders he used to receive with painful regularity from Colonel Ferguson.

227. Order of Colonel Bell, directing the manner of organizing the Troop of Dragoons.

228. Letter of Col. Bell to Capt. Abel Gilbert, favoring although regretting his resignation.

229. Copy of letter to Col. Bell, to the Adjutant General, expressing his views upon certain resignations.

230. Application of Donald Mackenzie, for appointment as Lieutenant of the Troop of Dragoons.

230 (a). Letter from Major Coleman to Capt. Petrie, calling for certain explanations regarding failure to make returns, and including the following, "It is not the desire of Col. Bell to take any further notice of your conduct on that day, providing you are sensible of the impropriety thereof and acknowledge the same".

231. Order of Colonel Bell, directing Captain Turnbull to call out his troop.

232. Letter from Capt. Wm. Zwick, recommending appointment of Benjamin Clark as Sergeant.

233. Letter from the Adjutant General to Colonel Bell, requiring a return shewing all moneys received from Menonists, Quakers and Tunkers, for exemption from Militia Services.

234. Letter from Adjutant General, dated January 31st, 1829, to Colonel Bell, acknowledging receipt of a

letter from the Colonel, requesting that he be allowed "to retire from active life", and expressing His Excellency's pleasure in permitting him to do so, and promising to forward his name to the Secretary of State for the Colonies in the hope that some provision may be made to reward him for his faithful services.

235. Letter from the Adjutant General to Colonel Bell, dated 15th October, 1831, asking why certain names were omitted from the lists, shewing the men who served in the year 1812.

236. Letter from Government House, conveying the consent of the Lieut. Governor that Wm. Bell may hold the offices of magistrate and coroner of the Midland District.

237. Articles governing the training of the officers of the Hastings Militia.

(Case No. 16—Accounts, &c.)

William Bell appears to have been most methodical in his habit of preserving all sorts of documents and papers. Scores of papers, that could have had but a passing interest to him were neatly folded, and on the back he invariably made an endorsement, indicating the nature of the document, and its date. He not only preserved the letters received by him, but in many instances he kept copies of his replies. At a time when there were no letter books, or carbon impressions, this meant the re-writing of the letters, and this too was invariably done by himself. The contents of Case No. 16 are principally accounts dating back as far as 1787. To the ordinary reader these might not prove to be very interesting reading, yet much useful information can be gleaned from them.

No. 1. A three page account of John Grant with Wm. Bell, beginning July 7th, 1787.

No. 2. Account of Stephen Gilbert with Ferguson & Bell, dated 1789. In this account we find tea charged at six shillings a pound, and sugar at one shilling and ten pence.

No. 3. Is a long list of goods left with Wm. Bell for sale. The list contains among other articles, tomahawks, clasp knives, razors, beaver spear and scalping knives.

No. 4. Account of Ferguson & Bell with Elizabeth Smith. This account begins and ends with tobacco at 2s. 6d. per pound.

No. 5. Joseph Forsythe account against Wm. Bell, dated 1789.

No. 6. Is a homemade day book, dated 1790, stitched with shoe thread. We find in this account that two shil-

lings and six pence were paid for otter skins and four pence for muskrats.

No. 7. John Fairman's account with Ferguson & Bell, dated 1790. Loaf sugar and butter each are charged at two shillings per pound.

No. 8. David Simmon was charged by Ferguson & Bell 12s. 3d. for  $3\frac{1}{2}$  yards of linen, and in the same account was credited with 12s. 6d. for clearing one acre of land; date 1790.

No. 9. (1790). Orry Rose is credited by the same firm with eleven shillings for two and one quarter days' work with his horses.

No. 9 (a). (1790). The same Orry Rose, according to this account buys tobacco at 3s. 6d. per pound and sheeting at 3s. 6d. per yard, and pays for his purchases with turnips at nine pence per bushel, and in work at two shillings per day.

No. 10. (1790). Elizabeth Smith's account with Ferguson & Bell.

No. 11. Asa Walbridge's account with Wm. Bell. Two gallons of gin share the honors with a hat as the most important items, each twenty shillings.

No. 12. (1790). G. Mikel in account with Ferguson & Bell. In this we find 1s. 3d. charged for one half gallon of salt.

No. 13. (1790). James Kenny in this account with Ferguson & Bell is credited with 12s. 6d. for clearing one acre of land.

No. 14. (1790). An account rendered by Peter Vanalstine to David Vandorhidah.

No. 14 (a). Another account between the same parties.

No. 15. Wm. Laumberg's account with Ferguson & Bell.

No. 16. (1790). John Germain's account at the store of Ferguson & Bell, calico is charged at five shillings per yard.

No. 17. (1790). Thomas Colquhune pays for his tobacco and thread by working for the firm at one shilling and eight pence a day.

No. 18. (1790). Order in favor of Ferguson & Bell, for nine shillings Halifax currency.

No. 19. (1790). John Germain's store account.

No. 19 (a). (1791). The same.

No. 20. (1791). An account shewing that pork sold at seven and one half pence per pound.

No. 21. (1791). Receipted account of James Robins, a tavern keeper, against Wm. Bell.

No. 22. (1793). This account of John Blacker against Wm. Bell contains the item "a black silk handkf 5s."

No. 23. (1793). Samuel Sherwood in account with Wm. Bell.

No. 23 (a). The same.

No. 24. (1795). Estate of John Fairman to Wm. Bell.

No. 25. (1795). Account Philip Zwick with Ferguson & Bell.

No. 26. (1794). From this memorandum book we learn that venison sold at one and one half pence per pound.

No. 27. (1796). Account for crockery.

No. 28. (1796). Order on Wm. Bell, addressed to Wm. Bell, Bay Kanty, which would indicate how the name of the bay was pronounced at that time.

No. 28 (a). Account for  $7\frac{1}{2}$  gallons of whiskey, which cost £1 17s. 6d, date 1794.

No. 29. (1799). Letter to Wm. Bell, asking for payment of an account.

No. 30. Another homemade account book similar to No. 6, and containing 58 pages, and extending over a period from 1799 to 1814. Most of it is in the handwriting of William Bell, and the first few pages are headed "mohawk village", but the rest of the book where there are any headings at all are "Thurlow". The entries are of a miscellaneous character and vary from an entry of a sale of "a Dillworth Spelling book" to a charge for a search warrant.

No. 31. (1800). Receipt on account.

No. 32. (1802). An account against Wm. Bell made up principally of charges for making shoes. The prevailing charge for making a pair of shoes appears to be two shillings and six pence.

No. 33. (1806). Copy of an account rendered by Wm. Bell.

No. 34. (1806). Copy of account rendered by Wm. Bell to Margaret Simpson, including among other things, a charge for several gallons of whiskey at five shillings per gallon.

No. 34 (a). Similar to No. 34.

No. 35. (1806). An account against Wm. Bell, in which he is charged seven shillings and six pence per pound for three pounds of green tea.

No. 35 (a). An account in the following year between the same parties from which it appears that green tea had been reduced in price by one shilling.

No. 36. (1807). A small account of Wm. Bell's against Seth Meecham.

No. 37. (1810). A blacksmith's account against Wm. Bell.

No. 38. (1815). Letter from John Ferguson to Wm. Bell.

- No. 39. A dunning note.  
 No. 40. (1820). Account rendered by Wm. Bell.  
 No. 41. Account rendered to Wm. Bell.  
 No. 42. Account rendered to Wm. Bell.  
 No. 43. A ledger of Wm. Bell, covering the years 1818 to 1823, inclusive.  
 No. 44. Account against Wm. Bell, 1827 to 1832, inclusive.  
 No. 45. (1829). Account for two loads of wood ashes sold at six pence per bushel.  
 No. 46. (1830). Promissory note.  
 No. 47. (1834). A carpenter's account against Wm. Bell; wages seven shillings and six pence per day.  
 No. 48. A doctor's account.  
 No. 49. Fragment of an account.

## (Case No. 16—Local)

The documents in Case No. 16 classified as "local", were written from some point in the County of Lennox and Addington, and are of especial local interest.

No. 1. Letter written from John Ferguson to William Bell from Fredericksburgh, and dated 29th December, 1788. In it appears the following, "Our courts are opened but they have done nothing particular, but I suppose will in a few days".

No. 2. Letter written from the same place by Ferguson to Bell, dated 1788.

No. 3. Letter from Ferguson to Bell, dated 1789.

No. 4. (1790). Letter written from "Nappanie Mills" by Ferguson to Bell, advising him of the forwarding of two bags of flour.

No. 5. (1790). Letter written from Fredericksburgh by Ferguson to Bell. The writer had been taken ill, but says he must attend court on the 16th, sick or well.

No. 6. (1790). Letter written by Jas. Clark to Wm. Bell from "N. Mills", urging Bell to secure for him twenty or thirty bushels of oats.

No. 7. (1790). Letter from Ferguson to Bell written from 3rd Township.

No. 8. The following autograph letter is to the point, and was written by the first lawyer of the County of Lennox and Addington:—

Adolphustown, Decr. 19th, 1796

Sir,

Mr. Forsyth insists upon me summoning you if the debt due him is not discharged without delay. You I hope will not put me to the necessity.

I am sir,

Your hum'l serv't

Mr. Wm. Bell.

N. Hagerman

Nicholas Hagerman, the writer of this letter, was one of the ten practitioners who met at Wilson's Hotel, Newark, in July, 1797, to organize the Law Society of Upper Canada.

No. 9. Written in 1791 from the 3rd township from Ferguson to Bell. The following are extracts, "I wish you would put up, and send by him the five volumes of the History of England by Hume, and the two volumes of Andersons History of France. . . . I was sorry to hear that you allowed any woman whatever to jilt you, If you was ever serious in the other quarter you richly deserve it".

No. 10. (1795). Letter from Alex. Clark, Fredericksburgh, to Wm. Bell, asking "payment for the whiskie".

No. 11. (1799). Letter from Ferguson to Bell.

No. 12. (1799). Letter from Ebenr. Washburn, of Fredericksburgh, to Wm. Bell, asking him to acquaint the Indians with his desire to purchase a quantity of Ginsen roots.

No. 13. (1808). Order for payment of money given to Timothy Thompson.

No. 14. Oath of Walter T. Orr, as a surveyor of lands, taken before Robert Clark, J.P., at Ernesttown, in September, 1819.

No. 15. (1820). Notice, summoning a meeting of the Midland District Agricultural Society.

No. 16. (1820). List of subscribers to the funds of the Midland District Agricultural Society. Wm. Bell heads the list with one pound, the largest subscription.

No. 17. (1830). Report of the commissioners for the road from Napanee to Belleville, to the Justices of the Peace for the County of Hastings. This report, referring to the work of laying out the road, is in the handwriting of Allan Macpherson, of Napanee, the chairman of the committee.

No. 18. Letter from Rev. R. S. Forneri to Dr. William Canniff, requesting him to assist in the centennial celebration of the landing of the Loyalists, to be held at Adolphustown, in 1884.

The four succeeding documents are uniform in style, all engrossed upon foolscap with a wide margin on the left hand side containing brief references to the contents. Each set of papers is bound by a bit of white parchment at the upper left hand corner, fastened with green tape, and the handwriting proclaims itself to be that of a professional penman. Everything about them points to their having been prepared in one of the departmental offices of the Government. Are these the copies of manuscript from the Parliamentary Library at Ottawa, for which Dr.



Canniff thanks the Hon. Lewis Wallbridge in the preface to his history ?

#### MEMOIRS OF COL. JOHN CLARK.

The most voluminous document in the Canniff collection is a copy of the memoirs of Col. John Clark, which extends over 114 pages of closely written foolscap. While the Colonel pays some attention to himself and his family, the production is by no means an autobiography, but it fairly carries out his intention as expressed by himself. "It will give posterity a general idea of the early state of the country soon after it was settled by disbanded soldiers and U. E. Loyalists, whose ambition was to live and die under the British flag."

There does not appear to be any phase of life of the early settler upon which he does not touch to some extent. In many instances he goes quite minutely into the details of some event or custom. Being a military man, it was quite natural that he should take a deep interest in the war of 1812, and by far the greater part of his memoirs deals with this subject. He goes into the causes leading up to the outbreak, enumerates the composition of the opposing forces, follows the movements of the troops, and describes the various engagements.

Upon the whole, the memoirs are very good reading, and furnish much useful information, which it would be very difficult to secure, but for the foresight of such men as Col. Clark.

Colonel Clark's father lived for a time in the township of Fredericksburgh, about three miles from the site of the present town of Napanee, and shortly after its erection in 1786, he was placed in charge of the Government flour mill at that place. In 1789 he was transferred to Fort Niagara, where he was appointed Barrack-master, a position which he continued to fill until his death in 1810. He is not to be confused with Robert Clerk, who built the flour mill at Napanee in 1785. Col. Clark was born at Frontenac in 1783, and was baptised by the Rev. John Stuart, the first English Church Missionary in Upper Canada. He recalls in the memoirs but few recollections of his early life in Fredericksburgh, as the home was saddened by the death of his mother in 1787, but he frequently reverts to the experiences of his boyhood days in the Niagara peninsula, with which he was seemingly infatuated. In writing of the location of his father's home, he says, "when we would occasionally stroll over to Queenston Heights and look at the magnificent prospect, little did I contemplate that a battle would ever be fought on that pleasant spot,

or that a magnificent monument to a British hero would ever crown those heights".

It is quite apparent that in writing his settlement of Upper Canada, Dr. Canniff used much useful information from these memoirs of Col. Clark.

#### MEMOIRS OF REV. JOHN STUART, D.D.

On page 258 of Dr. Canniff's valuable work will be found in italics and quotation marks a reference to a transcript of the memoirs of Rev. John Stuart.

"Memoirs of the Rev. John Stuart, D.D., father of the Upper Canada Church. He opened the first academy at Catarqui-Kingston, 1786. The last missionary to the Mohawks."

This identical document is also preserved in the Canniff collection and covers twenty-six pages of foolscap. Written at the top of the first page in pencil is the following: "I will not insert the whole but will the more salient facts under the head of "Clergymen". This memorandum was evidently made by Dr. Canniff, when laying out the material for his book, and he adhered to his intention as expressed in this memorandum. In chapters XXVI. and XXVII. he quotes extensively from these memoirs.

#### TESTIMONIAL OF MR. ROGER BATES.

This brief but interesting testimonial is not referred to by Dr. Canniff in his history, although he quotes from its contents at pages 199 and 202. I am not aware that it has ever been published and as the information it contains is given first hand and is of an important character, I consider it worthy of being reproduced in full.

#### TESTIMONIAL OF MR. ROGER BATES OF THE TOWNSHIP OF HAMILTON, DISTRICT OF NEWCASTLE, NOW LIVING ON HIS FARM NEAR COBOURG.

"Our family came originally from Yorkshire in England. They were of the old fashioned Tory or Conservative School, who looked upon no form of Government equal to the British Constitution founded on the principles laid down by the English Barons at Runnymede, when they compelled King John, to sign the great Charter of Liberty."

"To the present day, all the Bates family follow in the footsteps of their ancestors."

"As encouragement was held out for Loyal British Settlers to locate in America, my Grandfather turned his

attention to the western Hemisphere and having satisfied his mind that his posterity might become considerable land owners."

"He sailed for the New World, and arrived in Boston between the year 1760 & 1770, when he commenced farming, lands at that period being obtained at a very low price to actual settlers."

"The troubles commenced in 1774, when all who were loyal to the House of Hanover, took up arms in defence of their Sovereign. In this conflict my Grandfather took a conspicuous part. My Grandmother was an active intelligent woman, wonderfully industrious, who attended to the farming affairs till they were compelled to quit the United States territory being determined never to side with the Republicans. Liberal offers were made to the U. E. Loyalist so the family removed their effects to Upper Canada, where for their services the Governor granted them 1200 acres of land and 200 acres for each of the children."

"To the best of my knowledge it was about the year 1780 when they came into the country. My father was then a boy about 13 years of age. before they finally settled down, they looked about to ascertain the most favourable location. a vast number went to Prince Edward District in the Bay of Quinte and there my Grandfather and Grandmother with their young family went also."

"At first they had to experience great privations, but being possessed of indomitable courage, and love for the British Constitution they soon set to work with the materials they brought with them and erected a log House, After clearing a few trees and thus got a shelter from the storms and winds of Heaven."

"From over exertion and exposure my Grandfather had a very severe attack of ague, it is a most trying complaint and at that period there seemed to be no cure. It was with great reluctance that he made up his mind to leave this fine locality. The waters teemed with fish—the air with birds no end to ducks—the woods filled with deer, beaver, wolves, martins, squirrels and rabbits."

"Implements were very scarce, so that at first they adopted many ingenious contrivances of the Indians for procuring food. Not the least simple and handy was a crotched pole with which they secured salmon in any quantity the creeks and Rivers being full of them."

"Skins of animals they obtained from the Indians who at that period were very numerous throughout the country."

"With those skins my grandmother made all sorts of useful and last drepes which were most comfortable for a country life, and for going through the bush made leather

petticoats for herself and girls, as they could not be torn by the brambles, they made capital dresses—made some for the boys, and at night were extremely comfortable for bed covers. There were no tanners in those days shoes and boots were made of the same useful material."

"Finding the ague still troublesome a batteau was built with the assistance of the Indians, and one general moving the whole family departed with their effects, coasting along the shores of Ontario, until they reached the present Township of Clarke in Northumberland County."

"The change of air operated favourably and there they drew their lands and settled."

"My Grandfather often remarked that for six months he never saw a white person, their only visitors being Indians with whom they got along with well and in process of time learned a smattering of their language, those real owners of the soil being then under British protection were well treated and became firm and loyal to the British cause."

"In exchange for little presents given them they reciprocated by bringing skins of animals and frequently a deer so that they got along capitally. Could they rise from their ashes they would be astonished at the flourishing condition of Clarke now."

"In process of time other settlers came along, not the least conspicuous in after time were the Baldwins and the Beards."

"Robert Baldwin, who was my grandfathers intimate friend afterwards, was a gentleman of good family the owner of a small property called Knockmore in the County of Cork, Ireland."

"He emigrated to Canada at the early period of 1798 in all probability in consequence of the Rebellion in that distracted country."

"From the liberality of Governor Simcoe's proclamation inviting settlers into the country, he drew lands near my Grandfathers and located—calling his clearing Annawa in the Township of Clarke. A stream ran through the property which to this day is called Baldwin's Creek."

"A Grandfather of the Beards of Toronto was also one of my fathers neighbours. As the girls grew up—they married. I had five aunts. Betsey Sally, Huldah Polly and Theodosia. The three first married Thomas Barrett, Amos Gills and Joseph Selden from the United States, where they joined their husbands who were well to do, having good property there and though adherents to the new republic, were highly respectable. Sally and Huldah married Stephen Conger of Prince Edward, and Richard

Lorekin, of New Castle both staunch Government men, and have remained so with their families."

"My Grandmother remained on the farm at Clarke until her death which took place in 1838 at the advanced age of 96. My Grandfather's death was caused by fright in consequence of a fire which took place in 1819."

"He was then a hearty old man, but the above calamity hastened his death, at the premature age of 84. had it not been for this dire event, in all probability he would have reached 100 possessing a wonderful athletic constitution, he was a terrible aristocrat, a regular John Bull to the back bone."

