THE STORY OF THE UPPER CANADIAN REBELLION.

BY JOHN CHARLES DENT.

Vol. II

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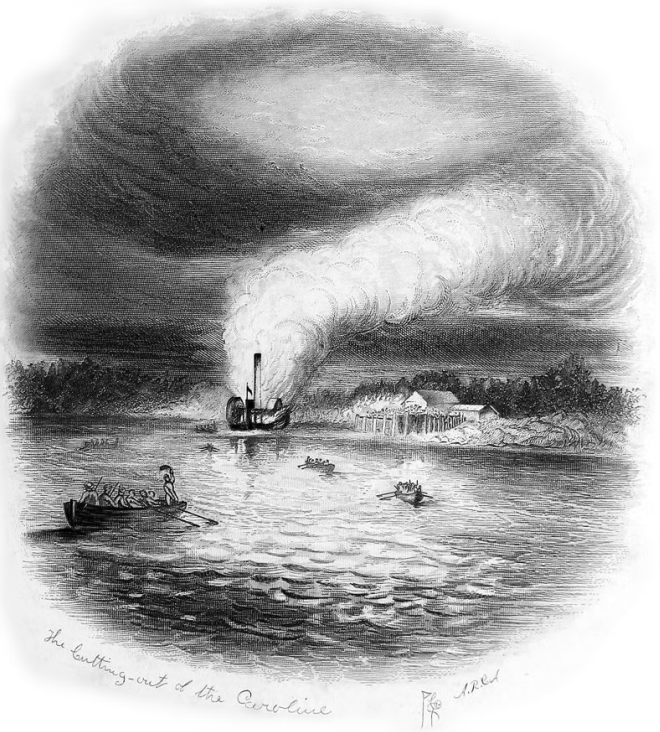
THE STORY OF THE UPPER CANADIAN REBELLION.

Yours Truly

W. L. MacKenzie

THE STORY
OF THE
UPPER CANADIAN REBELLION
BY
JOHN CHARLES DENT
AUTHOR OF "THE LAST FORTY YEARS" &C.

VOL. II.



The Cutting-out of the Caroline

TORONTO.
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THE STORY

OF THE

UPPER CANADIAN REBELLION;

LARGELY DERIVED FROM ORIGINAL SOURCES AND DOCUMENTS.

By JOHN CHARLES DENT,

Author of "The Last Forty Years," etc.

"Well, God be thanked for these rebels."—*I Henry IV*., Act iii, sc. 3.

"Truth is not always to be withheld because its expression may wound the feelings of public men, whose official acts have subjected them to public censure. If it were, history and biography would cease to be guiding stars, and, above all, would offer no wholesome restraint to the cruel, or corrupt, or incompetent exercise of authority."—*Tupper's Life and Correspondence of Major-General Sir Isaac Brock*.

"We rebelled neither against Her Majesty's person nor her Government, but against Colonial *mis*-government.... We remonstrated; we were derided.... We were goaded on to madness, and were compelled to show that we had the spirit of resistance to repel injuries, or to be deemed a captive, degraded and recreant people. We took up arms, not to attack others, but to defend ourselves."—*Letter to Lord Durham from Dr. Wolfred Nelson and others, confined at Montreal, June 18th, 1838.*

Toronto:
C. BLACKETT ROBINSON, 5 JORDAN STREET.
1885.

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[Transcriber's Note: Obvious printer errors, including punctuation, have been corrected. All other inconsistencies have been left as they were in the original. Of the following corrigenda, all of those for volume 1 have been applied, but only the first one for volume 2 has been applied to the text.

Page numbers in the original book are given in braces {nnn}.]

CORRIGENDA.

VOLUME I.

P. 37, line 9, for "agast," read "aghast."

P. 116, line 15, for "Dumfries," read "Dundee."

P. 163, line 8 from bottom, delete "Willis."

P. 316, line 4 from bottom, for "Parsons," read "Parson."

P. 353, line 8 from bottom, for "McNab," read "MacNab."

P. 371, line 13 from bottom, for "constitution," read "constitutions."

VOLUME II.

P. 22, line 10 from bottom, for "Committee on Privileges," read "Treason Commission."

P. 40, line 12 from bottom; the John Hawk mentioned here has died since this line was written.

P. 86, delete last line. The original statement is without place or date. The error occurred through transcribing from what professed to be a printed copy. To the original is appended the following certificate:

> "I hereby certify that I have seen Mr. Carmichael read the above and sign his name to the same, declaring in the presence of his Maker that it is true.
>
> "Aug. 30th, 1852. (Sgd.) W. T. Aikins, M.D."

The note on p. 317 should be modified accordingly.

THE STORY

OF

THE UPPER CANADIAN REBELLION.

{9}

CHAPTER XIX.

ON THE BRINK.

Mackenzie's departure for the north took place towards the end of the first week in November. Intelligence of his movements in the rural districts reached Toronto from time to time, but he sent no direct messages either to Rolph or Morrison, who, for some days, supposed that he was merely ascertaining the sentiments of the Radicals on the subject of the insurrection which he had so vehemently advocated. Erelong, however, intelligence of a most surprising nature reached their ears. They were informed that Mackenzie, Lount, Matthews, Fletcher, Gorham, Jesse Lloyd and others had had a secret meeting in the township of East Gwillimbury, at which an immediate rising had been resolved upon. It appeared that plans of more or less definiteness had been arranged, and that Thursday, the 7th of December, had been named as the time for taking possession of the capital and inaugurating a Provisional Government under the direction of Dr. Rolph. This astounding intelligence came to Rolph and Morrison from seven or eight different persons, all of whom had received it either directly or indirectly from Mackenzie himself, some by letter and some by personal communication. They were all persons who could be

depended upon not to betray the plot, but {10} it was well-nigh inconceivable that Mackenzie should have communicated so momentous a secret to so many individuals before notifying the prospective head of the new Government himself, who had thus had no opportunity of expressing either approval or disapproval. It furnished one more example of Mackenzie's utter unfitness for any position in which discretion and judgment were needed.

Rolph and Morrison took counsel together. They felt that they were unsafe in the hands of so leaky a vessel as Mackenzie, who had evidently been so impressed by a sense of his own importance that he had been utterly incapable of keeping the secret, although he must have been conscious that upon the keeping of it the success of the movement, as well as the personal safety of those participating in it, might probably depend. They moreover learned that in the course of his peregrinations about the country he had made the most unwarrantable use of their names, and had most culpably misrepresented their views and sentiments. He had held them up to the Radicals as the real projectors of the movement, and as most anxious to place themselves at its head. There could be no doubt that their names had been a tower of strength to him in his machinations, and that he had used them without scruple, thereby inducing persons to acquiesce in the rising who would otherwise have held aloof from it. There could be equally little doubt that the mainspring of his action at this time was not patriotism, but a burning desire to revenge himself upon the Government. To this desire every other feeling had become subordinate, and he was prepared to risk the sacrifice of everything and everybody on the chance of attaining his end. Such were the deliberate, conclusions, at which Rolph and Morrison arrived, and they determined that they would work no longer with such an ally, unless, after becoming acquainted with all the facts, they should be of opinion that the rising was inevitable, and that it was likely to be conducted by cooler and wiser heads than Mackenzie's.

During the third week in November Mackenzie reached Toronto from the north. Soon after nightfall he presented himself at Dr. Rolph's house, to whom he briefly communicated what had been done. Between four and five thousand men, he declared, would repair to Montgomery's tavern in small detachments during the early days of December, and {11} would place themselves under the command of Samuel Lount and Captain Anthony Anderson, of Lloydtown. The latter had had some military experience, and was a man of great courage and firmness. He had drilled hundreds of the farmers in North York into a state of comparative efficiency, and they would

follow with confidence whithersoever he might choose to lead them. This was a subject of grave anxiety to Dr. Rolph. Owing to the want of preparation on the part of the Government, there seemed to be no likelihood of any actual conflict. Still, it was highly expedient that the revolutionary movements should be directed by some one of competent military knowledge and experience, who would know how to act in case of any unforeseen emergency. Mackenzie, in response to repeated and searching questions from Dr. Rolph, represented Anderson as being thoroughly competent to the military leadership. "The men," said he, "will follow his lead as if he were the Duke of Wellington." The insurgents were to be at Montgomery's[1] in full force on Thursday, the 7th, when they would march into the city, possess themselves of the arms at the City Hall, seize Head and his advisers, and proclaim a Provisional Government. The revolution would then be complete, and it was almost certain that all this might be accomplished without the loss of a single life. The people, so Mackenzie declared, were not only ready, but eager for the decisive moment to arrive. He fortified many of his statements by what seemed to be satisfactory evidence. For instance, he produced portentously long lists of signatures appended to a formal and distinct agreement to rise in arms against the Government.[2] He produced letters from several trusted Radicals, in which the state of public opinion in their respective neighbourhoods was reported upon in terms not to be mistaken. All that was asked of Dr. Rolph was that he would give the project his sanction, and that he would agree to accept the direction of the new Government.

The Doctor was thus led to regard the prospects of the impending revolution as decidedly hopeful. He however required time for consideration; {12} whereupon Mackenzie proceeded to the house of Dr. Morrison, whither he arrived about nine o'clock at night. Dr. Morrison did not receive him with as much complaisance as Dr. Rolph had done. Morrison considered that Mackenzie had abused his confidence, and did not fail to tell him so in good round terms. He informed him that he had assumed an authority which had never been conferred upon him; that in determining upon the rising, and more especially in fixing it for so early a day, he had acted rashly and without consideration. Mackenzie received the reproof with an ill grace. "He appeared," says Dr. Morrison,[3] "to be greatly agitated and exceedingly terse in his conversation with me, censuring me for not taking a more active part in the matter; whereupon I rejoined I had done all I could, and all that had been required of me in respect to it."

In the course of the same night Rolph and Morrison had a private consultation at the house of the former. Morrison keenly felt Mackenzie's remarks about lukewarmness in the cause of the people, and was prepared to go heart and soul into the enterprise if there was really a good prospect of success. Rolph considered that the prospect was at any rate sufficiently bright to justify them in taking a hand in the game. But they were both of opinion that a skilled military leader should be had, and that until this was effected they ought not to permit themselves to be regarded as finally committed to the project. They resolved to present this view of the case strongly to Mackenzie, and to cooperate with him in securing the services of such a leader as seemed to be called for by the nature of the enterprise and the magnitude of the interests involved.

During an interview between Rolph and Mackenzie on the following day, the Doctor pressed this view of the matter very earnestly. Mackenzie, who was exceedingly anxious to secure the coöperation of Rolph and Morrison, and was comparatively indifferent as to mere matters of detail, readily gave in his acquiescence. In response to questions as to where an available person might be found, he stated that he could obtain the services of one of the most efficient and thoroughly trained officers in the country. This was Colonel Anthony G. W. G. Van Egmond, a native of Holland, who had formerly served under Napoleon Buonaparte, and {13} who is also said to have held a commission in the British service.[4] He had at this time been a resident of Canada for some years. His home was in the Huron Tract, of which he was the pioneer settler, and where he owned some thousands of acres of land. He held advanced opinions in political matters, and had unsuccessfully contested the representation of Huron with Captain Robert Graham Dunlop, the Tory candidate. His opposition to the Compact was such that he might safely be depended upon to enter into any project which held out a fair prospect of putting an end to their rule. He was somewhat advanced in life, having entered upon his sixty-seventh year; but he was hale and hearty, and as he had served with distinction under the most famous soldier the world has ever seen, there could be no reasonable doubt as to his military qualifications. It was arranged that Mackenzie should lose no time in communicating with him. This and other preliminary arrangements having been agreed upon, Drs. Rolph and Morrison appear {14} to have given in their assent to Mackenzie's proposal, though neither then nor at any other time was it understood that either of them was to take any part in directing the movements of the insurgents.

And here it becomes necessary to deal with a series of misrepresentations deliberately and repeatedly made by Mackenzie, and echoed with great variety of circumlocution by numberless writers who have accepted his statements without investigation. In several published accounts of his exploits, he declares that the rebellion was due to the action of twelve leading Reformers, who met in Toronto "one day in November,"[5] and agreed to assemble a force on Yonge street, which was to advance upon and capture Toronto on the 7th of December. Mr. Lindsey, following this version of the story, says: "There were about a dozen persons present when the decision was come to.... The management of the enterprise was to be confided to Dr. Rolph as sole Executive, and the details were to be worked out by Mr. Mackenzie."[6] This presentment having been accepted as true by Mackenzie's biographer, has been followed by all subsequent writers who have dealt with the subject. As a consequence, the most erroneous ideas have been disseminated with reference to the inception of the movement, and as to the true reason of its failure. The simple fact of the matter is that there was no meeting of "twelve leading Reformers" in Toronto as stated by Mackenzie, nor was any meeting ever held in Toronto at which a scheme of rebellion was determined upon.[7] Neither the management of the enterprise nor the responsibility of an Executive was ever conferred upon or accepted by Dr. Rolph. It suited Mackenzie's purpose, after the collapse of the insurrection, to concoct several inconsistent and self-contradictory stories, with the design of removing the obloquy of failure from his own shoulders to those of others. He acted a most ignoble {15} part, and betrayed the confidence of every man who had trusted him. This would appear to have been done from a feeling of envy and disappointed ambition. In spite of all his protestations and prevarications, in spite of all his successive twistings and turnings, in spite of the narratives which he periodically gave to the world, the indubitable fact remains that Mackenzie and he only was the originator of the Upper Canadian rebellion. It was in his ill-balanced brain—inflamed by hatred of the Government by whose machinations he had been expelled and excluded from Parliament—that the seed of insurrection first germinated. It was by him that the project was first communicated to Lount, Lloyd, Matthews and others in the rural districts. It was by his urgency and stimulating arguments that the latter were induced to embark in it. It was by him that rebellion was first mooted at the secret caucus held at Doel's brewery in Toronto during the second week in October. It was by him that the scheme was afterwards submitted to Dr. Rolph and Dr. Morrison. It was owing to his representations that those gentlemen were induced to give a qualified assent to it. It was by him that the people were finally roused to take up arms, many of them being led to do so through his culpable

misrepresentations of the attitude of Rolph and Morrison. It was in large measure due to his hot-headed incompetence and self-importance that the project proved a total and ignominious failure. Finally, it was to his disclosures that a vengeful Government were indebted for information which enabled them to successfully prosecute many persons who had been to a greater or less degree concerned in the rising, but who would have escaped the consequences of their complicity therein but for his published revelations. His conduct in this respect appears the more blameworthy, inasmuch as the sufferers had been led into rebellion by Mackenzie himself, who, at the time of his disclosures, had escaped from the Province, and was beyond the reach of its tribunals. While he was enjoying a safe asylum in the United States, and taking the whole world into his confidence with respect to the movement and the persons concerned in it, his victims filled the gaols of Upper Canada or suffered ignominious deaths upon the scaffold. No language is too strong to characterize his conduct at this crisis. If ever there was a case in which silence {16} would have been becoming—nay, in which silence was imperatively inculcated by all laws of honour and right feeling—that case was furnished by Mackenzie's circumstances after his escape from Upper Canada. Yet, instead of maintaining silence, he unbosomed himself to every stranger who would listen to him, and poured out oceans of ink in a vain endeavour to prove that he had acted the part of a wise man, while all those with whom he had been associated had acted the parts of poltroons or fools. This course of action would have been bad enough, even if he had kept to the truth. As remarked by Dr. Rolph[8]: "Had the American Revolution in its infancy been conducted with these sorts of patriotic narratives after every reverse, criminating every one but Washington, and exposing in the first six months every secret friend and secret association in revolutionary operations, it would have effectually and speedily extinguished that spark of liberty which the wisdom, freedom and fidelity of our forefathers husbanded into a flame." Unfortunately, Mackenzie did not confine himself to truth, or to anything in the most distant degree resembling the truth. Whenever he had any purpose to serve he did not permit himself to be hampered by any squeamish considerations as to facts. In order to make proselytes he invented the most improbable stories. During his incessant journeyings hither and thither before the outbreak, he not only wilfully misrepresented the sentiments of leading Reformers, but he actually succeeded in convincing a number of people that Chief Justice Robinson and his brothers were cognizant of the contemplated Rebellion, and that they secretly favoured it. He repeated the same absurd story, both orally and in print,[9] long after the enterprise had collapsed, and when so outrageous a falsehood could deceive nobody except the people of the United States, who

knew nothing of the facts. A sensible man would have accepted defeat and made the best of it; but Mackenzie had no sooner set foot on {17} United States soil than he appeared to lose what little judgment he had ever possessed. He allied himself with the very lowest class of border ruffians, many of whom were so imposed upon by his representations that they banded themselves together to invade Canada, and to harass the peaceable citizens along the frontier. When he found that even these persons were beginning to fathom the pettiness and malignity of his motives, he began to pour out his various narratives, in which he did what he could to throw the blame of failure upon his several collaborateurs, and to exalt himself into something resembling a hero. All the other chief participants in the revolt maintained silence, and determined to let the dead, irrevocable past alone. Thus it came about that Mackenzie's own narratives have hitherto furnished almost the sole groundwork for the most important passages in the history of the Upper Canadian Rebellion.

On the afternoon of Friday, the 24th of November, Mackenzie once more left Toronto for the north. It had been resolved that he should notify as many of the different unions as possible of the intended movement, and that he should make final arrangements for the assembling of not fewer than two thousand persons at Montgomery's, all of whom were to reach there between six and ten o'clock in the evening of the 7th of December. The insurgents, having mustered in force, were then to advance upon the city and proceed diect to the City Hall, where they were to be joined by Rolph, Morrison, and such other of the Toronto Radicals as should meanwhile have been intrusted with the secret. The arms in the City Hall having been secured, Head and his advisers were to be seized and held in durance. Dr. Rolph was then to be called upon to assume the direction of the Civil Government. Morrison and other leading Radicals were to give in their adhesion, after which there could be no doubt of the coöperation of the great bulk of the city's population. It was believed that a permanent military occupation would be wholly unnecessary, as, when once the sceptre should have passed away from the hands of Sir Francis Head, a very small proportion of the people would be ready to take up arms to restore him to power. Rolph and Morrison were meanwhile to hold themselves in readiness to carry out their share {18} of this programme. It was understood between them and Mackenzie that they were to communicate the project to such of the Toronto Radicals as they might deem safe, but that no active cooperation was to be expected from them until the insurgents should have actually entered the city in force. Rolph's assumption of the direction of affairs was

to be in response to a demand from the insurgents themselves, after they should have possessed themselves of the insignia of office. Mackenzie's assertion that the "Executive in the City" was, to "join the army at Montgomery's"[10] is a clumsy falsehood, invented by him for the purpose of self-exoneration, and contradicted by all the facts and circumstances of the case, independently of the assertions of Rolph and Morrison.

From the time of setting out northward on the 24th, Mackenzie appears to have conducted himself with greater indiscretion than ever. He was full to overflowing of the momentous project, and brimmed over whenever he found an opportunity for so doing. His first stopping-place was the house of a Radical farmer near Hogg's Hollow, on Yonge Street, about six miles north of Toronto, where he remained all night. He had supplied himself with some type, paper, and a small printing-press, by means of which he was enabled to strike off and distribute a handbill in which the "brave Canadians" were adjured to get ready their rifles, and "make short work of it." "A connection with England," it ran, "would involve us in all her wars, undertaken for her own advantage, never for ours; with governors from England we will have bribery at elections, corruption, villainy and perpetual discord in every township, but independence would give us the means of enjoying many blessings. Our enemies in Toronto are in terror and dismay; they know their wickedness and dread our vengeance." Before leaving the neighbourhood of Hogg's Hollow on Saturday morning he divulged the plan of the intended rising to at least two persons, one of whom[11] was friendly to the Government, and lost no time in communicating the news to Sir Francis Head. As {19} it happened, the revelation did little or no harm to the insurgents, for the Lieutenant-Governor and his Councillors refused to believe that there was anything in the story, which they persisted in regarding as one more exhibition of Mackenzie's malignant imbecility.

From Hogg's Hollow Mackenzie proceeded northward to the house of David Gibson, which, as previously mentioned, was near the present village of Willowdale.[12] Gibson was still unaware of the intention to rise on the 7th of December, and Mackenzie, with his usual inconsistency, abstained from acquainting him with it.[13] This reticence, as Mackenzie afterwards alleged, was due to the fact that Gibson was a member of the Provincial Parliament, and that it was only fair to him that he should be left in ignorance as long as possible. There was no doubt as to Gibson's cordial acquiescence and cooperation when once the outbreak should have begun, but Mackenzie deemed it advisable that he should be left in the dark until the insurgents should be actually in arms.

From Gibson's Mackenzie proceeded to the township of King, where, in conjunction with Lount, Fletcher, Anderson and others, he set himself to prepare his adherents for the coming enterprise. It would be as difficult as it is wholly unnecessary to trace his operations in detail. He moved about with his customary energy, and was well seconded by his rural coadjutors. Silas Fletcher acted as a medium of communication between Mackenzie and Rolph, and was twice in Toronto during the eight or nine days preceding the outbreak. Dr. Rolph learned, through him, that Colonel Van Egmond had consented to lead the insurgents into the city, {20} and that he would be at Montgomery's for that purpose in the forenoon of the 7th. Rolph and Morrison still continued to keep the most important details of the plot locked in their own breasts, though a number of persons in the city were so far taken into confidence that they were made aware of the fact that an early subversion of the Government was in contemplation. And so the last days of November glided quietly by.

NOTE TO CHAPTER XIX.

I have taken the responsibility of stating, in the text, that no meeting of twelve leading Reformers was ever held in Toronto at which a scheme of rebellion was agreed upon, and that neither the management of the enterprise nor the responsibility of an Executive was ever conferred upon, or accepted by, Dr. Rolph. As these statements go to the root of the whole story of the Rebellion, and as they are in direct contradiction to Mackenzie's account, upon which all others have been founded, it is incumbent upon me to adduce satisfactory evidence of the truth of my assertions. This I now proceed to do. In the first place the story which has hitherto obtained currency rests upon the sole and unsupported word of Mackenzie himself, to which no one who knew him would attach much importance. To any one familiar with his peculiar style of writing, the bald manner in which the statement is made is in itself sufficient to awaken doubt. If such an important meeting was held, how is it that we have no particulars of the proceedings from Mackenzie's pen, more especially as he gives a very full account of the infinitely less important meeting which took place at Doel's brewery during the second week in October? See Lindsey's *Life of Mackenzie*, vol. ii., pp. 53—56. He would have been certain to preserve very full notes of such an event, and would have rushed into print with them upon every conceivable opportunity. Yet, in his *Narrative*, the whole matter is disposed of in one brief, bald paragraph which bears the clearest evidence of his powers of invention. He even abstains from saying, in so many words, that the meeting was held in Toronto, though the context plainly shows that

he intended his readers to believe so. See his *Narrative*, as above quoted, p. 8; and Lindsey's account, founded upon it, in *Life of Mackenzie*, vol. ii., pp. 56, 57. But it is not necessary to resort to arguments founded upon conjecture, however plausible. Who were these "twelve leading Reformers"? If they belonged to Toronto, they must certainly have included Dr. Rolph, Dr. Morrison, M. S. Bidwell, the two Baldwins, James Hervey Price, the two Lesslies, and the Armstrongs, as well as Mackenzie himself. Yet of all these, Mackenzie, so far as appears, is the only one who ever heard of the meeting, or of the appointment of an Executive, until the appearance of Mackenzie's *Narrative*. Doctor Rolph never alluded to the matter without giving the most vehement denial to both statements. The denial is constantly reiterated in his correspondence, and some of the most cogent arguments in his *Review of Mackenzie's Publications* are founded upon such a denial. So much, then, for Dr. Rolph. What about Dr. Morrison? The following is a copy of a written statement made by him about ten years subsequent to the Rebellion. It has never hitherto been published, and merits a careful perusal. It is an unstudied document, and its syntax is in some places very defective, but it bears the impress of sincerity and truthfulness in every line. As will be seen, it not only negatives the story about the meeting of "twelve leading Reformers" and the appointment of an Executive, but also confirms many other statements contained in the text.

DR. MORRISON'S STATEMENT.

> "About the middle of October, 1837, Mr. Mackenzie urged on myself, and told me he had conversed with Dr. Rolph, that the troops having all left for Lower Canada, and the Lower {21} Canadians being about to make a revolutionary move, we (meaning the Upper Canadians) were bound to do so also, and that a messenger ought to be immediately sent to Lower Canada in order that a mutual understanding might exist between the Reformers of both Provinces in the matter, and pressed it upon me very earnestly that I should be that messenger, against which I remonstrated, declining from prudential motives engaging in it. Some short time after he came to me again, and informed me he had prevailed on Mr. Jesse Lloyd, of Lloydtown, in the Township of King, to go, and said he could give him letters to Papineau, T. S. Brown, of Montreal, and others, and wished me to write also to introduce Mr. Lloyd as a person confided in by the Reformers. I accordingly gave him a simple letter of introduction to Dr. O'Callaghan, editor of the late Montreal *Vindicator*.

“Mr. Lloyd proceeded to Montreal, and in a short time returned, bringing no letters for any one except Mr. Mackenzie, who professed to have received only one, and that was from Mr. Brown, and which he showed to Dr. Rolph and myself at Dr. Rolph’s, in presence of Mr. Lloyd. It seemed to be merely a letter on business, alluding to some particular time when he might correspond with him again. This, Mackenzie said, was the subject agreed upon between them as a signal, if he coincided with his views on a revolutionary movement, and Mr. Lloyd stated the Lower Canadians were all ready and prepared, and stated so soon as the ice began to float in the river opposite Montreal, they intended to cross over and entrench themselves in some part of the country adjacent, but wished us, the Reformers of Upper Canada, to make the first move, giving them notice of the time when we should do so, and that they would second us; whereupon Mr. Mackenzie, Dr. Rolph and myself agreed to meet at my house that evening to take the matter into serious consideration. On the same evening Dr. Rolph, Mackenzie and myself met as agreed upon, and we discussed the propriety of an immediate revolution or any at all. Dr. Rolph and myself having much doubt as to whether the people were desirous of it, or would engage in it, Mr. Mackenzie strenuously opposed our views, by insisting that the people desired it, and that forthwith. And as a proof that they were, he assured us he had received lists, signed by some thousands, for the avowed purpose, and upbraided us very vehemently for forsaking the people if we did not go with them in their wishes, which were to depose the Government and establish one of their own, and especially under so favourable a crisis, there being no troops left in the garrison. We therefore consented that he might proceed into the country, and consult with the different political unions on this important subject, and bring it to their decision, and if they were for a revolution, and willing to effect it; and when he had done so to inform us of the result. And we then also laid down a plan by which we might take possession of the arms, and put into custody the different officers of Government, establish a Provisional Government, and, if possible, by such a plot achieve a bloodless victory over the enemies of Canada.

“It was then perfectly understood by Dr. Rolph and myself that the whole sanction we then gave to Mackenzie was to make the foregoing investigation, and to which he agreed, provided we

would allow him to make use of Dr. Rolph's and my own name to the people in his communications with them relative to his mission. To this we consented, on the principle that we wished to accomplish nothing but what the people were desirous of doing themselves. If they voluntarily desired to effect a revolution we would give them our countenance. In this sense and no other was Mackenzie authorized to mention our names.

"Mackenzie then left the house, Dr. R. and myself remaining. When in conversation together Dr. R. observed that he would call on Mackenzie and get him to point out on his lists such persons as he thought would be suited to execute such an undertaking, and get them to meet together and enter into two resolutions, one expressive of a determination to effect the independence of the Province, and another to unite to do so by physical force. These were to be entered into without recording them.

"While Dr. R., Mackenzie and myself were discussing these points together, I did not understand that any wish was expressed or understood that either Dr. R. or myself were to have {22} any command over the forces of the insurgents. In fact, it was always a source of regret to us that individuals fit for it were not among us, although it was often insisted upon by Messrs. Lloyd and Mackenzie that they were to be met with among the people north of the Ridges. Never at any time in the course of these conversations was it even hinted that such services were expected of us; and during the interview above alluded to Dr. Rolph and myself repeatedly and peremptorily laid down the injunction that private property was to be respected, and that we considered all moneys in the banks, not actually belonging to the Government, as private property.... No appointment of an Executive Committee was made; neither were any powers delegated to Dr. Rolph or to Mackenzie or any other than those before stated, nor am I aware that there was any meeting early in November of twelve leading Reformers of the city, appointing an Executive Committee, of which Dr. Rolph was one, or in any way deliberating on the subject. If there had been such a meeting, no doubt I would have known it, conferring either on Dr. Rolph the powers of an Executive or on Mackenzie the details, arrangement or whole management of revolutionary movements.

"I saw nothing again of Mr. Mackenzie till about the Wednesday week before the outbreak, when he called at my house between eight and nine at night, or maybe a little later. I had casually heard before from various persons, to whom by some means the intelligence must have come through Mackenzie, of the intended outbreak and the time fixed upon, and was greatly surprised, as at the primary interview already spoken of at my house, Mr. Mackenzie especially, as well as Dr. Rolph and myself, entered into the strictest assurances to each other of secrecy and confidentiality. Mackenzie then informed me for the first time that he had appointed Thursday, the 7th December, for the rising, without entering into any details or further particulars. I then told him that it was not intended that he should take upon himself any such authority, and was very fearful he had been premature. I enquired if he had acquainted Dr. Rolph with this, and what was his remark. He replied that he had, and that Dr. Rolph had made no objections. He appeared to be greatly agitated, and exceedingly terse in his conversation with me, censuring me for not taking a more active part in the matter; whereupon I rejoined I had done all that I could, and all that was required of me in respect to it.

"(Signed) T. D. Morrison.

"As to Fletcher, when I heard of the assemblage on Yonge Street, I was convinced in my own mind that it would prove a failure, and was glad of the opportunity of making Fletcher the medium of my advice, which was that they should disperse at once. I then sent Fletcher to Dr. Rolph, who gave him a similar advice with myself, and sent him up Yonge Street to the multitude."[14]

It is thus sufficiently clear that neither Rolph nor Morrison had any knowledge of the meeting of twelve leading Reformers, or of the appointment of an Executive. Mr. Bidwell's ignorance of the whole enterprise has been made sufficiently clear on a former page. See vol. i., pp. 362, 363, note. From Robert Baldwin's own testimony we know that he was equally ignorant. See his evidence as given before the Treason Committee, and printed in the Appendix to the Journal of Assembly for 1837-'8, p. 406. Dr. Baldwin was informed of the impending insurrection, but not until after the actual arrival of the rebels at Montgomery's, and it is clear that he knew nothing about any meeting of Reformers or appointment of an Executive.

See Appendix, as above. James Hervey Price, John Armstrong, Robert McKay, and John Elliott were all examined in open court on the trial of Dr. Morrison for high treason at Toronto, on Wednesday, the 24th of April, 1838. They were all leading Reformers, and must have known if any such important steps had been taken as {23} alleged by Mackenzie. Yet they all emphatically denied upon oath any knowledge of either the meeting or the appointment. Mr. Price "never heard of the existence of an Executive Committee until he read Mackenzie's narrative," and solemnly disavowed ever hearing of it before. See p. 18 of the pamphlet giving an account of the trial. Armstrong testified that he knew nothing of an Executive Committee to cooperate with Mackenzie. *Ib*., p. 3. McKay stated that he did not believe there ever was an Executive Committee in Toronto, such as stated by Mackenzie in his narrative. *Ib*., p. 3. Elliott testified that he had no knowledge of any Executive Committee to correspond with Mackenzie, or to coöperate with him in the Rebellion. *Ib*., p. 3. James Lesslie assured me a short time before his death that the story about twelve leading Reformers was a clear invention of Mackenzie's. He added that the Rebellion was first conceived by Mackenzie, who by his persuasions obtained the cooperation of Lount, Matthews, Lloyd and others, as stated in the foregoing pages. David Gibson's oral and written communications abound with evidence that he never heard of either meeting or appointment, and that he regarded both as inventions of Mackenzie. In a letter written by him, and now lying before me, are the following words: "I am not aware of any Executive Committee having existed—never heard of their appointment by any body of Reformers—never was at any meeting of the kind for such an appointment, nor ever heard of such Executive Committee from Mr. Mackenzie until I met him in the State of New York." Mr. Gibson adds that Mackenzie, while in John Montgomery's house in Rochester, after the latter's escape from Upper Canada, prepared with his own hand a statement which he induced William Alves to sign, and which he afterwards published on pp. 100-102 of the *Caroline Almanac*. In this statement Dr. Rolph is referred to as "our own Executive," but the phrase—indeed the sntire narrative—is Mackenzie's, and not Alves's, although the latter was induced to append his name. The authenticity of Silas Fletcher's letter, in which Rolph is also referred to as the Executive, is dealt with at full length in a note to p. 34, *post*, to which note the reader may refer if he deems it worth while. But further testimony is surely unnecessary. It is plain that the idea of the Rebellion was originally the work of Mackenzie; that he won over Lount, Matthews, Lloyd and several others in the rural districts; and that the plan, so far as there was any plan, was arranged by them without any conference with the Radicals in

Toronto, who were only made aware of it after the day of rising had been fixed upon.

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[1] A tavern on the west side of Yonge street, about four miles north of Toronto.

[2] These lists were abandoned by Mackenzie upon his flight from Montgomery's. They fell into the hands of the Government, who were thus enabled to identify many persons as "rebels" who otherwise would never have been suspected.

[3] See the statement in Note at end of this chapter.

[4] Colonel Van Egmond's career was a most active and varied one. He is said to have been lineally descended from the celebrated Count Egmont who figured so conspicuously in the history of the fall of the Dutch Republic, and whose death forms the subject of Goëthe's tragedy. He was, as stated in the text, a native of Holland, where he was born in the year 1771. He served as an officer in the Dutch army during the French invasion of the Netherlands towards the close of the last century. After the establishment of French domination in his native land, he served in the Dutch contingent under Napoleon, whom he accompanied during the disastrous campaign against Russia in 1812. Immediately after his return from Russia he joined the Allied Armies, and was with Blucher during that general's advance on Waterloo, whence he was carried wounded from the field. Soon after the close of the war he migrated to America, and settled in Indiana County, State of Pennsylvania, where he resided for about eight years, after which he removed to Upper Canada and took up his abode in what is now the County of Waterloo. He subsequently removed to the Huron Tract, and settled in the neighbourhood of the present town of Seaforth. Here he remained until his death, to be hereafter referred to. Some of his children and grandchildren still reside in and near Seaforth, and the neighbouring village of Egmondville is named after the family.

Colonel Van Egmond inherited considerable wealth, which he brought with him to America. His enterprise and business ability enabled him to add to his means, and at the time of his venturing his fortunes upon the Upper Canadian Rebellion he was, for those times, a rich and prosperous man. He was actuated by no sordid or selfish motive, and must have been largely impelled by an enthusiasm for the cause of freedom. "Colonel Van Egmond," says a local authority, "was a gallant soldier, an enterprising pioneer, a generous friend and an educated gentleman. He was a personal friend and companion of Sir John Colborne when both were officers

in the Allied Armies at and preceding Waterloo; and although he died in prison with a charge of treason hanging over him, he gave his life for what he firmly believed the sacred rights and liberties of the people." The same authority refers to his military career as covering a space of twenty-five years of "perhaps the bloodiest period of modern European history," and adds that "during this career he was wounded fourteen times, and covered with scars."

[5] See *Mackenzie's Own Narrative of the Late Rebellion, with Illustrations and Notes, Critical and Explanatory, exhibiting the only true account of what took place at the Memorable Siege of Toronto, in the middle of December, 1837*. The narrative was originally dated by Mackenzie from Navy Island, and published in *The Jeffersonian*, a newspaper issued at Watertown, in the State of New York. It was reprinted in pamphlet form in Toronto early in 1838, the introduction, illustrations and notes being supplied by Mr. Charles Fothergill, who has already been referred to in the text. See vol. i., p. 196.

[6] *Life of Mackenzie*, vol. ii., pp. 56, 57.

[7] See Note at end of this chapter.

[8] See his *Review of Mackenzie's Publications on the Revolt before Toronto, post*.

[9] See, for instance, the *Caroline Almanac*, p. 98. Among David Gibson's papers I find a statement in his handwriting in which the following words occur: "In page 98 of his *Caroline Almanac* he [Mackenzie] says: 'Mrs. L. [Lount] like me, is sure that the Robinsons were for the revolt.' I have no doubt Mackenzie made such representations to have effect with a certain class, to get their aid, or to keep them at home; but my opinion is he had no grounds for any such assertion."

[10] See his Narrative, *ubi supra*, p. 8.

[11] This was Mr. James Hogg. It suited Mackenzie afterwards to assert that he had purposely misled Hogg, or that Hogg had purposely misled the Lieutenant-Governor on the subject. In the *Caroline Almanac*, p. 102, it is said that "Mr. Hogg made several pretended revelations to Sir Francis, the value of which I well knew; they put the Governor on a wrong scent." This is another instance of Mackenzie's power of invention. Hogg made no "pretended revelations" to Sir Francis. He revealed to him the simple truth that the outbreak was to take place on Thursday, the 7th of December; and he was enabled to do this solely in consequence of Mackenzie having communicated the fact to him. See Warne's broadside published in Toronto immediately after the outbreak. It is clear enough that Mackenzie invented the "pretended revelation" story in order to cover up his own indiscretion in disclosing such a secret.

[12] The farm is still in the occupation of his son, Peter S. Gibson, to whom I am indebted for the use of valuable MSS. relating to the Rebellion.

[13] In a MS. statement written by Gibson a quarter of a century later, I find the following sentences: “When Mr. Mackenzie went out on his last trip he called at my house, and said, he was going to agitate, but said nothing of rising in arms against the Government. I supposed his trip to be of the usual character, for effect in England, to cause the recall of Sir F. B. Head. I learned first of the rising from Silas Fletcher on the previous Saturday.” Mr. Gibson means on the Saturday previous to the outbreak, which would be Saturday the 2nd of December. In a subsequent part of the same statement, Gibson says: “He [Mackenzie] said to me when in the United States, ‘I got you so deep into it you could not back out.’ ”

[14] The application of this postscript will be understood by reference to the penultimate paragraph of the statement of John Hawk, appended to chapter xx.; and by a perusal of the subsequent portion of the narrative referring to the proceedings of Tuesday, the 5th of December.

{24}

CHAPTER XX.

SIR FRANCIS DOES NOT APPREHEND A REBELLION.

Meanwhile, in spite of repeated warnings, the Government continued to rest in undisturbed confidence. Anyone who ventured to hint to them that Mackenzie's agitation had at last produced fruit, and that a good many people in the Home District were ripe for revolt, was laughed at and ridiculed for his pains. Nothing could rouse them from their fatuity. All through the autumn they received regular intelligence of the secret drillings, of the manufacture of pikes, and of other seditious proceedings on the part of the Radicals throughout the Home and Gore Districts. But all was to no purpose. "If a prophet had risen from the dead," wrote Charles Fothergill,[15] a few weeks later, "his admonitions would have been ineffectual." They persisted in regarding all the preparations as being merely for effect, and to intimidate the Government. Colonel Fitz Gibbon, whose superabundant loyalty prompted him to be ever on the alert, appears to have obtained early intelligence of the intention to rise in arms. It will be remembered that he had long before begun to make preparations for such a contingency.[16] He had from time to time bored Sir Francis Head and other members of the Government on the subject, and his incessant importunities had led to his being regarded in the light of an alarmist. As for Sir Francis himself, he felt as secure as though he had had ten thousand armed veterans at his back. When Sir John Colborne had applied to him to know how many of the Upper Canadian troops he could spare for service in the Lower Province, he had promptly and unhesitatingly replied "All," and all had been sent. Not only the capital, but the whole of the Province was thus left {25} defenceless. The last troops sent out of the Upper Province for service in Lower Canada were withdrawn from Penetanguishene in November. They consisted of a subaltern officer and thirty men. When they were on their way from Penetanguishene to Toronto, Colonel Fitz Gibbon urged the Lieutenant-Governor to keep them in the city, in order that their presence might have an effect upon the local militia. "No,

not a man;" answered his Excellency—"the doing so would destroy the whole *morale* of my policy. If the militia cannot defend the Province, the sooner it is lost the better." "Then, sir" entreated the Colonel, "let us be armed, and ready to defend ourselves." "No," responded Sir Francis "I do not apprehend a rebellion in Upper Canada."[17]

Remonstrances from other quarters were met in a similar spirit. The Government appeared to have been smitten with a most unaccountable blindness, and could not be made to understand that there was any cause for either alarm or preparation. They took no steps to guard the arms in the City Hall, which, as previously mentioned, had been committed to the charge of the municipal authorities, who had appointed two constables to watch over them at nights. There was absolutely nothing to prevent the seizure of these arms by a handful of determined men. Colonel Fitz Gibbon was apprehensive lest the rebels should come into the city separately, so as to attract no attention, and conceal themselves in the houses of Radical citizens until they should be in sufficient force; when, at a given signal, they might rush to the City Hall at midnight, and gain easy possession of the temporary arsenal. To guard against such a possibility he induced his rifle corps, whom he continued to drill with vigilant regularity, to volunteer a nightly guard of fifteen or twenty men to watch the City Hall, and to furnish two sentries to guard the approaches to Government House. Having brought matters to this pass, he presented himself before Sir Francis to gain the requisite permission, which, to the Colonel's chagrin, was refused. "But that I do not like to undo what I have already done," remarked his Excellency, "I would have those arms brought from the City Hall and placed here in the Government House, under the care and keeping of my own domestics."[18]

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The Lieutenant-Governor seemed to believe that he was hedged by a sort of divinity, and he lived in a Fool's Paradise of over-confidence until the rebels were veritably at his gates.

When the crisis was over, it suited Sir Francis Head to represent himself as having long anticipated the Upper Canadian Rebellion,[19] and as being fully prepared for it by reason of his unbounded confidence in the loyalty of the great bulk of the people. He even went so far as to record that he had purposely ignored all the preparations of the rebels, in order that they might be led on to commit some overt act which would enable him to strike them with greater effect. "I considered," he wrote "that if an attack by the rebels was inevitable, the more I encouraged them to consider me defenceless the

better."[20] Again: "I felt that, instead of either trying to conciliate Mr. Mackenzie, or make his fortune by a Government prosecution, I had better let him come within the reach of the law, and then let it hang him."[21] He does not seem to have been conscious that in so writing he was doing his utmost to brand himself with infamy. If he had really encouraged men to rebel in order that he might have an excuse for hanging them, he would have been one of the basest of mankind. But it is clear that this idea was a mere afterthought, adopted and placed on record for the purpose of conveying the impression that he was a shrewd and far-seeing man.[22] That he was {27} kept well-informed respecting the preparations of the rebels is quite true. It is also true that he forebore to prosecute Mackenzie for treasonable articles in the Constitution, and that he did so for the deliberate purpose of thereby leading the editor to publish something so grossly treasonable that it could not be ignored.[23] But, so far as the actual outbreak was concerned, he and his Councillors were taken completely by surprise. They did not "apprehend a rebellion in Upper Canada." They did not for a moment believe that any practical results were to follow the drilling and other preparations, and they greatly underestimated the number of the disaffected. That any deliberate attempt would be made to capture the city and overturn the Government seemed too utterly absurd to be gravely discussed.

Towards the end of November news reached Toronto of the repulse of Colonel Gore by the Lower Canadian rebels under Dr. Wolfred Nelson. This could not fail to have an inspiriting effect upon the disaffected in Upper Canada. Colonel Fitz Gibbon was keenly alive to this fact, and relaxed none of his vigilance. He felt certain that an outbreak was imminent, and took such precautions against a surprise as were within his power. He prepared a list of those persons living west of Yonge Street, and within the city limits, upon whom he felt that he could depend for assistance in case of a revolt. This list he submitted to the Lieutenant-Governor, stating that it was his intention to call personally upon each of the men, and to warn them to keep their arms loaded and ready to hand, so as to be constantly prepared to repel an attack. His plan was that the Mayor, Mr. Gurnett, should prepare a list of the loyal men residing in that portion of the city lying east of Yonge Street, who should receive a similar warning. Arrangements were to be made for the ringing of the bell of Upper Canada College at any hour of either day or night whenever an outbreak should take place. {28} This was to be the signal for the ringing of other bells, throughout the city. Upon hearing the sound, every man west of Yonge Street was to seize his arms and run to Parliament House; while the men east of Yonge Street were to repair to the City Hall. "For the doing of this," remarked Colonel Fitz Gibbon, "I desire

to have your Excellency's sanction; but permit me to tell your Excellency that whether you give me leave or not I am determined to do it. I say so with all respect to your Excellency as the representative of my Sovereign. You are so convinced that we are in no danger that you will take no measure of precaution; but I, being fully convinced that the danger is most imminent, am determined to take every measure in my power to devise for the protection of my family and friends."[24] Sir Francis gave a sort of reluctant sanction to the plan, and the Colonel proceeded to the City Hall and communicated it to the Mayor. That functionary had heard various rumours of an impending insurrection, and had been urged by several members of the Council, as well as by other citizens, to take some precautions for the public safety; but up to this time he had not been disposed to attach much weight to the rumours, or to encourage what he regarded as a spirit of timorousness on the part of the inhabitants. In any case he would do nothing at the instigation of Colonel Fitz Gibbon, whose conduct he regarded as a piece of officious interference. He accordingly warned no one, and gave no instructions as to the ringing of bells. The Colonel himself, before the day closed, started on his rounds from house to house to warn the trusted loyalists west of Yonge Street. He got very little thanks for his pains from the loyalists themselves. They regarded him as a well-meaning but troublesome fanatic, who had pondered so much on the wickedness of the Radicals that he had become a monomaniac on the subject. Some of them believed that his exuberant zeal ought to be checked by the authorities, lest he should create unnecessary alarm in the public mind. Among the names on his list was that of Chief Justice Robinson. Calling at the latter's abode, he was shown into the library, where he received an unmistakable snub. "I cannot partake of your apprehensions," said the Chief Justice, "and I am sorry to see you alarming the people in this way."[25] In deference to the Chief Justice's wishes, the Colonel agreed to {29} warn the heads of families only, in order that the young men might not be thrown into a state of unnecessary excitement. There were a hundred and twenty-six names on his list, and he continued to leave his warnings at house after house from day to day, but the Rebellion broke out before his self-appointed task had been half accomplished.

The Constitution meanwhile continued to appear with regularity,[26] but its tone was not perceptibly worse than it had been for the past twelvemonth, and there was no additional ground known for instituting proceedings against its editor. On the 29th of November a document purporting to be a draft of a constitution, intended to be submitted to the proposed Reform Convention, appeared in its columns; but, like everything else from the same source, it was regarded as a mere ebullition of Mackenzie's teeming fancy,

and not worth serious consideration from men of sober minds. Mackenzie, however, had by this time succeeded in widely disseminating his handbill, and in causing most of the disaffected in the Home District to be notified of the contemplated rising on the 7th of December. The feeling throughout some of the townships was so restless that it could not be concealed. The local supporters of the Government in these places could not shut their eyes to what was going on about them. They felt certain that the Radicals were preparing for an early attempt against the established order of things, and they lost no time in communicating their convictions to the Government. Several copies of the handbill were laid hold of and forwarded to headquarters. James Hogg, who had been informed by Mackenzie of the actual day of the intended outbreak,[27] had ridden into town and acquainted Sir Francis Head therewith, but as he admitted that Mackenzie had been his informant no weight whatever had been attached by the Lieutenant-Governor to his communication. Intelligence was now brought into the city at almost every hour of the day from Pickering, King, East Gwillimbury, Markham and elsewhere, to the effect that mischief was in the air, and that Upper Canada was on the {30} verge of troublous times. The warnings continued to arrive in such numbers that they could no longer be absolutely ignored, more especially as many of the inhabitants of the city were beginning to share in the belief that there was something of a very unusual nature in the atmosphere, and to urge upon various dignitaries that some steps ought to be taken for the protection of the city. Accordingly, on Friday, the 1st of December, a meeting of the Executive Council was held. There were various matters requiring consideration, and after a session of several hours an adjournment took place until the morrow. The adjourned meeting on the following day does not appear to have been a formal or official meeting of the Council, as it was not confined to members of that body. It was attended by the Lieutenant-Governor, the Hon. William Allan, the Hon. R. B. Sullivan, Chief Justice Robinson, Judge Jones, Attorney-General Hagerman, Solicitor-General Draper, and Allan MacNab, Speaker of the Legislative Assembly. The probability of a Radical revolt against the Government was discussed at considerable length. The only person who took no part in the discussion was Mr. Allan. All the rest were clearly of opinion that the idea of a revolt was too absurd to occupy their attention. Attorney-General Hagerman declared his firm conviction, as he had done many a time before during the past few months, that not fifty people in the Province could be got to take arms against the Government. This sentiment was echoed all round the table, except by Mr. Allan, who, so far as then appeared, had no opinion whatever on the subject. While the matter was thus being disposed of, Colonel Fitz Gibbon's name was announced, and a

moment later he was admitted into the Council Chamber, hot and breathless with haste and excitement. He reported certain information which had just reached his ears. A magistrate from one of the northern townships had a few minutes before called upon him and acquainted him with the nature of the preparations for rebellion in the rural districts. It appeared that a blacksmith whose forge was not far from the magistrate's house had for some time past been engaged in the manufacture of pike heads; that this had been done secretly, no persons except trusted Radicals being admitted to the shop; that other persons in the same neighbourhood had been engaged day and night in the manufacture of {31} hickory handles, and that when questioned on the subject they had represented these as being intended for handles for hay-rakes and pitchforks. Drilling was practised nightly, and everything pointed to the conclusion that the public peace would erelong be seriously disturbed. This was certainly important news, but the Colonel's proclivities for scenting out rebellion were so well known, and he was moreover in such a state of excitement, that his account of the matter was accepted at a very large discount. These repositories of official wisdom could not or would not credit the possibility of rebellion. It seemed as if nothing could rouse them to a true sense of their position. Some of them could not forbear from actual rudeness to the Colonel when he expressed himself as to the state of matters in the northern part of the Home District. "You do not mean to say," queried Judge Jones, turning towards him with a scarcely repressed sneer in his voice and tone, "that these people are going to rebel?" "Most distinctly I do," responded Colonel Fitz Gibbon; upon which the Judge turned towards the Lieutenant-Governor, and in a contemptuous tone exclaimed, "Pugh, pugh!"[28] But the Colonel was not to be flouted out of his convictions, and continued to state them with a vigour and an earnestness which at least proved his perfect sincerity. He urged that his informant should be questioned in person by the gentlemen present. After some deliberation it was determined to adopt this course. The magistrate, being close at hand, was sent for, and upon his arrival he was examined by the Lieutenant-Governor and the Attorney-General in an adjacent room. Upon the return of the inquisitors to the Council Chamber, the Attorney-General remarked: "The statement made to us by Mr. —— does not make half the impression upon one's mind as was made by Colonel Fitz Gibbon's statement: the information he brings us at third or fourth hand." Mr. Allan, who up to this time had maintained silence, now spoke out. "What would you have, gentlemen?" he asked—"Do you expect the rebels will come and give information at first hand? How can you expect such information but at second, third or fourth hand? I am as long in the country as most of you, gentlemen. I know {32} the people of this country as well as most of you,

and I agree in every word spoken here to-day by Colonel Fitz Gibbon, and think that an hour should not be lost without preparing ourselves for defence."[29] These plain words of common sense produced their effect, but the others surrendered their opinions with an ill grace, and as though deferring to a spirit which should be checked rather than encouraged. Sir Francis himself sided with the quietists, and for a time it seemed as though no steps whatever would be taken for the defence of the city. While the discussion was at its height Colonel Fitz Gibbon urged the immediate putting into the garrison of all the half-pay officers and discharged soldiers who could be found in and around the city. To this Sir Francis objected. "What," he enquired, "will the people of England say, if they hear that we are thus arming? And besides, it will offend the militia if we pass them by and employ the military." The Colonel very emphatically expressed his opinion to the contrary, adding that the militia would be glad of an opportunity to rally round the regular military as a nucleus. At last, after several hours' conference, his Excellency said: "My opinions are unchanged. I hold that there is no danger whatever; but if, as I am informed, the magistrates and principal inhabitants of the city are apprehensive of danger, let them address me to that effect. I will tell them that I entertain no fears for the public peace; but to allay theirs, and in compliance with their solicitations, I will order measures of precaution to be taken."[30] At this very moment, {33} the Mayor, who had at last become awake to the possibility of danger, was waiting in the next room to have an interview with his Excellency on the subject.[31]

The result of the day's deliberations was that the Government resolved upon the arrest of Mackenzie and the organization of two regiments of militia. It was also deemed prudent to place the fort in charge of a body of militia, and to invest Colonel Fitz Gibbon with the authority of Adjutant-General.[32] There was however no undue haste in the carrying out of these arrangements, and the Colonel was not made acquainted with his accession of dignity until the morning of Monday, the 4th. On the same day a General Order was drawn up, appealing to the various militia officers in the Province, and embodying instructions for their guidance. This was sent to the printer to be put in type, but everything was done with the utmost calmness and leisure, there being no suspicion on the part of the Government that there was any need for unusual despatch. At this very moment Samuel Lount, Anthony Anderson, Jesse Lloyd and Silas Fletcher, with a considerable body of insurgents at their backs, were on the march to Montgomery's.

And yet Sir Francis Head did not apprehend a rebellion in Upper Canada.

It was known to a good many persons in the city on Saturday that a special meeting of the Council was in session, and that some of the judges and chief officers of State had been summoned to attend. Dr. Rolph, who obtained early intelligence thereof, felt a good deal of anxiety on the subject. Knowing, as he did, that the revolt was to burst forth in five days, and knowing how much was involved in success or failure, the proceedings of the Government had a special significance for him. What could this unusual session portend? What was the nature of the Council's deliberations? Had they become acquainted with the plot? Mackenzie's imprudent methods and his abnormal length of tongue rendered such a contingency not very unlikely. In the course of the afternoon several {34} items of news reached the Doctor which tended still further to disturb his equanimity. Several persons who had been examined before the Council during the morning spoke openly of what they had seen and heard while in the Council Chamber. From these revelations it appeared that the Government had seen copies of Mackenzie's handbill, and that they had received repeated warnings of an approaching insurrectionary movement. During the afternoon Silas Fletcher called upon Dr. Rolph with a message from Mackenzie to the effect that all was going on well, and that their friends would be at Montgomery's in full force on the night of the following Thursday. The information received up to this time as to the intentions of the Government was too vague to justify the Doctor in sending any discouraging message to Mackenzie, so he contented himself with merely informing Fletcher of what he had heard, and instructing him to communicate the same to Mackenzie.[33] But Fletcher had hardly {35} taken his departure for the north ere other unpleasant items of intelligence began to reach Dr. Rolph's ears. One of these, which emanated from a trustworthy source, was to the effect that Mackenzie's arrest had been determined upon, and that a warrant for the purpose had actually been issued and placed in the hands of the Sheriff. Allan MacNab, before starting for his home in Hamilton that evening, informed several persons that the Provincial militia were to be notified to hold themselves in readiness, and that he himself was at once about to organize the militia of the Gore District. Other rumours, some true and some false, were whispered about from mouth to mouth as the evening passed by for instance, that the Orangemen of the city were to be supplied with arms from the City Hall; that the garrison was to be filled with pensioners; that within the next week the city was to be placed in a state of defence, {36} and that active measures were to be resorted to for the

punishment of persons disaffected to the Government, whether in Toronto or elsewhere throughout the Province. With such apparently well-founded rumours as these reaching him at every turn, it is not strange that Dr. Rolph should have felt much disquietude. It seemed not improbable that the Executive had become aware of Mackenzie's design in all its details, and that they were even now taking measures for his destruction. It was certain that if the insurgents were in a position to anticipate their proposed attack by two or three days they might easily succeed in capturing the city, for it was evident that the Government were not prepared for immediate action. After consulting with Dr. Morrison, Rolph determined that at all events Mackenzie and his men should not fall into a trap without warning. Mackenzie's exact whereabouts was not known to the {37} Doctor, but he took it for granted that Gibson would know where he was to be found, and he accordingly despatched a messenger named John Mantach to Gibson's house out on Yonge Street. It was not deemed prudent to commit anything to writing, but the intelligence which had reached the Doctor from credible sources was briefly communicated to the messenger, with instructions to recapitulate the same to Gibson for transmission to Mackenzie. Rolph expressed the opinion that if even so small a force as thre hundred resolute men could be got together and mustered secretly on the outskirts of Toronto by the following Monday, it would be quite practicable to take the city, as the Government were not contemplating an attack at so early a date, and would be completely taken by surprise.[34]

It was late at night when Mantach reached Gibson's house. Gibson was much surprised at the message, having only heard that day for the first time thatthere was to be a rising on the 7th.[35] He did not know where to find Mackenzie, whom he had not seen since Saturday, the 25th ultimo;[36] but the message would be equally effective if delivered to Lount, and it was safe to assume that Lount was either at or in the immediate neighbourhood of his home. Thither, accordingly, at 4 o'clock on the morning of Sunday the 3rd, another messenger—one William Edmundson, a friend of Gibson's—was despatched with the important tidings, which he received direct from the mouth of Dr. Rolph's own emissary.

When Edmundson reached Lount's abode, near Holland landing, he was compelled to deliver the message to Mrs. Lount, her husband being from home. It will thus be seen that this verbal message, involving various important details, passed through several intermediaries after {38} leaving the lips of Dr. Rolph. It was delivered first by the Doctor to Mantach, next by Mantach to Gibson and Edmundson, then by Edmundson to Mrs. Lount,

and finally by Mrs. Lount to her husband. It is thus quite possible that when it reached its final destination it varied somewhat from what it had originally been. The only reason, however, for supposing that any such variation took place is the fact that Mackenzie, when all had been lost, sought to throw the blame of failure upon Dr. Rolph, by representing the message delivered to Lount as a peremptory mandate from the Executive—a mandate which he, Lount, was bound to obey. The message, as despatched by Dr. Rolph, and as received and re-despatched by Gibson, was as above stated, and Mackenzie, instead of endeavouring to misrepresent or find fault with it, ought to have been grateful therefor from the bottom of his heart, as it saved his limbs from the racking rheumatism of the prisoner's cell, and his neck from the hangman's noose.[37] It would have been impossible for him to avoid arrest until Thursday, if he had been going about the townships as usual, and if he had once found himself in the custody of the Sheriff he would never have escaped therefrom but by the scaffold, as his papers would themselves have been amply sufficient to ensure his conviction, and the Government would have been glad enough to avail themselves of such an opportunity of ridding themselves of him.

Lount and Anderson had meanwhile been busy with preparations, and had everything in readiness for conducting their forces to Montgomery's in time to make the descent upon Toronto on the following Thursday. Early on the morning of Sunday, the 3rd, they had despatched Nelson Gorham and a Radical named McCarty to Montgomery's to make arrangements for providing the men with food when they should reach the tavern. Lount returned home within a few hours after Edmundson's visit. Upon receiving the message from his {39} wife, he again sought out Anderson, who was at a house in the immediate neighbourhood. The two resolved to act upon the message. It was clear to them that, "if the townships could accomplish the enterprise on Thursday, when the Government would be prepared, it would be still easier to do it before the preparation was effectually begun."[38] They accordingly sent out notifications to the men composing "the Lloydtown Company" to hold themselves in readiness to march to Montgomery's on the morrow instead of on Thursday. The company consisted of more than a hundred volunteers, nearly all of whom mustered on the following (Monday) morning, according to command, at a point a few miles south of Holland Landing. The leaders divided the men up into several parties, and proceeded by different routes, in order that their march might be less likely to attract attention. While moving towards their destination they permitted nobody to pass them on the way, lest the news of their march might be conveyed to the Government. A few persons were turned back, and made to

promise not to attempt to pass southward. Others, known to be zealous supporters of the Government, were taken prisoners and compelled to march to Montgomery's. The largest detachment of insurgents, consisting of about forty persons, marched southward with Anderson at their head. Lount proceeded alone by a more circuitous route, in order to notify several other small companies, and to conduct such of them as were available to the appointed place.

Anderson and his men reached Montgomery's between eight and nine o'clock in the evening. They had had a long day's march of more than thirty miles, and were weary and footsore. They had brought few arms with them, partly because the advance of a body of armed men along the public highways would have proclaimed their purpose to every one encountering them on their march, but chiefly because Mackenzie, at a meeting held at Machell's Corners[39] a few nights before, had stated that a small supply of arms and ammunition was concealed at Montgomery's, and ready for use. A few muskets would have been sufficient, as the men depended upon supplying themselves from the {40} stores in the City Hall. It was found, however, that nothing whatever had been provided in the way of arms and ammunition; and, worse still, there were no rations for the men. The change of day had of course deranged the plans which had been formed for the commissariat, and there was practically nothing to eat in the house. It was not until the larders of the neighbours had been pressed into service that the weary volunteers were enabled to in some measure appease their hunger by a limited supply of such comestibles as dry bread, doughnuts, crackers and cheese. They felt not unreasonably disposed to grumble, but the arrival of Lount a short time afterwards, with eighty or ninety men whom he had collected on the way, and most of whom were armed in some fashion or other, restored them to good humour. Some of them proposed to march into the city and carry out their designs forthwith, but the general opinion was in favour of resting for the night and making an attack after an early breakfast on the following morning. This plan was finally adopted, and the men were informed that when they were ready for repose they might stretch themselves out upon the bare floor wherever they could find room. Foragers were out during the greater part of the night, picking up such provisions as were to be had from the farmers. But events of a more exciting nature than foraging expeditions were to take place before the dawn of another day.

And still Sir Francis Head did not apprehend a rebellion in Upper Canada.

NOTE TO CHAPTER XX.

When Dr. Rolph's papers came into my hands some months ago, I found among them a written statement made more than thirty years since by John Hawk, a nephew of Samuel Lount, and a former resident of the township of King. Mr. Hawk, who took an active part in the Rebellion, is still living, and resides near the village of Harley, in the County of Brant. He distinctly remembers all the matters referred to in his statement, which he confirms in every particular, and no one conversing with him could entertain any doubt either as to the accuracy of his memory or the clearness of his convictions. I have thought it best to insert the statement in this place, as a considerable part of it deals with matters treated of in the foregoing chapter. The other portions, dealing with matters subsequent in point of time, will be referred to in future pages.

STATEMENT OF JOHN HAWK, NEPHEW OF SAMUEL LOUNT.

> I was down at Mitchell's [Machell's i.e., Aurora] Corners on Sunday, the 3rd day of December, 1837, to speak for a keg of powder and one hundred pounds of lead for Thursday, the 7th, which was the day my brother, who had attended a meeting held by Mackenzie a short time previously, told me Mackenzie had fixed for the rising. {41} I had just left the Corners, about two o'clock in the afternoon, when Wm. Edmundson overtook me and told me the day of the rising had been altered to Monday, the 4th. I asked him who altered the day, and he said to the effect that the word had come from Gibson. I went on and told the news at Lloydtown, and the next morning started with the Lloydtown company, numbering about one hundred, commanded by Anthony Anderson and my brother. We[40] got to Montgomery's at between ten and eleven o'clock on Monday evening. Lount had not then arrived. We did not find the arms which Mackenzie had stated at the meeting above mentioned were concealed at Montgomery's, nor anything to eat. We did not expect a large quantity of arms, as we relied on the four thousand stand of arms in the City Hall, but we looked for what had been promised. I and many others wanted to go into the city on Monday night, but we were overruled. We could have taken the city that night or the next morning easily. On Tuesday morning, at Montgomery's, Mackenzie, mounted on a white horse, made us a little speech, before we started for the city.

He said he would be the Commander-in-Chief for that day, or "for the time being," or words to that effect. Mackenzie afterwards went west towards Captain Baldwin's. When the Flag of Truce came up the first time we gave a cheer when we saw Dr. Rolph and Mr. Baldwin with it. My uncle, Mr. Samuel Lount, said to me: "Here, Jack, hold my rifle I will have to talk with them, as Mackenzie isn't here." I remember his words and the whole scene vividly. I wasn't more than ten yards distant from my uncle during the conversation, which lasted, I should think, from three to five minutes. When the party turned and went back towards the city I handed my uncle back his rifle. He said nothing to me about the object or result of the truce. Mackenzie joined us before the Flag of Truce came up the second time.

I saw Mackenzie strew papers on the floor in a room in Horne's house, and then set fire to them. When the fire was well started he came out and mounted his horse and rode up towards Montgomery's, and the word was to follow him. We were all very much surprised at his going *from*, instead of *towards* the city. We all expected to push right into the city at once. There were then between four and five hundred of us, besides those at the College Avenue and the Don. I heard Mackenzie say he burnt Horne's house because he was the worst Tory in the city. Everyone I knew was angry and disgusted at our going back to Montgomery's. The men began to say that Mackenzie was afraid to go into the city. I remember John Fletcher, a son of Silas Fletcher,[41] who came out from the city and arrived among us while Mackenzie was setting fire to Horne's house, saying to me, "What are they fooling about here for? If they come in they can take the city without firing a shot." When we got back to Montgomery's there was nothing to eat. I think about one-third of the Lloydtown people left that night in disgust.

I left the next morning (Wednesday) with Nelson Gorham, who was to take a message to Dr. Charles Duncombe. We did not expect Dr. Rolph, Mr. Baldwin, Mr. Bidwell or Dr. Morrison to join us, though we thought they were favourable to the rising. I didn't hear any one asking for them.

(Signed) JOHN HAWK.

[15] See his annotated edition of Mackenzie's Navy Island *Narrative*, p. 5, note.

[16] Vol. i., p. 322.

[17] See Colonel Fitz Gibbon's *Appeal to the People of the Late Province of Upper Canada*, p. 10.

[18] *Ib*., p. 11.

[19] See his dispatch to Lord Glenelg dated 19th December, 1837.

[20] *Ib*.

[21] *Narrative*, chap x.

[22] "The excuse of Sir Francis, when he suddenly found himself attacked by armed rebels, was that he had all along foreseen and desired the insurrection, and even pretended unconsciousness, in order to tempt an outbreak. In order to avoid this imputation of negligence, Sir Francis's vanity seeks refuge in the guilt of one of the most detestable practices of the most unscrupulous tyranny. He would load himself with the crime of having trepanned a number of ignorant and heated political opponents into the guilt and peril of treason: of having given facilities to crime in order that he might find a pretext for punishment.... But, by taking the credit of all this unreal villainy, Sir Francis only accumulates on his own head an additional weight of imbecility. The only palliation of such schemes is to be found in the vigour and skill with which their success is ensured; and if Sir Francis insists on having purposely brought the insurrection to a head, it is still more incumbent on him to show that he had taken good care also to provide means for suppressing it. To provoke an insurrection, even for the purpose of crushing hostile designs, we regard as utterly unjustifiable under any circumstances; but to provoke one, leaving it to the chapter of accidents whether it shall turn out successfully or not, can hardly entitle a Government even to the approbation of the most unscrupulous Tories." *London and Westminster Review*, vol. xxxii., pp. 444, 445.

"He not only provoked the insurrection by his violence and injustice, but he encouraged it by what all others condemn as a blind and credulous apathy, and his own excuse would place in the yet more odious light of a most mischievous connivance; and he then did whatever human imbecility could do to render it successful. Fortunately, the British Government had some more trustworthy servants to rely on in the hour of danger; but even their fortitude might have been unsuccessfully exerted had not that lucky destiny, which seems to love something like equality in contests, matched Sir Francis with an antagonist, in the person of Mackenzie,

possessing less common sense and presence of mind even than himself." *Ib*., p. 441.

[23] See vol. i., pp. 376, 377.

[24] See Colonel Fitz Gibbon's *Appeal*, etc., p. 12.

[25] *Ib*., pp. 12, 13.

[26] The last number was issued on the 29th of November. The outside of the number for the following week was printed, but the premature breaking out of the Rebellion prevented its publication.

[27] *Ante*, p. 18, and note.

[28] I adopt Colonel Fitz Gibbon's own rendering of this expression, which may perhaps be due to his knowledge that Judge Jones was of Welsh extraction.

[29] My authorities for this episode, in addition to the usual sources, are, 1. Colonel Fitz Gibbon's *Appeal, ubi supra*, pp. 13—15; 2. Certain MS. notes, memoranda and letters written by the Colonel, and now in the possession of his family, from whom they were obtained for my use through the kind offices of Walter Mackenzie, Esq., of Toronto, who was a warm personal friend of Colonel Fitz Gibbon.

