

explain upon what errand I had come. But a few words had been said, when a person assailed us with shocking language from one of the upper windows of the Inn: he seemed pale and dishevelled, bearing the bloody stains of battle on his face, and was announced to me as the aforelaid justice of the Peace: one of his valiant supporters, James McDonnell, half pay officer, was also pointed out to me in the crowd, bearing conspicuous signs of having been paid for his violence, by the hand of violence. The horrid abuse, which these two people and two or three more of the same name, continued to pour forth, rendered it impossible for me to be well heard, so the meeting moved off to a little distance, and I proceeded to read and explain. After a short time we were again assailed with the foul language of the Magistrate and his party: but I was determined to go on, as the majority of the people seemed anxious to be acquainted with the business. The justice of the peace finding his lungs too weak to stop our proceedings, had now recourse to another expedient. He went off, swore that he believed me to be a seditious person, and found a fellow magistrate so weak as to order me to be arrested on such a charge.

The simplest man in the Province will see the absurdity of such a warrant.—Were we subject to arrest, whenever any blackguard or fool should declare his opinion to be so and so, where would be the freedom of British subjects? Not a soul was here present to join me in giving bail, and it might have happened that an imprisonment of some months prior to trial might have been my fate. £3000 was demanded by the Worshipful Mr. Frazer; but his brother Magistrate condescended to let me free upon the offer of £500. On my departure for Brockville jail, under charge of the Constable, I was about to mount my horse; but no. Squire Frazer must have me go in the Constable's waggon for degradation; this punishment however, was remitted by the other gentler administrator of the law, so I rode pleasantly up to Prescott, in company with two gentlemen of that place, and proceeded with the constable, now on horse back, towards Brockville. I had gone little more than half way, when two persons to whom I was known at the Augusta meetings, very handsomely offered to join in the bail. A magistrate lived hard by;—the bail was at once received; and the assault at Johnstown being sworn to, the constable was sent back, charged to arrest Duncan Frazer, Esq. and bring him before justice, for his deeds. In fact, I have now a good action against the two magistrates of Johnstown;—as Cromwell said, "the Lord hath delivered them into our hands"; and I repeat, that however great may be the evil consequences to me, personally, the public will reap in finite advantage from the agitation of such questions. In the face of law prosecutions, I cannot be so frank as I would wish, but when necessity no longer confines my declarations, I shall be as liberal as frank in making them. Last December, there was sent to me at Queenston, a paper, in answer to my agricultural queries, and to the 31st it was said, that one of the greatest causes which retard the improvement of Upper Canada, was "a parcel of drunken Magistrates."

Since I came below Lake Ontario, I have too often had occasion to reflect on this, and the dreadful consequences which result from it. The word "drunken" does not characterize some of the men in office sufficiently—"ignorant"—"capricious"—"revengeful"—"degenerately wicked, are expressions which might each, and, in some cases, all, be applied. It is easy to account for the fact. In a country where all goes by favour, the froth will invariably get to the top; & here it will tumble and tows in the levity of exaltation, or overflow on the fire that sublimates it. Arbitrary power, exercised by the great, will spirit up its exercise on the little: redress of wrongs, being hard to come at before a bench of Hills, regardless magistrates, will cease to be much sought after, while submission and dread will be the only policy of peaceable dispositions. In those quarters of the country where books and Newspapers cannot find their way, and the public mind has become dead by ignorance, the tyranny of men in power will naturally reach to the most disgusting heights, and the slavish habits of the people will proportionally sink down. In my first Address to the Resident Land owners of Upper Canada, I said that the desert would be better inhabited by the Beaver and the Bear, than by men, in certain circumstances. Even then I had marked the humiliation of our kind, in some parts of Upper Canada, and discovered its cause; now, my greater experience confirms the truth of my first impressions: Yes, certainly, the beaver and bear are more worthy than degraded man; and so it has been judged;—for him there is a hell,—for them, only eternal sleep. How quickly would a happy change be effected under

well administered laws! What a wonderful change could be brought about in this Province, could the combined virtue of the people rise up and insist that those only should be trusted with power who are qualified to wield it for good.

On the 26th inst. I had appointed to meet the people at Mr. Doytons, 2 miles back of Brockville, in Elizabethtown, and, here too, I found a printed bill flung up as at Augusta, of which the following is a copy.

The Good and Loyal Inhabitants of the Township of ELIZABETHTOWN

Are requested to assemble at the house of ABRAHAM DAYTON, on FRIDAY next, the 26th inst. at TWELVE o'clock, for the purpose of taking into consideration the state of the public affairs of the Province, when a plan will be submitted for the redress and removal of any grievances which may exist, far more likely to ensure success than the measures proposed and recommended by Mr. GOURLAY.