"As our family grew up in the Clarke settlement, my Grandfather wished to see them well settled before he died, and an opportunity offered by the purchase of a military grant from George Shaw of 600 acres of land, which they drew in 1804 in the vicinity of Cobourg."

"Whilst the lands were being cleared and a log house erecting they opened a small store close to the property now possessed by the White family."

"Here my father Stoddard Bates and my uncle Lew Bates planted an orchard and we had a snug temporary residence."

"This store was supplied with goods by Enoch Wood, who brought the first assortment to Toronto."

"Everything at that time was very dear, but a system of barter was carried on that was of advantage to all parties."

"My father made a great quantity of Pot Ash, which fetched at that time a good price."

"This in part paid for his goods. On referring to the Old Books now in possession of my mother, I find some entries that give an Idea of the general prices of goods— which people had then to pay."

"1804. Gimblet  $\$ \frac{1}{2}$ , Padlock  $\$ 1 \frac{1}{2}$  Jack-knife  $\$ 1$  Callico  $\$ 1 \frac{1}{2}$  per yd. Needles Peach, Ball of cotton  $7 \frac{1}{2}$ . Board of Pigs  $\$ 1$  dollar per week. Old axe  $\$ 2 \frac{1}{2}$ —had to send them to Kingston to be ground. Tea 8 s lb to 10 s. Halifax Currency. Barrel Pork 27 to 30\$ per barrel. Flannel 6-3 yards, Salt 6 d. per lb, Mill saw fourteen dollars"

"The first saw mill erected in the neighborhood was where the present Ontario Mills and Factory stands and was put up by the father of Colonel McDonald, of Peterboro' in 1803, this was a great boon to the people, who were always in want of a few boards to finish off their Shanties."

"My Father and Uncle were partners in this store, which turned out very profitable, as the settlers round were always in want of something or other. The woods

at that time were alive with deer and bears. Many were killed by the Indians who traded off their skins dressed by the Squaws, which made useful garments. I find by memorandum in my fathers old books, that he was married on the 20th October, 1806."

"An old family of the name of Hare had located a few miles from our residence and it was one of that old farmers, buxom daughters that he fell desperately in love with. The mode of courting in those days was a good deal of the Indian fashion."

"She would run through the trees and bushes and pretend to get away from him, but somehow or other, he managed to catch her, gave her a kiss and they soon got married, I rather think by a magistrate, Clergymen being rare in those parts."

"Time was too valuable to make a fuss about such matters—they depended upon their own industry and got along wonderfully well."

"John McCarty was also married by a Magistrate. he was an old settler. For a long time my Grandfather had to go with some of the neighbours, all the way from Clarke to Kingston 125 miles with their wheat to be ground there. They had no other conveyance than Batteaux, which were commodious as the journey would sometimes occupy five or six weeks."

"Of an Evening they putting up some Creek and obtained their salmon with ease using a forked stick that passed over the fishes backs, and held them tight as with a spring, the wood I have often heard my Grandfather say, that after a few trees were felled, they burnt the brushwood, and planted the seed between the stumps which being planted on virgin sail, turned out most prolific."

"Some times they were so long gone for grist, in consequence of bad weather setting in, that the women would collect together and have a good cry, thinking the batteaux had foundered, they however always turned up in time, taking the precaution to make tents of poles, and brush to keep out the bad weather and wolves which were wonderfully plentiful, when they were gone on these provision journeys, the dogs were very useful in finding game."

"One old dog in particular was very smart evidently having an eye to his own bill of fare. You had nothing to do but tell him you had nothing to eat and off he would go driving the Deer into the Lake, where the youngsters could easily shoot them with an old Queens Arms Musket, the principal fire arms in use."

"The privations they underwent at times will scarce bear mentioning, when compared with the early settlers at Nova Scotia, and New Brunswick after taking Quebec."

"From the best authority we have accounts, the privations, which the early colonists endured were severe to a degree of which, those who now plant themselves in a Canadian Woods, have scarcely a conception. They had not only to suffer the miseries of hunger and the want of almost every convenience of life, to which they had been accustomed, but they could scarcely enjoy that relief from toil which sleep usually affords, from the dread of being burnt in their habitations by the Indians or of becoming victims to the Tomahawk. So that it required more than ordinary resolution and fortitude to establish themselves in defiance of immense difficulties. My father said, that some of the U. E. Loyalists brought their spinning Wheels and looms with them. All the youngsters learned to weave and do a bit of sewing."

"In the back country out at Keene there is an old loom now extant, which was in use by my mother, 50 years ago, which I have often worked. Every settlement for years was a sort of Robinson Crusoe Life—very healthy—none seemed to suffer from accidents. If they met with any they had many simple remedies that performed many wonderful cures, far more efficacious than the art and mystery of Quack Doctors, located through the country. People lived in those days to a good old age. There was no fuss about Religion in those days—the families would assemble together on the Sunday or any evening to read the Scriptures and sing a Psalm or Hymn, often found more solid consolation than in our crowded churches now-a-days. Fully verifying the Truth of the Scriptures "that where two or three are gathered together"."

"Preachers were rare and very thinly scattered. The Rev. Mr. Stuart, was I believe the first Church Missionary. He was driven out of the United States after the declaration of Independence, most cruelly treated but found a hospitable Asylum under British Supremacy, which he originally enjoyed. He was recommended to the Mission Society by Sir William Johnson and arrived at the Mohawk Village in 1770 but had to leave in 1781 and became Chaplain to the Royal Yorkers from which date his field of labor in Canada commences."

"The Revd. John Doty four years before in 1777 escaped with his family into Canada and was appointed by Sir John Johnson to a Military Chaplaincy but the earliest I believe of all was the Revd. John Ogilvie who attended the Royal Regiment upon the expedition to Fort Niagara which surrendered in 1759."

"The principal settlers being French of course those reverend gentlemen were not patronized nor did their

labours really commence until the first settlement of Upper Canada by the U. E. Loyalists."

"My mother remembers a Mr. Langhorne an eccentric good old man, who never would marry any one after 11 o'clock A.M. much to the disappointment of lovers who travelled through the woods on Horseback or Boat expeditions."

"As such occasions were generally holidays they furnished themselves with Tomahawks and implement in case of Emergency, so as to camp out if required. The ladies had no white dresses to spoil or fancy Bonnets. With deer-skin petticoats, home spun gowns, and perhaps a squirrel skin bonnet, they looked charming in the eyes of their lovers, who were rigged out in similar materials."

"How they managed for rings I know not—but presume the Missionary or Magistrate were furnished with them as part of their labors of love. Now I think of it I have heard my mother say that Uncle Ferguson, a magistrate rather than disappoint a happy couple who had walked twenty miles, made search throughout the house and luckily found a pair of old English skates, to which a ring was attached, seizing the glorious prize, he went on with the ceremony and fixing the ring on the young woman's finger, reminding her that though a homely substitute, she must continue to wear, otherwise the ceremony would be dissolved. That curious token was greatly cherished and is still among the family relics."

"Before the country was properly settled the marriage ceremony was performed sometimes by Magistrates or a stray Missionary, an Adjutant or Surgeon of the Regiment who officiated as chaplain—there were then no Registry Offices, and as the documents were often lost by fires or other contingencies and as families grew up and increased, there was some demur as to the legality of those marriages. In 1793, therefore, while the Parliament was held at Niagara in Governor Simcoes, time an Act was passed legalizing all those marriages, that no demur should hereafter arise posterity, as to the validity of titles to lands and the occupants thereof. The war with the United States broke out in 1812, which was a source of great consternation to the country at first, a great hindrance to those engaged in clearing their lands. The determined Loyalty of the settlers however soon changed the gloomy aspect of affairs."

"My father at that time had a good team and horses and as such appendages to a farm were rare, he was employed by the Government in Teaming ammunition and provisions to the scene of action for which he was afterwards liberally remunerated by the Government."



"There was but one regular road through the country, called the Danford Road which led from Kingston to Toronto and continued thence to Hamilton and Niagara."

"It was on a rough scale similar to the Watling Street road constructed by the Romans through England. In this vicinity it is still known by the original name."

"When we look back and contemplate the last fifty years, it is wonderful to notice the extraordinary change that has taken place in the general aspect of the country."

"We have now good roads through every part of the Province, comfortable Farm Houses—first rate implements of Agriculture. Orchards in full bearing. The finest wheat in the world, with the exception of Australia."

"Improved breeds of Cattle, fine Teams, good oxen, Superior Sheep, excellent wool, Esculants of every description, Cider presses, in short everything that would do credit to the Mother Country, whose bosom our Ancestors left for the wilds of Upper Canada, and with indomitable courage, persevering Industry and great labour, have now the unbounded pleasure of viewing Farms that are a credit to the present generation who I trust will pursue the old beaten track of their forefathers, and forever remain faithful and loyal in defense of those institutions that stand pre-eminent in the Annals of Nations.

(Signed) ROGER BATES.

Witness

(S) GEO. COVENTRY.

#### REPORT OF JOHN COLLINS.

This report made under the direction of His Excellency Lord Dorchester was no doubt a most useful document at the time it was presented, as it dealt very extensively with the condition of the forts, and harbors from Carlton Island to Michillimackinac. Whatever Collins undertook to do he performed it most thoroughly and this report is no exception.

U. E. ROLL.

This is a copy of "A roll of the inhabitants of the Midland District, in the province of Upper Canada, who adhered to the Unity of the Empire, and joined the Royal standard in America before the Treaty of Separation in the year 1783, taken in open sessions held at Kingston, October the 11th and at different adjournments to the 15th day of November, 1796" and contains 972 names.

In the same case with the foregoing documents are a number of "school papers" which were published in Volume V. of this Society's publications.

Two copies of the Kingston Gazette, dated respectively March 16th, 1816, and June 14th, 1817, are in the collection. The former contains sixteen columns, and the latter twenty, with a corresponding increase in the length. The period of startling headlines had not arrived. The news items were very meagre, and were published in the most unostentatious manner. The first, and fourth pages, were given over exclusively to advertisements, and a fair proportion of the two inner pages were used for the same purpose. The advertising rates were as follows:—

Six lines and under 2s. 6d. first insertion, and 1s. 3d. every subsequent.

Ten lines and under 3s. 4d. first insertion, and 1s. 8d. every subsequent.

Ten lines and upwards 4d. per line first insertion, and 2d. per line every succeeding insertion.

Nicholas Hagerman, the Adolphustown lawyer, occupies three shillings and four pence worth of space in a prominent place on the first page to announce to the world that he has two pot ash kettles for sale. In the same column Geo. Okill Stuart offers for sale several farms in the Townships of Pittsburgh and Kingston.

Daniel Brown invites the public to come to him for garden seeds, assuring intending purchasers that he has "nine different kinds of lettuce seed, early, late and red cabbage, culliflower, savory, kail, eight kinds of kidney beans, carrett, Thyme, marjoram, red beet, &c., &c."

Peter Van Skiver, of Adolphustown, offers for sale three elegant wooden clocks, warranted to keep good time, and states his willingness to accept most kinds of country produce in payment.

Barnabas Dickinson, of Montreal, advertises the introduction of a new line of stages, a bi-weekly service between Montreal and Kingston. "It leaves Montreal on Mondays and Thursdays at eight a.m. and arrives in Kingston Wednesdays and Saturdays, and leaves Kingston at the same time and arrives in Montreal on Wednesdays and Saturdays."

Under the heading "education" we find the following: "Mr. & Mrs. Woolf beg leave to inform the public, that on the 21st inst., they purpose to commence a Boarding and Day school in the house recently occupied by Dr. McCauley for the instruction of young ladies in the different branches of Female Education."

The following advertisement by the publisher of the Gazette under the caption "something new" is rather unusual in its character. "The subscriber is desirous of settling all his accounts up to 30th June, 1817, in order that he may know how he stands in the world. Those

therefore who have accounts against him are desired to present them on or about that day, that a settlement may take place. He also expects that some of his country subscribers who are one, two, and three, years in arrears will call and settle their accounts without further invitation."

There evidently were no bargain counters in those days, or if so, they were not announced through the advertisements, as in no instance is the selling price of a single article mentioned.

One may look in vain for an editorial comment of any kind or a local news item in either of these copies. Those portions not given over to advertisements are filled with extracts from other papers and communications. Among the latter is a rather lengthy but clever dissertation upon the sin of swearing which began as follows: "It was the saying of a great man of the British nation that common swearers give their souls to the devils gratis, having no pleasure in return for it, and doubtless it was well observed; for no man in his senses can pretend to say there is any enjoyment in that particular vice . . . let us then search a little into the motives that prompt men so often to fall into it. It must I think proceed either from a barrenness of invention, keeping continually bad company, being overpowered by liquor, from a false modesty which is afraid to be particular, or finally from a monstrous desire of being thought wicked merely for the sake of wickedness without either pleasure or profit". He then proceeds to deal with the question under these different heads. Of drunkenness, he says, "Let a man's parts be ever so bright, if he suffers liquor to take possession of the seat of his understanding, reason no longer presides; his passions which before lay dormant, rise up with redoubled vigour and hurry him away impetuously into the abyss of vice and swearing in that case is generally the forerunner of all the rest, being, as it were, a signal to let us know that we are no longer our own masters." Further on the writer adds, "It has been of late too much the custom for men of quality and fashion to swear by way of giving a grace to their conversation; others have heedlessly followed their pernicious example, which has been no small reason of its spreading so much."

The next communication in the same issue was a step from the sublime to the ridiculous. In it a certain Dulcibella Thankley implores the editor for his advice as to whether or not there is any remedy for a mania her husband has contracted for smashing all the household goods, and furniture, within reach of his cane when he is in a passion. She assures him that he is "a good honest

gentleman, that is exceedingly good natured and at the same time very choleric, there is no standing before him when he is in a passion, but as soon as it is over he is the best humored creature in the world; when he is angry, he breaks all my china-ware that chance to lay in his way, and the next morning sends me in twice as much as he broke the day before". The editor did not presume to enlighten his correspondent as to how to treat this malady. Perhaps the desired end was attained by publishing the letter which concluded with, "you will be pleased to publish this letter, by that means my husband will know that you do not approve of his conduct".

## INDEX

---

Advertisements, Early.....	56, 57
Advertising Rates.....	56
Agricultural Society.....	46
Agricultural Implements, Scarcity of.....	49
American Invasion Feared.....	13
Assembly of Militia.....	17
Badgely, Thomas, Court Martial of.....	27
Baldwin, Robert.....	50
Ballot for Militia.....	19
Barnum, Leman, Court Martial of.....	27
Bateaux, Requisition for.....	20
Bateaux and Boats, Request for.....	23
Bates, Roger, Testimonial.....	48 to 55
Bell, Wm., Appointed Magistrate and Coroner	38, 41 ;
Information for Arrest of, 10 ; Commission as	
Captain, 15 ; Commission as Adjutant, 15 ;	
Commission as Lieut.-Colonel, 17 ; Commis-	
sion as Major, 16 ; Habits of, 42 ; Miscellan-	
eous Correspondence with J. Ferguson, 8 to	
40 ; Pathetic Appeal on Applying to Resign	
From Militia, 40 ; Promotion of, 41 ; Threat-	
ened by N. Hagerman with Lawsuit, 45 ;	
Recognizance of, 11 ; Resignation Requested..	42
Belleville, Assembly of Militia at.....	38
Brock, Gen., Letter From.....	18
Burlington Heights, Provisions for.....	20
Butter, Price of.....	43
Canniff, John W., Warrant for Inquest.....	13
Canniff, William, Frontispiece.....	5
Cartwright, Richard, Opinion re Deserters.....	32
Cartwright, Richard, Pass Granted by.....	18
Cavalry, Request for Candidates for.....	41
Chisholm, Major, Trial of.....	40
Clark, John, Memoirs of.....	47, 48
Clergymen, Scarcity of.....	39, 53
Collins, John, Report of.....	55
Commandeering Oxen and Horses.....	19
Commissariat, Transport.....	31
Counterfeit Money, Passing of.....	32, 37
Court of Enquiry, Order for and Proceedings of.....	40

Court Martial Proceedings .....	20, 21
22, 23, 24, 26, 27, 28, 29, 34, 35, 36, 37	
Cummings, Samuel, Court Martial of.....	26
Cummings, Jedediah, Court Martial of.....	26
Danforth Road.....	55
Deserontyou, Capt. John.....	10
Deserters.....	18, 19, 28, 32, 37
Deer Hunting.....	52
Delinquent, Order for Arrest of.....	36
Delinquent, Returns of.....	39
Delinquent, Ruling re.....	41
Doctor's Account.....	45
Doty, Rev. John.....	53
Editors, Troubles of.....	57, 58
Election Candidate, Ferguson.....	12
Exemption From Military Service.....	17
Exemption of Menonists, Quakers, and Tunkers.....	41
Ferguson, John, Advises Bell Not to Go to Northwest, 7 ; Asks Bell for Butter, etc., 8 ; Reprimands Bell, 8 ; Wants Bell to Assist in Building a Still House, 10 ; Exhorts Bell to Drill His Men, 11 ; Rebukes Bell for Meddling With Court of Requests, 12 ; In Politics, 12, 13 ; Orders Inhabitants of Hastings to Meet for Enrollment, 15 ; Orders Assembly of Hastings Militia, 17 ; Orders Assembly of Militia, in War of 1812, 18, 19 ; Demands Teams to Convey Goods to York, 30 ; Order for Court Martial, etc., 33 ; Threatens to Report Bell, 38 ; Store Accounts of, 42, 43, 44, 45 ; Sickness of, 45 ; Sympathizes With Bell Upon His Being Jilted, 46 ; Fondness for Books, 46 ; Miscellaneous Correspondence with Bell.....	8 to 40
Flour, Scarcity of.....	13
Ginseng Roots.....	46
Hagerman, Nicholas, Letter From.....	45, 46
Harbours, Report on.....	55
Henesy, John, Charge Against.....	33
Henesy, John, Trial of.....	36
Herrington, W. S.....	6
Indian Chiefs' Council.....	14
Indians' Gratitude to Wm. Bell.....	14

Indians, Loyalty to Settlers.....	50
Indians, Privileges of.....	14
Indian Supplies for York.....	30, 31, 37, 38
Johnson, John, Court Martial of.....	24
Johnson, Sir William.....	53
Justice of Peace Marriage Certificate.....	39
Kelsie, Lieut. Samuel, Court Martial of.....	21
Kingston, Candidates at in 1780.....	7, 8
Kingston Gazette.....	56
"Land-granting Gentry".....	12
Laundry List.....	8
Loan, Request for.....	9
Love Song.....	13
Loyalists, Centennial Celebration, 46 ; Clathing of, 50 ; Hardships of, 49, 52, 53 ; Removal of, 49 ; Roll of, 55 ; Travelling of.....	52
Mail, Delivery of.....	13
Marriage Certificate by Justice of the Peace.....	39
Marriage License.....	11
McMillan, John, Court Martial of.....	24
McMullen, Henry, Court Martial of.....	27
McMullen, Stephen, Court Martial of.....	27
Meyers, Capt. Jacob Weldon, Court Martial of.....	22
Militia, Assembly of, 17, 38, 40 ; Ballot for, 19 ; Direc- tions for Movements of, 16 ; Miscellaneous Cor- respondence re, 15 to 40 ; Parade of, 15 ; Order for Parade.....	17
Missionary to Mohawks.....	10
Morgan, Charles, Court Martial of.....	21
Napanee Mills, Letter re Flour.....	45
Napanee Flour Mill.....	47
Nelson, Theophilus, Trial of.....	34, 35
Newspapers, Early.....	57
Oath of Allegiance.....	11, 12, 13
Officers, Negligence of.....	16, 19
Officers, Order for Meeting of.....	30
Oswego, Capture of.....	20
Oxen and Horses Commandeered.....	19
Parks, Joseph, Court Martial of.....	29
Patrie, Capt., Resignation Declined.....	41
Pimble, Francis, Court Martial of.....	29
Pork, Price of.....	43, 44
Postage, High Rate of.....	38