[30] *Narrative of Occurrences in Toronto, Upper Canada, 1837*; MS. by Colonel Fitz Gibbon. He adds: "From the whole tenor of his Excellency's observations, it was plain to me that he had it entirely at heart to prove to the Government and people of Britain that he could preserve Upper Canada in tranquillity during the winter by his own management, without a single soldier, or a step being taken to guard against or to prevent disturbance." The Colonel had several weeks before suggested to Sir Francis the filling-up of certain vacancies and promotions among the officers of the city regiments of militia. This was a matter requiring attention, and it ought not to have been neglected, even had there been no talk of insurrection, as the regiment could not possibly be maintained in a state of efficiency without officers. Sir Francis, however, stubbornly refused to act upon the Colonel's suggestion, having determined to "leave all things as they were during the winter," and "having no apprehension of any movement on the part of Mackenzie or his adherents."

[31] *Ib*.

[32] Colonel Coffin, Adjutant-General *de facto*, was in poor health, and had survived his energies, insomuch that his services were not available. Colonel Fitz Gibbon was accordingly appointed *Acting* Adjutant-General. See *Appeal*, p. 15.

[33] In the seventh chapter of Mackenzie's *Flag of Truce* is published a letter from Fletcher to Mackenzie, dated "Fredonia, July 29th, 1840," wherein an account is given of the alleged writer's interview with Rolph on the occasion referred to in the text. Mr. Lindsey has embodied this letter in his Life of *Mackenzie*, vol. ii., p. 72. The following are the most salient passages of it: "On the Saturday afternoon previous to the outbreak back of Toronto, between 3 and 5, I called to see Dr. John Rolph at his house on King (Lot) Street [This is an error. Dr. Rolph lived on Queen Street, which was then known as Lot Street. King Street was never called by that name.], and asked him, as he was the Executive, whether any alteration was to be made or ordered by him in the time of rising. He said that as those who had the direction of the affair had, with his consent, fixed the day for Thursday, the 7th December, at Montgomery's as a place of rendezvous, he would make no change or alteration whatever.... Dr. Rolph's exact words to me were: 'No, by no means; I shall expect every man to be active and vigilant, so as to be able to get up the expedition and come in on the 7th and take the city." Assuming this letter to be genuine, it is of little significance. As explained in the text, it was not until after Fletcher's departure that Rolph heard the disquieting news which caused him to send off his messenger, so that he might very well have informed Fletcher that he had no alteration of plan to suggest at that time. Moreover, it must be remembered that Rolph's message did not *order* a change of day. It merely conveyed certain intelligence which had reached the sender's ears, and *expressed the opinion* that precipitated action would be judicious. See *post*, p. 37. Mackenzie's chief object in publishing Fletcher's letter, however, was to attempt to prove that Rolph at least tacitly admitted that he was the Executive. But the inherent absurdity of the epistle is apparent in almost every sentence. What, for instance, could be more unlikely than that Fletcher should apply to Dr. Rolph to know whether he had determined upon altering the date of the rising? Up to this moment there had been no hint of

any change of date. Why, then, should the idea of a change of date have entered into Fletcher's mind? Then, what more unlikely than that he should accompany such a query by the formal statement that "he [Dr. Rolph] was the Executive?" Next, is it at all probable that Fletcher would for considerably more than two years carry in his mind "Dr. Rolph's exact words? "If Dr. Rolph really used the "exact words" imputed to him in the letter, he spoke in a much more awkward and slovenly fashion than was his wont. But "worse remains behind." Fletcher, according to the testimony of those who knew him most intimately, was an illiterate man, utterly incapable of writing such a letter as the one above quoted from. It may possibly have been written by Mackenzie, and signed by Fletcher at his instigation. Mr. Lindsey probably has the original. A reference to it will settle the question whether it was really written by Fletcher. As to its having been composed by him, the idea is too ridiculous to be entertained for a moment by any one who knew Fletcher's modes of expression.

Nelson Gorham, who was long a business partner of Fletcher's, and who was in partnership with him at the very time when the foregoing letter purports to have been written, is certainly entitled to speak on this question with authority. The following is his deliberate written testimony, given in the month of June last, and now lying in manuscript before me. His present address is Yarmouth, Massachusetts, U.S., whither he removed a few months since.

STATEMENT OF NELSON GORHAM.

> "I have carefully read the letter purporting to have been written by Silas Fletcher to William L. Mackenzie, and have no hesitation in saying that Silas Fletcher did not write that letter; and I form this conclusion for the following reasons:

"*First*.—Silas Fletcher could not write. He could barely scrawl his name in a crude way.

"*Second*.—At the time when that letter is dated, Silas Fletcher and myself were copartners in business at Fredonia, and all his correspondence, private and otherwise, was written by me as his amanuensis. I wrote for him no such letter as the one designated, or any in any way like it.

"*Third*.—At that time, as well as prior to and subsequently, I was frequently corresponding with Wm. Lyon Mackenzie upon matters connected with the Canadian Rebellion of 1837. In all our correspondence Mr. Mackenzie did not broach to me anything like what appears in the letter purporting to have been written by Silas Fletcher, and, as I was quite as cognizant of matters connected with that Rebellion as was Mr. Fletcher, I assume that so material a matter as is made to appear in that letter would naturally have formed one of the subjects of our correspondence. It never did.

"*Fourth*.—At a Council of War held on Tuesday night, Dec'r 5th, 1837, where Mackenzie, Fletcher, Gibson, Matthews, Lount and myself were present, and when everything connected with the flag was fresh in the recollection of all, nothing of this kind was named or mentioned, but the desirability of sending some persons into the city to obtain information and open communication with friends there was strongly urged and determined upon.

"(Signed) NELSON GORHAM."

To present any further accumulation of evidence may seem like piling Ossa on Felion, but as it is necessary that the reader should have a clear apprehension of the utter

worthlessness of the testimony adduced by Mackenzie, and of the dishonesty of his methods in dealing with matters relating to the Rebellion, I submit the following extract from a letter written by "General" Donald McLeod to Dr. Rolph. The original is in my possession. No one, except perhaps Mr. Gorham, was better qualified to pronounce an opinion on the subject.

> "As regards Mr. Fletcher's letter, I have only to state, in addition to what I have formerly written to you on the subject, that in his speeches delivered at Hammond, Watertown, Sackett's Harbour, Ontario, Oswego and Rochester, while in my company to Navy Island, he invariably laid the blame of the failure on Mr. Mackenzie's bad management and indecision, and hardly ever spoke of Dr. Rolph but in the highest terms of praise as a Reformer. From the wording of that letter, and from my knowledge of Mr. Fletcher, I am fully convinced in my own mind that he never put a pen to it, otherwise than to sign it when handed to him by Mr. Mackenzie or some one of his friends, without troubling himself about the correctness of its contents, counting it of little or no importance, seeing the affair was all over, and not expecting it should ever be produced by Mackenzie for any sinister purpose afterwards.
>
> "Again, in reference to the postscript to this letter, which states that you cautioned him, Mr. Fletcher, not to say anything of what transpired on the other side—meaning Canada—that expression, I solemnly declare, could not have been uttered by you in the conversation with him in my presence at the Eagle Hotel in Rochester without my hearing it. I am therefore convinced that the whole of that letter and its postscript is a malicious fabrication of Mackenzie's or some one of his friends at Fredonia by his direction, in order to defend his

conduct, and exonerate himself from all blame as a chief actor in the affair of December, '37."

In future pages I shall present further testimony from General McLeod on the subject of Mackenzie's conduct. Meanwhile it may be assumed that the foregoing statements, read in connection with the known facts and arguments previously adduced, pretty effectually dispose of all question as to the value—to say nothing of the authenticity—of Silas Fletcher's letter.

[34] Gibson, in a MS. statement, says: "Word was sent by Dr. Rolph through me to Mr. Mackenzie and Mr. Lount that the Government were aware of Mackenzie's movement, and were probably preparing for the Thursday, the day named by Mr. Mackenzie, and that it would be better, to save the shedding of blood, to come down three days sooner, and take them by surprise, and to come down secretly." Commenting upon Mackenzie's mendacious account in the *Caroline Almanac*, Gibson further says: "Page 98, *Caroline Almanac*—'and therefore Colonel Lount and his men must be in town on Monday night.' I say no such thing. The messenger gave me the information that if Lount could muster 300, and could come down privately, and take them by surprise; and if not to wait until the day appointed by Mackenzie; and that was the message sent by Mr. Edmundson to Mr. Lount."

[35] *Ante*, p. 19, note.

[36] *Ante*, pp. 18, 19.

[37] "How nearly he was the victim of the Government instead of Mr. Lount! And had his papers been seized, those which he left, with a regret, slightly mentioned, for the implication of others, would have yielded all needful evidence to visit him with the scaffold. When in this jeopardy, and ignorant of it in the country, what proved his salvation? The accelerated movement by his Executive. He was saved by a violation of the pretended stipulation that no attempt should be made to alter the day of revolt without first consulting him." Rolph's *Review of Mackenzie's Publications, post*.

[38] See Rolph's *Review of Mackenzie's Publications*, etc., *post*.

[39] Now the village of Aurora.

[40] The *we* refers to the small detachment of which Hawk formed one, and which must have been about the last of the Lloydtown Company to arrive at the tavern.

[41] Mr. Charles Doan, of Aurora, says "son of William, not Silas."

{42}

CHAPTER XXI.

THE REBELS AT MONTGOMERY'S.

It is now time to return to Mackenzie, who at last accounts was making his final tour in the northern townships of York. Having successively visited Lloydtown, Stouffville, Machell's Corners, Newmarket and other centres of Radical opinion, and having notified the adherents of his cause to be on hand at Montgomery's on the night of the 7th, he retraced his steps southward. All that remained to be done prior to the moment for decisive action was to make arrangements for the commissariat. On Sunday, the 3rd of December, about five o'clock in the afternoon, he reached the house of David Gibson. He then learned for the first time of Dr. Rolph's message, and of its transmission to Lount. He displayed much angry excitement, which Gibson believed to be due to chagrin at Rolph's presumption in venturing to interfere with his plans. Gibson was not able to inform him whether Lount intended to act upon Dr. Rolph's suggestion, as there had been no time to hear from Holland Landing since Edmundson's departure. Mackenzie, however, who had provided for an attack on the city on Thursday night, and had made all his calculations accordingly, determined to prevent any variation from his programme, and to that end he despatched one of Gibson's servants to Holland Landing with instructions to Lount to keep to the original arrangement.[42] Another messenger was despatched to Dr. Rolph {43} in the city, requesting him to come out and confer with Mackenzie, in order that they might take counsel as to what was best to be done. Dr. Rolph was absent from his house on professional employment, and his reply did not reach Mackenzie until next day, as will presently be mentioned. Mackenzie passed that night at Gibson's house. At a late hour Gorham and McCarty arrived, with the intelligence that they had been to Montgomery's, as instructed by Lount, to arrange for supplies, but that the proprietor had declined to undertake such a responsibility. This news caused a loud ebullition of temper from Mackenzie, who declared his intention of coercing Montgomery into

compliance. On the following morning—Monday, the 4th—he and Gibson repaired to the tavern to see what arrangements could be made for the reception of the men on Thursday.

Montgomery's tavern was a large wayside inn, with a broad platform in front, and with a lamp suspended over a central doorway. It stood within a few feet of the site now occupied by the brick hotel at Eglinton. It was owned by John Montgomery, a prominent Radical of those days, but was leased to a tenant named John Linfoot, who had taken possession on the previous Friday.[43] Montgomery, however, was a temporary boarder in the house, and in this way became identified with the Rebellion.[44] He had for years taken a conspicuous part in the local elections, and had all along been a violent supporter of Mackanzie. He was a man of considerable means, and had sunscribed liberally to the fund for defraying Mackenzie's expedition to England in 1832 and 1833. Two or three months before the outbreak he had seen {44} fit to take exception to some of Mackenzie's methods, which he had criticized in tolerably plain language. This had led to his being excluded from the most secret of the Radical councils ever since, though he continued to do his utmost for the advancement of the general Radical policy. As a consequence of his exclusion from the inner mysteries, he was not in the secrets of the conspirators. Like almost every other Reformer in the country, he was aware that some scheme was on foot for subverting the Government, but he had no knowledge as to its nature, nor as to the time when it was to be consummated. He received his first intimation on the night of Sunday, the 3rd, when Lount's messengers arrived with a request that he would act as commissary to the insurgents. The request took him completely by surprise. It seemed to him that the project was altogether premature, and that its success was more than doubtful, more particularly when conducted under such auspices. He declined to have anything to do with furnishing supplies, and advised the messengers to return to their homes. The messengers then repaired to Gibson's as previously mentioned, and there they remained all night.

Mackenzie had no sooner reached the tavern on Monday morning than he poured out the vials of his wrath upon Montgomery's head with unstinted hand. He reproached him for having deserted the cause in refusing to act as commissary, and with being much more desirous of advancing his own interests than those of his party. Montgomery appears to have taken these reproaches very coolly. He replied that he had deserted no cause, and that his regard for the welfare of his party was too well known to stand in need of any confirmation. While Mackenzie fumed and stormed about, a messenger

arrived from Dr. Rolph, with a reply to Mackenzie's request for an interview. The Doctor sent word that he would be at the house of James Hervey Price about one o'clock in the afternoon. Mr. Price's house was several hundred yards away across the fields to the north-west.

Mackenzie, accompanied by Gibson, repaired to Mr. Price's at the hour appointed, and found Dr. Rolph there before him. The disasters which had recently befallen the insurgent arms at St. Charles, in Lower Canada, had exercised a dispiriting influence upon the Doctor. The {45} movement in that Province, from which so much had been anticipated, had practically come to an end. It had proved a signal failure, and its collapse had been attended by many deplorable circumstances. The insurgent forces under "General" Thomas Storrow Brown had been routed, slaughtered, and dispersed. Some of the leaders had been arrested; others had sought safety in an ignominious flight. Martial law was about to be proclaimed, and the disaffected districts would soon be swept by devastating troops. White flags were encountered at every turn, and in some instances they proved an inadequate protection to the inhabitants. There seemed too much reason to fear that Sir John Colborne, after achieving so complete a triumph in Lower Canada, would turn his arms in a westerly direction, and that he would have a force at his back which would be irresistible. Full particulars of the nature of Sir John's preparations to stamp out insurrection had reached Toronto within the last twenty-four hours, and Dr. Rolph felt that the insurgents of Upper Canada should govern themselves accordingly. His own belief was that the defeat at St. Charles and its attendant circumstances had wrought an entire change in the prospect as regarded both Provinces, and that anything beyond a temporary success, even in Upper Canada, was of extremely doubtful achievement. He was not the man to advocate the playing of a game where the probabilities seemed largely against him, and he was in favour of an immediate abandonment of the movement by all persons concerned in it. The only alternative was to act with promptitude and vigour. The Doctor informed Mackenzie and Gibson that on the forenoon of the previous day (Sunday), before the news of Sir John Colborne's preparations had reached him, he had sent a messenger to Lount direct, informing him that the Government seemed to be less on the alert than he had supposed, and that Lount should govern himself accordingly.[45] It was certain, however, that a warrant was out for Mackenzie, and that it would be executed if any opportunity were afforded. The Doctor did his utmost to impress upon Mackenzie that the wisest thing to do would be to abandon the movement and send {46} the men back to their homes, by which means their prosecution for treason would be avoided. To this counsel Mackenzie

would not even listen with patience. It was too late, he said, for him to talk about withdrawal. If he had embarked in a leaky vessel he would stand the consequences, and "the men" would share his fortunes.[46] Finding him immovable on this point, Dr. Rolph then urged that not a moment should be lost. The Government were unprepared, but they were to some extent alive to the importance of making preparation, and would not long be without adequate means of defence. The intention to take the city on Thursday night had by this time become known to thousands of persons, and if it had not already been communicated to the Government, it would certainly be so before many hours. Everything was to be gained by precipitating the movement. The merest handful of resolute men could effect the capture of the city, provided that they set about it at once. All these matters were distinctly pointed out by Dr. Rolph to Mackenzie and Gibson. The latter fully concurred in the Doctor's arguments; but Mackenzie, while admitting that they were not without weight, was still disposed to abide by the Thursday arrangement, as by that time the insurgents would have assembled in such force that no effective opposition on the part of the Government would be possible. It was evident, however, that the question of accelerated movement must in great measure depend upon Lount, from whom nothing had yet been heard. If he were actually on the way, with a force of men openly at his back, there could no longer be any pretence of concealment, and the sooner the attack upon the city was made the better.[47] During this interview Mackenzie made no pretence whatever that Rolph was entitled to act in an executive capacity. Indeed he rather seemed to find fault with the Doctor for having taken upon himself to interfere.[48] However, after a conference {47} of nearly two hours, it was understood that they were to be guided by Lount's action. Should he, in the course of the next few hours, present himself at Montgomery's with any considerable number of men, there could be no doubt that an immediate advance would be advisable. If, on the other hand, Lount should have concluded to act upon the previous arrangement, the only thing to be done would be to take every conceivable precaution, and to move with effect when the appointed time should arrive. On this understanding the trio separated, Rolph riding back into town to await the course of events.

Mackenzie and Gibson, upon leaving Price's house, proceeded separately by devious routes to an old structure a short distance in the rear of Gibson's farm, known as Shepard's mill, which had long been a secret rendezvous for the Radicals of the neighbourhood. There, according to a previous arrangement, they found several local insurgents engaged in casting bullets. They had not long been there ere Gibson's servant, who had

been sent north to communicate with Lount on the previous day, arrived with the intelligence that Lount, Anderson, Lloyd and Fletcher, with the Lloydtown Company and a number of other volunteers, were already on the road, and might be expected at the tavern during the evening. The course of future action, therefore, was no longer doubtful. The rebels were in arms, and the Rebellion had begun. Their southward march had already aroused the whole country side, and their designs would certainly be known to the Government before the night was over. The city must be theirs before the next sunrise.

Mackenzie accepted the inevitable with apparent cheerfulness. Recognizing the importance of as far as possible cutting off communication with the city, and thereby preventing news from reaching the Government, he returned to Montgomery's and placed three lines of guard across Yonge Street. The first of these was placed directly opposite the tavern, the second about seventy yards farther north, and the third about sixty yards to the south of the tavern. A line of guard was also placed on the first road to the westward, running for some distance almost parallel with Yonge Street. No one who was not recognized as friendly to the rising was permitted to pass southward, and a good many persons who sought to do so were arrested and conveyed {48} within the tavern as prisoners. Soon after eight o'clock the insurgents began to arrive in small detachments of ten to twenty at a time.[49] By nine o'clock they mustered about ninety men, among whom were all the original organizers of the insurrection except Lount, who did not present himself until somewhat later. They were accompanied by a few loyalists who had been taken prisoners en route in order to prevent them from carrying intelligence into the city. The dissatisfaction of the jaded volunteers at finding that no arrangements had been made for providing them with food has already been referred to. Mackenzie was furious at Linfoot, the landlord, who refused to take any steps to obtain supplies unless he were supplied with payment in advance. Linfoot was not a Radical, nor even a sympathizer with Radicals. He was simply a man of no polities whatever, who believed in looking sharply after his own interests, and was not desirous of opening an account with such doubtful customers as the insurgents. In vain Mackenzie shrieked and screamed at him, shook him by the collar, and threatened the direst consequences.[50] He was too stoical to be moved by any such means. Mackenzie had been supplied with a limited amount of money collected by subscription among the men in the north to carry on the campaign, and to this fund he was now compelled to have recourse. By dint of great exertions, as mentioned towards the close of the last chapter, a very light and meagre supper was at last provided. It went some distance towards

allaying the hungry cravings of the men, who however were weary with their long and unaccustomed march. They were moreover dispirited at the apparent lack of method and organization. They had been led to suppose that they would find great numbers of volunteers at the tavern, ready and anxious to join them in invading the city and overturning the Government. The reality fell so far short of their anticipations that some of them gave utterance to their disappointment, and charged their leaders with having deceived them. A few words of explanation, however, quieted these murmurings, and a good many of them expressed a desire to be led into Toronto at once. {49} The consideration of future action could no longer be postponed. A Council of War was held, at which Mackenzie advocated an immediate advance, and even offered to lead the men into the city himself. He was however overruled by the other leaders, who urged, truly enough, that the men were in no condition to engage in such an enterprise until they had had a night's rest after their unwonted fatigue, and had been provided with suitable food. It was further pointed out that reinforcements might confidently be expected during the night, so that by postponing action until the morning, their operations might be undertaken with a tolerably assured prospect of success. Mackenzie yielded to these representations, and the men were informed that nothing would be required of them for that night, except from time to time to relieve guard. Colonel Van Egmond was not to be looked for until Thursday, but little importance was attached to his absence, as the men professed their readiness to be led by Lount and Anderson. It was evident that Anderson had inspired them with great confidence in his military skill and experience, and that they would follow him with enthusiasm whenever, he thought proper to place himself at their head. An understanding was accordingly arrived at that the advance on the city was to be made at daylight on the following morning, which would be Tuesday, the 5th.

Under these circumstances, the proper thing would have been to seek repose and get through the night as quietly as possible. But Mackenzie's nerves were strung up to a high pitch, and his restless spirit would not permit him to remain tranquil at the tavern. He proposed that he, accompanied by two or three more, should advance into the city on a reconnoitring expedition, in order that the precise state of affairs there might be ascertained. This was a foolish proposal, due simply and solely to the state of Mackenzie's nerves. Such an expedition was wholly unnecessary, as Dr. Rolph had acquainted him with the state of the city at mid-day, since which time no very remarkable change could very well have taken place. It was as useless for any practical purpose as was Brewer's master-stroke on

behalf of Mr. Veneering, in going down to the House of Commons to see how things looked.[51] Under all the circumstances, however, a proposal of this kind was certain to find {50} seconders. Four of the insurgents promptly volunteered to accompany Mackenzie. One of these was no less important a personage than Captain Anthony Anderson himself, upon whom the men chiefly relied to lead them on the morrow. Another was Joseph Shepard, a member of a well-known Radical family resident on Yonge Street, near Gibson's.[52] The other two were respectively named Edward Kennedy and Robert Smith. The little party set out for the city a few minutes before ten o'clock.[53] Before recording the exciting adventures which they were destined to encounter, it will be well to glance at the state of affairs in the capital, and at the efforts made by the loyalists to the north to convey intelligence of the true state of affairs to the authorities.

Colonel Fitz Gibbon had no sooner received his appointment as Acting Adjutant-General of Militia, on the morning of Monday, December 4th, than he began to display more vigilance than ever. He allowed himself no rest, but hurried about from place to place on very slight pretexts, or on no pretext at all. His condition appears to have been very much like Mackenzie's on the evening of that day, his nerves being strained to such a pitch that inertia was impossible to him. It is undeniable that his vigilance amounted to fussiness, and that he was greatly disposed to magnify the importance of his office; but it is equally certain that he was almost the only supporter of the Government in the city who truly appreciated the gravity of the situation. He continued in a state of preternatural excitement throughout the day, and indeed for many days afterwards. He did his utmost to kindle a corresponding excitement in the hearts of everybody with whom he conversed, but, so far as Monday was concerned, with little or no effect. When he buttonholed and harangued his acquaintances on the streets they either laughed outright at his predictions of {51} danger, or else humoured him by pretended acquiescence. In short, he was treated like an unruly or hysterical child, with whose wildest fancies it is deemed best to comply, lest his excitement may be intensified by opposition. As night approached his apprehensions of danger increased. He believed that he had been marked out by the Radicals for destruction, and feared to remain at his own house lest he might be assassinated by some emissary of Mackenzie. He determined to pass the night at his office in the Parliament Buildings, and invited a number of friends to watch with him there.[54] Those who accepted the invitation noticed that he was in a restless, disturbed state, and feared lest his mind should give way.[55] Before ten o'clock his solicitude for the city's safety

became so much intensified that he could not resist an impulse to communicate his fears to the Lieutenant-Governor in person. Leaving his friends on guard at his office, he proceeded to Government House, where he was ushered into the presence of his Excellency's daughter and his sister, Mrs. Dalrymple. In reply to his request for an interview, he was informed by Mrs. Dalrymple that the Lieutenant-Governor had been fatigued during the evening, and had gone to bed. The Colonel, however, was so importunate that his Excellency was roused from his repose, and soon presented himself in his dressing-gown. "I told him," writes Colonel Fitz Gibbon,[56] "that I apprehended some outbreak would take place that very night, which fear I deemed it my duty to communicate to him." Sir Francis, concealing his irritation as best he could, and doubtless inwardly cursing this officious busybody for intruding upon his slumbers without cause, received the communication without appearing to be in the least affected thereby, and anon got back to his bedroom. He did not in the least apprehend a rebellion in Upper Canada. The Colonel returned to his office, where he was soon after informed by a man who had ridden into the city by way of Crookshank's Lane that a body of rebels was approaching {52} the city from the north. This was news calling for immediate action. Among the friends collected around him was a young student at law, who was destined to attain high eminence in the forensic annals of this Province, and whose name was John Hillyard Cameron. This youth was straightway despatched by Colonel Fitz Gibbon to ring the bell of Upper Canada College. He proceeded to carry out his instructions, but had hardly begun to tug at the bell-rope ere he was requested by one of the teachers to desist, upon the ground that there was probably no truth in the story about the approach of the rebels. The Colonel himself mounted a horse which had been kept in readiness in a stable near by, and galloped to the houses of the principal personages residing west of Yonge street, calling upon the occupants to turn out and defend the city. The latter were for the most part incredulous. Some of them flatly refused to cross their thresholds on any such absurd pretext. An emissary of Colonel Fitz Gibbon presented himself in front of Judge Jones's house, and summoned him in stentorian tones to come forth. The Judge's Welsh blood boiled up at being disturbed at such an hour. "What is all this noise about?" he asked, emerging into the street "who desired you to call me?" "Colonel Fitz Gibbon," was the response. "Oh!" exclaimed the Judge, "the over zeal of that man is giving us a great deal of trouble."[57]

Having done his utmost to arouse the friends of the Government io a sense of their danger, Colonel Fitz Gibbon proceeded on horseback up Yonge Street on a reconnoitring expedition. He was accompanied by George

Brock, a student at law, and W. Bellingham, afterwards an officer of the 32nd Regiment. The trio rode rapidly northward as far as the ravine in front of Sheriff Jarvis's residence at Rosedale, fully two miles from Government House. As they encountered no one on the way, and as everything seemed quiet and still, the Colonel began to doubt the truth of the news he had heard. In order to make certain, however, he sent Brock and Bellingham forward in the direction of Montgomery's, with instructions to ascertain whether any rebels were approaching, and to return and report to him in the city, whither he immediately returned to organize and arm the inhabitants. On his way southward he met {53} two persons on horseback,[58] who proved to be Archibald McDonald, wharfinger, of 36 Front Street, and John Powell, one of the aldermen representing St. Andrew's Ward in the City Council. They informed him that they had heard of the approach of the rebels, and that they intended to ride out as far as Montgomery's to ascertain if the rumour were true. As they were both well-known Tory supporters of the Government, the Colonel expressed his satisfaction, and begged them to make haste, so that they might overtake Brock and Bellingham. They then proceeded on their respective ways. Colonel Fitz Gibbon called at several points on his return journey, and gave instructions as to what should be done in the event of the approach of the rebels. This occupied him nearly an hour, after which he once more betook himself to Government House to warn Sir Francis of approaching danger. He found Mr. Powell there before him. How this came about will be related in the next chapter.

[42] Mackenzie's own account is as follows: "I instantly sent one of Mr. Gibson's servants to the north, countermanded the Mond movement, and begged Colonel Lount not to come down, nor in any way disturb the previous regular arrangement."—See his *Narrative* p. 8. This is of itself sufficient to dispose of Mackenzie's absurd invention about Dr. Rolph being sole Executive. If Rolph was the Executive, and if he had actually ordered, instead of suggesting, a change of day, how came he, Mackenzie, to countermand that Executive's order, and to instruct one of the military commanders to fly in the teeth of the supreme official's instructions? "The value and usefulness of an Executive," observes Dr. Rolph, "ceases with the toleration of such insubordination; and if Mr. Mackenzie contemplated the imposition of the whole responsibility upon his Executive, he should have been the last to embarrass his operations.... It would not be surprising had Dr. Rolph, as his supreme sole Executive, instantly subjected him to a drum-head court-martial, and its summary consequences." *Review of Mackenzie's Publications*, etc., *post*.

[43] See Linfoot's evidence on the trial of Montgomery at Toronto for high treason, on Monday, 2nd April, 1838.

[44] It has often been stated, both verbally and in print, that John Montgomery had no sympathy with the Rebellion, and that he paid the penalty of being found on the premises. No one who makes such an assertion has any knowledge of the facts. Indeed, no one who takes the trouble to read the proceedings on his trial will entertain any such opinion. The real nature of his connection with the Rebellion is disclosed in the text.

[45] This is the only foundation for Mackenzie's story that Rolph had "endeavoured to countermand his orders to Lount, through Mr. George Bolton, on finding he had been deceived."—See *Caroline Almanac*, p. 100.

[46] Gibson MSS.

[47] The uncertainty of the three conspirators at this time as to their future action is clearly admitted by Mackenzie himself. He says: "The three [Rolph, Gibson, and Mackenzie] were unable to decide on the precise course to be adopted that night, because they could not tell whether Lount would come or stay, whether if he came he would travel secretly, so that his men might be scattered in farm houses, or whether he would come armed and openly through the mud." See *Caroline Almanac*, p. 100.

[48] This is made abundantly manifest by the written statements of both Rolph and Gibson.

[49] They appear to have subdivided while on the road, probably in order that they might attract less attention.

[50] See evidence of Linfoot and others on the trial of Montgomery.

[51] See *Our Mutual Friend*.

[52] Mr. Shepard, who was then a very young man, is still living, and apparently little the worse for the approaches of age. His home is a farm near Lansing Post Office, about half a mile south of the Gibson homestead. It seems almost unnecessary to say that the events of that night are indelibly graven on his memory. I am indebted to him for several facts recorded in the text.

[53] Mackenzie, in his *Narrative* (p. 9), says this was "about eight or nine o'clock," but his nerves were in such a condition that he probably took no note of time. The attendant circumstances show plainly enough that it must have been nearly ten when he and his companions set out from Montgomery's.

[54] See his *Appeal*, *ubi supra*, p. 15.

[55] I record this fact and several others in the above paragraph upon the evidence of the late John Hillyard Cameron, who communicated them to persons in Toronto. Mr. Cameron was one of those who watched with Colonel Fitz Gibbon at his office in the Parliament Buildings, as stated in the text, and was thus fully qualified to speak on the subject.

[56] *Appeal*, p. 16.

[57] Fitz Gibbon's *Appeal*, p. 16. Fitz Gibbon's MS. *Narrative*.

[58] Powell and Macdonald do not appear to have been together when they were first met by Colonel Fitz Gibbon, though they joined forces before he separated from them. See appendix to Fothergill's reprint of Mackenzie's *Narrative*.

{54}

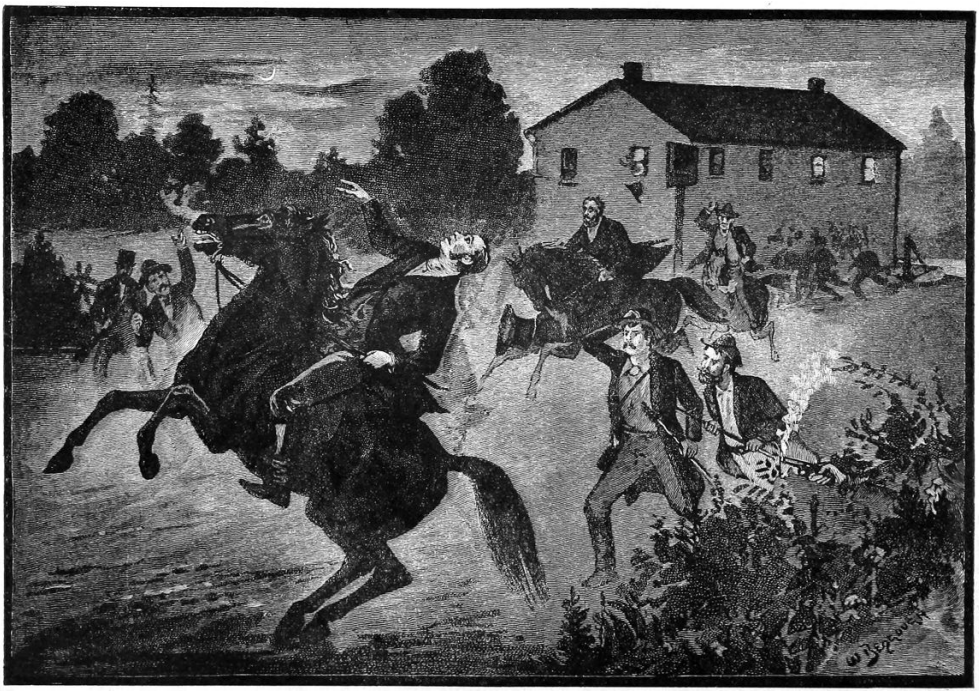
CHAPTER XXII.

“GENERAL” MACKENZIE.

As previously mentioned, Mackenzie and his four friends started on their ill-advised expedition a little before ten o’clock at night. They had not long taken their departure ere was shed the first blood poured out in the Upper Canadian Rebellion.

The minds of the inhabitants residing on Yonge Street and some of the contiguous highways had been not a little exercised throughout this fateful day at seeing the numerous bodies of well-known Radicals on their southward march. Some of the latter were armed, and their object could not well be mistaken. An emergency meeting of loyalists was promptly held at the house of Lieutenant-Colonel Moodie, on the northern outskirts of Richmond Hill,[59] where it was resolved that no time should be lost in conveying intelligence of the state of affairs to the Government. A letter was written to Sir Francis Head, and committed to the care of a Mr. Drew, who started for the city on a fleet horse, but was intercepted and taken prisoner by the insurgents before he had ridden two miles. His capture soon came to the ears of Colonel Moodie, who thereupon resolved to proceed into the city in person. Several other gentlemen volunteered to accompany him, and the little party set out by way of Yonge Street. It must have been about ten o’clock in the evening, or a little later, when they found themselves stopped by the guard which had been placed across the road a short {55} distance to the north of Montgomery’s. Colonel Moodie and two of his companions Captain Hugh Stewart and a Mr. Brooke determined to fight their way through, and to push on in spite of obstructions. They passed the northernmost guard without serious difficulty, and soon found themselves in front of the tavern, where they were compelled to encounter the second guard. Here again they presented an impetuous front, and burst through. They pressed on amid loud shouts from the insurgents until they approached the southern guard. Hearing the order commanding them to halt, and

perceiving a formidable array of pikes in front of them, Colonel Moodie called out: “Who are you, who dare to stop me upon the Queen’s highway?” and so saying, he discharged his pistol at the guard. By way of response, several guns were fired by the insurgents, and Colonel Moodie fell from his horse, exclaiming: “I am shot—I am a dead man.” He had received a mortal wound. His two companions made resolute attempts to break through and proceed on tkeir journey. Brooke was successful in forcing a passage. Stewart was made prisoner and conveyed within the tavern, whither also the dying form of Colonel Moodie was borne. Dr. McCague, a surgeon residing a few miles to the northward, was summoned, and was soon in attendance, but he could do nothing beyond slightly alleviating the sufferings of the dying man, who had been injured internally. A good deal of sympathy for Colonel Moodie and his family was expressed by the insurgents, who were doubtless moved by the manifestations of agony which ever and anon reached them from the room in which the wounded veteran was rapidly passing to his final account. The Colonel survived only about two hours. To this day it is not known with any degree of certainty by whose hand he fell. [60]



DEATH OF COLONEL MOODIE.

This, then, was the first blood spilled in the Upper Canadian Rebellion, and it was shed by the insurgents. But not many minutes were to elapse before the death of an insurgent at the hands of a loyalist was to make the numerical balance even. Mackenzie and the four scouts who {56} accompanied him had not proceeded far on their journey ere they met several insurgents who had been down the road to reconnoitre, and who were now returning to the tavern with Brock and Bellingham, whom they had encountered a mile further down, and captured as prisoners of war. The quintette continued to advance southward until they approached the top of Gallows Hill, when they foregathered with two men on horseback. There was no moon, and the night was dark, but as the two horsemen advanced to close quarters they proved to be Powell and McDonald. Mackenzie, who was a little in front of his companions, called a halt, and, presenting a pistol, rode up to Powell and commanded him to surrender himself a prisoner. A parley ensued, during which Mackenzie explained the situation at unnecessary length, and with a degree of candour altogether uncalled for by the circumstances. The democrats, he said, had risen in arms, and as they were desirous of preventing that fact from being prematurely known in the city, it was necessary that Powell and McDonald should surrender their arms and proceed to Montgomery's as prisoners. As those gentlemen were by this time surrounded by Mackenzie and his four companions, all of whom were armed with rifles, any effective resistance was out of the question. The weaker party sullenly acquiesced, Powell stating that they had no arms. "Well," responded Mackenzie, "as you are my townsmen and men of honour, I would be ashamed to question your words by ordering you to be searched."[61] Surely the force of courteous imbecility could no farther go. Can it be believed that he would hazard not only the lives of one or more of his companions, but the success of the whole enterprise, merely for the purpose of showing courtesy to two men who, as he well knew, contemned and despised him, and who would consider themselves fully justified in deceiving him?

Consigning the two prisoners to the keeping of Anderson and Shepard, who returned with their charges in the direction of Montgomery's, Mackenzie proceeded on his journey, followed at a short distance by the {57} other two insurgents who had set out with him from the tavern. He had advanced as far as the bottom of the hill when he heard the sound of galloping hoofs in his rear. Another moment, and Powell and McDonald passed him at full speed, riding southward like the wind. It was clear that they had escaped from custody. Mackenzie called out to them to stop, and, as no attention was paid to his summons, he fired at the rapidly-receding

form of Powell. The bullet sped wide of the mark, but as the hunted man heard it whistle by him his temper was aroused, and he turned moodily to bay. Biding briskly up to Mackenzie, he snapped a pistol in his face. The priming flashed in the pan, and did no harm. Powell, wheeling about again, put his horse to its utmost speed, and soon left his would-be captor far behind. McDonald had turned back in trepidation during the altercation between Mackenzie and Powell, but afterwards resumed his flight until stopped by the toll-gate near Bloor Street, where a few minutes later he once more yielded himself a prisoner to Mackenzie, and was taken back to Montgomery's.

It is now in order to inquire how Powell and McDonald had regained their liberty. Powell had been assigned by Mackenzie to the custody of Captain Anderson; McDonald to that of Shepard. The four rode slowly northward towards Montgomery's, from which, at the time of their capture, they were distant about two miles. Anderson and his prisoner were about ten yards in advance of the others. Powell learned from Anderson's conversation that a body of insurgents was collected at Montgomery's, and that an early descent upon Toronto was in contemplation. Hardly had these facts been communicated ere the insurgent captain and his prisoner were confronted by a man on horseback. "Halt!" shouted Anderson—"who are you?" Thomson," replied the horseman. "Then, Mr. Thomson," exclaimed Powell, "I claim your protection I am a prisoner." The *soi-disant* Thomson was in reality the identical Mr. Brooke who had forced his way through the guard near the tavern about five minutes before. The darkness of the night did not admit of his seeing any of the opposing horsemen with much, distinctness, but he was personally acquainted with Powell, and quickly recognized his voice. "Powell," said he, "the rebels have shot poor Colonel Moodie, and are advancing on the city." So saying, he {58} turned aside, and spurring his horse sharply, continued his course southward at a rapid pace. Anderson and Shepard turned to fire at him, but they were impeded by their prisoners, and the fugitive made good his escape. He seems, however, to have encountered other obstacles on his route, as he did not reach the city until more than an hour afterwards, by which time the bells were ringing and the inhabitants already astir.

The intelligence which he had just received did not tend to restore the already-disturbed equanimity of Mr. Powell. If the rebels had shot Colonel Moodie, it seemed not unlikely that he himself would be the next victim. He regarded the rebels as little better than assassins with whom no loyalist's life was safe, and he resolved to make a bold push for liberty. Notwithstanding

his statement to Mackenzie, he had two loaded pistols in his pocket, which he had borrowed from the high bailiff when starting on his expedition. He attempted to fall back, but Anderson kept a wary eye upon him, and declared that if he tried that game he would get a bullet in his body. They were moving steadily northward, and would soon be at Montgomery's. If there was to be any attempt at escape, the sooner it was made the better. Seeing that the moment for decisive action had arrived, Powell quickly reined back his horse, drew forth one of his pistols, and discharged the contents at the insurgent captain. The shot struck the victim in the back of the neck. He fell from his horse like a sack, and never spoke or moved again. The spinal cord was severed, and death must have been instantaneous. Powell then wheeled about and rode swiftly southward. All this was the work of a moment. McDonald, seeing what had taken place, also wheeled his horse and applied the spur. Shepard discharged his rifle at them, but darkness and excitement prevented him from taking any aim, and the bullet sped on its way innocuous. He followed them for a short distance, but, being badly mounted, he abandoned the pursuit, and returned to Montgomery's.

Powell's encounter with Mackenzie in his rapid flight southward has already been described. After his vain endeavour to shoot the insurgent chief, he sped down Yonge Street to the end of what is now known as the Davenport Road. There he turned to the right, and, having proceeded along the highway for about twenty yards, he abandoned his horse, and hid himself behind a log in the adjoining bush. This action on his part {59} was due to a fear lest pursuers were behind him, and he was desirous of avoiding any rencontre which might prevent him from making his way into the city and arousing the inhabitants. He remained hidden for a few moments, when, hearing no sound indicative of pursuit, he emerged from his retreat and ran across what now forms the Queen's Park to the Queen Street Avenue, down which he made his way with such speed as shortness of breath and a full habit of body inclining to corpulence admitted of. Passing out into Queen Street, he proceeded down Simcoe (then called Graves) Street to Government House, where the Lieutenant-Governor, who did not apprehend a rebellion in Upper Canada, slept the sleep of the just. He had been roused from his slumbers by the ringing of the college bell about an hour before, but upon learning that the bell had been rung by direction of Colonel Fitz Gibbon, he had serenely composed himself again to rest. Had the Colonel and Mr. Powell been as supine as he, the representative of Majesty would actually have been surprised in his bed and captured in his nightgown.

It was no time to stand upon ceremony. Mr. Powell made his way, not altogether without obstruction,[62] to the Lieutenant-Governor's bedside, and hurriedly told his story. Even then the sluggard could hardly be made to believe in the reality of the danger which menaced his capital. At last, says the chronicle, he "appeared to believe in the reality of the thing.[63] He arose and began to dress himself, while his informant departed for the City Hall to take steps for the defence of the place. As Powell was hasteng down stairs he was met by Colonel Fitz Gibbon, who was on his way to arouse his Excellency for the second time on that eventful night. A brief explanation followed, after which the Colonel passed on to Sir Francis's bedroom. As soon as his Excellency had completed his toilet, he consigned his family to the care of some friends, by whom they were conducted to "a place of safety,"[64] after which he and his Acting Adjutant-General proceeded to the City Hall.

By this time bells were ringing all over the city. The inhabitants {60} were astir, and the streets were alive with bustle and excitement.[65] It was noticeable that a comparatively small number of the population enrolled themselves for the city's defence. Not more than from two to three hundred persons were so enrolled during the entire night.[66] Those who did so were furnished with arms from the City Hall, and they held themselves in readiness to obey whatever orders should be given to them. Among them were all the leading supporters of the Government and their sons. Judge Jones, having finally brought himself to believe in the insurrection, bore himself with energy and courage. He formed a picket of thirty volunteers, and marched towards the northern outskirts of the city, where he remained on the watch throughout the night. Chief Justice Robinson, Judge McLean and Judge Macaulay also presented themselves with muskets on their shoulders, ready to defend the Government to which they owed their places, and to which it is fair to suppose they rendered a warm and sincere allegiance. Henry Sherwood, Captain James McGill Strachan, son of the Archdeacon of York, and young John Beverley Robinson,[67] son of the Chief Justice, were appointed aides-de-camp to his Excellency, who sent them galloping hither and thither with messages. Despatches were forthwith sent off to Allan McNab at Hamilton, and to the colonels of miltia in the Midland and Newcastle Districts. The enrolled volunteers lay on their arms in the City Hall till daylight, the rebels being expected from one minute to another. During the interval there was no sleep for Toronto's citizens. Everybody was alert, and on the look-out for a melodramatic sequel to this ominous beginning of actual armed revolt in Upper Canada. {61} At sunrise next morning Colonel Fitz Gibbon rode out and reconnoitred the position of the

insurgents. They had received reinforcements during the past night, and now numbered at least five hundred men. The Colonel ascertained, however, that they were a mere half-armed rabble, without competent leaders or efficient discipline, and that they had done nothing towards fortifying their position. He was desirous of making an attack upon them without delay, and to that end galloped back into the city to obtain the Lieutenant-Governor's permission. To his great mortification his Excellency positively refused to sanction such a proceeding. "I will not fight them on their ground;" said he "they must fight me on mine." In vain did the Colonel urge his views, until, finding that his arguments produced no effect except to irritate the Lieutenant-Governor, he desisted.[68] Later in the day he set about forming a picket to do duty on the northern outskirts, Judge Jones and his men having withdrawn at daylight. On this proceeding Sir Francis also laid an imperative interdict. "Do not send out a man;" he enjoined "we have not men enough to defend the city. Let us defend our posts; and it is my positive order that you do not leave this building yourself."[69]

The whole of that day (Tuesday) was spent by the loyalists of the city in fussy preparations to repulse the rebels on their arrival. The shops and factories were closed, and business of all kinds was practically suspended. The most extravagant rumours were afloat. It was said that volunteers were flocking to Mackenzie's side in great numbers, and that he would soon be able to advance upon the city with a force of four or five thousand men, drilled, armed, and thirsting for the blood of the loyalists. In spite of Colonel Fitz Gibbon's activity, the time seems to have been to a large extent frittered away, and the shades of evening found the Government not much better prepared for an attack than they had been in the morning. The Lieutenant-Governor placed an interdict upon every proposal made by the Colonel, whose hands were thus pretty effectually tied down. The propriety of an outpost-guard on Yonge Street was however so obvious that the latter ventured to post one there without his Excellency's knowledge. It consisted of twenty-seven men, under the command of Sheriff Jarvis, and it was stationed on the east side of the {62} great northern highway, a short distance above its intersection with McGill Street. As will presently be seen, it was destined to do good service to the Government ere it had been many hours in position.

Notwithstanding the amount of time frittered away, however, this memorable Tuesday, take it for all in all, was the most eventful day of the insurrection. Sir Francis Head and his advisers were taken so completely by surprise that they could scarcely credit the evidence of their senses. They

feared that the city would fall into the hands of the rebels, as it must inevitably have done had the operations of the latter been conducted with anything like good judgment. They had no correct appreciation of the spirit by which the insurgents were actuated, and dreaded the worst consequences. They regarded it as almost a matter of course that, if the city should come under the domination of Mackenzie, it would be given up to rapine and pillage. They saw, in anticipation, the banks robbed and set on fire, the chief personages imprisoned or massacred, and a ragged rabble enthroned in state at Government House. It was even feared by some that the entire city would be set on fire and burned to the ground. Such a prospect was terrible, but what could be done to avert it? The season had so far been an open one, and the *Transit*, a small steamer, lay near the foot of Yonge Street. The families of the Lieutenant-Governor and the Chief Justice had been placed on board the little craft, so as to be ready for immediate flight.[70] Having thus made provision for rescuing the families of some of the chief personages, having mustered and armed such volunteers as could be trusted, and having despatched messengers to the rural districts as above mentioned, the friends of the Government were at the end of their resources. They could do nothing but wait for the arrival of outside succours.

Yes, one thing might be done. Some time might be gained by parleying with Mackenzie. If the rebels could be kept from attacking until the colonels of the rural militia should arrive with reinforcements, it might still be possible to save the capital from spoliation. This idea would seem to have originated with the Attorney-General, but the evidence {63} on the point is not conclusive.[71]At any rate, the idea was sanctioned by the Lieutenant-Governor, and during the forenoon steps were taken for carrying it out. The management of the affair was entrusted to Sheriff Jarvis, who had not as yet been placed in charge of the outpost-guard on Yonge Street. The Sheriff at first contemplated riding out in person with a flag of truce to the rebel headquarters, and there demeaning himself as circumstances should dictate. But upon consultation with some of his friends he was strongly dissuaded from adopting this course, as he was known to be a strong partisan of the Government, and had many bitter foes among the Radicals, some of whom might possibly avail themselves of such an opportunity for taking vengeance upon him. It would doubtless be more judicious if some one with whom the rebels might be supposed to have more or less of political sympathy were to visit them in the capacity of a mediator. An accidental meeting with James Hervey Price on Yonge Street decided the Sheriff on this point. Mr. Price was a prominent Reformer, and had long been conspicuous in his opposition to the Government. He would certainly have nothing to fear from the rebels,

who would be far more likely to try to win him over to their side than to do him any personal injury. These ideas having passed through the Sheriff's mind, he there and then besought Mr. Price to be the bearer of the flag of truce. Mr. Price, however, returned a peremptory refusal, alleging as a reason that he had no influence with the rebels, and that if he should go out it would be said that he had been the first to join them. He suggested that the Sheriff should apply to Mr. Baldwin, Dr. Rolph or Mr. Bidwell.

The Sheriff acted upon the suggestion. Certainly no one could have been found more suitable for such a mission than Robert Baldwin, who a few months before had returned from a somewhat prolonged visit to Great Britain.[72]Mr. Baldwin's position was unique, as he had ceased to take any part in politics, and was regarded with respect and confidence by men of all parties. Such an emissary would be certain to be acceptable to the rebels. His loyalty was above suspicion, and it was felt to be impossible that he could have any dangerous sympathy with a rebellion headed by such an one as Mackenzie; yet he was looked up to by the {64} great body of the Radicals as a man of stainless patriotism, and it was not improbable that his counsels might have weight with them. Sheriff Jarvis accordingly waited upon Mr. Baldwin on behalf of his Excellency, with a request that he would undertake a mission to the camp of the rebels, with a view to preventing the effusion of blood. Mr. Baldwin could not well refuse his assent, but he stipulated that some one else should be associated with him in the embassy, and he mentioned his friend Mr. Bidwell as a suitable coadjutor. An orderly was accordingly despatched by the Sheriff to Mr. Bidwell's house, which was at Number 38 Lot (Queen) Street. More than two hours seem to have been spent in conveying messages backwards and forwards between the various personages concerned. Mr. Bidwell had no heart for the embassy, and declined to be concerned in it. The Sheriff, accompanied by his orderly, Mr. George Duggan, a well-known member of the ruling party in those days, then called upon Dr. Rolph. Up to this time, be it understood, no suspicion of Dr. Rolph's complicity in the Rebellion was entertained by the Government party, who regarded him as being on pretty nearly the same political plane as Baldwin and Bidwell. When he heard Sheriff Jarvis's proposal he at first refused to have anything to do with the affair. He perceived that he would be placed in an exceedingly false position if he were to go out to the rebels as an emissary of Sir Francis Head. He expressed his opinion that the constitution was virtually suspended, and that the Lieutenant-Governor was no longer invested with authority to send out a flag of truce. The Sheriff, however, was urgent, and little disposed to accept a refusal. The Doctor moreover reflected that by persisting in his refusal he

might subject himself to very grave suspicion, as it was evident from the Sheriff's remarks that Mr. Bidwell and Mr. Price had already done. He finally yielded his assent, and a little before one o'clock in the afternoon he and Mr. Baldwin set out on horseback for the rebel camp. They were accompanied by Hugh Carmichael, a carpenter and a resident of Toronto, who was the actual bearer of the flag of truce. When the party reached Gallows Hill[73] they encountered the main body of the insurgents, who were slowly advancing upon the city. {65} It now becomes necessary to trace the course of events in the rebel camp subsequent to the death of Captain Anthony Anderson.

When Shepard returned to Montgomery's on Monday night with the intelligence of the capture and escape of Powell, and of the death of their most trusted military leader, the insurgents were for a time almost panic-stricken. Some of them suggested an immediate dispersion and the abandonment of their enterprise. There seems abundant reason for believing that the shooting of Anderson proved the death-blow of the movement. Had he remained at the tavern instead of accompanying Mackenzie on his senseless expedition, he would have escaped Powell's bullet. He would have led the men into the city at daybreak on the next morning. Nothing could have prevented the city from falling into the hands of the insurgents, for reinforcements continued to arrive through the night, and early on Tuesday morning the entire force exceeded five hundred. As has been seen, the Government had only been able to enrol about three hundred out of an adult male population of between two and three thousand. A considerable number of the latter would readily have joined the rebel forces upon their entrance into the city. The Provisional Government would assuredly have come into existence. Whether it would have been of long continuance is a question as to which there is nothing but conjecture to guide us in forming an opinion. But the shooting of Anderson for a time completely dispirited the Lloydtown Company, from whom the other insurgents were much disposed to take their cue. The ringing of the city bells was distinctly {66} heard, and the fact that the Government were aware of their proximity could not be ignored.

Mackenzie, Kennedy and Smith returned to Montgomery's about midnight with McDonald in charge. After the flight of Powell they had continued to advance towards the city until they had arrived at the Bloor Street toll-gate, where they had caught up with and re-captured McDonald. They had then concluded that it would be unsafe for them to proceed any further in that direction, and had returned with their prisoner. Two men were

sent down the road to convey the body of Anderson to a neighbouring house, which was done.[74]The rest of the night was passed in dreary uncertainty as to what the morrow would bring forth.

On Tuesday morning the sun rose upon a still dispirited community at Montgomery's. The insurgents had the greatest difficulty in procuring supplies of food. Mackenzie took upon himself to superintend this department as well as every other, and was in constant hot water with somebody. He was especially severe in his verbal onslaughts upon Montgomery, whose lukewarmness in the cause enraged him almost beyond endurance. He reproached him because he would "neither fish nor cut bait."[75] Finally, at the urgent entreaty of Gibson and Lount, Montgomery appears to have consented to act as commissary to the insurgents, and from that time forward there was no scarcity of provisions. The leaders were repeatedly in conference during the morning, but had great difficulty in agreeing upon any definite plan of operations. Lount declined to assume the responsibility of taking supreme command of the men during an advance upon the city, alleging his insufficient knowledge and experience of military tactics. After various projects had been mooted and negatived, Mackenzie, having grown utterly impatient of inaction, volunteered to lead the men into the city himself. His proposal appears to have been assented to, for about eleven o'clock in the forenoon he mounted a small white horse, from the back of which he addressed the insurgents in a body,[76]informing them that he would be {67} their Commander-in-Chief for that day, and that he would lead them into Toronto. Further reinforcements had continued to arrive ever since daylight, and at this time the insurgents numbered between seven and eight hundred. After much discussion it was resolved that the advance upon the city should be no longer delayed, and that it should be made simultaneously from two points. The men were divided into two bodies, one of which was to move southward by way of Yonge Street, under the command of Lount, while the other, under the guidance of Mackenzie, was to enter the city by way of the College Avenue. Upon reaching Lot Street both bodies were to converge, and take up a position at Osgoode Hall. Having settled upon this basis of operations a small detachment was sent to inspect the eastern approaches to the city, and to notify any insurgent volunteers who might arrive from that direction of the plan for investing the city. The rebel army then set out from Montgomery's a little before noon, and marched southward to within a short distance of Gallows Hill. The prisoners, fifty or sixty in number, having been placed in charge of Gibson, were marched southward along with the rebels. This was done partly for effect, to swell the insurgent ranks, but chiefly because there were no other

means of keeping the prisoners, as a sufficient guard to watch over them at the tavern could not be spared. When the advancing forces came in front of the gate of Mr. Robert Stanton, a few yards northward from the brow of Gallows Hill, Mackenzie called a halt, and, dismounting from his pony, passed from the road into Mr. Stanton's grounds, and thence, by tearing down a fence, into the lawn of Mr. James Scott Howard, immediately to the north. Here a few of the rebels took up temporary quarters, while Mackenzie made his way into Mr. Howard's house. Mr. Howard, who was Postmaster of Toronto, was in the city attending to his duties, but his wife, daughter and son[77] were at home, with one or two servants. Mackenzie entered without knocking, and demanded that dinner should be prepared for fifty men. He was referred by Mrs. Howard to the servant in the kitchen, upon which he waxed exceedingly angry, and conducted himself in such an outrageous fashion as to clearly prove that he was a Jack-in-office, {68} whose mental capacity was unequal to the post which he had arrogated to himself. "He wore a great coat buttoned up to the chin," says an eye-witness, "and presented the appearance of being stuffed. In talking among themselves, the men intimated that he had on a great many coats, as if to make himself bullet-proof."[78] After shaking his horsewhip in Mrs. Howard's face, and denouncing the Postmaster to her in most reprehensible terms, he withdrew, and, with his forces, moved westward to near Russell Hill, the residence of Admiral Baldwin, while Lount and his men remained stationary. The simultaneous advance upon the city was to take place at two o'clock in the afternoon, but while they waited for the appointed hour to arrive, Dr. Rolph and Mr. Baldwin reached Gallows Hill with the flag of truce.

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[59] Colonel Moodie was a Peninsular veteran who had served in Canada during the War of 1812, and had fought at Queenston Heights. After the close of that war he had retired from active service on half-pay, and had obtained a grant of a large tract of land. It seemed like fatality that he should pass unscathed through the perils of two hard-fought campaigns in the Peninsula, to fall by the bullet of an unknown insurgent in a petty encounter in front of an obscure wayside inn in Upper Canada.

[60] Mr. Lindsey is of opinion that the slayer of Colonel Moodie was one Ryan, who "sometimes went by the name of Wallace." See *Life of Mackenzie*, vol. ii., pp. 77, 78. I am unaware of the evidence upon which this opinion is based, but I find that a contrary belief prevails among such of the insurgents as are still living, and who were present at Montgomery's on the occasion.

[61] Such is Mackenzie's own story. See *Narrative*, *ubi supra*, p. 10. Mr. Powell declares that the insurgent leader "made no such courteous speeches, but muttered somewhat of his dissatisfaction." *Ib*., note 18, and appendix, p. 22. It is certain, however, that no attempt was made to search for concealed weapons.

[62] See appendix to Fothergill's reprint of Mackenzie's *Narrative*.

[63] *Ib*.

[64] See *The Emigrant*, chap. viii. Where the "place of safety" was does not appear. A presently mentioned in the text, the family were subsequently placed on board a steamer in the harbour.

[65] "I walked along King Street to the position I had prepared in the market-house. The stars were shining bright as diamonds in the black canopy over my head. The air was intensely cold, and the snow-covered planks which formed the footpath of the city creaked as I trod upon them. The principal bell of the town was, naturally enough, in an agony of fear, and her shrill, irregular, monotonous little voice, strangely breaking the serene silence of night, was exclaiming to the utmost of its strength—*Murder! Murder! Murder! and much worse*." *Emigrant*, chap. viii.

[66] Colonel Fitz Gibbon speaks of having formed upwards of five hundred men in platoons, in the Market Square. See his *Appeal*, p. 18. This is either a slip of the pen or a lapse of memory. I can find no survivor of that night who estimates the number of enrolled volunteers at more than three hundred. The official enrolment is no longer in existence, having been destroyed at the burning of the Parliament Buildings in Montreal in 1849.

[67] The present Lieutenant-Governor of Ontario.

[68] *Appeal*, p. 18.

[69] *Ib*.

[70] "He [Sir Francis Head] had his family out in the bay, as if they were the china, while other folks' families, being but brownware, had to run all risks ashore."—Mackenzie's *Flag of Truce*, chap. viii.

[71] Fitz Gibbon MSS.

[72] *Ante*, pp. 325, 326.

[73] This name has been familiar in the mouths of dwellers in and around the Upper Canadian capital for at least fourscore years. Everybody in the neighbourhood knows the locality so indicated, but comparatively few persons are familiar with the origin of the term “Gallows Hill.” The elevation is situated a short distance from the city, about a mile north of Bloor Street. Early in the present century it was traversed by a rough wagon-road, which ran a short distance to the west of the present abode of Mr. Justice Morrison. The highest point of the road was a narrow gorge dug out of the brow of the hill, with high banks on each side. A large tree, presumed to have been blown down by a violent storm, lay for many years directly across the top of the banks, at a sufficient height above the roadway to admit of the passage of loaded wagons beneath. The story goes that a belated farmer, driving home from market in the twilight of a summer evening, was startled when passing beneath this tree at perceiving something resembling a human form dangling from the huge trunk above. Upon dismounting from his wagon and ascending the bank, he found the body of a man suspended from a rope which had been securely fastened to the tree. The body had evidently been hanging there for several hours, and life was totally extinct. From that time down to the present, no clue has ever been obtained, either as to the identity of the body or as to the circumstances attending the death. The general belief was that the case must have been one of suicide. Not long after this event the name of Gallows Hill was bestowed upon the spot, and has persistently clung to it ever since.

[74] Next day the body was handed over to the relatives of the deceased, for burial.

[75] See evidence of Hugh G. Wilson, on trial of John Montgomery.

[76] See Hawk's statement, at end of chapter xx.

[77] Mr. Allan McLean Howard, now Clerk of the First Division Court of the County of York, to whom I am indebted for various interesting reminiscences connected with the events of 1837.

[78] *Reminiscences of a Canadian Pioneer*, etc., by Samuel Thompson, pp. 130, 131.

{69}

CHAPTER XXIII.

THE FLAG OF TRUCE.

The embassy in charge of the flag of truce advanced northward by way of Yonge Street, and reached its destination a little after one o'clock in the afternoon. The body of insurgents under Lount occupied the brow and slope of Gallows Hill, on and near Yonge Street. Mackenzie and his forces were nearly half a mile to the west, ready to march southward through the College Avenue to Lot Street. As the flag approached the foot of the hill, Lount and Gorham, who happened to be conversing together for the moment, were not a little astonished to see Dr. Rolph acting in the capacity of a Government emissary. It does not appear that the slightest doubt of his good faith crossed their minds, but as matter of fact they knew little or nothing about his views on the subject of ihe rising, except in so far as those views had been retailed to them by Mackenzie, and, to a less extent, by Fletcher, who, as previously mentioned, had carried messages between Mackenzie and Rolph. In spite of all that has been written and published to the contrary, it seems to be tolerably clear that Mackenzie himself was not present when the flag of truce first arrived at the insurgent camp. On this point Hawk and Gorham, both of whom were present, are very explicit.[79] *Per contra*, we have a statement purporting {70} to have been made by Samuel Lount under circumstances which would seem to invest it with all the solemnity of an oath. The authenticity of this document is open to question, but its spuriousness has never been established, and in the face of such conflicting evidence no absolute conclusion can be arrived at. The matter is of importance only as showing the almost insuperable difficulties which lie in the path of the historian who attempts to record the minute details connected with this episode in our country's history. It is at any rate certain that upon the arrival of the flag at the foot of Gallows Hill Dr. Rolph acted as spokesman, and that, whether Mackenzie was present or not, it was to Lount that he addressed himself. Lount advanced a few yards in front of his men, and so remained during the interview, which lasted

several minutes. The {71} *ipsissima verba* employed are lost beyond recovery, but Rolph appears to have stated that the Lieutenant-Governor was desirous of preventing the effusion of blood, and that an amnesty would be granted to the insurgents for all offences committed up to that time, upon condition that they would disperse and return to their homes. A conference then took place between such of the insurgent leaders as were present. The conclusion arrived at was that no reliance could be placed upon the bare word of Sir Francis Head, and that it was not worth while to consider his proposal until it should be reduced to writing. This being communicated to Rolph and Baldwin, they agreed to ride back into the city and obtain a written official document appropriate to the occasion, with which they would return to the camp of the insurgents. Lount, on behalf of the latter, agreed to commit no act of hostility in the meantime, beyond advancing southward as far as the toll-gate, which was a mile nearer to the city, at the intersection of Yonge and Bloor Streets.[80]

The embassy returned to the city and reported to Sheriff Jarvis, who lost no time in laying the matter before the Lieutenant-Governor. But the nerves of Sir Francis and his advisers had become steadier within the preceding two hours. Letters had been received from outside districts, from which it appeared that bodies of volunteers for the defence of the Government were already on the march for Toronto. Some of them might confidently be expected to arrive in the course of the evening. More accurate accounts of the state of the insurgent forces had also been received, and it was known that Mackenzie, instead of having four or five thousand fully-equipped troops at his back, had merely a few hundreds of undisciplined farmers, not many of whom were armed, and very few {72} of whom were eager for carnage. All things considered, Sir Francis felt safe, and, with a culpable disregard of what was due to his emissaries, he refused either to reduce anything to writing or to hold any further communication with the rebel leaders. This decision was made known by Sheriff Jarvis to Rolph and Baldwin, who, as may readily be supposed, felt regret at having undertaken their embassy. They however felt it incumbent upon themselves to return to the camp of the insurgents and report the facts. Riding once more up Yonge Street as far as the toll-gate, they found the rebel lines extended along Bloor Street, both east and west. Mackenzie and Lount were together awaiting them a few yards to the west. They announced the failure of their mission, with which announcement the armistice of course came to an end. Dr. Rolph then, requesting Mr. Baldwin to wait a moment for him, rode aside with Lount and Mackenzie, with whom he conversed in a low tone for several minutes. By direction of the insurgents Mr. Baldwin had meanwhile walked

his horse westward, intending to return to town by way of the College Avenue.[81] He was soon re-joined by Rolph, and the two, having proceeded some distance southward, appear to have moved back to Yonge Street, and thence down into the heart of the city. They soon afterwards encountered the Sheriff, to whom they reported their last interview with the insurgent leaders. Mr. Baldwin then proceeded to his home, but Dr. Rolph had a busy afternoon before him.

At this stage of the narrative it becomes necessary to consider two points as to which there have hitherto been much doubt and misapprehension. First: what was the nature of the communication made by Rolph to the insurgent leader? Second: was it made during the first or second journey to the rebel camp in connection with the flag of truce?

It will conduce to a clear understanding of the matter to consider the second question first. The evidence on the subject is extremely conflicting. On the one hand we have the statement of Dr. Rolph himself, to the effect that during the first visit he neither said nor did anything which could be construed into impropriety on his part as the joint {73} custodian of the flag of truce.[82] This account is confirmed in the strongest manner by Carmichael, the actual bearer of the flag; also by Robert Baldwin, who was jointly responsible with Dr. Rolph for the proper conduct of the flag. Evidence more or less confirmatory is furnished by William Ware, of Toronto; by P. C. H. Brotherson, of Queenston, and others. The known facts and circumstances all go to confirm Dr. Rolph's representation. On the other hand there are the statements of Samuel Lount, William Alves, and Mackenzie himself. In order that the reader may draw his own conclusions on the subject the most important evidence on both sides is subjoined in the form of a note.[83] It is believed that a careful analysis of the conflicting statements will convince impartial readers that Dr. Rolph's communication was made during the second visit, and when he had ceased to occupy a diplomatic position. It must however be conceded that the question is not entirely free from doubt, and that there is room for endless argument on both sides.

As to the other point in dispute—the nature of Rolph's communication—the evidence is tolerably conclusive. It has been seen[84] that Dr. Rolph, in consequence of the reverses sustained by the rebels in Lower Canada, favoured an abandonment of the insurrectionary movement in the Upper Province. The offer of an amnesty by the {74} Lieutenant-Governor opened the way for such an abandonment, but this circumstance had little or no weight with the Doctor, as he felt assured that Mackenzie would not

entertain the proposal. The question of an amnesty being thus excluded, it was evident to Dr. Rolph's mind that his own future depended upon the success of the rising, inasmuch as his connection with it could not be kept a permanent secret, and he could hope for no mercy in the event of his falling into the hands of his opponents. It was by this time equally clear that if the insurrectionary movement was to succeed, there must be no further delay in advancing upon the city. Outside assistance for the Government would soon be forthcoming, after which any attempt on the part of an unarmed rabble of undisciplined farmers would be hopeless. It is evident, then, that Dr. Rolph had much to gain by the success of the insurrection; that its success depended upon promptitude of action; and that its failure must inevitably involve him in utter ruin. Under such circumstances he would be likely to do everything in his power to contribute to the success of those with whom his own fortunes were bound up. It may be taken as conclusively proved that he advised Lount and Mackenzie to waste no more time, but to proceed into the city without further delay. His exact words, as remembered and reported by himself and others, were "Wend your way into the city as soon as possible, at my heels."[85] That this was at least the purport of his advice {75} is further incidentally proved by his conduct after his return with Mr. Baldwin the second time. When the two had made their final report to the Sheriff, Mr. Baldwin, as formerly mentioned, rode homewards. Dr. Rolph proceeded to Elliott's tavern, on the corner of Yonge and Queen Streets, where he found a number of trusted Radicals anxiously awaiting him, in order to learn the result of the flag of truce. Several of those Radicals are still living. They are unanimous in declaring that the Doctor instructed them to lose no time in arming themselves, as Mackenzie would be in immediately. Dr. Rolph next summoned a hurried meeting of Radicals at Doel's brewery to devise means for aiding Mackenzie. The rest of the afternoon was spent by him in energetic preparations for Mackenzie's arrival. As the time passed by without any sign of the expected advance, he and his co-workers were utterly at a loss to understand the delay. Finally, a messenger was sent out to {76} ascertain the cause.[86] All these indisputable facts point unmistakably to the conclusion that Dr. Rolph expected the insurgent army during the entire afternoon. They further prove the falsity of Mackenzie's statement to the effect that Dr. Rolph, after the conclusion of the truce, gave directions to the rebel leaders that they "should not then go to Toronto, but wait till 6 o'clock in the evening, and then take the city."[87] This, perhaps the most shameless of all Mackenzie's inventions, is negatived by every witness, living and dead, who has ever testified on the subject, and is further contradicted by the course of subsequent events. The mass of evidence adduced below will, it is hoped, set the question forever at rest.

