

A POLITICAL, AGRICULTURAL

AND COMMERCIAL JOURNAL.

PRINTED AND PUBLISHED BY THOMAS H. BENTLEY, AT HIS OFFICE, STORE STREET, NEARLY OPPOSITE THE MANSION HOUSE.

(TERMS—FIFTEEN SHILLINGS PER ANNUM, WHEN PAID IN ADVANCE—SEVENTEEN SHILLINGS AND SIX PENCE WHEN NOT SO PAID)

VOLUME XIX.

[JOHN WAUDBY, Editor.]

KINGSTON, UPPER CANADA, TUESDAY, MARCH 27, 1838

[T. H. BENTLEY, Printer & Proprietor.]

[NUMBER 904]

The following Titles of Acts were omitted in the Schedule published on our first page last week. An Act to postpone the sale of Lands in arrears for Taxes.

An Act to authorize the appointment of Commissioners to investigate the claims of certain inhabitants of this Province for losses sustained during the late unnatural Rebellion.

By the following extract from the London Morning Post, it will be seen how much the peace of these Colonies is endangered by the treachery of traitors at home. In fact, the rebellion had its origin there.

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difficulties makes him confused—old age makes his perceptions. That care and urbanity which endear an officer to his men, is impossible.

Strong natural powers, joined with extraordinary sweetness of temper may cause excesses.

But as a general rule, every old undisciplined Militia officer ought to resign.

EXPERIENCE. Kingston, March 16th, 1838.

From the Com. Advertiser. INTERESTING MEDICAL CASE.

In the brief obituary notice of our deceased friend, Dr. Ives, some two or three weeks since, we spoke of the disease which had inflicted upon him so many months of agony, as NEURALGIA.

On a post-mortem examination, however, we learn that his physician, as well as himself, was first mistaken as to the character of his disorder. It was a tumor, rising from the left side of the abdomen, and extending among the nerves and muscles of the hip.

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Shortly after the cure was effected, a letter arrived from London, wherein six different modes of treatment, to be tried in succession, were recommended by two of the most eminent of the London faculty, and it is a singular fact, that every one of these but the last, had been tried, and failed.

That last was "Finally, try a course of mercury." And that invaluable medicine had effected the cure; for Dr. Dayton admitted the stratum was intended merely as a soother.

The particulars of the case, which I have endeavored to narrate as shortly and distinctly as professional knowledge permits me, should surely induce patients never to despair; under the pressure of the disease which had inflicted upon him so many months of agony, and he was sighing for death as the only blessing that could befall him.

I ought perhaps to add, that he has been threatened with a return of the complaint three or four times, but by taking one or two of Abernethy's blue pills, it has immediately given way. On one occasion, in order as he said, to test the medicine, he allowed himself to progress rather too long, the old enemy fairly took hold of him, and almost kept him roaring for two or three hours.

It is quite a mistake to suppose that tic douloureux, NEURALGIA, affects only the face. The whole system is subject to it, for where do not the nerves extend? and where there are they may be seized.

From reading almost every work on the subject of neuralgia, the writer understands that females are peculiarly subject to it, although generally in a more mitigated form than in men. He feels he is trenching on a prerogative to discuss the disease, but as the letter is already too long, he respectfully subscribes himself, &c.

GOOD WILL. A professor of Latin in the University of Edinburgh, now no more, having desired his students to give a list of the names in Latin, was greatly surprised at seeing written on a slip of paper the name "Joannes Ovum Novum."

What was the name, Sir? "I don't see." "What are you doing, looking at the slip of paper?" "I am looking at the slip of paper, Sir." "What are you doing, looking at the slip of paper?" "I am looking at the slip of paper, Sir."

During the late storm, Tom met Bob in the street just after eleven o'clock, and says, "Bobby, why don't you carry an umbrella?" "Because," says Bob, "I can't keep myself up and an umbrella too."