Potash, Manufacture and Sale of.....	51
Potter, Luke, Court Martial of.....	29
Potter, Reuben, Deposition of.....	33
Prices of Necessaries.....	51
Prisoners of War.....	18, 20, 25
Prisoners, Escort for.....	32
Prisoners, Rations for.....	36
Promotions, Order for.....	32
Quack Doctors.....	53
Reid, Solomon, Court Martial of.....	28
Religious Observance.....	53
Roads, Bad.....	39, 40
Roads, Danforth.....	55
Road, Napanee to Belleville.....	46
Roads, Order for Work on.....	15
Rosebush, Lewis, Court Martial of.....	26
Rum, etc., Request for.....	8
Salt, Price of.....	43
Saw Mill, First in Clark Township.....	51
Sedition, Arrest for.....	23
Seed Shortage.....	8
Seley, David, Court Martial of.....	28
Shingles, Contract for.....	8
Shoes, Price of.....	44
Sickness of Wm. Bell.....	39
Skins, Price of.....	42
Sleighs, Scarcity of.....	31
Sleighs, Commandeered.....	31
Spinning Wheels and Looms.....	53
Still House, Building of at Mohawk Village.....	10
Stuart, Rev. John, D.D.....	48, 53
Subpoena for Witness.....	38
Sugar, Price of.....	42
Summons for Court Martial.....	25
Surgical Operation on John Blaken.....	7
Tea, Price of.....	42, 44
Timber, Price of.....	13
Tobacco, Price of.....	42
Town Meeting Minutes.....	14
Uniforms, Order for.....	16
Uniforms, Cost of.....	16, 17
Uniforms, Purchase of.....	10
Vanderhider, David, Will of.....	9



## INDEX.

63

Wages Paid.....	43, 45
War, Declaration of.....	18
War of 1812, Account of by John Clark.....	47
Warner, Clarence M.....	5
Wedding Ceremony.....	53
Whiteman, Isaac, Court Martial of.....	29
Wild Fowl in 1780.....	49
Will of David Vanderhider.....	9
Wiltsie, Lieut.-Col., Court Martial of.....	21
Wood Ashes.....	45
Zwick, Phillip, Warrant for Arrest of.....	12



particulars of it

**THE NAPANEE BEE**  
 CASAPAN FAMILY JOURNAL & LENOX & ADDINGTON ADV...

**THE BANTLING.**  
 NAPANEE, ONTARIO, FRIDAY, 1866.

**THE NAPANEE STAR**  
 And Lennox and Addington Independent.

**The Addington Reporter.**  
 NEWBURGH AND LENOX, ONT. FRIDAY, OCT. 21, 1866.

**Lennox and Addington Ledger**  
 A WEEKLY POLITICAL, COMMERCIAL, LITERARY AND ADVERTISING JOURNAL.  
 NAPANEE, SATURDAY, MARCH 23, 1866.

**The Reformer.**  
 AND LENOX & ADDINGTON GENERAL ADVERTISER.

**The Addington Beaver.**

**Ontario Beaver.**

**NAPANEE BEAVER.**  
 NAPANEE, ONTARIO, FRIDAY, JANUARY 3, 1866.

**The Weekly Express**  
 AND BRITISH AMERICAN.  
 NAPANEE, ONTARIO, FRIDAY, 1866.

**Napanee Express**

**NADA CASKET**  
 AND TEMPERANCE ADVOCATE  
 NAPANEE, ONTARIO, DECEMBER 1, 1866.

**Napanee**  
 BY VOYE & ADDINGTON

**GENERAL ADVERTISER.**

**PROSPECTUS**

**THE NAPANEE BEE**

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LENNOX AND ADDINGTON  
HISTORICAL SOCIETY

PAPERS AND RECORDS

VOL. X

THE NEWSPAPERS OF THE COUNTY  
A HISTORICAL SURVEY OF THE NEWSPAPERS OF LENNOX  
AND ADDINGTON PRESENTED IN THE FORM OF  
EXTRACTS FROM THE OLD FILES

COMPILED AND EDITED  
By WALTER S. HERRINGTON, K.C.

NAPANEE, ONTARIO  
PUBLISHED BY THE SOCIETY  
1919

PRINTED AT THE BEAVER OFFICE

*pp. 1-62*  
*1 plate vs. m. page 61*  
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## CONTENTS

	Page
The Newspapers of the County.....	Frontispiece
Chronology, Publications and Officers.....	4
Introduction.....	5
The Napanee Bee.....	7
The Emporium .....	16
The Index.....	16
The Napanee Standard .....	18
The Reformer.....	41
The Bantling.....	46
The British North American .....	49
The Lennox and Addington Ledger.....	49
The Addington Reformer.....	51
The Echo .....	52
The Napanee Star .....	55
The Napanee Express.....	55
The Napanee Beaver.....	55
Index.....	60

## CHRONOLOGY

Society Organized.....	May 9th, 1907
Constitution Adopted.....	June 11th, 1907
First Open Meeting.....	Oct. 25th, 1907
Affiliated with Ontario Historical Society.....	March 31st, 1908

## PAPERS AND RECORDS PUBLISHED

Vol. I. Chronicles of Napanee.....	June 12th, 1909
Vol. II. Early Education.....	Sept. 19th, 1910
Vol. III. The Casey Scrap Books (Part I).....	Nov. 15th, 1911
Vol. IV. The Casey Scrap Books (Part II).....	June 14th, 1912
Vol. V. The Bell and Laing School Papers.....	March 14th, 1914
Vol. VI. Pioneer Life on the Bay of Quinte, by W. S. Herrington, K.C.....	May 4th, 1915
Vols. VII and VIII. The Constitutional Debate in (Double Number). the Legislative Assembly of 1836, with Introduction by William Renwick Riddell, LL.D., F. R. Hist., etc.....	Nov. 7th, 1916
Vol. IX. The Canniff Collection.....	Oct. 30th, 1917

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## INTRODUCTION

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In the preparation of this volume I have had something more in view than to simply place on record the history of the newspapers of Lennox and Addington. By studying these papers, particularly the editorials and communications, we may get into closer touch with the thoughts and feelings of the people for whom and by whom the articles were written. It may appear that I have given undue prominence to *The Standard*. I feel that I am quite justified in devoting so much space to it, as it is the only paper which preserved its files and provided material for extended references. Moreover it was by far the strongest paper published in the county and for over thirty years it was a weekly visitor to hundreds of homes, and the uniform soundness of its editorials gained for it the respect and confidence of its readers.

In making my selections I have confined myself pretty well to the story of the separation of the County. I might, instead, have taken up the subject of the American War or Confederation, both of which were very ably and fully treated in its columns. Separation appeared to be the most suitable subject as it is a purely local and a very important one too, and the press, particularly *The Standard*, played a most conspicuous part in bringing it about.

W. S. HERRINGTON.



## THE NAPANEE BEE

Lennox and Addington did not boast a newspaper as early as many of the other counties of the province. That was due to the fact that Kingston was the county town and the press of that place was the first established in Upper Canada and appeared to serve the needs of the people of this part of the old County of Frontenac, Lennox and Addington. The first publication to enter the field was The Napanee Bee, which made its bow to the public on the 2nd of November, A.D. 1850. The editor and proprietor was the Rev. G. D. Greenleaf, who resigned the pulpit for the editorial chair, and in the rear of the press-room spent his spare hours in making and mending furniture. In his dual occupation he never quite abandoned his ministerial functions and frequently officiated in the Methodist pulpit on Sundays, and regularly padded his columns with lectures on temperance and never missed an opportunity to expose what he conceived to be the weaknesses of the other denominations.

The Bee was a five column sheet of four pages, which was occasionally enlarged to six columns when matter was plentiful and orders were not awaiting fulfilment in the cabinet making branch of the establishment. The editor found it necessary to apologize at times for reducing its size. This was generally due to the scarcity of paper, but on one occasion the explanation was as follows,—“One of our printers having taken French leave of us on Sabbath evening and taken sans ceremonie a watch belonging to another from our office, our being obliged in consequence to lose a day in catching and properly disposing of the thief and getting back the watch are the principal reasons of our being under the necessity of allowing our sheet to go out in its present appearance.”

With a prescience rarely encountered in a village sanctum the editor in commenting upon the recently enacted Fugitive Slave Law of the United States, writes in his issue of November 16th, 1850 :—“Between the Northern and Southern portions of the Union an implacable enmity seems to have taken root ; and bitter, indeed, will be the fruit thereof when it shall have been matured. Slavery is a dark stain on the escutcheon of the American people, a

stain which will only be removed, I fear, by the spilling of blood."

I fancy I can see a smile lighting up the fat countenance of the Reverend editor when he penned the following:—"The Bishop of Toronto has recently exercised his Episcopal authority in dismissing from his pastoral connection with the English Church in this province, the Rev. Daniel Murphy, a regularly ordained clergyman in the Church in which he is now degraded."

Then follows a copy of the Bishop's letter in which he reprimands the Rev. Mr. Murphy for "attending protracted meetings of dissenters and permitting your family to go to dissenting places of worship. Add to all this you appeared before me without any clerical habit not even bands and had only one confirmation in your extensive mission."

There evidently were other reasons for the action of his Lordship in arriving at the conclusion, as he did, that Mr. Murphy's continuance in the Diocese was not for the benefit of the church; but as these were the only ones mentioned in the Bishop's letter, Mr. Greenleaf eagerly seized upon them as the "only assignable reason for this exercise of his Lordship's displeasure".

The Bee adopted an attractive method of reminding its delinquent subscribers that payment of their accounts would be quite acceptable to the proprietor:—

"It does not with our views agree,  
To be forever dunning;  
But if you'll pay us for the Bee,  
You'll save us cost and running.

We've served you all, as best we could  
To literary honey,  
And now we want both flour and wood  
And wont refuse the money.

Our terms, you know, are—IN ADVANCE,  
Of this you've not been heedful,  
And now improve the present chance,  
And hand us in the needful."

It was on the subject of temperance that the Bee waxed most eloquent. Every copy devoted one or more columns to the question so dear to the heart of the editor. On one occasion The Whig took up the gauntlet for the tavern keepers and expressed the opinion that the taverns were so well managed that they were becoming as clean, tidy and comfortable as the far famed inns of New and Old England, and regretted that they were being so persecuted by the temperance organization. This exasperated the

reverend editor, who promptly came to the rescue of the temperance societies, and handled the Whig without gloves. "This is certainly a rich idea—an idea every way worthy of the cranium which conceived it, the pen which wrote it and the press which spread it before the world." In a masterly style he advanced the oft-repeated arguments against the traffic and reached the climax of his effort in the following:—"It is, however, indeed true, that the popular voice is beginning to be heard, and that the work of spoilation carried on by the vendors of strong drinks in the sale of those drinks is becoming more and more apparent to all persons of all classes, and that the general cry "down with the liquor traffic", is reverberating louder and yet louder still, throughout Canada; and throughout the world. Speed it on ye winds of Heaven! Ye mighty waves of the King of Waters! Ye snorting iron steeds, traversing vast continents! Ye earth confined lightning, transmitting knowledge with the speed of thought! Ye literary cohorts, engaged in the cause of truth and righteousness and who wield instruments mightier than the sword, the pen and the press. Speed on the shout "down with the liquor traffic", until that class of men, whose pieces of silver are many of them often, very often, the price of blood, are compelled to abandon a business which produced and yet produces nine-tenths of the pauperism and crime throughout the country."

In concluding his three column effusion he took one parting shot at his co-temporary who had dared to say a word in extenuation of the business of the tavern keeper. "The Whig may trumpet forth his honorable alliance and make dolorous lament over the imaginary wrongs of his persecuted constituents—he may extol his own virtues and dilate upon the praiseworthy efforts of his compeers in the cause of intemperance; but let him beware how he charges upon teetotalers the possession of those motives and passions which more than one fact evince to be rankling in his own bosom." The granting of licenses rested with the township councils and for many years the Sons of Temperance were a factor to be reckoned with at election time. The following communication from a correspondent in the Township of Ernesttown upon the question of tavern licenses is enlightening:—"Mr. Editor,—For the edification of your numerous readers, I lay down to you a short sketch of the proceedings of our learned council on the question of licensing the sale of intoxicating drinks. You will remember that there were twelve licenses granted last year; for which the council, the majority of which were Sons, were roundly taken to task by the advocates of the good order, but one of the Sons

being ousted by the advocates of the good old rum system, who says that the greatest enjoyment he has, is to take a glass with an old friend when he is out, very little could be expected from that quarter; but light has been advancing during the year and the opposers of the license were sanguine in their expectations."

"Mr. Day thought they ought to give licenses to all who could pay for them."

"Mr. Warner moved, seconded by Mr. Booth, that the number should not exceed eight."

"Mr. Perry moved, seconded by Mr. Davy, that the number should not exceed eleven."

"The lesser number was carried by the casting vote of the Reeve."

"On the question how much each applicant should pay for a license, Mr. Perry wished to lessen the amount because he did not like to derive a revenue from such a source. Mr. Booth would increase the amount because he thought men ought to pay well for the harm they did in this community."

"On the question whether moral character should be required of the applicants, Mr. Perry thought it would be wrong to employ moral men in such an immoral business. The question was carried in the affirmative by the casting vote of the reeve."

"There are many persons who have heard Mr. McLean declare that he would rather have his right arm cut off than to vote for licenses; but we saw him last Monday deliberately vote for eight." "But he was reeve and could not help it," says somebody. "Who made him reeve? Verily his unenviable position is voluntary. It has been said that every man has his price; but the honor of being reeve of a township is a small price. I have nothing more to say, your readers will make their own comments. You will see I am not in the habit of writing, but I can chop or thresh with any fellow in these diggings."

"Yours respectfully,

JOSH JUMPER."

"Ernesttown, 17th Feb., 1852."

The early newspapers were not afraid to discuss all public questions and if in so doing it became necessary to criticize the conduct of some one in office the editor unhesitatingly did so. Correspondents were encouraged by his example, and the result was the free and open ventilation of all public grievances through the columns of the local press. An excellent illustration of this wholesome practice is shewn in respect to the letter of Josh Jumper.

He opened up the question of the excessive number of licenses and scored Reeve McLean, a Son of Temperance, for voting for eight tavern licenses in the Township of Ernesttown. In the very next issue of the Bee another correspondent comes to the rescue of the Reeve, in an able communication so forceful and well written that I do not hesitate to reproduce it in full :—

“Sir,—In the last number of your excellent little journal there is published a communication from some person who evidently intends to injure the recently elected Reeve of the township of Ernesttown. Now, much as I am opposed to the licensing of taverns—those places of infamy—I cannot join in trying to injure Mr. McLean for his vote at the time mentioned. Surely, friend “Josh Jumper”, keen and sprightly as he may appear to be from the name he bears, must be an excessively dull and stupid fellow, if he cannot perceive that, although the reeve did vote for the licensing of eight taverns, yet he did not at all go contrary to his formerly avowed principles ; for, the question was not whether there should be eight taverns or none at all, but whether eight or eleven ; and he, as every conscientious public man should do, voted the smallest possible number. And, it is an act of great injustice, on the part of the writer of this communication, so to misrepresent the thing as to leave an entirely wrong impression on the minds of your readers—as there is no doubt but what it actually is the desire of the Reeve to have Ernesttown free from all grog holes.”

“Now, supposing that he, instead of using his influence in the manner he did, had given the casting vote against the party that is now triumphant, what may I ask would have been the consequence ? Why, instead of having only eight of those grog holes, there would have been three more added to this number, to assist in the cause of drunkenness, which is already a deadly curse to the township.”

“There is no doubt but that Josh’s assertion that “he can chop or thresh with any fellow in the diggings”, is perfectly correct, but surely he would have done far better to have remained at the business for which nature seems to have designed him, than to have exhausted his time and energies in trying to injure the characters of certain men, unless he can find some better reasons for doing so than the one given in his last communication.”

“Far better would it be for him and such men to remain quietly chopping on their log heaps or threshing on their barn floors than to run their heads against something for which nature had never designed them, for although he may make fearful havoc in chopping a bass-

wood tree, "he's no great shakes" when it comes to cutting and slashing at an opponent through the columns of a newspaper—I do not at all attempt to defend the other part of the council for their proceedings on the question, and although I am of the opinion that they might have done more towards lessening the number of tipping houses that are already in existence—yet I had never expected that they would be abolished entirely during the short space of one year."

"Yours respectfully,

ERNEST TOWN."

"March 3rd, 1855."

The effect of Josh's letter did not end with the ventilation of the license question in the township of Ernesttown. Richmond, including the Village of Napanee, had no less than thirteen taverns, and one "E. S.", moved by the correspondence from Ernesttown, came forward with an epistle, in the same issue of the Bee, which gives us an insight into the game of municipal politics as it was played sixty-six years ago.

"Sir,—In the Bee of the 27th of Feb. I observe a communication signed "Josh Jumper", which gives the proceedings of the Ernesttown Council, with respect to the licensing public houses. He complains most of the Reeve, for giving the casting vote for eight tavern licenses for that township. I do not know what the number of inhabitants is in the township of Ernesttown, but I should think it is one-third more than the township of Richmond, at least, and yet Richmond is to be cursed with 12. What will "Josh" think of this? Can he complain? Richmond has on the assessment roll about five hundred & fifty freeholders and householders. If this be correct it will give two taverns and a fraction over for every hundred on the assessment roll. Perhaps, Mr. Editor, before going any further it will be proper to look back a year or two. In the year 1850 there were licensed in the township of Richmond 13 taverns. Well sir, the Sons and other true hearted temperance men thought this too many; and were determined to lessen the number. To accomplish this, at the town meeting of 51, there were three pledged temperance men and two Sons proposed for councillors and two Sons and one temperance man for inspectors. The Election was lost, it is true; but with it was lost three taverns."

"The council elected in 51, said Richmond should have only ten taverns. In this they kept their word. It was all we had. The townmeeting of 52 came on and two of the council were candidates again. One of these and the



second who addressed the electors in the course of his address said, "as regards the taverns, we last year reduced the number 13 to ten and I think these will have a further reduction."