NOTE TO CHAPTER XXIII.

Referred to ante, p. 73.

I present the respective statements in the order which seems most conducive to clearness of apprehension. The statement of Colonel Lount is entitled to precedence.

STATEMENT OF COLONEL SAMUEL LOUNT.

The prisoner Samuel Lount, on being asked whether he wishes to make any statement, says that he did not know of any intention to rise in rebellion for more than two weeks previous to the Monday on which the assembly took place at Montgomery's; that while he was with the rebels he disapproved of many of their acts, particularly the burning of the [i.e., Dr. Horne's] house, which he did not hear of till after it took place. I had no idea it was to be a rebellion. I was informed and led to believe that what we wanted could be obtained easily, without bloodshed. I opposed the burning of Mr. Jarvis's house, and exerted my influence to prevent the rebels from going there, as I understood that Mrs. Jarvis was unwell. When the flag of truce came up, Dr. Rolph addressed himself to me. There were two other persons with it besides Dr. Rolph and Mr. Baldwin. He, Dr. Rolph, said he brought a message from His Excellency the Lieutenant-Governor, to prevent the effusion of blood, or to that effect; at the same time he gave me a wink to walk on one side, when he requested me not to hear the message, but go on with our proceedings. What he meant was, not to attend to the message. Mackenzie observed to me that it was a verbal message, and that it had better be submitted to writing. I took the reply to the Lieutenant-Governor's message to be merely a put-off. I understood that the intention of the leaders was to take the City of Toronto, aad change the present form of Government. I heard all that was said by Dr. Rolph to Mackenzie, which is as above related. This was the first time the flag come [sic] up. I was present also when the second flag come [sic] up. Dr. Rolph then observed that the truce was at an end. I do not know who shot Colonel Moodie. I do not know who was on guard.

(Signed) SAMUEL LOUNT.

Taken before the Commission, 18th January, 1838.

A true copy.

(Signed) A. B. HAWKE,
Secretary to the Commission.

Now, this statement, confused and dubious as it is in many respects, is explicit enough as to the time when Dr. Rolph's communication was made. It distinctly says: "This was the first time the flag came up." No one who knew Samuel Lount would believe him capable of placing on record a deliberate falsehood. But it is necessary to bear in mind the circumstances under which his statement was made. He was in jail on a charge of treason. He had undergone much suffering and privation while wandering about the country from one hiding-place to another, and in attempting to make his escape to the United States. His health had become seriously impaired, and he was not half the man, physically or intellectually, that he had been a few weeks before. The evidence of one in such a condition, more especially if given in reply to one-sided questions, and if the witness be not subjected to cross-examination, is worth very little for any purpose. In this case, Lount was examined before a special committee of Government officials whose selfish and spurious loyalty was in a highly inflamed condition. It is easy to conceive that he was badgered and baited almost beyond endurance by such partisans as Hagerman and Sullivan. But it is also clear that the evidence was taken down in an exceedingly loose and slovenly fashion. The first portion of the statement is couched in the third person—"The prisoner Samuel Lount," etc. It then passes to the first person—"I had no idea," etc. This is amply sufficient to show the carelessness or incompetence of the secretary who recorded it. But the testimony itself is inconsistent {80} and self-contradictory. The witness is made to say that he did not know of any intention to rise in rebellion for more than two weeks previous to the assembly at Montgomery's. In the very next sentence, he says: "I had no idea it was to be a rebellion." Nothing is more certain than that the Rebellion and the actual day of rising were finally determined upon before the middle of November—three weeks or thereabouts before the assemblage at Montgomery's and that Lount was one of those by whom it was resolved upon. See *ante*, p. 9. A very mild cross-examination would doubtless have removed these ambiguities. "I was informed and led to believe," he is made to say, "that what we wanted could be obtained easily, without bloodshed." Certainly Mackenzie had represented matters in that light to the insurgents, and had thereby induced many to embark in the enterprise who would otherwise have kept aloof from it. As Lount believed that there was to be no

bloodshed, he may perhaps have persuaded himself that the movement did not constitute actual rebellion, though such reasoning was unworthy of his intelligence. He says that there were two other persons with the flag of truce besides Rolph and Baldwin. Here there is a further error. There were doubtless other persons who had followed the flag from the city, and who were near Rolph and Baldwin when the interviews took place between them and the rebel leaders, but there was no one but Rolph, Baldwin and Carmichael in official charge of the flag. Then follows the prisoner's account of Dr. Rolph's communication to him, which he says was made the first time the flag came up. The only answer to this is the positive and most circumstantial contradiction by the flag-bearer, as well as by Roiph, and the confirmatory evidence of Baldwin, Ware and Brotherson, to be presently considered. These, however, should go for much, particularly when added to the other manifest inconsistencies in Lount's statement. "What he [Dr. Rolph] meant was, not to attend to the message." So runs the statement. Can any weight be attached to such evidence as this? How could Lount *know* what Rolph *meant*? He could judge of the *meaning* only from what was said, and, under existing circumstances, could at best form nothing beyond a plausible conjecture. It is very unlikely that Lount swore positively to anything more than his strong impression as to Rolph's meaning. It is quite possible that Lount, in his confusion of mind begotten of weariness and exhaustion, may have said more than he would have assented to under other circumstances. There was no friendly counsel to explain and elucidate his statements, which, moreover—as has above been clearly demonstrated—were taken down with a looseness and want of care as culpable as extraordinary. His partial deafness is also a fact entitled to be taken into consideration. See David Gibson's letter, *post*, p. 90. It is at any rate certain that the Radicals generally had no faith in the Commission, and did not believe that Lount had ever given such testimony as was attributed to him. Such I find to be the prevalent belief to this day. The late Judge Wells, of Chatham, who was a warm personal friend of Lount, entertained very strong opinions on this subject. He deprecated the attempts made by Mackenzie, during the tenure of office of the Hincks-Morin Administration, to stir up the memory of the affairs of 1837, and after the publication of the *Flag of Truce* pamphlet by Mackenzie he thus wrote to Dr. Rolph:—

CHATHAM, C. W., 24th April, 1854.

MY DEAR DOCTOR:

"That man Mackenzie having had the assurance to send me a couple of his pamphlets, in which he gratuitously attempts to

vindicate the veracity of our poor old friend Lount at your expense, I write you to beg that you will take no notice whatever of the fiendish little ruffian. It is not enough for him that he did all that in him lay to ruin the most of us in those dreadful times, but he must needs rake everything up (which he, of all others, if he were an honest man, ought to leave to history,) to breed disturbance and bad blood among his former friends. My mind has always been made up that Lount never made use of the language attributed to him by A. B. Hawke:

"1st. Because he had no object in saying it. If he were not the most arrant recreant, he would never attempt to implicate his friends more than was necessary; and Lount was a firm, true man, and could never have said anything so mean as the expressions attributed to him would have been. {81} "2nd. A. B. Hawke, to my knowledge, is a person totally unworthy of credence, even upon oath. I have known him since he was nearly starving to death in Bath, above Kingston, from mere loaferism, in 1828-9. He wrote some articles against our dear old friend Barnabas Bidwell in the newspapers, about that time, signed 'Ichabod Crane,' which gained him some notoriety with the Tories; and after he got the office of Em. Agent, in Toronto, he diverted himself, as you may recollect, in writing against Perry in the *Courier*. He was one of the most unprincipled and rabid even among such men as Gurnett and MacNab and Sherwood, and how can any Reformer believe that he interpreted the words of Lount correctly? I do not, and, as I have before stated, from what I know of the man I would not believe him at all in a matter of politics, not even under oath.... Please obtain Mr. Bidwell's opinion of Hawke. With much respect, my dear Doctor,

"Believe me,
"Yours truly,
"(Signed) WM. BENJAMIN WELLS.

"Hon. Dr. Rolph."

It will perhaps be asked: What object could the Commission have in misrepresenting the facts or distorting the evidence? The answer is easily found. They were desirous of making out the strongest possible case against Dr. Rolph, whose powerful influence had long been exerted against the

cause which they upheld, and against whose return to Upper Canada they were specially anxious to guard.

In an unpublished statement by Gibson I find the following sentence bearing upon the subject: "I believe the Clerk of the Board never heard Mr. Lount give his testimony, but signed it at Mr. Sullivan's request." Whether the writer had anything beyond suspicion to guide him in forming this opinion I am unable to say.

Among Dr. Rolph's papers I find a letter written by the late D. D. Van Norman, of Simcoe, towards the close of the year 1851, which goes far to confirm the contention that Lount's statement, as taken down before the Commission in January, 1838, does not correctly represent his evidence respecting the flag of truce. It is as follows:—

> "HON. JOHN ROLPH:
>
> "Dear Sir,—I will just at this moment trespass so far upon your patience as to say that in a conversation with Mr. Lount in January, 1837 [should be 1838], after the defeat at Toronto, he stated to me most distinctly that the report so industriously circulated by the newspapers respecting your violation of sacredness of flag of truce was wholly groundless and utterly false.
>
> "You may make any use of this you see fit. Hoping it may be of service, I remain, Sir,
>
> "Your most obedient and very humble servant,
> "(Signed) D. D. VAN NORMAN.
>
> "Simcoe, 11th Dec., 1851."

In a subsequent letter "from the same to the same," and dated 10th November, 1852, the statement is reiterated, with the addition of the words following:—"I probably conversed with Mr. Lount about this affair at as late a date as any man living."

Amid such a conflict of testimony, who shall decide? All that can safely be asserted is that Lount's testimony, as it stands, is inconsistent, self-contradictory and inaccurate, and that no trustworthy historical narrative can be founded upon it.

Mackenzie's own statement was published in his *Weekly Message*, and may be found reprinted in the second chapter of his *Flag of Truce*, as

follows:—"When Mr. Baldwin and Dr. Rolph came out to our camp on the Tuesday, with a flag of truce, the doctor took us aside, Mr. Baldwin sitting still upon his horse, at some distance, as much a novice concerning the law of flags of truce, I presume, as we were. Dr. Rolph, the first time they came out, privately advised us what {82} answer to give. I had said 'Independence,' but the answer sent was a demand for a free convention in the place of the legislature they had packed, and that any messages might be in writing. The exact words were on Rolph's suggestion, for he was the executive or head of the movement, whom we were all bound to obey.... He advised us to follow him speedily, and we would find Head paralyzed with fear, few followers, and the city easily to be taken.... Lount and I set about it instantly, one division marching down Yonge Street, and the other in which I was, passing thro' the College Avenue, both to unite near my dwelling house, opposite Osgoode Hall. We had got near the city when both divisions were checked by Messrs. Rolph and Baldwin, and I went to meet the messengers, who brought us Head's refusal. Dr. Rolph then advised us not to go into the city till towards dark."

This statement, as far as it goes, is confirmatory of Lount's, and it was not made under duress. It was made, however, from the most malignant motives, by a man whose want of veracity was one of his best-known attributes. It was made many years after the occurrence of the events referred to, and for the purpose of injuring Dr. Rolph, who was a member of the Administration. Mackenzie, on re-entering political life after his return from exile, was a vehement supporter of Dr. Rolph, until the latter refused to press a claim of many thousands of dollars set up by the latter against the Government for alleged losses arising out of the Rebellion which he himself had been mainly instrumental in bringing about. Mackenzie's actual loss by the Rebellion was very little, as he was nearly at the end of his resources at that time, and, like the Murderer in *Macbeth*, was

> "So weary with disasters, tugg'd with fortune,
> That he would set his life on any chance
> To mend it, or be rid on 't."

He nevertheless trumped up a claim of twelve thousand dollars, and endeavoured to exact from Dr. Rolph the successful urging of this upon the Government as the price of his Parliamentary support. I have no reason to believe that Dr. Rolph was more Quixotically scrupulous than other politicians of his time, but the claim was so utterly absurd that he must have known that there would be no chance of obtaining recognition for it. At all

events he declined to have any hand either in presenting or supporting it. *Hinc illæ lacrimæ*. From the moment when he refused to support this supremely unreasonable and extortionate demand, Mackenzie left no stone unturned to injure him in public estimation. The foregoing was one of the ebullitions to which his hatred gave rise. Under no circumstances would Mackenzie's unsupported statement be entitled to much weight. Under the particular circumstances here indicated it is entitled to no weight whatever.

The assertion that Mackenzie supported Dr. Rolph after his re-entry into political life is a fact too well known to need any formal proof. From certain documents in my possession, however, it appears that his support was for a time of the most enthusiastic nature. In a letter addressed to Dr. Rolph by George B. Thomson, of Berlin, the writer, commenting upon the Boulton episode referred to *ante*, p. 73, note, proceeds to give instances of Mackenzie's enthusiasm on the Doctor's behalf. He writes: "Mackenzie expressed to me in the strongest terms"—this was after the Boulton affair —"his gratitude for the noble manner in which you had stood up for him in the Randal matter ... and expressed his satisfaction that you were in the Government: that it had secured the Representation Bill, the Extended Franchise, etc., and that 'in the new Parliament we will send some good men to stand by him.' " In a subsequent letter Mr. Thomson gives an illustration of Mackenzie's perfidiousness. "There is a matter," he writes, "which shows the character of the man, which he told me himself.... He told me that when he was in exile, in his greatest distress, ... Mr. Hincks came privately to see him, and told him that he would get him pardoned and secure his return to Canada if he would help him (Hincks) on his return. Mackenzie agreed to this. Hincks then told him that he must abuse the American Government and the American people. He said that he did so. In due course of time he was {83} pardoned and returned, and, said he, 'Hincks expected me to help him, but'—with a half-suppressed chuckle—'I have been damaging him ever since.' "

As evidence of Mackenzie's attempt to coerce Rolph into supporting his trumped-up claims on the Government, I submit one of a number of letters written by him with that object in view.

"TORONTO, Feb. 11th, 1852.

"*Private*.
"HON. JOHN ROLPH,
"M.P.P.,
"Quebec,

"Dear Sir:

"Sometime since I forwarded to your friend Mr. Morin, Secretary of Canada, the petition concerning which I wrote you last month, requesting an immediate enquiry into the disposition of my property, worth $12,000 at least, seized by Mayor Gurnett in 1837, and part of which was sold thereafter by Sheriff Jarvis, through his bailiff, Mr. Beard.

"I have many reasons for asking your prompt assistance in this matter, some of which only I will now state. When in London I was enabled, through their own imprudence, to effect the removal of Messrs. Boulton and Hagerman. It was my wish, acting as I then did for the U. C. Reformers, to have seen you nominated as Attorney-General, but as Lord Goderich had made up his mind for Jameson, I could only succeed in getting the order that you should be Solicitor-General. That arrangement Sir J. Colborne did not carry out.

"When Sir F. Head came here, sent for me, and asked me who I would recommend for the Executive Council, your name was the first I gave in. While you was in office neither yourself nor your colleagues had seats in Assembly. I had a seat and influence. You was firmly supported, and, when you resigned, steadily upheld in all you had said and done.

"Altho', as you well know, I could, had I chosen, have been placed in a lucrative and influential office, with the concurrence *and by the request of the Home Government*, had I merely been silent, or bore less heavily upon the local authorities, yet I preferred an independent course, eventually to my own loss. When the Assembly was violently dismembered in 1836, and Head made those violent appeals to the feelings and passions of localities and classes which gave a complexion to the Bread-and-Butter Parliament, many persons feared that with none but Dr. O'Grady to rally the Reformers—a man against whom there were many prejudices—we would be defeated, and I was urged to take hold of the press again—and did so, when it had no patronage.

"I had been from October, 1834, out of that business, and entirely at my own costs and charges, except that I borrowed a

small sum from the bank in which you and Messrs. Lesslie and Hincks were managers—you being President. I set on foot the *Constitution* press and book and binding concern, June, 1836, to help the party in their worst difficulties, having spent 1835 at the Welland Canal, getting nothing and paying my own charges.

"Eighteen hundred and thirty-seven followed. The friends of the country ceased to hope for justice. A change was contemplated. All I had was engulphed. Your 'People's' Bank held its grip, tho' were I to tell the position of some who did, they might well be ashamed of their sharp conduct to me. Mr. Doel would have discharged the balance due then by putting it to profit and loss—but they held on, hoping to get more. And Mr. Price, your predecessor, comes back in Dec. from an unsuccessful poll, and commences an action against me in the Queen's Bench. Remembering, as we do, his real position in Nov., 1837, that was, to say the least, not very kind.

"He had got involved in the bank (helping me, while I was upholding the party), to the amount of £100. It has been paid back to him. He charged £31 for a sham Sheriff's sale of my property. It has been paid him. He now comes forward and asks £47 for interest, while on the £250 due me from the Welland Canal for valuable services to the country and to the party, he, and your colleague, notwithstanding, would allow me *no interest*, after I had waited 16 years! {84} "He pledged his word to myself and others that that interest he would not ask till I was prepared to pay him. I then gave him my note for it. But as I opposed his return personally, and thro' the *Voters' Guide*, he prosecutes. I would pay now, but have receipts for over £350 of old debts I have paid recently, and cannot at the moment.

"Under such circumstances, have I not a right to ask you in your position to aid me effectually in endeavouring to recover some part of my property? What right had Gurnett to seize, and keep no record of what he seized? He refuses all information.

"My wife, as advised by friends, went to you during the difficulty back of Toronto, stated the danger my property was in, and asked you whether she might not, while time was given, to cause to be carried from the premises and placed in safety what

could be removed. Acting on your advice she did nothing. All was lost!

"Last summer, in Assembly, my cause was about as effectual a support to the Reform views you once advocated as man could give. What enemies I got by it! Last election '*The Voters' Guides*,' as circulated, and the compilation and circulation of which cost me many hours of severe labour at my advanced years, were a powerful means of ridding the next House of members who would have been ready to neutralize every effort for Reform, while outwardly attired as Reformers. My personal and private exertions tended the same way. Who has benefitted by that? Your political position has been strengthened. My personal position has been embarassed.

"When it was proposed to place Mr. Boulton on the Bench I was in Washington, and hesitated not a moment to move the Reformers against it, through the *Examiner*, and stating that you had been the head of the old Reformers. When you had got into office I very naturally expected to be told by you on what principles you had accepted it, especially after I saw you give credit to Mr. Spence and two others for placing you there. But I waited your own time. To my surprise I found you had *come back to Toronto and left it again without giving me even a hint*. In your January letter you were desirous to get my advice on public matters; but if I, the oldest working Reformer now in public life in U. C., after spending nearly a third of a century in aiding Reform at all sacrifices, must go to Mr. Spence of the Building Society at Dundas, or Mr. Tiffany, to learn the Reform principles held now to be cardinal by the Govt., how can I act understandingly?

"When you became an exile you lost nothing. You had a profession. You had means. I had a large family. Was in a jail. My means were annihilated. I had no profession, and *at the darkest hour of my life, where were the friends with whom, wisely or unwisely, I had faithfully acted*?

"Had I let Mr. Price alone he would not have prosecuted. Had I, since my return, gone with certain men, or even abstained from thwarting them, matters would be very different to what they are. It is clear that as you was long here and did not give me the slightest idea of your views or prospects, that you did not desire to

do so—and, of course, I will not ask Mr. Spence what, after aiding you very efficiently, you have perhaps wisely concealed. But when you remember how the printing establishment was got up, and for what—the sharp practice of your colleagues in the bank—the burning of my property at Dundas—and the seizure by Mr. Gurnett of my establishment here, worth (see the petition) over $12,000, I trust you will come to the conclusion, that under all the circumstances stated and not stated here, it is not too much that I, who have not earned $100 since I returned to Canada, and who, as April, 1849, showed, *dare not establish a press here and speak my mind*, have a just claim on your early attention to the matters in the petition; and your acknowledgement of this letter would oblige,

"Dear Sir,
"Your respectful servant,
WM. L. MACKENZIE.

"That any man, however able, would have difficulties to contend with, in office at Quebec, is probable, but that there could have been any in complying with the reasonable suggestions in my former letter, when you was here on the spot, I do not see and if there had [been], a reason might have been given for them."

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It was Rolph's refusal to support the claim put forward in this letter which led to Mackenzie's opposition, and to the publishing of the *Flag of Truce*, to which more than one reference has been made in the course of the present work.

Mackenzie's statement having been disposed of, the only remaining evidence on this side is the following

STATEMENT OF WILLIAM ALVES.

On Tuesday, at noon, we were on our march to the city, greatly increased in strength, when we met Doctor Rolph, our own executive, and the Hon. Robert Baldwin, with a flag of truce from Sir Francis, asking what we wanted. Our reply was—"A free convention of the people." They returned, and Dr. R. advised us to follow him in half an hour, which we did in two divisions. When a mile from town, the same messengers returned, and brought Sir

> F.'s refusal, and then Doctor Rolph privately advised that we should not enter the city till dark, while he, meantime, would prepare the town folks. We marched for Toronto again, as soon as it was dark, about 750 men, for I stood and counted them in threes as they passed onwards.

The foregoing appeared in Mackenzie's *Caroline Almanac* in 1840, under date of December 7th. It was republished by Mackenzie, with inconsiderable omissions and alterations, in his *Flag of Truce*, chap. vi. As mentioned in a former note, however (see *ante*, p. 23), this statement was actually prepared by Mackenzie himself, who induced Alves to sign it. It is therefore entitled to as much (or as little) weight as any other statement emanating from Mackenzie and relating to the Upper Canadian Rebellion. But in this particular case the evidence is wholly invalidated by the subsequent testimony of the same witness. Lying before me is the letter of Donald McLeod, referred to *ante*, p. 36, note. "When Mr. Alves," writes the "General," "who was present with Mr. Mackenzie at Toronto in December, 1837, had returned to Cleveland from Van Diemen's Land, I handed him a volume of the narrative, and on reading that part of it which treats of the flag of truce, he remarked: 'Some parts of this version of the affair are incorrect. I have no recollection of hearing the Doctor tell Mr. Mackenzie or any other person to follow him into Toronto in half an hour, until some time after the flag of truce was at an end.' " Here is a plain implication that Rolph did not advise Mackenzie to wait until dark. The narrative above referred to was a book written by McLeod himself, and published at Cleveland, Ohio, in 1841, giving an account of the settlement of Upper Canada and of the Rebellion of 1837-'8. The portion of it dealing with the question of the flag of truce and the movement near Toronto was copied almost verbatim from Mackenzie's own accounts in the *Caroline Almanac* and elsewhere. This is patent to any one who takes the trouble to make the comparison. Mackenzie was well aware that such was the case, and that McLeod knew little or nothing about the affair near Toronto except what he had learned from his, Mackenzie's, own writings. Yet in 1854, when he was trying to bolster up his mendacious stories about the flag of truce, Mackenzie actually quoted McLeod's narrative as confirmatory of his own. McLeod, long before this time, had discovered the absurdity of the account he had embodied in his book, and felt ashamed for having been credulous enough to adopt Mackenzie's version of affairs. When he saw Mackenzie's reference to himself in the *Message*, in May, 1854, he wrote to Dr. Rolph a letter from which I transcribe the following passages:

"It appears Wm. L. Mackenzie, in his *Message* of the 19th inst., has quoted from my narrative of the transactions which took place in December, 1837, near Toronto, that part which alludes to the affair of the flag of truce, with the view, it appears, to put the truth of his charges against you beyond any doubt.

"Whether my relation of that affair is confirmatory of his statements or not I leave the public to judge.

"In the first place I was upwards of 200 miles distant from the flag of truce at the time it took place; consequently could have no personal knowledge of the transaction.

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"Secondly: my authority when writing the narrative was no less a personage than the celebrated and renowned author of the *Caroline Almanac*, published at Rochester by Wm. L. Mackenzie, Esq., Editor of the *Message*; and from which almanac I transcribed verbatim what he, Wm. L. Mackenzie, Editor of the *Message* and formerly of the *Caroline Almanac*, re-quoted from my narrative to prove the veracity of his statements.

"It is, therefore, Wm. L. Mackenzie's statements in the *Caroline Almanac* of 1840 or thereabouts, testifying to the veracity of the same W. L. Mackenzie's same statements, re-transcribed from my narrative, in his *Message* of 1854."

The statements of Lount, Mackenzie and Alves have now been considered. They form the entire case on one side. Each one of them, as has been shown, is open to many objections, and the combined strength of the three is not far removed from weakness. Even if there were no countervailing evidence, it could not be said that the case presented by them is made out with any degree of clearness. But there is a weight of testimony on the other side which is very hard to get over. With this testimony it now becomes necessary to deal.

There is to be considered, first, the following

STATEMENT OF HUGH CARMICHAEL, THE FLAG-BEARER.

I have repeatedly seen in the newspapers a statement that when the flag of truce, in 1837, came up to the late Mr. Lount, Dr. Rolph said to him he had brought a message from his Excellency the Lieut.-Governor to prevent the effusion of blood, and that at the same time he gave Mr. Lount a wink to walk on one side, when he requested Mr. Lount not to hear the message, but go on with their proceedings, meaning that Mr. Lount should not attend to the message. I was the bearer of the flag, and accompanied Dr. Rolph and Mr. Baldwin throughout the transactions under it.

Upon the arrival of the flag of truce on the ground, Dr. Rolph addressed Mr. Lount, who stood at a distance, and announced a message from Sir Francis Head to prevent the effusion of blood, and to offer an amnesty from the Governor upon peaceably going to their homes.

Mr. Lount accepted the terms, and in behalf of those with him requested of the flag of truce a confirmation of their authority in writing.

Dr. Rolph and Mr. Baldwin said they would go back to the city, obtain it, and return and meet them with it at the Toll Gate; Mr. Lount at the same time engaging to do no act of hostility. And they immediately returned with me under the flag to the city for that purpose.

During the going out and staying on the ground, and returning to the city, as above stated (all of which was done promptly), Dr. Rolph, Mr. Baldwin and myself being all on horseback, kept in close phalanx, not a yard apart. Neither of the persons mentioned could have got off his horse, nor have called or winked to Mr. Lount and walked aside and communicated with him, nor have said anything irrelevant to the flag of truce, or against its good faith, as is untruly alleged, without my knowledge.

Upon returning to Toronto with the flag, as stated, Dr. Rolph and Mr. Baldwin asked for the expected confirmation of the authority, and received in answer, that Sir Francis Head had recalled the amnesty. In company with Dr. Rolph and Mr. Baldwin, I immediately returned with the flag, in the same compact order as above stated, to Mr. Lount; and Dr. Rolph, with expressions of regret, announced the retractation of Sir F. Head.

The flag of truce was then openly and formally declared at an end.

Up to this second and final period of the flag of truce, neither of the persons mentioned could have got off his horse, nor have called or winked to Mr. Lount and walked aside with him, nor have said anything irrelevant to the flag of truce, or against its good faith, as is untruly alleged, without my knowledge.

(Signed) HUGH CARMICHAEL.

Quebec, 30th August, 1852.

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The foregoing was obtained at the instance of Dr. Rolph for the express purpose of contradicting Mackenzie. It is directly contradictory of Lount and Mackenzie, and is in perfect accord with Dr. Rolph's own version of the flag of truce affair. Mr. Lindsey, in his *Life of Mackenzie*, vol. ii., p. 85, note, says that Carmichael's statements on the subject were inconsistent, and that he told a very different story at other times. If Carmichael's evidence is to be impeached upon the ground of inconsistency, what is to become of Mackenzie's? But diligent enquiry has not enabled me to discover any evidence of inconsistency on Carmichael's part, and if Mr. Lindsey has any such evidence in his possession it is only fair that he should produce it. So far as my enquiries have extended—and they have been many and searching—Carmichael always told the same story, and told it in such a manner as to command the belief of his auditors. Persons who knew both Carmichael and Mackenzie have assured me that on any question of veracity they would not hesitate for a moment to accept the word of the former in preference to that of the latter. I am therefore unable to concur with Mr. Lindsey when he remarks that "the weight of the evidence is entirely in favour of the correctness of Lount's statement." See *Life of Mackenzie*, *ubi supra*.

It next becomes necessary to glance at the

STATEMENT OF ROBERT BALDWIN.

On the return of Doctor Rolph and myself the second time, with the Lieutenant-Governor's final reply that he would not give anything in writing, we found the insurgents at the first toll-gate, and turned aside to the west of Yonge Street, where we delivered this answer—after which Doctor Rolph having immediately

requested me to wait a moment for him, I did wait some time, during which he was out of my sight and hearing. I was then directed to ride westerly. This occupied the time while I waited, and while I was riding at a common walk from Yonge Street to the College Avenue, probably three-eighths of a mile. The direction to ride westerly, as I then supposed, was for the purpose of the flag being returned to the city by the way of the College Avenue. Shortly after reaching the Avenue, however, I was joined by Dr. Rolph, and we returned together by the way of Yonge Street. I have no reason to know what communications took place between Dr. Rolph and the insurgents while he was out of my sight and hearing. At the foot of Yonge Street a crowd was collected, waiting, apparently, the news which we might bring. After waiting some short time, the Sheriff arrived, to whom we reported that we had delivered the Lieutenant-Governor's answer, and that no further propositions were made by the insurgents. Immediately on the delivery of this answer, I rode up Lot Street towards my own home, and heard as I was riding on a cheer as from the persons collected at the foot of Yonge Street, but its object I did not ascertain.

(Signed) R. BALDWIN.

Jan'y 2nd, 1838.
A true copy.

(Signed) A. B. HAWKE,
Secretary to the Commission.

It goes without saying that there is no question as to the perfect veracity and good faith of any statement made by Mr. Baldwin. The foregoing was made by him before a Government Commission, and may be seen on p. 406 of the Appendix to the Journal of Assembly for 1837-'8. It will be observed that he makes no reference whatever to the first journey, but it may be assumed as absolutely certain that he would have done so had anything taken place of so extraordinary a character as a secret conference between his colleague, Dr. Rolph, and the insurgent leader. Indeeed, no one who knows anything of Mr. Baldwin would for a moment believe that he would have gone out a second time with Dr. Rolph if the latter had on the first visit done anything so disgraceful as to secretly confer with a rebel leader while he, Dr. Rolph, was the representative of the Lieutenant-Governor. Mr. Baldwin's silence as to the first visit affords very strong evidence that there was no treachery or impropriety in connection with it.

The evidence presents itself in a still stronger light when it is remembered that Mr. Baldwin was subjected to examination by persons who would have been very glad to elicit a fact so damnifying to Dr. Rolph as would have been involved in such treachery as Mackenzie in after years sought to fasten upon him. It will also be remembered that when Boulton charged Rolph with treacherous conduct (see *ante*, p. 73, note), Rolph attested Mr. Baldwin as his witness to prove his good faith. It is hard to believe that he would have done this had Mr. Baldwin been able to testify to his treachery.

STATEMENT OF WILLIAM WARE.

William Ware, of the City of Toronto, Esq., being duly sworn, deposeth and saith as follows: On Tuesday, the fifth day of December, I went up Yonge Street on horseback at the time the flag of truce went up the second time. I was stopped by a man who presented a pike at me. He said to me: "You cannot go up any further this way; you must go into that field." This was going up the Gallows Hill, near Mr. Charles Thompson's. I saw Mackenzie there, and Samuel Lount was sitting on the fence. I applied to Mackenzie for liberty to go on. He asked me my business. I said I was going to Van Ostrand's. He said he must speak to General Lount. He then turned round and said I must not go up. He made me dismount, and took my horse, which he gave to one of his followers. He then said I might go home. While I was there I heard one man say to another: "The light from the Sheriff's house will be the sign." I understood him to mean that the firing the Sheriff's house was to be the signal of attack on the town. I then passed on. I saw Dr. Rolph and Mr. Robert Baldwin go up with a flag of truce. After their communication with Mackenzie, Mr. Baldwin returned leisurely down the hill. Dr. Rolph remained for a short time, speaking to Mackenzie, I think for about two minutes. Mr. Baldwin walked his horse about three rods, and then stopped, and looked around for Dr. Rolph, who then came up, and they went off for town together. When the discussion was going on about my passing up Yonge Street, Dr. Rolph said, "He must not go." I was much surprised at his interference. I was up Yonge Street that morning, and I saw a large party in front of Montgomery's, and I was told by some of the people on the road

that at least fifteen hundred were coming from Lloydtown. I was as near the body at Montgomery's as I dared. When Dr. Rolph remained behind Mr. Baldwin, Mackenzie laid his hand upon Rolph's horse, and they continued in earnest conversation together.

(Signed) WM. WARE.

Sworn before the Commission, 20th December, 1837.
A true copy.

(Signed) R. B. SULLIVAN.
(Signed) A. B. HAWKE, *Secretary to the Commission*.

This statement was also made before the Government Commission. It cannot be accepted as imparting much strength to either side of the controversy, for there is manifest blundering and misapprehension throughout. It is quite evident from the contents that the occurrences referred to in the first part are identical with those referred to by Mr. Baldwin, on which assumption they must have taken place during the second visit. Indeed, the witness expressly states that they occurred when the flag of truce "went up the second time." Yet he places the scene of action at Gallows Hill, a full mile away from the spot where the flag of truce was received the second time. The only way of explaining this testimony is by assuming that he confused certain episodes of his morning ride up Yonge Street with events that took place during the second visit of the flag of truce. Yet even that assumption does not greatly mend the matter. He distinctly refers to Mr. Baldwin returning "leisurely down the hill" *i.e.*, Gallows Hill; whereas Mr. Baldwin did not proceed farther northward than the *foot* of Gallows Hill, even on the first visit with the flag. The entire statement is hopeless confusion, and to attempt to extract any sunbeam from such an opaque cucumber would involve mere waste of time. So far as it has any weight at all, it must be accepted as evidence for the defence.

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The following statement of Brotherson is important as proving that Dr. Rolph, within three days after the affair of the flag of truce, told the story precisely as he continued to tell it to the end of his life, and that he uniformly referred to his communication to the insurgents as having been made "after getting through with the Governor's business."

STATEMENT OF PHILIP CHARLES HAMILTON BROTHERSON.

Philip Charles Hamilton Brotherson, of Queenston, in the District of Niagara, Gentleman, being duly sworn, deposeth and saith as follows: On Thursday night last, as I was informed, John Rolph, Esquire, arrived at Lewiston, in the State of New York. I was there on Friday morning, and met the said John Rolph at Lewiston aforesaid. I asked him why and when he left Toronto, and what news was from thence. He said that Wm. Lyon Mackenzie commanded a number of men assembled in arms about three miles from Toronto, for the purpose, as I understood, of taking Toronto, and that he had been sent to them by the Governor with a flag of truce; and that after getting through with the Governor's business he had said to Mackenzie that if he would come into the town he thought he could take the place. I understood him to mean that he had advised the said Mackenzie to come in and take the town. I did not hear the said John Rolph exhorting any person to join the party in arms in this Province. On being asked in my presence of the prospects of success of the said party, he said that Mackenzie had acted unaccountably in not coming into the town; and he said he, Mackenzie, could have taken the town even on the day the said John Rolph had gone with the flag of truce, and that he expected the said Mackenzie in town in half an hour after the said John Rolph had returned with the flag of truce. Mr. Thomas P. Scovell, Lyman Scovell, Mr. Spaulding, formerly a member of the Senate of the same State, W. R. Merrifield and Major Bell, inhabitants of Lewiston, were all present, and can, if they please, bear evidence to the facts above stated. The said John Rolph stated upon the occasion above mentioned that the reason of his leaving Toronto was that some arrests had been made, and that it could be proved how that he, the said John Rolph, had sent messages to Mackenzie. In my opinion there is no present danger of any number of the citizens of the United States joining the persons in rebellion in this Province, but that if the present disturbance were to be protracted into Civil War I have no doubt but that many volunteers would be found at Buffalo who would do so.

(Signed) P. C. H. Brotherson.

Sworn on the 12th December, 1837, before the Commission.

A true copy.

(Signed) R. S. JAMESON,
(Signed) A. B. HAWKE, *Secretary to the Commission.*

Mackenzie's conduct in so persistently raking up the affairs of 1837-'8 during his subsequent Parliamentary career was very offensive to the more respectable portion of the survivors among the insurgents. It was felt that any unnecessary public reference to these affairs by any one was far from desirable, and that any such reference to them by Mackenzie was in the highest degree indiscreet and indelicate, not to say shameless. "Many of Mackenzie's friends," writes Gibson to Dr. Rolph, under date of 1st December, 1852, "think he was not in his sober senses when he referred to the affairs of 1837 in the House of Assembly." One of these friends was a gentleman who took a prominent part in organizing the "Clear Grit" party, and who is still living in Canada. From a letter written by him to Dr. Rolph on the 6th of November, 1852, and which is now in my possession, I make the following extract: "I regret much to hear of Mackenzie's conduct. He is undoubtedly insane, and I think the time has come to let the public know it." Some of his well-wishers remonstrated with him on his unseemly conduct, but by reason of his fiery temper he was thoroughly unmanageable, and could not be rendered amenable to discipline.

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The more he was remonstrated with, the more violent did he become. Much as his old friends were disposed to pity him on account of his many misfortunes, they were soon compelled to abandon all hope of doing anything for him. He was a bundle of contradictions and impracticabilities. He professed to be disinterested and independent; yet he could without scruple write such letters as that quoted on pp. 83, 84. He professed to be above accepting any office in the gift of the Government; yet he endeavoured to coerce members into supporting personal claims which he knew to be dishonest and unfounded. During his exile he tried to extort money from his old friends by processes which it is hardly uncharitable to characterize as blackmail. Much is to be forgiven to the man who is steeped to the lips in poverty, and who knows not where to turn for his next meal; but even such indigence cannot go far to excuse such letters as he wrote from Rochester to Canada in 1843. On this subject I would fain say no more; but it might certainly have been expected that a man with such memories behind him would have refrained from making himself specially

invidious, after his return from exile, by awaking the stilled pulse of the past. Such was the opinion of many persons who had once been his friends, but their efforts to restrain him acted as incentives to further demonstrativeness on his part, rather than as dissuasives. Among Gibson's papers I find the draft of the following letter addressed by him to Mackenzie, and bearing date the 5th of March, 1854:—

"Dear Sir:

"I regret to see you continually bringing up old matters connected with the affairs of 1837. It can do no good, and injures the feelings of some of your best friends. You must be aware that you have said so much on many of the subjects that you have got completely astray on them. I have regretted to see it. When I see the testimony of the late Samuel Lount contradicting your version in the *Caroline Almanac*, the inference to be drawn is that you of your own accord burned Dr. Horne's house, and you would have done the same to Sheriff Jarvis's had Mr. Lount and myself not interfered.

"I suppose you are aware the late Samuel Lount was dull of hearing. One day, in the House of Assembly, he asked me if I could hear the gentleman who was speaking. I told him I could, very plainly. He said he could not, and had never been aware that he was dull of hearing until very lately, which I have no doubt will account for the difference in the testimony of him and Mr. Carmichael.

"You are aware of your own failing a shortness of sight—and you give the version of others in many cases very far from truth, making yourself a hero, and your associates cowards. If any great thing was done, you did it; if any failure, your cowardly associates would not let you. I have submitted to your charge of being a coward for sixteen years, and would probably for sixteen more. But I am daily appealed to in these matters, from your constant allusions to them. If there is to be a continuance of allusions to these matters, I shall be under the necessity of publishing to the world a statement of the whole transaction, with your conversations with me, both in Canada and the United States, with some letters of yours as circulars to Canadians on the frontier.

"Yours truly,

"DAVID GIBSON.

"W. L. Mackenzie, Esq."

Gibson appears to have written to Dr. Rolph during the following month, suggesting that Mackenzie's falsehoods should not be allowed to go unexposed. Rolph's reply is as follows:

"*Private*.

"QUEBEC, 19th April, 1854.

"MY DEAR SIR:

"I telegraphed you, I believe, my opinion that we have neither leisure nor seasonable opportunity to repel Mackenzie's misstatements and misrepresentations. A general denial of the truthfulness would be desirable, but I would at present avoid taking up any *particular point*, or {91} directing his own attention to the evidence of his own untruthfulness in any statement, however glaring. The time has not yet arrived. Even the Montreal *Gazette*, the only paper (Tory) which has yet noticed it in Lower Canada, admits him to be unworthy of credit. You mention his contradictory representations; but such points are at present better kept to ourselves. It may do for him to criminate every one, and to betray every man whom he can; but it would not do for us to take that course. The time will come, perhaps is not far distant, when names can be used freely without compromising ourselves or others. Let us await it, and in the meantime collect such facts as may hereafter vindicate the truth.

"I am, my dear sir, yours truly,

"JOHN ROLPH.

"To David Gibson, Esq., Elora."

It may perhaps be thought by some readers that I have encumbered my pages by an embarrassment of riches by an amount of testimony far more than sufficient for the full establishment of the statements in the text. But Mackenzie's inventions have obtained so wide a circulation, and—owing to their never having been called in question—so general a belief, that I have felt it incumbent upon me to present the case in a full and clear light. There will no longer, I think, be much doubt in the minds of my readers that this far from unimportant chapter in our history has long stood in urgent need of being re-written.

Before bringing this long note to a close, I may add that Sir Francis Head represents the mission of Baldwin and Rolph to the insurgent camp as having been undertaken on Wednesday, the 6th of December, whereas in fact it was undertaken on Tuesday, the 5th. See his despatch to Lord Glenelg, dated 19th December, 1837, embodied in the ninth chapter of his *Narrative*. Whether this misrepresentation was made wilfully or through sheer carelessness cannot be pronounced upon with certainty. Considering that the despatch was written when only a fortnight had elapsed after the occurrence of the event referred to, it seems almost incredible that the erroneous statement can be attributed to mere inadvertence. Sir Francis and Mackenzie were *Arcades ambo* in the matter of veracity.

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[79] See Hawk's statement, *ante*, pp. 40, 41. I also find among Dr. Rolph's papers the following confirmatory letter, written by Hawk in 1854, when Mackenzie, out of a feeling of personal spite, was doing his utmost to stir up ill blood and to create division in the Reform ranks by dragging the affairs of 1837 into the political warfare of the period:—

"Hawksville, 1st June, 1854.

"Hon. John Rolph:

"Dear Sir:

"When you was here I would very much liked to have had a conversation with you about the affairs of 1837, but there was no opportunity. I see Mackenzie is trying to make a fuss about the flag of truce. I was with my uncle and a number of more stationed on Yonge Street at the Gallows Hill. Mackenzie and some of the party had went west toward Captain Baldwin's. The flag of truce came up Yonge Street, and uncle Samuel Lount said to me, as they came near to us, that 'As Mackenzie is not here I will have to meet them,' and he gave me his rifle and went a short distance forward, and had some conversation with the party who came with the flag, after which they turned round and returned to Toronto, and I went forward to my uncle, having kept the rest of the men back during the time the flag remained, so that they should not disturb the conversation. We afterwards went down towards the toll-gate, and Mackenzie was present when the flag came out the last time. I do not think my uncle would have been in the rebellion if he had not been led to believe by Mackenzie that what we wanted would be obtained without shedding of blood, and that the Robinsons and many other leading men in Toronto favoured the rebellion.

"I remain
"Your obedient servant,
JOHN HAWK."

Mr. Gorham gives the strongest testimony to the same effect. In a letter written last year referring to Hawk's statement on pp. 40, 41, *ante*, he says: "I have carefully read Mr. John Hawk's statement relative to events that occurred in connexion with the appearance and reception of the flag of truce borne by Messrs. Rolph and Baldwin on Tuesday, Dec'r 5th, 1837, and fully endorse its correctness in every particular relating to the appearance and reception of that flag of truce. I was present with the insurgents at that time and place, and saw Rolph and Baldwin when they rode up to the insurgents' line, not more than forty feet from where I stood. I was personally acquainted with both of them. When the flag of truce first returned toward the city of Toronto, word was passed along the insurgents' line that a suspension of hostilities was made for two hours, and that during that time no forward movement was to be made by them toward the city nearer than the toll-gate. Soon after the suspension of the truce I saw Mackenzie and others go into Horne's house, and soon after saw smoke issuing from between the shingles of the roof, and heard the expressions of indignation and disgust made by many of the insurgents at that act of vandalism."

Such is the testimony of two persons who were present when the flag of truce first reached the insurgent camp. Neither of them could have any purpose to serve by misrepresenting the facts. If Hawk could be suspected of any such design, it would naturally be supposed that he would wish to confirm the statement of his uncle, Samuel Lount. Yet his story is in several respects contradictory of Lount's. The historical accuracy of the latter will form the subject of future consideration.

[80] It seems probable enough that Mackenzie may have ridden over and joined Lount before the reply was given to Rolph and Baldwin. Whether he sent the blustering messages to Sir Francis Head which he himself has placed on record is more open to question. See his *Narrative*, as reprinted by Fothergill, p. 12, where it is stated that in response to the Lieutenant-Governor's query as to what would satisfy the rebels, Mackenzie replied "Independence," and demanded an answer within an hour. It must be remembered that Mackenzie's *Narrative* was manufactured for the United States market, and that his chief object was to write what would be acceptable to the "rout of American rascaldom" with whom he was associated at Navy Island and afterwards. Mr. Lindsey states that Mackenzie's reply to Sir Francis's message was: "Independence, and a convention to arrange details." See *Life of Mackenzie*, vol. ii., p. 82. Alves's story, which was really written by Mackenzie, represents the reply as being: "A free convention of the people." See *post*, p 85.

[81] At the present day the College Avenue extends northward only as far as College Street. In 1837 the road cut through the trees was commonly known as College Avenue all the way to Bloor Street.

[82] This statement was publicly made by Dr. Rolph from his place in the Legislative Assembly of Canada, on the night of Thursday, the 28th of October, 1852, at which date he held the portfolio of Commissioner of Crown Lands in the Hincks-Morin Administration. It was made in reply to a speech by W. H. Boulton, a virulent member of the Opposition, who then sat in the House as one of the representatives of Toronto. Mr. Boulton, in the course of his speech, had taunted Dr. Rolph with having acted a treacherous part in the flag of truce affair. The Doctor's statement was most explicit in its terms, and was supported by the statement of the flag-bearer himself, which is printed in full in the note at the end of this chapter. Dr. Rolph also referred to Mr. Baldwin as being able to furnish conclusive evidence on the subject. Mr. Baldwin had then retired from public life, and as no more explicit demand was ever made upon him, he did not see fit to keep alive old animosities by voluntarily coming forward with his testimony. It is reasonable to assume, however, that Dr. Rolph would not have mentioned Mr. Baldwin's name in such a connection if he had any reason to fear that gentleman's evidence. It may be added that Mr. Boulton accepted Dr. Rolph's version, and subsequently expressed regret for having falsely accused him. See the Parliamentary debates of the period, and the Quebec *Chronicle* for Saturday, October 30th, 1852. Dr. Rolph's statement was frequently reiterated, both orally and in writing, and he never varied in the slightest degree in any of the details.

[83] See Note at end of chapter.

[84] *Ante*, p. 45.

[85]

Among Dr. Rolph's papers I find the following direct and pointed testimony from Mr. Timothy Parson, a prominent Toronto Radical of those days, who afterwards was appointed Secretary to the Provisional Government at Navy Island. Mr. Parson was a well-known merchant of Toronto for some time prior to the Rebellion, and was recognized as a man of intelligence and public spirit. He took part in founding the York Mechanics' Institute, of which he was the first secretary and librarian.

STATEMENT OF TIMOTHY PARSON.

> On the Tuesday following the rising on Yonge St. I followed Dr. Rolph out to the Patriot camp on his second visit with the flag of truce from Sir F. B. Head. I was at a short distance when he delivered his message to W. L. Mackenzie, and did not exactly hear what passed, but on Dr. Rolph turning to return to the city, I distinctly remember him saying to the following effect, and I think in the same words: "Wind your way into the city as soon as possible, at my heels."
>
> On my return to the city I expected them immediately, and told several friends they were coming.
>
> (Signed) T. Parson.
>
> Rochester, Oct. 30th, 1838.

The only difference between this account and Dr. Rolph's is the substitution of the word "wind" for "wend"—an immaterial variation not at all to be wondered at when it is borne in mind that Mr. Parson was not at that moment in close proximity to the speaker.

I have fortunately been able to verify the foregoing statement by means of personal interviews with Mr. Parson, who is still living, and in the enjoyment of a green old age. His home for many years past has been

Maywood, a suburb of Chicago. My acquaintance with him dates from the month of September, 1883, when he paid a visit to Toronto, and when I obtained from him valuable information respecting the affairs of 1837. While this volume is passing through the press I have enjoyed the privilege of renewing my acquaintance with him, and of questioning him as to the statement made by him at Rochester, forty-seven years since. His memory is keen and unclouded, and he remembers the events therein referred to with the utmost clearness. He says: "I could almost swear that I have given Dr. Rolph's identical words."

As Mr. Parson is still remembered with kindness by not a few persons in Canada, some additional information regarding him may not be considered out of place. For twenty-five years subsequent to the Rebellion he resided in Buffalo and St. Louis, whence he removed to Chicago. During the whole period of his residence in the States he has been a keen politician, and he was one of the earliest participators in the Free Soil movement. He has been a member of two Presidential conventions, and is widely recognized as a man of wise and prudent counsels, whose abilities and sterling integrity entitle him to respect. Of late years he has devoted his best energies to the cause of prohibition, of which he is an earnest and enthusiastic advocate. For the rest, I may repeat, with very slight modifications, what I wrote of him more than two years ago in the columns of a Toronto newspaper. Though he has passed his 78th birthday, he is a hale, hearty man, who might very well pass for 65, and who bears upon his face the imprint of regular habits and a well-spent life. His intellectual powers are evidently as keen and vigorous as they have ever been, and his spare, well-knit frame appears to be capable of sustaining him through many more years of the wear and tear of existence. His voice is clear and mellow, and his language, without being either pretentious or argumentative, is well-chosen and impressive.

[86]

The messenger was a young man named Henry Hoover Wright, who was then a medical student in the office of Dr. Rolph, but who is now, and for many years past has been, one of the most eminent members of the medical profession in this country. Six months after Dr. Rolph's departure from Canada young Wright followed him to Rochester, where he was for some time an inmate of his house, and where he pursued his studies under the Doctor's direction. The following three statements were prepared by Mr. Wright while he was thus situated. They were prepared at the Doctor's request, but the latter, as I am informed by Dr. Wright himself, did not in any way seek to influence his memory or judgment in their preparation. I may add that Dr. Wright, in recounting to me the circumstances described, did not vary an iota from his written statements of forty-seven years before.

STATEMENTS OF HENRY H. WRIGHT.

[*The portions between brackets have been added by me for the purpose of making the matter more clear to the reader's mind.*]

On Tuesday, the 5th Dec'r, 1837, I returned [to Toronto by steamer] from Niagara [whither he had been sent by Dr. Rolph on personal business]. It was about 1 p.m. when we [the passengers] got in. We were met on the wharf by a body of men armed with muskets, etc., to the number of about 12. I went up home [to Dr. Rolph's house]; found all but James and Mary [domestic servants] absent. At Mr. Bidwell's saw Mrs. Rolph, who told me the Dr. had gone out Yonge Street with a flag of truce. Went to see Dr. See and Mr. Hunter at their lodgings. From them I learned some of the particulars respecting the outbreak. I came up home again, and met Dr. Rolph, Carmichael, Emery, Armstrong and a number of others in Lot Street. All were expressing great surprise that

Mackenzie did not come in. Dr. Horne's house had been on fire at this time about 1/2 an hour. I said I would go out to see the cause of the delay. Some one requested me to take out word that a body of men, to the number of 37, were placed in the lodges at the foot of College Avenue, and in the brick houses on the east side of Graves [Simcoe] Street. The market and buildings adjacent were occupied by the Government, who were soliciting volunteers. In going up Yonge Street I saw no guards, and met with no obstruction from the Tories. Dr. Horne's house had fallen in only a short time previously to my passing it, in which neighbourhood I was told they [the insurgents] were stationed. It was about 3 p.m. I found the main body placed on Gallows Hill, about a mile further from the city than Horne's house, which is about a mile from it. There was a guard of one man on foot with a fusil, and one on horseback. They stopped me, but on [my] telling my name they knew me, and let me pass. When I got up to the main body I asked for Mackenzie. I was told he was not there, but that Gibson and Lount were. I saw Gibson first, and told him my message. I also saw Lount, and told him the same. I asked why they did not come in. "We cannot go till General Mackenzie is ready," was the reply, or words to that amount. I asked again for Mackenzie, and was told he was a little further up. I galloped on as fast as I could being anxious to return to the city quickly with information to Dr. Rolph of the cause of the delay, and the time they [the insurgents] intended to come in—till I arrived at Montgomery's tavern. No one could tell me where he was, and after searching, with other persons, over the house, I asked Montgomery, who said he supposed he [Mackenzie] was in his room. We again searched the house through, and were as loner as 20 minutes hunting for

him. I went to the stable, and found him ordering a man off the ground. This man said he was a Patriot; that he had just come out from Toronto and brought him some news. Mackenzie said: "I don't know you, and there are too many friends. I don't want anything to do with you"—and in the end drove him away. I gave Mackenzie all the information I was possessed of where he would meet most resistance, etc., and told him the Patriots in town desired me to request him to hasten into the city. He asked: "What is Dr. Rolph doing?" I said "I have just got home, and have not had time to learn all the particulars, but when I started out I was given the message I have delivered to you." I remarked to him that he had a much smaller body of men than persons in town supposed, as they rated them at 2,000. [88] We started for the main body. On the way we were met by small bodies of men making towards Montgomery's to get their supper. Mackenzie tried to persuade them to return. Told me to ride on to Gibson and Lount. After riding slowly some distance, and finding he was so long coming down, I rode back to find him. By this time it was dusk, and I found him not 1/4 of a mile south of Montgomery's tavern, where I [had] left him. He was talking to a group of men who had brought up the prisoners. He told me to go on to the city, and say he would be in in half an hour. When I got down to Gallows Hill all the men were going back, declaring they would go in [to the city] in the daytime, but that rifles were little use at night. Gibson and Lount said their men would not make the attempt that night, but that they would be in by daylight the next (Wednesday) morning.

(Signed) H. H. Wright.

I was well acquainted with a majority of the Reformers living in the northern and western parts of the city of Toronto. We frequently conversed about the outbreak of the 4th Dec'r, 1837. R. Emery, Alexander and Thomas Armstrong, Robert, William, and David McIntosh, H. Carmichael, H. Middlemiss, George Dodd, J. White, George Norton, William Dutcher, J. Mills, C. Baker, Brewer, Gilbert and E. Wright I had most opportunities of seeing, and they are men well acquainted with the views and feelings of their brother Reformers in the city.

I have been repeatedly told, especially by the McIntoshes, Carmichael, Middlemiss, Emery, and also by Drs. See and Hunter that there was a large body of Reformers collected at Elliott's corner, waiting to know the result of the truce, and that when Dr. Rolph came down, after being out the second time, he said to them: "Why do you stand here, with your hands in your breeches pockets? Go, arm yourselves how you can! Mackenzie will be in immediately." And further, that Dr. R. also called a meeting of Reformers at Doel's brewery to devise means for preparing to assist Mackenzie, when Dr. R. told them not to scruple about the weapons to take knives, forks, pitchforks, scythes or anything else, and if they had an opportunity of disarming a Tory not to let it slip. This meeting I was told was held immediately after the Dr. got through with the truce. Dr. R. also sent See and Hunter to the City Hall, to see if the Tories would arm them. Thomas Anderson, in consequence of the Dr.'s orders, took his fowling-piece and went out to join Mackenzie. Emery borrowed a musket of Jacques, telling J. he was going to defend the town, but E. [Emery] told me it was because of Dr. R.'s order. Middlemiss obeyed the order so

far as to take muskets from three different Tories. John Mills told me that himself and six more who heard Dr. R. say Mackenzie was coming in directly, immediately armed themselves, and when he did not come in, according to their expectation, they waited up all night, so as to be ready as soon as he might please to come.

As far as I was able to ascertain, the Reformers of Toronto were well aware of Dr. Rolph's views, and knew perfectly well the reasons that induced him to be the bearer of the flag of truce. Not one with whom I conversed blamed him for the part he took in becoming bearer of that flag.

(Signed) H. H. WRIGHT.
ROCHESTER, 28th July, 1838.

See and Hunter said there were about one hundred persons at the brewery, and that they had to break up because the Tories came to see what was doing.

H. H. W.

ROCHESTER, Tuesday Evening, 28th August, 1838.

This evening Mr. Peter Watson, in conversation with Dr. Rolph, Mr. John Montgomery and H. H. Wright, remarked, among other things, that he was present on Tuesday, the 5th December, 1837, when the flag of truce brought by Mr. R. Baldwin and Dr. Rolph first arrived at the camp of the insurgents. He was also present at the termination of the truce, and heard Dr. Rolph tell Mr. Mackenzie that he thought it would be best to go into the city at once, and follow, if he pleased, closely on his (Dr. R.'s) heels. Col.

Lount also heard the same remark, and actually got his men ready, and was marching for the city, when Mr. Mackenzie ordered them to stop.

Mr. Watson is well satisfied in his own mind that Dr. Rolph did not recommend Mr. Mackenzie to wait till six o'clock p.m. before going into the city. He also states that to his certain knowledge Mr. Mackenzie sent no messenger to town to inform Dr. Rolph or any other person that the Patriots had assembled, as stated in his *Gazette* of the 25th August, 1838.

He confirms the statement made by Messieurs Morden and Shepard, that they, with others, wished to go into the city on Monday night, and says there was but one dissenting voice beside that of Mackenzie, and that was William Poole.

(Signed) H. H. Wright.

The Mr. Watson above referred to is apparently the same individual who was afterwards induced by Mackenzie to certify to his (Mackenzie's) courage. See *Flag of Truce*, p. 7.

[87] See Mackenzie's *Narrative*, *ubi supra*, p. 13. See also the extract from his *Flag of Truce*, quoted in note at end of this chapter, where he says "Dr. Rolph advised us not to go into the city *till towards dark*." "Towards dark" would mean not later than 4.30 p.m. What then becomes of his story about 6 o'clock? The statement of Alves, also quoted at the end of this chapter, says: "Dr. Rolph privately advised that we should not enter the city till dark." This statement of Alves, as elsewhere recorded (see note *ante*, p. 23), was really penned by Mackenzie, and, I regret to say, must have been known by him to be false when he penned it. In an unpublished letter of "General" Donald McLeod now lying before me, dated 25th May, 1854, I find a straight contradiction by Alves of the statement which Mackenzie had formerly induced him to sign. See comments on the "Statement of William Alves," in note at end of this chapter. The wonder is that such an absurd and inconsistent tissue of lies should so long have found credence, even though no voice has been raised to contradict them.

[88] In the original statement this sentence has been partly obliterated.

{92}

CHAPTER XXIV.

SHERIFF JARVIS'S PICKET.

After the departure of Rolph and Baldwin from their second conference with the insurgents, Mackenzie and Lount proceeded to re-form their men with a view to an immediate advance into the city. They found, however, that there was a good deal of insubordination in their ranks, and that they could not count upon prompt or implicit obedience to their commands. The men had had time to compare notes, and were in a moody, dissatisfied state.[89] Most of them had not heard of the defeat of the Lower Canadian rebels at St. Charles until after their arrival at Montgomery's. Living, as they did, in the country, where in those days news travelled slowly, they had remained in ignorance of many things which had by this time become clear to them. They perceived that there was no organization among their leaders, and that the movement was without a competent head. As for Mackenzie, who had taken upon himself to be their Commander-in-Chief, it was quite evident that he was not only devoid of military experience, but that he was totally unfit for such {93} a position in every respect. They could not fail to perceive that he was nervous and excited to such a degree as to be not entirely master of himself. All the forenoon he had swaggered and strutted about like a very Bobadil,[90] to the huge astonishment of the men. When he now ordered them to march into the city they replied that they wanted their dinner. Some light rations were served out in reply to this demand. A few of the men repaired to the houses in the neighbourhood, and helped themselves to such comestibles as were to be found.

While these things were doing, Mackenzie committed an act which tended to still further destroy the confidence and alienate the sympathies of his adherents. On the east side of Yonge Street, about a hundred yards to the north of Bloor Street, and nearly opposite the entrance to the Davenport Road, stood the private residence of Dr. B. C. Horne, assistant-cashier of the

Bank of Upper Canada. Dr. Horne was a Tory, and a strong supporter of the Government. Like most persons of his class in Toronto in those times, he entertained, and had often expressed, supreme contempt for Mackenzie, whose lasting enmity he is said to have incurred by refusing him accommodation at the bank. Mackenzie now saw his opportunity for taking private vengeance {94} upon his enemy. Accompanied by several insurgents, he walked over to the Doctor's abode, which he entered without ceremony. After demeaning himself towards the inmates like one who has altogether taken leave of his senses, he deliberately set fire to the house with his own hands. The structure was burned to the ground, and the greater part of the furniture and other contents were consumed. This proceeding was as senseless as it was outrageous and disgraceful. Regarded in the light of a revenge, it was beyond measure stupid and idiotic, for it altogether failed of its purpose of injuring Doctor Horne, who as a matter of course was fully recompensed by the Government for his loss. The insurgents, almost to a man, were disgusted at this exhibition of petty malignity, and some of them expressed their disgust in forcible language to Mackenzie himself. The word was passed from man to man that "Little Mac" was completely off his head, and unfit to be at large. A good many of them came to the conclusion that there was no hope for a cause which was directed by one who was so obviously unfit to govern himself, to say nothing of his fitness to direct the movements of others. They had been led to believe that there would be no bloodshed: that the city would fall into their hands without the striking of a blow. It now appeared probable to them that an energetic resistance would be made, and that the place would not be won without a determined struggle. Blood had already been poured out, and, to crown all, their chief had wantonly set fire to the house of a private citizen against whom it was understood that he had a personal grudge. This was {95} not to be borne. Something like a hundred of the more respectable and intelligent resolved that a cause which was upheld by deliberate arson was not one which it behooved them to countenance any further, and they then and there abandoned the movement, and quietly returned to their homes.[91]

Having entered upon a career of wanton destruction, Mackenzie seems to have felt the spirit of incendiarism strong upon him. Not much more than a quarter of a mile, as the crow flies, to the north-east of Dr. Horne's house, nestled the pleasant little suburban villa of Rosedale,[92] solitarily situated near the crest of an undulating elevation among {96} a succession of picturesque and romantic dells. It was the abode of Sheriff Jarvis, who was another object of Mackenzie's deep-seated animosity. The latter announced his determination to deal with Rosedale as he had already dealt with the

abode of Dr. Horne, and was actually starting to carry out his threat when Lount and others interfered, and induced him to forego his purpose. It was in vain, however, that the leaders attempted to induce the men to march into the city. Most of the rank and file were much more intent upon getting their dinner than upon the great cause which they had espoused. They withdrew to the neighbourhood of Gallows Hill, where they were regaled with such "unconsidered trifles" as were to be had from the householders. Mackenzie, finding it useless to argue further with them until their hunger should be appeased, conducted his detachment back to the residence of the Postmaster, where he demanded of Mrs. Howard whether the dinner was ready which he had ordered several hours before.[93] He was again referred to the servant in the kitchen, whereupon he became as violent as he had been during the morning, and used language which no man in full possession of his faculties would have employed towards a defenceless woman under such circumstances. Mrs. Howard sat in front of a fireplace in a small room to the left of the entrance hall. The insurgent leader stept up to where she sat, and, seizing her roughly by the arm, dragged her to a window which commanded a view to the southward. "Do you see that?" he demanded in a loud tone, and pointing to Dr. Horne's burning dwelling about a mile distant—"Be thankful that your own house is not in the same condition." Lount, who accompanied him, and who presumably felt ashamed of his colleague, privately apologized {97} to Mrs. Howard, begging her to pay no attention to Mackenzie, but to furnish such provisions as she could command. A considerable number of the men took possession of the lawn, where boiled beef and whisky were served out to them, and where they remained throughout the rest of the afternoon. Some of them, indeed, remained all night. "The family," says an eye-witness,[94] "were much alarmed, having only one servant-woman with them" their man-servant having escaped, "for fear, as he said, of being taken prisoner by the rebels."

Mackenzie and Lount, after having hastily refreshed themselves at Mr. Howard's, made another ineffectual attempt to induce the men to march into the city. All their efforts proved unavailing. A few of Lount's Lloydtown Company were ready, and even anxious, to go in, but these formed but a small proportion of the aggregate force. The rest alleged the lateness of the hour, the smallness of their number, and the insufficiency of their arms as excuses for their inaction. It would be dark, they said, before they could reach the central part of the city. Some fighting might probably be necessary, and if so, they preferred that it should be in broad daylight. Some of them who were armed with rifles remarked upon the uselessness of such arms in the night-time. The real fact seems to have been that they expected

reinforcements, and were disposed to wait until these should arrive. Two bodies of volunteers had come into camp from the township of Pickermg soon after noon, and had brought word that several other bodies might be expected from the adjoining townships before midnight. It is no wonder that these few hundreds of undisciplined farmers and mechanics felt some hesitation when the hour of trial arrived, or that they were desirous of waiting for all the reinforcements that were to be had. They were in a situation which was entirely new to them, and which might well try their courage and endurance, for they were expected to overturn by force a long-established Government, and to set up one of their own in its place. They were expected to accomplish this in the course of the next few hours, without proper arms in their hands, and without the assistance of a competent leader. Most of them, however, professed their {98} willingness to advance upon the city in daylight, and with this profession the leaders were compelled to be content.

The rest of the afternoon was necessarily spent by the leaders in practical inaction. Mackenzie wandered about in an aimless sort of way, apparently intent upon important business, but really doing nothing. Between three and four o'clock Dr. Rolph's messenger arrived[95] to ascertain the cause of the delay in marching into the city. He had some difficulty in finding Mackenzie, and only discovered him after a long search. He was then at Montgomery's, engaged in a petty altercation with a man who professed to be a Patriot, but of whose good faith Mackenzie seemed to entertain doubts.[96] The messenger was personally known to Mackenzie, and after a brief conference the two returned down the road in the direction of Gallows Hill, for the purpose of taking connsel with Lount and others. They had not left Montgomery's far behind ere they encountered several small bodies of insurgents, who were proceeding towards the tavern, for the purpose, as they stated, of getting their supper. Mackenzie began to expostulate with them, and once more tried to induce them to march into the city. He requested Dr. Rolph's messenger to ride on southward to where Gibson and Lount were encamped. The messenger accordingly rode on slowly by himself, expecting every moment to be rejoined by Mackenzie, but as this expectation proved fallacious, he after a few minutes turned his horse's head and again rode northward to ascertain what was the cause of delay on the part of the insurgent chief. He found him at the same spot where he had recently left him, still engaged in expostulations with some of his adherents. It was then dusk. Mackenzie requested him to ride into Toronto and inform Dr. Rolph that the advance into the city would be made in half an hour. The messenger obeyed. When he reached Gallows Hill, on his way homeward, he had some

conversation with Lount and Gibson, who, with the main body of the insurgents, had been encamped there during a great part of the afternoon. He was informed that the men refused to go into the city that night, but that they would go in at daybreak on {99} the following morning. Such was the conflicting intelligence with which he returned to Dr. Rolph.

