
To the Right Honorable LORD CASTLEREACH one of His
Majesty's Principal Secretaries of State, &c. &c. &c.

MY LORD,

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AS the Province of Upper Canada has recently become an object of the first consideration to Great Britain, and as several attempts have been made by a few turbulent and factious individuals to disturb the peace of the Province, and impress the public mind with an unfavorable opinion of its Government; and when the authors of those mischiefs are not contented with being *let down easily*; but have had the effrontery to bring their complaints before the public, and make an appeal to the British Legislature for redress, I trust no improper motives will be imputed to an individual (totally independent of either party) for submitting to your Lordship such information as he has been able to collect on this important subject.

Having been frequently urged by many friends in England who had a wish to settle in British America, to transmit them a particular account of the state of Upper Canada, and finding it utterly impossible to draw any satisfactory conclusion from the contradictory statements I received here, I was induced to visit every part of the Upper Province, to see the country & procure the requisite information. While upon this tour, I had put into my hand a Pamphlet entitled, "a view of the Province of Upper Canada," published under the name of a Mr. JACKSON, which enumerates the evils complained of; but above all others, the tyranny and oppressive conduct of the Governor seems to be the most prominent feature in this catalogue of grievances. He is accused of having driven from the highest offices, Gentlemen of the most upright and honorable conduct, merely
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for having in their official capacities, opposed the arbitrary mandates of the Executive Government, and "that neither person nor property was secure in the Province." Upon inquiry, I learned, that the Gentlemen alluded to were, JUDGE THORPE, Mr. WYATT, Surveyor General, and Mr. WILLCOCKS, formerly a Sheriff, Judge THORPE (an Irishman, friend and associate of the celebrated EMMETT, and head of this trio, the principal mover of all the faction and turbulence in the Province) commenced his Judicial career by delivering harangues from the Bench every way calculated to inflame the minds of the people, and sow sedition in the Province. He commenced his speech to the Grand Jury of the London District, with the following sentence: "The fifteen years disgraceful administration of this Government calls loudly for your interference." The speech throughout was worthy of such an opening, and produced a great effect upon the minds of the Jury, who were mostly American settlers, and from habit and education, ready enough to second the views of the factious. He sought out, and admitted to his favor and confidence every turbulent demagogue in the Province, and amongst others a Mr. WEEKES, an Irish refugee, who had formerly been a Clerk to Mr. AARON BURR, but recently admitted to the Bar in the Province. This man he found a ready instrument in forwarding his schemes of faction and discord. He wrote addresses to himself as originating with the Juries, and got this WEEKES to procure signatures to them, and in some instances, addresses were published as coming from the Juries, which were officially disavowed. All these addresses produced a grand display of fine writing from Mr. JUSTICE THORPE in his replies, wherein he took care to set forth in glowing colors the oppression of the Executive Government, and that his patriotism and devotion to the cause of liberty alone could save them. They still, however,

ever, found a great obstacle to their views in revolutionizing the Province, from the Publisher of the Provincial Paper refusing to insert some of these inflammatory addresses. To obviate the evil, they resolved upon establishing a printing press of their own, and to effect this object, called to their assistance another Irishman of a very suspicious character, named WILLCOCKS, who has, on all occasions, done credit to their choice. By the establishment of what they termed an independent Press, they were enabled to proceed rapidly in the work of sedition. The plan being organized, this Triumvirate instantly became the rallying point for all the disaffected and turbulent spirits in the Province, and gained strength daily. They every where gave out, that the Governor would be recalled, and a new order of things established, consonant to the views of Mr. JUSTICE THORPE. That the Judge had already been the means of removing one Governor, and that there was no doubt but he possessed sufficient influence to effect the recall of this one. The effect produced by this doctrine was not confined to the low and illiterate; but extended to gentlemen, who from their education and high rank ought to have known better. Amongst others, Mr. WYATT the Surveyor General, joined their standard, and became one of the Judge's most useful and active partizans. The state of the Province at this juncture, was truly deplorable.—A young country, with a motley population, composed in a great measure of enterprizing individuals who are independent of the Government, and of each other, every man enjoying upon his own lands all the articles of the first necessity, in great abundance.—None of those gradations of rank which in other countries form a bond of union, and give stability to the Government—men filling the highest offices heading a daring faction, organized in the capital,