"The next speaker endorsed the sentiments and said he thought ten too many; and that the number ought to be reduced. After him, came on, a thorough going temperance man as was supposed, but he did not allude to the question at all. It was supposed that, as he was a temperance man, he would go for reducing the number of licensed taverns. But, how vain our wishes and our hopes! The very first by-law passed, by the new council revealed to the sober part of the community how greatly they were deceived. The very first clause of by-law 34 modestly reads "that the whole number of taverns to be licensed to sell wines and spirituous and fermented liquors for the year commencing the first of March, 1852 and ending the last of February, 1853 shall not exceed twelve in the township of Richmond."

"I need only refer to this very by-law to prove deception in order to secure their election."

"But sir, I hope he will listen to by-law 34 of the Richmond code which orders the inspectors to report to the council on the 24th of Feb. the number of applicants they may find qualified, according to by-law No. 33. They did report eight all that they thought qualified. But what does our learned council do? They do not think it enough, some friends are left out and they must have licenses. But they are not prepared, according to by-law No. 33 and the inspectors will not report them qualified. What must be done? This is reduction in the wrong quarter. Tell it not in Gath, speak it not in Akelon that by-law 34 of the township of Richmond is suspended until the 28th of Feb., in order to allow certain parties time to prepare for the inspectors and they are ordered to go and again examine the premises of those they could not report before. One applicant must have yards put in one place, another rent stables away from his house; a third, must repair sheds and I suppose, if necessary borrow some beds and furniture. By the 28th all is ready. The inspectors sally forth, the premises are re-examined and reported as qualified, according to by-law 33, they obtain licenses and so come up to the number specified in said by-law—twelve. And, yet, our council go tooth and nail for reduction. But, sir, if this be reduction, I do most sincerely hope we shall have no such reduction in our taxes."

"I may refer again to this question, at some future time and try to fix the responsibility of the increase of taverns on the right parties, and answer one or two

reasons advanced for this increase. I shall close by requesting your readers to consider this matter and 'Josh Jumper' in particular not to take umbrage at the use of his name. I only show him that he ought not to complain of eight taverns when he has three villages and we only one."

"Yours E. S."

The Bee like most of the early newspapers encouraged the rhymster and under the heading "poetry" appeared many contributions, all of them bad, but some much worse than others. Why editors give space to such matter the writer has often wondered for it is a species of offence not confined to the early newspapers. Is the editor afraid of offending the contributor by refusing to publish the silly rhymes that so frequently appear in his columns? If so, it might be well, before accepting the copy, to consider the offence he gives his readers by publishing such stuff. The editor of the Bee was partial to rhyme, especially so, if it dealt with the temperance question. I will inflict only one sample upon the reader. A certain Mr. Clark had the distinction of keeping a temperance hotel at Mill Creek (Odessa). The following lines were alleged to have been left at the house by an admiring guest as "a token of respect" to the landlord:—

Long in mem'ry will I cherish  
This bright spot amid the gloom  
Gath'ring round, while thousands perish  
Mid its dark and fearful gloom!  
Here, I do not find its trace;  
Here, the curse hath not a place.

While the darkness yet is o'er us,  
Faith is firm and hope is bright;  
There's a better day before us;  
There's an end to this dark night;  
We may doubt—we may fear—  
Yet, a Resurrection's near.

Hasten then, its glorious breaking,  
Sever Rum's soulcankering chain,  
Rise, the millions now are waking,  
Dawns Earth, a primal morn again,  
May this gloom forsake our skies  
"Star of Temperance" arise.

But, adieu, the years I number,  
Will be bright with mem'ries here;  
Though in distant lands I slumber,

God will bring your triumph near ;  
Firmly then with faith and might  
Battle on for human right !

Good night, Good night,  
For I must away by the morning light.

The Bee was doomed to be short lived. The editor scolded and coaxed but the subscriptions remained unpaid and there was a falling off in the advertising matter except the patent medicines. He did not seem to realize that the chief end of a newspaper is to provide news for its readers. His advocacy of the temperance cause was quite proper, but the space devoted to it was out of all proportion to that given over to other reading matter. In vain he appealed to the temperance lodges to make the Bee their mouth-piece and thus hasten the coming of prohibition. A newspaper man needs to be broad minded ; but we can find no trace of this characteristic in the editor of Napanee's first newspaper. Shortly before the demise of the Bee, a Mr. Youmans, who had for some time been tutoring the young Mohawks up on the Tyendinaga Reserve, was giving a series of concerts, consisting of "comic, sentimental and moral songs ; dialogues, addresses, &c.", just the class of program we find in our Sunday Schools to-day. While accepting the advertisement Mr. Greenleaf felt it his duty to discourage this form of entertainment as likely to have an injurious effect upon the performers. In the same issue in which the advertisement appeared he commented editorially, "The Indian children, under Mr. Youmans, are decidedly active, they are bright specimens from Nature's quarry and susceptible of receiving a high and useful polish. Hence our fears. That friction which they are now having with a professedly civilized and Christian people cannot, we fear, result in any lasting good, either to themselves or those who hear them and see their theatrical exhibitions. Comic songs and grotesque illustrations contrast strangely with those of a sentimental and moral character, when mingled therewith. Those whose motto is :—'while we live let us live', may see nothing wrong in comic songs or comic exhibitions ; but with those whose motto is, 'in the midst of life we are in death', a distinction between that which exalts and that which debases man is ever discernable in the commonest occurrences of life."

This is a fair sample of his puritanical views, and yet he saw nothing ridiculous in his narrow mindedness and wondered why his paper was not popular. The wonder is that it prolonged its life as long as it did. The Bee ceased to buzz before it had completed its second volume.

## THE EMPORIUM

Not content with his experience with the Bee, Mr. Greenleaf concluded to make another trial at the newspaper business. He chose a more pretentious name, "The Emporium", for his new venture and took in a new partner, Mr. C. Lowry; but neither the new name nor the new partner could overcome the prejudice against the editor's methods. He could not understand why the general public should not take as deep an interest in the temperance movement as he did and was annoyed to find that even the enthusiastic temperance advocates were not satisfied to accept dissertations upon temperance instead of news. The Emporium made its first appearance a few weeks after the Bee had suspended publication, but it was doomed to meet the same fate, and after a few issues, it also was discontinued. The editor quite disgusted with the poor taste of the citizens of Napanee and the surrounding country made no further efforts to reclaim them from the slough, ignorance and depravity in which, in his opinion, they had fallen in spite of his fatherly advice and good example.

## THE INDEX

Newburgh was not to be outdone by Napanee in the newspaper line. In the month of January, 1853, there issued from the back shop of a drug store in the ambitious village the first number of the Index. It changed hands several times and continued to make its weekly appearance for nearly ten years. From a perusal of the few copies I have been able to unearth the wonder is that it lived as long as it did. In the first place one is struck with the utter absence of local news. This department is overdone in the local press of to-day which seriously chronicles the fact that Mrs. Jones called upon Mrs. Smith on Sunday afternoon, as though such an event could possibly be of public interest. The Index went to the other extreme and gave absolutely no information concerning the happenings in the village or any part of the county. The editorials were rare, and in vain have I searched for one worth reproducing. What did it contain? Methinks I hear the reader ask. In the first place there was the inevitable poem, at least, it was published under the heading "Poetry". Some of these were copied from other publications; but many of them were composed for the Index. A bard from Colebrook writing over the name "Experior", was a frequent contributor. In one of his lighter veins he inflicted a dozen stanzas upon the readers of the Index in the issue of May 2nd, 1855. The first three will serve our purpose as samples:—

'Tis obvious it would not do  
 If mankind had no whiskers,  
 For there's the fop and dandy, too,  
 They could not then exist, sir.

Moreover in this hairy age,  
 When shaving is a crime, sir,  
 There's many a serious minded sage,  
 Is not behind the time, sir.

He wears whiskers 'cause they're warm,  
 The dandy wears moustaches,  
 Because they dignify his form  
 And beautify his dashes.

The following, incredible as it may appear, is from the same pen :—

Beyond death's cold and chilling flood  
 There is a heavenly land of rest,  
 Where followers of the living God  
 Repose upon their Saviour's breast,  
 No waves of trouble ever roll  
 O'er the serene and peaceful shore,  
 And those who reach this heavenly goal  
 Rejoice to sigh and weep no more.

After the never failing poem came the serial, short stories and boiler plate anecdotes that still prevail in most of our local papers, and which under no conditions could be treated as news. The second page was given over to extracts from other papers, editorials, if any, and correspondence. The third page was devoted almost exclusively to advertisements. In this respect the Index showed considerable enterprise, as twelve columns out of the twenty-eight were advertising matter, many of them from business houses across the border. The scissors were freely used in securing material for such portions of the last page as were not filled with patent medicine advertisements, and the man wielding them does not appear to have been governed by any general rule in making his clippings. Anything and everything to fill up the space—poetry, sermons, parliamentary proceedings, it mattered not.

Thus, week after week, the same program was pursued and long suffering subscribers endured it nearly ten years. The editor occasionally woke up to snap back at the Standard or Reformer for poking fun at "Rogues Hollow", as Newburgh was called sixty years ago.

## THE NAPANEE STANDARD

The Napanee Standard was founded in 1854 by a number of citizens of Napanee prominent among whom were Allan MacPherson, Robert Esson, B. C. Davy and Alexander Campbell. They all took a deep interest in the village and felt it should have a newspaper of its own. It was the first newspaper worthy of the name published in the county, and from the beginning it took its place among the best papers of the day. The editor took his stand upon public questions and, while it was at first recognized as a Conservative organ, he did not hesitate to withhold its support, when it was to the interest of the community to do so. This was very clearly manifested in the general election of 1863 when Augustus Hooper and Sir Richard Cartwright were the respective candidates. For many years one absorbing local issue in Napanee had been the separation of the Counties of Lennox and Addington from the United Counties of Frontenac, Lennox and Addington. Because Hooper had in 1860, while Warden of the United Counties, used his influence against the movement, the Standard, at a time when he was sorely in need of its support, chose to withhold it. For years it fought all comers who opposed separation. Many obstacles had to be overcome and powerful influences had to be met. Arrayed against the proposal were such stalwarts as John A. Macdonald, Henry Smith and Benjamin Seymour, and of course the united influence of the City of Kingston and the County of Frontenac. The Governor-in-Council had power by proclamation to effect a separation, if he deemed the circumstances such as to call for a separate establishment of courts and other County institutions; but only after a majority of the Reeves and Deputy Reeves of the junior County had in the month of February for two successive years passed a resolution affirming the expediency of separation and in the month of February of the following year did transmit to the Governor a petition asking that separation be granted. Before its final consummation the battle was waged for ten years. Resolutions were passed and petitions were presented; but the opponents of separation always found some means of thwarting the will of the people. In 1860 the Standard entered the arena with a determination to see that justice was done to Lennox and Addington. The following extracts from the editorials illustrate the ability displayed in that contest.

The issue of March 29th, 1860, contained the following: "The separation of the Counties of Lennox and Addington from the County of Frontenac has been the subject of much discussion within these Counties for some time past; and

as the subject is of not less importance to us, as a community now, than when it was first introduced for debate, we assume the responsibility of referring to it again."

"It is no great secret in these parts that a petition is now safely before the House of Assembly, signed by a majority of the Municipalities of Lennox and Addington, praying that the separation in question be granted; and, which is in agreement with the expressed wishes of about two thousand of the inhabitants of the Counties of Lennox and Addington and furnished, as evidence of the prevailing desire of the people for the separation, to the House of Assembly two years ago, and it would be an insult to the common sense of the thinking portion of the Counties, to say that their views have since changed, notwithstanding the vacillation of any aspiring gentleman, or the tenacity for petty office honors of any, whose independence cannot rise above the love of a municipal election.

"The objections that have been urged against separation have been of the most flimsy nature, characteristic of pure selfishness from its beginning and running through all subsequent discussion, a principle most destructive to all future progressiveness, in any branch of local or public enterprise. It is a sad day for the weal of the public, that so little independence of mind is obtained among public men, even from the lowest municipal office to the legislature of the country, that sacrifice of local and public interests are made, in order to the accumulation of political capital. Because one man aspires after Legislature distinction; and another after the petty office of municipal councillor, interests of thousands must be sacrificed. This surely is a feature in our political economy not very complimentary to the intelligence and moral integrity of the nineteenth century."

"The stratagems of political jobbers have become so notorious that the public eye is becoming brightened, so as the more efficiently to watch the manoeuvres of those, by whose hands are played the game of political trickery; and let not him, whose cunning may be thought to screen him from being detected in his complicity, dream that the day of retribution will never come; for, as sure as every effect has its cause, so sure, will 'one's sins find him out' though the day of revelation may be somewhat tardy in its approaches; and then will he smart for his duplicity."

"The double game, which is generally supposed, by parties who watched the progress of Legislature on the separation bill, when in a recent session it passed through the Lower House, only to be rejected by the Lords of the Upper House, is not yet effaced from their memories and a no less vigilance will mark the same parties, during the

present session ; however, we trust to witness an honest and successful disposition of this increasingly vexatious question."

"It is patent to every one that has taken the pains to ascertain the good sense of the community affected therein, that a large majority of the inhabitants of the Counties of Lennox and Addington, are ripe for the separation and are only hindered in effecting their scheme, by the predominant selfishness of a faction, who, up to the present, have possessed strategy sufficient to thwart the purposes and designs of the majority ; thus retarding the progress of justice and inflicting serious injury upon others, who from some technicality of prescribed form, have been rendered powerless to obtain their rights."

"What was it but the selfishness of a local faction, in and about the obscure village of Newburgh, that prompted their hostility against a joint separation with the County of Lennox, while they used every plea for a separate disunion from both the Counties of Frontenac and Lennox ? A more manifest injustice against a sister county could not easily have been projected. And what could have been the outside influence brought against the bill in the Upper House, but the political presence of certain members connected with the representation of Frontenac and the city of Kingston ; to say nothing of the moiety of the back water current, occasioned by the dread of accumulated taxes upon a few acres of land within the Counties owned by the Hon. Mr. Seymour, whose obtuseness prevented the vision of increased valuation to real estate, far eclipsing the consideration of increased taxation ?"

"Thus far we have merely been giving ventilation to the opposing influences ; shewing the predominant and only motive for opposition is selfishness, we now turn our attention to consider some of the arguments in favor of separation and demanding it."

"If we are not in error there is no county or union of counties that has an equal extent of territory with our United Counties. The Counties of Frontenac, Lennox and Addington embrace an area of 1,335,640 acres of land, of which 1200324 acres were returned as assessed in 1859. And in the separation Frontenac, in this respect, cannot complain, for she will still have 858940 acres as forming her County, nearly double the amount of Lennox and Addington together. We argue then, the necessity of a separation from the oversize of the United Counties, necessarily causing many miles distance from the County Town to a large portion of the inhabitants and especially as the County Town is not centrally located, being at one side, namely, in the County of Frontenac, probably about



sixty miles distant from the remotest municipality. To bring parties interested in the County Courts and Assizes from so great a distance six times a year and probably an average loss of time each occasion of two weeks, and those interested in the County Councils as many times more, is a consequence of very serious moment, involving sacrifice of time, means and comfort, which is oppressively felt and complained against; yet, hitherto, without any relief. The grievance complained of, in this respect is rendered doubly grievous in the fact that the greater portion of the time thus consumed is occupied by the business of the County Town, incurring serious sacrifices upon those who are not in any way connected therewith. And again, a very disproportional amount of the current County expenses, is borne by the County of Frontenac and the City of Kingston and especially in view of the incontrovertible fact that the larger amount of the expenses is incurred by that portion of the County contiguous to the County Town and which has to be paid in a disproportionate ratio by the inhabitants of the Counties of Lennox and Addington, a fact which renders separation imperative in order that Lennox and Addington may be relieved from oppressiveness so cruel and burdensome."

"In the name of common sense, we ask, where is the justice in compelling the inhabitants of Lennox and Addington, who probably are not interested in over one-fifth of the business of the whole County, to be taxed with three-fifths of the county expenses? In the face of truths like these, and facts are stubborn things, how can any enlightened Legislative body deny to Lennox and Addington a separation?"

"It is, indeed, very fine for the people of the city of Kingston and the County of Frontenac, to have the establishment of a County Town perpetuated among them at the expense of Lennox and Addington Counties that have but little participation in their operations, only as they are called upon to hand over their means to give respectability to those who blush not in perpetuating this grievous burden."

"From this state of things as they exist, it is now readily understood how selfishness is chargeable against all opposers of this movement."

"If the Hon's. John A. Macdonald, A. Campbell and Henry Smith be found opposing our scheme, it is enough to say that each of them hails from the city of Kingston and are the representatives of that city and contiguous country."

"If any portion of Addington be found in the opposition, it is enough to say that the rising town of Napanee

threatens rivalry with their obscure Newburgh, in aspiration for County Town. And let it not be forgotten, so as to put our sister Addington in a fair light, before the Legislature and the public, in order that the motive of any opposition may appear undisguised, that Addington, even Addington, the amiable Addington took the initiatory, in her three annual Municipal votes for a separation both from the Counties of Frontenac and Lennox, she being the intervening county and put in her application before the Governor General for said separation, which was very wisely refused by His Excellency; and now as a political job, she desires to take back her separation application, until a more favorable time turns up for the honor of having the County Town."

"We say, and have said all along, give us the separation, and let the location of the County Town be an after consideration and submitted to the decision of the reeves."

"In conclusion, we may remark, that our chief hope is in the independence and indomitable perseverance of our faithful and independent member, Mr. Roblin, whose powerful influence has been so much felt in support of men and measures, which have received the approbation of our enlightened county."

"We trust that Mr. Roblin will shew no less zeal and force, in pushing this measure through its various stages of legislation until the sanction of the Governor-General proclaims it law. We think that Mr. Roblin has undeniable claims upon the Ministry, who have received so much of his able support for a return of Legislative influence, which is not only due to Mr. Roblin, but demanded by the oppressed yeomanry of Lennox and Addington. Parliament was never convoked for merely local and personal aggrandizement; but for the general welfare of the people interested in Legislative enactment. Hence upon public grounds, the rights of the people, we claim the passage of the Bill."

Thus did the Standard long before separation was effected state its case and, for upwards of three years, in season and out of season, it kept the question prominently before the public, met all arguments advanced against its position and no matter what the political effect was, no matter what friends or enemies were made, it never swerved from the terms of that manly editorial. Such a clear and convincing statement of the case for separation could not fail to attract the attention of those opposed to the movement, and the Whig was the first to comment upon it. To answer the arguments of the Standard it could not. The only course open to it was to challenge the statement of facts, which it did by alleging that the

United Council had petitioned against separation and that all the reeves and deputy-reeves of Addington and one reeve of Lennox had joined in a similar petition. To facilitate the movement Mr. David Roblin, the member of the Legislative Assembly for Lennox and Addington, had prepared a special Bill and brought it before the House. After the Bill had been introduced it is quite true that its opponents had succeeded in securing such petitions against it, but the Whig was in error when it stated that all the reeves and deputy-reeves of Addington had joined in the counter petition. These petitions, however, in no way wiped out the arguments for separation and in the next issue of the Standard the attempt of the Whig to evade the real issue was disposed of as follows:—

“The whole machinery at work effecting the sham movements among the Addingtonians is apparent to the most superficial observer. The vain expectancy of political influence affecting the future locality of the County Town is developing a duplicity which for the credit of Addington we lament. It is as patent as that two and two make four, that the majority of Addington is ripe for separation and the only obstacle in the way of their co-operation, officially, with Lennox is the County Town question. Indeed, it is very difficult to please those locality servers, and when the just principle of settling the point at issue, is so liberally proposed in the Bill now before Parliament one would hardly have thought that it could have been rejected; yet, so it is for they are unwilling even to let the people decide where the most eligible location is. The faction whose manoeuvres have given existence to the petition in question, would not, apparently be satisfied unless the Bill provides that the aspiring village of Newburgh be made the County Town, although a large majority of the inhabitants of Lennox and Addington might say otherwise. As far as our judgment is concerned in the matter, it is very doubtful what locality the voice of the people would say shall be the honored one, and in it, Lennox runs as much risk as does Addington; yet we are willing to leave the matter in the hands of the people, because the principle is fair and just, and we are sorry to say that the same generous, open, liberal and unselfish feelings do not characterize the Addington local faction. We will take a step farther in the scale of anti-selfishness and say that the interests of Lennox and Addington, as a separate county, are so paramount that we would advocate the separation, though the Bill provided that even Newburgh should be the County Town. We ask, will Addington evince such liberality? The faction say No! We will not even leave it to the people whose interests

ought to be considered in the settlement."