But Mackenzie's expostulations had by this time produced effect upon a number of his adherents. He was now able to inform them of certain facts which he had learned from Dr. Rolph's messenger—namely, that the city was still comparatively defenceless, and that a considerable body of Reformers was waiting to join them as soon as they should have made their way into the heart of the city. This intelligence stimulated a number of them to action. They professed their readiness to march into the city at once, without waiting for any further reinforcements. Their example was contagious, and many of Lount's men came up and yielded their hearty concurrence. A few minutes more, and an understanding was arrived at that there should be no further delay in carrying out the project. It was thought best on this occasion to leave the prisoners behind at the tavern, so that their presence might not hamper or impede the action of the rebels on entering the city. They were accordingly left in charge of Gibson and a body of men deemed sufficient to prevent their escape. The rest of the insurgents manned themselves with apparent resolution for the enterprise which lay before them. For the next two hours it seemed not unlikely that Toronto would indeed fall into their hands, and that the Provincial Government would be overturned. These things were, to say the least, an easy possibility.[97] A few minutes before six o'clock the entire insurgent force, with the exception of those left behind in charge of the prisoners, was assembled at the Bloor Street toll-gate. More than half an hour was required to place them in line of march. Then Mackenzie delivered himself of another brief harangue. "I told them," he writes, "that I was certain there could be no difficulty in taking Toronto; that both in town and {100} country the people had stood aloof from Sir Francis; that not 150 men and boys could be got to defend him;[98] that he was alarmed, and had got his family on board a steamer; that 600 Reformers were ready waiting to join us in the city, and that all we had to do was to be firm, and with the city would at once go down every vestige of foreign government in U. C."[99]

About ten minutes past six, the men, to the number of between seven and eight hundred,[100] started on their southward march. Their number, however, furnished no correct idea of the actual strength of the corps, as nearly half of the men were unprovided with any arms whatever except

green sticks or cudgels cut from the woods by the wayside. These unarmed volunteers brought up the rear of the ragged regiment. In the van were the riflemen, after whom followed about two hundred men armed with the pikes to which reference has previously been made. Then came several score of rustics armed with old muskets and shot guns. Most, though not all of the men, had white badges upon the lapels or sleeves of their coats. They marched slowly and steadily, three abreast, with Lount at their head. Mackenzie, as usual, was here, there, and everywhere. He had for the nonce resigned the entire military command into Lount's hands, and seems to have accompanied the expedition as a sort of general adviser and irresponsible volunteer. He was mounted on a dark bay horse belonging to one of the prisoners captured on Dundas Street. As the force moved down Yonge Street several chance wayfarers and an officer of loyalist artillery were taken prisoners, but no opposition was encountered until the head of the column had reached a point a few feet northward of the present intersection {101} of Yonge and Maitland Streets.[101] There, in the garden of Mr. William Sharpe, behind a fence on the eastern side of the road, were Sheriff Jarvis and sixteen of his outpost-guard, which had been advanced in the course of the evening from near the corner of McGill Street. The other eleven[102] were stationed among the trees on the opposite side of the road, a few yards further north, on the Elmsley property. No sooner had the head of Lount's column reached this spot than the Sheriff gave the word to fire. The twenty-seven men composing the guard promptly obeyed the order, and discharged their pieces at the insurgents, after which they were seized with panic and took to their heels, running southward towards the city at full speed. The Sheriff called aloud to them to stop, and tried to rally them, but they continued to fly, and were soon beyond the reach of his voice, whereupon he, too, quietly made his way down into the city out of harm's way. Had the insurgents promptly followed, there is little doubt that the city would have been won, for several bodies of Toronto Radicals with arms in their hands were waiting in different convenient places, ready and anxious to join their ranks. But panic had also seized the hearts of Lount's followers. The fire of the guard had spread consternation among them, although it seems to have been delivered very much at random, and without any definite aim having been taken. One of the insurgents was slain by the discharge.[103] The only other immediate {102} results of it were several more or less serious wounds, two of which ultimately proved fatal.[104] Lount at once perceived whence the fire proceeded, and gave the word to his men to return it. Those in front obeyed the order, but without any effective result, as they were in a state of excitement and trepidation. Mackenzie states that after the delivery of their fire, Lount and the men in front fell flat on their faces, in order to

give an opportunity to those behind to fire over them, and that when those behind saw the riflemen in front falling down, they imagined that those who fell had been killed or wounded by the enemy's fire. He adds that they thereupon "took to their heels with a speed and steadiness of purpose that would have baffled pursuit on foot," and that "in a short time not twenty persons were to be found below the toll bar."[105] It is at any rate certain that the insurgent forces retreated northward with great precipitation, and that they did not pause until they had placed the toll-gate between themselves and the city. Their leaders vainly made the most {103} strenuous efforts to rally them. No arguments would induce them to face the weapons of their enemies again that night. They professed themselves ready to again advance upon the city in daylight, but not in the dark.

Thus passed away the last opportunity for success on the part of the insurgents, and Sheriff Jarvis's outpost-guard had probably been the means of saving the city and the Government from at least a temporary humiliation.[106] The city, as has already been said,[107] was not much better prepared for an attack at this time than it had been in the morning, and would have fallen an easy prey to determined invaders. The Lieutenant-Governor and his advisers had spent the greater part of the day in fruitless discussion, and in anxious expectation of the arrival of outside succour from various officers of militia. The sun had gone down, however, without any such succour having actually arrived, and the semi-beleaguered Tories were once more filled with anxious solicitude. Two hours after dark came the ineffective attempt of the insurgents to enter the city. Its ineffectiveness did not tend to reassure the supporters of the Government, as they made no doubt that the attempt would be renewed in the course of the evening. But before many hours had passed there was a material change in the aspect of affairs. Soon after nine o'clock a small body of armed volunteers arrived from the eastern part of the County of York; and scarcely had the fact been communicated to the Lieutenant-Governor ere a loud shout announced the arrival of Allan MacNab by steamer from Hamilton, with upwards of sixty "Men of Gore"—*i.e.*, militiamen from the Gore District in his train. The announcement filled the Lieutenant-Governor with transports of delight, insomuch that for a moment he became well-nigh hysterical.[108] Mr. {104} MacNab had had some military experience, and was regarded by Sir Francis as a host in himself. The force which he brought with him consisted of picked men, and was a material accession of strength to the Government. He moreover brought word of other succours which might confidently be looked for before the next morning. Almost at the same moment a spy brought in word that a large number of the insurgents had lost all heart in the movement, and had left for

their homes; that the leaders were unable to induce those who remained to make another attempt to enter the city, and that nothing further was to be feared from them during the night. All these items of intelligence combined to cheer the spirits of the defenders of the city, and from this time forward Mackenzie's was an utterly hopeless cause.

A careful watch was kept in the city throughout the night, which, so far as concerned the citizens generally, passed without any incident worthy of note. The Radicals, who had been on the alert all the previous afternoon, anxiously expecting the arrival of Mackenzie and his men, were utterly disheartened. The retreat of the entire insurgent force at the fire of Sheriff Jarvis's outpost-guard afforded conclusive evidence that they were not to be trusted in an encounter. It also afforded evidence that their leaders were devoid of experience, and unfit for the duties which they had undertaken to discharge. Dr. Rolph and Dr. Morrison recognized the unwelcome fact that the sun had set upon their hopes. They perceived that to keep the men any longer hovering upon the outskirts of the city would be useless and criminal. Accordingly, soon {105} after the arrival of MacNab and the men of Gore, they despatched a messenger[109] to Mackenzie at Montgomery's, acquainting him with the state of affairs, and advising an immediate dispersion. Mackenzie was as little disposed to act upon such advice as he had been during the conference at Mr. Price's house on the previous day. He carefully concealed the message from the volunteers generally, and would have concealed it from the leaders had such a course been practicable.[110] The leaders, however, were at one with Mackenzie on this subject, and were unanimously of opinion that it was now too late to withdraw from the enterprise. They were all known to the Government by this time. Their complicity in the movement was indisputable, and they could not hope to escape prosecution. They felt that nothing was to be gained by submission, and that their only hope lay in determined and successful action. Thursday was the time originally appointed for the assembling at Montgomery's. On that day Colonel Van Egmond would arrive to direct their military operations. No notification of the accelerated movement had been given except to those residing within the circle of Lount's immediate influence. On Thursday, therefore, numerous reinforcements from various quarters might be looked for. A formal resolution was come to that they should wait for reinforcements and Colonel Van Egmond, and that a determined strike for the possession of the capital should then be made. Meanwhile, all that could be done was to wait as patiently as might be for the appointed time.

The leaders passed the night at Montgomery's. The men were quartered in the tavern, stables and outhouses, and in the houses of residents in the neighbourhood. A few of them appear to have spent the night on Mr. Howard's lawn.[111] The interval was marked by numerous desertions, and by the arrival of a few new volunteers from the rural districts. Most of those who had returned to their homes during the previous afternoon had taken their arms with them. It seems tolerably clear that on Wednesday morning the entire insurgent force did not {106} exceed six hundred men, a great many of whom had not only lost confidence in Mackenzie, but had survived their enthusiasm for the cause in which they had embarked, and only continued to be identified with it as the less of two evils.[112] Nothing of importance could be accomplished until the arrival of Van Egmond and additional reinforcements. Wednesday was accordingly spent by most of the men in hanging about the tavern, and in discussing the probabilities of the morrow. Early in the forenoon Nelson Gorham, John Hawk and another insurgent were despatched westward to the London District with messages to Dr. Charles Duncombe, who had succeeded in raising a miniature rebellion there.

Soon after the departure of these messengers, Mackenzie, Lount, and a small body of men proceeded westward to Dundas Street, for the purpose of intercepting the westerly bound mail, and thus preventing Government intelligence from being disseminated in that direction. They succeeded in their object. The stage containing the mail-bags, together with the horses, driver and several passengers, was seized by Mackenzie upon its arrival at the Peacock Inn,[113] and conveyed to the headquarters at Montgomery's. Mackenzie ransacked the mail, in which he found letters from members of the Government to their friends in the country, acquainting them with the state of affairs in the city, and intimating that "the loyal volunteers" would soon be able to march out against the rebels and defeat them. The information thus obtained does not seem to have been worth the trouble taken in obtaining it.

Mackenzie acted most wantonly throughout the whole of this transaction. Admitting, for the sake of argument, that the seizure of the mail was necessary as a measure of self-defence, or that it was at any rate justifiable in the interest of the insurgents, Mackenzie was bound by all laws of honour and right feeling to act with moderation, and not to interfere {107} with private correspondence further than was absolutely unavoidable. He apparently did not recognize any such rules. He helped himself to as many of the letters as he wanted, and distributed the newspapers broadcast

among the men from an upper window of the tavern.[114] He has been charged with abstracting money from the mail at this time, and though he himself denied the charge, there seems good reason to believe that it was well-founded. There is at all events no doubt that during the expedition to Dundas Street he was guilty of clear and undisguised robbery on the highway, not once only, but several times. On two of these occasions the robbery was attended by an exhibition of heartlessness such as could not have been looked for from Mackenzie—heartlessness of which, it is to be hoped, he would not have been guilty if he had been thoroughly alive to what he was doing.[115] The fact was that {108} the insurgents' exchequer was running short, and had to be replenished. Mackenzie was in sore straits as to ways and means. He adopted such modes of replenishment as presented themselves, probably without much consideration as to the ultimate consequences to his reputation. His mental condition was such that it would be unfair to judge him by any rigorous standard. Still, he was measurably responsible for his acts, {109} and for these it is impossible to make any adequate apology. He thus afforded the Lieutenant-Governor an opportunity of officially reporting to Lord Glenelg that he, Mackenzie, had "committed every description of enormity," and that he had "plundered many inoffensive individuals of their money."[116] Sir Francis returned to this charge again and again, classing all the rebels in one common lot as thieves and vagabonds, and declaring that Rolph and Mackenzie had merely concocted the rebellion in order that they might have an opportunity to plunder the banks and then abscond to the United States.[117]

While Mackenzie was still engaged in examining the correspondence obtained from the mail-bags, two disquieting items of intelligence reached him in a roundabout manner from the city. The first of these disclosed the fact that Dr. Morrison had been arrested for high treason. The second related to Dr. Rolph, who, it was said, had left the city and ridden westward towards "the head of the lake."[118] The intelligence came from a trustworthy source, and could not be discredited. Mackenzie, Lount, Gibson and Fletcher held an immediate consultation. They vied with each other in deploring the miscarriage of their enterprise of the night before, whereby their weakness had been exposed to the authorities. It {110} was deemed prudent to keep the news, as far as possible, to themselves, but in spite of this resolve the facts became known to the men, whose spirits, as might have been anticipated, were not cheered thereby. A few cases of desertion are said to have occurred during the afternoon in consequence of the disclosure. It is not strange that the insurgents should by this time have come to regard the craft upon which they were embarked as a doomed ship which could not

much longer resist the action of the waves, and which must inevitably go to pieces within the next few hours.

No other events worth recording took place in the rebel camp on Wednesday. There was a pretence of drill-exercise during the afternoon and evening, which passed gloomily away. Most of the men sought repose early, in order to be as fresh as possible for the struggle which could not be delayed beyond the morrow.

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[89] Mackenzie endeavours to convey the impression that this dissatisfaction arose, at least in part, from the fact that the insurgents had seen Dr. Rolph in custody of the flag of truce, and that they were thus led to conclude that the Doctor no longer favoured the rising, but was on the side of the Government. See *Weekly Message*, *passim*, and *Flag of Truce*, chap. viii. See also Lindsey's *Life of Mackenzie*, vol. ii., pp. 84, 85. I can find no confirmation of this view of the case. From Mr. Wright's statement (see *ante*, p. 78), it appears that the Toronto Reformers "knew perfectly well the reasons that induced him [Dr. Rolph] to be the bearer of the flag of truce." If the insurgents were less correctly informed than the Toronto Reformers as to the Doctor's motives, the fault was Mackenzie's own. Why did he not explain the position of affairs to them? He himself alleges that he purposely abstained from doing so, lest the explanation should leak out, and thus lead to Dr. Rolph's arrest. This lame excuse is repeated by Mr. Lindsey. "Mackenzie," he writes, "did not venture to tell the real state of the case to more than five or six persons; for if it had been publicly announced, the fact might have reached town and occasioned the Doctor's arrest." This is a strange story to come from a man who, only the night before, had placed such blind trust in Mr. Powell a known supporter of the Government as to accept his bare word on so vital a point as his having arms concealed about his person. "Had he about him such a treacherous set of Patriots that they would have instantly deserted with the intelligence for the Doctor's arrest? Could he trust the word of Tory Powell, and not trust his Patriots in such a case?... Strange, that he should have selected, if true, such abandoned men! Strange, that he ever expected Dr. Rolph to join men thus ready wickedly to betray him!" See Dr. Rolph's *Review*, *post*. Had Mackenzie shown the same regard for others of his fellow-insurgents he would not have so carelessly permitted his private papers to fall into the hands of the Government, in his precipitate retreat from Montgomery's. By this most criminal carelessness many persons were inculpated in the Rebellion, and were

condemned to suffer the penalty of their share therein, who would otherwise have escaped the vengeance of the ruling faction in the Province.

[90] This, I think, was not due, as has sometimes been alleged, to cowardice, but to overstrained nerves. One of the insurgent survivors of that memorable 5th of December informs me that he knew the cause was hopeless from the moment when Mackenzie harangued the men before leaving Montgomery's. He says: "Little Mac conducted himself like a crazy man all the time we were at Montgomery's. He went about storming and screaming like a lunatic, and many of us felt certain that he was not in his right senses. He abused and insulted several of the men without any shadow of cause, and Lount had to go round and pacify them by telling them not to pay any attention to him, as he was hardly responsible for his actions. If we had locked him up in a room at the tavern, and could then have induced Lount to lead us into the city, we should have overturned the Government without any fighting worth talking about." Another survivor said to me, in the course of conversation: "I got to Montgomery's on Monday night, a few minutes after Colonel Moodie had been shot. I seemed to feel that our enterprise was hopeless, and I should have gone back home at once if it hadn't been for fear of being called a coward. All day on Tuesday Mackenzie went on like a lunatic. Once or twice I thought he was going to have a fit." Dr. Rolph always informed Mrs. Rolph that if the movement had been successful it would have become imperatively necessary for the Provisional Government to arrest Mackenzie for a time, as he would have been totally unmanageable. The verbal and written testimony of other insurgents, including Gibson and Gorham, is to the same or a similar effect. Mackenzie's treatment of Mrs. Howard was no doubt attributable to the strain upon his nervous system rather than to any spirit of mere ruffianism. See *ante*, p. 68, and *post*, p. 96. A similar palliation may probably be found for his burning of Dr. Horne's house, and for other extraordinary acts committed by him during this exciting period.

[91] The evidence as to Mackenzie's setting Horne's house on fire is overwhelming. In fact, it is not a matter which admits of any shadow of doubt, and I should deem it unnecessary to argue the question were it not that Mr. Lindsey presumably upon Mackenzie's authority represents the fire as having been caused by the upsetting of the stove. See *Life of Mackenzie*, vol. ii., p. 90: The inference evidently intended to be drawn is that the upsetting of the stove was accidental. But it is clear that Mr. Lindsey did not really believe that there was any accident about the burning of the house, as he deems it necessary in the same paragraph to apologize for what he admits would have been "dastardly arson" if committed in time of peace. Moreover, as Mr. Lindsey must have known, Mackenzie admitted over and over again that he burned the house deliberately, claiming, however, that he did so in obedience to the directions of Dr. Rolph. He repeatedly made the same admission in print. In his Navy Island *Narrative*, and in fact in all his early narratives, he carefully suppressed all particulars of the burning of Dr. Horne's residence, merely remarking that it was "destroyed" by "the Reformers" because it was a resort for Tory spies—though he took special pains to anathematize Sir Francis Head for burning Montgomery's and Gibson's. In his *Message*, and in the eighth chapter of his *Flag of Truce*, he attributes the felonious act to Dr. Rolph's orders. It is singular that he should have been so solicitous to obey the Doctor's orders in this solitary instance, when he was so insubordinate in every other case. But as matter of fact there never was the slightest foundation for the assertion. Dr. Rolph gave no such orders, and Mackenzie's allegation that he did so is precisely on a par with a score of other assertions made by him in connection with the Rebellion.

There are persons still living who were eye-witnesses of Mackenzie's incendiarism. I have seen and conversed with three of them, and I am informed that there are many others. There are other persons living who have heard him boast of having set fire to Horne's house. But it

would be a waste of time to enter further into the discussion of a question as to which there is really no room for doubt. The reader may, if he pleases, consult the testimony of John Hawk, *ante*, p. 41, and of Nelson Gorham, *ante*, p. 70, note. The following extract from a letter written by Gibson to Dr. Rolph, dated December 1st, 1852, bears upon the point. I reproduce it, not as matter of evidence, but as mere matter of interest in connection with this subject.

> "I understand Mr. Mackenzie says you were the principal, and he was only carrying out your instructions.
>
> "After the second meeting, at the toll-gate, Mr. Mackenzie set fire to Dr. Horne's house. Mr. Lount came to me and wished me to use my influence with Mackenzie and stop such proceedings, and Mr. Lount and myself prevented him burning Sheriff Jarvis's house. I cannot see how the proceedings on that occasion could be according to your instructions given to Mr. Lount, when he was, so far as lay in his power, preventing Mr. Mackenzie from destroying property. [See Lount's evidence before the Treason Commission, *ante*, p. 79.] Since I returned from the United States Mr. Jarvis said to me jocularly: 'Gibson, I wish you had let Mackenzie burn my house. I would have been well paid for it, as Dr. Horne was.' The above transaction is well known, although Mackenzie represents the burning of Mr. Montgomery's and my premises as the first hostile act of that character, in his *Caroline Almanac* [p. 102], withholding from the public that he commenced the burning."

[92] Toronto's most picturesque suburb is named in honour of the whilome abode of Sheriff Jarvis. The abode itself is now the home of Mr. Arthur Harvey.

[93] *Ante*, p. 67.

[94] Mr. Allan McLean Howard, quoted in Thompson's *Reminiscences of a Canadian Pioneer*, p. 132.

[95] *Ante*, pp. 75, 76.

[96] See statement of H. H. Wright, *ante*, p. 77.

[97] "We are sure that we are far from stating anything which will not meet with universal assent in Upper Canada when we say that had Mackenzie, during the Monday or Tuesday, attacked Toronto with 200 men, he would have seized the arms, ammunition and money in the town; that he would have captured Sir Francis unless he had run away; and that had the capital fallen into the hands of the rebels, a large proportion of the country people who joined Sir Francis on the Wednesday and Thursday would have joined Mackenzie. All who will reflect on the nature of civil war must see the fearful odds which a day's success, and the possession of the capital and its resources, would have given the rebels. For their not obtaining it we have no reason to thank Sir Francis Head."—*London and Westminster Review*, vol. xxxii., pp. 448, 449.

[98] Mackenzie's unhappy propensity for misrepresentation shows itself, even here. He could not be candid and truthful, even when candour and truthfulness would have served his purpose far better than insincerity. He knew perfectly well that Sir Francis had more than "150 men and boys" at his back, although the number of his defenders was too small to admit of successful opposition had the insurgents been ably commanded, and in deadly earnest.

[99] See his Navy Island *Narrative*, reprinted by Fothergill, p. 13.

[100] In Alves's statement written by Mackenzie for the *Caroline Almanac* (see *ante*, p. 85) the number of men is represented as 750.

[101] Maitland Street had no existence at that time, nor until more than ten years afterwards. The ground now forming the Yonge Street end of it was then owned by Mr. Alexander Wood from whom Alexander and Wood Streets respectively derive their names and the William Sharpe mentioned in the text. The southerly thirty feet of it belonged to Mr. Wood, and the remainder to Mr. Sharpe.

[102] The guard, it will be remembered (*ante*, p. 61), consisted of twenty-seven men, besides Sheriff Jarvis himself.

[103] Mackenzie expresses the opinion that this man was killed by the fire of his comrades from behind. See his *Narrative*, *ubi supra*, p. 14. I cannot learn that he had any ground for such an opinion, and I believe the fact to be as stated in the text. The man's name was James Henderson. He was a discharged British soldier, and for some time before the rising worked as a cooper in Davidtown, now the village of Sharon. He had been married only a few months at the time of his death. His widow still resides in Sharon, and I recently had an interview with her at her home in that village. She informed me that she never saw her husband, dead or alive, from the time he left her on Monday morning for Montgomery's. I learn from other sources that his body was left lying in the road when the rebels took to their heels. One of my informants—a hale old man of patriarchal age was the last, except Lount, to leave the spot. He rolled the body over to near the fence on the eastern side of the road, after which he and Lount followed in the wake of their retreating comrades. Mr. Sharpe then lived in a house close by. His daughter, Miss M. A. Sharpe, who now resides at No. 22 Maitland Street, informs me that her mother watched the dead body from a window throughout the night, "to keep the dogs from it." Early next morning Colonel Fitz Gibbon presented himself, and Mrs. Sharpe held a candle for him while he examined the body. An hour or so later the Colonel sent a cart in which it was removed, but I cannot learn whither it was conveyed or what became of it. It was never seen again by any of the friends of the deceased, and there is a prevalent belief among them that it was handed over to the surgeons for dissection. Miss Sharpe informs me that it lay all night on the eastern side of the road, exactly in front of the building now occupied as a chemist shop by Mr. J. H. Hutty.

[104] The two men who died from their wounds were James Kavanagh and Edgar Stiles, both of the township of East Gwillimbury. Kavanagh was shot in the groin, Stiles in the shoulder. They were able to leave the ground without assistance, but strength soon failed them, and they were conveyed to Montgomery's by their comrades. They were afterwards removed to the house of Mr. Snider, nearly opposite the tavern, whence, after the fight on Thursday, they were conveyed to the hospital, where they both died. Kavanagh's son John, from whom I learned some of the foregoing particulars, is now Postmaster at Sharon. George Fletcher, a nephew of Silas, was shot in the left foot. After reaching Montgomery's he was conveyed into the kitchen, when it was found that the bullet was still in one of his toes. His uncle Silas undertook to cut it out with a penknife, but became violently sick, and had to abandon the effort. Mackenzie then attempted the task, but his hands shook with nervousness to such an extent that he completely lost control of the knife, which ran into his hand, inflicting an ugly wound. The bullet was then cut out by Judah Lundy, who still resides on the southern outskirts of Sharon village.

[105] See his *Narrative*, p. 14.

[106] Sir Francis Head, in a left-handed manner, claims credit for having posted this guard. "I was enabled, by strong pickets," he writes, "to prevent Mr. McKenzie from carrying into effect his diabolical intention to burn the city." See his despatch of December 19. As matter of fact the posting of Sheriff Jarvia's picket was due to the prudence of Colonel Fitz Gibbon, who posted it, not only without Sir Francis's instructions, but without his knowledge, and in direct opposition to his positive command. See *ante*, p. 61.

[107] *Ante*, p. 61.

[108] I make this statement upon the testimony of an eye-witness, but Sir Francis's own written words afford sufficient evidence of its truthfulness if, indeed, his words are to be credited upon any subject whatever. "I was sitting," he writes, "by tallow-candle light in the large hall [*i.e.*, in the City Hall], surrounded by my comrades, when we suddenly heard in the direction of the lake shore a distant cheer. In a short time two or three people, rushing in at the door, told us that 'a steamer full of the men of Gore had just arrived!' and almost at the same moment I had the pleasure of receiving this intelligence from their own leader. I have said that my mind had been tranquilly awaiting the solution of a great problem, of the truth of which it had no doubt; but my philosophy was fictitious, for I certainly have never in my life felt more deeply affected than I was when, seeing my most ardent hopes suddenly realized, I offered my hand to Sir Allan McNab." *The Emigrant*, chap. viii. Sir Francis here discounts the honours of the subject of his remarks, as Mr. MacNab was not knighted until some months after the episode referred to.

Mr. MacNab, as stated in the text, reached Toronto between nine and ten o'clock on Tuesday night. Sir Francis, in officially announcing the outbreak, represents the arrival as taking place "in the course of Wednesday." See his despatch of December 19th, in *Narrative*, chap. ix. This was probably done in order that the Colonial Secretary might not require him to account for his "masterly inactivity" in not advancing against the rebels until Thursday.

[109] This was young John Fletcher, a nephew of Silas Fletcher. It is to him that Dr. Morrison refers in the postscript to his statement on p. 22, *ante*. See also the penultimate paragraph of Hawk's statement, *ante*, p. 41.

[110] Gibson's MSS.

[111] See Mr. Howard's narrative, in Thompson's *Reminiscences*, etc., p. 132.

[112] One of the survivors, in conversing with me on this subject a short time since, said: "We staid with the others because we knew we should be arrested if we went home. We didn't stay out of any love for Mackenzie. We had found him out, and knew that he was useless for any purpose but *jaw*." He added that if at this time he had been asked to choose between the domination of Mackenzie and the domination of the Compact, he would without hesitation have chosen the latter. His words were: "I would have voted for Head and Hagerman."

[113] A wayside hostelry situated on the south side of Dundas Street, about four miles westward from the City Hall, and near the present village of West Toronto Junction.

[114] Prout's MS. narrative. These facts are confirmed by several surviving insurgents with whom I have recently conversed. Mackenzie himself admits that he handed over a number of the papers to the prisoners, "for their amusement." See Fothergill's reprint of his *Narrative*, p. 18.

[115]

These are matters as to which Mackenzie's biographer maintains a discreet silence, though there is no more doubt as to their having taken place than there is as to the fact of the insurrection itself. There are persons now living in Toronto who received the details of some of these transactions directly from the persons robbed. In the notes to the Toronto reprint of Mackenzie's Navy Island *Narrative* is the following contemporary record: "This wretched, bad man [Mackenzie] pretended he robbed no one. He robbed many with his own hands, and among them a poor woman of *her all*." See the *Narrative*, p. 15, note. This, be it remembered, is the testimony of a gentleman who, while he contemned Mackenzie, was strong in his opposition to the Government and the oligarchy, and who himself wrote manfully and vigorously in the cause of Reform. He appends to his statement the following testimony, which he says is "only one of many vouchers":—

> "I, THOMAS COOPER, of the city of Toronto, hereby certify that on Wednesday, the 6th of December last, I was travelling from the City into the Township of Toronto, in company with James Armstrong, of the Humber, both being on horseback. About one o'clock in the day, as far as I recollect, both of us stopped at Mr. Farr's of the Peacock Inn, to get a glass of beer, and fastened our horses to a post. On going back to our horses, we found them removed to a shed, and were proceeding to mount them, when we were taken prisoners and handled very roughly; both our pockets were searched, and my purse taken from me; when just at that moment Mackenzie made his appearance, and asked the man who had rifled my pockets how much money was in my purse; the man said he did not know, but handed the purse to Mackenzie, who counted it and found eleven pounds five shillings; he took therefrom a two dollar note and a one dollar note, which he

returned to me in the purse, and the remainder of the money he put in his own pocket: he also took my horse, which cost me £27 10s., and a nearly new bridle and saddle. From Mr. Armstrong he took four dollars in money, and one pound of tea, two pounds of coffee, and also his horse and bridle and saddle. Mr. Armstrong was so alarmed from the rough treatment we received that he jumped over a fence and ran across a field, when two men fired after but happily missed him. I was also witness to Mackenzie's seizure of the trunk of the servant-girl of the house, which contained all her clothes, and, as she alleged, fifteen dollars in money. The poor girl entreated to have her clothes and trunk returned, and said he might take the money, but Mackenzie was deaf to her entreaties, though made on her knees. The woods resounded with her lamentations; and I was further witness to the robbery of a poor wayfarer travelling to Toronto, who happened to be passing at the time; he took him prisoner and searched his person, on whom he found only half a dollar. The poor man was clothed in rags; and when deprived of his money, the tears coursed down his cheeks.

"In about two or three hours after this, the Western Mail arrived at the Peacock, which Mackenzie also robbed, and carried off horses, coach, and all.

"All this I do solemnly declare to be true.

(Signed) THOMAS COOPER.
"Toronto, February 10th, 1838."

By reference to The City of Toronto and the Home District Commercial Directory, for 1837, I find Thomas Cooper set down as "Gentleman, Lot Street west."

Mr. Samuel Thompson, in his *Reminiscences* (pp. 123, 124), records another instance of robbery by Mackenzie at this time: "A lady, still living, was travelling by stage from Streetsville, on her way through Toronto to Cornwall, having with her a large trunk of new clothing prepared for a long visit to her relatives. Very awkwardly for her, Mackenzie had started, at the head of a few men, from Yonge Street across to Dundas Street, to stop the stage and capture the mails, so as to intercept news of Dr. Duncombe's rising in the London District. Not content with seizing the mail-bags and all the money they contained, Mackenzie himself, pistol in hand, demanded the surrender of the poor woman's portmanteau, and carried it off bodily. It was asserted at the time that he only succeeded in evading capture a few days after, at Oakville, by disguising himself in woman's clothes, which may explain his raid upon the lady's wardrobe; for which, I believe, she failed to get any compensation whatsoever under the Rebellion Losses Act. This lady afterwards became the wife of John F. Rogers, who was my partner in business for several subsequent years."

It will be seen from the concluding sentence that the writer, Mr. Thompson, received his information on the subject in the most direct manner. But there is no need to adduce further testimony, as Mackenzie himself, in his supplementary narrative, admits that he was guilty of robbery. He says: "Thirty or thirty-five dollars were taken from a Tory magistrate suspected to be a spy, because it was feared he might bribe some one with it in order to effect his escape." Rolph, in his Review, comments upon this admission in the following words: "If he searched a Tory magistrate for cash, magnetic in its nature, why not a Tory alderman for arms, more repulsive in their properties? If the one would use his cash, would not the other use his pistol for his escape? And if he could trust a Tory alderman's word that he was unarmed, at night too, on a reconnoitring expedition, why could he not trust his once chosen Patriots with the offer of so contemptible a bribe? To do the Patriots justice, we believe the

revolutionary cause would have been as safe with the money left to the Tory magistrate as when transferred to Mackenzie's pocket."

[116] Despatch of Dec. 19th. See Head's *Narrative*, chap. ix.

[117] Mr. Hincks, upon establishing *The Examiner* in Toronto in the following year, thus commented in his paper on Sir Francis Head's absurd declaration: "With regard to Mackenzie, it has been so much the fashion to accuse him of every crime which has disgraced humanity, that people really forget who and what he is. We can speak impartially of Mr. Mackenzie, more particularly because those who know us well know that we have never approved of his political conduct. Let us not be misunderstood. We agreed with him on certain broad principles, more particularly Responsible Government and the Secularization of the Clergy Reserves, and when those principles were involved we supported him, and shall never regret it. As a private individual we are bound in justice to state that Mr. Mackenzie was a man of strict integrity in his dealings, and we have frequently heard the same admitted by his violent political opponents. He was not a rich man, because he never sought after wealth. Had he done so, his industry and perseverance must have insured it. We do not take up our pen to defend the political characters of either Dr. Rolph or Mr. Mackenzie, but when these false and malignant slanders are uttered we shall always expose them. Are there ten persons in Upper Canada who believe that the object of either Dr. Rolph or Mr. Mackenzie was to rob the banks and abscond to the United States?" Sir Francis Hincks, in reference to this paragraph, several years since expressed to me his opinion that Mackenzie, at the time of committing the robberies mentioned in the text, was reckless and unstrung to such an extent as hardly to be accounted a responsible being. He characterized Mackenzie as cantankerous, unpractical and unreliable as to his word; but he added: "He would not have committed robbery if he had been in his sober senses."

[118] Gibson's MSS.

{111}

CHAPTER XXV.

MAHOMET AND THE MOUNTAIN.

In the city, matters had assumed a totally different aspect. Throughout the whole of Wednesday, volunteers continued to arrive from all points, insomuch that before night it became difficult to provide accommodation for them. Cobourg, Whitby, Port Credit, Hamilton, St. Catharines, Niagara, each sent its tale of men, and at sunset more than twelve hundred armed volunteers were at the service of the Government.[119] Arms had also been served out to many heads of households of approved loyalty. The doors and windows of the principal public and private buildings had been fortified by barricades of two-inch plank, behind which were placed armed musketeers ready and eager to shoot down any venturesome Radical who might dare to raise his rebellious head. In the course of the day the Lieutenant-Governor removed his headquarters from the City Hall to the Parliament Buildings, whither also the spare arms and ammunition were transferred.

The intelligence which had been conveyed to the insurgent camp as to the arrest of Dr. Morrison and the flight of Dr. Rolph was well founded. The Lieutenant-Governor and his advisers had remained in consultation until a late hour on Tuesday night. MacNab's arrival, and the news which he brought as to the prospective advent of succours, had {112} imparted new life to their hopes. They felt that the crisis, so far as the Government party were concerned, was past, and that they might with safety assume the offensive against the rebels. As a preliminary step they determined to arrest Dr. Morrison, against whom they believed they had sufficient evidence to ensure his conviction of high treason. They had up to this time conceived nothing more than a strong suspicion against Dr. Rolph, and did not venture to adopt any hostile measures towards him.

Dr. Morrison's arrest was easily effected. About ten o'clock in the forenoon of Wednesday, as he was making his daily round of visits, he was

informed that the authorities had invaded Mackenzie's house and office, and that a diligent search had been made in both places for treasonable documents. Mackenzie's printing office was on King Street, but his private residence was on the west side of York Street, a short distance south of Lot (Queen) Street. When this information reached Dr. Morrison he was in the near neighbourhood of York Street, and about to pass down that thoroughfare for the purpose of visiting a patient. He had not proceeded many yards, and was in fact directly in front of Mackenzie's dwelling, when a Government emissary approached and took him prisoner. In the course of the day he was marched off to jail. An application to be admitted to bail was at once made on his behalf, but was refused, and he lay in durance for many weeks before this indulgence was granted to him.

This arrest was an event eminently calculated to add to the excitement throughout the city. It was witnessed by a medical student who resided in the house of Dr. Rolph, and whose sympathies were strongly enlisted on the side of the insurgents. He was in fact the identical young gentleman who had been despatched to the rebel camp on the previous afternoon.[120] He lost no time in acquainting Dr. Rolph with what he had seen, and in advising him to seek safety in flight. Dr. Rolph speedily made up his mind. There was no longer any hope of success for the rebels. His own connection with the movement could not fail to become known, and he might count upon being prosecuted {113} with the utmost rigour of the law. Dr. Morrison's arrest seemed to indicate that the Government had already become possessed of criminatory evidence evidence which was quite as likely to compromise himself, Dr. Rolph, as the gentleman who had actually been deprived of his liberty. If so, no time was to be lost. In a very few moments one of his horses—a gray three-year-old colt—was saddled, and his young friend had mounted it and ridden westward along Lot Street. He himself followed leisurely on foot. A short distance up the street he encountered Chief Justice Robinson and two of his sons, who were probably on their way to the Lieutenant-Governor's headquarters in the Parliament Buildings. A grave salute was exchanged between them, after which each proceeded on his way. The Doctor continued his walk until he reached the spot where Dundas Street branches off northward from Queen Street, where he found his young friend awaiting him with the horse, from which he had dismounted. They exchanged quiet and undemonstrative farewells, after which Dr. Rolph mounted the horse and proceeded along Dundas Street, while the young medical student returned to the city.

The Doctor made the best of his way to the United States. His journey was not unattended with peril, for any Tory whom he met on the way might possibly resolve to arrest him, and his complicity in the Rebellion was susceptible of proof. He, however, rode westward about twelve miles without any mis-adventure, and was approaching the River Credit, when he encountered a company of loyalist volunteers *en route* for the capital. The gentleman in command was well acquainted with Dr. Rolph's political proclivities, but would probably not have suspected him of having any connection with the Rebellion had he not thus met him far from home, and evidently prepared for a long journey. In reply to a demand as to his destination, the Doctor produced a letter which he had received on the previous day from his brother-in-law, Mr. Salmon, of Norfolk, acquainting him with the serious illness of his (Dr. Rolph's) sister, Mrs. Salmon, and requesting his presence at her bedside. This was deemed satisfactory, and the Doctor was allowed to proceed; but not long afterwards the officer, for some reason, became suspicious, and sent two volunteers in pursuit of the fugitive, who was {114} soon overtaken and brought back to Port Credit. He was greatly agitated, and a gentleman who was present at the time informs me that he trembled visibly. While he was still in detention, Dr. James Mitchell, of Dundas, a former student of Dr. Rolph's, arrived, and doubtless with perfect sincerity represented the absurdity of supposing that Dr. Rolph would really ally himself with such an one as Mackenzie for any purpose. The argument prevailed, and the Doctor was again permitted to resume his journey. Dr. Mitchell exchanged horses with him, remarking: "Your beast does not seem equal to so long a journey you had better take mine," or words to that effect. Rolph directed his steps to the house of Mr. Asa Davis, [121] on the outskirts of the village of Wellington Square, in the township of Nelson. Mr. Davis was an advanced Radical, and an old friend and client of Dr. Rolph, who, it will be remembered, had formerly practised the legal profession at Dundas, which is only a few miles distant from Wellington Square. He was cordially received, and invited to pass the night there, but he deemed it wisest to push on without delay. He however obtained an hour's rest and a fresh horse,[122] He pursued his journey throughout the night, and early on the following morning reached the Niagara River, near Queenston. He soon placed the river between himself and danger. More than five years elapsed before his foot again trod Canadian soil.

Meanwhile, volunteers continued to pour into Toronto. It seems tolerably certain that a not insignificant proportion of these were Radicals, who had set out from their homes for the express purpose of joining Mackenzie, but

who, hearing that his cause was hopeless, made a virtue of necessity, and tendered their services to the Government. Of arms and ammunition there were enough and to spare, so that there was no longer any excuse for allowing insurrection to raise its head on the very confines of the capital. At a Council meeting held at Archdeacon Strachan's house on Wednesday night it was resolved that an attack {115} upon the rebels should be made on the following morning. Attorney-General Hagerman, who, four days before, had been so certain that not fifty men in the Province could be got to take arms against the Government,[123] now declared that everything depended upon the success of the projected attack, and he did not hesitate to express his belief that if the loyalist troops were defeated on the morrow the Province would be irretrievably lost.[124] In this opinion the Lieutenant-Governor declared that he coincided. How important, then, that victory should be rendered secure by the adoption of every precautionary measure that could be thought of. How important, above all things, that the success of the movement should not be imperilled by its direction being entrusted to incompetent hands. Allan MacNab, who was a prime favourite of Sir Francis Head, had during the day been appointed to the command of the Home District Militia, and in the course of the evening it came to the ears of Colonel Fitz Gibbon that MacNab was to take the chief command of the Government forces during the forthcoming attack. The Colonel was righteously indignant at being thus set aside for one who certainly had no such claims as he to whatever distinction the supreme command could confer. "For here," writes Colonel Fitz Gibbon,[125] "let it be observed that I was a Colonel of Militia before Mr. MacNab had any rank in that force, and he was almost wholly without military knowledge. I could not help feeling the strongest indignation at the idea of any man then in the city being appointed to the command other than myself. For most assuredly I, of those then present, was best qualified to plan, arrange, and successfully make that attack. In me, above all others, was full confidence placed by all. For three days and two nights was I incessantly employed in putting all in a state of preparation in the city. I was best known in the Province as a disciplinarian. To me would obedience be more readily given than to any other man in Upper Canada." This presentation of the case is substantially correct. Certainly no person had exerted himself to repel an attack upon the city to anything like the same extent as Colonel Fitz Gibbon. No other {116} person—certainly no other whose services were then available could boast of an equal share of military training and experience. The only possible objection which could be urged against entrusting him with the chief command was that he had worked himself up into a state of morbid excitement. His excitable condition, however, does not appear to have in any respect interfered with his military

judgment. Fussy as he was, all his plans for the brief campaign seem to have been dictated by good sense and competent knowledge.[126] It is no wonder that his bosom swelled with a sense of injustice when he learned that a young and comparatively untried man was to be placed over his head. The knowledge came to him while he was attending the above-mentioned Council meeting at the Archdeacon's. He remonstrated warmly, and considerable discussion ensued, in the course of which Attorney-General Hagerman strenuously advocated the claims of Mr. MacNab, who, it appeared, had that day received a promise from his Excellency that he should have the command. No final decision on the subject was arrived at during the session, and the Colonel withdrew in a state of mind far from charitable towards those who, as he believed, had conspired to rob him of the honours which were his just due. Early next morning, however, he was informed by Sir Francis that Mr. MacNab had released him from the promise, which had been given, and that he, Colonel Fitz Gibbon, was to command during the attack. With proud exultation in his heart and in his eye, he at once set himself to work to mature and slightly modify a plan of attack which he had partly sketched out two hours before.

For a few moments the veteran of the Beaver Dams appears to have nearly succumbed to the multiform perplexities of his situation. "It was now broad daylight," he writes,[127] "and I had to commence an {117} organization of the most difficult nature I had ever known. I had to ride to the Town Hall, and to the Garrison and back again, repeatedly. I found few of the officers present who were wanted for the attack. Vast numbers of volunteers were constantly coming in from the country without arms or appointments of any kind, who were crowding in all directions in my way. My mind was burning with indignation at the idea of Colonel MacNab or any other militia officer being thought of by his Excellency for the command, after all I had hitherto done for him. My difficulties multiplied upon me. Time, of all things the most precious, was wasting for want of officers, and for the want of most of my men from the Town Hall, whose commander was yet absent, till at length the organization appeared impossible. I became overwhelmed with the intensity and contrariety of my feelings. I walked to and fro without object, until I found the eyes of many fixed upon me, when I fled to my room and locked my door, exclaiming audibly that the Province was lost, and that I was ruined, fallen. For let it not be forgotten that it was admitted at the conference at the Archdeacon's the evening before that if the attack of the next day should fail the Province would be lost. This, however, was not then my opinion, but I thought of my present failure, after the efforts I had made to obtain the command, and the

evil consequences likely to flow from that failure; and I did then despair. In this extremity I fell upon my knees, and earnestly and vehemently prayed to the Almighty for strength to sustain me through the trial before me. I arose and hurried to the multitude, and finding one company formed, as I then thought providentially, I ordered it to be marched to the road in front of the Archdeacon's house, where I had previously intended to arrange the force to be employed. Having once begun, I sent company after company and gun after gun, until the whole stood in order."

From all which it will be seen that, though his sense of his responsibilities was so great as almost to unhinge his mind for a few brief moments, he at last proved equal to the occasion, and fully justified the confidence which had been reposed in him. When the time of trial came his nerves did not fail him. He led the column to the attack, and personally directed every movement. He did what he could to prevent {118} the victory then gained from being abused. The affair, of course, could not be classed as a great military achievement. Colonel Fitz Gibbon had nearly or quite eleven hundred men at his command. The force opposed to him did not consist of much more than one-third of that number, and at least half of the rebels were unarmed. Still, the interests at stake were momentous, and defeat would have involved very serious consequences. So that the skirmish has an historical significance far more than proportionate to the number of men engaged, or to the immediate incidents connected with it. Colonel Fitz Gibbon is fully entitled to whatever credit attaches to a victory gained under such circumstances, and where such dire penalties waited upon defeat.

It was near noon before everything was in readiness for marching against the enemy. The entire force was mustered in three divisions. The main body, consisting of between six and seven hundred men, was placed under the direction of Colonel Allan MacNab, who had been favoured with this distinction as a recompense for his release of the Lieutenant-Governor from his promise some hours before.[128] Attached to this main body were two guns, which were placed in charge of Major Carfrae, of the militia artillery. The right wing, consisting of fully two hundred men, was commanded by Colonel Samuel Peters Jarvis, of Ridout and type-riot fame.[129] The left wing, somewhat less strong numerically, was commanded by Colonel William Chisholm, of Oakville. Judge McLean also attended and gave his assistance in directing the movements of this corps.[130] The arrangement was that the main body should advance directly up Yonge Street; the right wing meanwhile moving northward by the fields and by-ways about half a mile eastward, and the left wing advancing in a similar

manner up the College Avenue a short distance to the west. The three bodies, all of which were subject to the direction of Colonel Fitz Gibbon, were to converge at Montgomery's. {119} The word to advance was given precisely at twelve o'clock by his Excellency in person,[131] and the cavalcade moved northward in three divisions, according to the preconcerted arrangement. The main body on Yonge Street was joined or followed by a considerable number of unenrolled volunteers, who were too curious to see the fight, and too anxious as to the result to remain quietly behind. The army was also attended for some distance by Dr. Strachan—"the bold diocesan of the Church of England," as he is called by Sir Francis Head[132]—and other ministers of religion. These reverend gentlemen judiciously withdrew upon the first exchange of shots with the rebels, though as Sir Francis observes, many of them "would willingly have continued their course, but with becoming dignity they deemed it their duty to refrain."[133] The city was meanwhile guarded by a body of armed militia under the command of Judge Macaulay. Civic affairs, as usual, remained under the direction of the mayor, Mr. George Gurnett.

The day was, for the time of year, a remarkably fine one. The air was clear; not a threatening cloud was to be seen in the sky, and the sun shone out with revivifying brightness and splendour. The arms and accoutrements of the volunteers reflected back the bright rays, and were visible as far as the eye could reach. Two bands discoursed martial music, which doubtless roused the enthusiasm of the men, and inspired them with a desire to emulate the deeds commemorated in the strains which greeted their ears. The windows and housetops along the chief thoroughfares were crowded by men, women and children, who waved miniature flags and lustily cheered the cavalcade as it passed along. The volunteers responded in kind, and the welkin rang again. Never had the streets of the little Provincial capital presented so stirring an appearance—not even when the guns of the invader had thundered along its water-front in 1813. To many who beheld the scene, and who {120} participated in the enthusiasm which it was eminently calculated to arouse, this 7th of December was the most memorable day of their lives. They paused not to speculate upon possible consequences. To them it was sufficient that more than a thousand armed volunteers were in motion, and that they were going out against "rebels." The name of "rebel" was odious to their ears, and any one to whom it could properly be applied was pretty nearly on a par with him who had broken every command in the decalogue. It never occurred to them that there may be such a thing as rebellion against the constitution, and that such an offence may possibly, under certain circumstances, be even more culpable than rebellion against

the Crown.[134] Nearly all the citizens, except the most ultra-Radicals, took up their stations on the housetops with their neighbours. It was a time to try men's souls. Many of those who had been disposed to sympathize with the rising now perceived that the time for such a project was past, and they did not think it necessary to draw down suspicion upon themselves for a lost cause. They accordingly cheered with the rest. The few who felt too strongly on the subject to dissemble their real sentiments prudently remained within doors.

Upon the arrival of the main body of volunteers at the summit of Gallows Hill, they were distinctly perceived by the rebel sentinels posted a short distance south of Montgomery's. Intelligence was instantly conveyed to the leaders. Mahomet had refrained from visiting the mountain, and here was the mountain rapidly approaching Mahomet. Before proceeding any further with the narrative, it is expedient to return for a short time to the camp of the rebels.

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[119] "In the afternoon reinforcements arrived in the *Traveller* steamboat from Niagara, and more from the District of Gore in the *Burlington*, and the town was crowded with men. Our numbers now seriously embarrassed us, and it became imperatively necessary to attack the rebels the following day."—Fitz Gibbon's MS. *Narrative*, *ubi supra*.

[120] *Ante*, pp. 75, 76.

[121] Mackenzie arrived at the self-same spot on the following Saturday, after his flight from Montgomery's. See Lindsey's *Life*, vol. ii., p. 109.

[122] He also obtained a companion, in the person of one of Mr. Davis's sons, who accompanied him on horseback to the frontier.

[123] *Ante*, p. 30.

[124] MS. *Narrative of Occurrences in Toronto*, *Upper Canada*, *1837*, by Colonel Fitz Gibbon.

[125] *Ib*.

[126] MacNab proposed to attack the rebels at three o'clock in the morning, a plan which Colonel Fitz Gibbon vehemently and successfully opposed, declaring it to be in the highest degree inadvisable. "It was utterly impossible," he writes, "to organize the confused mass of human beings then congregated in the city during night-time, for then it must be done, to be ready to march from the city after one o'clock, so as to reach Montgomery's at three. I declared it to be impossible to induce unorganized men to make a night attack in great numbers, under any circumstances. Such an attempt would have ruined us, for there were many rebels then in the city waiting only the turning of the scale to declare themselves. A reverse must therefore have been most injurious to us, if not disastrous." MS. *Narrative*, etc., *ubi supra*.

[127] MS. *Narrative*, etc., *ubi supra*. The curious reader will do well to compare this account with that given in Colonel Fitz Gibbon's *Appeal to the People of Upper Canada*, p. 27.

[128] *Ante*, p. 115.

[129] *Ante*, vol. i., pp. 13, 131, 132.

[130] It would appear that Colonel Chisholm's command of the west wing was only nominal, and that he was really sent out with a small force to the neighbourhood of the Peacock Inn. A gentleman now living in Toronto, who took a prominent part in the operations of the west wing, assures me that the real commander of this body was Judge McLean. He adds that the Judge's directions were ably supplemented by those of Colonel O'Hara.

[131] "I was sitting on horseback, waiting to hear the officer commanding the assembled force order his men to advance, and was wondering why he did not do so, when one of the principal leaders rode up to me, and told me that the militia wished me to give them the word of command, which I accordingly did."—The *Emigrant*, chap. viii. Upon which Colonel Fitz Gibbon, in the MS. *Narrative* already quoted from, remarks: "This was the only command he [Sir Francis Head] gave till the action was over."

[132] *The Emigrant*, chap. viii.

[133] *Ib*.

[134] "I confess I have no sympathy with the would-be loyalty of honourable gentlemen opposite, which, while it at all times affects peculiar zeal for the prerogative of the Crown, is ever ready to sacrifice the liberty of the subject. That is not British loyalty. It is the spurious loyalty which at all periods of the world's history has lashed humanity into rebellion."—*Speech of Solicitor-General Blake, on the Rebellion Losses Bill of 1849*.

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CHAPTER XXVI

THE SKIRMISH.

Colonel Van Egmond, faithful to his undertaking, reached the insurgent camp about eight o'clock on Thursday morning. Within a few minutes of his arrival he was seated at breakfast in a private room of the tavern, along with Mackenzie, Lount, Gibson, Silas Fletcher and John Montgomery.[135] At the conclusion of the meal, the six straightway proceeded to hold a Council of War. Montgomery had by this time lent himself to the inexorable conditions of his situation, and was as deep in the Rebellion as any of the rest. A stormy discussion ensued, in the course of which Mackenzie so far lost his self-control as to threaten to shoot Colonel Van Egmond.[136] The cause of dispute was as to the most effective mode of attacking the Government forces. Mackenzie's proposal was that an immediate advance should be made upon the city. To this Van Egmond and the others vehemently opposed themselves. The looked-for reinforcements had not arrived, and could not reasonably be expected to arrive until later in the day. The forces at the disposal of the Government were known to be vastly superior in numbers to those of the insurgents, which, owing to repeated desertions from the cause, were reduced to about five hundred. The Government troops were known to be well armed and equipped, whereas the bulk of the insurgents were without proper equipments of any kind. The proposal to make an immediate attack was {122} therefore characterized by Van Egmond as "stark madness," and it was this expression which drew down upon his head the hot anger of Mackenzie.[137] How the dispute was accommodated does not appear. Probably Van Egmond was informed by Lount and the other leaders of the condition of Mackenzie's nerves, and governed himself accordingly. At all events, the plan propounded by Van Egmond, and subsequently agreed upon, was that no attempt to capture the city should be made until the arrival of a sufficiency of reinforcements to render the success of such an attempt at least feasible. News had been received that the militia were likely

to be sent out to attack them at Montgomery's in the course of the day. It was manifestly desirable to stave off such an attack until the arrival of reinforcements; and with a view to effecting this object, it was deemed prudent to divert the attention of the Government forces to another quarter. Sixty men, under the command of Peter Matthews, of Pickering, were detailed to proceed eastward to the bridge over the River Don, at the eastern confines of the city. They were to burn the bridge, and thus cut off communication with the city from that point. They were also instructed to intercept the eastern mail, and in a word to do anything and everything likely to draw the Government troops in that direction. The detachment departed on this hazardous mission a little before ten o'clock in the forenoon.

{123}

The next two hours and more glided away without the occurrence of any event of importance at Montgomery's. The expected reinforcements did not arrive, nor was any intelligence received from them. Van Egmond made an attempt to review the men, who, since the departure of Matthews and his threescore, mustered about four hundred strong. Of these, probably two hundred were armed with pikes or rifles. Some general directions were given as to what course should be followed in case of an early attack from the Government troops. Scarcely had this been done ere William Asher, a scout who had been down near the College Avenue, ran up with the intelligence that a regular army of militia, escorted by a band of music, was moving northward from the Parliament Buildings. The effect produced by this item of news was less marked than might have been anticipated, for several times during the early morning word had been brought in that the troops were advancing up Yonge Street, and in each case the alarm had proved to be groundless. The insurgents had by this time become so accustomed to the cry of "Wolf" that they were slow to believe in the animal's presence without actual demonstration. A few minutes later, however, the sentinels posted a short distance down the road from the tavern could distinctly discern the glitter of the militia's accoutrements, as they poured in endless succession over the brow of Gallows Hill. The word was quickly passed back to Montgomery's. At least half of the men were at that moment in and about the stable-yard. Silas Fletcher rushed up breathless, exclaiming: "Seize your arms, men! The enemy's coming, and no mistake! No false alarm this time!"[138] Then, indeed, the rebels woke up to the occasion. Mackenzie and Van Egmond mounted each a horse and rode a short distance southward, until they not only saw the glitter of weapons, but

could perceive what seemed to be an overwhelming force steadily advancing against them. The strains of martial music were also distinctly audible to them, and there could be no doubt that the decisive hour had arrived. They rode hurriedly back to the tavern, and began preparations for the fight which could not {124} be postponed for many minutes. About a hundred and fifty of the men were placed in a belt of woods a hundred and fifty yards or so west of Tonge Street, and nearly half a mile south of the tavern. Three-score, or thereabouts, took their stand in the fields to the east. The rest, having no arms, could be of no service for purposes of defence. Some of them stood inactively beside the tavern while their comrades bore the brunt of the attack. Others sought safety inside the building. Scarcely had the fighting men gained their respective positions ere the cannonading began. The Government troops encountered very little resistance. When the main body reached the summit of the hill immediately to the north of what is now Mount Pleasant Cemetery, they placed their two guns on the western side of Yonge Street, and opened fire in a north-westerly direction upon the rebels in the belt of woods. The trees, bushes, and brush-heaps in the fields afforded such protection that there were no casualties from the discharges of the cannon, but the rushing of the balls among the trees, and the crashing of the branches as they fell, created a considerable uproar. The rebels made a pretence of returning the fire with their muskets, but were speedily thrown into confusion. Just then the west wing of the loyalists arrived on the ground. Their arrival caused a speedy evacuation by the rebels of the woods in which they had ensconced themselves. The latter retreated northward without any attempt at order. The cannon were then moved some distance farther up the road. Their muzzles were directed due northward, and two round shot were sent through the body of the tavern. Immediately there was a stampede from inside, the insurgents pouring out like bees from a hive, and "flying in all directions into the deep, welcome recesses of the forest."[139] The prisoners had been removed from the building some minutes before. Gibson, who had had the care of them, perceiving that the loyalist forces were overwhelming, and that there was no hope of success for the insurgent cause, had concluded that nothing was to be gained by detaining his charges any longer. With the assistance of a number of his fellow-insurgents, he had conducted them out at the {125} back door of the tavern, and thence to some distance away, when he had restored them to their liberty. They afterwards uniformly bore testimony to the kind treatment which they had received at the hands of Gibson and his assistants during their detention at Montgomery's.

The skirmish did not last longer than from fifteen to twenty minutes at the outside. The roll of killed and wounded was, all things considered, surprisingly brief. Our so-called histories of Canada might very well lead the unsophisticated reader to believe that what they grandiloquently call "the battle" of Montgomery's Farm was a sanguinary affair. Mr. MacMullen, writing many years ago,[140] at a time when there should not have been much difficulty in getting at the facts, has gravely recorded that "the loss of the insurgents was thirty-six killed and fourteen wounded, while the loyalist force only sustained a loss of three slightly wounded."[141] This statement, like a good many others in the same volume, is probably due to the author's having written his work at Brockville, where he could not refer to original authorities, and had no means of verifying his data. It is evident that his account of the Upper Canadian Rebellion was largely founded upon Mr. Lindsey's *Life and Times of William Lyon Mackenzie*. For the statement with respect to the "thirty-six killed and fourteen wounded," he is said to have been indebted to a contemporary account in *The Brockville Recorder*. Whencesoever it was derived, it is by far too wide a departure from fact to be tolerated in what professes to be an historical work. Yet it has ever since been adopted without question by writers who have been too careless or too indolent to investigate the matter for themselves. It has even found its way into our school histories, and has obtained a wide and general acceptance alike among young and old.[142] So easy is it to {126} disseminate error. As simple matter of fact the death-roll of "the battle" of Montgomery's Farm contained only a single name that of Ludwig Wideman, of lot number one in the eighth concession of the township of Whitchurch. He fought on the side of the insurgents, and was shot through the head in the field immediately to the south of the tavern, just before the close of the engagement.[143] No supporter of the Government was slain, or even seriously wounded. The entire number of wounded is not easy to ascertain. I can learn of only eleven on the side of the rebels and five on the side of their opponents, but there were probably others. At least four of the wounded insurgents[144] subsequently died in the hospital.

Mackenzie's own account of the fight at Montgomery's is throughout false and misleading. Lindsey's narrative of the affair is founded upon it. As has been seen, MacMullen's is largely founded upon Lindsey, and nearly every other account is founded upon MacMullen; so that it is hardly to be wondered at if the generally-accepted beliefs are far wide of the truth.

Mackenzie's story, as related in his Navy Island *Narrative*,[145] is that when he perceived the Government troops approaching he asked the men if

they were ready to fight a greatly superior force, well-armed, and with artillery well served. “They were ready,” he continues, “and I bade them go to the woods and do their best. They did so, and never did men fight more courageously. In the face of a heavy fire of grape and canister, with broadside following broadside of musketry in steady and rapid succession, they stood their ground firmly, and killed and wounded a large number of the enemy, but were at length compelled to retreat. In a more favourable position I have no doubt but that they would have beaten off their assailants with immense loss. As it was they had only three killed and three or four wounded.... The manly courage with which two hundred farmers, miserably armed, withstood the formidable attack of an enemy 1,200 strong, and who had plenty of ammunition, with new {127} muskets and bayonets, artillery, first-rate European officers, and the choice of a position of attack, convinces me that discipline, order, obedience and subordination, under competent leaders, would enable them speedily to attain a confidence sufficient to foil even the regulars from Europe.”

This passage is so thick-set with misrepresentations that it may properly be characterized as wholly and absolutely false from first to last. Assuming that Mackenzie addressed the men in such language as above set down, he thereby proved how unfit he was to discharge such duties as he had taken upon himself. What words of cheer for a little band about to engage in a desperate encounter with long odds! Such discourse from the mouth of a leader might well make cowards, even of veteran soldiers, to say nothing of untrained farmers and mechanics. But such of the survivors as I have been able to confer with have a very different tale to tell about Mackenzie’s language at that critical moment. He appears to have done his best to inspire them with hope, by telling them that if they could keep up the fight for an hour or two the expected reinforcements would be sure to arrive, and that their victory would be assured. As to the rebels having “stood their ground firmly, and killed and wounded a large number of the enemy,” it has already been seen that not one “enemy” was either killed or seriously wounded. As to the rebels having “only three killed and three or four wounded,” it has been seen that but one was killed, and that eleven or more were wounded. The falsetto rhodomontade about the desperate valour of the men, and their ability, under different circumstances, “to foil even the regulars from Europe,” is simply too childish and nonsensical for grave criticism. It is possible that if Queen Anne had left thirteen vigorous sons behind her at her death, George the First would never have sat on the throne of Great Britain; but the supposition is so widely removed from the actual fact that no sensible person would waste time in considering the mere possibility. The

rebels who fought at Montgomery's were neither better nor worse than other volunteers under like circumstances. They were mostly farm rustics who had never seen a pitched battle, and who had left their homes without any notion of taking part in one. They were not Spartans; Montgomery's farm was not Thermopylae; and assuredly {128} Leonidas was not there. When they were attacked by a force which there was no chance of their successfully opposing, they, after a faint show of resistance, chose the better part of valour. When, for the mere purpose of magnifying his own office, Mackenzie represented these "embattled farmers" as withstanding the onslaught of "an enemy 1,200 strong," and as so bearing themselves as to justify speculation as to what their dauntless intrepidity might have accomplished under more favourable circumstances when he indulged in these representations, he, as usual, cast consistency to the winds. Surely he had forgotten that it was these same farmers who, only thirty hours before, had, according to his own account, fled helter-skelter at the fire of Sheriff Jarvis's picket: who, to quote his exact words, "took to their heels with a speed and steadiness of purpose that would have baffled pursuit on foot."[146] That is to say, he attributes the failure of the attempt on Tuesday night to the arrant cowardice of these very men who, on the following Thursday, are exalted into demi-gods of valour—into heroes who needed nothing but "discipline, order, obedience and subordination," in addition to competent leadership, to render them upon the whole more than a match for Cromwell's Ironsides.[147]

A number of the Government troops, perceiving the rebels utterly discomfited and flying for their lives, advanced as far northward as the tavern. Among those who so advanced was the Lieutenant-Governor himself. Two mounted militia officers, however, contrived to get ahead of all the rest. One of these was Judge Jones, whose reflections on the subject of Colonel Fitz Gibbon's "over zeal" had doubtless undergone considerable modification since the preceding Monday night.[148] The other was Alexander McLeod, Deputy-Sheriff of the Niagara District, {129} who, as will hereafter be seen, was destined to gain a sort of dubious immortality in Canadian annals. They were both men of high spirit, and, as might have been expected from the positions which they respectively filled, of excessive zeal for the side of authority. They rode up impetuously in advance of their comrades, and captured two insurgents who were attempting to escape. Judge Jones, with intent to drive out any skulkers who might still be hiding within the tavern, rode his horse bodily against the door of the bar-room, and sought to force an entrance, all booted, spurred and mounted as he was. Colonel MacNab, who was some hundred yards or so down the road, caught

sight of him as he was making this attempt. Not recognizing him in the distance, and believing him to be one of the rebel leaders, the future knight of Dundurn promptly gave the command to some musketeers near him to "shoot that man!" Several marksmen accordingly brought their pieces to bear, when a voice from the ranks was heard: "Don't fire! It's Judge Jones."[149] This exclamation was probably the means of saving the Judge's life. In another moment the troops were on the spot. The two prisoners who had just been taken were brought up to where his Excellency sat on horseback before the raised platform in front of the tavern. Sir Francis appears to have felt that he could afford to be merciful. After addressing to them a few words of advice, he pardoned them, and ordered their immediate release. This was magnanimous; but the "Tried Reformer" seems to have been determined that posterity, in reviewing his conduct, should never find the velvet glove without the tiger's claw. What he did with one hand he forthwith undid with the other. Having pardoned "all that remained of Mackenzie's army," he deemed it necessary to "mark and record, by some act of stern vengeance, the important victory that had been achieved."[150] He gave orders that the tavern, which had "long been the rendezvous of the disaffected," and the floor of which had been "stained with the blood of Colonel Moodie,"[151] should then and there be destroyed. He personally ordered those nearest him to set the place on {130} fire, and his order was readily obeyed. The furniture in the different rooms on the ground floor was speedily in a blaze. The flames spread to the building itself, and thick clouds of smoke, followed by forked tongues of fire, soon began to pour out of the windows and doors. Yet another moment, and the entire structure was a mass of flame. The conflagration, we are informed by Sir Francis, was "a lurid telegraph which intimated to many an anxious and aching heart at Toronto the joyful intelligence that the yeomen and farmers of Upper Canada had triumphed over their perfidious enemy, responsible government."[152]

Having taken a leaf out of Mackenzie's book by setting fire to the property of a private citizen, Sir Francis seems to have been actuated by a similar spirit of wanton and progressive incendiarism. David Gibson, as the reader knows, had long been an opponent of the Government policy, and had made his hostile influence felt in the Assembly. He was an ally of Mackenzie's, and was known to have talten part with the rebels at Montgomery's. Would it not be well to visit him with some signal mark of reprobation? His house was about four miles further up Yonge Street. The Lieutenant-Governor resolved that it should share the fate of the tavern, and gave orders to that effect. He appears to have blown hot and cold by turns.

In obedience to his commands a detachment of about forty men rode up Yonge Street to set fire to Gibson's house. On their way they met Colonel Fitz Gibbon, Captain Halkett and others, who had been in pursuit of Mackenzie, but who had turned back after chasing the fugitive for several miles. On encountering the detachment moving northward, and upon learning whither they were bound and on what errand, the Colonel was disagreeably surprised, for this mode of dealing with an utterly broken and discomfited enemy was not in accordance with his ideas of honourable warfare.[153] He demanded of them strictly whether they were quite certain that they had positive warrant from the Lieutenant-Governor for what they were about to do. As he received a reply in the affirmative, there was nothing for it but to allow the men to pass. Upon overtaking the {131} rear of the homeward-bound column, the Colonel was met by Henry Sherwood, who gave him a message from his Excellency to the effect that Gibson's house was not to be burned, and that the men were to be recalled. Captain Strachan, a son of the diocesan, was accordingly sent in headlong haste to prevent the detachment from carrying out the order they had received. The Captain caught up with them in ample time, and brought them back with him. But before they had overtaken the main body Sir Francis's hot fit was once more upon him. Reining in his horse, he sent back for Colonel Fitz Gibbon. Upon that officer's presenting himself, Sir Francis directed him to see that Gibson's house was burned immediately, and then to return to town. "Already," writes the Colonel,[154] "I had seen with displeasure the smoke arising from the burning of Montgomery's house, which had been set on fire after I advanced in pursuit of Mackenzie, and I desired to expostulate with his Excellency, but he quickly placed his right hand on my bridlearm, and said 'Hear me! let Gibson's house be burned immediately, and let the militia be kept here until it is done'—exactly repeating his order; and then he set spurs to his horse and galloped towards town." There was thus no room for argument. Colonel Fitz Gibbon, having at the moment no officer of rank at hand to whom he could entrust the supervision of the unpleasant duty,[155] was compelled to see it done himself. The house and outbuildings were set on fire and burned to the ground. Mrs. Gibson, with her four young children, was driven to find shelter in the house of a neighbour. The men carried off a pig and a quantity of poultry slung across their saddle-bows. Poor Mrs. Gibson! {132} As she watched the destruction of her once happy home, and reflected upon the uncertain fate of her husband, whom she had not seen since his departure with Mackenzie early on Monday morning, it is not very surprising if she invoked a sinister blessing upon Sir Francis Head and those by whom he was surrounded.[156] She was not destined to see her lord again

until she joined him after his escape to the United States, as will hereafter be recorded.