and extending itself to the remotest parts of the Province. The natural and just prerogatives of the Governor attacked in the House of Assembly, and no effort left untried to wrest from him the patronage by Law invested in his hands. During this period, their grand engine the Press, was kept constantly employed in the work of defamation. This state of things did not, however, long continue, and in the end worked its own cure, as the extreme violence of the faction alarmed and disgusted every man of sense in the Province, and produced a greater opposition to their views than they were led to expect,* the first disaster that befel them was the death of Mr. WEEKES. This gentleman, in one of his pleadings, indulged in his usual strain of bitter invective and gross personality, and levelled a great portion of his discourse at Mr. DICKSON, a brother Barrister. This gentleman called upon the Judge for protection; but in vain, Mr. THORPE was too much delighted with the eloquence of his friend to call him to order. The consequence was, that Mr. DICKSON retorted in the same strain, and as this was no very extraordinary circumstance in the Provincial Courts, the matter was disregarded by the public, and it was supposed, forgot by the parties themselves; but from the event it would appear the Judge and his party thought otherwise, as they shortly afterwards spent the night at a Tavern, and worked so powerfully upon the mind of WEEKES, that he next day sent a challenge to Mr. DICKSON. It was generally supposed, that they reckoned upon Mr. DICKSON declining the challenge (as he was

* In this hasty sketch the leading characters and principal incidents of the Drama can alone come under review; there are however many parts of the under plot that mark very strongly the views of this party, and the daring effrontry with which they prosecuted their object. The following may be taken as a sample:

When Mr. JUSTICE THORPE offered himself as a Candidate for a seat in the House of Assembly, that his objects might not be mistaken by the Rabble, he caused a *Green Standard with the Irish Harp* to be carried before him; this however was too much of the *Brigue*, and would not go down. When he found that the *cloven foot* had been prematurely displayed, he ordered a *Crown* to be made for his Harp, and the standard thus legalized was allowed to pass unmolested.

the father of a large family solely dependent upon him for support) thereby giving them an opportunity of degrading him in the eye of the public ; but if such were their ideas, they made a wrong calculation, as Mr. DICKSON without hesitation, accepted the challenge, met Mr. WEEKES at the place appointed, and killed him the first fire.

WILLCOCKS (the Editor of their paper) had some narrow escapes for libels upon individuals, of the grossest nature, in short, so obvious was his guilt, that he must have been convicted in any court but that in which he was tried. The minds of the Jury were so warped by party feeling, that the Judge was under the necessity of declaring from the Bench, that no man's life or property could be safe, if resting upon the verdict of such a Jury. He however, did not succeed so well with the House of Assembly, in some libels he published upon that Body. He was, by order of the House, committed to the County Jail, and kept there during the remainder of the session.

The Surveyor General, during this period, was not wanting in zeal. He was persuaded by the Judge, that his commission was paramount to the Governor's, and upon the strength of this persuasion, he committed the most arbitrary and unwarrantable acts in his Department. His first Clerk (a respectable old gentleman, who had been in the service before Mr. WYATT was in existence) had presumed to give his vote for a member who was considered as well affected towards Government ; for this offence he was instantly dismissed from his office. One of the principal subjects of clamour against the Executive Government was, what they termed the improvident Grants of Land ; but some little discoveries that were made about this period, shewed that they were as ready as their neighbours to avail

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themselves of any advantages of this sort, and not over scrupulous in their means of obtaining them. Mr. WYATT had obtained a grant of 1900 acres, and in selecting parcels of land in favorable situations to complete this grant, he fixed his eye upon a lot of 200 acres near Niagara, which had been cleared and occupied by a disbanded serjeant of Butler's Rangers named YOUNG, for upwards of 20 years. Mr. WYATT imagined YOUNG had a defective title, and that the land might be *legally* wrested from him. Regardless of the injustice and inhumanity of the deed, he first examined the premises, assisted in this *pious* and *christian-like* act by the *Reverend* Mr. ADDISON, Curate of Niagara, and, finding the farm a desirable acquisition, he immediately set to work to rob this old soldier of his hard earned reward, and the fruits of 20 years industry, and turn himself and family pennyless upon the world. Previously to any land being granted, an official paper is presented from the office of the Surveyor General detailing the circumstances of the lot in question. This report is divided into several columns, and in one, the name of the present occupier (if occupied) is inserted. This column was left blank, and the land represented as vacant, and grantable, by which means he surreptitiously obtained the grant of a valuable farm. YOUNG shortly after this died, and left a wife and numerous family in the utmost distress. This case came to the ears of Mr. CLENCH, who with a humanity and zeal which will ever reflect honor upon his name, immediately applied to the Governor for relief. GOVERNOR GORE instantly ordered a minute investigation to be instituted, and fortunately for the cause of humanity and justice, it was discovered by the Registry of the Province, and the Auditor General's entry, that a deed had been issued by GENERAL SIMCOE in the year 1794 or 5, thus defeating a d ep
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laid scheme to rob the widow and fatherless of their lawful inheritance. Who, after such acts, can question the justice and propriety of dismissing such a person from his office?