"We trust that our legislators will take an enlarged view of the matter and not permit the subterfuge of a few interested jobbers to bias them to the favoritism of any party. We ask, in this matter, for no private local favors. All that we ask is that justice be done to Lennox and Addington, an aggrieved and burdened portion of the United Counties as they now exist, with the County Town at one corner of the Counties, the expenses of which establishment are so disproportionately borne by Lennox and Addington without any adequate benefit arising therefrom."

"And touching the composition of the petition itself, it need scarcely be repeated that they do not represent the feelings of the people on this question, but that it is got up for a party purpose. The petition itself can have very little, if any, weight with the members of Parliament excepting with a few who are personally interested in the matter, as a neutralizing element had preceded it in the petition of a majority of the municipalities of the Counties of Lennox and Addington, praying for the separation, which petition, unquestionably, represents the sentiments of the people and whose voice doubtless will be heard."

The Standard also accused the editor of the Whig of stating an untruth when he said in his editorial "All the reeves and deputy reeves of Addington, together with one of the few reeves of Lennox united in a separate petition." This was an incorrect statement and admitted by the Whig to be so; but it claimed that it had corrected the error by publishing the proceedings of the council in its next issue. This could hardly be treated as a correction of a statement of fact in the editorial in question and the Standard stood by its gun and insisted upon it that the editor had not only stated what was not true, but was guilty of another similar offence by claiming that he had corrected his error. This was too much for the Whig. Under the heading "A One-horse Newspaper", he administered what he evidently believed to be a very severe castigation to the editor of the Standard and seemed quite pleased with the manner in which he had done it. The editor of the Standard took full advantage of his opponent's display of bad taste and an unruly temper in the following clever editorial.

"As we have a few moments to spare, perhaps we cannot employ them to the amusement of our readers better than in the way of acknowledging the courtesy of the venerable \*Doctor of the Whig."

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\* The Editor of the Whig at this time was Dr. Edward John Barker, grandfather of his successor, the late Mr. E. J. B. Pense.

“And since the splenetic Doctor has shown such symptoms of feverish excitement, threatening a derangement of the cerebrum, which may be alarming to his friends, we will proceed cautiously to the analysis of the causes of this temporary aberration and offer these prescriptions and suggestions which we hope may lead to his speedy convalescence.”

“In the first place, the venerable Doctor, in the manifestation of the over zeal for the local interests of the city of Kingston touching the County separation question, allowed himself to falsify the doings of the County Council in the premises by stating that all the reeves and deputy-reeves of Addington had petitioned against the separation.”

“In our issue of the 5th instant we directed the attention of the Whig to his incorrect statement, which, of course, was calculated to damage the separation interests and intimated the probability of the Doctor’s correcting it, for we were jealous for our own side of the question, and desirous that the truth should appear so that no false capital might thus be formed against us. Instead of correcting the error as ought to have been expected, the Doctor betrayed a haughtiness peculiar to the profession of quackery and denouncing us as impertinent, demanded to know wherein the falsified statement existed. In our next issue following, we quoted the objectionable paragraph, and asked the amiable Whig to correct it, and in reply we have the Doctor ‘busted up’—the richest feature in the whole—a complete coup de grace—a diminishing stroke. Here it is, just as it came hissing and spitting and sissing and boiling from the over-heated cranium of the splenetic Doctor.”

“A ONE-HORSE NEWSPAPER.—Nothing is more vexing to a journalist than to be annoyed by the rudeness of the one-horse press. These creatures of paste and scissors know they can be impertinent with impunity, trusting to their utter insignificance. On the day the County Council adjourned, believing that all the Reeves and Deputy-Reeves of Addington had signed the petition against separation, it was so stated by us; whereas in fact, all but one had signed it. The next day this error was corrected by the publication of the proceedings of the Council, taken from the minutes. This error, a miserable seven by nine sheet, published at Napanee, has seized hold of and with an impertinent rudeness, natural in its condition, reiterates the cry of ‘false’, ‘falsehood’, ‘false statement’, etc. There is but one way to get rid of such annoyances.”

“This perfect gem of literary taste and exquisite decorum, demands a little attention at our hands.”

“We, all along, maintained our good nature with the Doctor and when this last precious exhibition came to hand, our risible propensities had a good opportunity of

development. Throughout we endeavored to maintain a proper respect for the age and position of our venerable co-temporary—The Father of the Press; but if we have now lowered a degree or two in scale of editorial etiquette, the Doctor, himself, must be held responsible; for when we have stuffed haughtiness to deal with—a real six-horse power—we must square our action accordingly, lest the Doctor be wanting in appreciation of our 'One Horse Seven-by-nine' "

"The propensity of the Whig for fibbing and sticking to it, is unmistakably developed throughout the entire melee and, in this his last precious demolisher, he clings tenaciously to it, showing how closely it is allied with his moral constitution."

"He now states that all the Reeves and deputy-Reeves of Addington, but one, had signed the petition to which so much notoriety is given. This is not the case if Mr. Wm. H. Gordanier belongs to that body of officials; and why could not the Doctor own the corn at once, after he found himself exposed, and not wait for further ventilation of his fibbing tendencies. Again, to make some covering to his retreat and to hide his moral delinquencies, he states that on the next day the error was corrected, and, until he shall show up to the letter that such was the case, we shall hold him responsible for fib No. 2 in the matter. Alas, poor Doctor, thy hoary head is coming down dishonored, and be sure that thy sins will find thee out."

"Now, as to the Doctor's characteristic compliments to ourselves and paper, we cannot but smile it off as quite a good attempt in its way, but rather an unfortunate opening to his whereabouts and associated contingencies. We shall let the good sense of a respectable and increasing list of intelligent subscribers to the Standard bear its own testimony of appreciation of the 'One Horse Seven-by-nine.' This is our thirteenth number, and without effort, we have about 150 new subscribers, principally volunteers, and the over-abundant original matter refutes the slander of 'paste and scissors', an insinuation, the responsibility of which no paper in the Province, of which we have knowledge, is less prepared to assume than is the veritable Whig itself, a starved abortion in the newspaper circle of Canada; living upon the quack advertisements with which the country is so abundantly flooded. The egregious gorman-dizer of the Whig, in order to cater for the Whig family, sallies out on his annual puffing walks, thus eliciting the sympathies of those by whose compassion it is permitted to subsist, and when his local perambulations are over we hear of his country strides, and village puffing, and all, to secure the same desirable object; and it may be, aught we know.

the railway and steamboat companies are bored out of dead-head passes, so as to give greater velocity to the Doctor's flight for pottage. Now, Dear Whig, take from the entire amount of the real originals gracing your columns these sketches of walks, trips, puffs, together with the book and exchange notices and what have you left to feast your readers upon, besides 'paste and scissors' and quack advertisements? Well, Doctor, this appears really too bad, you have a little more, we think, than you bargained for, but no one is to blame but yourself. Learn to be civil in your old days and assume not the haughtiness of the frog who never became an ox because of his failing to discover the philosophy of expansion."

"We fear the Doctor may have been driven to this frenzy, in view of the said consequences to his voracious stomach, in the event of Lennox and Addington's separation, seeing, in it, a probable diminution of provender; which reminds us of an anecdote we lately heard of a California adventurer, who upon turning up an unfortunate card, found himself embedded in the diggings, with his craving stomach now and anon, giving notice of being five meals behind hand."

"At a prospect like this, the Doctor, doubtless, would shudder; hence his demolisher at our heads. We take our leave, for the present of our friend, by remarking that we have much less consideration shown to us by him than even the Pope showed to his intractable son, Emanuel, to whom he gave some notification, before his final excommunication; for the Doctor's blow was nearly before the word. He closes by saying 'there is but one way to get rid of such annoyances' and that way seeming more practicable than any other, was our excommunication, which was as promptly done as said, for we are cut off from the usual exchange."

"We have hopes of surviving this calamity and the Doctor, probably, may have an opportunity of testing his remedy."

In this verbal altercation one does not need to seek far to learn which contestant got the better of the exchange of compliments. As usual, the man who loses his temper, loses also the respect of his readers, and leaves himself open to the jibes of his opponent. The Standard took full advantage of the opportunity and gave a further illustration in the same issue of his coolness and good sense when confronted with a reverse. After he had penned his reply to the Whig's ill-timed comments, word was received that the Roblin Bill was defeated. He met the unwelcome news with this brief editorial:—

"SEPARATION LOST."

"We give it up. When the powers that be, say No, we must succumb, until we gather strength to renew our suit."

"The News can afford to be jubilant in the turn the Bill has taken and we shall still maintain our good nature and jog along as if all were right, looking forward to a future day when enlarged views will obtain and personal aggrandizement will give place to general interests."

In the next issue appeared an extract from an article contributed to the Spectator by its Quebec correspondent, which tells the story of the fight put up for the county by its member Mr. David Roblin. "I found the committee in question (Private Bills) hard at work and Mr. Roblin on one side of the chairman and the Hon. J. A. Macdonald and the Speaker on the other. They were quarreling with a vengeance and this is the occasion of the strife." He then briefly outlines the issue and continues: "Mr. Roblin, the member for Lennox and Addington, has this year brought in, for the third time, a bill to this effect which is of course strongly opposed by all the influence Kingston can bear through Mr. Macdonald the member for the city, Mr. Speaker Smith member for Frontenac, and Mr. Campbell member for Cataraqui division. In the committee therefore these three set upon poor Roblin, who fought, I must say, manfully and brought in one or two members to his aid. But the legal and tactical skill of his opponents was too much for him and although what the preamble of the Bill states 'a majority of the Councillors of the United Counties have petitioned for joint separation' is unquestionably the fact, the majority of the committee was brought to disbelieve its own senses and reported 'preamble not proved'. Mr. Roblin is raging mad and intends to move to-morrow, that the committee be instructed to report the evidence on which they came to their conclusion."

The Whig came to the rescue of its member and his associates who had strangled the Roblin Bill in the committee:—

"The correspondent of the Spectator does not tell all the truth, he omits the fact that Addington does not now want separation, though it did two years ago; that all the Reeves and Deputy-Reeves of Lennox and Addington, save one, petitioned against separation; and that owing to the large settlement in rear of the Counties, the separation when it does take place, must be North and South not East and West. 'A little knowledge is a dangerous thing.'"

The venerable editor of the Whig was somewhat slow in



learning his lesson and the Standard was quick in bringing him again to task as it did in the following snappy editorial.

"The incorrigible Whig is at it again. Surely, 'a little dishonesty is a dangerous thing'. When one undertakes to correct another he should be careful that he is correct himself. But the fibbing propensity is so effectually developed in the venerable Doctor, that the kind reader must make some allowance for the shortness of his memory, as continued habit assumes the form of a necessity; such is the danger of a little dishonesty."

"Instead of the Doctor's improving upon the castigation lately given him by us, he has gone farther and farther astray; and in hopes, though faint, that he may be awakened to see his folly before he goes hence, we beg to remind him that he is grossly at fault in stating that 'all the Reeves and Deputy-Reeves of Lennox and Addington, save one, petitioned against separation'. A man that has any remaining sense of honor, character or reputation, ought to consider well the facts of the case which he publishes to the world and be sure that figures cannot be produced in refutation of his statements. It is enough simply for us to declare that the Doctor's statement is far from being the truth and the correction will be at his door."

"We would like that the Dr. give to the public something more tangible than his word and that miserable party petition which he quacks so much about that Addington does not want separation. Does he not know that it is as patent as the glasses on his nose, that Addington is only prevented in their official action towards separation by the artful dodge of a political aspirant and a clique of locality servers, in and around the village of Newburgh?"

"If impatience be at any time, justifiable, we think that it is we and not the splenetic Doctor, should feel annoyed in view of the trickery, dodges and falsifying in vogue, for the promotion of self interests at the sacrifice of principle and general interests."

"We would like to see the one idea of the Doctor illustrated by diagram, for the information of those for whom he writes, and we recommend the Doctor to describe his East and West line of division, for it is not intelligible to us, the form his creative genius may give to the proposed county. On the whole it is plain to be seen 'that a little knowledge is a dangerous thing.'"

"We wonder how the Doctor likes his remedy!"

As intimated in the quotation given from the Spectator Mr. Roblin did give notice to refer the report upon separation back to the Private Bills Committee; but the session was too far advanced for him to accomplish anything

towards the desired end ; so he contented himself just before prorogation with making a speech in which he exposed the motives underlying the opposition to the bill. The following is from the Standard's Quebec correspondent's comments upon Mr. Roblin's speech :—

"The amount collected in the United Counties for County purposes was in 1859 \$23880 of which was paid by

Lennox	\$5292)	\$14388
Addington	\$9096)	
Frontenac		\$ 9492

Frontenac at the last census had 19150 inhabitants ; Addington 15155 ; Lennox 7955 ; thus these Counties paid per head :—

Frontenac	\$0.49½
Addington	\$0.59¼
Lennox	\$0.65

"Taking Lennox and Addington together, they paid \$0.62½ per head. All this while the city of Kingston paid \$1200 to the counties, with a population of 11399 or about 10½ cents per head. No wonder, then, said Mr. Roblin that extraordinary means are used to prevent separation. Lawyers stepped in to take advantage of their neighbors' differences—they took the oyster for themselves, giving a shell each to Lennox and Addington (hear and laughter)".

The Standard did not whine over the defeat of separation and made little reference to the question again during the year 1860. It had by no means given up the fight but merely bided its time. In its editorials it adopted the wholesome practice of enunciating a general doctrine and getting the reader to subscribe to it, then applying it to the case in hand. Naturally the Standard would support Mr. Augustus Hooper in political matters, but it very skillfully prepared the way for a break with him, in case he presented himself as a candidate for parliamentary honors and in so doing illustrated the practice to which I refer. Where could you find more convincing arguments or a more wholesome doctrine than in the following extracts from an editorial of June 7th, 1860.

"Public men are public property and when men aspiring for public position assume to be, ex officio, secured from the criticism of the public, they claim to themselves an exclusiveness which the world is in no wise prepared to yield."

"If the public men from a sense of delicacy refuse to canvas the merits of the claims of office seekers, wherein is involved the public weal, a very sad delinquency is betrayed and an injury may be thus inflicted which can only by much patient endurance and vigorous effort, be counteracted. This is a regimen through which all public men are liable

to pass and many have to submit to the rigid scrutiny whether it be congenial to their sensitiveness or not and the man who is not prepared for the like process, had better forego the anticipated honors of public life."

"In the various departments of public life is this applicable but perhaps in no department is it more so than in the political sense."

Having carried the reader with him thus far the editor proceeds to explain the folly of Mr. Hooper in taking offence at the criticisms passed upon him by the Standard in respect to his opposition to separation.

"The position which we assumed in the late discussion of the county separation question brought us in contact with the late action of Mr. Hooper therein; and if we thought our position was the correct one, why, of course, we would not approve of the course adopted by Mr. Hooper, to whom we look as the chief instrument in the defeat of the bill and for which he himself may yet have cause to regret.—We think every man ought to have fair play and upon this principle we wish to act."

"We take this opportunity of saying that upon political grounds we have not been influenced in this controversy. We profess very little political feeling and whether Mr. Hooper be of the old Conservative school, or a Coalitionist or a Reformer of the Baldwin school it is no matter of ours; he has just as good a right to political bias as ourselves or anyone else and upon these premises he has no opposition from us; the opposition, if any, was upon local grounds—county interests."

In the issue of April 11th, 1861, the Standard again summarizes the arguments in favor of separation, but avoids all direct reference to the vexed question of the County Town and touches very gingerly upon the local jealousies that defeated the Roblin Bill. Its policy was to get the municipalities committed to separation first and settle the question of the County Town afterwards. By a recent Act of Parliament Lennox and Addington had been incorporated as one County, but the union with Frontenac still existed. The question of separation was again to the fore and the indications pointed towards it being before the ratepayers at an early date. Although a plebiscite was not necessary; yet it was advocated as a means of strengthening the hands of the petitioners for separation. It was through no fault of the Standard if the electors of this county did not fully understand the merits of the case. It again summarized the case as follows,—"The question heretofore seems to have been imperfectly understood and crudely considered, whether arising from the misrepresentations of interested parties or from the foolish jealousy

formerly existing between different parts of the county, or it may be from the facts of the case not being placed before the people in a clear and intelligible shape. It is quite clear that for many years the people of this county have been deprived of privileges enjoyed and freely granted to many counties in the Province less wealthy, smaller and more thinly settled, viz., of having justice administered to them at some convenient central place within their own limits; this is our simple right, and one which ought to have been conceded long ago, agreeable to the wants and requirements of our extensive territory and large and increasing population. Instead of which we are wasting more and more of our time and money every year for the want of it. We think it can be conclusively demonstrated to the dullest apprehension that the loss and expense to the inhabitants of this county caused by having their County Town forty miles from the average residences of the people, quite equal to the utmost expense, if separated to-morrow and Frontenac was presented with the whole of our joint property."

"But there are other considerations; Frontenac has about the same number of inhabitants that we have, with larger territory and an equal number of reeves; yet in the payment of expenses and taxes, we have to pay three dollars to their two and within the last ten years have actually deposited in the treasury at the city of Kingston thirty thousand dollars more than the County of Frontenac. There is some debt existing against the United Counties, of which we are paying three-fifths and will continue to do so, besides in the end are likely (if all is even paid) to be turned out when the separation does come (as it is only a question of time) with naked hands, yielding the county's buildings and other improvements to the Frontenac people, having paid three-fifths of all their cost and after that, at our own expense, putting up our own buildings. By separation now we can take such portion of the county's debt as we ought to pay, if any, and assume it at once, reserving our extra money which we have been so long paying to Frontenac to scatter in their new and poor townships and build our own county buildings with it; the surplus money in eight years will do it all, if we assume half the county's debt and make them over the whole of the present extravagant county buildings at Kingston, without putting on one penny of extra tax on the inhabitants of the county."