Before returning to town, Sir Francis, accompanied by a number of his troops, advanced some distance up Yonge Street. During this advance a few prisoners were taken, but were released by Sir Francis after being briefly admonished, and ordered to return to their homes and their allegiance.[157] Upon retracing his steps to the neighbourhood {133} of the tavern his Excellency found a considerable number of wounded rebels, who had been picked up in the fields, and placed side by side near the burning building. Several of the loyalists who had received wounds had already been conveyed to the city hospital. By order of Sir Francis, arrangements were now made for the care of the wounded insurgents. They were placed in carts and conveyed to the hospital, where they received such care and relief from suffering as the institution afforded. The body of Ludwig Wideman was handed over to his cousin for interment.[158] The volunteers appear to have helped themselves freely to chickens, geese, and whatever of value was to be found in the stables and outhouses of the tavern. One article of booty discovered on the premises occasioned no little surprise. It was a flag, on which was inscribed the words:

BIDWELL AND THE GLORIOUS MINORITY.
1837, AND A GOOD BEGINNING.

This was an old political banner which had been used in an election contest five years before, but the hasty preparation and scanty exchequer of the insurgents had constrained them to use such arms and ensigns as chance placed at their disposal. The old banner had been pressed into service, and the figure 7 had been substituted for the figure 2. The {134} Government party, however, being unacquainted with the facts, were for a time disposed to regard the flag as an exceedingly good find, as it seemed to identify Mr. Bidwell with the Rebellion. Persons who have read the first volume of this work with attention[159] do not need to be informed that Mr. Bidwell was innocent of all complicity in that enterprise; but, as will hereafter be seen, the capture of this flag was fraught with unpleasant and, for a time, disastrous consequences to him.

The discovery of another article of booty in one of the rooms of the tavern was attended with still more disastrous consequences to many persons in Upper Canada. This was a large carpet-bag containing Mackenzie's papers. Perhaps none of Mackenzie's indiscretions is more

blameworthy than his having left these documents where they were liable to fall into the hands of the Government. Among them was an approximately complete set of the "rolls of revolt," in which were inscribed the name and address of almost every insurgent in the Province. By the aid of these documents, and of certain criminatory correspondence found along with them, the Government were enabled to arrest and prosecute scores of persons against whom they had previously entertained no suspicion.[160] It might not unreasonably have been supposed that the custodian of such dangerous papers would have made some effectual disposition of them before going into action, more especially as he must have known that he was going upon a forlorn hope, and that the discovery by the Government of the bag and its contents would involve many of his friends in utter ruin. He took no pains whatever to prevent such a calamity, but left all his papers in the bag, which was secured by a small padlock, on a table in his bedroom, where they were seized and handed over to Sir Francis Head. Such conduct on Mackenzie's part not only indicated his want of the commonest prudence, but showed a cruel and heartless indifference to the welfare of many persons whose only offence against the law consisted in having been too much influenced by his own selfish and evil counsels. It was little less culpable than a wilful betrayal of his adherents, and is still regarded in that light by the descendants of his victims.

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In the course of the forenoon,[161] a proclamation had been issued by the Lieutenant-Governor, offering a reward of a thousand pounds for the apprehension and delivery up to justice of Mackenzie, and five hundred pounds for the apprehension and delivery up to justice of Gibson, Lount, Jesse Lloyd or Silas Fletcher. At the close of the skirmish this proclamation was freely distributed among the people assembled there. Its circulation stimulated several Government supporters to action, and they set off northward on horseback at break-neck speed, in the hope of capturing some one or more of the rapidly-retreating fugitives. Sir Francis remained in the neighbourhood of the burning tavern until towards the middle of the afternoon, when, in a complacent and self-glorifying frame of mind, he leisurely set out on his return to town. His progress all the way to Government House was attended by loud and apparently enthusiastic cheering from the crowds assembled on the streets.

NOTE TO CHAPTER XXVI.

[See *ante*, p. 126.]

I am thus precise in indicating the personality of the one slain rebel because the most erroneous ideas are prevalent upon the subject of the slaughter-roll at Montgomery's. For the reasons stated in the text, the general impression is that thirty-six men were slain there. But it appears there are those among us who go to the other extreme. *The Toronto World*, in its leading editorial article of Monday, January 1st, 1883, takes the ground that "not a single human being" was killed at the affair at Montgomery's, and seems to lean to the belief that no one was even wounded there. "We assert," says the writer, "that there were not thirty-six, nor twenty-six, nor sixteen, nor six persons killed at that battle. We go farther, and re-assert that not a single human being was killed; and we are prepared to prove what we say by an overwhelming array of evidence, consisting of eye-witnesses who are still living. To commence with, we offer the following names: Mr. Charles McGrath [Magrath], barrister, of this city, and his brother William, both of whom were present in command of loyalist troops. Mr. Stephen Jarvis, who rode out of Toronto after loyalist troops, and was as near to them as a skittish horse would allow him to get. Sheriff Jarvis, of Toronto, who was an eye-witness. Mr. Alexander Manning, who came down Yonge Street, from the north, as one of the militia, and went over the ground just after the battle. Mr. James C. H. Stitt, who lived in Toronto at the time, and knew all the circumstances of the battle. Mr. Charles Durand called into the *World* office to substantiate the *World*'s account. Mr. Charles McGrath [Magrath], in addition to saying that no one was killed, is of the impression that not a single casualty of any kind occurred.... All the others state positively that no one was killed; and all of them had the means of knowing. The number of witnesses could be greatly increased if {136} necessary, but the names given would be a sufficient guarantee that their version of the affair is the correct one. If we turn to the despatches in which the affair is officially reported, the statement that no lives were lost is corroborated. In Sir Francis Head's despatch to Lord Glenelg, dated December 19, 1837, there is nothing to indicate that there were any casualties of any kind to report. And his despatch to Mr. Fox, British minister at Washington, dated January 8, 1838, makes it quite clear that no one was killed. 'On the 7th of December,' the Lieutenant-Governor says, 'an overwhelming force of militia went against them (the insurgents) and dispersed them without losing a man; taking many prisoners, who were instantly released by my order. The rest, with their leaders, fled.' As all who were not taken prisoners made good their escape, it follows that none could have been killed. Sir Francis Head was present at the scene he describes, and all the facts must have come before him as Lieutenant-Governor.... Even for historians it is easy to transcribe without criticism, and without testing the accuracy of alleged facts; it is a more

difficult thing to exercise the critical faculty, detect errors and correct them. The history of Canada is yet to be written."

Of a surety the history of Canada is yet to be written; but let us hope that it will be written by a more competent and discriminating hand than the one which penned the article in the *World* from which the foregoing extract is taken. The writer, I understand, himself lays claim to the name of an historian, and his article is in itself a conclusive proof of the truth of his words about the easiness of transcription without criticism, and "without testing the accuracy of alleged facts." I will not here mention the writer's name. Suffice it to say that he was and is the very last man on earth who ought to have been betrayed into such truly incomprehensible blundering and falsification as is contained in his *World* article. He evidently has no faith whatever in the written words of Mackenzie, who, as mentioned in the text, states that the rebels "killed and wounded a large number of the enemy," and that the rebels themselves had "three killed." These statements were published by Mackenzie in his Navy Island *Narrative*, originally written for the Watertown *Jeffersonian*. They are substantially repeated by him in subsequent publications; and in his *Caroline Almanac* (p. 51), published two years later, he records the shooting of Wideman. Nay, in his account entitled *Winter Wanderings Ten Years Since*, written in 1847, and published in the Toronto *Examiner* of Wednesday, October 6th, of that year, he expressly states, in describing the skirmish at Montgomery's, that "a ball struck my worthy friend, Capt. Wideman, in the head, killing him on the spot." Any one as familiar with Mackenzie's productions as the writer of the article in the *World* may be presumed to be, ought surely to have known of this definite statement a statement the truth of which it was easy to verify and ought to have avoided so palpable an error as is involved in his positive assertion that "not a single human being" was killed at Montgomery's. It is fair to say, however, that no one had better reason for distrusting any statement made by Mackenzie than the writer above mentioned, and he is not to be blamed for disbelieving any testimony from that quarter. Still, why did he not take proper means to test the truth or falsity of the particular statement under consideration, instead of betraying such unaccountable want of familiarity with the subject more especially when, as in the article referred to, he undertook to correct the blunders of others.

To go at once to the root of the matter treated of in this article in the *World*, which professes to prove that "not a single human being was killed" at Montgomery's: There is no more doubt as to Ludwig Wideman's having been shot through the head and killed during the progress of the skirmish

than there is as to the fact of the skirmish itself. There are three persons in Toronto at this moment who saw him fall. He was struck by a bullet which passed through the centre of his forehead and came out at the occiput. I have conversed with at least twenty persons who saw him lying dead on the field, and who saw the hole made by the bullet. Further, the body was conveyed to Whitchurch by a cousin of the deceased, and was there interred by his relatives under the belief that it was dead. I do not intend to enter into surgical details, but I may say that, considering the nature of the wound and the condition of the body, it cannot be said that this belief on the part of the relatives was unreasonable. {137} While preparing this work for the press, I have visited the former home of the dead man, and have had an interview with his son, Philip Wideman, who resides on lot number thirty-five, in the eighth concession of the township of Markham, which is close beside the old homestead, and only separated from it by the town-line between Markham and Whitchurch. I have also visited the last resting-place of the deceased, which is in the graveyard of Union Church, in the eighth concession of Markham, a little more than a mile from his former abode. Above the grave is erected a monument of bluish stone, containing the following inscription:

IN MEMORY OF
LUDWIG WIDEMAN
WHO DIED
Dec. 7, 1837.
Æ 56 years.

———

ELIZABETH WIDEMAN
WIFE OF
LUDWIG WIDEMAN
DIED APRIL 28, 1852.
Æ 55 YEARS.

From Mr. Philip Wideman I learned a good many interesting particulars respecting the life and death of his father. The latter held a lieutenant's commission in the Canadian militia, and rendered good service to the Crown during the War of 1812. He was always loyal to the Government of Upper Canada until the general election of 1836, some particulars whereof have already been given in the first volume of this work. During that election he rode to Newmarket to exercise his franchise, but as he was known to be a Reformer the strongest attempts were made to prevent him from voting. Notwithstanding that he was known to have resided on his farm for more

than thirty years, and that he had spent two years fighting for his country at the time of her utmost need, a demand was made that he should take the oath of allegiance. He felt all the just indignation which such treatment might be expected to arouse, and from that time forward was prepared to adopt any and every means to destroy the domination of the Compact which had the Lieutenant-Governor under its thumb. This it was which goaded him into rebellion. His memory is tenderly cherished by his descendants, who regard him as a martyr to the cause of Canadian liberty.

With a view to the final clearing-up of this question, I have taken the trouble to subject the evidence adduced in the *World*'s article to a somewhat rigorous examination. The result has fully justified my anticipations. The statements are false and frothy from first to last, and the writer of the article had no warrant whatever for his utterly nonsensical assertions. It will be noticed that he brings forward seven persons whom he claims to have been "eye-witnesses," to prove that "not a single human being" was killed at the fight at Montgomery's. All these "eye-witnesses," says the *World*, "state positively that no one was killed, and all of them had the means of knowing." The gentlemen named are Charles Magrath whose name is mis-spelled and his brother William, Stephen Jarvis, Sheriff Jarvis, Alexander Manning, James C. H. Stitt and Charles Durand. The result of my investigation into the evidence thus submitted is as follows: Charles Magrath, having died since the appearance of the article referred to, is no longer available as a witness. His brother William lives at some distance from Toronto, and as the evidence is sufficiently conclusive without him I have not thought it necessary to write to him on the subject. The remaining five witnesses I have personally seen and questioned minutely. Mr. Stephen Jarvis informs me that he did not advance near enough to the fighting at Montgomery's to be able to give any evidence on the subject from personal {138} observation. By no latitude of language can he properly be referred to as an "eye-witness." He however knew, by common report, that at least one man was killed there; and he adds: "I certainly never told anybody to the contrary." Mr. Sheriff Jarvis informs me that he went out with the Government volunteers, but was not actually on the fighting-ground. He however always supposed that several persons were killed at the battle, and most certainly never in his life said anything to justify the assertion that "not a single human being was killed" there. Mr. Manning, not having been present at the fight, and not having been in any sense an "eye-witness," can of course only speak from hearsay, but he declares most emphatically that he never said that no one was killed there. Mr. Stitt's words I took down verbatim from his own lips. I may remark, in passing, that there is not, and

to the best of my knowledge there never was, any man in Toronto bearing the name of "James C. H. Stitt." The gentleman whom the writer probably had in his mind is Mr. James Stitt, of No. 593 Yonge Street, one of the oldest residents of this city. He says: "I was nowhere near Montgomery's on the day of the fight, and know nothing about who or how many were killed. Whoever says I told him that no man was killed there does not tell the truth. I never said anything of the kind." The remaining witness, Mr. Durand, speaks still more emphatically. He says: "Of course I never said any such nonsense. How could I, when I knew better? I know that Wideman was shot dead in the fight, and I know the man who claims to have shot him." I called upon the gentleman referred to by Mr. Durand. He informs me that he fired at the man, who fell, and that he afterwards saw the bullet-hole through his forehead. The late Mr. Rogers, one of the loyalist volunteers, assisted in carrying the dead body from the field.

So far as to the alleged "eye-witnesses," whose "overwhelming evidence" is adduced to prove that "not a single human being was killed" during the skirmish at Montgomery's Farm. It is manifest that there has been something more than mere incompetence here. There must have been downright dishonesty and falsification. After this exposition it would be a waste of time to deal with the silly attempt at argument founded on Sir Francis Head's despatches. The writer in the *World* remarks: "It is a difficult thing to exercise the critical faculty, detect errors, and correct them." Even this is a baseless fiction. It is not at all difficult to detect such glaring errors as those of which his article is chiefly made up. For such a purpose only a very moderate share of "the critical faculty" is needed. One thing at least is clear: historical criticism is not this writer's forte, and it would become him to find a less ambitious place for the products of his "critical faculty" than the editorial columns of a daily newspaper.

I have thought it desirable to go fully into this matter, because it is highly necessary that such "historical criticism" should be exposed and stamped out. The blunders of the writer in the *World* are far more dangerous and less pardonable than MacMullen's, for MacMullen at least made a legitimate use of such materials as he had before him, and did not deliberately falsify the record.

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[135] See evidence of John Linfoot and others, on the trial of John Montgomery for high treason at Toronto, on Monday, 2nd April, 1838.

[136] Gibson's MSS.

[137] Gibson's MSS. Readers who take the trouble to compare this account with that given by Mackenzie in his Navy Island *Narrative*, *ubi supra*, pp. 16, 17, and repeated by Mr. Lindsey in his *Life of Mackenzie*, vol. ii., pp. 91-93, will find about as wide a diversity of statement as could very well be imagined. The account in the text rests upon the written testimony of Gibson, who was known as a conscientious and truthful man. It is incidentally confirmed by verbal statements made by Montgomery and others, as well as by the subsequent course of events. Mackenzie's story rests upon his own unsupported word. How much that word was worth, even when uncontradicted by stubborn facts, readers of these pages are able to judge for themselves. It is to be regretted that persons who profess to write history should allow themselves to be beguiled into recording so-called "facts" upon the unsupported evidence of such a witness as Mackenzie, more especially when the "facts" relate to his own conduct.

In the foregoing paragraph I have used the expression "unsupported word" advisedly. It is true that in the *Caroline Almanac* there are certain "Extracts from a letter from Capt. Alves to Mr. Rudd, N. Y.," and that these extracts seem to confirm Mackenzie's account of matters at Montgomery's on Thursday, the 7th of December. But whoever has read the foregoing pages with attention is aware that these so-called "Extracts" were really written by Mackenzie himself, and that Alves subsequently repudiated at least a portion of them. See *ante*, pp. 23, 85.

[138] Nearly all the details of the skirmish at Montgomery's have been derived from survivors who participated therein on one side or the other.

[139] *Emigrant*, chap. viii.

[140] The original edition of his history was written and published within twenty years after the affair at Montgomery's.

[141] MacMullen's *History of Canada*, 2nd edition, p. 452.

[142] I must plead guilty to having once believed it myself upon the strength of Mr. MacMullen's work, and of having embodied it in a sketch of the life of W. L. Mackenzie written for *The Canadian Portrait Gallery*. Other errors of mine in the work last named are traceable to similar causes. I was so credulous as to accept the published statements of my predecessors, without subjecting them to the test of personal investigation—a line of conduct which I have long since found it necessary to abandon when dealing with topics relating to Canadian history.

[143] See note at end of this chapter.

[144] These four are in addition to the two men Kavanagh and Stiles who died from wounds received on the previous Tuesday night. See *ante*, p. 102, note.

[145] Fothergill's reprint, pp. 17, 18.

[146] See his Navy Island *Narrative*, quoted *ante*, p. 102.

[147] Mr. Mackenzie's biographer, after adopting and embodying Mackenzie's account of the battle, with the sanguinary particulars as to the rebels having "killed and wounded a large number of the enemy," remarks that "Some are of the opinion that the fighting lasted an hour." (See *Life of Mackenzie*, vol. ii., pp. 95, 96.) It is possible that "some" may be of that opinion, just as it is possible that "some" may be of opinion that one o'clock is identical with London Bridge. But no person has any ground for such an opinion. According to every survivor, whether Tory or Rebel, with whom I have conversed on the subject—and I have conversed with between twenty-five and thirty —the entire skirmish at Montgomery's lasted barely twenty minutes.

[148] *Ante*, p. 52.

[149] *Emigrant*, chap. viii. I have conversed with two persons who distinctly remember this episode. I should be chary of recording it upon the unsupported testimony of Sir Francis Head.

[150] *Emigrant*, chap. viii.

[151] *Ib*.

[152] *Emigrant*, chap. viii.

[153] Fitz Gibbon's MSS. See also Fitz Gibbon's *Appeal*, *ubi supra*, p. 28.

[154] *Appeal*, pp. 28, 29.

[155] Captain Duggan, it appears, was at hand, but was excused from undertaking the duty. “It was now late in the afternoon,” writes Colonel Fitz Gibbon, in the MS. *Narrative* from which several extracts have already been made, “and the house was nearly four miles distant. I then directed Lieutenant-Colonel Duggan to take command of a party which I wheeled out of the column and countermarched, and see the house burned; when he entreated me not to insist on his doing so, for that he had to pass along Yonge Street almost daily, and he probably would on some future day be shot from behind a fence. I said, ‘If you will not obey orders you had better go home, sir.’ Again he spoke, and I then ordered him to go home; but he continued to express his reasons for objecting, and I said, ‘Well, I will see the duty done myself,’ and I did so, for I had no other officer of high rank near me to whom I could safely entrust the performance of that duty; and with the party I advanced and had the house and barns burned at sunset, and then returned to town.” Compare this account with that given by the same hand in *Appeal*, p. 29.

[156] Sir Francis, in his despatch of December 19th, embodied in the ninth chapter of his *Narrative*, endeavours to convey the impression that the militia were so carried away by their superabundant loyalty that they voluntarily set fire to Gibson's house, and that nothing could have restrained them from thus testifying their hatred for rebellion. "The militia," he writes, "advanced in pursuit of the rebels about four miles, till they reached the house of one of the principal ring-leaders, Mr. Gibson, which residence it would have been impossible to have saved, and it was consequently burned to the ground." The construction here is bad, but the spirit manifested is worse, as the writer tries to throw upon the militia the responsibility for his own ill-advised act. No sooner did Colonel Fitz Gibbon become aware of the contents of this despatch than he addressed a letter to Lord Glenelg, acquainting him with the facts. Sir Francis, in subsequently publishing his *Narrative*, was compelled to eat his own words, but he did so in a clumsy and half-hearted fashion, by simply appending a brief note to the paragraph of the despatch above quoted with reference to the burning.

[157] Among those who were so admonished by the Lieutenant-Governor was a young man who has since become widely known to the people of Upper Canada. He was then a beardless youth in his seventeenth year, and resided at home with his father on a farm in the township of Vaughan, twelve or fifteen miles from the scene of the skirmish. While the rebels were quartered at Montgomery's he was on a visit to an uncle a staunch loyalist who resided on Yonge Street, a mile and a half or thereabouts north of the tavern. When the cannonading began, his curiosity got the better of his prudence, and he started for "the seat of war," not to take part in the contest, but merely out of curiosity, and to see whatever was to be seen. While on the way he passed a horse standing saddled and bridled by the roadside, apparently abandoned by its owner. Women and children, frightened by the disturbance, and by the roar of cannon-shots which had passed over their houses, were hurrying northward in terror, filling the air with their cries, and evidently anticipating speedy annihilation. While engaged in explaining to the fugitives that they would be quite as safe in their houses as on the public roads, the youth saw a little man rush down a lane west of Yonge Street, mount the abandoned horse, and ride swiftly away to the northward. As the fugitive galloped past, the youth recognized him as Mackenzie. His hand was bleeding, but not disabled, for he plied with great vigour a stick which he had probably picked up during his flight across the fields. The blood on his hand doubtless proceeded from the wound he had given himself on the preceding Tuesday night, when attempting to extract the bullet from the foot of George Fletcher, as detailed *ante*, p. 102, note. Sufficient time had not elapsed for the wound to heal, and he had probably accidentally re-opened it in his excitement while scrambling in haste over the fences. It seems not unlikely that the horse had been placed in readiness for an emergency, as suggested *post*, p. 140.

The firing soon afterwards ceased, and the youth, seeing the glistening accoutrements of the troops near

Montgomery's, did not think it prudent to advance further southward, and erelong retraced his steps to the house of his relative. The Lieutenant-Governor's advance-guard soon arrived. They assumed that all the residents in the neighbourhood were rebels, either in deed or in sympathy, and made prisoners of all males who came in their way. The Lieutenant-Governor himself soon afterwards rode up, and, addressing the proprietor of the house who, it will be remembered, was a loyalist—informed him that as he had not been found in arms he would be released. The proprietor attempted to explain, but Sir Francis was in too much of a hurry to listen. He however turned towards the young man, who was standing close by, and expressed regret that so respectable-looking a youth should have been found in such company. He then directed both uncle and nephew to return to their allegiance. By this time the latter had found his tongue. He repudiated all connection with the rebels, and stated that there was no need for him to return to his allegiance, inasmuch as he had never departed from it. Sir Francis thereupon rode away.

The youth was destined to attain considerable distinction in the public annals of Canada. He is still living, and is known to the present generation as the Hon. William McDougall.

[158] See note at end of this chapter.

[159] Vol. i., pp. 361, 362, and note.

[160] See *ante*, p. 11, and note.

[161] The proclamation bears date Tuesday, the 5th, but it was not circulated until the morning of Thursday, the 7th.

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CHAPTER XXVII.

SAUVE QUI PEUT.

The farce of Rebellion, so far as Toronto and its vicinity were concerned, was completely played out. The leaders well knew the fate which awaited them in the event of capture, and with one accord sought safety in flight. Van Egmond and Lount, who had directed the movements of the insurgents in the belt of woods below the tavern soon perceived that any attempt to hold the position would be in vain, and gave the word to the men to save themselves. Almost before the word was uttered the rebels were in full retreat northward, whither their leaders followed them. Lount, who was on horseback, rode up along the second fence behind Mr. Price's house, and thus gained the side-line about a mile further to the northward. Thence he proceeded eastward to Yonge Street, encountering flying rebels at almost every step. A few of these had contrived to supply themselves with horses, and all were eager to put as many miles as possible between themselves and the seat of Government before nightfall. A brief parley ensued as to whether it would be more judicious to fly together or separately. While it was in progress Van Egmond rode up and joined the group. Just then, the smoke from the fire of the burning tavern rose in dense masses before their eyes. The sight impelled them to break off their parley and hasten from the ground. They scattered and fled in every direction except to the southward, where they would almost certainly have fallen into the hands of the militia. The majority of them proceeded northward by way of Yonge Street. Those on horseback of course distanced those on foot, {140} but all got over the ground at a rapid rate, and soon left the scene of their defeat far behind.

Mackenzie, during the brief engagement, had stationed himself near the belt of woods occupied by the insurgents. Hearing the word given that the day was lost, and seeing the men flying in full retreat, he likewise proceeded to make good his escape. Running northward over a ploughed field to the

rear of Mr. Price's house, he passed along immediately to the rear of the spot now occupied by the dwelling of Mr. Elias Snider. Here he encountered a gentleman who still lives in that neighbourhood, and who had strongly sympathized with the movement. The face of the fugitive was blanched, and, as might have been expected, he was in no mood for sustained conversation. In reply to an enquiry as to how the day was going, he hurriedly replied "All right," and proceeded to spin over the field to the north as fast as his little legs could carry him. Upon reaching the side-line, he found a horse ready saddled, which had probably been placed in readiness there for an emergency, and upon which he made his way across to Yonge Street, and thence northward to Hogg's Hollow. On the way he foregathered with Silas Fletcher, who was also on horseback, and making the best of his way northward. They continued their journey with all speed, scarcely pausing to exchange a word. Near the Golden Lion Inn, close upon four miles north of Montgomery's, they overtook Van Egmond and several other insurgents, from whom they learned that Lount was a short distance ahead. They also found that they were hotly pursued by a number of mounted adherents of the Government, among whom was Colonel Fitz Gibbon himself. Van Egmond was nearly overcome by fatigue, and sought shelter on a neighbouring farm.[162] The others continued their flight by different routes. Mackenzie himself, accompanied by an insurgent whose name was John Reid, diverged westward from Yonge Street, and made for Shepard's mill, which, it will be remembered,[163] had long been a rendezvous for the Radicals. Before {141} reaching this spot they found that they were hotly pursued, not only by Colonel Fitz Gibbon and his party, but by other emissaries of the Government, who were anxious to secure the large reward which had been offered for the capture of the insurgent chief. Having arrived at the mill, Mackenzie was advised to make for the United States without a moment's delay. The few steamers plying on Lake Ontario had been secured by the Government, so that it would be necessary for him to proceed by land, round the head of the lake, and thence to the Niagara frontier. This advice being in accord with his own views, he resolved to act upon it, and forthwith set off in a westerly direction towards the River Humber. He soon came up with Lount and a number of others, all intent upon escape across the borders by the nearest practicable route. They did not long remain in each other's company, deeming it most prudent to separate. Mackenzie proceeded westward to Dundas Street, where he took temporary refuge in the house of a Radical farmer named Wilcox. Thence, during the next three or four days, he made his way to Buffalo, encountering much fatigue and hardship on the journey.[164]

Fletcher, Lloyd and Gorham also succeeded in escaping to the United States within a short time after the collapse of the movement near Toronto. Rolph, as already detailed, had made his escape before, and Morrison was in jail. The fate of the other four persons most actively concerned in directing the movement—Lount, Matthews, Gibson and Van Egmond—still remains to be recorded. Lount, upon separating from Mackenzie, as just narrated, proceeded to the northern part of the township of King, where he was compelled to spend two nights without shelter in the woods. His sole companion was Edward Kennedy, who, it may be remembered,[165] had accompanied Mackenzie on his foolish reconnoitring expedition on the night when Anthony Anderson met his fate at the hands of Mr. Powell. The two made their way westward from one place of hiding to another. A price, as they {142} knew, was set upon Lount's head. Any supporter of the Government who should recognize him might be expected to take steps for yielding him up to the nearest magistrate or officer of militia. The fugitives suffered untold miseries in the course of their wanderings, and several times narrowly escaped capture. On the night of Saturday, the 9th of December, they took refuge in the house of David Oliphant, a Radical who lived in the township of Eramosa. Thence they proceeded to the neighbourhood of Guelph, and in the course of the next few days made their way through Dumfries,[166] Burford and Oakland to the village of Waterford, where they were for a time concealed in a hay-mow contiguous to Grover's tavern. They were known to be in the vicinity, and militia lay in wait for them at every turn. After lying perdu in this place for two days, they stole away by night to the village of Mount Pleasant, where they spent upwards of thirty hours embedded in a straw-stack. They next repaired to West Flamboro', where they separated for a time, Kennedy taking shelter with some of his children who lived in Dundas, and Lount being secreted in the houses of Obed Everett, Squire Hyslop, John Hathaway and others.[167] But emissaries of the Government were perpetually on their trail, and they could never feel safe for a single moment. Time after time they were on the very brink of capture, but their friends stood by them loyally, and their own vigilance was unremitting. They were soon compelled to retrace their steps westward. They found protection for a brief season in the house of Mr. Latshaw, near Paris, with whose assistance they were conveyed by {143} night to the neighbourhood of Simcoe. They were by this time wellnigh worn out by fatigue, anxiety and exposure, and determined to make a bold attempt to reach the United States. Proceeding to Long Point, they embarked in a small open boat belonging to one Deas, a French-Canadian sympathizer, who lived near by. In this frail craft they tempted the dangers of Lake Erie, and sought to cross over into Pennsylvania. They were accompanied by Deas himself

and a boy, who probably went with them for the purpose of bringing back the boat. For two days and two nights they buffeted the waves in a vain endeavour to make the opposite shore. Their sufferings were terrible. The bitter blast seemed to penetrate their very marrow, and they had but little clothing to protect them from its fury. Sleep was out of the question, as the weather was rough, and their united efforts were required to manage the boat and keep it clear of water. They were in constant danger of being swamped. Several times the waves passed over them, drenching them to the skin, and chilling them with a chillness which seemed more horrible than death itself. They likewise suffered the pangs of hunger, for their only provision consisted of a piece of pork, which was soon frozen.[168] At last, when their energies were nearly exhausted, it seemed that they were to reach the fruition of their hopes. The welcome southern shore was near at hand, and in their delight at prospective freedom and safety they almost forgot their sufferings. But fate seemed to have registered a decree against them. A strong southerly wind arose, and in spite of all their efforts, blew them back into the lake and towards the Canadian shore. They toiled with renewed desperation for hours, until, perceiving the uselessness of their exertions, they permitted the boat to drift. They soon found themselves off the mouth of the Grand River, and as certain death from cold awaited them if they remained in the boat, they ran her ashore and disembarked. A farmer who resided a short distance away {144} had watched them for some time before they landed, and, believing them to be smugglers from the other side of the lake, he got together a few of his neighbours, by whose aid he arrested the party and conveyed them to Dunnville. They were examined before two magistrates: David Thompson—who afterwards sat in the Assembly as member for Haldimand and Squire Milne. Those gentlemen did not recognize either of the prisoners, but believed them to be either rebels or sympathizers from across the borders, and forwarded them to Chippewa, where, as will hereafter be seen, the Canadian militia had by this time assembled in great numbers. On the morning succeeding their arrival there, Lount was recognized in the guard-house by Mr. William Nelles, of Grimsby. As a consequence he was sent on to Toronto, and lodged in jail with a number of his former friends and fellow-insurgents. Kennedy, the faithful companion of his long wanderings, was committed to jail at Hamilton.

Poor Matthews fared little better, except that his sufferings were of briefer duration. It will be remembered that on the morning of Thursday, the 7th of December, two or three hours before the skirmish at Montgomery's, he had been sent eastward with sixty men to burn the Don bridge, intercept

the eastern mail, and draw off the attention of the militia in that direction. The eastern approaches to the capital were for the time undefended. After the ineffectual attempt of the rebels to enter the city by way of Yonge Street on the preceding Tuesday evening, a company, under the command of Mr. Walter Mackenzie, had been sent down to guard the entrance by way of the Don bridge, and had remained there throughout the night, but had withdrawn early on Wednesday morning, since which time no guard had been stationed there. Matthews appears to have succeeded in capturing the mail, but I cannot learn that he appropriated its contents to his own use and that of his men, as Mackenzie had done with the western mail the day before. He crossed the bridge with his forces a few minutes after noon, and advanced for some distance along King Street into the city. But this was a dangerous game, and could not long be played with impunity. A detachment of militia, under the command of George Percival Ridout, was promptly sent out against him from the City Hall, and he was compelled to beat {145} a hasty retreat. In retracing his steps, he ordered his men to fire the Don bridge. The order was obeyed, and the flames rapidly extended to a tavern at the eastern end of it. The attempt to destroy the bridge was a failure, the fire having been extinguished before any serious damage had been done,[169] but the tavern, together with the adjacent stable, driving-shed and toll-gate, was totally destroyed. The opposing troops did not approach near enough to each other to admit of great carnage, but there was some musket-firing on both sides, and the hostler of the tavern was fatally shot in the throat.[170] Matthews's object was not to come to a close engagement, but merely to draw off the militia from the main body. He therefore kept at a tolerabty safe distance from Mr. Ridout's detachment, and when the latter reached the Don bridge they found no enemy to oppose them, the insurgents having retreated half a mile to the northward.

Early in the afternoon the result of the affair at Montgomery's became known to Matthews and his men, who straightway abandoned their operations, and adopted measures to save themselves from arrest. They divided up into small knots, and took to the woods in different directions. Matthews himself, with a handful of his neighbours from Pickering, spent Thursday night, Friday, and a part of Saturday forenoon hiding behind logs and in clumps of bushes in the several ravines which now form part of the picturesque suburb of Rosedale. On Saturday evening, a little before six o'clock, they reached the house occupied by John Duncan, on the south half of lot number twenty-five in the third concession of East York, near the town-line between East York and Markham. They were eleven in number, including their leader. They would have been sure of a warm welcome from

Mr. Duncan under any circumstances, for he was a Radical of the Radicals; but their welcome was none the less warm from the circumstance that they were well-nigh starved, and stood greatly in need of his assistance. A supper was {146} speedily prepared for them, whereof they heartily partook.[171] They next required a few hours' repose, after which they intended to make for Pickering, where they hoped to be able to secrete themselves until the storm had blown over, or, at the worst, until they could escape to the States. Beds were made up for most of them on the floor of the principal room of the house. No soporifics were needed to woo them to repose, for probably not one of them had slept for ten consecutive minutes since the previous Wednesday night, and even such fitful snatches as they had been enabled to take had been in the exposed woods and on the cold, hard ground. A small bedroom adjoining was assigned to Matthews, who slept soundly almost as soon as his head touched the pillow. The members of the family sat up, but without keeping any light except such as was afforded by the burning logs in the fireplace. A heavy snow-storm came on during the evening, and seemed to offer an obstacle to the departure of the men, who could readily be tracked through the fresh snow by the emissaries of the Government. A little before midnight the watchers were disturbed by the sound of voices without. Upon looking through the windows they perceived that the house was surrounded by armed men, and that retreat was cut off in every direction. The insurgents in the large room were roused from their deep slumbers, and in another moment loud knocking was heard at the door. The fresh arrivals were between fifty and sixty in number, so that there was no possibility of successfully opposing their ingress. Some of the more impetuous of the rebels, however, could not bear the idea of surrendering their liberty without a struggle.[172] As the militia {147} entered a succession of shots was fired, and several persons were slightly wounded, but of course there could be but one end to so unequal a strife. The insurgents were handcuffed and marched out in a half-dazed condition into the keen winter midnight. One of them had received a bullet in his leg during the melee, but he was compelled to tramp with his comrades over twelve miles of rough road to Toronto, where all the eleven were handed over to the custody of the jailer.

Gibson also underwent his full share of perilous wanderings, but was so fortunate as to avoid capture. After setting free the prisoners, as narrated in the last chapter, he separated from his companions, and struck eastward by devious ways through the townships of Scarboro' and Pickering. After some days and nights of weary exposure to the rigours of an Upper Canadian December, he arrived at the house of a friend near the village of Oshawa. There he spent between four and five weeks. A great part of this period was

passed by him in the seclusion of a strawstack, and it was seldom that he ventured in-doors for a comfortable night's rest. Several other fugitives from Montgomery's were at the same time concealed in the neighbourhood, and all were waiting for an opportunity to escape across the lake. Arrangements were finally made by their friends, and they set off by night from Oshawa in an open boat. They fortunately encountered no severe weather, and made the opposite shore without being subjected to any such miseries as had fallen to the share of Lount and Kennedy.

Poor old Colonel Van Egmond's fate was a most melancholy one. After taking refuge on the fram of an in surgent near the Golden Lion Inn, as already narrated, he flattered himself that his greatest danger was over. His equanimity, however, was destined to receive a rude shock before he had lain many hours in concealment. The place was searched, and he was discovered by a detachment of militia, to some of whom he was personally known. He was forthwith convoyed to Toronto jail. Being sixty-seven years of age, he was ill-fitted to endure the rigours of his cell, which during the long winter nights was sometimes almost Arctic in its temperature. He was attacked by a complication of maladies, and among the rest by inflammatory rheumatism. It became necessary to transfer him to the city hospital, where he rapidly {148} sank into a state of inanition. Ere many days he found refuge from his broken constitution and ruined hopes in the grave which waits for all. A number of other insurgents also died while in hospital, but as no records of the institution have been preserved I have been unable to obtain a complete list of them.[173]

Owing to the capture of Mackenzie's rolls of revolt, a great many insurgents of less note than the preceding were arrested from day to day at their homes. Among them were some of those who had been discharged by the Lieutenant-Governor after the battle, and commanded to return to their allegiance. Before the end of December the jail of the Home District was filled to repletion, and erelong other jails throughout the Province—notably those of the London, Gore and Midland Districts—also contained a considerable number of rebel prisoners. It was by this time clear that the spirit of disaffection had been widely extended, though, except in the districts above mentioned, it had not taken hold of any considerable proportion of the inhabitants. Public sentiment everywhere now underwent a speedy reaction. Whatever savoured of Radicalism was regarded as something to be utterly stamped upon and crushed out of existence. Many of the insurgents repented of their rashness, and hastened to tender their allegiance afresh. Even among those who refused to surrender their

Radicalism by reason of their ill-fortune, there was little sympathy for Mackenzie. It was felt that to his hot-headed incapacity, more than to any other cause, the ignominious collapse of the insurrection was chiefly to be attributed. Some of his former adherents, feeling that their sufferings had been brought about by his reckless blundering, ardently longed for his capture, in order that he might pay the penalty of his misdeeds.[174] Such sentiments as these were especially strong in the breasts of the wives and children of the prisoners, who not unnaturally looked upon Mackenzie as the direct cause of their misfortunes, and as the unprincipled destroyer of their domestic happiness. {149} It was indeed a trying ordeal for men of Reform principles. Arrests and imprisonments were matters of daily occurrence. Little attention was paid to technicalities, and many persons were seized and walked off to jail without the intervention of any magistrate or other officer of the law. Supporters of the Government conceived themselves to be fully justified in arresting any one who was known to have professed Radical opinions. This spirit manifested itself in some exceptionally high-handed proceedings. Several hundred persons assembled at Bradford, in the township of West Gwillimbury, and formed themselves into a sort of vigilance committee. Without any pretence of authority, they intruded into the houses of suspected persons, seized all arms found on the premises, and, in not a few instances, made prisoners of the inmates. They then set out on a march to Toronto, passing through Davidtown, Holland Landing and Newmarket, and making prisoners on the way of whomsoever they thought fit. Each prisoner, upon being seized, was pinioned by one arm to a strong central rope, and was thus paraded along the highway amid the hootings and jeerings of his captors. By the time Toronto was reached the number of seizures had footed up to between fifty and sixty. The unhappy prisoners presented an ignominious spectacle as they were marched down Yonge Street into the city. Many of them were wealthy, respectable yeomen, and some of them had had no part in the insurrection. Upon being handed over to the authorities they were thrown indiscriminately into jail, where some of them were doomed to languish for months before being brought to trial.

Some of the Toronto Reformers were treated with exceptional severity. A number of them who had had no knowledge of or participation in the insurrection were arrested and imprisoned without any explanation being vouchsafed to them. They were huddled together in cells wherein the atmosphere was at once cold and foetid. To have been prominently identified with the cause of Reform was in itself sufficient to provoke the strong suspicion, and in some cases the vengeance, of the Government. Guards were placed in charge of the shops of some of those suspected, and a

system of petty pilfering was carried on. Mr. Samuel {150} Thompson, in his Reminiscences,[175] relates how he, as one of a corporal's guard, was placed in charge of Lesslie's stationery and drug-store, which was on King Street; and this was far from being an isolated instance. Many of those arrested suffered severely both in purse and in person, and failed to obtain any recompense whatever on either score.

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[162] This farm is now owned and occupied by the identical Joseph Shepard who was present at the shooting of Anderson by Powell on the preceding Monday night. See *ante*, p. 58, and p. 50, note.

[163] *Ante*, p. 47.

[164] As mentioned in a previous note (*ante*, p. 136), Mackenzie, in 1847, wrote an account of his adventures during the four days succeeding his escape from Montgomery's. This account was published in the Toronto *Examiner*, and also in the *Globe*. A considerable portion of it has been incorporated by Mr. Lindsey in his *Life of Mackenzie*, vol. ii., chap. v.

[165] *Ante*, p. 60.

[166] "It is maintained by a militia officer still living that Samuel Lount, for many years member for Simcoe, and Mackenzie's chief lieutenant at Gallows Hill, was secreted for some days near Gait. It was suspected by the magistrates at the time; and the gentleman referred to always claims that Lount could have been taken in or at least close to Galt, but that his arrest would have convicted others of high treason who had done nothing but harbour one who had been outlawed. A sharp look-out was kept, however. Lount, who is said to have been part of the time in the then almost impenetrable swamp below the late Mr. Crombie's house, was, one Sunday morning, moved on to a farm-house near Glenmorris. A local magistrate, being notified, is said to have entered the front door of the house as Lount went out of the back door."—*Reminiscences of the Early History of Galt*, and the Settlement of Dumfries, by James Young; pp. 162, 163.

[167] I have derived these particulars chiefly from a statement prepared and published by Kennedy at Dundas in 1849, but partly also from verbal conference with some of the persons mentioned in the narrative.

[168] "For two nights and two days we were in that open boat. Our sufferings were great beyond description; we were strangers to sleep, and toiling continually. We had a piece of pork, but it was frozen. When near Erie the wind blew us back into the lake, and we drifted to the mouth of the Grand River, where we would have froze to death if a farmer who had watched us drifting on the lake had not taken us prisoners, with the aid of a party."—See Kennedy's statement, mentioned in preceding note.

[169] An old lady named Mrs. Ross, who was once cook to Sir F. B. Head, and who still lives in Toronto, claims to have quenched the fire, and thus saved the bridge from destruction. She further states that while engaged in putting out the fire she received a bullet in one of her knees, which was extracted by Dr. Christopher Widmer. She evidently believes the story herself, and there is nothing in it inherently incredible.

[170] It seems probable that the shot was fired by one of the loyalist militia across the river.

[171] I have learned most of the particulars concerning the capture of Matthews and his companions from an eye-witness—Mr. William Duncan, who now resides in Toronto, but who then lived with his brother John, and was present in the house during the whole of the eventful evening referred to in the text. He distinctly remembers the appearance of Matthews, when, upon rising from the table after finishing his supper, he remarked: "I know my doom if I am taken" at the same time drawing his hand significantly across his throat.

[172] Matthews was a large, stout man, possessed of great personal strength. One of the militia rushed into the chamber where he lay, and placed the muzzle of a rifle against his breast before he had been roused from sleep. It was indeed this action which awoke him. His first impulse was to make a fight for it. He put away his assailant as one might brush a fly from his sleeve. He seemed merety to touch the disturber of his slumbers, when the latter struck the wall behind him as though he had been impelled by a catapult. But others rushed in and threw themselves upon the recently-awakened rebel, and he submitted himself to the inevitable conditions of his situation. He was marched off to jail with his companions.

[173] James Kavanagh and Edgar Stiles were among the number. See *ante*, p. 102, and note; also p. 126, and note.

[174] "One of them, named Jacob Kurtz, swore most lustily the same winter that if he could catch his old leader he would shoot him."—Thompson's *Reminiscences*, etc., p. 133. I find that this feeling was not uncommon among the Germans of Markham and Whitchurch.

[175] P. 128. The author informs us that he found in the store "a saucy little shop-boy, who has since developed into the portly person of Alderman Baxter, now one, and not the least, of our city notabilities." The late Mr. James Lesslie, a short time before his death, wrote me the following letter, as illustrative of the methods adopted by the Government in dealing with the property and persons of those suspected of complicity in the Rebellion:—

"EGLINTON, 16th March, '85.

"DEAR SIR:—

"There are some facts connected with the wrongs inflicted upon me and my brother William, who was my fellow-prisoner in December, 1837, which should be known. For two weeks all the property in my shop and dwelling was in the hands of the militia, and what amount may have been taken I never knew; but when my sister, who then kept house for me, returned home, she found all her preserves gone. What else disappeared we knew not. After two weeks' imprisonment we were brought before the Treason Commission, of which Mr. R. B. Sullivan was Chairman. They had not any charge against us, but having all letters of leading Reformers seized by the Government, a reference was made to two or three having no bearing upon the case before them—letters written by my brothers and others. After we had received an acquittance from the Attorney-General (Jameson), my brother William shortly afterwards was proceeding to Montreal, towards Rouse's Point, where he was going to be married. When journeying by stage towards Kingston, while passing through Shannonville, the officer of a troop of cavalry, who knew him when he formerly was in business in Kingston, at once seized him, and sent him, under the charge of

some of his subordinates, if not by himself, and had him imprisoned, without any charge being made against him, in the Common Jail. Some days after I was told in Toronto that Sir Francis B. Head had received a letter from Captain or Colonel Bonnycastle that one of the Lesslies was arrested and in jail. When I heard it I went to see the Lieutenant-Governor to see if it were true, and I found it was. I told him that it was a gross outrage, as he [William], with myself—as Sir Francis must have known—had been unjustly imprisoned in Toronto for two weeks before, without any charge being made against us, and had been acquitted by the Treason Commission, after being brought before them as criminals. I asked him to order that my brother should be at once liberated, but he refused, and said I should go down myself and see about it. I then asked him whether he would give me a pass for my own safety, but he refused, and I therefore gave him to understand that I had no intention of being exposed to the same wrong. About a week after his [William's] imprisonment he was released, went to Rouse's Point, and returned with his bride to Toronto, where he died in 1843. I felt it to be my duty to put the Imperial Government in possession of the outrages which were being perpetrated through the Province, and drew up a petition, and sent it to be presented by Sir Henry Parnell, the M.P. for Forfarshire, in which my native place, Dundee, was situated. It was duly delivered, and Sir F. B. Head had a communication from the Imperial Government relating to it.... I am,

"Yours truly,

"JAMES LESSLIE."

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CHAPTER XXVIII.

DR. DUNCOMBE.

As has been hinted at on a former page,[176] Dr. Charles Duncombe was meanwhile engaged in enacting on a small scale in the London District the part played by Mackenzie on a larger stage in the neighbourhood of Toronto. The history of his operations is not of much importance, and there is no necessity for entering upon them in great detail. The Doctor was a man of undoubted courage, was possessed of a sincere zeal for Reform, and could stir men's blood by the vigour of his oratory; but here his qualifications as the leader of an insurrectionary movement ceased. He possessed little faculty for organization, and none of his lieutenants seems to have been much better endowed than himself in this particular. Ever since his return from Great Britain, whither he had gone on a fruitless mission to present his case against Sir Francis Head,[177] he had been filled with bitterness against the ruling faction in Upper Canada. This bitterness had probably been intensified by the report of the Parliamentary Committee appointed to investigate the charges made by him against the Lieutenant-Governor.[178] At all events, his feelings were not much less inimical to the Government party than were those of Mackenzie himself, and when the latter began to organize for the "monster demonstration" to be held in Toronto, he communicated his plans to Dr. Duncombe, and sought his co-operation, which was readily promised. Later, when an actual and forcible subversion of the Government had been determined upon, the Doctor was let into the {152} secret, and was requested to second the movement by organizing the Radicals of his district. He appears to have undertaken this task with some reluctance, as he recognized the disastrous consequences of failure, and could not ignore the fact that success was in any case doubtful. Ultimately, however, he accepted the role assigned to him, and consented to head a local movement having objects in common with those of the Radicals of the Home District. Word was conveyed by the Doctor and his immediate agents to many trusted

Radicals throughout the counties of Oxford, Norfolk and Middlesex, and the result was the gathering of a number of persons near the village of Oakland during the closing days of November. A Provisional Committee was formed, and officers were appointed to collect arms and manage details, but everything was done in a loose, off-hand manner, and upon the whole the organization was not materially better or worse than among Mackenzie and his colleagues. Dr. Duncombe nominally exercised a sort of general supervision, and, having once entered upon the project, devoted himself to it with characteristic energy. Meetings were held in various rural communities, and were attended by a few of the local Radicals, but as a rule the Reformers of the London District held themselves aloof from active rebellion. The plan, in so far as there could be said to be any plan, was to assemble in full force at the village of Scotland, and march thence through Brantford to Hamilton, which places were to be taken and held on behalf of the Provisional Government to be meanwhile instituted at Toronto by Mackenzie and his colleagues.

Sir Francis Head and his advisers were not left in ignorance of the state of feeling throughout this part of the Province. Their supporters kept them supplied with regular information as to the prevalence of what they called "disloyal sentiments," and in a few instances recommended strong measures by way of checking insurrection in the bud. In some localities it was proposed to call out and arm the local militia. Absalom Shade, the pioneer settler of Galt, a firm supporter of the Government party, was applied to by the authorities at Toronto to say whether it was advisable to adopt this course in his neighbourhood. His reply is said to have been, in effect, that the inhabitants were "mostly Scotch, mostly quiet and inoffensive"; but that it would be {153} better "not to put arms in their hands."[179] A similar feeling of uncertainty prevailed among the Tories in many parts of the London, Western and Gore Districts. It was feared that the yeomen were not to be trusted with arms, lest they should employ them for the redress of grievances for the removal of which they had long petitioned in vain.

While the insurgents of the Home District were yet at Montgomery's, Dr. Duncombe's adherents began to march, as directed, towards Scotland village. Some of them marched from considerable distances. Three small detachments, under the command of Henry Fisher, Robert Anderson and Joshua G. Doan, came all the way from Yarmouth and Bayham, and there were a few volunteers from places still further westward. Many of those who assembled were substantial yeomen who had fought valiantly against the invader during the War of 1812, and who, to paraphrase a well-known

quotation, had been “cradled into rebellion by wrong.” They risked property, name and fame, life itself, in a cause which they deemed a righteous one. But they constituted but a small portion of the inhabitants, and their struggle was hopeless from the beginning. Hundreds—nay thousands—of farmers would have joined their ranks had there been a competent head to organize them and lead them to victory; but few were disposed to play for so heavy a stake with all the probabilities against them. Some honest Reformers even went the length of dissuading their neighbours from joining the insurgent ranks, and thereby bringing down inevitable ruin upon themselves without effecting any correspondent good. The greatest array of rebels that ever mustered at one time under Duncombe’s auspices does not appear to have exceeded three hundred in number. They suffered from the same drawbacks as those which attended upon their fellow-insurgents at Montgomery’s. There was no proper commissariat, no competent leader, no adequate organization, and—last, not least—there was an insufficiency of arms. It was inevitable that such a force should melt away like newly-fallen snow at the approach of a well-equipped and fairly-organized militia, such as was sent against {154} them.

The Government seem to have received tolerably full information as to Duncombe’s movements from day to day. No sooner had the militia returned to Toronto from Montgomery’s, on the afternoon of the 7th of December, than preparations were made for despatching Colonel MacNab westward to the London District with five hundred men at his back. There was no necessity for retaining him in Toronto, as the Rebellion bubble had utterly collapsed, and the militia at the disposal of the Government were amply sufficient to meet any emergency which could reasonably be expected to arise. Moreover, additional volunteers continued to flock into the city from all quarters, and in considerable numbers, insomuch that it was impossible to provide suitable accommodation for them, and on Friday, the 8th, it became necessary for the Lieutenant-Governor to issue a notice declaring that there existed “no further occasion for the resort of militia to Toronto.” A local guard, partly composed of persons of recognized wealth and position, was formed to protect the city, and was kept on more or less active duty throughout the whole of the ensuing winter. On Saturday, the 9th, a general order was issued authorizing the whole of the militia of the Bathurst, Johnstown, Ottawa and Eastern Districts to proceed to the Lower Province in case of their services being needed, and render assistance to Sir John Colborne in quelling insurrection there.[180] Colonel MacNab[181] marched westward to Brantford, and thence to the township {155} of Burford, where, as usual in such emergencies, his men were billeted upon the local farmers;

in most cases very much to the latter's dissatisfaction. He received the zealous co-operation of Charles Strange Perley known to the inhabitants of Burford in later days as "Colonel" Perley—a local magistrate of U. E. Loyalist stock, who had long been known as one of the most zealous supporters of the Government to be found in the district. Upon the first intimation of a local outbreak Mr. Perley had bestirred himself to some purpose, and had succeeded in raising a company of militia, of which he had personally taken command. He now entertained Colonel MacNab with overflowing hospitality, and, at the head of his company, escorted him to Scotland. This was on the morning of Thursday, the 14th of December, precisely a week after the affair at Montgomery's. Simultaneously with this movement, three detachments of loyalist volunteers advanced upon the village from London, Woodstock and Simcoe. The combined force of Government supporters was far more than sufficient to defeat such volunteers as Dr. Duncombe had been able to enlist in his service. The Doctor, however, had exercised wisdom by not venturing upon a pitched battle. The rebels had disbanded and dispersed, and when the Government forces entered the village they found no one to oppose them. Dr. Duncombe and some of his followers succeeded in escaping to the States. Others returned quietly to their homes, where many of them were subsequently arrested by the militia, and lodged in jail at Hamilton, London and Simcoe.

Never had the outlook for Reformers in Upper Canada been so {156} gloomy as during the few weeks immediately succeeding the skirmish at Montgomery's. A wave of sentiment which was supposed to be loyalty, but which in a vast number of cases was mere deference to power and authority, swept over the land with a force which carried everything before it. It is so easy to be strong upon the stronger side, and it is so hard to face calumny and contempt for an unpopular and defeated cause. It was the policy of the Government party to cast the Rebellion in the teeth of the Reform party at large. Rebellion, it was said, was the legitimate outcome of such principles as had all along been advocated by Reformers. To have been connected, in ever so remote a degree, with the Reform party, was to incur the odium of disloyalty, and of being classed with the man who, it was said, had made rebellion a cloak for incendiarism and highway robbery.

NOTE TO CHAPTER XXVIII.

The following particulars respecting Dr. Duncombe will probably be interesting to a considerable circle of Canadian readers, more especially to those residing in the counties of Brant, Oxford and Norfolk. They are

extracted from a “History of the County of Brant,” published at Brantford in 1833. The writer professes to have obtained his information as to Dr. Duncombe from trustworthy sources among others from the Doctor’s daughter, Mrs. Tufford, formerly of Bishopsgate village, and from other persons of competent knowledge. We are informed that at the time of the breaking-out of the Rebellion “the whole of the east centre of Burford township, from the town-line westward to Boston village, was owned by Dr. Duncombe.” The narrative then proceeds thus: “This gentleman, an American by birth, had settled in Burford some years after the end of the War of 1812, and purchased the land on which the present village of Bishopsgate is built, with about two hundred acres besides. Dr. Duncombe was one of the first to practise the medical profession in Burford and the adjacent townships. Being a man of as much energy as professional skill, he was sought after through a wide radius of territory, and acquired both fortune and reputation. In personal appearance he was somewhat below the average height, but with an active muscular figure, pleasing features, and lips and brow expressive of a resolute, determined nature. His manner in public or private speech is described as singularly winning. He had the true orator’s gift of apt illustration and eloquent language.... Such was the celebrated Dr. Duncombe, as we picture him from the accounts given by those in Burford who knew him, and by those who remember him as a speaker in Parliament at Toronto, and from the portrait now in possession of his daughter.

“All through the north-western and southern part of Brant County, and above all in his own township of Burford, Dr. Duncombe acquired great influence. His frank amiability, his readiness to take any trouble in order to extend the benefit of his professional skill to his poorest neighbours, endeared him to all in Burford. He was also a good practical farmer, and on all agricultural matters in thorough sympathy with his rural friends, who also had the good sense to {157} appreciate the culture and oratorical powers which they themselves did not possess. Soon he was elected member of Parliament, and there justified the choice of his constituents by his oratorical powers no less than by the determined resistance with which he met the attempts of the Family Compact oligarchy to curb the rising spirit of the Reform movement. The reformers of Burford had reason to be proud of their representative, who soon became one of the recognized leaders of the Reform movement.... Through years, and amid the bitterness of patient effort, the Reformers struggled to obtain what are now regarded as people’s rights by constitutional means. At length the limit of patience seemed to be reached, and William Lyon Mackenzie resolved to appeal to arms.... Neither

he nor Duncombe had any of the qualifications of military leaders except personal courage. Nor, among Dr. Duncombe's friends in Burford, was the movement organized with any definite shape. It was generally understood among those of the Reformers who favoured Mackenzie's bolder policy that there would be a rising in Burford and the adjacent townships to support, if successful, Mackenzie's movement on Toronto. The more moderate Reformers held aloof.... But though there was no conspiracy, and scarcely any settled plan, there was much furbishing up of old rifles and muskets, much melting of bullets; and a movement was contemplated by all the township, led by men who had seen service in 1812, and with a force composed of no ordinary plebeian insurgents, with everything to gain and nothing to lose, but by many of the most substantial of the Burford farmers —men who risked in the cause for which they were prepared to die not only their lives, but in each case a considerable landed property, reclaimed from the wilderness by the labour of years, and the sole hope of support for wife and children. Such men were Stephen Landon, a veteran of 1812; such were Jacob and Adam Yeigh, who were distinguished officers in the same war, and whose well-merited military decoration was only cancelled by their patriotism in 1837. These and many others, though armed only with rifles with which they were accustomed to bring down the wild bird on the wing, would have formed the materials of no contemptible insurrectionary force. But as a matter of fact, no insurrection took place. Among other military measures which had been neglected was the necessity for constant communication between the force under Mackenzie and Lount and that which was ready to rise under Duncombe.... The greatest excitement prevailed; the Patriots gathered round Duncombe, and besought him to aid a movement which might support their Toronto friends who had risen for Canadian independence. Duncombe does not seem to have approved of Mackenzie's hasty action; at first he did not wish to head a rising; but willing to show that he had the courage of his opinions in a cause which he believed to be just, he consented to become their leader, appointing a rendezvous at the village of Scotland, with the purpose of marching by Oakland Plains and Hamilton. Meetings of his followers were held at a house on the township line between Blenheim and South Dumfries, as also at McBain's Mills, a mile beyond the village of Ayr, and through Burford, at several points. It was resolved to collect arms, and this duty was assigned among others to Mr. Tufford, of Bishopsgate. Burford, husband of Dr. Duncombe's daughter. He did not, as alleged by a witness at his trial, make any forcible seizure, but got together what firearms could be obtained from sympathizers. A gathering of about three hundred men actually took place under Dr. Duncombe at Oakland Plains. They were well-armed, resolute

men, and would no doubt have been largely reinforced for the attempt on Hamilton had not Duncombe resolved to abandon that attempt and disperse the insurgent force on learning not only of Mackenzie's failure at Toronto, but the approach of Sir Allan MacNab with an overwhelming force to attack his lines at Scotland. The insurgents scattered in every direction. Jacob Yeigh escaped to the United States; Duncombe was enabled, after many adventures, to reach the same asylum by the fidelity and courage of Charles Tilden; Stephen Landon and others returned home, keeping more or less in concealment.

"Meanwhile Colonel MacNab and his militia regiments arrived at the village of Bishopsgate in Burford, where they were billeted on the reluctant farmers and storekeepers of that 'Rebel Hold,' as the village was styled in the 'loyal' parlance of the day. A warmer welcome was extended to the Royalist officers and men at the mansion, always a hospitable one, of the late {158} Colonel Charles Perley, a vehement partisan of the Family Compact Government, one who carried his loyalty so far as to consent to sit as a juror on a case where a cousin of his own was being tried for his life. Great were the preparations for baking bread and slaughtering sheep and oxen; fervent and deep the toasts quaffed to the confusion of the rebels who had not rebelled. In unopposed triumph Colonel MacNab and his warriors marched south through Burford to Scotland, which village they occupied.... Dr. Duncombe recovered his property, which had been confiscated, except a farm of two hundred acres, which, with characteristic generosity, he had deeded in the name of the infant child of the friend who had secured his escape, on which farm that child, now grown to manhood, resides. Duncombe lived through an honourable and successful career of some years in the States."

To which it may be added that during the year 1843 Dr. Duncombe, Dr. Rolph, Dr. Morrison, David Gibson, Nelson Gorham and John Montgomery each received a pardon under the Great Seal for complicity in the Rebellion, and were thus enabled to return to Upper Canada. All except the first-named availed themselves of the privilege, and spent the rest of their lives here; but Dr. Duncombe had formed plans for a permanent residence in the United States. He paid a visit to the Province where he had once been proscribed as a traitor, but soon returned to the land of the stars and stripes, where the rest of his days were passed in comfort and prosperity.

[176] *Ante*, p. 106.

[177] *Ante*, vol. i., p. 340.

[178] *Ante*, vol. i., pp. 330, 346.

[179] *Reminiscences of the Early History of Galt*, etc., by James Young; p. 155.

[180] Head's *Narrative*, chap. ix.

[181] It may be asked, why was not Colonel Fitz Gibbon sent on this expedition, instead of Colonel MacNab. There was more than one good and sufficient reason. MacNab was a great favourite of the Lieutenant-Governor, who naturally desired to throw what honour and advancement he could in the way of his protégé. Then, MacNab was a much younger man than Colonel Fitz Gibbon, and was better acquainted with that part of the country where his services were needed. Colonel Fitz Gibbon, moreover, had by this time been worked up into such a state of excitement that it was feared by some that his nerves would give way altogether, and he almost immediately afterwards resigned the post of Adjutant-General, which had been conferred upon him on the previous Monday. Upon reaching his home about seven o'clock in the evening, after overseeing the burning of Gibson's house and outbuildings, he was so overcome as to be unable to dismount from his horse, and was forthwith compelled to take to his bed. In his MS. narrative, from which I have already made repeated quotations, he writes: "I arrived at my house about seven o'clock, reduced to the last degree of exhaustion by fatigue, cold, and want of food and rest, but suffering most from deeply wounded feelings from the treatment of his Excellency, whose conduct had so nearly brought ruin and disgrace upon me. I mean the disgrace that would have fallen upon me had I failed that morning to organize the militia for the attack, after the efforts I made to obtain the command. For my belief was that his Excellency did not care one straw for me more than as an instrument to be used to forward his own objects, and that as Colonel MacNab had Parliamentary influence, he would sacrifice me to conciliate him. On awaking the following morning and reviewing the events of the previous days, my mind became exasperated at the wrongs which had been intended for me, after my having made efforts almost superhuman in the defence of the city and the Province; and recollecting, too, that on former occasions during the late war, and subsequently, repeated attempts had been made to take from me the fruits of my military knowledge and personal energy and exertions, I

resolved to retire from the militia staff of his Excellency, from a conviction that no cordiality or goodwill could exist between us and I did retire." Cf. his *Appeal*, pp. 29, 30, 31, where he acquits Colonel MacNab of all underhand designs against him. "In justice to Sir Allan MacNab," he writes, "I will here state that in no one particular did I see cause to be displeased with his conduct towards me in those transactions. I consider him as having acted only in obedience to the orders received by him."

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CHAPTER XXIX.

MR. BIDWELL'S BANISHMENT.

Among those who were doomed to suffer most grievously from the untoward state of public opinion indicated in the concluding paragraph of the last chapter was Mr. Bidwell. He had long been among the very foremost in the ranks of Upper Canadian Reform. His refusal to accompany Mr. Baldwin with the flag of truce on Tuesday, the 5th, had subjected him to grave suspicion. The fact of his refusal was known and discussed all over the city before the day was out. Persons with whom he had long been on terms of friendship now looked askance at him. He was exceedingly sensitive to public opinion, and this coldness on the part of his former associates cut him to the heart. On Wednesday he sought and obtained a conference with Attorney-General Hagerman,[182] in the course of which his position was freely discussed. Mr. Bidwell deprecated the suspicion with which he was too evidently regarded, and declared his innocence of all complicity in the insurrection, at the same time professing his readiness to submit both himself and his papers to examination. Mr. Hagerman replied that there was no desire to subject him to such an ordeal, but that it was not strange if he was regarded with distrust, owing to his political principles, and his uniform opposition to the Government. The Attorney-General, however, remarked that he personally acquitted Mr. Bidwell of all {160} complicity in the revolt.[183] The conversation led to nothing, except to increasing the perturbation of Mr. Bidwell's mind, and to making him even more unhappy than before. Next morning, an hour or two ere the militia started out for Montgomery's, Mr. Bidwell and the Attorney-General again encountered each other, when the conversation of the previous day was resumed. Mr. Hagerman intimated that it had been reported that Dr. Rolph had left the city and gone to the London District, and enquired if Mr. Bidwell knew the object of the journey. Mr. Bidwell appears to have been made acquainted with the secret of Dr. Rolph's departure, for he informed the Attorney-General that although the

Doctor had given out that he intended to go to the London District, he in fact had not gone there, but to the United States. “I confess,” writes Mr. Hagerman, “I was startled at this information, for at that time I was not aware that Dr. Rolph was in any way implicated in the Rebellion, and I could not understand why he should, as he had done, clandestinely leave the country. Mr. Bidwell told me that Dr. Rolph’s reason for going away was two-fold: first, he feared he might be apprehended and committed on suspicion of correspondence with traitors; and secondly, he was afraid that Mackenzie and other traitors might attempt to send messages and address letters to him, and thus apparently implicate him in their schemes, with which he was resolved to have nothing to do.”[184] The Attorney-General appears to have from that moment {161} comprehended Dr. Rolph’s position. It was absurd to suppose that he had fled from the Province unless he had been concerned in the insurrection. As for Mr. Bidwell, though he had had no part or lot in the movement, he felt that he would have to endure a share of the odium attaching to it, and that the ordeal was more than he could bear. “I well remember his saying,” continues the Attorney-General, “that he had little hope of being restored to happiness while he remained here; and I did not hesitate to tell him that I thought he would do wisely to leave the country: that his professed political opinions were entirely at variance with the monarchical institutions of England, and that he must now either abandon those opinions or be constantly subject to annoyances and mortifications.” It is possible that this advice “to leave the country” may have been given with perfect disinterestedness, though it would have been less open to suspicion if it had proceeded from one who was not a bitter political opponent of Mr. Bidwell, and a rival of that gentleman for an appointment to a seat on the judicial bench. It is presumable that the Attorney-General had good reasons for believing that but for his own influence over the Lieutenant-Governor Mr. Bidwell would have been appointed to a judgeship some months before this time. He knew to a certainty that Mr. Bidwell’s presence in the country must operate as a bar to his own elevation to the bench, at least until after that gentleman should have received such a mark of distinction.[185] At all events, the next time the two gentlemen met, Mr. Bidwell had been frightened into acting on Attorney-General Hagerman’s advice.