"I say, Nim," said a person to the corporal, "I have got a musket in my ear, and an amfraid it will get out of my ear, and I am afraid, the corporal, 'he will find plenty of room."

Hourly Canada. FIRE.—An alarming fire broke out to-day about one o'clock, in the house in Palace-street, called the Mansion House, belonging to Henry Alkison, Esq. The adjoining houses belonging to the same owner and Mr. LeClerc, are on fire and great efforts are making to save St. Patrick's Church, which it is hoped will be successful.

Upper Canada. From the Patriot. CAPTURE OF THE BRIGADES SUTHERLAND AND SPENCER. The facts attending the capture of this brace of knaves are simply as follows: Lieutenant Colonel Prince was returning home on Sunday the 4th instant, (having been at Point Pelee Island the whole of the preceding day) in a sleigh, accompanied by his friends and comrades Pideaux, Girty, Esq. of Gosfield, and Mr. Haggerty, of the river Erie, in Middlesex. They were accompanied by a long train of militia, being the 8th or 9th miles of Malden, Colonel Prince discovered two objects on the ice at a distance of about four miles, which he suspected to be spies coming from the direction of Gibraltar, in Michigan.

They were seen to be men; and Mr. Girty, who knew every pass in the country, at once suggested that they were enemies coming to reconnoitre a particular march which affords a quick passage from Lake Erie to the interior. They were accordingly pursued, and after a long and desperate struggle, they were all killed, except one, who was taken prisoner.

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stant exposure and exertions during the campaign, was prevailed upon by Colonel Prince to remain in his sleigh while he (the Colonel) and Mr. Haggerty drove off in the single sleighs to intercept and take the suspected persons. When they got within about 15 rods of them, Colonel Prince stopped his sleigh, and leaving his pistols and tomahawk in the care of the driver, he proceeded with his favourite Deer gun (which carries only 35 buck shot to the load) and advancing within about 50 yards of them he commanded them to halt.

They did so, and he demanded who they were—they replied they were American citizens. He then recollecting GENERAL Sutherland, and approaching within a rod of them, he demanded their names. The GENERAL hesitated to deliver up his name, and Colonel Prince ordered him to demand CAPTAIN Spencer's sword, which he accordingly did.

The gallant Captain delivered it up with great alacrity. This took place within a mile and a half of the Canada shore, and more than four miles from the shore of Michigan. The prisoners were put into the sleighs and conveyed to the garrison at Malden. On the following day they were sent to a military post commanded by Captain Radey to Toronto.

REPORT FROM THE SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL OF UPPER CANADA, ON THE STATE OF THE PROVINCE. (Concluded from our last.) But we must remember that the temptation to govern in several respects strong, to avoid bringing things to a head, by making any possible sacrifice; and the history of Lower Canada furnishes many instances where this temptation has prevailed.

No constitution can stand long against the assaults to which it is exposed under such a system; and it is the interest of all classes of persons, who really believe that their form of Government is well preserved, to secure it against the greatest danger it is exposed to, by relieving the Executive Department from a state of ruinous dependence on the Assembly.

There is another evil consequence of this dependence in the temptation to which it exposes the Public Officers of the Colony, to ingratiate themselves with the leaders of a faction, who can measure out to them, or withhold their subsistence, as they please.

It may be imagined, perhaps, that however obvious these considerations may be to those who think deeply, and feel rightly on matters of Colonial Government, yet that the multitude can never be taught to see and acknowledge their force, and that every advocate of popular rights would feel himself bound to resist the conclusions which your Committee have expressed.

It is striking to see, in the contrary, your Committee will append to this report some passages upon this subject, in a printed letter of Mr. Hume's correspondent, Mr. W. L. Mackenzie, who has lately carried his factious opposition so far as to involve himself in the guilt of high treason, and for some purpose, addressing a letter to that Nobleman, which was printed and published at the time, and which will be found, that the evils of placing the Royal authority at the feet of a popular Assembly, and of obliging the Officers of Government to court their favour for their daily bread, and the conviction, that under such a system "no real constitutional government will ever be found, are very forcibly dwelt upon.