"In the event of a separation, our expenses would on almost every point be reduced, the principal outlay would be the county buildings and those may be erected at a moderate cost, say three or four thousand pounds, if use

and not show was the object sought; the whole cost of which would be more than saved by the county at large in a single year. The salaries of the Judge, Sheriff and other officers of the court are paid by fees, so that there would be no additional cost on that head."

"The benefit of having our county business transacted at home among ourselves must be obvious to all. In every well regulated community periodical Courts of Justice are a necessity and it does not require the most discriminating persons to see that Courts held in some central locality in our own county, when jurors, witnesses and suitors would be released in four days at most at any one time, is quite preferable to travelling from twenty-five to ninety miles to the city of Kingston and be detained there from two to three weeks and until fifty cases have been decided, not ten of which properly belong to us. Consequently, while the expenditure in separating the counties can be defrayed once and for all for the moderate sum of three or four thousand pounds, we are wasting much more than that every year we continue united."

"The principle of separation has been frequently admitted and declared by both Lennox and Addington while they were separate counties and that the question has only been retarded by local jealousies, which have heretofore existed, groundless as they have been, to some considerable extent. We trust, however, that hereafter all petty local feelings on the subject will be avoided and that the question will be viewed, discussed and decided upon its merits, only as affecting the whole county."

For the balance of the year of 1861 the Standard was silent on its favorite subject. A general election was held in July. The candidates who presented themselves at the opening of the campaign were John Stevenson, Augustus Hooper and David Roblin. Just before nomination Mr. Stevenson withdrew from the contest leaving the field to Hooper and Roblin. We expected to find the Standard opposing Hooper owing to his having opposed separation, but it managed to maintain a strictly independent position and gave no support to either candidate. The editor probably concluded that it would be unwise to mix separation and politics. He saw the futility of dividing the county on party lines upon a question which should be supported by everyone in the county, in order to present a solid front against the opposing forces in Frontenac and Kingston. As Hooper was elected by a large majority the wisdom of the policy of the Standard is quite manifest. The question was not revived in the press until the issue of August 28th, 1862, when the leading editorial showed that the long continued silence of the writer was not to

be mistaken for indifference. He evidently had been chafing for months biding his time to strike. As was his custom he approached the question very gently saying among other things :—

“Our county is not far behind the best and most enterprising in this fair land, but it must not be forgotten that there are difficulties which must be removed ere we can fully enjoy the advantage of the facilities afforded it for improvement.”

“Look at our county geographically, or statistically, look at it in the length of time it has been settled, or in the wealth and intelligence of the inhabitants, or in what view you please and compare it with other counties possessing all the privileges and advantages of independent counties and tell us, does it suffer in comparison with them? We think not.” He concludes his able editorial with a strong series of arguments not heretofore advanced by him. In its efforts to arouse the people of the county to the necessity and importance of separation the Standard certainly displayed great tact and enterprise.

“We must have our county set off from Frontenac. We should be no longer compelled to feed the latter with our business as we must do, so long as we remain in our present situation.”

“The effect of remaining as we now are is, that we are stultified in our own estimation, as well as in the estimation of others. Indeed, it appears that the Kingstonians are disposed almost to ignore our existence but as a sort of trifling to their great county. Notwithstanding a very large export and import business done both at our port and railroad depot, some of the newspapers of our indulgent mother city would have our port closed, as a regular port of entry and would have us trudge to Kingston to do our excise duty, as well as to attend court and do other necessary business. The truth is, although we are equally important and wealthy with them, they have come to the conclusion that we think little of ourselves and as a consequence they can use us as they see fit. To stand up firmly for our position—to ask for a separate existence and have it, is our plain duty and must be done before Lennox and Addington can attain to that lofty position of which it is capable.”

“To speak of the expense to which we would be driven in the erection of buildings, support of a full staff of county officials, etc., is to talk of refusing to take a step which, whatever may be the present cost, will remunerate before the county has time fully to organize. Remuneration will arise in many ways but the actual increase of value of property in the county alone will more than counter-

balance all the expenditure which would be necessitated at the beginning of our separate existence. We go for secession and are pleased to know that the constitution does not deny it to us but has made provision for it."

"We trust that our citizens generally, and our municipalities in their corporate capacity, will take action in this matter and that we shall soon see Lennox and Addington in some chosen and favorably situated centre, adorned and beautified with such county buildings as may be deemed requisite."

"The honor due to our ancestors and the interests of this fine county demand it and we look soon to know that the enterprise of our people expressed in a legitimate way has secured it."

In 1863 the time was ripe for a renewal of the struggle before the Governor-in-Council. Thanks largely to the efforts of the Standard in keeping the question before the public and discouraging local differences over the site of the county town, all sections of the county had been brought to a realization of the fact that Lennox and Addington was sorely handicapped by the union with Frontenac. At a meeting of all the reeves and deputy reeves of the county held at Napanee on the 10th of February, 1863, a resolution in favor of again petitioning the Governor-in-Council, was carried unanimously, and the petition was forwarded accordingly.

After the presentation of the petition it was the duty of the Governor, if he deemed the circumstances such as to call for a separate establishment of courts and county institutions, to issue a proclamation constituting the reeves and deputy-reeves a provisional council and to appoint a time and place for the first meeting of the council and to name one of its members as the presiding officer and to determine the place for and the name of the County Town. Weeks passed and no proclamation issued. The air was full of politics, the Government was tottering and the Governor's advisers doubtless thought they had more important business to transact than to settle the little family quarrel that had arisen in the United Counties of Frontenac, Lennox and Addington. Then there was the excuse that the County Town had not been agreed upon. The Governor could, if he saw fit to do so, name any place in the county; but he would naturally prefer to make a wise selection, and one that would meet with the approval of a majority of the inhabitants. No procedure was laid down by the statute for his guidance. To hasten the issuing of the proclamation a meeting of the reeves and deputy-reeves was again called to make a final effort to agree upon a County Town. Two new contestants,

Bath and Tamworth, had entered the field. Bath in its day had been the most important business centre in the county, and not many years had passed since it prided itself in being the commercial centre of Lennox and Addington. The merchants from all the other villages were wont to replenish their stocks from the well filled warehouses at Bath. The village, however, had already begun to live upon its past; which is now but a faint memory. Its courts, schools, shipyards and commercial houses were once the objects of envy of the villages farther inland, but the building of the Grand Trunk Railway several miles distant had sounded the death knell of the old village. But the pride of the Bathites had not diminished and they still had hopes of regaining their lost prestige and had visions of a beautiful Court House overlooking the shores of the Bay of Quinte.

Tamworth had pretensions that were justified by its geographical position if we took no account of the character of the soil of the northern part of the county or the number of the inhabitants upon it. No one but a visionary enthusiast like Ebenezer Perry would have put forth such a claim. He was responsible for the active measures taken to introduce settlers into Denbigh and the neighboring townships, was the originator of the Addington Colonization Road still spoken of as the Perry Road, and had great hopes of some day seeing those northern districts converted into rich agricultural settlements. He was reeve of Sheffield at the time, and may be pardoned for having rather exaggerated views of the possibilities of his pet project.

After much wire pulling and canvassing of the situation from all points of view the representatives met in Napanee on April 16th. At this meeting the supporters of Bath concluded that their case was a hopeless one, and no resolution in favor of selecting their village was presented. Out of fifteen votes, Tamworth secured but five. Two of these were of course the reeve and deputy-reeve of Sheffield, one was the representative of the northern townships, and strange to say one representative from Camden and the reeve of Newburgh supported the motion. The motives of these last two are clearly discernable even at this late day. They did not vote according to their convictions or with the least expectation that Tamworth would be chosen. They knew it was impossible; but they hoped to catch the three northern votes when their resolution was put to the meeting. Newburgh's reeve felt that he could not at that meeting secure a majority of votes in favor of his village, so, instead of moving that Newburgh be chosen, he brought forward a resolution through the representative



from Camden that the selection of the county seat be left to the vote of the people. His policy was to gain time in the hope that something might turn up to improve Newburgh's chances of securing a majority of the votes. The ruse, however, was not successful. The three northern representatives voted against this resolution and it was lost. Then the original motion that Napanee be chosen was put to the meeting and carried by a majority of three, the three northern men again refusing to be led into the trap laid for them by the reeve of Newburgh.

The Standard in commenting upon the proceedings at this meeting, after repeating the arguments in favor of separation, endeavored to pour oil upon the troubled waters. The article concluded with :—

“We have not paid much attention to the question of the chances of Napanee being the county seat, because we thought from the first that it was almost certain and did not wish to raise discussion, which could answer no good purpose. Our contemporary, the North American, has pursued the same course, as, till last week we have not noticed that he mentioned the matter. His reference to the subject last week is mild but characteristic of the village which he represents. There is a union of sentiment and action amongst our neighbors in Newburgh and a willingness to make personal sacrifices for the good of their village which we might well emulate.”

“But it is a question to us after all whether the Newburghers would like to have their village named as the head of this large and important county. Its inaccessibility alone would be a sufficient reason, if, when reached, it was equal in other respects to Napanee, to make the choice a very bad one.”

“No doubt their good sense and desire for the general good will prevail over sectional considerations and bring them to co-operate in the establishment of the County Town where destiny appears to have fixed it.”

“The resolutions of the reeves of the county passed on Saturday were duly forwarded to Mr. Hooper, our worthy member, with a request that he will urge the Government to act upon the measure with as little delay as possible. We hope that no counter-influence, or appearance of want of concert on the part of leading parties in the county, will prevent the consummation of an arrangement so vital to the interests of the county.”

Mr. Hooper, the member, was thus called upon to play an entirely different role from that the Standard accused Mr. Hooper, the Warden, of playing three years before. We have no reason to doubt that he was true to his constituents and presented the petition and urged the

Government to act upon it, although it must have gone somewhat against the grain to ask that Napanee be named as the County Town. He can hardly be held responsible for the delay, when we remember that three weeks later the Government was defeated upon a motion of want of confidence introduced by the Hon. John A. Macdonald.

The Standard in a very sensible editorial summed up the political crisis in few words and fore-shadowed Federation which followed three years later.

"We have never taken sides with or against the present Government. In many respects we thought them equal to their predecessors and have not changed our opinion. But either they or their too warm friends promised too much; more than they had energy to accomplish. The truth is, as we are situated in connection with Lower Canada, it is impossible to do much to mend matters. Form any Government you please, and as the Brown-Dorion a few years ago, and the Macdonald-Sicotte of the present day, promise as they may, they cannot do as they would. The elements are adverse and cannot coalesce. You never can make an Upper Canada Protestant constituency to be satisfied with the doings of its member, who must work in harmony with a Lower Canada Romanist. It is out of the question. Some arrangement must be entered into by which each section can manage its own local affairs and by which matters affecting the country as a whole, may be settled by a general representative body from all parts concerned."

"A Federation of the different parts of British North America is the only cure for the miserable state of things which exist."

The election which followed was a hot one. The candidates in Lennox and Addington were Augustus Hooper and R. J. Cartwright (Sir Richard). The Standard was not at all satisfied with Mr. Hooper's record in the House, particularly his absenting himself when the vote of want of confidence was taken. It is not at all probable either that the position he had taken on separation in 1860 had been fully erased from the memory of the editor. It accordingly supported Mr. Cartwright, with the result that the candidate of its choice was elected by a majority of 285.

During the long fight for separation there were many side issues of more or less importance of which the press appears to have taken little notice. Notably among these was the desire of Amherst Island to secede from Lennox and Addington in case separation was effected. The Island township was the only one not represented at the meeting in February when the resolution favoring separation was

unanimously adopted. A great deal can be said in favor of the position taken by the Islanders. Their business relations had always been more closely allied with Kingston than with any portion of Lennox and Addington. Kingston was nearer and more easily reached than any point in Lennox and Addington that was likely to be chosen as the County Town, and it was quite natural in the event of separation that they should desire to remain associated with that part of the United Counties with which they had been more intimately connected.

Another incident which may have had a tendency to delay matters was the somewhat stubborn attitude of the reeve of Newburgh after the meeting which fixed upon Napanee as the County Town. He was a man not easily moved when he had set his heart upon any particular object and he was evidently ill at ease over his failure to secure the votes of the northern townships with the aid of which he had hoped to carry the day. Instead of submitting to the inevitable and taking his defeat gracefully, he caused his village council to petition the Government to defer the question. Mr. Stevenson met this with a counter-petition executed on behalf of seven of the municipalities pointing out the many delays that had already taken place, and submitting that any further delay would be detrimental to the interests of all the localities involved.

Finally on the 21st day of August, 1863, the long wished for proclamation was issued and separation became an accomplished fact. John Stevenson was then named as the person to preside at the first meeting of the Provisional Council and Napanee was fixed as the County Town.

The Standard which had for years made separation the pre-eminent local issue and might well have taken to itself much of the credit for the victory, expressed its gratification with the result and concluded its announcement with :—

“With regard to the County Town, there can be but one opinion and that is, that the proper place has been selected. We trust that all local jealousies will now cease on this head and that the Provisional Council will enter upon their new duties in a proper spirit and with a view to the welfare of the whole county.”

The timely advice in this editorial did not pass unheeded. On the 10th of September, the day named in the proclamation for the first meeting, the Provisional Council met and burying all former animosities proceeded at once to organize and get ready for business. Mr. Stevenson was elected Warden, and Mr. William V. Detlor Clerk. The

personel of this the first council was as follows:—J. J. Watson, of Adolphustown; J. McGinnis, Amherst Island; W. F. Peterson, Bath; S. Warner, Ernesttown, Reeve; C. Fraser, Deputy Reeve; D. Sills, South Fredericksburgh; M. Parks, North Fredericksburgh; J. N. Lapum, Camden, Reeve; G. Paul, Deputy Reeve; J. D. Ham, Newburgh; E. Perry, Sheffield, Reeve; J. Murphy, Deputy Reeve; C. R. Flint, Kaladar & Anglesea; J. Sexsmith, Richmond, Reeve; R. Denison, Deputy Reeve; J. Stevenson, Napanee.

It is quite possible that half a century has added something to the reputation of these men and that we give them credit for having been bigger men than they really were. Making all due allowance for an unconscious exaggeration of their merits we are forced to the conclusion that the standard of municipal representatives was higher sixty years ago than it is to-day. There are notable exceptions to-day where good business men are prevailed upon to accept nomination for municipal honors; but as a rule such men as Sidney Warner, John D. Ham, John Stevenson, J. J. Watson and Ebenezer Perry are rarely found sitting at the council table. The wonder is that our municipal affairs are not more muddled than they are. The one year term is largely responsible for the inefficiency in many cases. It is to be hoped that the time is not far distant when the affairs of all municipalities will be placed on a business basis and managed by a competent and well paid business manager. It was fortunate for our county that it started out upon its separate career under the guidance of such shrewd practical men. The erection of the county buildings was proceeded with at once by the building committee, composed of the Warden and Messrs. Warner, Sills, Denison, Perry, Ham, Lapum and Watson. They were completed at a minimum of cost, and stand to-day as a monument of the good taste of the builders. The affairs of the new municipality moved along smoothly, local jealousies were soon forgotten, and all worked together for the general welfare of the entire county.

The Standard content with its success did not gloat over its victory, but pursued the even tenor of its way and continued to grow in favor with its readers. From the very beginning it was a very creditable sheet, but there was a marked improvement when it passed into the Henry family in 1858. The three brothers, Thomas S., Alexander and Robert, were interested in it more or less from the time of the purchase until it ceased to exist in 1885. For many years Mr. Thomas W. Casey was on the staff, and was the author of the articles upon temperance. These were so numerous and well written that the Standard

became recognized as an authority upon all temperance questions by the different organizations in the province fighting the liquor traffic. It was quite natural therefore that when the Sons of Temperance concluded to publish an official organ, that Mr. Casey should be chosen as the editor, and that it should be printed upon the press of Henry & Bro., in the office of the Standard.

It was thus that the Casket first made its appearance in 1869, and for fourteen years was the official mouth-piece of the Sons of Temperance. It is difficult to estimate the important part played by this temperance organ in its intensive, educative campaign during the fourteen years it was published. The files among the archives of our Society are still sought after by the leading temperance workers in Ontario. During the past few months a prominent lecturer and writer asked for and was given the privilege of making copious extracts from them. The Standard did not, however, lose its character as a temperance newspaper, but continued to publish much of the matter that was printed in the columns of the Casket.

Mr. F. R. Yokome, for many years the managing editor of the Peterborough Examiner, was responsible for many of the leading editorials which contributed to the high standing the Standard acquired among the provincial newspapers of its time. Among the number who graduated from its press-room were the late William Templeton and George M. Beeman, the founders of the Napanee Beaver.

## THE REFORMER

The Reformer, as its name indicated, was an out-and-out Liberal newspaper. In a lengthy and well written prospectus, the proprietors left no doubt as to their leanings, but, as is usual with politicians and newspapers, they reserved certain rights to act independently, which rights, as is usual too, they rarely exercised. While no mention of any contemporary is made in the prospectus, yet its publication in Napanee was a direct challenge to the Standard and was so interpreted by the editor of the latter. The first number was issued in September, 1854, and it was not many weeks before the rival sheets began to pay their respects to each other. When they got into a real controversy over any subject they did not hesitate at times to use language that would not pass muster in the drawing rooms of polite society. "Leather-headed contemporary across the street" was a quite modest reference to the editor of one, who in equally expressive terms replied to the "Contemptible Rag". As a rule, however, they refrained from using such abusive epithets, and pre-

sented their arguments in a proper but forceful manner.

Upon one subject they did agree and that was the question of separation of the county, but even upon that they found occasion to differ now and then in respect to the manner of presenting the case. Both took special delight in hammering away at the Index of Newburgh if it dared to say a word upon the subject not in harmony with their views. As early as February, 1856, the Index declared, "If Addington consents to the separation she will see to it that she has the County Town situated within her own limits". The Reformer was waiting for such an opening and in its next issue thus replied to this bold assertion: "We would ask in the name of wonder, providing the separation be ratified, where would the County Town be situated? Certainly our contemporary cannot imagine, for a moment, that the inhabitants of these counties would consent that Rogues Hollow should be thus honored! And yet, from his language, that would be inferred. Mighty Moses! How some folks aspire! It reminds us of a fable, how preposterous the idea!"

"In way of consolation to our friend of Newburgh, we just remark that we cannot blame him in striving to uphold the interests of his darling village, for it is natural so to do, but that must be considered a very poor pretext indeed, for asserting it to be the proper place for the County Town. Perhaps there is not an individual residing three miles on this side of that place who has an occasion to visit the ambitious village twice a year and probably very many who live in the western part of Camden much oftener visit Napanee than they do Newburgh—doing so with greater ease. Newburgh's advantage as a market is very inferior, which fact is easily substantiated. On the contrary our advantages are, or soon will be, in that respect all that can be desired, showing superabundant advantages over our aspiring neighbors. This fact is so well established that it needs no controversy, and all that may be said by our contemporary, hereafter, cannot, in any way, affect these verities. A thing once substantiated by self evident truths cannot be refuted. Our neighbor, therefore, may as well rest content with his present position, for we predict he will never see the day when Newburgh will be honored as a County Town."