Mr. Bidwell, being thus an object of suspicion, was made to feel his doubtful position very keenly. The discovery of the flag at Montgomery’s {162} on Thursday was for the time regarded as conclusive evidence of his complicity in the rising. It would have required a brave man to stand up against the odium which now attached to his name throughout the capital;

and, speaking in a physical sense, Mr. Bidwell was not brave. He was in fact constitutionally timid, and had long been in weak health. He knew the bitterness of his rivals and opponents, who were even now "chuckling that they had Bidwell in their power."[186] He felt utterly broken down. His agitation reached its climax when, early in the forenoon of Friday, the 8th the day after the skirmish at Montgomery's he was informed that his letters had been confiscated in the post office, and that they were to be opened by the members of the Executive, in Council assembled. This was the keenest humiliation of all. Between ten and eleven o'clock he presented himself in a state of great agitation before the Lieutenant-Governor at Government House, where he seems to have held language very similar to that formerly employed by him when conversing with Attorney-General Hagerman.[187] The most erroneous notions are prevalent as to what took place at this interview. The general belief, founded upon accounts in works professedly historical, is that Sir Francis gave Mr. Bidwell the option of expatriating himself or of having his letters opened in his presence there and then; and that Mr. Bidwell chose the former alternative lest his correspondence might be the means of getting himself or some of his disaffected friends into serious trouble.[188] As matter of fact no such {163} option was even hinted at. On the contrary, Sir Francis deprecated the confiscation of Mr. Bidwell's correspondence, and stated that this had been done without his orders, adding that he would not permit the letters to be opened by any one except Mr. Bidwell himself. Mr. Bidwell, having a clear conscience, and feeling certain that the correspondence could contain nothing of a nature compromising to himself, requested the Lieutenant-Governor to open the letters, in order that his innocence might be made clear, and that there should be no after-suspicion of him. This Sir Francis positively refused to do, saying that he had too much respect for Mr. Bidwell to test his loyalty by any such means. There can be no reasonable doubt, however, that the Lieutenant-Governor {164} had fully made up his mind to cajole or coerce Mr. Bidwell into leaving the Province. His reasons are perfectly intelligible. It is unnecessary to insist upon the secret influence of Hagerman over Sir Francis, because, however strong the probability may be that such influence was brought to bear, there is no direct evidence of the fact. But Sir Francis had abundant reasons of his own for getting Mr. Bidwell out of the country. Had he not been instructed by the Colonial Office that it was the wish of the Home Government that Mr. Bidwell should be promoted to the bench upon the next vacancy?[189] Had he not informed the Colonial Secretary that though Mr. Bidwell was a man of irreproachable moral character and of high legal acquirements, he was nevertheless tinged with disloyalty, and the associate of persons who were desirous of effecting the separation of the

colony from the parent state of exchanging the British constitution for "the low, grovelling principles of democracy"?[190] Had he not expressed his conviction that the welfare of the Province depended upon "never promoting a disloyal man"?[191] Had he not finally refused in the most positive terms to obey the mandate of his superiors by raising Mr. Bidwell to the bench?[192] Was he not daily expecting his amoval from the office of Lieutenant-Governor, partly on account of this refusal?[193] If he could now show that he had all along been in the right, and that Mr. Bidwell was really disloyal, would he not disarm the Colonial Office, and at the same time vindicate his own judgment and perspicacity? If Mr. Bidwell could be frightened out of the country along with Mackenzie, Rolph, and others implicated in the Rebellion, the Colonial Office would certainly come to the conclusion that he had been guilty of treason, and that the Lieutenant-Governor had been right in objecting to confer honourable dignities upon him. If this could be brought about, Sir Francis would achieve a signal triumph, and would probably not only be continued in his {165} post as Lieutenant-Governor, but would be allowed to have things pretty much his own way for the future.

Mr. Bidwell, then, must be got out of the country by hook or by crook. Crook was tried first, and unhappily it succeeded. Sir Francis declared to his interlocutor entire confidence in the latter's integrity, and in his freedom from complicity in the insurrection. He however expressed regret that circumstances looked black against him, and that "certain other persons" had not the same confidence that he himself had. He stated that Mr. Bidwell had come to be regarded by the indignant community as "the Papineau of his party"; that the capture of the flag had confirmed them in this opinion; and that he, Sir Francis, was blamed on all sides for not apprehending him. He also referred to a letter written several months before by Mr. Bidwell to Dr. E. B. O'Callaghan, a prominent Montreal journalist and politician, who was almost as deep in the Lower Canadian insurrection as Papineau himself. In that letter, which had got into print, the writer had expressed himself as looking with deep interest on the struggle going on in the Lower Province between an insulted, oppressed and injured people and their oppressors. "All hope of justice from the authorities in England," wrote Mr. Bidwell, "seems to be extinguished." This, though a perfectly legitimate expression of opinion, was capable of being twisted into rank treason, and Sir Francis enlarged upon it with considerable garrulity, expressing his own individual belief that no disloyalty had been intended, but at the same time declaring that such language was in itself "very suspicious." Having wrought Mr. Bidwell up to the required state of trepidation and misery, Sir Francis then began to push home certain arguments which he must have felt convinced

would so act upon the nerves of his listener as to effect the object in view. He stated that martial law was about to be proclaimed, and that it would be impossible for Mr. Bidwell to avoid arrest; that the country was wild with wrath and excitement; that the exasperated loyalists were at such a time likely to rush to quick judgments, and that he, Mr. Bidwell, was especially obnoxious to them as one of the ablest of their adversaries; that "certain prominent persons" had fully made up their minds that Mr. Bidwell was guilty, and that he should be brought {166} to justice; that if he were brought to trial in the existing state of public opinion he could not hope for an acquittal; that he, Sir Francis, would be unable to afford him any protection whether as to person or property if he remained; and that under such circumstances, out of respect for his talents and virtues, and with best wishes for his welfare, he, Sir Francis, thought it would be in the highest degree advisable for him to leave the Province immediately. Mr. Bidwell, in his weakness, was easily imposed upon by this specious rhetoric. He foresaw embarrassment, imprisonment, personal and professional ruin staring him in the face. He knew that a fair trial was not to be hoped for, and, though conscious of perfect innocence, he deemed it not impossible that he might be convicted of complicity in the Rebellion and hanged. He doubtless remembered the conviction of Robert Gourlay and Francis Collins. He felt perfectly overwhelmed by the manifold perils of his situation, and speedily made up his mind to act upon the Lieutenant-Governor's suggestion, which he moreover regarded for the time as proceeding from his Excellency's kindness and goodwill. He was so far imposed upon that he actually consented to sit down that very moment and write a letter to the Lieutenant-Governor the contents whereof were practically dictated by the latter in which he expressed a strong sense of his Excellency's kindness. Having written the letter, and having thus armed Sir Francis with a formidable weapon against himself,[194] he made his adieux and departed. When leaving the {167} house he encountered Attorney-General Hagerman on the threshold, but did not acquaint him with the determination at which he had arrived.[195] Having made up his mind to leave the country, he tarried not upon the order of going, but took passage in the *Transit* for Niagara, and crossed over on the following Sunday morning, which was the l0th.[196] On the evening of the same day he joined Dr. Rolph at Lewiston, whence on Monday, the 11th, he addressed to Sir Francis Head a note announcing his arrival, and deploring the unhappy chain of circumstances which had led to his expatriation. "I deeply regret," he wrote, "that your Excellency should think my former political life and opinions, the garbled extracts of a hasty and carelessly-written letter to Dr. O'Callaghan in August last—published without my consent, and without the qualification and limitation of the

context—and the finding of a flag at Montgomery's tavern inscribed 'Bidwell and the Glorious Minority,' which I suppose had been prepared for some election or public meeting, but certainly not for such a purpose as a revolt, and never used, I believe, by the insurgents—sufficient reasons for signifying to me your wish that I should suddenly and forever leave my home and country, with all their ties and connexions, the scene of my dearest attachments and happiest recollections, the birthplace of all my children, and the burial-place of three of them; and that I should come to a land where I am a stranger, and where I am without a profession, and without the means of providing for those dear to me. But I submit to a necessity—which, however, is deeply painful—conscious of my innocence." From all which it is perfectly plain that a great and cruel wrong was inflicted upon Mr. Bidwell; that he was for all practical purposes cast out and {168} banished from Upper Canada as effectually as Robert Gourlay had been banished eighteen years before. True, the banishment in this latter instance was effected without recourse to legal process, and was made to assume the appearance of a voluntary act on the part of the victim. But Sir Francis well knew the timid, sensitive nature of the man with whom he was dealing, and wrought upon it with a tolerable assurance of success. Taking all the circumstances into consideration—the bitterness of his enemies and the political predilections of the judges—Mr. Bidwell was subjected to a fearful duress. His dread lest he might be hanged for participation in a Rebellion wherein he had no share was by no means so groundless as at first sight it appears. At least one man who still lives to tell of his wrongs, and who appears to have had nothing whatever to do with the Rebellion, was soon to receive sentence of death for complicity therein—a sentence which was afterwards commuted to one of lifelong expatriation.

Mr. Bidwell did not make a long stay on the Niagara frontier. With broken health and uncertain prospects he betook himself to New York, where he was soon after admitted by courtesy to the bar of the State. He was subjected to wider and more formidable competition than he had ever been compelled to encounter in Upper Canada, but he erelong succeeded in making his presence felt, and in establishing a high professional reputation. The first case of importance which engaged his attention after settling in his new home was that of James Fenimore Cooper, the distinguished novelist, against William Leet Stone, editor of the New York *Commercial Advertiser*. The suit was for libel, and arose out of a review by Stone of Cooper's *History of the United States Navy*, more especially of that portion of it relating to Commodore Perry's conduct at the battle of Lake Erie in September, 1813. The matter involved was thus not devoid of interest for

Canadians. Mr. Bidwell represented the defendant, and conducted the case with a skill and power of argument which won the admiration of his professional brethren, and may be said to have established his reputation as one of the foremost legal luminaries of the New York bar. From that time onward his practice steadily grew, and for more than a quarter of a century his career was one of uninterrupted prosperity and honour. {169} It may not be amiss to further anticipate matters here by recording the particulars of the last interview ever held between Mr. Bidwell and Sir Francis Head. It took place during the closing days of March, 1838, when the latter had bidden an eternal farewell to Upper Canada, and was waiting in New York for the sailing of the vessel which was to convey him to Liverpool. Sir Francis had his headquarters at the City Hotel, where Mr. Bidwell made a voluntary call upon him, and was received with much appearance of cordiality. Towards the close of a long interview, in the course of which Canadian affairs formed the principal topics of discussion, Mr. Bidwell rose to withdraw. Sir Francis requested him to remain, as he had something of importance to communicate. I give the continuation of the story in Mr. Bidwell's own words:—[197]

> "He [Sir F. Head] then said that in order to avoid the appearance of double-dealing, he thought it right to tell me what had occurred between Her Majesty's Government and him about me; that he had been required by Lord Glenelg to appoint me a judge, and to restore Mr. Ridout, and that he refused to do this, which had led to his resignation. I replied that I had not called upon him to enter into explanations, but as a proof that I entertained no vindictive feelings, and was disposed, notwithstanding my conviction of the injustice I had received at his hands, to treat him with the respect due to the station which he had filled; but as he had introduced the subject, candour and justice to myself required me to say that after I had resided nearly twenty-six years in Upper Canada, and had during all that time been a peaceable and obedient subject, and had borne, as he had admitted, an irreproachable and exemplary character, to take advantage of an occasion when I could not exercise any choice, to compel me suddenly to leave a country in which I had formed all my attachments, connexions and habits where alone I had a home, or property, or a profession was exceedingly arbitrary, unjust, and cruel, involving, as it might and probably would, the ruin of myself and family. He replied, it was one of the consequences of the Rebellion, and he regretted it. I said *No*—it was *his* {170} act,

not that of the rebels. I could not blame them for it; but I would not pursue the subject, as I did not wish to say anything disagreeable to him."

And so saying, Mr. Bidwell, without any formal leave-taking, and with righteous but rigidly-repressed indignation swelling his breast, left the presence of the man who had so grievously and cruelly wronged him. He had long since realized that advantage had been taken of his weakness and want of nerve, and that Sir Francis, in sending him out of the country, had not been actuated by kindness, or a regard for his, Mr. Bidwell's, own interests. But he had not before been made aware of the intentions of the Imperial Government towards himself, nor of how those intentions had been frustrated by the Lieutenant-Governor for his own selfish purposes. The memory of all that he had suffered—the consciousness of all that he had lost—came upon him with such force that he found it impossible to remain any longer in the presence of the cunning, selfish, unscrupulous blunderer. Assuredly the circumstances were such as to justify the anger even of a patient and much-enduring man. But anger could not find a permanent resting-place in the heart of Mr. Bidwell. It is said that his gentle spirit misgave him before he had walked a block from the hotel, and that he was inclined to return and take a respectful leave of Sir Francis. He could not bear that the sun should go down upon his wrath.[198] He, however, did not succumb to this impulse, but slowly bent his steps homeward. The two men never again encountered each other in life's pathway.

Having anticipated so far, it may be as well to make a final end of Mr. Bidwell's story in this place. When the first shock arising from the Upper Canadian Rebellion had had time to spend itself, and when the truth as to Mr. Bidwell's banishment had become known in this country, a good many persons began to agitate for his recall. His return was earnestly desired, not only by his erewhile colleagues, but even by some who had formerly been opposed to him in politics, and who, while they recognized his great moral and professional worth, felt that he had received cruel injustice at the hands of the Lieutenant-Governor. There {171} were others, however—Sir Francis Head and the Attorney-General—who had a manifest object in opposing this movement.[199] The *Patriot* newspaper, which was the chief organ of the Government, came out with an article traducing Mr. Bidwell, and proposing that his name should be struck from the roll of the Law Society for having taken part in a "traitorous conspiracy against Her Majesty's Government in this Province." Mr. Bidwell was not here to defend himself against the wholly groundless accusation, but he found an efficient champion in the

Reverend Egerton Ryerson. Mr. Ryerson had not always acted with Mr. Bidwell in political matters, and indeed had sometimes opposed him; but he was at this time stationed at Kingston, where Mr. Bidwell had long resided, and where his blameless life and true Christian character were well known. Having obtained full knowledge of all the circumstances connected with the expatriation, Mr. Ryerson wrote and published a long and vigorous statement setting forth the most important facts, and vindicating Mr. Bidwell from the various matters alleged against him. Sir Francis Head was accused of tyranny in banishing an innocent man, and of injustice in not recalling him when it had become clear to all who chose to investigate the question that he had not participated in the revolt. Extracts were inserted from private letters written by Mr. Bidwell since leaving Canada, in which he most solemnly protested his innocence, and complained of the ruin inflicted upon himself and his family. The statement took the form of a letter to *The Upper Canada Herald*, published at Kingston, and appeared in the number of that paper dated Tuesday, May 8th, 1838. It was not given to the public with Mr. Ryerson's name, but was signed "A United Empire Loyalist." As Sir Francis Head had left the country, and in any case could not very well have replied in person to this strongly-worded indictment against himself, Mr. Attorney-General Hagerman took up the cudgels on his behalf. Mr. Hagerman, moreover, as the reader is aware,[200] had his own reasons for presenting Mr. Bidwell's conduct in the most unfavourable light, and in preventing that gentleman's return to practise at the Upper Canada bar. His reply appeared in *The Patriot*, and bore date the 17th of May, 1838. It set forth a number {172} of facts which up to that time had not been generally known, and argued the case from a point of view widely removed from that of the contributor to the *Herald*. If allowed to stand without a rejoinder, this pronunciamento of Attorney-General Hagerman's would have left the question in a very unsatisfactory light so far as Mr. Bidwell was concerned. But Mr. Ryerson was stirred to rejoin in an elaborate letter which occupied nearly nine columns of closely-printed type, and which was regarded by the Reverend gentleman himself as the strongest piece of argumentative writing ever penned by him. It admitted most of Mr. Hagerman's facts, but set forth other facts in avoidance, and argued the question from first to last with great subtlety and vigour.[201] It concluded by removing the veil of the anonymous from the face of "A United Empire Loyalist." "I am, as ever," wrote Mr. Ryerson, "by parental instruction and example, personal feeling and exertion, a United Empire Loyalist. Or, lest I should be accused of sheltering myself under the mask of a borrowed name in controversy with a gentleman entitled to respect who comes out in his own name; or lest I should be charged with making statements and maintaining positions the responsibility

of which I shrink from meeting, I beg to subscribe myself your very obedient humble servant, Egerton Ryerson." This letter produced a remarkable effect upon public opinion, for it was issued in pamphlet form and widely circulated. Some of the friends of the Government did not hesitate to denounce it as a mischievous and insincere production, written for some ulterior object, and not primarily in the interests of Mr. Bidwell. Such charges are easily made, and are generally hard to disprove. I can only say that careful enquiry and investigation have failed to disclose to me any satisfactory evidence of insincerity on the part of Mr. Ryerson throughout the whole of this transaction. He was a man who rarely acted from unmixed motives, and may perhaps have had some secondary purposes of his own to serve, but, so far as appears, his sympathies were genuinely aroused on Mr. Bidwell's behalf, and his championship {173} of that gentleman's cause was honourable alike to himself and the subject of it. It is also worth while to note that his second letter was the first really strong presentation of the cause of constitutional freedom which emanated from the press of Upper Canada after the Rebellion. It afforded evidence that there was at least one writer left in the country who, in dealing with Family Compact abuses, did not scruple to call things by their right names, and that there was at least one newspaper left which dared to print his opinions. By its perusal more than one Reformer who had been brought to the brink of despair by the prospect which the future held out, and by the obloquy which attended upon persons of recognized Reform opinions whenever they appeared in public, were encouraged to look forward to better things.

The condition of affairs, however, was not propitious to Mr. Bidwell's recall. Before such a consummation could by any possibility have been brought about some years had elapsed, and the exile had secured a position at New York which removed one of the chief reasons for recalling him. Upon the accession to power of Messieurs Lafontaine and Baldwin in 1842, a number of Mr. Bidwell's admirers, being desirous of his return to Canada, urged their views upon Mr. Baldwin, who held office as Attorney-General for Upper Canada in the reconstructed Government. It was urged that a judgeship should be offered to Mr. Bidwell as an inducement for him to return to this country. Mr. Baldwin was himself one of the exile's warmest friends, and would gladly have welcomed him back; but it was out of the question to appoint a resident of the United States to a seat on the judicial bench of Upper Canada. Mr. Baldwin stated, in effect, that if Mr. Bidwell would return, there was no one who would have a superior claim to a seat on the bench in case of a vacancy. There was, however, no vacancy at the time. The Union of the Provinces had but recently been accomplished, and

Canada was still in a state of transition, so that it might very well be that before the occurrence of a vacancy on the bench Mr. Baldwin might be out of office. Mr. Bidwell naturally felt reluctant to remove to Canada on an uncertainty; and there the matter dropped. The chances and changes of political life removed Mr. Baldwin from office within a few months after, and at the same time removed the Reform {174} Government from power. After the accession of what has been called the second Lafontaine-Baldwin Administration in 1848 the subject was again pressed upon Mr. Baldwin, with results very similar to those above referred to. Mr. Bidwell was fated to spend the remainder of his days in New York, where he continued to be held in high honour and respect until his death, which occurred on the 24th of October, 1872.[202]

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[182] The interview took place on the public street. The two gentlemen encountered each other while Mr. Bidwell was on his way to the Attorney-General's office. See Mr. Hagerman's letter to *The Patriot*, dated 17th May, 1833, and the reply of "A United Empire Loyalist" (the Rev. Egerton Ryerson) in *The Upper Canada Herald* of May 29th.

[183] "The rebellion, as every one knows, broke out on Monday night, the 4th December. On the Wednesday morning following I met Mr. Bidwell in the street. He told me that he had been anxious to see me, and that he had written me a note to say so that his object in seeking the interview was to tell me that he felt he must be looked upon with distrust, and that from the circumstance of his always having been identified in politics with the leaders of the insurrection it was reasonable to suppose that he might be suspected by the Government of being implicated in their treasonable movements. He, however, very earnestly protested his innocence, and declared his perfect willingness to submit himself and all his papers to the closest scrutiny and investigation. I replied that for my own part I did not believe that he had participated in the revolt, and that I was not aware that any officer of the Government suspected him. I further told him that there was no desire to subject him or his papers to examination, and that I felt quite confident that the Government would not direct anything of the kind. I then remarked to Mr. Bidwell that although I did not think he was directly concerned in the Rebellion, he must feel that he ought not to be surprised if, as he suspected, he were looked upon as a disaffected person. His constant opposition to the Government, and the political principles which he had ever professed and upheld, had without doubt encouraged the disloyal to persevere in that course of conduct that had resulted in rebellion."—*Letter of Attorney-General Hagerman*, *ubi supra*.

[184] *Ib*.

[185] "The whole case of Mr. Bidwell seems to be this. In contempt and most disloyal disobedience of the Sovereign's commands, a determination was formed by Sir F. Head, if not by certain others in Toronto, to resist at all hazards Mr. Bidwell's appointment to the judgeship. A favourable opportunity presented itself to settle that question forever, and Mr. Bidwell's ruin was resolved upon, either by getting him out of the Province or by a relentless and deathly persecution of him in it. The former plan, as the most humane, was tried first, and it succeeded. Mr. Bidwell, we are told, consented to go; and so have martyrs consented to go to the stake rather than do worse. But all history shows that an act of executive injustice under any free constitution of Government is to its own future health and vigour and reputation like the worm at the root of Jonah's gourd."—See letter of "A United Empire Loyalist" (the Rev. Egerton Ryerson) in *The Upper Canada Herald* of Tuesday, May 29th, 1838.

[186] *Ib*. Mr. Ryerson adds: "Sir, you know Mr. Bidwell's physical debility. You know he has been a dying invalid during the greater part of his public life. You know that for years he was considered far advanced in a decline, and was not expected to survive from session to session. You know, too, that physical courage is seldom associated with physical debility. It were not therefore surprising if Mr. Bidwell had been much more discomposed than you represent him to have been."

[187] As stated in the text, the visit of Mr. Bidwell to Government House was made in the forenoon of Friday, the 8th of December, as is fully proved by the date of his letter written at the conclusion of the visit, and quoted *post*, p. 166, note. Sir Francis Head, in *The Emigrant*, chap, viii., represents it as taking place on his (Sir Francis's) return from Gallows Hill, which was on Thursday, the 7th. But the error as to the date is the smallest of all the mis-statements of Sir Francis with reference to this affair in the work referred to.

[188] Sir Francis Head's own account, given in the eighth chapter of *The Emigrant*, conveys these ideas in the most explicit terms. He writes: "I very calmly pointed out to him [Mr. Bidwell] the impropriety of the course he had pursued; and then observing to him, what he well enough knew, that were I to open his letters his life would probably be in my hands, I reminded him of the mercy as well as the power of the British crown; and I ended by telling him that, as its humble representative, I would restore to him his letters unopened, if he would give me, in writing, a promise that he would leave the Queen's territory forever. Mr. Bidwell had concealed in his heart some good feelings as well as many bad ones; and as soon as his fears were removed, the former prompted him to express himself in terms which I will not undertake to repeat. Suffice it, however, to say, that he retired to the waiting-room, wrote out the promise I had dictated, and returning with it, I received it with one hand, and with the other, according to my promise, I delivered to him the whole of his letters unopened."

Mr. Bidwell's own account, as given in the following letter, contradicts this story of Sir Francis in the clearest terms, and fully bears out the version of the affair given in the text. The letter was written by Mr. Bidwell five months after his expatriation, and was published by "A United Empire Loyalist"—in other words, the Rev. Egerton Ryerson—in *The Upper Canada Herald* of Tuesday, May 29th, 1838.

"New York, May 4, 1838.

"My Dear Sir:—

"I perceive that *The Patriot* has published my note to Sir Francis,[quoted *post*, p. 166, note] and affirms that the option was offered me of remaining or of having my letters opened. This is not true. Nothing of the kind was hinted. On the contrary, Sir Francis assured me that the letters had been sent to him without his orders, and that he never would allow my

letters to be opened. I asked him to open them, as I did not want to have any suspicions about them indulged afterwards, but he refused to do it, and said he had too much respect for me to allow it. Indeed, on the Wednesday previously I expressly informed the Attorney-General of my own accord that I was willing to undergo the most full and unreserved examination, and to let all my papers be examined.[*Ante*, pp. 159,160 and note]

"The terms of my note were dictated, or at least suggested, to me by Sir Francis, and referred particularly to his expressions of personal regard. The object of drawing such a note from me is now apparent; but I was not then aware that he had received orders from Lord Glenelg to make me a Judge.

"The interest you so kindly take in my welfare is my only apology for troubling you with this explanation.

"I am, dear sir, yours truly,
"(Signed) MARSHALL S. BIDWELL."

[189] *Ante*, vol. i., p. 355.

[190] *Ib*.

[191] *Ib*.

[192] *Ante*, vol. i., p. 356.

[193] The Colonial Secretary's despatch signifying acceptance of his Excellency's resignation was already on its way to Toronto, but of course Sir Francis was not then aware of the fact. Sir Francis had made a sort of left-handed tender of his resignation more than eighteen months before; and in his despatch dated 10th September, 1837 (*ante*, vol. i., p. 356), in which he refused to reinstate Mr. Ridout in office or to raise Mr. Bidwell to the bench, he had resigned in more formal terms.

[194] The following is the text of the letter:

"TORONTO, 8th December, 1837.

"SIR:—

"In consequence of the kind conversation of your Excellency this morning, I have determined to leave this Province forever.

"I am aware that the circumstances to which your Excellency alluded are calculated to give rise to suspicions against me in relation to this insurrection; and while they would be likely to render my further residence in this Province unpleasant, they make your Excellency's kindness the more worthy of my deep and lasting gratitude.

"I am confident, at the same time, that the investigations which will now of course be made will fully remove these suspicions from your Excellency's mind, and will prove that I had no knowledge or expectation that any such attempt was in contemplation.

"I have the honour to be, most respectfully, your Excellency's grateful servant,

"(Signed) MARSHALL S. BIDWELL.

"His Excellency Sir Francis Bond Head."

[195] See Attorney-General Hagerman's letter, *ubi supra*.

[196] The last letter he is known to have written before bidding a final adieu to his home in Toronto was penned on Saturday, the 9th. "I am leaving the Province," he writes, "at the request of the Lieutenant-Governor, suddenly and forever. I am apprehensive that he suspects me of participation in the revolt, but I am certainly innocent, as will be apparent upon an investigation into the origin, extent, etc., of the conspiracy. I suppose my past political course, exertions and opinions have been the cause; but whatever may be the cause, I think it best to comply with the Lieutenant-Governor's expressed wish, especially as it was accompanied with many expressions of kindness, and these in times when the slightest circumstance, to minds excited by prejudice and alarm, may appear conclusive evidence of guilt." This extract is quoted in Mr. Ryerson's reply to Hagerman above referred to. Mr. Ryerson himself was the friend to whom the letter containing it was addressed.

[197] See Mr. Ryerson's second letter, *ubi supra*, in which Mr. Bidwell's express words are quoted. See also *In Memoriam: M. S. Bidwell*. New York; 1872. Printed for private circulation.

[198] *In Memoriam*, etc., *ubi supra*.

[199] *Ante*, pp. 161, 164, 165.

[200] *Ante*, p. 161.

[201] See the letter itself in *The Upper Canada Herald* of Tuesday, May 29th, 1838, several times quoted from in the present chapter. As stated in the text, the letter was also issued in pamphlet form, but is at this day rarely to be met with except in the libraries of collectors of Canadiana. Its title is *The Cause and Circumstances of Mr. Bidwell's Banishment by Sir F. B. Head, correctly stated and proved by A United Empire Loyalist*. Kingston, 1838.

[202] Dr. Ryerson, in *The Story of My Life*, edited by Dr. Hodgins, p. 194, has the following with reference to Mr. Bidwell: "In 1842, on the recommendation of Hon. Robert Baldwin, any promise given by Mr. Bidwell not to return to Canada of which no record was found in any of the Government offices was revoked in 1843, by the Governor-General (Lord Metcalfe)." There is evidently some confusion of dates here. The revocation could hardly have taken place both in 1842 and 1843. Moreover, Sir Charles Metcalfe did not become Lord Metcalfe until after 1843. Dr. Ryerson adds: "In conversation, in 1872, with Sir John Macdonald in relation to Mr. Bidwell's early life, Sir John informed me that some years before he himself had, while in New York, solicited Mr. Bidwell to return to Canada, but without success. Sir John said that he had done so, not merely on his own account (as he had always loved Mr. Bidwell, and did not believe that he had any connection whatever with the Rebellion), but because he believed that he represented the wishes of his political friends, as well as those of the people of Canada generally."

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CHAPTER XXX.

NAVY ISLAND.

The insurrectionary movements in the Canadian Provinces had naturally excited a good deal of interest in the various towns and villages along the adjacent frontier of the United States. From the moment when it had become known in Buffalo, Lewiston, Oswego, Ogdensburgh and elsewhere along the border that a portion of the Canadian people had risen in arms against constituted authority, there had been a widespread sympathy among the inhabitants for the cause of the insurgents. In some instances, doubtless, this sympathy was due to a sincere enthusiasm for the cause of freedom. There is a generous feeling implanted in the human heart which inclines it to at least passively take the weaker side in a quarrel, whatever may be the particular merits of the quarrel itself. The sympathies of the crowd are generally elicited on behalf of the under dog in the fight. In so far as the sympathy of the inhabitants of the frontier towns of the United States was attributable to such causes, it furnished no ground for reproach against those who entertained it. But there can be no manner of doubt that by far the greater part of it was traceable to sources much less noble. In a large majority of cases the feeling was engendered, not by love for freedom, or by any deep-seated sympathy for struggling weakness, but by dislike to Great Britain and British institutions. Such sentiments had been widely cherished in the United States ever since the days of the Revolution. Subsequent events had tended to foster old antipathies, and to keep alive the recollection of many events which might well have been permitted to sink into oblivion. Little more than twenty years had elapsed since the close of the last war between the two countries, {176} and the memory of it was still comparatively fresh in the minds of the people, more especially of those residing on the frontier to which the actual conflict had been chiefly restricted. Accordingly, no sooner did the news of the insurrection cross the boundary-line than a considerable amount of agitation began to manifest itself. The public sentiment found vehement expression in the local

newspapers, many of which were filled to repletion with apocryphal accounts of insurgent successes. In several places public meetings were held, and resolutions passed expressive of a desire for the early and complete triumph of the insurgent arms.

When Dr. Rolph reached Lewiston he found the little community in a ferment. He was received with open arms, and there seemed to be a fixed determination on the part of the inhabitants to elevate him into the position of a martyr to the sacred cause of liberty. They persisted in treating him as a distinguished visitor who had arrived among them under circumstances which rendered it imperative that he should be lionized. He was allowed to have no peace, and was pestered day and night by callers and deputations of the kind so graphically depicted in the pages of *Martin Chuzzlewit*. He was made the recipient of a florid address of condolence. On the day after his arrival a crowd collected in the street in front of the hotel where he was staying, and called aloud upon him by name. Upon his presenting himself at a doorway in the second story a speech was demanded of him, to which demand he responded in a few vigorous remarks which the audience received with great favour. He spoke freely about the corrupt administration of affairs in the Canadas, and expressed a hope that the people of those Provinces would erelong be relieved from the intolerable burdens which they had long been compelled to bear. The crowd cheered him to the echo, but he seems to have recognized how little such applause was worth. He had not at this time made up his mind as to his future course. He felt that he had shipwrecked his life, and that in his long-maintained war with the Compact he had at last been ignominiously beaten. He could see no means of getting back any portion of what he had lost; unless, indeed, it should turn out that Dr. Duncombe had been successful in his operations in the London District, and that the support of the people {177} along the frontier could be made to take a wide and practical shape. He had been led by Mackenzie to suppose that Duncombe was able at any moment to place himself at the head of a body of three or four thousand insurgents, and that this great force would begin to move upon Toronto as soon as insurrection should have fairly raised its head in the Home District. It was just possible that all this might be true, and Dr. Rolph refused to abandon all hope until he should hear of the success or otherwise of Duncombe's enterprise. He would willingly have cooperated with Papineau and Nelson, with a view to the subversion of the Governments in the two Canadas,[203] but with Mackenzie he was resolved to have nothing more to do; unless, indeed, the little firebrand could be rendered entirely subordinate to some cooler and more competent head than his own. It was clear to his mind that Mackenzie had blundered most

egregiously from first to last, and that he was totally unfit to have any voice in directing such a movement as the one which had so signally failed at Montgomery's.

So far as to Dr. Rolph. Meanwhile, how fared it with Mackenzie? Upon reaching Buffalo, the latter found himself in a congenial atmosphere, for he had been in correspondence with a number of persons there on the subject of an impending change in the Government of Upper Canada, and was not received as a stranger. On the day preceding the affair at Montgomery's he had written to the editors of a Buffalo newspaper asking for assistance.[204] The publication of his letter, the stirring {178} editorial remarks by which it was accompanied, and the contradictory news which was hourly received from Canada, were of a nature to excite considerable comment. The general state of feeling in the frontier towns has already been referred to. In no other town was the public pulse so excited on behalf of "the Canadian patriots" as in Buffalo. That place, from its geographical position with reference to lake navigation, and to the canal system of the State of New York, contained a large floating population of persons out of employment. Low types of boatmen, raftsmen, lake sailors, navvies and ruffians generally were always to be found there in abundance. Such persons naturally looked with favour upon any enterprise which seemed to hold out a promise of irregular service and a fair share of plunder. There were also a few fairly reputable citizens who were glad enough to avail themselves of any opportunity of testifying to their hereditary hostility to the British lion. They had been led by common report to believe that the Canadian people were ready to throw off the Imperial yoke which had long galled their necks. Some were not averse to lending countenance to such an undertaking, though very few who had much to lose manifested a disposition to risk either person or property therein. In consequence of news received from Canada an executive committee had been formed nearly a week before Mackenzie's arrival, for the avowed object of "calling future meetings in relation to the affairs of the Canadas," and of adopting "such measures as might be called for by public opinion." Public opinion! Truly, a large proportion of the people of Buffalo would willingly enough have seen the Canadas cut aloof from Great Britain, just as, during the great American Rebellion, there were thousands of Canadians who would gladly have hailed the success of the Confederacy. But the great bulk of respectable citizens appreciated at their true value the mouthings of the rabble horde who shrieked themselves hoarse over the eternal principles of liberty in general and the wrongs of Canadians in particular. Nothing was easier, however, than to collect a crowd and make a demonstration. On the night following Mackenzie's arrival—Monday,

December 11th—a meeting was held in the local theatre. Mackenzie himself was too much overcome by the fatigues of his journey to attend, but two or three spread-eagle orators were present, and regaled the crowd with mendacious {179} accounts of the state of affairs in Canada. A certain amount of enthusiasm was easily worked up among such an audience, and the meeting closed with three cheers each for Mackenzie, Papineau and Rolph. So far as the last-named gentleman was concerned, there was small excuse for the plaudits which greeted the mention of his name in that audience. He certainly had no intention of working with such tools, and bitterly repented him of the tremendous blunder he had committed in acting in concert with such a conspirator as Mackenzie.

As for Mackenzie himself, he was in his element. He found himself the most notorious personage in Buffalo. People stared at him as he passed along the streets, and he was an object of interest wherever he went. He found that he could move public audiences to stentorian cheering, and that, like Rolph, he was looked upon as a sort of patriot martyr. He was not wise enough to discern how little real strength lay behind all this exuberance, and was very willing to acquiesce in the general estimate of himself. He was not slow to take advantage of the temporary influences which operated in his favour. Before he had been twenty-four hours on United States territory he, in concert with several other personages as ripe for mischief as himself, had formed the design of an invasion of Canada. The most prominent of his allies was Rensselaer Van Rensselaer, a degenerate scion of an old Dutch family which had been settled in New York State for more than two hundred years, and several members of which had attained to some distinction in the annals of the Republic.[205] Van Rensselaer was a young man of more ambition than brains, who was desirous of re-enacting on Canadian soil the achievements of General Houston in Texas. He and Mackenzie soon came to an understanding. A regular crusade against Canada was to be set on foot, and as many recruits as possible were to be enlisted in the cause. Van Rensselaer himself was to have the supreme military command, a responsibility which he was not much better fitted to assume than Mackenzie himself, as he had had but a very desultory military training, and was of somewhat unsteady habits. He was however possessed of a good address, and seemed to {180} be supremely self-confident, insomuch that he not only imposed upon Mackenzie, but likewise upon Dr. Rolph, between whom and himself there would appear to have been an interview.[206] He represented that he could obtain the support of persons of wealth and high social position; that numerous military friends of his would eagerly join in the enterprise; that a hundred thousand dollars could be raised within a

week, and that thousands of enthusiastic volunteers could be enlisted within a few days. Assuming the truth of these representations, and further assuming that Dr. Duncombe had a large and enthusiastic following in the west, the success of such an attempt seemed at least possible. Dr. Rolph, with his usual wariness, declined to identify himself with the movement further than to give Van Rensselaer the benefit of his knowledge of Canadian affairs. Mackenzie, however, entered into the project with his customary rashness and impetuosity. It was settled that the "Friends of Liberty" should make their headquarters on a small, well-wooded island situated in the Niagara Kiver, nearly opposite the village of Chippewa, three miles or thereabouts above the great waterfall, and known as Navy Island. The spot was well chosen. The island being the property of Great Britain, there could be no pretence that the Government of the United States was in any way bound to interfere with operations undertaken there. Being within easy cannon-range of the Canadian shore, artillery could be employed to some purpose against any opposing force which might be quartered at or near Chippewa; {181} whereas the island itself, being heavily wooded, afforded admirable opportunities for throwing up entrenchments and guarding the occupants from attack. Any hostile forces attempting to land on the island would have at least one of the elements against them, for the current of the mighty river sweeps past at such a rate that navigation by means of small boats has to be managed with some degree of care. Finally, the eastern shore was near enough to be easily accessible as a base of supplies. All these advantages were doubtless taken into consideration. It was agreed that as soon as a sufficient force could be organized an advance was to be made into the interior of Canada, the inhabitants whereof were to be invited to join in a bold stroke for liberty. Mackenzie was still possessed with the idea that a large proportion of Upper Canadians were ready to fight against the Compact if they could see a reasonable prospect of success. He believed that by uniting the invading forces with those of Dr. Duncombe, and with other Canadian volunteers who would flock to the standard, a sufficient army might be got together to strike awe into the Provincial Government.

Such was the plan whereby it was proposed to subjugate a large and well-settled Province. Assuming its projectors to have been sincere, they proceeded upon the false assumption that the Reformers who constituted a majority of the population of Upper Canada were ready for any political change which would rid them of the Family Compact. There could have been no greater mistake. The love of Britain and British institutions was strongly implanted in the hearts of the people. Family Compact misrule had

done much to weaken this feeling, and had driven a few extremists into open rebellion. Had Mackenzie succeeded in his operations at Montgomery's, it is probable that the Upper Canadian Reformers generally would have recognized the Provisional Government. Insurrection would have raised its head all over the Province. The Rebellion would have been at least a temporary success, and nothing short of the military power of Great Britain would have sufficed to put it down. But there were comparatively few Upper Canadian Reformers who were prepared to exchange even the galling yoke of the Compact for republicanism and annexation to the United States. And by this time the yoke had been strongly re-adjusted and fettered. It was not to be {182} got rid of by any spasmodic effort. Loyalty or what passed for loyalty was fairly rampant throughout the Province. All hope of subverting the Government of Upper Canada had passed away with the defeat at Montgomery's. Probably not one per cent, of the population had any sympathy with Mackenzie's plan for subjugating the Province by the aid of a horde of self-seeking adventurers from the United States.

Meanwhile, the campaign was begun with that excess of demonstration which generally goes hand-in-hand with weakness and incompetence. On the night of Tuesday, the 12th, another meeting was held at the Buffalo theatre, which was crowded to the doors. Mackenzie, who appeared to be in high spirits, and to have entirely recovered from his fatigue, was present on the occasion. He spoke for more than an hour, and produced a very decided impression. He drew cunning parallels between the sufferings of the Canadians and those of the inhabitants of the thirteen colonies who had cast aside their allegiance to the British Crown sixty years before. Such a discourse was sure to be favourably received. Several American citizens followed Mackenzie, and delivered short speeches, after which an adventurer named Thomas Jefferson Sutherland, then a sojourner in Buffalo, arose and declared that he intended to proceed to Canada as a volunteer, to assist the inhabitants in obtaining their independence. He appealed to others present to join him in this righteous crusade. A paper was produced, and signed by a small number of persons in the audience. The signatories pledged themselves to mutual support and cooperation, "for the commendable purpose of aiding and assisting" the Canadians in their struggle for liberty. Appeals were made for arms and munitions of war, and the Eagle Tavern was appointed as the temporary headquarters and recruiting office for volunteers. From the Eagle Tavern the recruits were to be conveyed by night to Whitehaven, a little village on the eastern side of Grand Island,[207] where Van Rensselaer and Mackenzie were to call for them and escort them to the permanent headquarters on Navy Island. {183} The

scheme proceeded with wonderful rapidity. Before the night was over a long and wordy proclamation had been drawn up by Mackenzie and sent to press. Small sums of money had been contributed and subscribed by Buffalonians to meet current expenses, and something had been done in the way of providing arms, clothing and other necessaries for a campaign. The recruits were for the most part made up of the very offscourings of the Buffalo slums vagabonds who, in the language of a local newspaper, were "ready to cut any man's throat for a dollar." The fact of the matter appears to be that most of the men understood the truth, which was simply that the troubles in Canada afforded a specious pretext for a succession of raids into that country, whereby plunder might be secured. The Navy Island project had a spice of adventure about it, and met with the cordial approval of many persons of this class. It was promptly carried into effect, so far as its initiatory stages were concerned, though on a much less formidable scale than had been contemplated. It was probably accelerated by a rumour to the effect that Sir Francis Head had made, or was about to make, a requisition on the Governor of New York State for the surrender of Mackenzie as a fugitive from Upper Canadian justice. Throughout the early morning of Wednesday, the 13th, Sutherland perambulated the streets of Buffalo at the head of a drum and a fife, and followed by a rabble of half-drunken vagabonds who professed their eagerness to strike for their altars and their fires. Late in the afternoon of the same day, Mackenzie and Van Rensselaer, according to the previous arrangement, repaired to Whitehaven, where they had been led to believe they would find two pieces of artillery, four hundred and fifty stand of arms, and a large stock of provisions, clothing and accoutrements, in addition to several hundreds of armed volunteers. The reality fell far short of their expectations. Only twenty-four volunteers had enrolled themselves. Among them were seven or eight Canadian insurgents from the Home District, who had escaped across the lines after the defeat at Montgomery's, and who were ready to fall in with any project, however desperate, which held out the slightest hope of vengeance against the Compact from whom they had suffered such grievous wrongs. Conspicuous in their ranks was Nelson Gorham, who for some weeks thereafter {184} proved one of the most useful and efficient of Mackenzie's allies. As for the sixteen or seventeen casual recruits who had been picked up in Buffalo, their appearance indicated that they were of the Pistol and Bardolph species. Falstaff would assuredly have refused to march through Coventry with such a handful of disreputable tatterdemalions at his back. The supplies and munitions were so few and insignificant as to be hardly worth taking into consideration.[208] "Needs must," however, is under certain well-known desperate circumstances the only rule of action, and with such material as

the leaders found ready to their hands they proceeded on board a flat-bottomed scow to Navy Island, whither they arrived in the grey of the following morning. Mackenzie lost no time in issuing and distributing his proclamation, which, as already mentioned, had been prepared and printed at Buffalo the night before, but which bears date "Navy Island, December 13, 1837." It professed to emanate from "William Lyon Mackenzie, Chairman *pro tem*. of the Provincial [?Provisional] Government of the State of Upper Canada." It contained a number of recitals of facts, with a full proportion of recitals of fiction. The principal grievances of Upper Canadians were briefly set forth, and the "platform" of the Provisional Government was outlined with some minuteness. The latter included the establishment of "a Government of equal rights to all, secured by a written constitution," to be sanctioned in a convention which was to be called as early as circumstances would permit. It further included the establishment of "civil and religious liberty in its fullest extent"—a sort of indefinite generalization which would seem to comprehend pretty nearly every blessing under the sun; but as this clause was open to objection on the score of vagueness, a number of specific "planks" were laid down. Among these were the abolition of hereditary honours, and of the laws of entail and primogeniture; a legislature composed of a senate and assembly chosen by the people; an executive, to be composed of a governor and others officers elected by the public voice; a judiciary, to be chosen by the {185} governor and senate; cheap laws; trial by jury; an elective shrievalty; free trade and a free press; vote by ballot; frugality and economy in the carrying on of the Government. All these were doubtless things greatly to be desired by zealous Reformers who sincerely had at heart the welfare of the country and of humanity. But the rabble rout to whom it was necessary to appeal, and whose cooperation it was necessary to secure, was composed of persons not likely to be consumed by zeal for the progress of the human race. Metal more attractive must be found before political economists of this kidney could be induced to embark in an enterprise fraught with personal peril. Mackenzie proved equal to the occasion. Confidence was expressed that ten millions of fair and fertile public lands would soon be at the [Provisional] Government's disposal; and it was promised that three hundred acres thereof would be the portion of every volunteer who should personally assist in bringing "the glorious struggle" to a conclusion. All aggressions upon private property were strictly forbidden; but Mackenzie must have known that the prohibition was very unlikely to be respected by such recruits. It is significant how Mackenzie still clung to Dr. Rolph as to a tower of strength. The Doctor, since his arrival at Lewiston, had been called upon by many gentlemen of wealth and position. All had been impressed by his bearing and

conversation, and had come to the conclusion that a cause supported by him must have a great deal to recommend it.[209] Had he chosen to openly identify himself with Mackenzie and Van Rensselaer, the invasion of "American sympathizers" would have assumed much more serious proportions. But Rolph had utterly lost any confidence he might ever have had in Mackenzie, and Van {186} Rensselaer was an untried man. It was not even certain that any appreciable body of volunteers could be got together for such a purpose as was contemplated. Until a considerable force should be collected and organized, and until it should be apparent that there was some prospect of the success of their operations, Dr. Rolph determined to have no actual participation in the movement. He had expressly and clearly refused to hold office in the "Provisional Government," or to be in any way identified with it for the present. He had positively forbidden Mackenzie to make use of his name in the proclamation as one of the promoters. He had, however, consented that Mackenzie might go so far as to announce that he, Dr. Rolph, favoured the movement, and of this privilege Mackenzie availed himself to the utmost. He dragged the Doctor's name by the heels into his proclamation, and rang the changes upon it in three different places, insomuch that it was well-nigh impossible to glance at the broadsheet without seeing "Dr. John Rolph" staring you in the face. Reference was made to the Declaration of Independence which had been adopted at Toronto in the previous summer, and which, it was now stated, had been drawn by "Dr. John Rolph" and Mackenzie himself.[210] It was most mendaciously added that this Declaration had received the sanction of a large majority of the people of the Province west of Port Hope and Cobourg, and that it was well known to be "in accordance with the feelings and sentiments of nine-tenths of the people of this State."

This proclamation, be it remembered, was Mackenzie's first public written utterance after his flight from Montgomery's. Being prepared by himself, to serve an important purpose, it must be presumed to have been written with as much forethought and deliberation as he was capable of exercising on any subject. If, as he afterwards alleged, Dr. Rolph was to blame for the failure of the attempt on Toronto, the {187} Doctor's blameworthiness was then well known to him. In the proclamation, however, there is not even the most distant attempt to hint at anything of the kind. So far from there being any such attempt, Mackenzie is careful to specially exonerate the Doctor, and to hold him up to the admiration of his readers. He refers to him as "that universally beloved and well-tried eminent patriot Dr. John Rolph." Subsequently, when he had been utterly repudiated by the Doctor, he attributed the failure at Montgomery's to Rolph's having

accelerated the movement by changing the date from Thursday, the 7th of December, to Monday, the 4th.[211] The proclamation assigns a totally different cause. It expressly states that "The reverses in the Home District were owing, first, to accident, which revealed our design to our tyrants, and prevented a surprise; and second, to the want of artillery." Nay, so boundless is Mackenzie's love and admiration for the man whom he afterwards so villainously maligned, that he refers to the latter's expatriation as one of the high "crimes and misdemeanours" of Sir Francis Bond Head. He actually goes the length of offering a reward of five hundred pounds for the apprehension of the Lieutenant-Governor, "so that he may be dealt with as may appertain to justice." Not only is Dr. Rolph completely exonerated by him, as above specified, for changing the day for the descent upon Toronto, but Mackenzie entirely cuts the ground from under his own feet in respect to the flag of truce. In after years, as the reader of the foregoing pages is aware, Mackenzie charged the Doctor with having violated the flag, alleging that he exchanged treasonable communications with the rebel leaders on the occasion of his first visit to the insurgent camp with Mr. Baldwin,[212] No man in Mackenzie's position, provided he had had any self-respect, or any regard for his own honour, would have made such a charge, even had it been well-founded. Assuming his story to be true, he was guilty of a dastardly breach of confidence in repeating it. This subject has been dealt with pretty fully in a previous chapter, but the Navy Island proclamation affords an additional proof that when Mackenzie charged Rolph with violating the flag of truce, he was guilty not only of deliberate treachery, but of shameless falsehood. In this proclamation, an original issue of which is {188} now lying before me, occurs the following sentence: "I am personally authorized to make known to you that from the moment that Sir Francis Bond Head declined to state in writing the objects he had in view, in sending a flag of truce to our camp in Toronto, the message once declined, our esteemed fellow-citizen, Dr. John Rolph, openly announced his concurrence in our measures, and now decidedly approves of the stand we are taking in behalf of our beloved country, which will never more be his until it be free and independent." Awkwardly constructed as this sentence undoubtedly is, it is at least specific as to Mackenzie's indorsement of the statement that Rolph's concurrence was not openly signified until after the Lieutenant-Governor's refusal to ratify his flag of truce. This refusal was after the return of Rolph and Baldwin from their first journey to the rebel camp; and it was consequently impossible that Rolph could have communicated with the rebel leaders until his second visit. All which goes to prove that the charge of violation was a mere afterthought with Mackenzie, invented by him to

gratify his own malice, and to injure one who, whatever his faults, appears to have been blameless in respect of this matter.

Eleven persons, in addition to Mackenzie himself, were mentioned in the proclamation as composing the Provisional Government. They were Nelson Gorham, Samuel Lount, Silas Fletcher, Jesse Lloyd, Thomas Darling, Adam Graham, John Hawk, Jacob Rymall *(sic)*, William H. Doyle, A. G. W. G. Van Egmond, and Charles Duncombe. Several of these names were inserted without the consent, or even the knowledge, of the persons concerned. Samuel Lount, for instance, was still secretly wandering about Upper Canada, waiting for an opportunity to escape to the States. Dr. Duncombe was still in the London District, and had not yet secured his own safety. Colonel Van Egmond was suffering untold agonies in Toronto jail, and doubtless cursing the day when he had been beguiled by Mackenzie into risking life and fortune in an enterprise which had brought him to such a pass. Thomas Darling promptly repudiated all connection with the affair, and denounced Mackenzie for publishing his name. Dr. Rolph's strict prohibition restrained Mackenzie from announcing him as a member of the Provisional Government, but the proclamation was so worded as to convey {189} the impression that the Doctor was really a member of it. The membership was said to include "two other distinguished gentlemen whose names there are powerful reasons for withholding from the public view." It is tolerably certain that by these two "distinguished gentlemen" Mackenzie intended to indicate Rolph and Bidwell, and thus the announcement seems, for the time, to have been generally understood.[213] There was further intentional misrepresentation in the announcement that the aid of "General Van Rensselaer, of Albany, of Colonel Sutherland, Colonel Van Egmond, and other military men of experience" had been secured. Colonel Van Egmond's painful situation has just been referred to, and it was certain that little aid was to be expected from him. As regards "Colonel" Sutherland—by whom the aforementioned Thomas Jefferson Sutherland was meant to be indicated—the announcement was of little importance, as he had neither character nor military rank to lose. But the proclamation was a villainous libel upon old General Van Rensselaer, of Albany, who had led an honourable career, and who stood high in the estimation of his fellow-countrymen. His only serious misfortune consisted in the paternity of an unsteady, ne'er-do-weel son, who permitted Mackenzie to pass him off as a "General," and thus confuse him in the public mind with his highly-respected father.

Such were the principal contents of the Navy Island proclamation, which was soon sown broadcast along the United States frontier. It certainly produced an immediate effect. The prospect of plunder, and of a share of those ten millions of "fair and fertile" lands, constituted an irresistible bribe to a swarm of impecunious vagabonds. The street loafers of Buffalo, Rochester and Oswego believed that their time had come. They flocked to Navy Island in great numbers. But appearances there did not come up to their anticipations, and most of them had no sooner set foot on the island than they found their enthusiasm greatly moderated. They were shrewd enough to perceive that there was an utter want of method and organizing capacity, and that neither Mackenzie nor Van Rensselaer was fit to be entrusted with the direction of {190} military operations of any magnitude. A good many of them entirely lost confidence in the movement, and refused to have anything to do with it. They were not disposed to risk their safety upon so hazardous an experiment until they could see tolerably clear prospects of success. Some returned to the American side and waited the course of events. Others took a more sanguine view of the situation, and enrolled themselves among the champions of liberty. Ere many days had elapsed the number of recruits had rolled up to somewhat more than a hundred. Huts of rough pine boards were hurriedly thrown together for the accommodation of the "Patriot army," the largest shanty of all forming the headquarters of the Provisional Government. A flag was hoisted, upon which two stars were depicted as representing the two Provinces which were soon to be converted into two independent States. Entrenchments were rapidly thrown up, and, a number of cannon having been procured, fire was opened on the Canadian shore. But the force was still too inconsiderable to attempt an invasion of Upper Canada, the Government whereof by this time had thousands of enthusiastic volunteers at their disposal. A large force of militia had already marched to the frontier, and were now encamped at Chippewa, in the very face of the enemy. The fair and fertile acres having thus proved an insufficient inducement, Mackenzie resolved that the cupidity of "sympathizers" should be still further appealed to. To make such an appeal effectively was no easy matter under the trying circumstances in which he found himself. He was almost without means, as his utmost exertions had failed to extract from the pockets of his supporters in Buffalo any appreciable amount of ready money. Van Rensselaer's promises had proved to be the most veritable pie-crust, as he had up to this time attracted neither recruits nor cash. Moreover, the relations between him and Mackenzie were already becoming perceptibly strained. As money, therefore, was not forthcoming, there seemed to be nothing for it but to issue promises for money, the performance of which must of course depend upon

the success of the projected invasion. On the 19th of the month Mackenzie issued a second proclamation, offering "three hundred acres of the most valuable lands in Canada," in addition to a hundred dollars in silver, "payable on or before the 1st of May next," to every volunteer who {191} should join the forces on Navy Island. This appeal seems to have been attended with some degree of success, and to have given a slight impetus to the movement. But meanwhile the "Chairman Pro Tem." of the Provisional Government was absolutely at his wits' end for ways and means. Provisions must be had from day to day, and the exchequer was empty. The only resource was to further discount success by paper promises to pay. A quantity of scrip was issued, payable four months after date, at the City Hall, Toronto. The signatures appended were those of "W. L. Mackenzie, Chairman pro tern. Ex. Com.," and "T. Parson,"[214] who acted as secretary. The name of David Gibson was also placed at the foot as "Comptroller," but this was done entirely without Mr. Gibson's knowledge or consent, and was afterwards emphatically repudiated by him. Indeed, at the time when the scrip was issued Mr. Gibson was hiding in a straw-stack in the vicinity of Oshawa,[215] and {192} did not make his escape from Canada until some time afterwards. He was never identified with the Navy Island project, and indeed never became aware of it until it was just on the eve of collapse.

The scrip issued by Mackenzie was accepted by one or two persons at Buffalo in return for small quantities of supplies, but it never became current, and was the subject of many poor jokes along both sides of the frontier. The "Patriots," however, contrived to exist. The movement had by this time assumed the character of a mere marauding expedition into Canadian territory by a gang of United States desperadoes. As such it promised more satisfactory pecuniary results than any regular invasion would have done, and some of the more enthusiastic sympathizers in Buffalo, Black Rock and Batavia yielded to urgent solicitations, and contributed food, clothing and other necessaries for a temporary winter campaign. The public sympathy of the people of the frontier began to declare itself in various ways. Some of the local authorities winked at or openly encouraged acts on the part of Mackenzie's gang which ought to have been promptly and rigidly repressed. The latter were permitted to arm themselves from the State arsenals upon the most flimsy and absurd pretexts. In one instance an officer permitted a number of them to remove a cannon to Navy Island upon their informing him that they merely wished to borrow it for a short time to shoot wild ducks. Other artillery was obtained upon pretexts not much more rational,[216] {193} and the filibusters found themselves in high favour. Still, recruits came in but slowly, and as the year

drew towards its close their number did not exceed a hundred and fifty.[217] But a series of events now occurred which gave an impulse to the movement, and for a time threatened to produce consequences much more serious to Canada than any which were likely to result from the operations of Mackenzie and his myrmidons on Navy Island.

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[203] Erelong a correspondence was entered into with a view to such cooperation. A part of this correspondence is in my hands; but it throws no additional light upon the Upper Canadian portion of the story, and it ultimately came to nothing.

[204] The following is the full text of his letter:

> *To the Editors of the Buffalo Whig and Journal*:
>
> SIRS,—The Reformers of this part of Upper Canada have taken arms in defence of the principle of independence of European domination—in plain words they wish this Province to be a free, sovereign and independent state. They request all the assistance which the free citizens of your Republic may choose to afford.
>
> I address this letter to your office, because you have expressed a friendly wish towards us in the Buffalo *Whig*. We are in arms near the city of Toronto—two and a half miles distant.
>
> Your faithful servant,
> W. L. MACKENZIE.
>
> Yonge Street, Dec. 6, 1837.
>
> ☞ American editors will be pleased to copy this letter, whether they are or are not favourable to Canadian freedom.
>
> W. L. M.

[205] His father, General Van Rensselaer, of Albany, commanded the United States militia during the attack on Queenston Heights in 1812.

[206] In a narrative prepared by Van Rensselaer, and published in the Albany Advertiser of March 30th, 1838, the writer states that "Dr. Rolph went so far as to propose, himself, and to insist, that I should have the power to arrest any member of the Executive Council, provided it became necessary to do so, in order to prevent his interference in my department." Dr. Rolph's papers contain only a very brief account of this transaction, nor have I any minute knowledge of the constitution of the Executive Council here referred to, beyond that furnished by Mackenzie in the proclamation subsequently mentioned in the text. Dr. Rolph, however, was probably ready enough to avail himself of the services of anybody likely to forward his views. If he was to have any connection with the enterprise against Canada he would be certain to make some such stipulation as that above quoted from Van Rensselaer, as he well knew that Mackenzie would inevitably interfere in any plans that might be formed, and that such interference would most probably be disastrous. It is clear, however, that Dr. Rolph had no official connection with the movement, and that the period during which he continued to in some measure lend his countenance to it did not extend beyond a few days. He soon discovered Van Rensselaer's incompetence, and could not fail to be disgusted with the character of the so-called "American sympathizers" who enlisted in the cause.

[207] An island of great extent, situated in the Niagara River immediately above Navy Island, from which it is only separated by what may be called a wide strait. It is more than ten miles in length, and extends to within eight miles of Buffalo. It belongs to the Republic, and forms part of the State of New York.

[208] From a private letter written last year by Nelson Gorham, I learn that the supplies included 250 pounds of boiler punchings, to be used as a substitute for grape. This may probably be taken as a general indication of the nature of the supplies furnished during the first day or two of occupation. The Buffalo *Journal* refers to these punchings as "terrible ammunition," and says: "These are sewed up in bags for grape shot, and must do terrible execution."

[209] A correspondent of the Rochester *Democrat*, writing from Lewiston under date of December 10th, remarks as follows: "Since meeting with Dr. Rolph my sympathies are greatly strengthened in favour of the Patriots. One could not well be otherwise after hearing their wrongs portrayed by one so intelligent and eloquent as he is.... He is strong in the belief that the principles of free government will prevail sooner or later, if not now, in the Canadas; but says their friends must recollect they have to contend against fearful odds, without arms or ammunition, or experienced military leaders. Their spirit, he says, is strong, but the body weak, from disabilities beyond their control. He thinks three-fourths of the people would be found rallying round the standard of rebellion should it be ones successfully raised.... Mackenzie's fatal error seems to have been that when he struck the first blow he did not take possession of Toronto. If he had done so, the universal opinion is that no further opposition would have been made, and that by this time Upper Canada would have organized a free government."

[210] Mr. Lindsey gives a different account of the authorship of this document, which he declares to have been "a joint production in which O'Grady's and Dr. Rolph's pens were engaged." See *Life of Mackenzie*, vol. ii, p. 17. As I have already stated in this work (vol. i, pp. 364, 365), I am of opinion that Rolph had no hand in its preparation, but the matter is hardly worth considering, unless for the purpose of exposing Mackenzie's self-contradictions. I say "self-contradictions," because it is to be presumed that Mr. Lindsey had Mackenzie's authority for his statement.

[211] *Ante*, p. 38.

[212] *Ante*, chap, xxiii.

[213] Mr. Bidwell, in order to disabuse the public mind of the idea, wrote from Lewiston to the Buffalo and Rochester papers, denying that he was one of the two individuals mentioned by Mackenzie. His letter, dated 20th December, is copied in several of the Canadian newspapers.

[214] Mr. Parson, learning that he had become an object of suspicion to the Government, had secretly fled from Toronto and joined Mackenzie at Buffalo. See *ante*, note on pp. 74, 75.

[215] *Ante*, p. 147. Mackenzie's biographer states (*Life of Mackenzie*, vol ii., p. 139,) that "Gibson, Gorham, and others who were on the island with [Van Rensselaer] have left on record their opinion that his [Van R's] intemperance ruined the prospects of the Patriots." It is to be presumed that this statement was made upon Mackenzie's authority, as its mendacity is eminently characteristic of him. Gibson was a man of character and good pecuniary position in the world, and Mackenzie was anxious to make it appear that so respectable a personage was identified with him. Hence the forgery of his name to the scrip. As matter of fact, Gibson was never on Navy Island during its occupation by the "Patriots," and it would be interesting to see the "record" which Mr. Lindsey declares him to have left on the subject of Van Rensselaer's intemperance.

In Mr. Gibson's private copy of *The Life and Times of W. L. Mackenzie*, which I have personally examined, I find the following MS. note written in the margin opposite the statement above quoted from p. 139 of the second volume: "Gibson was never on the Island while it was occupied, and is not aware that V. Rensselaer was addicted to such a habit." It is true enough that Van Rensselaer was really of somewhat dissipated habits, but Gibson appears to have had no knowledge on the subject, and as he was a truthful man, he could hardly have "left on record" any such opinion as the one attributed to him. His family utterly repudiate the assertion that he ever was on Navy Island with Mackenzie.

On finding this direct conflict between Mr. Lindsey's testimony and that of Mr. Gibson and his family, I caused a letter to be written to Nelson Gorham, who must on all hands be admitted as a satisfactory witness, as he was with Mackenzie on Navy Island during the entire period of occupation, and could not avoid knowing the facts as to Gibson having been on the island or otherwise. His letter, a part of which I subjoin, proves the statement in the *Life and Times* to be utterly devoid of truth.

"YARMOUTH, Mass., May 31st, 1885.

"MY DEAR SIR:

"Mr. Gibson's family is quite right in asserting that he never went on Navy Island. Mackenzie, when he improvised the Provisional Government of Canada at Navy Island, discarded the ceremony of consulting with any one, but it came full-fledged from the incubator of his own brain.... Not long after our occupation of Navy Island the question of supplies became a source of anxiety to me, and I wrote to a gentleman of reputed wealth, who was an ardent sympathizer with our cause, requesting his views as to the best way of devising ways and means. He did me the favour to answer my letter, and suggested that, as a temporary arrangement for the supply of immediate wants, the Provisional Government might issue scrip, countersigned by some of its members, who were reputed persons of property, and that he would indorse this scrip to the extent of three thousand dollars: that this would relieve our immediate wants, and give time for perfecting a more mature scheme for floating a loan. I submitted this to Mr. Mackenzie, but he emphatically objected to it, and nothing came of it....

"Yours most truly,

"(Signed) NELSON GORHAM."

Mackenzie appears to have subsequently thought better of the proposal, and to have acted upon it, so far, at least, as the mere issue of the scrip was concerned. The forgery of Gibson's name seems to have been his own conception.

[216] Here, for instance, is a letter, upon the strength of which the official to whom it was addressed delivered over ten pieces of State artillery to the bearer:

> "Buffalo Head Qr Jany 18 1838.
> "Col H B Ransom commander in Chief at Tonawanda.
>
> "Pleas sen on those pieces of Canon which are at your place let the same teams come on with them.
>
> "Your in hase
> "W Scott Commander in Chief on the
> "Frontiers of Niagara."

No one can believe that Colonel Ransom was really imposed upon by such a document. General Scott, from whom it professed to come, was a graduate of William and Mary College, the compiler of the General Regulations of the Army, the translator from the French of a system of military tactics, and one of the most conspicuous personages in the United States. If the Commander-in-Chief at Tonawanda accepted the missive in good faith he was totally unfit to-occupy so responsible a position.

[217] "At no time before the burning of the *Caroline* was the number on the island more than 150,. and at no time thereafter more than 450. I personally enrolled every volunteer."—*Private letter from Nelson Gorham*.

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CHAPTER XXXI.

THE CAROLINE.

The Upper Canadian Government, as a matter of course, were not unmoved spectators of what was going on along the Niagara frontier. For some days after the affair at Montgomery's there was much excitement in Toronto, the inhabitants whereof had been so startled out of their equanimity by the fact of an armed insurrection at their doors that they waited in hourly expectation of some new and indefinite calamity. The public mind had become alarmed, and was easily thrown off its even balance. The wildest rumours were circulated from day to day, and every fresh rumour tended to revive the general agitation, insomuch that the public pulse did not become fully tranquillized throughout the winter. Being desirous of obtaining all the light possible on the subject of the outbreak, his Excellency, by the advice of his Councillors, appointed a Commission "to inquire into the several causes of treason or suspicion of treason during the recent disturbances." It was strictly a close official inquiry, Mr. Sullivan, President of the Council, acting as Chairman. The Commission sat at intervals extending over about six weeks. A number of persons were examined as to their knowledge of the rising, but the information obtained by this means was of little importance as compared with what had been derived from Mackenzie's papers. The testimony given before the Commission by Lount, Ware, Brotherson and Robert Baldwin has been set out in a note to a previous chapter,[218] and an attempt has there {195} been made to estimate its value. Dr. Morrison, who lay in jail awaiting his trial for high treason, voluntarily appeared before the Commission, and denied all knowledge of or participation in the revolt a denial for which, under the circumstances, he ought not to be held to a severe account, as he well knew that his life hung trembling in the balance, and he could not in strictness be said to have had any participation in the revolt as finally consummated by Mackenzie. Dr. Baldwin also voluntarily presented himself, and denied all participation in the Rebellion. Upon cross-examination he admitted that on

Monday or Tuesday, the 4th or 5th of December, he had received a communication which for the first time had induced him to believe that Dr. Rolph was a party to the designs against the Government. He firmly refused to give the name of the person from whom he had received this communication, stating that, although he had not been pledged to secrecy, he had firmly made up his mind to take all the consequences of so refusing. As matter of fact he had received his information from Mr. Francis Hincks, who for several days was in hourly expectation of arrest, but who fortunately escaped that indignity.