Elizabethtown, June 22, 1818.

I must observe that a very numerous meeting had assembled at this place on the 6th June, but had been disturbed by the clamour of Brockville lawyers and of a Magistrate who stripped, or was about to strip, to settle matters by the ancient process of trial by battle. The knowledge of this and my experience the preceding day, at Augusta, putting me on my guard, I was prepared for the worst. After having spoken to the people, whose conduct was highly praise-worthy, Colonel Sherwood, a lawyer of Brockville, and holder of several Government offices, made a speech I had allowed him and others to question me on what I said, as I went along, and several useful truths were thereby calmly confirmed. In return I naturally expected the same privilege, but with difficulty could obtain my wish. Col. Sherwood endeavoured to impress upon the minds of the people that their constitutional mode of proceeding only lay through their Representatives in Assembly, and that a Petition should go through to the Prince, a fancy which would absolutely be laughed at in England, and which has lately been trumped up here, chiefly to support the interest and character of a few petted Members of Assembly.

I maintained that no petition of the people ever went through Parliament to the Prince, and challenged Colonel Sherwood to give a single instance.—I maintained that the people of England petitioned the King, the Lords, or the Commons just as they thought fit,—that the people of Canada might do the same; and that in the Bill of Rights, no provision was made for the people petitioning Parliament, while it was expressly stipulated that they should ever enjoy the right of petitioning the King. These indeed are the identical words of the Act, called the Bill of Rights.

ARTICLE 5th, "That it is the Right of the subjects to petition the King, and all commitments and prosecutions for such petitioning are illegal." As to the right of petitioning Parliament, though undoubted, not a word is said in the Bill of Rights. It is a right founded on custom and reason; and exercised almost every day during the sitting of Parliament, as the right of petitioning the King is practised every day of the year. That, Colonel Sherwood, a lawyer should be ignorant of such matters, or if not ignorant, should wish to hide the truth, is lamentable. As there could be no hope of getting any good by arguing with such a lawyer, or any other person of the kind, and as two meetings had been advertised to be held for different purposes at the same place, I called those who wished to join our cause to retire with me and go through the business without further interruption; and the great majority declared for us. The lawyers were left to proceed by themselves in peace, and I afterwards heard that they gained 17 signatures for their petition to the Assembly.

The people of Elizabethtown having chosen their Representative and other officers, a general Meeting of Township Representatives was immediately held; and every thing was settled beyond my best hopes.

On the 27th I returned to Kingston by the Steam-boat from Brockville; and my mind, at rest from care and fatigue, had the fullest enjoyment of the delightful fall. What are the pleasures of sight without reflection? The poor Indian who paddles his Canoe on the waters of the St. Lawrence, thinks not for what it was made to flow, or how the God of nature has designed it to tempt into activity, the latent faculties of man,—to be a bond of union to the world. Seldom do I look on this noble River without feeling my religion increased, my ideas in very way expanded, and the end of my life clearly illustrated. The sun in his brightness and regular returns leads us to adore the God of never failing love and order; but the mighty streams of the earth, and the wide reaching ocean which receives them, speak

more nearly to the practice of our present existence—tell us that social intercourse with our remotest fellow creatures is a duty, and universal benevolence the ultimate design of Providence.

The voyage from Brockville to Kingston affords exquisite delight, even now, to the lover of picturesque scenery.—The Islands of every shape—rocky and tame,—countless in their watery labyrinth, present variety infinite: every position has its new objects, or its altered forms: enjoyment elays not for a moment: reflection is ever kept awake—yet, was the intention of nature completed—was the hand and genius of man exerted, to the full, in this rough hewn paradise, how much more noble and extended would be the range of blissful sentiments!

(To be continued.)

FOR THE KINGSTON GAZETTE.

LOYALTY ON STILTS.

"Are we not at this moment the most happy people on the face of the Globe, possessing a fertile country, which smiles like Eden in her Summer dress, and a free Constitution of Government?—are we not unburdened with taxes, and favored with the fostering care and protection of the greatest of Nations; and can any man of common sense for one instant imagine that the unanimous petition of the people of Upper Canada, when presented, in proper form, to our Provincial Parliament, would not meet with that degree of respectful attention to which it is entitled? Away then with your Township Meetings, and your worse than useless Conventions; your designing and malignant Spirits!"

Whata rhapsody! a fertile Country! where are its rich yieldings? Do they consist in the Beef and Pork, & Flour, and Butter and Cheese that are imparted for our sustenance, from Jefferson County and the Genesee? Why the people of Kingston would be starved to death; all His Majesty's Troops would die of Hunger if they depended for food on the fertility of Upper Canada. Let me ask whether or no there are three Farmers in the Township of Kingston whose Farms produce them Bread? What signifies a country being fertile if it be not cultivated! "Smiles like Eden in her Summer dress!"