The Judge was recalled, to the great joy of every well disposed person in the Province. He however, took care not to quit the country without being well provided for his journey, having contracted debts to an enormous amount, and some of them in the most fraudulent manner previously to his departure; but as I understand these circumstances are to become the subject of a legal investigation, I forbear entering into particulars.

WILLCOCKS is the only remnant of this faction. He continues to publish a weekly paper, and picks up a precarious and miserable livelihood, by vending of slander and defamation.

A Reverend Gentleman, who was understood to have lent his talents to this faction, has, like a true politician consulted his interest, and followed the example of the rats by abandoning the sinking ship; so that the dying embers of sedition are only to be perceived in the columns of the Niagara "Guardian."

The want of religious instruction is lamented by the authors of this pamphlet, and the government arraigned for the neglect. This is an evil loudly complained of by every well-wisher of the country, and to this cause, more than any other, may be ascribed the disgraceful scenes exhibited by THORPE and his associates. Where fanaticism and folly are substituted for the pure spirit of christianity, and men taught to swallow a few ridiculous dogmas without being virtually honest,—where the line is drawn between faith and good

works, and the latter considered as not essential,—in short, where moral restraint ceases to operate, mankind must ever fall an easy prey to the machinations of the wicked. But it must be evident to every one of the slightest discernment, that this is a disadvantage common to all newly settled colonies, and that the provincial government has not the power of applying an adequate remedy :—Where are the clergymen to be found who will brave the hardships and privations incident to a young colony for a few hundred acres of uncleared land? Such disinterested zeal is not to be looked for amongst those who are *regularly* trained for the church. When the country is cultivated and abounding in the comforts of life, there will be no want of clergymen; but till then it is much to be feared, that the propagation of the Gospel must be left to the enterprising Bigot, who takes the field in the absence of the Regulars, and introduces a system of discipline not only repugnant to decency and common sense, but highly injurious to morality, and inimical to our form of government.

The marine establishment upon the Lakes is another gross misrepresentation. They state that “to give a semblance for continuing this expence, scarcely a passable road has been made,” and that “the transport and victualling would be done at one-tenth the expence by the merchants of the Province;” but that the sole object for continuing it proceeds from corrupt motives. It is well known to every man who has visited the country (and may easily be seen by those who have not by a bare inspection of the map) that Upper Canada trusts chiefly to her marine for protection, in the event of a rupture with the United States, and as the Province is remote from succour, and not easily supported from hence, it is obvious that it should possess a substantive
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force of its own, and be ready to act upon the defensive in cases of emergency. The establishment is necessarily governed by that of the neighbouring States, which is very low, not exceeding four or five armed vessels (brigs and schooners) upon both Lakes. The transport of provisions, &c. is quite a secondary object; but as it tends to keep down expence, that service is performed by the armed vessels. The establishment consists of two Masters and Commanders, at 10 shillings per day, and about half a dozen of Lieutenants, from 5 to 7 shillings each per day. The two senior officers have been above fifty years each in the service, and all of them are appointed by the Governor in Chief, so that there cannot be the slightest patronage resting with the Lieutenant Governor of Upper Canada.

This pamphlet (or rather Judge THORPE) complains of the inadequacy of the salaries of the Judges, and works up a frightful picture of injustice arising from the power the Lieutenant Governor holds over the judicial authorities. A few simple facts will best answer these misrepresentations. If the Lieutenant Governor had possessed the power of removing obnoxious Judges, would he have suffered THORPE to have continued a day in office after the developement of his views? Another occurrence is peculiarly applicable to the point in question,—a person holding an appointment under government had been guilty of some misconduct, for which the Lieutenant Governor either dismissed or suspended him from his office, this dismissal or suspension became the subject of a civil action, judgment was given against the Lieutenant Governor, and the person reinstated in his office. In short, there is perhaps no part of the British dominions, either at home or abroad, where justice is at present more impartially administered, and person or property more effectually secured.

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The Indian Department is also laid hold of as a pretext for calumniating the government. It is well known that this cabal seized every opportunity of misrepresenting the government to the Indian Chiefs, and left no means untried to alienate their minds from the country; and it is notorious, that the only symptoms of discontent which have been manifested by the Indians, have been excited by this daring faction. After the most minute inquiry, I can venture to state with confidence, that in all the transactions our government has had with them, either in the purchase of lands or otherwise, they have been paid the sums stipulated in the most honorable manner, and have no complaints against the government. It is true they have suffered considerable losses by the fraudulent conduct of some of their own chiefs or agents, who did not render a just account of the sums they received. I have been present at the distribution of the annual presents, both at Amherstburg and Niagara, and I never witnessed more impartiality than was observed in the distribution of those gratuities, and it was impossible to manifest in a stronger manner their grateful sense of the favors bestowed upon them. I am however far from thinking that the system observed towards the Indians is a good one. It certainly introduces pauperism and idleness, and induces them to look for an eleemosinary support rather than trusting to their own exertions; and it appears evident that they have lost more by the introduction of vices prevalent in civilized life, than they have gained by their connexion with us. It is however much easier to point out the evil than suggest an adequate remedy. These people are now so dependant upon us that they could not probably live without our support, and it appears but just that the European nations who have driven the Aborigines from their former haunts, and circumscribed the limits of their hunting grounds, should grant them some compensation.