The whole atmosphere of the capital was charged with suspicion. Men were suspicious of their best friends, and in some cases even of members of their own households. The distrust did not attach merely to persons known to be of Radical proclivities, but was extended to all who did not profess unbounded zeal for the Government. A notable case of strangely misdirected suspicion was that of Mr. James Scott Howard, Postmaster of Toronto. Mr. Howard was veritably ground between the upper and nether millstone. It has been seen that he was denounced by Mackenzie;[219] that his substance was confiscated to feed the insurgents,[220] and that his wife was insulted and maltreated by their leader,[221] He now in turn became an object of suspicion to the Government. No man's loyalty was less open to question than Mr. Howard's. He was in no sense a politician, and had never taken any part in public affairs. He had spent eighteen years of his life in the employ of the Post Office department, and was admitted to be an honourable and efficient public servant. He came of ultra-loyal stock, and was of {196} decidedly Conservative proclivities. All his sympathies were on the side of authority, and no man in the community was less likely to be in harmony with any projects of rebellion, more especially of a rebellion with such an one as Mackenzie at its head. Yet, within two days after the affair at Montgomery's, he found himself an object of distrust at headquarters, and on the 13th of the month he was formally notified of his removal from office. No charge was officially brought against him, but after urgent and repeated endeavours by him to learn the grounds upon which he had been removed, he was informed that he had long been supposed to have a bias in favour of the political opinions of "the republican faction" in the Province, and that his son—a lad of ten years of age[222]—was in the habit of reading the Radical newspapers. The first allegation was wholly without foundation. As for the second, it was not unnatural that a boy of ten years should have been attracted by the spicy personal scurrilities of the *Constitution*, or that he should have read them in preference to the duller columns of the *Patriot*; but surely a more flimsy pretext for dismissing an old and esteemed public official could hardly have

been devised. A more serious matter alleged against him was that certain letters had been addressed by John[223][223] and Joseph Lesslie, of Dundas, to their brothers James and William, in Toronto, under cover to Mr. Howard. The object in so enclosing them appears to have been merely to expedite their delivery. But, as has been seen,[224] the Lesslies of Toronto had become objects of suspicion to the Government, and had been arrested. They were committed without any information having been laid against them, and without the issue of a magistrate's warrant. Nothing was proved against them, nor were they even brought to a formal trial, but were released without any accusation. Mr. Howard's conduct, however, in "suffering the secret correspondence of traitors" to pass through his hands, was deemed sufficient, when added to the other alleged delinquencies above mentioned, to justify his peremptory dismissal from the public service. Nothing could {197} have more clearly indicated the absence of any true and impartial balance in the direction of affairs. A successor to Mr. Howard was appointed in the person of Mr. Charles Albert Berczy.[225]

The excitement throughout the city and the country adjoining continued for many days unabated. The news of the utter collapse of Duncombe's movement, and of the clean sweep made in the London District by Colonel MacNab, was so far reassuring; but the self-same day which brought intelligence of these events to the capital brought also the news of Mackenzie's Navy Island enterprise. The public excitement now reached fever heat. It seemed unbearable that Canadian territory should be thus desecrated, and that, too, mainly at the instigation of a man who had once posed in the *rôle* of a genuine lover of his country. The indignation of the Reformers generally was quite as vehement as was that of the Tories at this outrage, and many hastened to place their services at the disposal of the Government. Sir Francis had already opened communications with the Hon. William L. Marcy, Governor of the State of New York, acquainting that dignitary with the fact that public meetings had been held in Buffalo to procure countenance and support for the disaffected in Upper Canada, and suggesting that the exuberance of these sympathizers should be restrained.[226] Sufficient time had not elapsed to admit of his having received any reply to his missive, but he seems to have felt somewhat dubious as to the extent of the assistance to be expected from that quarter. Happily, it was unnecessary for him to depend very strongly upon such assistance. The Government now had a formidable array of men ready to answer to their beck and call, among whom were many retired officers of the army and navy of Great Britain. No time was lost in despatching a considerable force to the frontier. Before Mackenzie had been long on the island the opposite

Canadian shore was occupied by eighteen hundred armed volunteers, and the number thereafter increased from day to day. Arrangements {198} had been made for calling out the general militia of the Province, in case of their services being needed,[227] and many persons—Reformers as well as Tories—without any formal enlistment, voluntarily repaired to the scene of action, eager to have a share in ridding the land of the unclean horde whereby it was menaced. Pending the arrival of Colonel MacNab on the ground from his western expedition, all the forces along the frontier were temporarily placed in command of Colonel Kenneth Cameron, a retired officer of the 79th Highlanders who had fought at Waterloo, and who now occupied the post of Assistant Adjutant-General of Militia in Upper Canada. Sir Francis Head, immediately upon hearing that Navy Island had been occupied, sent a swift messenger to Colonel MacNab, instructing him to proceed to the front and assume command of operations there. The Colonel promptly obeyed the mandate, taking with him most of the volunteers who had accompanied him westward, so that when he reached his destination and relieved Colonel Cameron of the command, he found himself at the head of about twenty-five hundred men. Various harmless demonstrations in the shape of marchings, counter-marchings and reviews were resorted to, in the hope that such displays of strength might induce the enemy to evacuate their quarters; but the position of the filibusters was a strong one, and it soon became apparent that it would be no easy matter to dislodge them. To dislodge them by force, indeed, was a thing not to be attempted, for the Lieutenant-Governor had expressly commanded that the militia should meanwhile act strictly on the defensive, and not fire a single shot in the direction of the island. This was done upon the pretext of avoiding possible international complications with the United States, though, as Navy Island formed part of Upper Canada, the precaution savoured of unnecessary timidity. Preparations were set on foot for the fitting out of a flotilla of armed vessels and gun-boats, to be used for the purpose of clearing the island of the intruders; but the process was a slow and tedious one, necessarily involving much delay. As for Mackenzie and his adherents, they knew the strength of their position. The island is situated about the middle of the stream, which is here nearly three miles in {199} width. The current is swift, strong, and treacherous. As previously stated, the navigation of these waters in small boats, even by persons familiar with the character of the stream and the various cross-currents, is not unattended with danger.[228] Only a mile and a half lower down begin the resistless Rapids which have swept so many lives to a swift and terrible ending in the mighty chasm a short distance below. The “Patriots” had turned the natural advantages of the place to account for purposes of defence. They had felled trees into the water along the western and northern

shores, which materially increased the difficulties of landing. They had thrown up entrenchments, and had ranged a number of cannon near the water's edge, forming a regular military encampment. They from day to day kept up an irregular fire upon the Canadian shore, between six and seven hundred yards distant, but the casualties resulting therefrom were fewer than might have been expected. Up to the time at which the narrative has now arrived, not one of the militia had been killed, or even seriously wounded. A horse had been slain by a cannon ball, and a number of houses along the shore had been more or less perforated. These, so far as the Canadians were concerned, were about the only results of the bombardment. The distance from shore to shore was too great to admit of muskets being used with effect, and of this the "Patriots" soon became aware. Firing from the Canadian shore having been strictly forbidden, the militia were compelled to figure as living targets, without making any response in kind. Indeed, in the absence of bomb mortars or rockets, it is difficult to see what effectual response could have been made without actually landing upon and taking {200} forcible possession of the island. This, though it might doubtless have been accomplished, would have been no child's play, and would almost certainly have been attended with great loss of life. The militia in the meantime sustained their trying ordeal with greater equanimity than could with any show of reason have been expected of them.[229] The most unsatisfactory feature of all, from the Canadian point of view, was that nothing was done towards ridding the island of the intruders. It seemed monstrous that a petty handful of adventurous filibusters should be able to take possession of our territory, and not only hold it in spite of us, but make it a base of hostile operations. The militia generally fumed at the inaction manifested by their Colonel. Had they known the truth they would have laid the responsibility upon other shoulders, for Colonel MacNab was in nowise to blame. He was as impatient as were any of his men to whip the dwarfish war from out our territory, but was restrained by the peremptory commands of the Lieutenant-Governor, who went over from Toronto in person to watch the course of events. Sir Francis reached Chippewa on the night of Tuesday, the 19th of the month, at which time the filibusters had been in possession six days. He reviewed the militia, which by this time included a body of Indians from the Grand Eiver and elsewhere, who had come down to do battle for their Great Mother. He remained on the ground several days, but might as well have staid at the seat of Government for any good he effected by his journey. Colonel MacNab urgently requested to be permitted to assail the enemy in their stronghold, but Sir Francis would not consent that any attack should be made unless in case of an attempt on the part of the

“Patriots” to gain a footing on the mainland. And so the days glided by in wearisome inaction.

Such a significant event as an armed uprising, having for its object the subversion of the Provincial Government, had been deemed a matter {201} of sufficient importance to justify an extraordinary session of the Legislature, which was accordingly assembled on Thursday, the 28th, when the year had only three days more to live. The Lieutenant-Governor, in his opening Speech, gave a garbled account of some of the main facts of the outbreak, and indulged in much self-glorification. The complicity of “a considerable number of Americans” in the affair at Navy Island was strongly deplored. “I am informed,” said his Excellency, “that Americans from various quarters are hastening from the interior to join this standard of avowed plunder and revolt; that cannon and arms are publicly proceeding there; and that, under these circumstances, it becomes my painful duty to inform you that, without having offered to the United States the smallest provocation—without having entertained the slightest previous doubt of the sincerity of American alliance—the inhabitants of this Province may in a few days be called upon by me to defend their lives, their properties, and their liberties from an attack by American citizens, which, with no desire to offend, I must pronounce to be unparalleled in the history of the world.”

But before the Legislature had time to settle down to any regular sessional business, news of a most important nature arrived from the Niagara frontier.

Mackenzie and his adherents had by this time become comparatively indifferent to the risks which they ran. A fortnight’s occupation of Navy Island had inured them to the perils of their situation, and they were not without hope that they would erelong really be able to effect a landing on the Canadian shore. They did not know that the inactivity of the Provincial militia was due to the peremptory mandate of the Lieutenant-Governor. They believed—and circumstances certainly appeared to bear them out in believing—that their foes were afraid to attack them. Meanwhile their cause, though it can hardly be said to have prospered, did not altogether languish. A few new recruits came in almost daily, and supplies of provisions were obtained with much less trouble and anxiety than during the first few days of occupation. There was however some difficulty about the transport accommodation. Mackenzie and Van Rensselaer, who by this time quarrelled pretty nearly every hour in the day about some petty detail or other, were agreed as to {202} the desirability of procuring the assistance of a river steamer. Fortune smiled on their desires, for, encrusted in the ice

adjacent to a dock at Buffalo, was precisely such a craft as they needed. She was a little steamer of forty-six tons, called the *Caroline*, belonging to one William Wells, of Buffalo, and originally constructed by the man afterwards known as Commodore Vanderbilt. She had been intended for salt-water sailing, and was copper-bottomed. Wells, upon being applied to, was willing enough to hire out his boat, but was not sufficiently enthusiastic in the "Patriot" cause to risk his property in such a hazardous undertaking without indemnity. This difficulty was easily surmounted, and seventeen of his fellow-citizens were induced to join in a bond to protect him from loss in case of the capture or destruction of his vessel. One Gilman Appleby, a lake sailor resident in Buffalo, was placed in command, and on the 28th of December the steamer was cut out of the ice and taken down the eastern channel of the river to Navy Island. There was by this time a manifest disposition on the part of nearly all the inhabitants of the frontier to favour the expedition against Canada, in so far as they could do so without involving themselves in pecuniary loss, or in complications with the State authorities. The nature of the service on which the *Caroline* was to be employed was no secret to any one in Buffalo who chose to keep his eyes and ears open, yet the collector of the port raised no question about giving her a clearance.

The steamer reached Navy Island early in the afternoon of the 28th, and at once began to ply backwards and forwards between the island and Fort Schlosser, a hamlet on the eastern mainland, consisting at that time of a wharf and a neighbouring tavern. The tavern had all along been a rendezvous and place of resort for the "sympathizers," and now drove a more flourishing trade than it had ever done before. The presence of the *Caroline* in these waters, plying backwards and forwards at intervals of a few minutes, gave the place an aspect of unwonted liveliness, and during the whole of the afternoon the deck of the steamer was crowded with passengers. Supplies and munitions of war, including a piece of artillery, were also conveyed across to the island. These things were done openly, and without any attempt at concealment; indeed, Appleby and his crew felt proud of their employment, and gave {203} loud expression to their elation. But the traffic had not been going on more than an hour or two ere Colonel MacNab and his officers became aware of it. No wonder that they waxed wroth, more especially as they had been kept in inaction for more than a fortnight, with the enemy hardly beyond musket-range. It was impossible to see with any clearness from the Canadian shore what was going on at the other side of the river, partly by reason of the distance, and partly on account of the dense woods on Navy Island. As it was deemed important to know all

that could be learned, in view of a possible attempt to utilize the steamer to land the filibusters on the Canadian shore, two men were despatched in a small open boat to watch the *Caroline's* movements, and to report the same to the Colonel in command. One of these was Captain Andrew Drew, an officer of the Royal Navy, whose professional career had been rendered noteworthy by several acts of gallant intrepidity, and who had recently been entrusted with the direction of the naval department. The other was the Alexander McLeod mentioned on a former page.[230] Regardless of their danger, and of a score or more of musket-shots fired at them by the "Patriots," they proceeded in a skiff round the head of Navy Island, until they were able to obtain an unobstructed view of the eastern channel of the river. They perceived the steamer anchored at a temporary wharf which had been constructed on the eastern side of the island, and, to judge from appearances, she had laid up for the night. Their return was more hazardous than their outward journey had been, for a number of sharpshooters lay in wait for them on the shore of the island, and bullets whistled past them so long as they remained within range. Their boat was struck and splintered in a dozen places, but they themselves escaped unscathed,[231] As soon as their report had been made to Colonel MacNab, a council of war was held, at which it was resolved that "the piratical craft" must be promptly arrested in her mischievous {204} career. How this might successfully be effected without unnecessary sacrifice of human life was a matter requiring some time for deliberation. Colonel MacNab and Captain Drew conferred together for several hours, and the *modus operandi* was not finally settled until the following morning, when a determination was arrived at that the steamer should be captured and destroyed during the darkness of night.

While the deliberations were in progress between Colonel MacNab and Captain Drew on the night of the 28th, several of the officers dined long and drank deep. They worked themselves up into a fervid loyalty which knew no bounds, and burned to do something to relieve the stolid inaction to which they had for the last two weeks been condemned. After a long discussion Lieutenant Graham, of Woodstock, proposed that a number of them should forthwith effect a landing on Navy Island and carry off the nearest sentry. The proposition met with enthusiastic approval, and the proposer forthwith betook himself to the headquarters of "the naval brigade," as it was called—a body consisting of about a dozen experienced boatmen who every day manned a well-built gig which lay moored in the adjoining creek.[232] The men readily responded to his commands, and the expedition was soon under way. It was about three o'clock in the morning when the "brigade" were thus unceremoniously turned out for special duty. They worked with a will, but

their exertions proved futile, owing to want of time. In order to effect a landing on the island it was necessary to row far up stream against a strong current, and then a landing had to be made on the mainland and a countersign given before the main object of the enterprise could be proceeded with. The expedition had been too late in making a start, and before all the preliminary steps had been taken the first streaks of daylight began to appear on the horizon. To attempt to land and capture a sentry except when darkness prevailed was of course out of the question, and the adventure had to be abandoned. The brigade, however, rowed entirely round the island, the occupants whereof kept up a frequent but innocuous fire upon them. They were also fired upon by a number of American sympathizers {205} at Fort Schlosser, who took a small cannon down to the wharf and discharged it at them, but without doing any injury. Having circumnavigated the island, they returned to their headquarters at Chippewa with very little to show for their temerity.

Next day, which was the 29th, the *Caroline* resumed her trips to and fro between the island and Fort Schlosser. She was seen to convey several small cannon across to the island, and plied her vocation to the evident satisfaction and enjoyment of her captain and crew. The "Patriots" meanwhile kept up a constant fire all day on the Canadian shore, accompanying the roar of their artillery with loud yells of derision. These accumulated insults were intolerable, and some of the militia officers murmured at Colonel MacNab's inaction. But as the day wore on they became aware that something unusual was afoot, and looked forward impatiently for what the next few hours might bring forth. Soon after nightfall preparations began to be made for the expedition. The command was entrusted to Captain Drew, whose experience had rendered him well qualified to undertake such a responsibility. None but the officers had any idea of the precise nature of the adventurous game that was to be played, and even they were not all made acquainted with the full particulars until the very last moment. Volunteers were called for, but the only information vouchsafed was that Captain Drew wanted a few men with cutlasses, who were ready, if necessary, to follow him to the devil. There were hundreds of the militia who would willingly have taken part in such an achievement, even had it been of the desperate nature which these words implied; but only fifty or sixty men were needed, and the requisite force was speedily enrolled for the service. All the members of the naval brigade were included in the enrolment, and no one was permitted to take part in the enterprise except those who were accustomed to the water, and to the management of a boat.

The expedition at the outset consisted of seven boats, each containing seven or eight men in addition to the officer in command. A start was made a few minutes after nine o'clock. Colonel MacNab imparted his final instructions to Captain Drew on the beach, just when the men were on the point of embarking. It was believed that the steamer would be found anchored in Canadian waters on the eastern side of Navy Island, {206} but this was not certain, and Captain Drew's instructions were sufficiently explicit to take and destroy the *Caroline* "wherever he should find her." As has been observed by an actor in the stirring events of that memorable night, the last five words of that order "nearly fired the continent as well as the *Caroline*."[233]

The first destination of the expedition was a point about a mile up stream from Chippewa, a short distance above the spot known as Whisky Point. Thence a final departure was to be made through the strait intervening between Navy Island and Grand Island. Captain Drew himself was in command of the first boat, which was pulled steadily up the river in dead silence. The night being excessively dark, it was necessary to hold a port-fire over the stern as a guide to the others. Only five of the seven boats which had started from Chippewa reached the final point of departure, one of the remaining two having grounded on a shallow, and the other being unable to make way against the current, being provided with an insufficient number of oars. After waiting their arrival for fifteen or twenty minutes, the commander of the expedition determined to delay no longer, and the five boats accordingly set out across the stream. Captain Drew's boat took the lead, as before.[234] Upon reaching the opposite side of the island the Captain perceived that the steamer was not anchored in Canadian waters, but was moored {207} to the wharf on the American side at Fort Schlosser. He ordered his men to rest on their oars until the other boats were alongside. Upon the latter's near approach, he said, in a tone loud enough for all to hear: "The steamboat is our object—follow me." The men then resumed their oars, and the expedition glided silently across the fast-flowing river. As they approached the *Caroline* they perceived that she headed up stream, and was well lighted up. More than two hours had elapsed since the departure from Chippewa, and it was not far from midnight. The rowers proceeded cautiously, making very little noise, and, owing to the excessive darkness, the sentry on board the doomed steamer did not become aware of their proximity until they had arrived within fifteen or twenty yards of her. In the first moment of surprise, he seems to have thought that the approaching boats were occupied by Indians. "Who goes there?" he shouted, in peremptory tones "Answer, or I fire!"[235] "Friends," replied Captain Drew.

He then hurriedly demanded the countersign. “I will give it to you when we get on board,” was the Captain’s response. Then the derelict sentry awoke to the danger of the situation, and discharged the contents of a musket at the nearest boat. The charge went wide of its mark, and struck the boat immediately astern, doing no harm. “Turn out, boys,” he shrieked, “the enemy’s coming.” It was natural, under the circumstances, that such a command should be acted upon with all imaginable promptitude. But no promptitude could avail to save William Wells’s property. The Canadians were in possession of the *Caroline* in less time than it takes to tell the story. Captain Drew and his men did their work quickly and well. Just at the moment when the sentry sounded his alarm and fired his musket, the foremost boat arrived alongside, and one of the crew grappled the steamer with a boarding-pike. Drew, cutlass in hand, sprang over the starboard gangway, and was followed by the other occupants of the foremost boat. The crews of the other boats boarded fore and aft on both sides. There was no general attempt at resistance on the part of those on board, and nothing deserving the name of a serious conflict. It was simply a vigorous kicking out of doors on the one hand, and, with two or three {208} exceptions, a terrified submission on the other. There were in all thirty-three persons on the vessel, ten of whom composed the crew, while the other twenty-three were casual lodgers who had been permitted to spend the night on board, in consequence of the neighbouring tavern being so full as to have no accommodation for them. Most of them had been wrapped in slumber until aroused by the cry and the fire of the sentry, and were so completely taken by surprise that they seem to have had no time to think of resistance. They came pouring up the companion-way from below, and were driven ashore at sword’s point almost before they had time to realize their situation. Many of them shrieked with fright, believing that the last moment had arrived for them, and there was noise enough for a pitched battle. Says an eyewitness: “There was the loudest hullabaloo I ever heard in all my life. You would have thought that two mighty hosts were contending for the victory.”[236] Shots were fired on both sides. Three or four of the steamer’s crew who were provided with cutlasses showed a disposition to use them, but they were speedily disarmed and driven on shore—not, however, until Lieutenant McCormick had been seriously wounded, while two others received wounds of less importance. The performance was at an end almost before it had begun. The most dangerous part of the expedition having thus been successfully achieved, the next thing was to dispose of the steamer. Richard Arnold, a vigorous young man who had acted as stroke-oar of the foremost boat, went below by the Captain’s orders, and started a fire under the boiler with intent to get up steam. All the occupants of the vessel, with the

exception of the two prisoners hereafter mentioned, having been driven ashore, Lieutenant John Elmsley and a number of privates were detailed to step upon the wharf and cut the steamer from her moorings. While they were so engaged, a fire of musketry was opened upon them from a number of American sympathizers stationed near the neighbouring tavern. They proceeded with their work, however, undeterred by these demonstrations, and by the yells which resounded far and near on every side. Elmsley himself, at the head of sixteen men armed with cutlasses, advanced about thirty yards towards the tavern, {209} and there came to a stand, while the rest of his party completed the casting-off. As soon as this task was accomplished the entire party returned on board the steamer, and immediately afterwards resumed their places in the small boats. Meanwhile, Arnold, as instructed, took a hurried run through the vessel from end to end, to make sure that no one was left on board. He informed Captain Drew that all was right. “Then,” said the Captain, “set her on fire.” Arnold hastened down to the engine-room, took from the furnace the wood which he had kindled, and applied it in several places to the wood-work of the steamer. For a moment it seemed as though the material would not ignite, but all of a sudden it blazed up with fury, and almost before Arnold could reach the deck the vessel was in a blaze. All the rest of the boarding-party had returned to the boats, and Arnold thus found himself the last man on board. He was quickly in his place in Captain Drew’s boat, but was unable to take an oar by reason of his having received a heavy stroke from a cutlass on his arm. The boats towed the blazing steamer out into the river, to prevent her from setting fire to the wharf. Having conveyed her about two hundred yards from shore, they found it impossible to take her any farther, owing to the power of the current. They accordingly cut her adrift and abandoned her. Down she went at a tolerably good speed for about two hundred yards, when she became entangled in a bed of rush weeds, which brought her to a full stop for several minutes. Then she drifted loose, and away she went again, keeping well in to the eastern shore. But the flames had by this time pretty effectually destroyed her wood-work, and she had not been carried far down the river before her lights were quenched, and all suddenly became as dark as the grave. It is probable that the metal portion of her sank to the bottom, as her engine was to be seen there in shallow water for many years afterwards. Small portions of her charred woodwork were carried over the falls, and minute fragments were subsequently picked up even in the lower reaches of the river; but the prevalent notion that the steamer was carried bodily over the great cataract is altogether without foundation. Like a good many other erroneous ideas which have obtained currency on matters connected with the Upper Canadian Rebellion, it is largely due to perverted

accounts written by Mackenzie him self,[237] {210} and to still more perverted pictorial illustrations published by him. Very few words will suffice to prove the absurdity of the story that the *Caroline* went over the Great Horseshoe Fall in an intact, burning mass, as represented by Mackenzie.[238] As above mentioned, the steamer was towed out about two hundred yards from the American shore, and then allowed to drift whithersoever she would. Had she passed on down the stream, she would have continued near the American shore, and had she been carried over the cataract at all she would have plunged over on the American {211} side, far enough from the Horseshoe, and with Goat Island intervening. But it was impossible that she should pass over on the American side intact, as the bridge across from the eastern mainland to Goat Island would have intercepted her progress.[239] Upon the whole, it may be said {212} that there are few episodes in our history which have been more strangely misrepresented than this of the destruction of the steamboat *Caroline*.

The Canadians, having accomplished the object of their expedition, and having abandoned the steamer to her doom, turned their bows up stream and pulled with hearty goodwill. A hot fire was kept up against them while they were passing the island, but the bullets whistled harmlessly over their heads. They soon reached Chippewa, not a little fatigued by their labours, but brimful of enthusiasm, and ready enough to start out on any fresh enterprise having the discomfiture of the “Patriots” for its object.

The only serious casualty sustained by the Canadians was the wounding of Lieutenant McCormick, who had been shot in several places, in addition to receiving two ugly strokes from a cutlass. These combined mishaps left their mark upon his frame during the rest of his life, and he was never again quite the same man as before. A pension of a hundred pounds a year, computed from the date of his injuries,[240] was conferred upon him for his gallant conduct. This he continued to draw as long as he lived, and after his death it was generously continued to his widow. Arnold’s wound was deep enough to cause him to be invalided, but it soon healed, and did not permanently disable him. The only other member of the boarding-party who was wounded was Captain Warren, formerly an officer of the 66th Regiment. His injury was of little account, and he was able to resume his duties on the following day.[241]

The casualties on the other side were fewer than could reasonably have been expected, considering the nature of the enterprise and the celerity with which it was carried out. Only one man is known to have been killed outright. This was Amos Durfee, a resident of Buffalo, who was shot dead

on the wharf, and whose body received greater honours after his death than had ever been bestowed upon it during his lifetime. Subsequent investigation went to show that the fatal shot was fired from the land side, and it was probably intended for the boarding-party. A few {213} other persons were more or less seriously wounded, but no deaths resulted therefrom. It was for some time loudly asserted that several members of the steamer's crew were missing, as well as two or three casual occupants. There does not seem to have been any truth in the assertion, so far, at least, as the crew were concerned. As for the lodgers on board, they were mostly strolling vagabonds unknown to each other and to the people of the neighbourhood. Such persons are not easily traced, and anxious enquiries are not often made about them. It may have been that some of them were drowned during the melee, as was persistently declared, but no satisfactory evidence to that effect was ever brought forward, and the probabilities are decidedly the other way.[242]

Two prisoners were taken by the Canadians during the skirmish. One of these was a Canadian insurgent named Silvanus Fearns Wrigley, who had enlisted with Dr. Duncombe in the London District, and had fled to the Niagara frontier upon the dispersal of the Doctor's forces. Having made his escape across the river, he had resolved to join the "Patriots" on Navy Island, and was on the *Caroline* for the express purpose of being conveyed thither on the following day. As he avowed himself to be a subject of Her Majesty, he was taken prisoner and placed in one of the small boats, instead of being driven ashore. He was never brought to trial, but after being detained for about three months was discharged, upon giving bail for his future good behaviour. The other prisoner was a lad named Alfred Luce, a native of Lower Canada, who had also been in arms under Dr. Duncombe, and had escaped with Wrigley. As it appeared that his place of domicile was not quite free from doubt, and that there was some ground for arguing that he had become a resident of the United States, he was set at liberty on the following day, and supplied with money to take him across the river by way of the ferry below Niagara Falls.

The achievements of this night were followed by consequences altogether {214} unlocked for by those who took part in the expedition. Up to this time the feeling along the United States frontier had been unfavourable to Canada, but with most of the inhabitants it had not taken any decided shape. Henceforward it was intensified fourfold on the part of those who had previously entertained it, while it spread to quarters where there had formerly been mere indifference. Persons who had passively

sympathized with the operations of the "Patriots" now became active participants therein. It was felt that the American eagle had received a gross insult which could not be effectually wiped out without blood. United States territory had actually been invaded by a foreign petty military force, who had taken the life of one citizen of the Republic, and had wantonly destroyed the property of another. The whole frontier was mentally up in arms. Nor was the sentiment confined to the frontier. It found loud expression in New York, Boston and Philadelphia, to say nothing of a hundred smaller communities. For several days a war with Great Britain would have been accepted by the inhabitants of the Northern States generally as a highly popular measure. It was not till this feeling began to make itself powerfully felt, and until grave international complications seemed likely to arise between Great Britain and the United States, that the ultra-loyal militia of Upper Canada began to doubt the wisdom of the act which had provoked such unmistakable manifestations of hostility.

NOTE TO CHAPTER XXXI.

The Richard Arnold mentioned in the foregoing chapter was well known in Toronto, where for many years before his death, on the 18th of June, 1884, he was a ticket and passenger agent for the Grand Trunk Railway. It was not until within a few months before his decease that I became aware that he was the last man on board the *Caroline*, and that it was by his hand that she was set on fire. I was naturally desirous of hearing the story of the cutting-out from his own lips, and called upon him at his office for that purpose. I subsequently spent an evening with him at his house on Parliament Street, in the course of which I received from him a full and clear account of the enterprise. The narrative was published in a Toronto evening newspaper at the time, but obtained a very limited circulation, and has probably not been seen by half a dozen readers of these pages. As it is of the highest value, being the honest testimony of a conspicuous participator in the adventure, and as it will probably be the means of correcting a good many popular errors on the subject, I here reproduce it. I should perhaps add that the language employed, though expressed in the first person, is generally my own; but the entire narrative was submitted to and approved by Mr. Arnold before being sent to press.

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NARRATIVE OF RICHARD ARNOLD.

On the breaking-out of the Rebellion I was engaged in the boat-building business at Wellington Square, or, as it is now called, Burlington. Though I was a young man of twenty-five, I had spent years in navigating the lakes, and I enjoyed the reputation of understanding my business. Well, one fine December day when I was at work as usual, I saw a long line of sleighs coming fast along the road from Oakville. They were filled to overflowing with men, young and old. On each sleigh was mounted a red flag. When they reached the place where I was at work, I learned that they were bound for Hamilton, where they were going to attend a meeting, in response to a sudden call issued by Colonel MacNab. They urged me strongly to accompany them. I was anxious to go, but I had only recently married my wife, who fondly entreated me to stay at home. My father, however, who was a veteran of 1812, told me that if I didn't obey my country's call at such a time I was unworthy of the stock from which I had sprung. This statement of the case accorded with my own inclinations, and my wife's entreaties were disregarded. I proceeded to Hamilton, and there learned the whole story about the rebels, how they were entrenched, with a horde of Yankee sympathizers, on Navy Island. My patriotism was thoroughly aroused, and I eagerly joined a body of volunteers who were directed to proceed by forced march to the frontier. Off we started in sleighs, taking the upper road, on top of the mountain. It was, as I have said, a forced march, and we made the journey with such rapidity that several of our horses died on the road from fatigue. The only pause we made was at Disher's tavern, a place of entertainment well known in those days. We reached Chippewa on the 25th of the month. The next day I and several other volunteers accompanied Captain Drew on a reconnoitring expedition. We set out from Chippewa Creek in a small boat, and proceeded to circumnavigate Navy Island, where we could see the rebels in full force. As we approached the island they fired round after round at us, and the bullets whistled thick and fast over our heads. Our position was one of extreme peril. "What a fool I am," exclaimed Captain Drew, "to be here without a pick-up boat. Should we be disabled we shall find ourselves in a tight place." One of the rowers in our boat was completely overcome by fear, and funked. "I can't help it, boys," said he and threw himself at full length along the bottom of the boat. We made the trip, however, without any accident. The next day we made another expedition in a large twelve-oared gig, with a picked crew,

chiefly composed of lake sailors. Again the shots whistled over our heads, and struck the water on both sides of us, but in the course of a few hours we found ourselves back again in Chippewa Creek without having sustained any injury. We had by this time become used to being under fire, and didn't seem to mind the sound of the whistling bullets.

On the night of the 28th a number of the militia officers dined with Colonel MacNab at his quarters. The after-dinner festivities were kept up until a late hour, and some of the officers (doubtless feeling the effects of the generous wine) resolved upon the desperate project of landing in a boat on Navy Island, and seizing and carrying off the nearest sentry. Of course I, in common with the rest of the privates of the "naval brigade," knew nothing about this project at the time. Well, about 3 o'clock on the following morning, several of the officers entered our quarters, and roused us by crying out: "Hurrah for the gig's crew!" "What to do?" was the very natural but most unmilitary enquiry. "Oh, never mind—none of your business," replied Lieutenant Graham, of Woodstock, who had been placed in charge of the expedition. "Come along as quick as you can, with your oars; no arms are required." The effects of Graham's dinner were very perceptible, and he certainly was not sober. We followed his lead, in total ignorance of our destination, or of what was contemplated by him. The expedition, however, proved abortive. To effect a landing on Navy Island it was necessary for us to row a considerable distance up stream, and then we had to pull inshore and land, in order to give the countersign, All this delayed us so long that the first indications of daylight began to appear, and the idea of landing on the island had to be abandoned. We, however, proceeded on our way round the encampment of the rebels, who kept up a pretty constant fire upon us. They had a small {216} cannon mounted upon an ox-sled, which they kept driving along the shore, discharging a shot at us from time to time. That we escaped unhurt was due to their unskilful firing, rather than to any possible good management on our part. We rowed all the way around the island, and when we arrived opposite Schlosser we found that the American sympathizers on the shore were watching us with eager attention. They brought a small cannon down on to the wharf, and fired at us several times. We pulled with a will in order to get out of range, and in this way, before we knew what we were doing, we had

made considerable way down the river. As I have said, we were under the command of Lieutenant Graham, who lived at Woodstock, and was not familiar with the dangers of navigating the Niagara River. All on a sudden, several of us discovered that we were just on the point of entering the rapids. Robert Sullivan, one of the crew, called out: “Stop rowing, boys, for God’s sake! Do you see where we are? We are going straight over the falls!” “Silence!” responded Lieutenant Graham, “or I will blow your brains out. It is for me, not you, to give orders.” “Oh, very well,” replied Sullivan, drawing his oar into the boat, “if I am to go over the falls I may as well go without brains as with them.” Here we all joined in, and after hurriedly representing to Graham the danger of our position, we began to pull up stream. A little longer and it would have been too late. Even as it was, it was a long time before our oars could produce any effect on the current, and it was about ten o’clock in the forenoon before we found ourselves once more in safety in the mouth of Chippewa Creek.

In the course of the afternoon we got word from Captain Drew to prepare for an important expedition on that night. We were all ready enough for fun, but we had had enough of Lieutenant Graham’s incompetence and drunken bluster, and we point-blank refused to go unless we were informed what we were to do, and who was to command us. The boat’s crew appointed me as their emissary to confer with Captain Drew, who informed me that he himself was going to take the command. As to the nature of the enterprise itself he vouchsafed no information. “You must see,” said he, “how impossible it would be to carry on any military enterprise successfully if the privates, as well as the officers, were to be taken into confidence. You may depend upon it that I shall lead you into no unnecessary danger, and that I shall take my full share of it.” I explained all this to the men, and they were satisfied, for their confidence in the Captain was unbounded. There was no scarcity of boats, a good many of which had been sent over by sleighs from Port Maitland, St. Catharines, Niagara, and elsewhere. I should think there must have been at least forty or fifty small row-boats ready for use. Well, as we members of the “naval brigade” had been up the greater part of the previous night, and had had rather an arduous forenoon’s work, we went to bed before sundown, so as to be in readiness for our proposed nocturnal expedition. We were aroused about 9 o’clock in the

evening, and as everything was in readiness we were not long in getting off. The night was dark, cloudy and starless. The expedition consisted, as far as I can remember, of seven boats, each containing seven men, i.e., four rowers and three sitters. I was stroke-oar in the first boat, in which was Captain Drew himself. A port-fire, as it is called, was held over the stern of our boat, in order to enable the other boats to follow us through the darkness without difficulty. Up to this time we members of the crew supposed that we were going to land on Navy Island, but I was soon undeceived by Captain Drew, who informed me that we were bound for Schlosser, and that we were going to capture the *Caroline*. He asked me if I knew how to start an engine. I replied in the affirmative. "Very good," said he" as soon as we are on board the steamer it will be your duty to hurry down to the engine-room, see how much water there is in the boiler, and get up steam as quickly as possible." As we drew near the American shore we perceived that the *Caroline* was well lighted up. She headed up stream, and of course was moored to the wharf at Schlosser. Owing to the darkness of the night, the sentry on board the steamer did not perceive us until we were close in. He called to us in a loud, peremptory tone, and demanded the counter-sign. "I will give it to you when we come on board," replied Captain Drew. This response did not satisfy the sentry, upon whom the true situation of affairs seemed to flash all in a moment.

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A shot was fired—I suppose by the sentry which passed harmlessly by us, but struck the boat immediately astern. The rest of our exploit was performed with lightning-like rapidity. One of the crew of our boat seized a boarding-pike and clutched hold of the steamer. Captain Drew sprang over the rail, cutlass in hand, and was the first man on board. I followed, intending to make my way instanter to the engine-room. I had no sooner reached the deck than I was struck by a cutlass on the arm, and got a pretty deep gash just above the elbow. With the assistance of one of the crew I managed to hurriedly bind it up with my handkerchief. While this was going on I saw Captain Drew and another officer driving the crew of the *Caroline* ashore at the point of their swords, as also a number of men who, as it afterwards appeared, did not belong to the steamer at all, but had merely been sleeping

on board. There was the loudest hullabaloo I ever heard in all my life. You would have thought that two mighty hosts were contending for the victory. Beyond what I have stated, however, there was very little active opposition to us, for the crew and occupants of the steamer were taken completely by surprise, and were terrified out of their wits into the bargain. As soon as my wound was bound up I made the best of my way down to the engine-room. The fire was pretty nearly out, but there was plenty of water in the boiler, and there was also plenty of wood and kindling close at hand, so I was scarcely a moment in starting the fire. I had no sooner done so than a big, rough-looking chap came out from behind the boiler, where I suppose he had been asleep. He advanced towards me with a huge cudgel in his hand. I drew my pistol and covered him. "If you don't drop that stick," said I, "I will blow your brains out." He collapsed at once, and yielded himself to me as a prisoner. Holding him by the arm, I conveyed him on deck, where we were both taken prisoners by Hamilton O'Reilly, a Canadian officer of militia. O'Reilly was excited, and scarcely knew what he was about, insomuch that I had some difficulty in making him understand who I was.

There is not much more to tell. As soon as the crew and lodgers of the *Caroline* had all been driven ashore, the Canadians re-embarked in the small boats. Captain Drew ordered me to take a run through the steamer and see that no one was left aboard. I did so, and found no one. I was just about to embark in the small boat when Drew called out to me to set fire to the steamer. I obeyed by rushing down to the engine-room, taking the wood out of the furnace, and applying it to the most combustible parts of the vessel in several places. I then got into the small boat, and the *Caroline* was cut loose from her moorings. Captain Drew and I were the first two Canadians to board the steamer, and the last two to leave her. Before we cut her off from the wharf she was all in a blaze. We towed her out a short distance, so as not to set fire to the wharf; then we cut her adrift and abandoned her to the current. She glided about two hundred yards down stream, when she stuck fast on a bed of rush weeds near the American shore. After a while she got herself loose, and passed on down the river, but the lights soon went out, and my belief is that she sank to the bottom then and there. Her engine was distinctly visible at the bottom of the river near that spot many years afterwards, and if any portion of

the vessel went over the falls it could only have been isolated pieces of her timbers. The rebels on Navy Island, seeing the lights suddenly quenched, took it for granted that she had gone bodily over the falls, and were the first to spread the report to that effect. When a sensational story of that kind once gets afloat it is not easily checked in its career. A few moments' consideration would convince any one familiar with the spot that the *Caroline* could not by any chance have passed bodily over the cataract. We only towed her a few yards out from the wharf at Schlosser, when, as I have said, we abandoned her to the current. Now, if she had passed on continuously down stream, she would of course have passed down by the American shore, and thus have been carried over the American fall. But the bridge connecting the American shore with Goat Island was built at that time, and would have arrested her career.

For my own part, what between bodily fatigue and the exhaustion produced by loss of blood, I was pretty well done up by the time our party had returned to Chippewa. The wound in my arm was deep, and I was invalided and sent home in a sleigh next day. I was conveyed home by {218} way of Stamford village, and as we were passing through there, Alexander McLeod, who was then Deputy Sheriff of the Niagara District, came out of a house where he had been passing the night. He asked as to the blaze he had seen the previous night in the river above the falls, near the American shore; and it was then that he heard for the first time of the cutting-out and destruction of the *Caroline*. This, I need hardly tell you, was the same McLeod who was subsequently arrested and tried in the United States for having been concerned in the burning of the vessel. As for me, I reached home in due course, and you may be sure my wife was delighted ta see me. I was strong and healthy, and my wound healed rapidly, leaving me none the worse. And that, sir, was what I had to do with the affair of the *Caroline*.

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[218] See note at end of chap, xxiii., *ante*.

[219] *Ante*, p. 68.

[220] *Ante*, p. 97.

[221] *Ante*, p. 96.

[222] Allan McLean Howard, now Clerk of the First Division Court of the County of York.

[223] John Lesslie was Postmaster at Dundas, but was dismissed from office at this time for suspected complicity in the revolt.

[224] *Ante*, p. 150, note.

[225] Mr. Howard himself attributed his dismissal in great measure to the machinations of his successor, Mr. Berczy. A full account of the whole matter may be found in a pamphlet published at Toronto by Mr. Howard in 1839, entitled *A Statement of Facts relative to the Dismissal of James S. Howard, Esq., late Postmaster of the City of Toronto, U. C.*

[226] See the communication dated "Government House, 13th Dec., 1837," in Head's *Narrative*, chap. x.

[227] See Head's despatch to Lord Glenelg, dated 28th December, 1837, embodied in the ninth chapter of his *Narrative*.

[228] "There is probably nowhere a more dangerous piece of water to navigate than that immediately above the Falls and about Navy Island. The current runs from four to five miles an hour, so smoothly and quietly that when upon the river it is impossible to tell how you are drifting unless you take bearings upon shore, when, if you desist from rowing for a minute, it makes you shudder to feel how quietly and rapidly you are gliding down to the fearful cataract whose sounding waters are roaring in your ears, and whose column of white spray towers tip before you. The river below Navy Island is almost three miles across from shore to shore, and it is only about a mile and a-half to the rapids, so one can readily imagine the difficulty of navigating a piece of water of that shape with so rapid a current. A broken oar, a strong wind down stream, a capsized boat, or a little carelessness, and the poor boatman is lost beyond all hope. When all this is considered, and that this operation had to be performed at night, the danger will appear in all its force. The most skilful ferryman will refuse to cross at night, unless it is singularly clear, so that the opposite shore can be seen."—*The Burning of the Caroline*, by G. T. D. [the late George Taylor Denison], in *The Canadian Monthly* for April, 1873.

[229] "Occasionally the armed guard, their bayonets glittering in the sunshine, were observed marching along the shore to relieve the sentries; and while their appearance was drawing upon them the fire of the American artillery from Navy Island, a number of young militiamen were to be seen in the background of the picture running after the round shot that were bounding along the ground, with the same joy and eagerness that, as school-boys, they had run after their football. Sometimes a laugh, like a roar of musketry, would re-echo through the dark forest, and sometimes there would be a cheer that for a moment seemed to silence the unceasing roar of the falls."—*The Emigrant*, chap. x.

[230] *Ante*, p. 128.

[231] One or two similar expeditions with larger boats, and with a greater number of men, had been successfully undertaken before this day—the 28th—but the arrival of the *Caroline* had materially strengthened the hands of the filibusters, and had otherwise increased the dangers of such achievements. The expedition of Captain Drew and McLeod, too, was accomplished in a small boat, with a single pair of oars. The loss or splintering of an oar, or the disabling of one of the occupants of the skiff by a musket-shot, would probably have been attended with disastrous consequences to the expedition.

[232] Chippewa Creek.

[233] *The Cutting-out of the Caroline, and other Reminiscences of 1837-38*, by Robert Stuart Woods, Q.C. Chatham, Ont., 1885.

[234] In addition to the accounts embodied in the so-called histories, and in various official reports and returns, I have before me the narratives of seven different persons who took part in the expedition. The variation among them as to matters of detail is even greater than might reasonably have been expected. Captain Drew's own report to Colonel MacNab is clearly erroneous on several points. For instance, he reports five or six of the enemy killed—a statement which he of course believed to be true, but which the consensus of evidence subsequently obtained appears to pretty clearly negative. The more comprehensive account forwarded by Sir Francis Head to Mr. Fox, British Minister at Washington, is fairly accurate. I find no two authorities agree as to the names of the officers in command of the boats which took part in the expedition. That Lieutenant Sheppard McCormick was in command of one boat there is no manner of doubt, but I find his name altogether omitted by one narrator, and it is incorrectly spelled by nearly very one of them. Captain Drew spells both this officer's names incorrectly—thus: "Shepherd McCormack." The Captain also errs in the "Return" appended to his report, where "John Arnold" is mentioned as severely wounded. There was a John Arnold in the expedition, but he sustained no injury. The wounded man was Richard Arnold, who set the steamer on fire as subsequently mentioned in the text, and whose personal narrative is given at the end of this chapter.

[235] See *The Cutting-out of the Caroline*, etc., *ubi supra*, p. 3.

[236] See the narrative of Captain Richard Arnold, appended to this chapter.

[237] Head must also take his share of the responsibility. See the account in his despatch to Lord Glenelg, dated 9th February, 1838, and embodied in the eleventh chapter of his *Narrative*.

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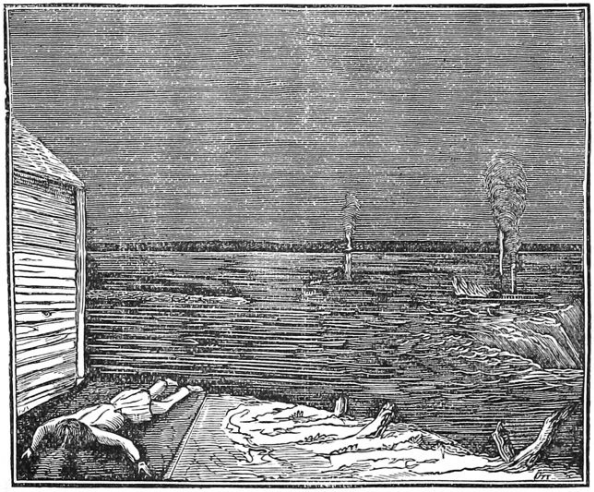
See the engraving on the first page of his *Caroline Almanac*, published at Rochester two years after the events commemorated in this chapter. A fac-simile of it is here reproduced, in order that the reader may judge of the little man's methods of dealing with facts. It may seem absurd to attempt to criticise such a production as this, where distance and proportion are utterly ignored; where every law of perspective is wilfully violated, and where there is evidently a deliberate attempt to mislead. But to mislead was henceforward one of the guiding principles of Mackenzie's life, and it is well that the reader who has scant leisure for the investigation of facts should be in a position to perceive this characteristic at a glance, as he may do by means of the above fac-simile.



It will be seen that the *Caroline* is represented as being rather nearer the Canadian shore than is the tongue of Navy Island, which protrudes a little to the left of the middle of the engraving; whereas in point of fact, as stated in the text, she kept close in to the American shore, and never passed anything like so far westward as Navy Island. The steamer is on the very brink of the Great Horseshoe, and is about to take her last flying leap into the awful abyss; whereas there was no possibility of her being carried down the Canadian channel of the river. She

is also represented as being about to plunge over in one solid, connected mass; the fact being that before she had passed half way down the rapids she was utterly destroyed. In the original, several persons are depicted near the bow of the vessel, holding out their hands in a piteous but hopeless appeal for help. This detail has been insufficiently brought out in the fac-simile, but is plain enough to be seen in the original, and was intended to convey the idea that a number of citizens of the United States were deliberately consigned by the Canadians to this horrible fate. Yet when this engraving was prepared Mackenzie knew perfectly well that not a soul was on board the steamer after her abandonment by the Canadians, and that in representing otherwise he was disseminating a monstrous falsehood—a falsehood, too, which would readily find credence with many persons who knew no better, and which would tend to the perpetuation of ill-blood against his fellow-countrymen for years to come. In order that I may not be accused of misrepresenting his intentions, I quote his verbal description of the thrilling scene, written to accompany the illustration. It will be found on pp. 107, 108, of the *Caroline Almanac*, under date of December 29th. He speaks of "the ill-fated vessel passing onwards with fearful speed towards the great falls in a blaze of flame, the elements of fire and water combining in their fury to send into eternity those who had hid themselves in the boat from the dagger of the assassin." He then proceeds as follows: "A faint view of 2 or 3 persons holding out their hands in desperation may be seen near the bows of the boat.... She was set in a blaze, cut adrift, and sent over the falls of Niagara. We witnessed the dreadful scene from Navy Island. The thrilling cry ran around that there were living souls on board; and as the vessel, wrapt in vivid flame, which disclosed her doom as it shone brightly on the water, was hurrying down the resistless rapids to the tremendous Cataract, the thunder of which, more awfully distinct in the midnight stillness, horrified every mind with the presence of their inevitable fate, numbers caught, in fancy, the wails of dying wretches, hopelessly perishing by the double horrors of a fate which

nothing could avert; and watched with agonized attention the flaming mass, till it was hurried over the falls to be crushed in everlasting darkness in the unfathomed tomb of waters below. Several Canadians who left the Island in the *Caroline* that evening, to return next day, have not since been heard of, and doubtless were among the murdered, or hid on board and perished with the ill-fated vessel."

The figure lying in the left foreground, on the wharf adjoining the storehouse, is intended to represent Amos Durfee, the only person known to have been slain during the mele. In the middle distance are the boats returning to Chippewa.

The die used for the cloth-bound copies of this present work was cut without strict regard to genuine historical and topographical details, inasmuch as the *Caroline* is represented as altogether too near the brink of the falls. But this was a necessity, if the steamer and the falls were both to be depicted in an illustration of such dimensions. The other absurd and revolting accessories of Mackenzie's picture have been carefully omitted.

[239] Judge Porter's first bridge was built as far back as 1817, about forty rods above the site of the present one. The second was constructed about two years afterwards on the site of the present bridge. This second bridge was in existence at the time of the *Caroline* affair, and with frequent repairs and one almost entire renewal, stood firm until 1856, when it was removed to make way for the present iron structure.—See Holley's *Niagara, its History and Geology*, 1st edition (Toronto, 1872), p. 81.

[240] See U. C. Statute 1 Victoria, cap. 46.

[241] See Col. MacNab's letter to Col. Strachan, dated January 1st, 1838, published in Appendix to Journals of U. C. Assembly, 3rd Session, 3rd Parliament, pp. 89, 90.

[242] "The story of any person being on the steamer when she went over the falls was never believed by any of us. Even Durfee was not killed on the boat, but on the land; and the evidence of the prosecution showed that the shot was from the land side. I saw no one on her when we left, and the evidence given on McLeod's trial shows that Captain Drew and his men were anxious to let the men get ashore, and simply capture the boat, which was tied to the dock."—*The Cutting-out of the Caroline*, etc., *ubi supra*, p. 3.

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CHAPTER XXXII.

FILIBUSTERING ON THE FRONTIER.

At the present day there are probably not many persons to be found among us who would seriously attempt a full justification of the high-handed proceedings detailed in the last chapter. Contemplated in the light of subsequent developments, the destruction of the *Caroline* must be admitted to have been a rash and injudicious deed; a deed to which the people of the United States could hardly have been expected to submit with tameness. It involved a temporary occupation of their territory by the militia of a foreign state. It involved the destruction by foreigners, in American waters, of valuable property belonging to an American citizen. Those by whom it was achieved could hardly have hoped or intended to carry out their designs without loss of life to a certain number of the President's subjects. According to the highest authorities, the act was justifiable by the law of nations; but, leaving out of the question any discussion as to the strict letter of international law, the exigencies of the time were such as to call for the exercise of great forbearance and discretion on the part of the commander of the Upper Canadian forces. It is easy, however, to be wise after the fact, and there was undoubtedly another side to the question. In passing judgment upon the conduct of Colonel MacNab, it is only fair that all the circumstances should be considered; and it must on all hands be admitted that he was subjected to very great provocation.[243] He {220} was a man in whom devotion to the British Crown was ingrained and inherent. His native instincts and his personal interests all pointed in the same direction. He had just been engaged in putting down what had threatened to be a dangerous revolt. He had seen a number of the inhabitants of an adjoining State exhibiting the strongest sympathy with this revolt. He now saw them actually participating therein, and engaged in a hostile and unlawful occupation of Canadian territory. As far as he could perceive, the local authorities of the United States made no real attempt to check these proceedings on the part of their people.[244] When he saw a steamer

belonging to a citizen of the United States actively engaged in conveying artillery from the national arsenals to the assistance of filibusters whom he regarded as no better than pirates; when he saw this artillery daily and hourly brought to bear against his headquarters on the Canadian shore; when he saw the houses and property of peaceable Canadians injured or destroyed thereby; and when he saw these proceedings openly sanctioned or abetted by American officials it is not much to be wondered at if his patience gave way, and if he resolved to abate the intolerable nuisance by any means at his command. And when he found—as he subsequently did—that the carrying out of his resolution met with the official approval of Her Majesty's representative in Upper Canada, and that his conduct was hailed by his fellow-countrymen as gallant and patriotic; when he received the thanks of nearly every high official in the Province, together with more substantial rewards; and when, finally, he received knighthood at the hands of his Sovereign, and was hailed as Sir Allan Napier MacNab, he is not much to be censured if he was confirmed in the belief that he was entitled to take a pretty large modicum of credit to himself. It has been seen how a former passage in his life gave an impetus to his fortunes, and lifted him out of obscurity.[245] The events of the 29th of December, 1837, gave an additional and exceedingly vigorous {221} propulsion to his career, insomuch that he was thenceforward one of the foremost personages in Upper Canada. The people vied to do him honour, and to signify their appreciation of the vigorous blow he had struck on his country's behalf.

The people of the United States, and more especially the inhabitants of the State of New York, naturally took a somewhat different view of the transaction. The most exaggerated stories were afloat, all of which obtained ready credence. For some time it was generally believed that the crew and passengers of the *Caroline*, consisting of a number of peaceable American citizens, including several women and children, had been ruthlessly butchered and sent over the falls by a ruffianly horde of Canadian militia. The frontier newspapers went fairly wild with excitement, and clamoured for an immediate declaration of war. Public meetings were held all along the border, at which the most bloodthirsty resolutions were passed. On the 2nd of January, Governor Marcy, in a special message to the State Legislature, drew attention to the affair, alleging that the territory of the State had been invaded, and a number of citizens murdered by an armed force from Upper Canada. "The crew and other persons in this steamboat," he wrote, "amounting to thirty-three, were suddenly attacked at midnight, after they had retired to repose, and probably more than one-third of them wantonly massacred." President Van Buren, in a message to Congress, intimated that a

demand for reparation would be made. General Winfield Scott was sent to the frontier, armed with large discretionary powers for its protection, and for the preservation of the peace. He acted with the calmness and moderation which was to be expected from one entrusted with such responsibilities, and did much to modify the general exasperation; but it was long before the public mind recovered its normal tone, and for some time war between Great Britain and the States was by many regarded as all but inevitable.[246]

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The "sympathizers" who had joined Mackenzie's movement naturally did their utmost to fan the flame which had been kindled, and conducted themselves with the most reckless disregard of international amenities. Their avowed object was to provoke a war between Great Britain and the States; or, failing that, to arouse public feeling along the frontier to such a pitch that a large proportion of the inhabitants might be induced to voluntarily join in a comprehensive raid into Upper Canada. On the afternoon of the 10th of January, while Lieutenant Elmsley and a number of men under his command were examining the channel between Grand Island and Navy Island, they had occasion to approach within two hundred yards of the former. Scarcely had they done so when they were hailed by some officers in uniform who were stationed on the island, under the shadow of the stars and stripes hoisted upon a tall flag-staff. The officers, who were attended by about a score of privates, demanded {223} what the Canadians were doing. Elmsley replied that they were examining the channel. The Americans then requested the Canadians to go ashore and land, and upon the latter's declining the invitation, they were greeted with a discharge of firearms. One of the bullets struck the rudder-head of Elmsley's boat, and almost at the same moment the batteries on Navy Island opened fire. The Canadians found the situation too warm, and quietly withdrew, the Americans continuing to fire upon them until they were beyond range. The facts were duly reported to Colonel MacNab, and by him communicated to General Scott. This, though it was the most aggravated breach of international law committed by Americans wearing the uniform of the Republic, was a by no means isolated indication of the prevalent feeling among the inhabitants; and the filibusters counted largely upon the continuance of this feeling for the success of their enterprise.

But lawlessness and ruffianism were not to have their own way unchecked. Sir John Colborne, as Commander-in-Chief of Her Majesty's Forces in British North America, had become disgusted at the inactivity of Sir Francis Head, and at the continued occupation of Canadian territory by a

horde of vagabonds. The season being an open one, he despatched a quantity of mortars and heavy artillery up the St. Lawrence, a portion of which speedily found their way to Chippewa. A vigorous fire was then opened on Navy Island, which soon became untenable by Mackenzie, Van Rensselaer, and their adherents. The number of the latter increased considerably during the few days following the destruction of the *Caroline*, and was now about four hundred and fifty.[247] But the shot poured in upon them thick and fast from the Canadian shore, and they were in no humour to remain. On the 13th of January Van Rensselaer announced his intention to evacuate the island, taking his forces along with him; and this intention he carried out on the following day, retiring to the eastern mainland, whither he had no sooner arrived than he was arrested and held to bail for breach of the neutrality laws of the United States. Mackenzie was, of course, compelled to evacuate at the same time. The local authorities resumed possession of the artillery and munitions which had been taken from the arsenals, {224} and the "Patriots" thus found themselves in no condition to make good their forcible claim to those "fair and fertile" lands which Mackenzie had held up before their eyes as so tempting a bait.

On the morning of the 15th the Canadian militia were in actual occupation of Navy Island. Some of the "Patriots" had taken refuge on Grand Island, while others had returned to the eastern mainland. They had secured the services of a steamer called the *Barcelona* to convey them to the Michigan frontier, where it was their purpose to join their forces to those of certain of their co-workers who had already set on foot a series of raids into Upper Canadian territory. To this steamer were transferred such arms and munitions as were left to them after the resumption by the State of its property. Captain Drew and a force of men were detailed to watch the motions of the vessel, and to prevent her from landing her passengers on Canadian soil. In carrying out his instructions he anchored two schooners in American waters, and proposed to intercept the *Barcelona* if she attempted to pass. This led to further hostile demonstrations on the part of American troops, and to a strained correspondence between General Scott and Colonel MacNab. Happily, however, the danger passed by. The "Patriots," finding that they were closely watched, and that they would not be permitted to proceed westward with the steamer, disembarked themselves and their few belongings on Grand Island, and apparently abandoned their purpose. During the few days preceding their evacuation of their encampment on Navy Island, there had been an almost incessant exchange of hostilities between them and the militia on the Canadian shore, and a considerable quantity of their munitions had been destroyed or rendered useless. So far as

casualties to life were concerned, they had come off better than their opponents. Three of the militia had been killed in the interval,[248] whereas only one of the "Patriots" had been slain and but one wounded during the entire period of occupation.[249]

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By this time the evil results arising out of the affair of the *Caroline* began to make themselves unpleasantly apparent throughout the entire length of the frontier between Canada and the United States. That spirited but injudicious proceeding had given a fair excuse for the exhibition of feelings on the part of American citizens which had been latent ever since the last war, and which had only needed such an incentive to spur them into activity. For the nonce, everything British or Canadian was regarded by them with consuming hatred. In not a few instances, Canadians travelling on business or pleasure through the Republic were openly insulted and reviled. Conspiracies against the peace of Canada began to be hatched all along the border from Maine to Michigan, and the Provincial Governments were compelled to make preparations for dealing with petty invasions distributed over a wide area. The cutting-out episode, moreover, took place at a singularly inopportune moment for Canada, as the insurgents who had fled across the border in all directions had in themselves done much to attract attention and sympathy to their cause. A good many of them had found safety in Detroit, where much compassion was manifested for them, and where a course of procedure was adopted towards them similar to what had been adopted with regard to their fellow-exiles in Buffalo. They were held up as living monuments of tyranny, and as martyrs in a sacred cause. Public meetings were held, at which resolutions were passed expressive of sympathy for the fugitives, and of indignation against the corrupt Government which had hunted them from their native land. A council of "the Friends of Canadian Liberty" was formed, and active preparations were made for what was pretentiously styled an invasion of Canada. An organization was set on foot for warlike purposes, and recruits were enlisted for "the Patriot Army of the North West." It is not difficult to imagine the impetus which the *Caroline* affair gave to such manifestations as these. Many persons who had previously paid little attention to the prevalent cry were now {226} roused to fury against Canada; and some who had always borne the character of peaceable citizens now came forward with contributions of money in aid of the projected invasion.

During the last two weeks of the year 1837 there had been several petty manifestations of disaffection in the Western District of Upper Canada,

especially by the Radicals near Windsor and Sandwich. Evidences were not wanting that some sort of understanding existed between these disaffected ones and the refugees and sympathizers on the other side of the Detroit Eiver. These latter, again, were acting in concert with the filibusters on Navy Island, and messengers were constantly passing to and fro with intelligence from the respective leaders to each other. On the very day before the destruction of the *Caroline*, Van Rensselaer sent "Colonel" Thomas Jefferson Sutherland westward to cooperate with the local "Patriots" in promoting a movement against Upper Canada from Detroit and its vicinity. Sutherland proceeded by way of Cleveland, where a number of agitators were already at work, and where he found nearly two hundred recruits ready to follow him. At the head of this company he proceeded to join the army of the North West.

In the closing paragraph of the first chapter of this work it was intimated that another brief glimpse of Robert Gourlay would be afforded before the close of the narrative. The time for obtaining that glimpse has arrived. During the winter of 1837-'38 Mr. Gourlay was sojourning in Cleveland, where he owned some property, and had numerous friends and well-wishers. The shameful treatment which had been meted out to him in Upper Canada nearly twenty years before, though it had left an abiding mark upon his character and constitution, had not embittered him against the colony, nor had it rendered him indifferent to the welfare of the Empire of which it forms a part. From his cradle to his grave he was a loyal subject, and no man was less likely to be drawn into any sort of cooperation with the filibusters whom he encountered at every turn during this period. He regarded Mackenzie and his American sympathizers with feelings of contemptuous abhorrence, and did what he could to circumvent their machinations. His exertions were of course ineffectual to prevent them from carrying on their enterprises, {227} but he rendered good service to the colony by sending over important information as to their movements. For so doing he received letters of thanks from Sir Francis Head, who moreover invited him to return to Upper Canada. This he declined to do until the reversal of the sentence of banishment which had been pronounced against him in 1819, and until that sentence should be pronounced to have been unjust from the beginning. How far he obtained satisfaction in this respect may be learned by referring to the sketch of his life in *The Canadian Portrait Gallery*.[250]

Sutherland, upon leaving Cleveland with his recruits, proceeded to Gibraltar, a small village in Wayne County, Michigan, on the west bank of the Detroit River, at its confluence with Lake Erie. His object was to

conduct a movement against Amherstburg, on the Canadian side, which was undefended except by a small body of Provincial militia hastily collected by John Prince, a magistrate of Sandwich afterwards widely known as Colonel Prince—Colonel Thomas Radcliffe, and other loyal inhabitants of the western frontier. Sutherland bore a letter from Van Rensselaer directing him to proceed as he might deem most advisable, "after consulting with the Canadian and American friends of the cause." Upon reaching Gibraltar he found a considerable force of Patriots assembled there, nominally under the command of "General" Henry S. Handy, a resident of the State of Illinois. Handy had organized a regular staff of officers, and had secured the control of several boats and scows for purposes of transport. He had also got together a large supply of arms and provisions, and was evidently intent upon making an effective campaign. Among the boats was the schooner *Anne*, which had been loaded at Detroit with cannon and muskets from the Michigan State arsenal, and then brought down {228} to the mouth of the river. Stevens T. Mason, Governor of the State, having been appealed to by Mr. Prince to stop these proceedings, had professed his anxiety to prevent any violation of the neutrality laws, but his efforts had up to this time been almost wholly ineffective. Some of the United States troops had hampered the motions of the "Patriots" by capturing their only steamer, the *McComb*; but when another steamer, the *United States*, had encountered the schooner *Anne* with several cannon bristling on her deck, and evidently intent on mischief, she had quietly looked another way, and allowed the filibusters to pursue their schemes without disturbance. Sutherland, immediately upon his arrival at Gibraltar on the night of the 7th of January, laid claim to the command of the expedition by virtue of his orders from Van Rensselaer, who was recognized as the generalissimo of the entire army of invasion. Handy was not personally present to support his own claims, and the other officers were not unanimous in favour of investing Sutherland with the command. A council of war was held, at which there appears to have been a good deal of discord.[251] It was finally determined that Van Rensselaer's authority should be respected, and that Sutherland should for the time be permitted to assume the direction of affairs. Next morning news arrived that Governor Mason and the United States Marshal, accompanied by a strong force of troops, were on the way down from Detroit to put a stop to their proceedings and break up their organization. They accordingly embarked on board the boats and scows at their disposal, and took refuge in Canadian waters, where they remained until the Governor and his forces returned to Detroit. The command of the schooner *Anne*, which was the principal vessel engaged in the service of the Patriots, was bestowed upon Edward Alexander Theller, an Irish-Canadian, who had practised medicine among

the habitans in the Lower Province, and had been a member of a Free Love Association in the State of New York. He was a blustering, mendacious, yet withal courageous fellow, full of loquacity, but greatly wanting in discretion.[252] The movements of the rest of the boats were directed by {229} Sutherland himself, who, as soon as the Governor and Marshal had retired from the neighbourhood, made a demonstration against Amherstburg and the neighbouring island of Bois Blanc. The Canadian militia, to the number of several hundreds, had collected at these points, and were ready to meet the invader, although they were very ill provided with arms and ammunition. Sutherland's force was numerically greatly superior to that of the militia, and was moreover thoroughly equipped; but when the valiant commander saw the bold stand made against him he did not attempt to land. After an ineffective discharge of artillery upon the Canadian shore he moved back to near the American side of the river. Theller, in the *Anne*, had meanwhile been drifting out into the lake, and unable to afford any assistance. The sails and rigging of the schooner were imperfect, and were also unskilfully managed, so that the crew had no proper control of her. After several hours spent in experiments, these defects were in some measure remedied, and Theller determined upon immediate action. Taking advantage of a favourable breeze, he ran his vessel up the channel between Bois Blanc and Amherstburg. The militia on shore had been watching his proceedings throughout the day, and were well acquainted with his purpose, which they were prepared to withstand to the last man. They had no heavy artillery, but they opened fire upon the enemy with muskets, thereby inflicting some serious wounds upon her crew. Theller, who had cannon on board, discharged several rounds into the town, doing some damage to the houses, but not causing any loss of life. After tacking hither and thither for some time, the *Anne* withdrew out of range. Meanwhile, Sutherland, with a force of sixty men, had effected a landing upon Bois Blanc, and issued a proclamation inviting the patriotic citizens of Upper Canada to rally around the standard of liberty. A number of Canadians who had occupied the island for the purpose of defending it had withdrawn to the mainland, to {230} assist in repelling the attack upon Amherstburg, so that nobody was left to respond to this proclamation, even had there been any disposition to do so. Such Canadians, however, as would have been likely to be influenced by the invitation had already passed over into the States and joined the Patriot cause. A few copies of the proclamation by some means found their way to the eastern shore, but they had no other effect than to excite the risibilities and increase the vigilance of the militia.

Next morning—which was the 9th—the *Anne* again appeared before Amherstburg, and renewed her cannonade upon the town. The Canadians kept up a galling fire of musketry upon her throughout the day, destroying her rigging, killing her helmsman and creating general devastation on board. Towards nightfall the ill-managed vessel became unmanageable, drifted near the shore, and, according to Theller's own account,[253] ran aground. At all events she lay at the mercy of the Canadians, who plunged into the water up to their armpits and advanced upon her. Without loss of time they boarded and carried her in gallant style, hauling down her flag amid uproarious cheering. They found on board twenty-one persons in all, including the dead helmsman, eight wounded, and twelve others, among whom was "Brigadier-General" Theller himself. The capture was an important one, as the schooner had on board three cannon, two hundred muskets, with bayonets and accoutrements, and a quantity of ammunition and stores commodities of which the militia stood greatly in need. Two of the cannon were afterwards mounted as trophies of war upon the adjacent fort. The prisoners were sent eastward to London, and thence to Toronto, where they were subsequently brought to trial and sentenced to various punishments. An account of Theller's transfer to Quebec, and of his escape from the citadel of that place, will be found in the second volume of his *Canada in 1837-88*, but it should be read with a constant eye to the salt-cellar, as the writer's mendacity here finds constant exercise. Sutherland appears to have been frightened out of his judgment by the capture of {231} the *Anne*. He immediately withdrew his forces from Bois Blanc, and took refuge on Sugar Island, considerably nearer to the American side of the river. By this proceeding he forfeited the confidence of the Patriot officers and men, a considerable number of whom refused to coöperate with him or obey his orders any longer. It is not worth while to follow his fortunes in minute detail. He repaired to Detroit, where he sought to enlist volunteers and organize an expedition against Canada on his own account. In aid of his design he issued another proclamation, addressed "to the deluded supporters of British tyranny in Upper Canada." This being a clear and undisguised breach of the neutrality laws, it could not be ignored by the authorities. He was arrested and required to find bail, which, however, was readily forthcoming. He continued to take an active part in the movements along the western frontier for the next few weeks, when he was captured on Canadian territory and sent to Toronto. By this time his mishaps and irregular mode of life had completely shattered his nerves. During his incarceration at Toronto he made an ineffectual attempt to commit suicide by opening a vein in each arm and each instep. A short time after he was tried by court martial, and sentenced to transportation to one of Her Majesty's penal colonies for the term of his natural life. This sentence,

however, was not executed. Doubts having arisen as to the constitutionality of his trial, he was transferred to the citadel at Quebec, where he occupied the same cell with Theller. He was detained in prison for some months, when an order arrived from England for his liberation. After his enlargement he returned to the States, and sank back into the obscurity from which he ought never to have emerged.