The rising generation perhaps have never pictured to themselves a Napanee without a railway or a Town Hall. In the issue of the Reformer of November 28th, 1855, the editor refers to both of these innovations. In commenting upon a dinner at Brockville celebrating the completion of the Grand Trunk from Montreal to that town the editor concludes an article with:—

"Our time is near at hand. The tide of trade will soon be swept in this direction and we shall certainly reap many advantages by a more convenient mode of transport. Shall we be benefited as a village? Answer, that, those who can. We say, yes! but not by nor through our present selfish tight fist ed old fageyism which reigns and rules; but by the rise and influx of enterprise. Napanee has advantages which must be available and somebody will find it out first, who will it be?"

The Standard in dealing with the same subject passed a very timely criticism upon the bridge in Napanee:—"The splendid and massive masonry of the piers and arches elevated a great height above the river, will be an ornament to the place. The only visible objection, that I am aware of in its construction, is a pier in the centre of the macadamized road, endangering the lives of those who may happen to come in contact with it on a dark night, or whose horses may run away down the hill. A few years ago the stage drawn by four horses and loaded with passengers, ran from the top of the hill, passed over the bridge and in turning the curve of the road the stage upset, injuring several of the passengers and nearly killing one of them. Similar accidents have frequently occurred, and will again happen only with more fatal effects, unless this pier be removed."

In referring to the work upon the Town Hall, the Reformer said, "The contractors of the new Town Hall and market building, have, within the last few days, made a commencement by breaking ground for the foundation. The building, however, will not be commenced until next spring, when it will be proceeded with rapidly, the principal part of the joiner work, etc., being done through the winter. The principal front is, at present, intended to be towards John St.

The ratepayers were by no means unanimous as to the wisdom of erecting such a building. In one issue a correspondent writes: "Is it expedient to involve our infant municipality in a heavy debt, requiring for its liquidation, an annual average tax for ten years of eight and three-fourths pence in the pound in addition to the regular and ordinary taxes?"

"Will such an annual payment not have a tendency to depreciate the value of real estate to that extent, unless a corresponding advantage can be obtained from the works to be erected with the money."

As originally constructed the upper storey was as at present, an auditorium, but the lower storey was divided up into a number of butcher stalls, hence the reference to the "Town Hall and market."

Another heavy ratepayer attacks the Council through the columns of the Reformer, as follows :—

“Look to your market, see the blunders committed there, and that too in the face of a protest by the contractors themselves. Do they dig a sufficient depth to insure a solid foundation, have they specified that the part designed as market shall be finished? The beams that project beyond the walls are they to be covered? Have they planned the roof sufficiently strong to insure safety? I tell you people of Napanee, nay, they have done nothing of the kind; and I predict, if put up according to the plan and specifications, in less than five years it will tumble in ruins.”

The old building has outlived the writer of that article by many years, and is still far from the ruins he predicted. The concluding paragraph of his letter of criticism is not without interest :—

“I am told that the contract is left open, that alterations and additions may be made and for these alterations and additions I have no doubt we shall, at least, have to pay a thousand dollars, which added to the debt already incurred will be a serious burden upon the village, but in my opinion this is not their greatest blunder. Seventeen licenses and a bowling alley? People of Napanee think of it? Think of the amount of drunkenness visible at all times by means of this system. Tell us, has there been an arrest made when the offenders were not half-seas over and then tell us by your vote at the coming election whether you approve of the conduct of the men that have brought all these things upon us?”

The population of Napanee at the time was under eleven hundred. Let us picture to ourselves, if we can, seventeen bar-rooms in a village of a little over one thousand inhabitants, and we will scarcely find room for wonder that the temperance advocates were loud in their denunciation of the liquor traffic. In this connection another correspondent in a later issue enquires from the editor “whether the habit of drunkenness does not stigmatize men with immorality? If so, how are drunken school teachers permitted to continue in an office of such responsibility? This state of affairs is annoying and morally pestilential and should not be tolerated, at least, such is my opinion.”

There was scarcely an issue of any of the early papers that did not contain one or more articles on the temperance question. The Reformer was no exception to the rule. It also had its poetry column and a contributor to that column who did not hesitate to style himself a poet.



In the first issue of 1855 he thus eulogizes the Good Templars :—

My friends accept a poet's praise,  
Nor it unworthy deem,  
'Tis all a grateful heart can raise,  
Though humble it may seem ;  
It is the sentiment of one,  
Who loves your noble cause,  
Who views the work that you have done  
And grants you his applause.

Your object is benign and pure,  
Designed to bless our race,  
Their highest interests to secure,  
And save them from disgrace,  
'Tis to remove the maddening cup  
That leads to misery,  
To raise the fettered drunkard up  
And set the captive free.

Your labour is a work of love  
Where words and deeds unite,  
The rules of Temperance to prove  
And guide mankind aright,  
To break the drunkards' poisoned bowl,  
The moderate drinker stay,  
To rescue him 'ere past control,  
And take the curse away.

Ye are a band of noble hearts  
With noble deeds in view  
Who gladly would to all impart  
The joys that dwell with you,  
Ye would most gladly wipe the tears,  
From every weeping eye  
Remove the anxious mother's fears  
And stay the orphan's cry.

The drunkard's midnight orgies cease,  
At your supreme command ;  
The swearer's voice is hushed to peace  
Calmed by your magic hand,  
The beast departs, the man returns  
When brought to own your sway.  
His baser pleasures then he spurns  
And turns from them away.

Press onward ye heroic throng  
Proclaim the drunkard free,  
And push your glorious cause along

Till all its worth may see,  
 Respected stand throughout our land ;  
 The advocate of right,  
 And when at last your work is past,  
 In glory all unite.

The Reformer was not a financial success. In fact there was not room at that time for two newspapers in Napanee. The Standard was first in the field and had secured a goodly number of subscribers. It was never offensively partisan in its views and was thus able to hold its subscribers even if its views differed at times from theirs. It was published by natives of Napanee which counted for something. The Reformer was ably edited and under more favorable conditions might have weathered the storm. The proprietors, Messrs. Carman & Bro., were not local men, and after struggling hard for several years to place the paper on a paying basis the plant was removed and they sought their fortune in more promising surroundings.

## THE BANTLING

M. E. H.

When on Christmas Day, 1858, a Mr. F. M. Blakely offered to the people of Napanee specimen copies of a new paper, the promise conveyed in the title was to amuse rather than to instruct. From a Bantling, nothing of a very serious nature could be expected, and Mr. Blakely evidently had that saving sense of humor that can enjoy a joke even at one's own expense; for his paper began with a jest, jested through its brief career and died like *Mercutio* with the bravest jest of all.

In conformity too with its name the Bantling is an unusually small paper of four three-column pages, just one-quarter the dimensions of an ordinary news sheet. The prospectus announces that it "will present, every week, an agreeable melange of the notable events and literature of the day, its columns will always contain a goodly selection of the cream of domestic and foreign news, so condensed as to present the largest possible amount of intelligence in the smallest space—the whole, well spiced with wit and humour. In politics and upon all sectarian questions it will be strictly impartial." In a later issue, the editor points out to correspondents that there are some lines to be drawn even by the strictly impartial; "We would inform our party correspondents, however, that we are not particularly fond of communications which are filled with abuse, calling their opponents thieves, rogues, liars, etc., as it only creates a hard feeling."

The front page of the Bantling was devoted to two departments, and that there might be no confusion the departments were headed by appropriate woodcuts, clearly labelled "Poetry" and "Literature" respectively. Most of the literature belongs to the Sam Slick school of dialect humor, varied occasionally by a highly moral tale about poor virtuous little Jemmie or the "R. R. Conductor's lesson—an admonition to incivility"—items that must have made pious Aunt Mehitabel beam with gracious approval. Only once, in the issue of Feb. 26th, has this page anything of local interest. Like every other Napanee paper, the Bantling takes a fling at Newburgh, in a fanciful set of "Rules and Regulations of the Napanee and Newburgh Railroad". Newburgh at this time was smarting under the disappointment of having failed to persuade the Grand Trunk Railway to run its line through that village, and the following suggestions would not tend to soothe the disgruntled population.

"A through train will leave the log barn, used as station house, at Slab City, at 7 a.m. and arrive at Newburgh at 10 p.m., leaving Newburgh next morning and arrive at Slab City when it gets there."

"A local train will leave Mink's Bridge for Bowers' Mills every morning at 9 a.m. and return the same evening; thus giving the people a chance to do business and return by daylight. Thus parties can go the same distance, in the same length of time as they formerly could on foot without the trouble of walking, except up the heavy grades."

"Passengers taking live stock, such as pigs, sheep or other tender animals on the passenger train, must take two days' provisions (in case of accident) as the company will not be responsible nor pay for any animals that may starve to death on the journey."

"Passengers are strictly forbid getting out of the cars when in full motion or running ahead, as the cars will not stop for any such when it catches up."

"Persons driving teams (either oxen or horses) are strictly forbid running by the train while in full motion without first asking leave of the engineer to pass."

"Farmers' wives wishing to trade, with the conductor, butter, eggs, rags, vegetables, or anything else for groceries, patent medicines or tinware, must signify their wish to do so by displaying a red flag, and it shall be the duty of the engineer to stop the train."

"Women are requested not to hang clothes lines across the road nor in any way to stop the train."

"In consequence of the Grand Trunk Railway Company not having built a branch road to Newburgh, the directors

of the Napanee and Newburgh Railroad will have no connection with the Grand Trunk whatever."

The second and third pages contain the "Cream of the Domestic and Foreign News", correspondence and what few advertisements were inserted, while the fourth page displayed the "Wit and Humor" under the title "Mirth's Melange" with an occasional generous repetition of the third page advertisements to fill up space. The domestic news was skimmed with a very sparing hand, for except the municipal elections and an occasional fire, there is very little of local interest. The election results also called forth a display of local talent. The issue of Jan. 15th contains a melancholy ode, "On the downfall of the Radicals", in the following strain:—

Oh bloodiest picture in the book of time,  
Bill Miller fell unwept, without a crime,  
Hope for a season bade the world farewell,  
And Forward shrieked as Wm. Detlor fell,  
Departed spirits of the mighty dead,  
Ye that at Napanee elections bled,  
Oh once again your freedom's cause fulfill,  
And put in William, Dave, Bob, Hank and Bill.

In the space devoted to foreign news, we have gossip about the Empress Eugenie's crinoline, the contemplated tour of the Prince of Wales, P. T. Barnum's lectures on money making and the birth and christening of the Kaiser. Later this is superseded by news of Italy's war of liberation against Austria. On this subject, there are some rather able editorials, parts of which are strangely applicable to-day. In the issue of May 28th we find, "and who that ever read of the demoniac doings of Austria in these classic lands—who that can believe that high minded and earnest lovers of their country are enraptured and snared into the utterance of their yearnings, only that they may be made the victims of Austrian bullets or Austrian ropes!—but we must wish those who are the seeming champions of a better order of things "God speed". Let no needless complications arise, let the issue be based fairly and truly on the regeneration of Italy, and liberty cannot be but more fully assured", and in the number for July 9th, "Peace must be restored ere long or the whole of Europe will be drawn in the great struggle, and then, alas, where will it end?"

The Bantling itself did not survive to see the restoration of peace. In the next issue, that of July 16th, there appeared in the editorial column, surrounded by heavy black lines, the following pathetically witty notice:—

"Obituary—It is our painful duty to record the last week of a Mr. Bantling, who breathed its last on the 16th of July, 1859, after a lingering sickness of 6 months and 21 days. The remains of Mr. Bantling will be removed from this office—followed by its numerous mourners—to its final rest. It is to be hoped the shops will be closed when the procession is moving and a general mourning be observed by all our citizens. It is lamentable that one so young, just blooming into life, should be cut off from the world; but disease seized him with an iron grasp and held on till the last 'breath of wind' reluctantly departed from his body."

### THE BRITISH NORTH AMERICAN

Many a man with a fairly good business reputation has failed in the newspaper business, and this was never better illustrated than in the case of Mr. Geo. W. McMullen, who was foolish enough to believe that the village of Newburgh could support a second paper. It was just before the separation of the counties was effected that he ventured forth in the journalistic world as the proprietor and editor of the British North American. He surely must have seen visions of the rapid expansion of the village when it was to become the county seat. It was no fault of his paper that it did not attain that distinction. He entered the arena when the fight was fiercest and supported the claims of the village and the final efforts of its revee to side-track the question until some new means could be devised for bettering Newburgh's prospects. The formidable title of his paper and his over-zealous efforts could not stay the trend of public opinion. Newburgh lost the day and the British North American's visions of a populous county town springing up in Rogues Hollow quickly faded away, and Mr. McMullen's cherished weakling soon departed this life from the want of sufficient nourishment.

### THE LENNOX AND ADDINGTON LEDGER

The Lennox and Addington Ledger advertised itself to be the largest county newspaper in Central Canada. It was a large four page, eight column paper first published in Napanee in 1864, by two young men who committed the initial blunder of launching it as an independent paper in the belief that the people of this county could possibly forget their political leanings. Their conception of what a newspaper should be was all right, but their measure of the electors of Lennox and Addington was all wrong.

The editorials were well written and their summaries of passing events were concise and readable. In one

number before the writer, appears a report of the first assizes in the county. The Court House was not built so the court was held in the Town Hall. The presiding judge was the Hon. Adam Wilson, who congratulated the county upon taking its place among the separate and independent municipalities of the Province. The first criminal case disposed of was The Queen against John Hoolighan, in which the prisoner was charged with robbery and attempted stabbing. His victim was none other than our respected octogenarian, John B. Blanchard, still a resident of Napanee. The accused was found guilty and sentenced to be hanged, but upon the recommendation of the grand jury his mental condition was afterwards inquired into, and he was found to be insane, so the sentence of the court was not put into effect. There was a large docket which in itself justified one of the strongest arguments in support of separation. That was the great waste of time and money in attending court at Kingston.

In a leading editorial in the issue of March 25th, 1865, the editor sounded a note of warning which if heeded might have resulted in forestalling the Fenian Raid of the following year:—

“Notwithstanding the oft repeated assertion that such a thing as Fenianism does not exist in Canada, it is quite evident that there are those residing in the country who would not flinch from any act, which according to their ideas, would free Ireland from the chains of her oppressor—England! On the evening of St. Patrick’s Day this was fully exemplified by a meeting in the Music Hall, Toronto, where a young yankee blow-hard named McDermott, from New York, delivered an address before the Hibernian Society. During two hours and a half he dealt out to them liberal potations of such treasonable ravings as “The Fenians were organized for the express purpose of achieving the independence of Ireland, and they are as confident of being able to do so as they are that the sun will rise to-morrow. They are also certain that a war will take place before long between England and the United States and then they would strike for the liberty of Ireland.” He also advised his hearers to do all in their power to form a republic in this country and then be annexed to the United States.”

“It is very much to be regretted that we have in our midst men who have so little respect for truth that they will for two hours and a half endure the affliction of an itinerant Yankee lecturer’s bombastic productions and nonsensical treason.”

From the want of that financial support, without which

no enterprise can long exist, the Ledger was obliged to suspend publication after a brief but very respectable career of only a few months.

### THE ADDINGTON REPORTER

The Addington Reporter which later on changed its name to The Newburgh Reporter, demonstrated that it is possible to maintain a newspaper in a small village for a number of years. The first number was published in May, 1875, by W. J. Pappa & Bro., two Newburgh young men who had received some experience in the office of the Beaver.

In glancing over the few numbers upon our files it is quite apparent that the secret of its success, assuming that existence for a number of years, implies success, was in the local news. There were columns of items telling all about what was going on in the village, just the sort of news that people talk about on the street corners, so that a perusal of the Reporter was to the ordinary housewife as good as an hour's chat with her neighbor over the backyard fence. That particular part of the paper from which it was most difficult to withdraw the writer's attention was the market reports. In these meatless, heatless, wheatless days with war prices, how we long for the good old days when a dollar would go so far. The following are samples of the prices we shall never see again.

Ham, 12c. to 15c. per lb.  
Mutton, 6c. per lb.  
Lamb, 7c. per lb.  
Butter, 18c. to 22c. per lb.  
Eggs, 4c. per doz.  
Chickens, 25c. to 30c. per pair.  
New Potatoes, 50c. per bag.  
Apples, \$1.00 to \$1.50 per barrel.

The Reporter ventured now and then to deal through its editorial column with the leading public questions of the day, but as a rule the editor confined himself to local issues. Of the twenty eight columns only eight were advertising matter, and a large percentage of that was not the profitable kind. The Pappa Bros., however, managed to keep it going for over five years, when the plant was leased to an employee of the office. A few months were sufficient to convince him that the Reporter was dying a natural death. It finally succumbed, and no one has been brave enough to attempt to publish a paper in Newburgh since its demise.

## THE ECHO

The Echo could hardly be classed among the early newspapers of the county, yet it was a pioneer in its own territory, being the first and only newspaper ever published in Tamworth. If others take warning from its fate, it is likely to be able to claim the distinction for a long time to come of being the last to be published in that part of the county. It first made its bow to the public in Mill Point (Deseronto) in 1877, as the Mill Point Echo, but as the Mill Pointers did not give it the support its proprietor seemed to think it merited, it suddenly departed one September morning in 1879, and made its appearance in Tamworth under the shorter title "The Echo".

In the first issue appeared the notice of a by-law to be submitted to the ratepayers of Sheffield, providing for the granting of a bonus of \$10,000 to the Napanee, Tamworth and Quebec Railway Company. In his first editorial the editor who had been provided with his arguments from the Mill Point end of the railway scheme said :—

"The importance of the rear townships to the front towns has been long well understood by the frontier, but just how the towns and cities of the front may be made a great source of benefit and wealth to the rear villages and townships, is only lately taken practical shape and becoming a matter of vast interest." If the ratepayers of the front towns and rear townships, who voted away their money, to bring the extremes of the county in closer touch, could have foreseen how it has worked out, I fear the majorities would have been against these by-laws that were submitted in the various municipalities along the line of the railway.

To-day there is a daily regular passenger service connecting the rear of our county with the city of Kingston; but no practicable timetable for those who wish to visit their own county town.

In glancing over the advertisements, we were forcibly struck by the many changes that have taken place since that first number was issued; but none was more striking than the modest little card, "M. J. Butler, Provincial Land Surveyor, Mill Point, Ontario."

The proprietor, as he told his readers in his first number, aimed at securing 1500 subscribers. Just how or where he intended to get them he did not say. The villagers and the people in the immediate neighborhood gave him all the patronage he could reasonably expect, but it fell far short of the number he set out to get. He, upon his part, did the best he could and furnished a gossipy little sheet, which for the first few months was



eagerly sought after by a certain class, who delighted to see their names in print. The novelty soon wore off, the editor's supply of jokes and local hits became exhausted, and the Echo, before it had passed its first half year, had become what most village papers are, a cheap patented outside lined with local advertisements and inferior summaries of the week's news as gathered from the daily press. It managed to survive for three years when the editor-proprietor concluded that the people of Tamworth and vicinity were not sufficiently appreciative of his talents to justify him in striving longer to maintain a newspaper in their midst. He, however, departed with a smile after publishing as his final effort a neat little valedictory addressed to his patrons.