Genesis II. 8th and 9th verses. "And the Lord God planted a Garden Eastward in Eden; and there he put the man whom he had formed. And out of the Garden made the Lord God to grow every tree that is pleasant to the sight and good for food."

Let any man, whether he have common sense or not, look around him and say whether Upper Canada answers to this account of the Garden of Eden or no? Who has planted it? who has caused therein to grow every tree, that is pleasant to the sight and good for food? If it smile it is a ghastly smile, a smile of contemptuous reproach on man.

Penetrate the dark recesses of your immeasurable woods: there behold the teeming land choked with rank and poisonous weeds; and your oozy swamps, engendering reptiles. "Smiles like Eden in her Summer dress!" Ha! Ha! "Are we not unburdened with Taxes?" the Gentleman exultingly asks, and puts this interrogatory (in lieu of proving the fact,) among others, for a reason why we are the happiest people on the globe. Let us for a moment allow this to be true, can it for any earthly reason be assigned as a cause for happiness and exultation? No! no! Whether is he the better off, one who is taxed a farthing on his shilling, or he who is taxed five Pounds on his hundred Pounds? The first, when he has paid his taxes having eleven pence three farthings to buy him a shilling loaf, and the latter having ninety five pounds. But the fact is not true. It is quite a mistake to tell the people of Upper Canada that they are unburdened with taxes. What is your Road Tax? why it is a serious burden, and most uncomfortable grievance: it is a most unjust and oppressive Tax, because it bears upon the industrious poor, while the rich and affluent escape it. Who holds the land that are in cultivation? why the poor and the industrious, chiefly. Who hold all the best situated waste lands in the Country? Why the rich and the affluent. What lands pay the taxes for making the Roads? The cultivated Lands. Do the waste Lands pay no Road Tax? None. Do not the Public Roads go through the waste Lands as well as the cultivated? Yes.—Then it is clear that the poor and industrious not only have the burden of making and repairing Roads for the Country at large, but also for the exclusive benefit of the rich, whose lands pay no taxes. And yet we are unburdened with Taxes!! the blessed result of this Gentleman's "free Constitution of Government."

This Gentleman has a violent antipathy to Township Meetings, and yet he

would have the unanimous Petition of the people of Upper Canada presented in proper form to our Provincial Parliament. Good, and how is this Petition to be procured if we are to have no Township Meetings?—People of Canada, Township Meetings are the Life and Soul of Liberty, the horror and dread of tyranny and oppression, they will secure for you good order and well regulated Government;—they will insure you a just and faithful execution of your Laws. Where Township Meetings are frequent, justice will never be made mock of: and, having all these blessings in their train, they must confirm you in your Loyalty and Devotion to your King and Country.

No, good People of Canada, I humbly advise you to hold Township Meetings frequently, any thing that may be told you to the contrary notwithstanding.

I sincerely hope that it is not every one who differs from this Gentleman in opinion that can be charged with possessing a "designing and malignant Spirit" God forbid.—Let the Gentleman reconsider the matter, and I doubt not he will have the candor to see and acknowledge that his impassioned exclamation, "Away" &c. &c. &c. is itself but a very few shades from the deep dye of malignity.

COMMON SENSE.

Kingston, June 24th, 1818.

To the Editor of the Kingston Gazette.

Sir, No thoughts have beauty, or actions propriety, which are not just. Attempts at wit are insipid and disgusting, which have not truth for their foundation; and writings are not valuable which are not the productions of good sense.

These land marks for authors have received the sanction of wise men, as well as critics, and he who presumes to write must be tried by them.

Mr. Hagerman's communication addressed to Mr. Gourlay, in your last paper, contains some things, which I cannot reconcile to these established principles. The correctness of its style I have not inclination to examine; but inasmuch as it deviates from justice, truth, and good sense, I shall take the liberty of making such remarks as may expose the inaccuracies of his statement.

After his "quandaries," "breakfast," "trembling anxiety," "Highland," "Old Fish," "Growling," and "low familiarity," he expresses himself in this manner: "All this was soon seen into, and with the exception of one or perhaps two, they who were then present, and whose good wishes and support, you flattered yourself you had gained, have since become your warmest and most powerful opposers."

There were seven persons present at the time alluded to. One of those is opposed to Mr. G's measures, & was so previous to his acquaintance with that gentleman. Two have since been elected District Representatives,—one a Township Clerk, one a member of committee for receiving subscriptions and furthering the views of the Township meeting. The remaining two have manifested their approbation of the measures, so far as to assist in distributing the pamphlets to the neighboring Townships. These facts are generally well known in the Township, and I believe I may say universally in the vicinity of Mr. Hagerman's residence; of the existence of which, should he doubt, legal proof can be obtained.