Your Committee of course do not cite this on account of the respectability of the authority, but merely to show how sensible the bitter enemies of the Government are of the degradation and destruction inseparable from such a system.

The British inhabitants of Lower Canada are strongly impressed with an opinion, that after all that has taken place, the removal of this difficulty respecting the Civil List would not alone be sufficient to place the Province on a firm basis, unless some material change is made in its Constitution. The French Canadians are not an enterprising people; they care little about commerce, and are not zealous promoters of public improvement; and it is not to be expected, that their laws and customs have an unfavourable tendency, and that their ignorance and national prejudices forbid all hope of amendment through the agency of the Legislature.

A Legislative union of the Provinces is proposed as the only remedy, and the most effectual remedy. It probably is desired by the British population of Lower Canada, with very few exceptions, and their desire is natural; they may gain much, and can scarcely lose by the change. The people of Upper Canada on the other hand, would be committed much to hazard by the trial; they are happily not in that state that should make them indifferent to any dangerous experiment.

Hitherto a fear of ill consequences to themselves has prevented the inhabitants of Upper Canada from acceding to the measures that have been proposed for a Legislative union; the situation of Lower Canada is now such as calls for some important change; for it is perhaps not too much to say, that the laws no longer afford to the British population sufficient security for their lives and properties. Although a strong military force must probably under any circumstances, be maintained in Lower Canada for some time to come, yet that is not the resource that should be principally looked to for the future security of the Province; and if it were certain that peace and safety could be otherwise assured to our fellow subjects there, than by the desired Legislative union, then your Committee would not hesitate to say that the people of Upper Canada should consent to that measure, and they should indeed to any other, that upon a deliberate consideration of the case, may appear to Parliament to be the most expedient.

In the Session of last year the Legislative Council concurred with the Assembly in an address to His Majesty, deprecating an union of these Provinces, a copy of which address is submitted, and of the reply which His Majesty was graciously pleased to give the same; in which reply the assurance is conveyed, "that the project of an union between the two Provinces had not been contemplated by His Majesty, as fit to be recommended, without the sanction of Parliament." In the recent events in Lower Canada, which can not be too much deplored, seen to present some arguments in favor of a Legislative union, they appear to your Committee to suggest others of a contrary tendency, which it would not be safe to trifle lightly.

The advantages which most readily occur, are that the union would scarcely fail to be favorable to the commercial interests of this Province, and that it would increase our revenue, and enable us to advance more rapidly in some public improvements than we are at present able to do. All such advantages however are dependent upon the continued tranquillity of the two Provinces. In any scheme which your committee have seen proposed for the union is to be carried into effect, the Executive Governments, would be in some respects inconvenient, and to have but one Government to rule so extensive a Country, would, as we apprehend, be satisfactory or prudent.

But there are considerations of much greater

moment than these, which it would not be advantageous to make the subjects of public discussion, but which incline us strongly to the conviction, that the social happiness of the people of Upper Canada, their internal peace, and the continuance of their connexion with Great Britain, are more secure under their present Constitution, than they would be after the proposed union.

So far as we may be permitted to determine the question, upon a view of the interests of Upper Canada merely, our inclination is against the change; but if without an union, the British population in Lower Canada cannot be secured in the enjoyment of British Institutions, then we are constrained to follow, that the only question for consideration would be, the terms of the measure, and the best time for proposing it.

Your Committee to enter upon a particular discussion of these points, because they cannot convince themselves that an union with Lower Canada alone, would be safe or desirable for the inhabitants of this Province. If a mature consideration of the present condition, and probable future state of Lower Canada, should seem to compel the Imperial Parliament to favour that project, there can be no doubt that ample opportunity will be afforded to the people of both Provinces for offering any suggestions.