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Thus far I have followed the footsteps of Messrs. THORPE and Company, and have in as narrow a compass as possible endeavored to give the public some idea of the authors of this famous pamphlet, and have only to regret that the limits prescribed me will not admit of the details I could enter into, or the documents I could adduce in support of them. This task is reserved for a more able pen—"one who will such a tale of iniquity unfold as would make men and angels blush to hear."

I shall next state briefly, for the information of those who are desirous of settling in Upper Canada, but have not had an opportunity of visiting the country, such information as I have been enabled to obtain upon the present state of the Province. The limits of the settled parts of the Province are at present chiefly restrained to a narrow strip of land, partially cleared, laying along the north shore of the St. Lawrence and the Lakes Ontario and Erie. Some parts of this extensive tract are well settled and cultivated; but a great portion of it still remains in a state of nature. Many parts of the Peninsula laying between the Lakes are well settled, particularly from the head of Lake Ontario to Niagara. The banks of the River from Niagara to Fort Erie, the banks of the Chippawa and Grand Rivers, are in a great measure cleared and settled, and the soil exceedingly rich and productive. The banks of the St. Lawrence from Kingston to Lake St. Francis, are in a great measure cleared the immediate neighborhood of Kingston excepted, where the soil is in many parts rocky and barren. In the Bay of Quinté there are many fine settlements. From Lake Erie to a few leagues above Sandwich the country is well cleared, being an old French settlement. The River Thames flows through a tract of very rich and fertile land. The Grand
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River and the Thames have their sources within eight miles of each other, both Rivers run nearly parallel to the north shore of Lake Erie, the Grand River east and the Thames west, the former falls into the Lake about 29 miles west of Fort Erie, and the latter into Lake Sinclair. The Thames is settled about 4 or 5 leagues from the Lake upwards. The whole of Upper Canada, with very few exceptions, is an extensive plain, interspersed with a few gentle elevations, and water communication is every where afforded for the conveyance of the produce of the country, excepting the carrying place at the great falls from Chippawa to Queenston, a distance of about 7 miles : but this break in the communication might easily be supplied by a navigable canal, which will no doubt be made when the commerce of the country is sufficiently advanced to defray the expence of the undertaking. The climate is very fine, and well accords with the fertility of the soil. The winter about York and Niagara has no resemblance in severity to what is experienced at Quebec. The snow does not continue above three months upon the ground with them, whereas we have it almost half the year. With respect to the government, it is an exact epitome of the British constitution, as may easily be seen by reference to the act by which the constitution was granted. The authors of the pamphlet dwell much at length upon the dangers to be apprehended from the overbearing power and influence of the Lieutenant Governor, and the wicked propensity inherent in this gentleman to exercise it. Every man in Upper Canada knows that no man's person or property ever was endangered by the power of the Governor, as they well know he possesses no such power, and therefore treat the assertion with the contempt it merits : But as persons at a great distance from Upper Canada may be influenced by such gross misrepresentations, and probably deterred from obtaining a
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valuable settlement in the Province, I shall state for their information, a few plain and obvious reasons why the Governor *cannot* become oppressive or formidable to the liberties of the individual. First, The Governor cannot take any step unauthorized by law (without exposing himself to much greater danger than the person who is the object of his resentment), and as the third branch of the Legislature is principally composed of the yeomanry of the country, totally independent of the government, and wholly of that class of people who have a strong interest in preserving their own independence, is it therefore at all likely that the Governor could prevail upon such a body of men to entrust him with the power of putting their persons or properties in danger? The probability of such an influence operating upon them becomes still less apparent when it is known he possesses no means of corrupting their integrity. Secondly, Americans are coming into the Province from all quarters, purchasing lands and bringing their families and connexions with them. It is well known that no people whatever are more jealous of their independence than they are; now is it in the least degree probable that men possessed of such sentiments, would abandon a land of reputed liberty, for a Province where the Governór had the power of endangering their safety?

In relation to the three great and leading points in all countries, namely, Soil, Climate and Government, Upper Canada may vie with any part of the globe, and I have no doubt will, at no distant period, become one of our most flourishing Colonies.

QUEBEC, 24th October, 1809.