He continues his epistle with strong and logical reasons for withdrawing the Adolphustown Report, and, for fear of being elaborate, he concludes then by saying, he is proud of being supported by a majority of the subscribers, who are determined to have their names expunged, should there be a proposal to send it to Mr. G.

How far this assertion can be relied on, may be ascertained by adverting to the proceedings of the Adolphustown meeting, of the 6th inst. published in your paper of the 10th.

Mr. H's observation respecting the "proper chastisement of Mr. By-stander for his impertinent interference," requires some comment. As he has omitted to express in what his "impertinent interference" consisted, permit me to develop the actual circumstances, to which he has obliquely alluded. They are merely these, Mr. Bystander gave an opinion similar to that of the inhabitants of Adolphustown, noticed above, i. e. that after the Report had received their approval and signatures, and was by their direction transmitted to the Post Office at Kingston, to be delivered to Mr. Gourlay, it was not at his (H's) disposal; and that he had consequently done wrong in withdrawing it. Many others expressed the same opinion, but not with equal effect, for he presumed not to display his pugilistic prowess to any one but the By-stander.

We read that "a wise man searcheth

to do evil; but a fool rageth and is confident."

The last character was never more strikingly exemplified, than in this instance.

That a man should be led, on the 20th inst. to assert, in so positive a manner, the correctness of his conduct, and on the 1st instant, at a meeting convened by his own appointment, should, with due submission, acknowledge that conduct to have been wrong and unjustifiable, would, in any other person, be strangely inconsistent; and that, to several persons, he should express contrition for his conduct to "Mr. By-stander," "but that he would see him d—d before he would tell him so," was highly illustrative of candor.

My main object, Mr. Editor, has been to notice and refute such parts of Mr. H's communication as were calculated to convey an impression of inconsistency and impropriety of conduct in those who were generally known to be alluded to. How far I have succeeded the public are to judge. Should they be in my favour, they will concur in my opinion of the learned Gentleman's communication, which is, that, for want of justice, it has not beauty or propriety, for want of truth it is destitute of wit, and for want of good sense is neither estimable or praise worthy.

A BYSTANDER.

June 29.

FOR THE KINGSTON GAZETTE.

To the Inhabitants of Upper Canada.

FELLOW SUBJECTS,

When the minds of the community, are agitated by crafty allurement, and that allurement is published, under the cloak of constituted right; it is highly necessary to unmask the delusion; especially, when that delusion has a tendency, to raise disaffection to constituted authority.

For several months past, the minds of the people of this Province, have been agitated through the medium of the public prints, by lengthy insertions; holding to view, the pretext that many regulations in the Provincial Government, and the mode of granting lands, are necessary, to secure prosperity to, and an increase of population in, the country. With the man who makes such a bustle, to put us in a right political trim, I am not acquainted, but as he appears, through the above medium, he is openly bold, and daring, and highly, if not criminally, blameable. I therefore address you in defence of your real political interests, against the disturber of your happiness, and, to make the Address more plain, have put it in the form of Questions and Answers.

Ques. What is the Government of Upper Canada?

Ans. Of that description denominated Provincial.

Ques. From what source does the Government receive its power?

Ans. From two sources. The King of the United Kingdom of Great Britain is the first and principal source, and the people resident inhabitants of the country, are the second source.

Ques. What are the respective powers, vested in the branches from these two sources?

Ans. In all local concerns, the same as those, vested in the similar branches, of the Government of the United Kingdom.

Ques. Is there no other distinction?

Ans. Yes.

Ques. Will you favor me with an explanation?

Ans. The Government of Great Britain, is superior in its order, and also in power, in having created, and taken under its protection, this government; which is a branch, raised from that stock.

Ques. Are we, in any part of our government, independently distinct?

Ans. Yes, in the Representative department.

Ques. How far does that power extend?

Ans. To the framing, and repealing, local laws.

Ques. If royal power is present in this Province, in the King's Representative, and our Commons have power to legislate, is it necessary to address the Prince Regent, for a redress of grievances?

Ans. It is not, and in the first instance, I doubt the legality of such proceedings.

Ques. In what do your doubts originate?

Ans. The Provincial Governments, established in the foreign possessions, belonging to the Crown of Great Britain; were, no doubt, created for the purpose of easing the home government, and, the advantage of immediate regulations, to promote the happiness and prosperity of foreign subjects. To petition a branch of the Provincial government in the first instance, is, therefore, the most proper; if not the only