Another measure has been proposed, namely, the extending the limits of this Province so as to include the Island of Montreal, and certain parts of the adjacent territory. There can be no doubt that this would be of incalculable advantage to Upper Canada, by giving it a more accessible front to the ocean, and thus enabling her to raise a revenue commensurate with her wants. It would take from the Government of Lower Canada that portion of the population which has taken the lead in the late rebellious movement, and would place under the influence of other laws and feelings, much to their own advantage, and to the benefit of both these Colonies. The country which would form the Province of Lower Canada would not be expected to place in an attitude hostile to the Mother Country, nor would its hostility be so formidable; and under this arrangement, Quebec might continue as it ought, to be the residence of the Governor General. There are many advantages in this plan, which, in the opinion of your Committee, should recommend it strongly to the notice of Her Majesty's Government.

There is yet another suggestion which deserves at least to be taken into view, and that is an union of the British North American Colonies, including perhaps among them, Newfoundland and Prince Edward Island. Quebec might be conveniently the Head Quarters of such a Confederacy; the Legislature might meet in the summer; each Colony might retain its own Legislature, for purposes purely local in their object, and all questions which could effect their relation to Great Britain or to each other might be settled in the United Legislature. There are many benefits which might fairly be expected to result from such an union, and they would be obtained without doing violence to any claims which the French Canadians may be disposed to rest upon numbers alone.

The progress of these Colonies, as late events have demonstrated, is such as to excite the desire to manifest an interest in the affairs of each other, and to combine in maintaining their connexion with the Empire, which all British Subjects understand, and feel to be indispensably necessary to their security and welfare.

Your Committee have merely alluded in general terms to these different schemes, without entering upon details, for they feel assured, that in a short time we shall receive some announcement of the measures which the Government have given, and which they thought it expedient to propose, upon the present condition of Lower Canada; and it will be more convenient to wait until this information reaches the British Government, and until the people of the greatest anxiety upon the present posture of affairs in that Colony, for in reality our safety is as much involved in the result as if we lived within its limits.

With respect to the other source of danger to this Colony, of which we have lately been apprised, by the very extraordinary and unlooked for occurrences upon our frontier, your Committee trust that it may prove not unfortunat upon the inhabitants of Upper Canada, as we have been thus put upon our guard.

The steps which have been recently taken by the Government of the United States, show an earnest desire, on their part, to restrain their citizens from committing hostilities upon the territory of Great Britain; but there still remains the question whether upon this and future occasions, we shall be safe in relying upon the power of that Government to restrain its people from hostile aggressions upon the inhabitants of Upper Canada. So far as their inability to do this, in the present instance may have proceeded from defects in the laws which Congress had passed upon this subject, there is every reason to suppose that the difficulty will be removed; but even if the Government were able to place entire confidence in the efficiency of any laws that may be enacted.

That the Government of the United States will, in this respect, desire to discharge its duty, we may venture to anticipate, and it has been very satisfactorily shown upon the present occasion, that men of character throughout the U. States, as well as the more respectable portion of the public press, are neither slow to perceive, nor backward in acknowledging, the line of conduct which it is the duty of their countrymen to adopt towards their neighbours in these Colonies. Still we have received a very impressive warning, that our best, if not our only adequate security, will be found in being prepared to resist aggressions. We have seen the people in four of the States adjoining these Provinces making open and active preparations for war against Canada, at a time when Great Britain was at peace within herself and with the whole world, and after it was perfectly well known that not an inhabitant of either Province was in arms against his Sovereign.

It may be difficult to secure this Province effectually against the impressions which would be attempted to be made along its frontier by the armies of the United States, in a public war; but the vast naval superiority of Britain, and the means then in view, to extend its protection to these Colonies, or if unhappily, a strong feeling of opposition to the Government should be excited within this Colony, and should break out in acts of open resistance.