### THE NAPANEE STAR

During the federal election campaign of 1896 Mr. Uriah Wilson was the straight Conservative candidate for Lennox. The Liberals were none too sanguine about carrying the riding with a straight party man and thought to better their chances by joining forces with the Patrons of Industry, a farmers' organization, which was acquiring some influence throughout the country. Accordingly a Patron-Liberal candidate was agreed upon in the person of Mr. Edmund Switzer, an old time Ernesttown Liberal, but a prominent member of the Patrons. The Beaver supported Mr. Wilson and the Express championed the cause of Mr. Switzer. There were a number of Patrons not entirely satisfied with the choice of Mr. Switzer, owing to his former Liberal attachments, and there were a number of Liberals equally dissatisfied because he was a Patron. These murmurings of dissatisfaction were interpreted by some as indicating a general desire throughout the riding for a real independent candidate. Doubtless many an elector in his quiet moments was sick and tired of politics, but as a rule they speedily recovered as polling day drew near. Mr. Charles Stevens, of Napanee, who had just completed two terms as Mayor, heard the murmurings, and aspiring to higher honors, offered himself as an independent candidate. He had no local organ to lay his views before the electors, and without such help his cause was hopeless. Never did a newspaper come into being so quickly. Presses, type and other equipment were rushed to Napanee, a real live editor secured and early one morning, almost before any one realized that a new weekly was even contemplated, thousands of copies of The Napanee Star and Lennox and Addington Independent were distributed in every home in the riding. The first few issues

were devoted almost exclusively to election matters. The entry of a third candidate in the field improved Mr. Wilson's chances, and he was elected by an increased majority.

Mr. Stevens lost the election but he still had *The Star*. It had announced in its "Salutory" that it had come to stay, and stay it did and proved to be a newsy, spicey little paper. It was quite fearless in its comments and criticisms upon local events and public questions and set a good example for the two other papers of the town. Its example has not, however, had a very lasting effect upon them. Our editors are altogether too considerate for the feelings of their patrons. Some people may take offence if uncomplimentary comments upon their conduct appear in the newspapers. But the men who really count are not so thin-skinned as they may appear. There should be no room in any paper for petty personalities or social scandals; but any man or woman, who comes before the public in any capacity, has no ground for complaint if the press comments upon his or her stand upon matters of public interest. This was the policy adopted in the sanetum of *The Star* and it worked out successfully and was appreciated by its readers.

It was no easy task to compete with the other two papers with their long established lists of subscribers. Outside of Napanee few people in the county subscribe for two local papers, and to gain admission in the home for *The Star* meant crowding out one of the other papers, which was perhaps looked upon as an old friend. To many readers the political complexion of his newspaper means a good deal, and there are precious few really independent electors in Lennox and Addington. Many think they are, but when the testing time comes they are generally found lined up in the old party ranks. *The Star* continued to be a really independent paper and for four years endeavored to win over the people of the county to its way of thinking, but met with very little success. They preferred to remain Grits and Tories as their fathers had been before them. It finally gave up the task, and its proprietor thereafter devoted his entire energies to his other business enterprises.

## THE NAPANEE EXPRESS

AND

## THE NAPANEE BEAVER

The Napanee Express and The Napanee Beaver are the two remaining papers to be touched upon in order to bring our record up to date. As both are still published in Napanee, we need give them but a passing notice. If the readers of fifty years ago were to return to-day and peruse the local press, the first comments they would make would be in respect to the entire absence of anything approaching the scraps of their boyhood days, when the rival sheets never lost an opportunity of exposing each other's weak points.

The Express is the senior of the two by nine years. It had its origin as most newspapers do as a political organ to advocate the candidacy of the Hon. Richard Cartwright in the general election of 1863. The first proprietor and editor was Mr. T. S. Carman, who published it under the name of the Weekly Express. For about ten years he continued to fight the battles of the Reform party, and then sold out to Mr. T. W. Casey, who changed the name to the Napanee Express. It passed through several hands, barely escaping at times those of the sheriff, until it reached the present proprietor.

The files have not been preserved, and we have no means of forming an opinion of its merits in its early days except what can be gathered from an odd copy here and there. Mr. Carman could write a good editorial, but appears to have devoted most of his time in canvassing for advertisements, in which branch of the business he must have been eminently successful. In the issue of October 16th, 1868, now before the writer, there are no less than twenty-three columns of advertisements and practically all of them were local. Everyone in business of any kind seemed anxious to reach the public through the columns of the newspapers. There were in all 135 advertisements, and of all that number there was only one name that will be found in the business directory of Napanee to-day, and that was the legal card of D. H. Preston, L.L.B. Such a complete change have all the businesses in Napanee undergone during the past fifty years that the only family names preserved in the firms of to-day are found in the advertisements of Boyle & Wright, Gibbard & Son, and D. J. Hogan. The paper underwent a radical change when it passed into the hands of Mr. Casey. It then was teeming with temperance propaganda. In the issue of February 24th, 1876, is a report

of a series of addresses given by the famous lecturer, Mrs. Youmans. The C. M. Church at Odessa is said to have greeted her with an audience of 600. Anyone familiar with the dimensions of the edifice would naturally enquire where they stowed them away. As the correspondent subscribed himself "A worker in the cause", we could hardly expect him to see double; yet we have a suspicion that he did.

We gather from the few copies we have been able to examine that the Express would compare favorably with the ordinary small town newspaper. The local reporter was a busy man and gathered in many items of news and the editorials though not numerous were well written and to the point.

The Beaver was first published in Newburgh in 1870 by Cephas I. Beeman, under the title of The Addington Beaver. It was well received and had just begun to take its place among the permanent institutions of the county when two Napanee journeymen, Mr. Wm. Templeton and Mr. Geo. M. Beeman, who had served their time in the office of the Standard, thought they saw an opening for a third newspaper in Napanee. Undeterred by the misfortunes of so many of their predecessors in Newburgh and Napanee, they purchased the plant, moved it to Napanee, and continued the publication, but changed the name to the Ontario Beaver. A few years later it came out in a new dress, was enlarged to eight pages, and was thereafter known as the Napanee Beaver. While the Standard continued to be a popular family paper and leaned towards the Conservative party, yet it was not an out and out party organ and prided itself upon its independence. The Express left no doubt where it stood upon matters political. It could always be relied upon to support the Reform party. Here was an opportunity for the Beaver, and it was not slow in taking advantage of it. The time had arrived in the realm of politics when each party felt that a local party organ was an indispensable part of the election machinery and the Conservatives accordingly welcomed the Beaver as their champion. While as a rule, it has been comparatively mild in its handling of political matters, yet there has never been any room for doubt as to which party it supported. Nearly half a century ago the Beaver and Express stood respectively for Conservative and Reform, Tory and Grit, and from that day to this they have marched side by side, carrying their party banners, proclaiming the virtues of their respective leaders and deploring the frailties of their opponents.

For many years Mr. T. W. Casey, who, in turn, had written much for the Standard, had edited the Casket, and

owned and published the Express, contributed liberally to the columns of the Beaver. His "Old Time Records", dealing with the early history of this district, were eagerly sought after by everyone taking an interest in such matters. He took great pains in tracing the history of many of the first settlers, and there are scores of families in the county to-day whose knowledge of their ancestors is limited to the information they gathered from the "Old Time Records" published in the Beaver.

All this had a tendency to improve the tone of the paper and the old families, whose genealogy had been traced through the energy of a member of its staff and published in its columns, felt grateful for the attention shown them. The result has been more far-reaching than was ever anticipated by the editor, and we venture to assert that the subscription list to-day contains hundreds of names of people who have moved away, but still keep up their connection with the county through the weekly visits of the Beaver. It had penetrated the family circle through its "Old Time Records" and the attachment thus created is not to be lightly broken off.

Only once in its long and respectable career has the Beaver departed from the course mapped out for it by its founder. In 1890 it ventured forth in a new dress as a tri-weekly; but the experiment was not a success, and after a few months it reverted to the weekly issue, and resumed its old dress.

There was a time in the history of both the Express and the Beaver when they were conducted upon lines calculated to serve the interests of the public better than the policy adopted by both papers to-day. In their early days the editorial column was an important feature in both papers. All local matters of interest to the public were freely discussed. To-day the local press rarely comments editorially upon events and conditions that ought to be brought to the attention of their readers. It is a notorious fact that there is no means of correcting an evil, quite so potent as the press. Most people will endure a certain amount of criticism in private or even from the public platform, but few need to be reminded of their errors a second time through the local newspaper. A case in point will illustrate the force of my argument. For years the streets of Napanee have been overgrown with weeds and presented a very untidy appearance. Everyone knew it, many were the complaints, but no effort was made to remedy the evil. During the past season the same conditions existed. An enterprising "Critic" took up the question through the Beaver, and by good natured banter "jollied" the Town Council into getting out a gang of

workmen to remove the weeds. In like manner many private citizens were induced to tidy up their premises.

Our Town Council and School Board are frequently criticized in private for something done by them or left undone, when, if matters had been fully understood, they would have been praised instead. A few timely remarks from the editors would have cleared matters up; but the remarks as a rule are not forthcoming.

Many important measures have come before our County Council and the councils of the local municipalities throughout the county and their decisions have not always been for the best interests of their constituents; not because the representatives did not want to do what was right, but because the public was not educated up to the modern point of view. Here, too, the local press fails to take advantage of its opportunities for doing good. If the press of Napanee had energetically taken up the good roads question and kept at it, our public highways to-day would not be in such a disgraceful condition. There are many fields in which the "Critic" could do useful work and it is to be hoped that the Beaver will maintain that department. It is precisely what has been sorely needed for years.

Each local paper has a score or more of news gatherers throughout the county who send in their weekly budgets. It is quite apparent that these amateur correspondents have never attended a School of Journalism, and the prominence given to certain individuals in the petty personals simplifies the task of guessing the source of the items. These contributions to the papers do little, if any, harm, and if the personals tickle the fancy of those who look with favor upon such references to themselves the subscribers who do not enjoy that sort of reading have no serious grounds for complaint.

The absence of criticism in the Napanee papers leaves them free from the charge of circulating scandals of any kind, and to their credit it may be said that neither one has, so far as the memory of the writer extends, ever been called upon to answer the charge of libel.

It is not necessary for newspapers to indulge in criticism in order to receive their due share of it; for there is no one engaged in a business catering for public support who is so freely and generally criticized as the man who publishes a newspaper, and if he is a keen critic himself he must be prepared for all sorts of criticism in return. The very nature of his calling invites it, and he is not very often neglected in this respect. He is just as likely to get into difficulty when he is trying his very best to be agreeable; for when paying compliments some one is sure to be overlooked. He has a very extensive and varied list of

customers, and to please them all is out of the question. There are innumerable religious, literary, patriotic and social organizations, each one of which claims special consideration from the publisher and insists upon presenting advertisements disguised as items of news. To publish them means the loss of so much time and space, to refuse to do so brings down upon his head the anathemas of the unreasoning members of the society.

The Napanee papers have at all times been extremely generous in this respect, and particularly so since the outbreak of war. Hundreds of columns of notices and advertisements, although not classed by the writers as such, have been published free, at a time when most papers could ill afford to do it. This commendable generosity will cover a multitude of shortcomings and dispose the writer to wish them both God Speed in their sometimes unenviable vocations.

## INDEX

---

Amherst Island.....	38
American War.....	5
Bantling, The.....	46
Barker, Dr. Edward John.....	24, 27
Bath.....	36
Beeman, Geo. M.....	41, 56
Beeman, Cephas I.....	56
Beaver, The Addington.....	56
Beaver, The Ontario.....	56
Beaver, The Napanee.....	55
Bee, The Napanee.....	7
Blakely, F. M.....	46
Blanchard, John B.....	50
Bogart, Mrs. M. C.....	4
Bowers' Mills.....	47
Boyle & Wright.....	55
British North American, The.....	49
Butler, M. J.....	52
Campbell, Alex.....	18, 21, 28
Carman, T. S.....	55
Carman & Bro.....	46
Cartwright, Sir Richard.....	18, 38, 55
Casket, The.....	41, 56
Casey, Thos. W.....	40, 41, 55, 56
Checkley, E. R.....	4
Chronology.....	4
Colebrook Bard.....	16
Coleman, Rev. J. H. H., M.A.....	4
Confederation.....	5
County Town.....	21, 22, 23, 31, 35, 36, 37, 38, 39, 42
County Buildings.....	32, 40, 50
Critic, The.....	57, 58
Davy, B. C.....	18
Denison, R.....	40
Detlor, Wm. V.....	39
Eakins, Mrs. J. E.....	4
Ernesttown.....	9, 10, 11

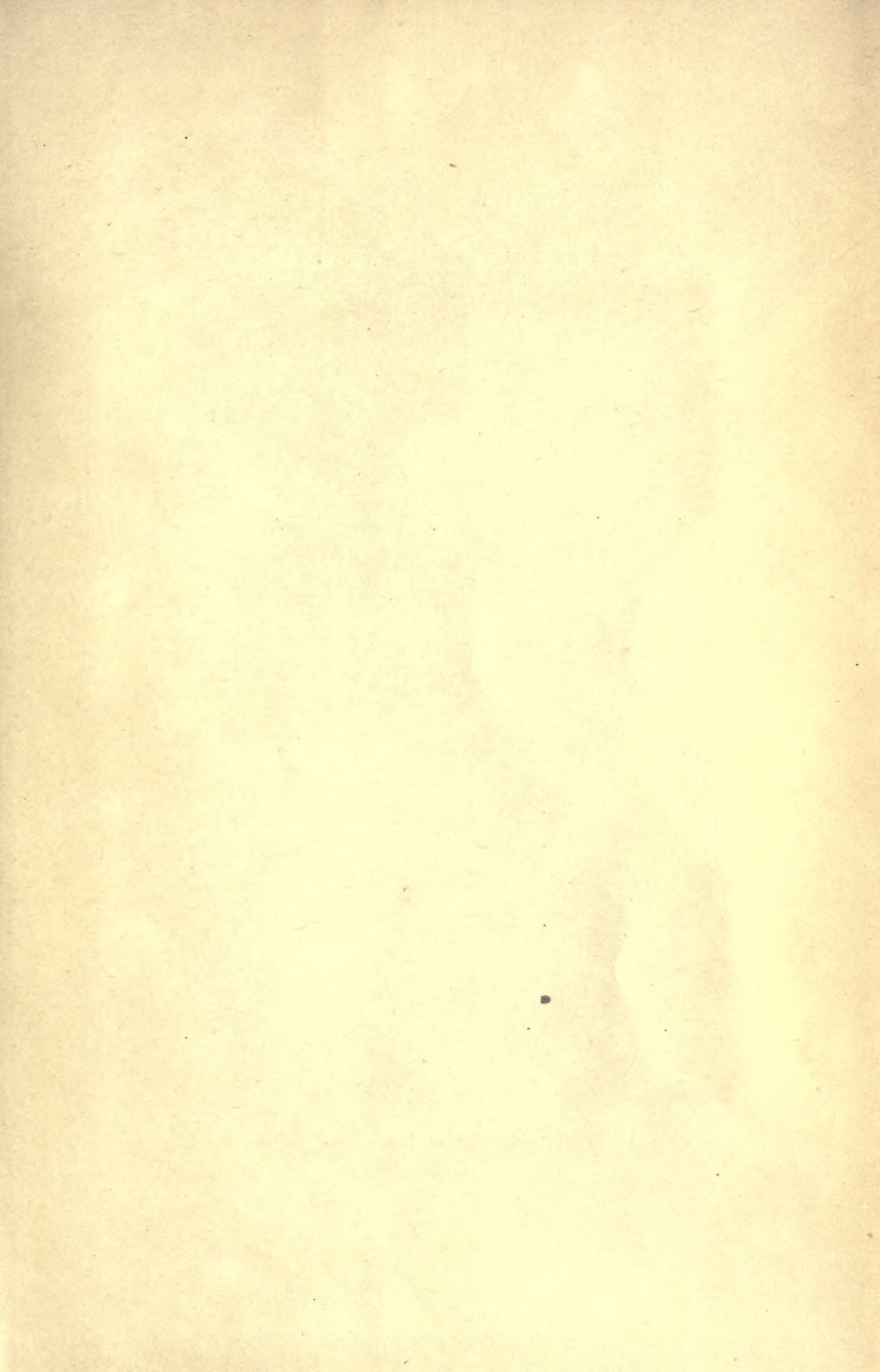


Echo, The.....	52, 53
Emporium, The.....	16
Esson, Robert.....	18
Express, The Napanee.....	55
Fenianism.....	50
Flint, C. R.....	40
Fugitive Slave Law.....	7
Fraser, C.....	40
Frontenac, Lennox and Addington.....	35
Frontenac, Lennox and Addington, Area of.....	20
Frontenac, Lennox and Addington, Population of.....	30
Gibbard & Son.....	55
Good Templars.....	45
Grand Trunk Railway.....	36, 42, 48
Greenleaf, Rev. G. D.....	7, 15, 16
Henry Bros.....	40
Herrington, W. S.....	1, 4, 5
Hogan, D. J.....	55
Hooper, Augustus.....	18, 30, 31, 33, 36, 37, 38
Index, The.....	16
Jumper, Josh.....	10, 11, 12
Lapum, J. N.....	40
Lennox and Addington Ledger.....	49
Leonard, Dr. R. A.....	4
Liquor Traffic, The.....	9
Lowry, C.....	16
Macdonald, Sir John A.....	18, 21, 28, 38
MacPherson, Allen.....	18
Market Quotations.....	51
M. E. H.....	46
Mill Creek.....	14
Mill Point Echo.....	52
Mink's Bridge.....	47
Murphy, J.....	40
Murphy, Rev. Daniel.....	8
McMullen, Geo. W.....	49
McGinnis, J.....	40
Napanee and Newburgh Railroad.....	47
Napanee, Tamworth and Quebec Railroad.....	52
Newburgh.....	29, 42, 56

Odessa.....	56
Old Time Records.....	57
Pappa, W. J., & Bro.....	51
Patrons of Industry.....	53
Paul, W. J., M.P.....	4
Perry, Ebenezer.....	36, 40
Peterson, W. F.....	40
Preston, D. H., LL.B.....	55
Reformer, The.....	17, 41
Reporter, The Addington.....	50
Rhymes.....	8, 14, 17, 45, 48
Richmond Township.....	12, 13
Robinson, J. W.....	4
Roblin, David.....	22, 23, 28, 29, 30, 33
Rogues Hollow.....	17, 42
Separation of Lennox and Addington.....	5, 18, 23, 28, 31
Seymour, Benj.....	18, 20
Sills, D.....	40
Slab City.....	47
Smith, Henry.....	18, 21, 28
Sons of Temperance.....	9, 11, 41
Standard, The.....	5, 17, 18, 43
Star, The Napanee.....	53
Stevens, Chas.....	52, 54
Stevenson, John.....	33, 39, 40
Tamworth.....	36, 52
Taverns.....	13, 44
Templeton, Wm.....	41, 56
Town Hall, Napanee.....	42, 43
Trenouth, E. R.....	4
Warner, Clarence M.....	4
Warner, S.....	40
Watson, J. J.....	40
Whig, The.....	8, 24, 25, 26, 29
Wilson, Rev. A. J.....	4
Wilson, Hon. Adam.....	50
Wilson, Uriah.....	53
Yokome, F. R.....	41
Youmans, Mrs.....	56









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