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The illustrations Duke of Wellington had no less held a responsible station in the Councils of his country, before he took the more energetic measures for securing the frontier of Upper Canada

against invasion. Several experienced Officers of Engineers were sent to this Province, expressly to examine into and report upon the positions, which it would be necessary to occupy with this object, and it is known, that in consequence of this provident measure, steps were actually taken for commencing military works at two or three points on the frontier, which would have placed us beyond the reach of danger from any such attempts as have lately been made; but we lament to say that changes in England occasioned these measures to be abandoned after they were fully resolved upon, and steps taken for their accomplishment.

The inhabitants of this Province require but arms and ammunition, and two or three rallying points, which would form, to render them perfectly safe against any attack of undisciplined troops, which they have lately had to encounter; but, from want of these advantages, the danger has been imminent upon the present occasion, that some temporary advantages might have been gained, which must have been attended with very serious consequences. We doubt not that there are in Upper Canada 50,000 militia, as willing, and as able, to defend their soil from invaders, as any country can boast of. But to render this force serviceable, it is necessary that there should be two or three arsenals, in which they may resort for arms and ammunition, and where they could assemble upon any sudden call of duty.

For want of these precautions the whole western frontier of this Province was, for a considerable time almost utterly defenceless, under very critical circumstances. The people rushed in numbers to the frontier to meet a threatened invasion, but without arms in their hands, and without the means of procuring them when they arrived at the point of the expected attack. The invading force from the State of Michigan, took possession of an Island in the River Detroit, and with an armed Schooner, began to batter the town of Amherstburg, as we have already stated. The next day, under cover of their guns, a landing was made upon our western frontier, a landing which had been made upon our main shore. The loyal and gallant people who were assembled in haste to meet the invaders were but half armed; and they knew the discouraging fact, that there was not a field-piece in any position within nearly three hundred miles of them. If their arms had not been made up to supply themselves with artillery and arms, by making a very spirited and successful attack upon their enemy, it is by no means improbable that such an impression might have been made on our western frontier as would have given immediately a very serious character to the contest, and might have led inevitably to a national war.

Your Committee cannot avoid, on this occasion, referring to the fact, that the same garrison which, for forty years had been maintained at Fort Niagara and at Amherstburg, have within the last two or three years been withdrawn; and a frontier of three hundred miles, bordering upon a foreign country, left for the first time without the presence of a British soldier. We have reason to believe, that this step was by no means approved of by the experienced officer who commanded the Forces in this Province; and independently of many other considerations, such as we have already given, these military stations, which have recently occupied has proved most clearly, that if economy led to the arrangement, as a measure of reduction, and a step to effect a saving has proved most unfortunate. The presence of a company of regular soldiers, with half a dozen artillery men, would most probably have prevented these proceedings among our neighbours, which are now rendering necessary immense expenditure, such we fear, as will be found to cost very much more than saving which could have been hoped for in this unfortunate reduction.

We trust these posts will be immediately re-established, and that the Government of the Mother Country will take such steps in consequence of what has happened, and is still going on, as will prove unequivocally a resolution to defend this portion of Her Majesty's dominions against foreign enemies and domestic traitors, and to aid the people of Upper Canada in maintaining the integrity of the British Empire, to which they have shown themselves so devotedly attached.

It seems astonishing, at the first view, that a few hundreds of persons in this Province, and a few thousands in Lower Canada, without leaders of military skill and experience, should have been so completely overpowered by a few thousands of British soldiers, should have embarked in that undertaking so utterly hopeless as to wrest these Colonies from the dominion of Great Britain.

The fitness of Quebec commands the passage to the ocean. It would defy the valour and skill of an European enemy. Here, then, were they to rebel, the British Standard, which waves over its citadel—how could they expect to encounter, with success, the fleets and armies of England, which have proved an over-match for the world? They reckoned, as we know, upon the people of the British Standard, which waves over its citadel—how could they expect to encounter, with success, the fleets and armies of England, which have proved an over-match for the world?

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