It would serve no useful purpose to detail at length the various machinations of the Patriots against the western frontier. They were kept up throughout the winter and early spring, and though they occasioned much disorder and anxiety in this Province, there was never any prospect of their success. All the actual attempts at invasion were conducted with great want of judgment, and were doomed to inevitable failure from the beginning. The most important of them were the movements on Fighting Island and on Point Pelé Island. The former took place on the 25th of February, and was led by "General" Donald McLeod, a {232} Scoto-Canadian refugee who had formerly been a schoolmaster at Brockville. Fighting Island is a long, narrow strip of marshy ground situated in the Detroit Eiver, within the Canadian boundary, a short distance below Sandwich. It was occupied by McLeod and his men as a preliminary to effecting a landing at Sandwich; but a brisk fire from the Canadian shore compelled them to retreat, and upon reaching the mainland of Michigan they were disarmed and dispersed by United States troops. The affair at Point Pelé Island was more serious. The scene of the conflict is a large island in Lake Erie belonging to Canada, situated about thirty-five miles south-easterly from Amherstburg, and eighteen miles or thereabouts from the Canadian mainland.[254] Soon after the evacuation of Navy Island, such of the Patriots as had not grown weary of filibustering had proceeded westward along the southern shore of Lake Erie, with intent to join in the raids upon the western frontier of Upper Canada. They mustered at Sandusky, Ohio, where they were joined by a considerable number of fresh recruits. Towards the close of February the entire body, to the number of about five hundred, under the command of a local sympathizer named Bradley, crossed over in boats from the United States shore and took possession of Point Pelé Island. The few inhabitants were made prisoners, and their property was confiscated to the uses of the invaders, but they were not subjected to personal maltreatment. By this time a few British regular troops of the 32nd Regiment had reached the western frontier from the Lower Province, and the Western District was in much better condition to resist and repel invasion than it had previously been. Colonel John Maitland, an officer of experience, had been invested with the command of the forces in the District, and by means of drill and instructions

had materially increased the efficiency of the militia. Intelligence of the occupation of Point Pelé Island soon reached Amherstburg, and on the 3rd of March a number of regulars and militia set out from the Canadian mainland and crossed over to the island on the ice. A sharp engagement took place, resulting in considerable loss of life to the invaders, thirteen of whom were killed and forty wounded. A few were also taken prisoners {233} and sent on to London for trial. The Canadian militia had to mourn the loss of one of their number. One of the regulars was also slain, and of twenty-eight who were wounded several afterwards died in hospital at Amherstburg. The Patriots fought valiantly, but they were no match for the regulars, and were glad enough to make their escape back to Ohio.

For some weeks after this episode there was comparative tranquillity on the western frontier—a tranquillity due much more to the determined stand taken by the Canadians than to any repressive measures adopted by the American authorities. The Governors of the border states issued argumentative proclamations forbidding the levying of war, but their injunctions were frequently violated before their very eyes without any attempt being made to vindicate the law. The Federal Government held back from interference upon the ground that the matter fell properly within the jurisdiction of the several States; and it was only when they could not avoid it that the authorities of Michigan and Ohio took upon themselves to interfere.

On the very day of the evacuation of Navy Island, Mackenzie sent to the Watertown *Jeffersonian* his narrative of the Rebellion near Toronto, from which numerous quotations have been made in the foregoing pages. In this narrative, which was subsequently reprinted at Toronto, with notes and additions,[255] he gave an account of the affair totally at variance with the story which he had previously been accustomed to tell. In his proclamation issued only one short month before, he had attributed the failure of the rising partly to accident, and partly to the want of artillery.[256] In verbal conversation he had repeatedly asserted the same thing. He now assigned a different cause for the failure, attributing it in large measure to the conduct of an "Executive," who, as he alleged, had been appointed at a meeting of twelve leading Reformers, and had afterwards changed the day for the descent upon the city. The Executive was not specially named, but it was evident that the writer meant to indicate Dr. Rolph.

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The truth with respect to this episode of the change of date is already known to the reader[257] who is also aware that no such meeting of "twelve leading Reformers" had ever been held, and that no Executive responsibility had ever been conferred upon or accepted by Dr. Rolph.[258] Why, then, did Mackenzie now begin to malign the individual who, only a month before, had been officially characterized by him as "our esteemed fellow citizen," and as "that universally beloved and well-tried eminent patriot"?[259] Why did he now seek to belittle the man whose expatriation he had so recently referred to as one of the "crimes and misdemeanours" of Sir Francis Head?[260] The answer is brief, and to the point. Since the issue of his proclamation, Dr. Rolph had utterly thrown Mackenzie and his schemes overboard, and had refused to have any further cooperation with him for any purpose whatever.

The Doctor's mind does not appear to have been fully made up as to his future line of action until a few days before the *Caroline* affair, when he paid a visit of an hour's duration his first and only visit to Navy Island.[261] What he saw there probably disgusted and repelled him, as he soon after refused to act as treasurer, "to receive all the moneys which may be subscribed within the United States on behalf of the Canadian patriots struggling to obtain the independence of their country;"[262] and this refusal was almost immediately followed by a renunciation {235} of Mackenzie and all his projects. He had made common cause with the latter for the subversion of a corrupt and tyrannical Provincial Government, but he was not at all disposed to join in what was evidently intended to be a series of marauding expeditions into a land which had so recently been his home. The Doctor soon after took up his abode in Rochester, and devoted himself to the practice of his profession. A few weeks later he was joined by Mrs. Rolph, who was shocked at the change which the brief interval of their separation had made in his appearance. His hair had become grizzled, and his countenance bore an anxious, careworn expression which had never before been seen upon it. There could have been no plainer proofs of the mental strain through which he had passed. He erelong succeeded in building up a practice sufficient for the maintenance of his family, but his sojourn in Rochester was probably upon the whole a somewhat gloomy and unsatisfactory epoch in his career. He must have been perpetually haunted by the remembrance of all he had thrown away. "A sorrow's crown of sorrow," says the laureate, "is remembering happier things." Dr. Rolph had fully earned the right to wear his crown of sorrow, and, though it was not flaunted needlessly in the eyes of the world, he continued to wear it, with a few brief intermissions, during all the rest of his life. It cannot be said that his misfortunes established any

special claim to the sympathy of posterity on his behalf. He had played a foolish and desperate game, where the odds were tremendously against him, and he had no ground for complaint because the penalty of failure was exacted from him.

Gibson, who had succeeded in making his escape from Canada in an open boat as already recorded,[263] also sojourned in Rochester for a brief season about the time of Rolph's removal thither. His hatred of the Compact had by no means abated, and he would willingly have joined in any rational movement for the subversion of the Provincial Government; but his disgust at Mackenzie's proceedings was as great as Rolph's, and he refused to have anything whatever to do with the projected raids into Canada. He had no quarrel with the land which had long been his home, and where he had spent many happy and prosperous years. He had risen in arms against the Provincial Government, {236} not for the gratification of his own vanity, or for the purpose of wreaking vengeance upon his personal enemies, but from a sense of public oppression and wrong. The movement in which he had taken part had proved a failure, but he did not therefore wish to see the homes of his friends and the birthplace of his children overrun by a horde of foreign ruffians eager for plunder and rapine. His chief care was to put himself in the way of earning a livelihood. By Rolph's advice he applied to Mr. Bidwell who had by this time taken up his abode in New York for a certificate as to his character and professional abilities. Bidwell responded by sending the desired certificate, and at the same time wrote him a letter, which has already appeared in these pages.[264] Gibson soon afterwards obtained professional employment at Lockport, where important public works, including the enlargement of the locks on the Erie Canal, were then in progress. He was joined by his wife and little family, and quietly settled down to peaceful pursuits. He enjoyed a fair share of prosperity during his five years' sojourn in the States.

As for Mackenzie and Van Rensselaer, they continued to prosecute their schemes against Canada. Each did so, however, on his own account, as they were by this time on such ill terms that they could not act in unison. Van Rensselaer's arrest has recently been mentioned. He had no difficulty in procuring bail, and his projects were not further interfered with at that time. Mackenzie went through a similar experience. During a temporary visit paid by him to the eastern mainland just before the evacuation of Navy Island he was arrested for breach of the neutrality laws, and compelled to find bail. In setting on foot a warlike movement against Canada after his escape to the United States, he had clearly abused his right of asylum. He had done his

utmost to provoke a war between the States and Great Britain, and his proceedings had been so notorious that the authorities could not close their eyes to them. The arrest, however, was a mere formality, as some of the "sympathizers" provided bail for him, and he was permitted to return to his headquarters. After the evacuation he seems to have sojourned for a brief season at Rochester, but he cannot be said to have {237} just then had any fixed place of abode, as he was almost constantly running hither and thither, agitating among the Canadian refugees, addressing caucuses of filibusters, and prompting them to buckle on their armour in the sacred cause of liberty. His outward acts were subject to greater circumspection than they had formerly been, and he was compelled to govern himself accordingly, but he nevertheless managed to keep alive the excitement, and to accomplish a great deal of mischief. He took part in secretly organizing a movement against Kingston, in aid of which he carried on a correspondence, but he appears to have withdrawn from it because the chief command was given to his enemy, Van Rensselaer. The latter made an ignominious failure of the expedition. On the 22nd of February he assembled a large body of filibusters at French Creek, on the southern shore of the St. Lawrence. As a preliminary to a descent upon Kingston, he conducted his men in boats to Hickory Island, an island forming part of Upper Canada, and situated down the river, about four miles below Gananoque. Throughout this enterprise Van Rensselaer was aided by Bill Johnston,[265] a native Upper Canadian who was well acquainted with the local topography, and professed to be able to render valuable assistance. The Canadian authorities obtained early intelligence of the movement, and assembled a large body of militia at Kingston from the Midland and Johnstown Districts. Preparations were made for an advance against the filibusters, who however did not await an attack, but got back to the United States shore with all expedition, and there dispersed. This was upon the whole the most ignominious of all the failures on the Upper Canadian frontier, and from this time forward Van Rensselaer's influence was perceptibly on the wane.

[243] "When a people have been insulted and aggrieved as the people of Upper Canada have been, it is not to be supposed that they can feel it necessary to perplex themselves with researches into books upon the laws of nations they will follow a more unerring guide in obeying the irresistible instinct of self-preservation."—*Despatch from Sir F. B. Head to Mr. Fox, British Minister at Washington, dated 80th January, 1838*.

[244] As a matter of fact such attempts were really made, but they appear to have been conducted in a supine, half-hearted way, and were wholly ineffectual until the destruction of the *Caroline* rendered more vigorous action imperative. As early as the 19th of December Governor Marcy had issued a proclamation calling upon Mackenzie's rabble to desist from their unlawful projects, and calling upon citizens generally to abstain from interference with the affairs of the Canadas.

[245] *Ante*, vol. i., pp. 223, 224.

[246] As previously intimated in the text, Sir Francis Head signified his official approval of the cutting-out of the *Caroline*. He did so in the most unequivocal language, and with the least possible delay. He does not seem to have ever altered his opinion as to the wisdom of the enterprise. In *The Emigrant*, chap, x., published long years afterwards, he refers to "this act of calm justice and cool vengeance" i.e., the destruction of the *Caroline*—as having "produced febrifugal results highly beneficial." He adds: "It struck terror into those who, with bands and banners, were marching from all directions to invade us; and by thus inducing them to halt, the United States Government were not only obliged, but were enabled to exert themselves." This is a characteristic specimen of Sir Francis's rhetoric, and was certainly not borne out by facts. The truth, indeed, could not well have been more perversely misrepresented. One of the Lieutenant-Governor's most caustic critics gives a much more accurate account of the matter. "It is very difficult," he writes, "to say whether [Sir Francis Head] compromised the safety of the Province more by the backwardness he exhibited in grappling with dangers over which he ought to have triumphed immediately, or by the rashness with which he threw himself upon yet more formidable perils which he had no occasion to encounter at all.... He represents Upper Canada, in fact, as having been in great danger till the affair of the *Caroline*, but as having been saved by that bold, just and necessary exploit. We maintain, on the contrary, that there was not the slightest danger till the destruction of the *Caroline*; that there was no necessity for that act, and that it could not have taken place had Sir Francis, at the outset, done his duty in crushing the invasion: that that act, in truth, created all the danger which ever did exist, and which, unfortunately, is not yet removed."—*London and Westminster Review*, vol. xxxii., No. 2, article vi. The reader will bear in mind that when these words were written the difficulty between the two Governments had not been adjusted. The same writer adds: "Instead of at once sweeping off the invaders and freeing the British soil from their presence, he

remained with folded arms, looking at this band of ragamuffin loafers; feasting his volunteers; distributing commissions among the Family Compact, and magnifying the force of his enemy and the danger of his position. He made, in fact, a campaign of three weeks out of what should have been a skirmish of ten minutes; and by not crushing his contemptible adversary at once, he allowed the occurrence of the unhappy affair of the *Caroline*, which nearly rendered the invasion successful, besides exposing the country to the imminent peril of an American war.... The fact is that the destruction of the *Caroline* was the only event which gave at all a serious character to the business of Navy Island. Instead of terrifying, it irritated the population of the border States; instead of diminishing, it greatly increased, or rather created, the disposition to join the invaders.... This exploit, to which Sir Francis Head attributes the saving of the Province, was thus in fact the only event that gave the invaders a single chance of success."

[247] *Ante*, p. 193, note.

[248] See Colonel MacNab's letter to Lieutenant-Colonel Strachan, dated Chippewa, Jan. 19th, 1838.

[249] Nelson Gorham, in a recent letter, writes as follows: "The casualties on the island were, one killed with a round shot, and one slightly wounded by a splinter.... During all the time we occupied the island the greatest number in the hospital was six, of whom Benjamin Lett was one. William Johnson, of the Thousand Islands, visited Navy Island once, bringing with him a nine-pound field gun.... We captured one spy, and I was personally instrumental in saving him from the fate of a spy." The slain Patriot was Nelson Beebe, formerly a gunner in the U. S. Army.

[250] Vol. iii., pp. 240-256. On the 17th of January, 1838, Gourlay wrote a characteristic letter to Van Rensselaer, pointing out the fatuity of the course which that doughty filibuster was pursuing. The letter has several times been published, but a brief quotation from it would seem to be in order here. "Never," wrote the Banished Briton, "was hallucination more blinding than yours. At a moment of profound peace, putting on armour, and, led by the little editor of a blackguard newspaper, entering the lists of civil broil, and erecting your standard on Navy Island, to defy the armies of Britain! David before Goliath seemed little; but God was with him. What are you, in the limbo of vanity, with no stay but the devil?"—a sentence which, as Mr. Rattray remarks, is eminently Carlylesque.

[251] See *Canada in 1837-38*, by E. A. Theller; vol. i., p. 126.

[252] Theller's connection with the movements against Canada was probably chiefly due to a desire to possess the three hundred acres of land and the hundred dollars in silver which had been promised by Mackenzie to every volunteer. Mackenzie's promise had been restricted to volunteers for the Navy Island expedition, but it seems to have been regarded as general in its application, and was probably so represented by the leaders. That the idea had been present to Theller's mind is clear from language which he puts into the mouth of one of his fellow-prisoners, who is made to say that he had been induced to join the Canadian refugees partly by the love of fighting, and partly in order to obtain "the three hundred acres of land and the hundred dollars in specie offered by Mackenzie."—See *Canada in 1837-38*, vol. i., p. 153.

[253] See *Canada in 1837-38*, vol. i., p. 136. According to other accounts she did not ground until some minutes after her capture. Col. Radcliffe's report to Col. Strachan would seem to support the latter conclusion.

[254] The peninsula known as Point Pelé juts out to within about nine miles of the island, but it was then a mere marsh, and would have afforded a treacherous footing for an invading force.

[255] *Ante*, p. 14, note.

[256] *Ante*, p. 187. By "artillery" he appears to have meant "arms," as, in the very next sentence of the proclamation, he says: "Three thousand five hundred men came and went, but we had no arms for one in twelve of them, nor could we procure them in the country."

[257] *Ante*, pp. 33-38.

[258] *Ante*, pp. 14-17. See also note at end of chap. xix.

[259] *Ante*, p. 187.

[260] *Ib*.

[261] "Dr. Rolph visited the island once for a short time, returning in about an hour. Mr. Bidwell never came to the island."—*Private letter from Nelson Gorham*. Among Dr. Rolph's papers I find a letter written by the late William Hamilton Merritt, of St. Catharines, to Mrs. Rolph, at Toronto, dated the 15th of December, 1837, when the excitement in Buffalo was at its height, and when Mackenzie had only just taken up his quarters on Navy Island. Coming from such a source, the letter affords conclusive proof that Rolph was not even then openly taking part in the filibustering movements along the frontier. Mackenzie persistently sought to create an impression that the Doctor was at one with him in his project for invading Canada, and not only spoke of him as an ally, but brought his name before the American public whenever he could find an opportunity for so doing. Mr. Merritt evidently speaks from personal knowledge. "I have much pleasure"—so runs his letter—"in stating that, having returned late last night from Fort Erie, I am quite certain that Mr. Rolph has taken no part whatever in the excitement which has existed in Buffalo. I would not have named it to you, but as reports prevailed here that he was taking an active part, I feared they had reached you. I have made the same communication to the Government.... Mr. Bidwell has not been in Buffalo."

[262] Mr. Lindsey was apparently aware of this refusal when he wrote his *Life of Mackenzie*. See p. 132 of the second volume of that work.

[263] *Ante*, p. 147.

[264] See vol. i., pp. 362, 363, note.

[265] The name of this worthy is always misspelt in the various histories of Canada. He himself spelled it as above. See his manifesto dated 10th June, 1838, a copy of which may be found on p. 45 of Leavitt's *History of Leeds and Grenville*.

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CHAPTER XXXIII.

JUDGMENT AND EXECUTION.

The Upper Canadian Legislature meanwhile continued in session. Various measures were passed for checking the movements of the filibusters against the Province, and for dealing with persons found in arms therein against the public peace. One of these provided for a practical suspension of the Habeas Corpus Act. It was enacted that persons in prison at or after the passing of the Act, under warrant of the Lieutenant-Governor in Council, upon charge of high treason, suspicion of high treason, or treasonable practices, might be detained without bail, and that ithey should not be tried without an order from his Excellency in Council. Another Act provided for the speedy trial of subjects of Her Majesty, as well as of persons being citizens or subjects of a foreign power, taken in arms in this Province. Provision was made for the trial of such persons either by Court Martial or by any Court of Oyer and Terminer or General Jail Delivery. By a subsequent measure it was enacted that any person charged with high treason might at any time before his arraignment present a petition to the Lieutenant-Governor praying to be pardoned, and that the Lieutenant-Governor in Council might thereupon grant a pardon on such conditions as might appear proper; and that in case any person so pardoned under the Act upon condition of being transported from the Province should afterwards voluntarily return without lawful excuse, contrary to the condition of his pardon, he should be deemed guilty of felony, and suffer death as in cases of felony. Dr. Rolph, Dr. Duncombe and David Gibson were formally expelled from the Assembly for their complicity in the Rebellion. Dr. Morrison, Robert {239} Alway (one of the members for Oxford) and Elias Moore (one of the members for Middlesex), being in prison awaiting their trials, their cases were for the time left in abeyance. Pensions were awarded to Lieutenant Sheppard McCormick[266] and to the widow and children of Colonel Moodie,[267] whose blood was the first shed in the Upper Canadian Rebellion. A Bill was passed by the

Assembly granting a hundred guineas to procure a sword to be presented to Colonel MacNab, as a token of the regard in which his services were held, "for the promptitude and ability displayed by him in aiding to suppress the late Rebellion, and in defending the Niagara frontier from invasion by a piratical force." By the same Bill a sum of seventy-five guineas was granted to procure a sword for Captain Drew, as a memorial of the estimation in which his services were held for the capture and destruction of the *Caroline*. These grants, however, were doomed to failure. The Bill was sent up to the Legislative Council, and not returned. A new Bill was thereupon presented, which on its third reading was subjected to an amendment that led to its being shelved, and the matter was not again brought before Parliament. The Legislature, after a somewhat busy session, was prorogued on the 6th of March.

In less than three weeks after the prorogation the disastrous administration of Sir Francis Head came to a close. Having received from the Colonial Secretary a formal acceptance of his resignation, he communicated the fact to the Legislature, at the same time announcing that he had had the misfortune to differ from Her Majesty's Government on one or two points of colonial policy. The two Houses received the intelligence with very strong marks of disapprobation. The Assembly, by a vote of 23 to 5, passed an Address to His Excellency expressive of profound regret. That this was no mere formality is made sufficiently clear by the following extract from the Address: "If your Excellency's measures and policy have not given satisfaction to our Gracious Queen, we are driven to inquire in the most humble and respectful, but solemn manner, what course of policy it is that is expected by Her Majesty from Her Majesty's representative in this Province. Deeply impressed with the duty of submission to the {240} constitutional exercise of the royal prerogative, we do not question the right of the Sovereign to select her representatives in this or any other colony of the Empire; but we nevertheless feel ourselves impelled by a sense of duty suggested by a desire to maintain our allegiance (and which on our part can never be laid aside or forgotten), humbly, but earnestly and emphatically, to declare that if anything be calculated to shake the attachment of Her Majesty's now truly loyal and devoted subjects to her royal person and Government, it is by acts of injustice, or the manifestation of ungenerous distrust towards servants who have served the British nation so faithfully and nobly as your Excellency has done.... We beg to assure your Excellency that this House and the people of this Province will regard your Excellency's relinquishment of its government as a calamity of a most serious nature, and which may result in difficulties and dissensions that cannot be easily

repaired or reconciled." The Legislative Council passed an Address hardly less laudatory.[268]

This was a by no means unique specimen of the sort of sentiment which commonly passed for loyalty in those days. Here, be it noted, was a representative body almost ready to renounce its allegiance because a favourite Lieutenant-Governor's resignation had been accepted. What would have been the feelings of its members had they been subjected to the course of treatment to which Reformers had been compelled to submit for many a long year? It is so easy to be loyal when loyalty brings profit and emolument; when to be loyal is to be prosperous, and to enjoy the favour of the great. But such is not the loyalty which builds permanent and stable constitutions; which establishes safeguards against corruption and tyranny; which recognizes inalienable rights in every member of the human family. Mackenzie himself would doubtless have lived and died a loyal subject had he been in the position of most of the members of that Assembly. If he had been courted by the Government, and made the recipient of official favour: had his originally reasonable demands been assented to, or even received with a fair degree of respectful consideration: he too might have been induced to regard {241} Sir Francis Head's departure as an untoward event which bade fair to bring dire calamities in its train.

His Excellency's successor was Sir George Arthur, a gentleman who had long been employed in the public service of Great Britain, and who had successively administered the Governments of British Honduras and Van Diemen's Land. His past experience had not been of a nature to qualify him for assuming the direction of affairs in such a colony as Upper Canada. In Van Diemen's Land his time had been largely occupied in dealing with the most abandoned of mankind, including refractory convicts and others whom it was necessary to repress with the strong hand. Such experiences had made him somewhat harsh and unbending, with little charity towards transgressors of the law, and with decided leanings in the direction of severity. He was sworn into office on the 23rd of March, and from that moment the fate of the imprisoned insurgents was largely in his hands. The ceremonial of his installation was witnessed by Sir Francis Head, who immediately upon its conclusion set forth on his homeward journey to England. He had intended to return by way of New York, which was the most direct and comfortable route; but the feeling provoked by the destruction of the *Caroline*, the presence in New York State of many angry Canadian rebels, and the reward which had been offered by Mackenzie for his apprehension,[269] had combined to arouse his fears, and he had concluded that it would be unwise

for him to venture his person within the bounds of the Republic. He had accordingly written to Sir John Harvey, Lieutenant-Governor of Nova Scotia, to secure for him a passage from Halifax in a man-of-war. This had been done, but on the very day before his departure he had received intelligence that a conspiracy had been entered into by a number of Canadian refugees to waylay and murder him on his overland journey to Halifax. This caused another change of plan. He now resolved to sail from New York, but in order that his last resolution should not become known he started from Toronto by the steamer *Transit* for Kingston, as though he intended to proceed direct to Halifax.[270] He was {242} accompanied by Judge Jones, who appears to have constituted himself a sort of champion and protector of his patron throughout the journey. From Kingston they crossed over on the ice to the opposite shore, whence they proceeded as far as possible incognito by way of Watertown, Utica and Albany to New York. Sir Francis was recognized by some questionable characters during the journey, and on one occasion he and his companion were obliged to make a swift run for it on horseback, sixty mounted pursuers following hard upon their track. Upon reaching New York they took up their quarters at the City Hotel, where they remained about a week; and it was during this interval that the final interview took place between Sir Francis and Mr. Bidwell, as has been previously related.[271]

Sir Francis in due course set sail for Liverpool, whither he arrived on the 2nd of April. He repaired to London, and lost no time in presenting himself before Lord Glenelg at the Colonial Office. He grandiloquently represented himself as having saved Upper Canada to the Empire, and complained bitterly at not having been supported in his policy by the Home Government. Lord Glenelg was cool and complaisant, but did not recede an iota from the position he had assumed when he had determined upon accepting Sir Francis's resignation. The fact was that the Government had long since discovered the monstrous blunder they had committed in appointing such a man to the onerous position of Lieutenant-Governor of Upper Canada. They had formed a correct estimate of his character and qualifications, and had resolved that it would be unsafe to entrust any important interests to his care for the future. Sir Francis, however, was not disposed to accept the Colonial Secretary's *ipse dixit* as final, and put himself into communication with Lord Melbourne. His Lordship made short work of his pretensions,[272] whereupon Sir Francis applied for leave to vindicate himself, as {243} he termed it, by publishing his despatches. This permission was refused, and for some months the refusal was respected; but upon the publication of Lord Durham's Report in the following year, in

which the shortcomings of Sir Francis's administration of affairs were dealt with at considerable length, the Tried Reformer felt it incumbent upon himself to take the world into his confidence. The result was the publication of his extraordinary *Narrative*, to which frequent reference has been made in the foregoing pages. As has recently been remarked by Mr. Reeve,[273] whatever credit for discretion Sir Francis might previously have enjoyed was more than effaced by the indiscretion of this work. It was nevertheless lauded to the skies by the *Quarterly Review*,[274] which in the same number denounced Lord Durham and his Report with patronizing contempt. Among modern writers there can hardly be said to be any diversity of opinion as to the character either of the *Narrative* or its author. The former stands alone among books as an unconscious revelation of superficiality, short-sightedness and indiscretion. It seems inconceivable that such a work could have been written by a man who for more than two years had occupied so high and responsible a position as that of Her Majesty's representative in an important colony. Like {244} most works by the same hand, however, it is eminently readable, and is by no means devoid of value as a contribution to our country's history. Sir Francis, though he was not again permitted to try his hand at governing a colony, did not go wholly unrewarded. In consideration of his "great public services" a baronetcy was conferred upon him, and the Colonial Office was liberal in construing and adjusting its pecuniary obligations to him. He was then permitted to retire to private life, and he survived until the 20th of July, 1875. After his retirement he devoted much of his time to literary pursuits, and for many years before his death enjoyed a Government pension of a hundred pounds a year, "for his services in the cause of literature." And here, so far as this work is concerned, the curtain may be permitted to fall upon the exploits and career of Sir Francis Bond Head.

Sir George Arthur's term of office opened auspiciously. He seemed to be desirous of conciliating public opinion, and at the same time of exercising moderation towards the imprisoned rebels. In reply to a congratulatory address from the mayor,[275] aldermen and commonalty of Toronto, on the 29th of March, six days after his accession, he referred to the recent unhappy disturbances, expressing a high appreciation of the loyalty of the citizens, but foreshadowing a policy of mercy and forgiveness to the vanquished. "Harshness and severity," he remarked, "are distinguishing marks of weakness and apprehension. The country is strong enough to be magnanimous; and as the inhabitants of Upper {245} Canada have the reputation of being a religious people, it will now be open to them, both

collectively and individually, to give proof of their Christian professions by forgiving, without any vexatious upbraiding, the extreme injuries they have received." Then he quoted Portia's noble argument about the quality of mercy, and did so with apparent emotion. All this was strictly in accordance with instructions which were on their way to his Excellency from the Colonial Office, wherein confidence was expressed that his influence would be successfully exerted in moderating the zeal of those who might be disposed to proceed to extreme measures.[276] Sir George seemed to anticipate these instructions, and to be imbued with their spirit beforehand. It might almost have been supposed that the prison doors were about to be incontinently thrown open, and the inmates set free. Yet at this very moment the unhappy men who had participated in the Rebellion were being tried and sentenced from day to day. Many of them were condemned to death, though in most cases the sentences were afterwards commuted to imprisonment or transportation. Many others availed themselves of the provisions of the recent enactment,[277] and petitioned the Lieutenant-Governor, by whom they were banished without any form of trial whatever. The "Constitutional Reformers" of Toronto came forward with a petition congratulating his Excellency on his accession, and praying that mercy might be extended to the political prisoners. Sir George's reply was little in accordance with his former large-hearted utterances. The term "Reform," he remarked, was altogether out of place at such a time, when so-called Reform had been made a mere cloak for the commission of heinous crimes. The law, he averred, must take its course, not only as a matter of justice, but as a warning to wrong-doers for the future. And the law took its course accordingly.

A special interest lingers around the fate of Samuel Lount and Peter Matthews, whose wanderings, sufferings and final capture have already been recorded.[278] Lount's originally strong constitution had been greatly shattered by his protracted mental and physical misery. {246} He was induced to make a partial confession of his connection with the Rebellion, and, apparently, to sign a written statement embodying grave charges against Rolph and Mackenzie. The principal contents of this statement were immediately published to the world in the columns of the Government organ, the *Patriot*, accompanied by a succession of characteristic editorial comments.[279] The statement has already been embodied in a note to the present work, accompanied by certain arguments as to its authenticity.[280] It seems to be perfectly clear that Lount made a communication of some kind to the Commissioners, but it is equally clear that there was great want of care, {247} to say nothing of clerkly skill, in reducing it to writing; and

there is at least good reason to doubt whether the statement, as published, embodies a fair and accurate rendering of what Lount intended to convey. All this has been fully enlarged upon, and the arguments need not be repeated here. In any case, the statement, as it stands, is not one which can be referred to with much complacency by the representatives of either Rolph or Mackenzie.

MRS. LOUNT INTERCEDING WITH SIR GEORGE ARTHUR

Lount and Matthews were arraigned at Toronto before Chief Justice Robinson, on Monday, the 26th of March. There was no shadow of doubt as to their guilt, in a technical sense, and by advice of counsel they both pleaded guilty. The Attorney-General gave notice that on the following Thursday, the 29th, he would move for the judgment of the Court. On the day indicated the prisoners were again placed at the bar. They were sentenced to undergo the last penalty of the law on that day fortnight—the 12th of April. The Chief Justice delivered a long and impressive address, wherein he enlarged upon the heinous crime of rebellion, and the deplorable consequences which had resulted to the prisoners and others. The address was listened to with almost breathless attention by the crowd in the court-room, and the prisoners themselves were visibly affected when the death-penalty was pronounced. A different result could hardly have been looked

for; but no sooner did the fact become known than feelings of commiseration and sympathy began to manifest themselves. These soon spread to the uttermost parts of the Province, but, as might have been expected, they were more especially prevalent throughout the Home District, where the condemned men had long resided. Many supporters of the Government joined with the Reformers in deploring the sentence, and in endeavours to bring about some modification of it. Pathetically-worded petitions, praying for a commutation of the penalty, and signed by all classes of the community, were sent in to the Lieutenant-Governor. One of these, signed by over five thousand persons, was personally presented to his Excellency by Mrs. Lount herself, who went down upon her knees, and with clasped hands entreated that the life of her husband might be spared. Sir George, however, was apparently unmoved. In his former sphere of action he had been accustomed to deal with petitions from the {248} vilest criminals, who, according to their own shewing, had been much more sinned against than sinning. He had become accustomed to the sight of human suffering, and the very nature of his official duties had imposed upon him the necessity of closing his ears to the cry of misery. Even the tenderest heart —unless, indeed, it should break in the ordeal—would become more or less seared and callous under a long experience of this nature; and the heart of Sir George Arthur does not appear to have been very susceptible to gentle influences. He, however, conferred on the subject with his Council, who communicated with the Chief Justice by whom the sentence had been imposed. The Chief Justice expressed himself to the effect that he saw no ground upon which he felt that he could properly recommend a pardon or respite, in either the case of Samuel Lount or Peter Matthews.[281] The offended majesty of the law was accordingly vindicated. At eight o'clock in the morning of the fatal day the tragedy was enacted in front of the jail, which stood near the present junction of Toronto and Court Streets. The building faced southward, and there was an open space intervening between its pilastered front and King Street. On this space, and in the neighbouring thoroughfares, a great crowd assembled to witness the moving spectacle of two fellow-creatures being launched into eternity. The doomed men were attended in their last moments by two clergymen. One of these was the Rev. {249} James Richardson, afterwards Bishop of the Methodist Episcopal Church in Canada. The other was the Rev. John Beatty, who was likewise a Methodist minister. There was no attempt, and, apparently, no desire, on the part of the victims to address the crowd. They bore themselves with becoming calmness and self-control. Mr. Richardson offered an impressive prayer on the scaffold, "in which," says a contemporary account,[282] "the unhappy men appeared to join with a fervour highly suited to their awful

circumstances." Many of the prisoners who were confined in the jail were permitted to behold the execution from the windows of their cells. Among them was the captured "Brigadier-General" Theller, who has left an account of the scene. "On arriving at the fatal spot," he writes, "although the steps were seven or eight, and the ascent almost perpendicular, they mounted the stage without the least faltering: Lount first, followed by the sheriff; then Matthews and the deputy, Mr. Baird. Some have remarked they thought Matthews did not ascend with the firmness displayed by his fellow-sufferer; but they do his memory injustice, for I was looking upon the motions of both with intense anxiety, to see whether either disgraced his name or the cause in which he had forfeited life, and there was not, to my vision, the slightest trepidation. Lount looked up and bowed to us [i.e., to the prisoners gazing from the jail windows]; then, kneeling on the trap underneath one of the nooses, the cord was placed about their necks by the executioner, and the cap pulled over their faces. One of the clergymen, Mr. Richardson, made a prayer—the signal was given by the sheriff, and in an instant after these two heroic souls, the first martyrs to Canadian liberty, were ushered into eternity."[283] The remains of the two insurgent leaders were interred in {250} the York General or Strangers' Burying Ground—better known as "Potter's Field"—on Bloor Street, immediately to the west of Yonge Street. There they reposed for more than twenty years, after which they were removed[284] to the Necropolis, where they found a permanent resting-place. They lie together in one grave, near the western side of the cemetery,[285] beneath a small plain tablet of white marble, containing the simple inscription:

SAMUEL LOUNT.
PETER MATTHEWS.

By the taking-off of Lount and Matthews, two large families[286] were left each without a head, and with tragical remembrances more than sufficient for a lifetime. Lount's widow and children soon afterwards removed to the Western States, where some of them still reside. Mrs. Lount survived to a great age, and died only about three years since.

The trial of John Montgomery took place on Monday, the 2nd of April, before Chief Justice Robinson. The indictment was for high treason. It contained two counts, the first of which charged the prisoner with "compassing or imagining" to levy war against the Queen. The second charged him with the actual levying of war for the purpose {251} of overthrowing the Constitution and Government. He pleaded not guilty, and Mr. Henry Sherwood, who assisted the Attorney-General, opened fire upon

him. He was defended by several counsel, the chief of whom were George Morss Boswell—known to the present generation as Judge of the County Court of the United Counties of Northumberland and Durham—and Robert Baldwin. A great number of witnesses were examined. Montgomery's presence at the tavern during its occupation by the rebels was clearly proved. It was further shown that he had assisted in providing food, and had appeared to act as a commissary. That he should be found guilty was almost a matter of course. The jury, however, in returning their verdict recommended him to mercy, and were informed by the Chief Justice that their recommendation should be forwarded to the proper quarter. On the 10th of the month he was brought up for sentence, when a strange scene was enacted. The prisoner was convinced, rightly or wrongly, that the jury had been packed in order to insure his conviction. He seemed to have no fear of death, but was chiefly animated by indignation against his accusers. Upon being asked if he had anything to say as to why sentence should not be pronounced upon him, he replied: "I have." Then, after a moment of breathless silence, he spoke a few impressive words, the purport whereof was never forgotten by those who heard them. They were addressed to the Chief Justice, who—as well he might—received them in mute astonishment. The *ipsissima verba* I cannot pretend to reproduce, but they were to the effect following:[287] "I consider that I have not had a fair or impartial trial. There are men here who have sworn my life away. The perjured evidence of W. B. Crew, Thome and Bridgeford will haunt them in after years. They will never die a natural death; and when you, sir, and the jury, and all those who take part in my sentence, shall have died and perished in hell's flames, John Montgomery will yet be living on Yonge Street." Chief Justice Robinson, upon recovering himself, pronounced the death {252} penalty. The prisoner was condemned to be hanged on the 24th of the month. Meanwhile, the scaffold upon which Lount and Matthews had so dearly expiated their offence was left standing almost in front of the window of the cell in which he was confined.

The world, however, had better things in store for John Montgomery. Before the day appointed for his execution Sir George Arthur had received his instructions from the Colonial Office. The guilt of the doomed man was not of such a character that it could be atoned for by nothing short of his death, and his sentence was accordingly commuted to transportation for life. He was temporarily sent down to Fort Henry, at Kingston, along with a number of other political prisoners who were to undergo a similar fate. Thence he and several of his companions managed to escape to the United States.[288] His extradition was demanded by the Provincial Government, but

the Governor of New York refused to surrender him, and he repaired to Rochester, where he kept a tavern for several years. During the term of his exile he showed much kindness to his fellow-refugees, and his house was a common place of resort for them.

Many of the spectators who had listened to his impressive prophecy in the court-room lived to see it at least in part verified. He received a pardon in 1843, returned to Upper Canada, and for some time resided on Yonge Street. He built a new tavern on the site of the one destroyed after the skirmish of the 7th of December, 1837. He survived to a patriarchal age. For some years before his death he resided at Barrie, where he breathed his last on Friday, the 31st of October, 1879. Had he lived a few weeks longer, he would have celebrated his ninety-sixth birthday.

On Wednesday, the 24th of April—the self-same day that had been appointed for Montgomery's execution—Dr. Morrison was brought to trial. The Chief Justice having expressed his unwillingness to preside, the bench was occupied by Judge Jones. The Crown was represented by Attorney-General Hagerman, the prisoner by Robert Baldwin, G. M. Boswell Rolland Macdonald, of St. Catharines. The indictment charged {253} the prisoner with having composed and published a Declaration at a meeting held at Doel's brewery on the 28th of July, 1837,[289] with intent to excite rebellion; also with levying war for the purpose of subverting the Government of this Province. There was no difficulty in proving that Dr. Morrison had signed the Declaration, which had been published in the Radical newspapers early in August, with all the signatures appended; but the document was not necessarily treasonable, and the Government had permitted it to pass unheeded at the time. It was moreover proved that Dr. Morrison, at the meeting held at the brewery in the following October, had indignantly spurned Mackenzie's proposal to rebel, and had declared that he would leave the room if another word were spoken on the subject.[290] The narrative written by Mackenzie for the Watertown *Jeffersonian*, however, which had been republished in Toronto, furnished the prosecution with a weapon against the accused which nearly proved fatal to him. In that narrative the Declaration of July was represented as the first actual step in the direction of rebellion, and all that had followed was assumed to have been the legitimate sequel. It was stated that the Rebellion had been determined upon at a meeting of "twelve leading Reformers" held in November, and that an Executive had then and there been nominated to carry it on. This story seemed probable enough, and the Attorney-General made the most of it. Dr. Morrison was unquestionably a leading Reformer, and if any such meeting

had been held it was pretty certain that he would have been present at it. If an Executive had been appointed, he could hardly be ignorant of the fact, and there seemed excellent reason for believing that if such an appointment had been conferred upon anybody he himself had been invested with the responsibility, either solely or jointly with Rolph. All this was so obvious that the prisoner's conviction, in the then state of public opinion, seemed almost inevitable. The sword of Damocles hung quivering above his head, and it was by Mackenzie's hand that it had been placed there. Fortunately for the prisoner, however, the falsity of the story was susceptible of being clearly established. A number of the leading Reformers of Toronto came forward one after another, and swore most positively that they {254} had never heard of any such meeting of "twelve leading Reformers," or of the appointment of an Executive as stated by Mackenzie.[291][291] They expressed entire disbelief in the story. With regard to the second count of the indictment—the levying of war for the subversion of the Government—three witnesses swore to having encountered Morrison with Mackenzie on horseback near Gallows Hill on the night of Monday, the 4th of December. The evidence of these witnesses was probably given in good faith, but they had in the darkness mistaken one of Mackenzie's companions for Dr. Morrison;[292] and upon cross-examination their evidence was pretty effectually broken down. Mr. Macdonald, the junior counsel, in opening for the defence, indulged in some severe but well-merited strictures on Mackenzie's conduct,[293] and referred to Mackenzie {255} himself as a "God-forsaken rebel, murderer, housebreaker and mailrobber," whose very name could not be mentioned without abhorrence. A cloud of witnesses were examined, and an alibi was clearly made out on behalf of the prisoner. Mr. Boswell then addressed the jury for the defence, and the Attorney-General replied; after which the case was submitted to the jury by the presiding Judge. The jury, after some time spent in consultation, sent in a note of inquiry to the Court, asking to be informed if they could bring in a verdict for a less crime than high treason. The Judge replied in the negative, when, after further consideration, the jury returned a verdict of "Not Guilty," which was received with triumphant bursts of applause. Dr. Morrison, after he had returned thanks to the Judge for his impartiality, and to the jury for the attention they had bestowed on his case, was briefly admonished from the judgment seat. His attention was called to the long time occupied by the jury in coming to a conclusion, and to the evident doubts entertained by them as to his innocence. The Court concluded by expressing a hope that Dr. Morrison would for the future conduct himself as became a good subject. His acquittal being complete, the Doctor then left the court-room, and was escorted to his home by a crowd of friendly fellow-townsmen.

The Doctor had escaped, but he fully realized the fact that his life had been in great jeopardy, and that he had narrowly missed the fate of Lount and Matthews. He had no heart to resume the practice of his profession among his old patients, and determined to quit the Province. His motions were accelerated by a hint which reached his ears to the effect that the Attorney-General was preparing another indictment against him on a fresh charge, and that he would soon be re-arrested. He took the alarm, and made haste to join his friend Dr. Rolph at Rochester, which thenceforth became his place of abode. He does not appear to have ever become reconciled to the change in his domicile, and was glad to avail himself of the opportunity of returning to Upper Canada with a number of his fellow-exiles in 1843.

The trials of the insurgents were continued throughout the winter and early spring. Both civil and military tribunals were engaged in the enquiries, though the decisions of the courts martial were seldom fully {256} enforced. The instructions from the Colonial Office to Sir George Arthur were acted upon, and it cannot truthfully be said that, after their reception, the Government displayed a bloodthirsty disposition towards the hundreds of victims who crowded the jails. As has been seen, many were sentenced to death, but their sentences were afterwards commuted to transportation, and up to this time Lount and Matthews alone had suffered the extreme penalty of the law for participating in the revolt, A few, like Dr. Morrison, were acquitted for want of proof. Others, whose complicity was made clear, received sentences not disproportionate to the nature of their offences. Many, among whom were Robert Alway and Elias Moore, the members of the Provincial Legislature mentioned on a former page,[294] were released upon merely giving security for their future good behaviour. Matters were tolerably quiet along the frontier, and sanguine people began to hope that the trouble, external as well as internal, was at an end. That their calculations were far wide of the mark will appear from the following chapter.

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[266] *Ante*, p. 212.

[267] *Ante*, p. 55.

[268] See *Journal of the Legislative Council of Upper Canada*, 3rd session, 13th Parliament, under date of Wednesday, January 17th.

[269] *Ante*, p. 187.

[270] Mr. Lindsey, when he wrote his *Life of Mackenzie*, seems to have supposed that Sir Francis Head carried out his determination to sail from Halifax. See vol. ii., pp. 131, 132 of that work. Yet *The Emigrant* had then been published fully fourteen years, and in the twelfth chapter, entitled "The Hunted Hare," the facts are set out in detail.

[271] *Ante*, pp. 169, 170.

[272] In Henry Taylor's Autobiography (American reprint, vol. ii., pp. 259, 260), published last year, there is a ludicrous account of Sir Francis's interview with Lord Melbourne. Mr. Taylor, who was then a senior clerk in the Colonial Office, doubtless had Lord Melbourne's own authority for the story, which is as follows: "After his [Sir Francis Head's] return from Upper Canada, highly indignant, he appealed to Lord Melbourne. Lord Melbourne appointed him in South Street at ten o'clock. He went. Lord Melbourne was dressing. He was shown up to Lord Melbourne's dressing-room. Lord Melbourne was shaving. He begged Sir Francis to take a seat. He went on shaving. Sir Francis stated his case, recounted his proceedings, and alleged that he had saved the colony. 'And so you did,' said Lord Melbourne, and went on shaving. Sir Francis, much encouraged, proceeded with renewed energy, and enlarged upon the risks he had run, and the services he had rendered, and at last came to a close. Lord Melbourne laid down his razor, and replied, 'But you're such a damned odd fellow.' And this was all the answer to his appeal; and I imagine that it was substantially the true answer. Sir Francis was a man of no ordinary abilities, but bold beyond the limits of prudence. He had cut a wonderful somersault, and lit upon his feet. If he were to be employed again, everybody knew that there would be more somersaults, and nobody knew where he would light next." "The man who demands the credit of saving a country," says an able writer already quoted from, "should at least show that he left it in a better state than it would have been in had he not interfered; and it would be difficult for Sir Francis to make out that, had he followed his instructions, and kept on good terms with his first Assembly, he would have left the Province in a state of anything like the insecurity and alienation into which it has been thrown entirely by his measures. Our perfectly sincere and calm conviction is, that nearly all that is bad, nothing that is good, in the present state of Upper Canada is to be ascribed to Sir Francis Head; and that the history of the world affords few instances of a country being, in the same space of

time, afflicted with such evils, and menaced with such danger, owing to the misconduct of a single individual."—*London and Westminster Review*, vol. xxxii., pp. 452, 453.

[273] See The Greville Memoirs (Second Part); American reprint, vol. i, p. 151, note.

[274] For April, 1839.

[275] The mayor was Mr. John Powell, who had been taken prisoner by Mackenzie on the night of the 4th of December, and who, after shooting Anderson, had effected his escape and aroused the Lieutenant-Governor, as narrated at large in chapter xxii. His fellow-townsmen showed their appreciation of his conduct at the municipal election in the following January by electing him to the chief magistracy. He had certainly rendered important aid to the Government, not only in bringing tidings of the presence of the rebels at Montgomery's, but in sending Anderson to his last account. Anderson's death was certainly a prime factor in preserving the city from falling into the hands of the insurgents. He was the one man in whose military experience the insurgents had confidence. They would have followed him into the city on Tuesday morning, and would almost certainly have seized the Lieutenant-Governor and his Council. His death deprived them of their one military leader, and this catastrophe, combined with other circumstances which have already been sufficiently dwelt upon, seemed to take from them all heart for the enterprise in which they had engaged. Mr. Powell had therefore fully earned the honour with which his fellow-townsmen invested him. He filled the office of mayor for three successive years; namely, in 1838, 1839 and 1840.

[276] See despatch dated March 14th, 1838, in *Canada Papers and Documents*, vol. ii., p. 481.

[277] *Ante*, p. 238.

[278] *Ante*, chap, xxvii.

[279] See p. 3 of the *Patriot* for Friday, January 19th, 1838. After chronicling the fact of Lount's arrest and lodgment in Toronto jail, the editor remarks: "We learn that Lount has never been able to get off the main land of Canada, but has been roaming about ever since his flight from Montgomery's Tavern. We are told he is much worn down in body and dejected in mind, as well he might be, suffering, as he must have done, under the pangs of a guilty conscience, having by his wickedness consigned his wife and family from affluence to penury, and his sons, if not to speedy death, at least to transportation to the penal colony of New South Wales for life." After further comments of a similar nature, the writer proceeds to deal with Lount's confession, as follows: "General Lount was examined yesterday before the Commissioners, and fully committed for trial. Among other things, the General stated that the arch-traitor, Rolph, when he carried out the flag of truce from His Excellency to Montgomery's, after having delivered his message, winked at him and Mackenzie to draw them aside, when he charged them to pay no attention to the flag of truce, but to proceed, and that he repeated the same on his second journey out with His Excellency's answer. On being asked what he considered Rolph to mean by telling them to proceed, he replied that he considered him to mean that they should prosecute their intentions of taking the city, and pay no regard to the flag of truce. He declared that a fortnight before the rising he knew nothing of the real intentions of the traitors, and had been impressed by Mackenzie with the belief that they had nothing to do but to march into the city, where they would find themselves welcomed by the inhabitants; and stated that he had saved the house of Mr. Sheriff Jarvis from the destruction to which it had been devoted by Mackenzie. He gave as his reason for this humane interference that Mrs. Jarvis was reputed to be in ill health, and that the Sheriff had formerly rendered him personal favours. Captain Stewart, who was in company with the lamented Colonel Moodie when he was murdered, and Archibald McDonell, Esq., who was made

prisoner the night that John Powell, Esq., caused the ruffian Anderson to fall from his horse and break his neck, both appeared before the Commissioners to testify to the humanity of the General, which, they emphatically said, they did with heartfelt pleasure, declaring that it was their full and entire conviction that, but for the determined opposition both of Lount and Gibson, the whole of the prisoners would have been butchered in cold blood by Mackenzie.... We think no worse of Mackenzie at this moment than we have thought of him for the last six years. The United States now have him, and Rolph and Bidwell too. Such precious articles, however, are rarely to be obtained at small cost, and in this case it is greatly to be apprehended that America may pay pretty dear for her whistle.... We warrant that Mackenzie's New York creditors have already heaved many a bitter sigh over his patriotic struggle, and if they have breathed a single wish for his success, it has surely been the child of desire to see themselves paid."

[280] See note at end of chap xxiii., *ante*.

[281] Mr. Lindsey (see *Life of Mackenzie*, vol. ii., p. 190), in commenting upon the trial of Lount and Matthews, says: "Lount had been a political opponent of the brother of Chief Justice Robinson, by whom the prisoners were tried. There was indeed no question about their guilt; but the Chief Justice afterwards performed the ungracious office of assuring the Executive Council that 'he saw no ground upon which he felt that he could properly recommend a pardon or respite.' Attorney-General Hagerman closed his ears to the cry of mercy, and only regretted that the gallows had not more victims. The general impression to-day is that the execution of these men was a judicial murder." In the course of this work I have not hesitated to express my opinion of both Chief Justice Robinson and Mr. Hagerman. Mr. Robinson, while he was Attorney-General, lent himself to some most arbitrary and cruel State prosecutions. Mr. Hagerman followed, and, perhaps, even improved upon the example of his predecessor. Still, I am by no means disposed to believe that Chief Justice Robinson was so utter a disgrace to the judicial bench as Mr. Lindsey seems to imply, and that he refused to recommend Lount and Matthews to mercy because one of them had formerly been a political opponent of his brother in Simcoe. Nor, in the absence of direct evidence, can I readily credit the assertion that Attorney-General Hagerman showed himself so devoid of humanity as to express regret that there were not more victims for the gallows. If Mr. Lindsey has any such evidence at his command, it is certainly his duty to produce it. If he has none, then the language above quoted certainly stands in need of some modification.

[282] In the *Christian Guardian*.

[283] *Canada in 1837-38*, vol. i., p. 230. Among the prisoners who beheld the sad spectacle through the grated bars of the jail windows was Mr. Charles Durand, now and for many years past a well-known barrister and attorney of Toronto. Mr. Durand, who for a year or more prior to the rebellion had practised his profession at Hamilton, was arrested and committed to jail for complicity in the rising. So far as I have been able to learn, he had had no connection whatever with the movement, but he was identified with the Radical cause, and was a contributor to the Radical press. He was tried, found guilty, and sentenced to death, but availed himself of the provisions of the recently-enacted statute [see *ante*, p. 238], and was banished from the Province. He spent some years in the United States, but returned to Canada when he could do so with impunity. In the *Caroline Almanac* I find the following account from his pen of the last days of Lount and Matthews: "Matthews always bore up in spirits well. He was, until death, firm in his opinion of the justice of the cause he had espoused. He never recanted. He was ironed and kept in the darkest cell in the prison like a murderer. He slept sometimes in blankets that were wet and frozen. He had nothing to cheer him but the approbation of his companions and his conscience. Lount was ironed, though kept in a better room. He was in good spirits. He used to tell us often, in writing, not to be downcast; that he believed 'Canada would yet be free'; that we were 'contending in a good cause.' He said he was not sorry for what he had done, and that 'he would do so again.' This was his mind until death. Lount was a social and excellent companion, and a well-informed man. He sometimes spoke to us under the sill of our door. He did so on the morning of his execution: he bid us 'farewell! that he was on his way to another world.' He was calm. He and Matthews came out to the gallows, that was just before our window grates. We could see all plainly. They ascended the platform with unfaltering steps, like men. Lount turned his head at his friends who were looking through the iron-girt windows, as if to say a 'long farewell!' He and Matthews knelt and prayed, and

were launched into eternity without almost a single struggle. Oh! the horror of our feelings! who can describe them?”

[284] The removal was effected on the 28th of November, 1859, by four persons, viz.: 1. George Lount, a brother of Samuel. 2 and 3. Charles Wesley Lount and William Lount, sons of George, and nephews of Samuel. 4. William Lyon Mackenzie.

[285] The grave is entered on the plan of the cemetery as Number 19, Section C.

[286] “Capt. Matthews left a widow and fifteen fine children, and Colonel Lount a widow and seven children.” Mackenzie’s *Caroline Almanac*, p. 40.

[287] An obituary notice of John Montgomery, published in the Picton Times, of Thursday, January 29th, 1880, gives the words substantially as above, but I have altered the language where i-does not correspond with fact, and where it had evidently been incorrectly remembered by the reporter.

[288] An interesting account of this escape will be found in an appendix to Mr. Lindsey’s *Life of Mackenzie*.

[289] *Ante*, vol. i., pp. 364, 365.

[290] *Ante*, vol. i., p. 380.

[291] See note at end of chap. xix.

[292] *Ante*, chap. xxii.

[293]

"Mackenzie," said he, "was an enemy to the Government. I may add, with truth, that he has proved himself a greater enemy to the prisoner at the bar, and the great body of Reformers in the Province, for it is to him they owe it that Reformers in that witness-box hesitated to acknowledge themselves such, and that the avowal was at last made with the honest blush of shame on their cheeks. It is to him they owe it that Her Majesty's Attorney-General could utter sneers at that ever-honoured name. It is to him, and to official partisans as bad as him, they owe the foul calumny that 'All Reformers are rebels in their hearts, and would be so in deed if they dared.' In short, it is to him, and him alone, they owe it that the term is now made to signify all and everything but what it really means.... Gentlemen, upon the whole I am glad this trial has taken place. I think it will have a good effect, because in the progress of it you will have a good deal of evidence that will make you think better of some of your neighbours and fellow-townsmen than you perhaps now do. It certainly seems to me a strange perversity of judgment that people who would not take Mackenzie's word for a brass farthing: who would not even believe his oath in a matter of sixpence worth: should yet place implicit reliance in his statements when those statements tend to no less than the destruction of the fair fame of some of the most wealthy and influential of their townsmen. I have no doubt now but the learned Attorney-General and most of his friends very religiously believe in the existence of the Executive Committee that has been so much talked of, and I have no doubt that it has cost them hours of hard thinking to settle in their own minds the particular individuals that composed this Committee. And now, what grounds have they for this uncharitable belief? Why, nothing but the bare word of the despised and God-forsaken rebel, murderer, housebreaker and mailrobber whose very name they cannot mention but with abhorrence. We shall prove to you, gentlemen, by witnesses upon witnesses, that there was no such Committee, and that so far from the Reformers of the city being connected with the rising, they were as ignorant of

it as yourselves.... The history of the rebellion I take to be shortly this. After the troops were sent away (because I do not think that Mackenzie himself ever thought of such a thing till after they were sent away) Mackenzie formed the idea of taking possession of the arms, and finding by the result of the experiment at Doel's that he need look for no assistance among the Reformers of the city, he had recourse to his ignorant and deluded adherents in the back townships, and with their assistance he thought to take the arms, together with the city banks and Governor, and then, with the help of Americans who would move in from the States, he hoped to find revolutionizing the whole Province but an easy task."—*Trial of Dr. Morrison, M.P.P., for High Treason*. Toronto, 1838. Pp. 7, 13.

[294] *Ante*, pp. 238, 239.

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CHAPTER XXXIV.

WINDSOR AND THE WINDMILL.

While matters were thus apparently settling down to their normal condition, the Province was startled from end to end by an occurrence which took place in the upper reaches of the St. Lawrence River, on the night of the 29th of May. The *Sir Robert Peel*, a Canadian lake steamer chiefly owned by residents of Brockville, and valued at ten thousand pounds, while on her way westward to the ports at the head of Lake Ontario, called at Wells's Island, near the American shore, for the purpose of replenishing her supply of wood. While moored to the wharf she was boarded by the notorious Bill Johnston and a gang of twenty-one persons, some of whom were Canadian refugees, the rest being American sympathizers. It was the middle of the night, and the passengers, among whom were a number of women and children, were sleeping quietly in their berths. The crew were taken completely by surprise, and were in no condition to make any successful resistance.[295] The attacking party were thoroughly armed, and had no difficulty in making themselves masters of the situation. They were disguised in the garb of Indians, and their savage yells and gesticulations fully comported with their assumed character. They rushed into the cabins, roused the passengers, and drove them ashore in a half-nude condition, together with the officers and crew. Then they plundered the vessel of such portable articles as came readily to hand, including the purses, {258} watches and most of the clothing of the passengers. They next proceeded to tow the steamer out into the stream, but in endeavouring to do so they grounded her bow upon a shoal; whereupon they abandoned their Indian character, and spoke in their native vernacular. Cries of "Remember the *Caroline*" resounded on all sides, and the scene was a veritable Pandemonium. The steamer was doomed, and the fate of the *Caroline* awaited her. The river pirates—for such they might well be called—applied the torch to her wood-work, and watched close by until she had burned to the water's edge. Then they returned to the New

York shore. A little while after daylight, another steamer—the *Oneida*—arrived at the island, took the passengers on board, and conveyed them in safety to Kingston.

This outrage aroused tremendous indignation through the country, and the Provincial Government offered a reward of five thousand dollars for the conviction of any of those who had taken part in it. Strong representations on the subject were made to Governor Marcy, who issued a proclamation offering a reward of five hundred dollars for the arrest of Johnston, and smaller sums for the arrest of the other participators. This, however, was the veriest farce, for most of the pirates were well known, and indeed they made very little attempt to conceal their identity. Several of them who were too demonstrative were arrested and brought to trial, but were acquitted by the jury in the face of the clearest evidence. Johnston himself meanwhile remained at large, finding a safe retreat among the labyrinthine passages and innumerable islands of the St. Lawrence. His immunity from arrest made him bold, and on the 7th of June he and a number of his gang made a descent upon Amherst Island, situated a few miles above Kingston, and then forming part of the Midland District. They plundered several farm-houses of money and such portable commodities as were to be found there, and then made their escape down the river. They also engaged in several other petty marauding expeditions, insomuch that they became the terror of the inhabitants along the contiguous Canadian frontier. Upon the facts being represented to Sir John Colborne, he determined to rid the neighbourhood of such an infliction, and detailed four bodies of marines to search the intricacies of the Thousand Islands from west to east. Governor {259} Marcy at the same time made a similar investigation among the islets near the southern shore of the river, and also stationed a contingent of troops on the mainland, to prevent a repetition of such outrages as the burning of the *Sir Robert Peel*.

These combined proceedings proved efficacious. Johnston and his gang were compelled to retreat and disband, and for the time nothing more was heard of them. Raids of more or less importance, however, continued to be made from time to time by other American sympathizers at various points. During the early days of June an American adventurer named James Morreau organized an expedition on a large scale across the Niagara frontier into the township of Pelham. His followers, consisting of more than a hundred persons, accompanied him over on the 7th of the month, when he issued a proclamation announcing himself as a liberator of Canada. The invaders made a night attack on a small detachment of Provincial dragoons

stationed in a wooden building at the Short Hills. The dragoons were taken by surprise, and were too few in number to successfully oppose their assailants. They were robbed and stripped of their clothing, and the building occupied by them was set on fire and burned. Several of the farm-houses in the neighbourhood were also attacked and plundered. Then the chances of the game turned against the invaders. By this time the whole township and surrounding country were up in arms, and the gang were compelled to seek safety in flight. Most of them succeeded in making good their retreat across the frontier, but about a score of them, including Morreau himself, were captured and consigned to jail at Niagara. The leader was speedily tried, found guilty, and hanged. A number of his followers were transported to Van Diemen's Land, whence one of them wrote home a series of letters which have since been published in a volume well known to collectors of *Canadiana*.[296]

Several other raids of less moment took place during the summer, and, though they were mere burlesques upon invasion, and did not in any measure imperil the stability of the Government, they kept the {260} population of the frontier in a state of perpetual anxiety, and were a source of considerable expense. But as the summer glided by, rumours of a nature well calculated to seriously disturb the public mind of the inhabitants of Upper Canada began to make themselves heard. A very short time sufficed to prove that these rumours were well founded. It became known that a widespread organization against the peace of this country was in course of formation in the States along the frontier. Hostile operations were no longer confined to a few adventurers picked up from the slums of the border towns, but were participated in by thousands of American citizens of good social and financial standing. The affair of the *Caroline* and the angry discussions to which it had given rise had awakened a spirit of hostility and vengeance which would not be appeased. A secret and extensive combination was formed for the actual conquest of Canada, and for its complete severance from the mother-country. The headquarters of the combination appear to have been at Cleveland, but its ramifications extended along the entire length of the frontier, and its operations, in their inception, were conducted with much discretion, energy and intelligence. The members, among whom were to be found high public officials of the Federal and State Governments, formed themselves into secret local associations which they called Hunter's lodges, binding themselves by solemn oath to obey the orders of their superior officers, and to devote their energies to the advancement of the cause. One or more of these lodges was to be found in every important centre of population along the frontier, and the entire membership of the

organization must have been anywhere from fifteen thousand upwards. Lodge-meetings were held with regularity, and were numerously attended. Judges, magistrates, church officials,, and even ministers of religion did not scruple to ally themselves with these contemners of all laws.[297] A constitution for the new State of Canada {261} was drawn up and approved, and the principal public officials were determined upon. A “national bank,” to be called “The Republican Bank of Canada,” was projected, with a nominal capital of seven and a half millions of dollars. Money to a large amount was actually contributed, and between four and five thousand stand of arms, together with a corresponding quantity of ammunition and stores, were purchased and paid for. The services of a large number of lake steamers were secured for the purpose of landing hostile forces on Canadian territory.

The Provincial Government at Toronto were kept pretty accurately informed as to the machinations of the filibusters. This was effected partly by means of hired spies, and partly through the agency of the Federal Government at Washington, which at several critical conjunctures furnished early and important information. The danger was sufficiently menacing to produce much anxiety, and the Governments of the two Canadian Provinces roused themselves to united action. A large militia force was called out and organized, and bodies of armed volunteers were kept in readiness for any emergency which might arise. Several well-equipped gunboats were placed on Lakes Erie and Ontario. These preparations were made none too soon, for during the month of November Canada was invaded at two different points.

Had the operations of the invaders from first to last been conducted with the same good judgment which characterized their early phases, the consequences to Canada could not have failed to be disastrous in the extreme. By this time, however, the difficulties inseparable from such undertakings had arisen, and the combination was much less formidable than it appeared. The roll of membership was long, and included the names of hundreds of wealthy and influential persons. Such persons, however, as a general rule had no mind to take any share in actual hostilities. They were prepared to lend their countenance, and to provide a certain proportion of funds; but they were not prepared to imperil their lives by girding on the sword and marching to the front. When the time came for an actual muster for the purpose of crossing over and planting a hostile standard upon Canadian soil, the members of the combination who had most at stake manifested great reluctance to move. With comparatively few exceptions, it was only {262} the unemployed and adventurous members who were

enthusiastic to take arms. Then also ensued the inevitable rivalry among the leaders, and a failure to render efficient support to one another. The Major was jealous of the Colonel, and the Colonel of the General. With dissension among the officers, it was natural that there should be insubordination and want of discipline among the rank and file. Add to all this the innumerable difficulties which could not fail to attend upon the management of a combination of such extent and of such a character—a combination which had to be carried on in defiance of the laws, and in the face of the United States Marshal—and it will no longer be matter of wonder that the operations of the invaders were so ineffective. These, however, were matters as to which Canadians were not fully informed; and on the face of it the hostile movement certainly seemed to be one against which it was necessary to guard themselves by every means within their reach.

The earliest of the invasions above referred to took place in the Lower Province. Its details form no part of the present "Story," and all that need be said about it in these pages is that it proved a signal failure. The movement against the Upper Province concerns us more nearly.

Early in November the filibusters began to assemble their forces in considerable numbers at Oswego, Sackett's Harbour, French Creek, Ogdensburg, and other places along the St. Lawrence. At Syracuse, Watertown and other inland centres there was also great activity among well-known "sympathizers," and messengers were constantly passing to and fro between those points and the frontier. It was clear that some movement against Canada was afoot, and timely warning was conveyed to the Provincial authorities. About nine o'clock on the morning of Sunday, the 11th of the month, the steamer *United States*, commanded by Captain Van Cleeve, set out from Oswego. She was a regular lake and river steamer, and customarily plied between Oswego and the ports down the river as far as Ogdensburg. On the present occasion she started with about a hundred and fifty passengers on board, all, or nearly all, of whom were filibusters *en route* for the Canadian shore. They had with them as part of their personal luggage a large supply of arms and ammunition, which were packed away out of sight in boxes {263} and kegs, in order that they should not be forced upon the notice of the Captain, who would be bound to take cognizance of them if they were naked before his eyes. Upon calling at Sackett's Harbour and Cape Vincent additional forces and armaments were taken on board, and the steamer proceeded on her way eastward. On reaching the foot of Long Island, two schooners—the *Charlotte of Oswego* and the *Charlotte of Toronto*—were taken in tow, and lashed one on each side of the steamer.

These were also crowded with men and munitions of war. One of the schooners was under the direction of "Commodore" Bill Johnston, who has already figured in the narrative; the other was commanded by "Colonel" Niles Gustaf Schobtewiski Von Shoultz, a native of Poland, who had been led to cast in his lot with the marauders from a sincere conviction that he was thereby advancing the cause of liberty. The entire expedition was nominally under the command of "General" John Ward Birge, but it was to Von Shoultz that the men specially looked for guidance. Their numbers gave them confidence, for they mustered, all told, between five and six hundred men. While on the way down they opened the boxes and armed themselves from the contents. Upon nearing Morristown, about an hour before midnight, the schooners were unlashed from the steamer. They quietly dropped astern, the steamer meanwhile proceeding on her way to Morristown, and thence to Ogdensburg, whither she arrived a little before daylight on the morning of Monday, the 12th.

The schooners, after being cast loose, proceeded to Prescott, where the filibusters proposed to disembark and take possession of Fort Wellington. The *Charlotte of Toronto* actually drew up to one of the wharfs and made fast; but some dispute arose as to the best method of attack, and while this was in progress the other schooner grounded near the opposite side of the river, and was thus unable to be of assistance. At the same time it became evident from the preparations on shore that the inhabitants of Prescott were alive to the danger which menaced them, and were determined to give the invaders a warm reception. The *Charlotte of Toronto* accordingly drew off from the wharf and dropped about a mile and a half down stream, where she took up a position opposite a stone windmill which had been erected in 1822 by a West {264} India merchant. The structure was of great strength, its walls being several feet thick. Near by were several other stone houses standing on or close to the main highway leading east and west. The situation was thus an exceedingly strong one, as it commanded the approaches by both land and water. Here a number of the invaders landed and entrenched themselves, confidently expecting to be joined by many of the inhabitants of the neighbourhood.

Meanwhile, the *United States*, soon after reaching Ogdensburg, had been taken possession of by a force of filibusters who had assembled there in such numbers as to be able to defy the local authorities. They placed two cannon, one of which was the property of the State of New York, on board the vessel, and then, having got up steam, moved westward to the assistance of the grounded schooner. All the forenoon was spent in ineffective efforts

to extricate the *Charlotte of Oswego* from her position, the steamer being seriously hampered in her operations by a little British armed steamer called the *Experiment*, which had arrived on the scene and opened fire upon both the schooners, as well as upon the *United States*. In the course of the afternoon a small American steamer called the *Paul Pry* set out from Ogdensburg, and succeeded in dragging the schooner from the bed of ooze in which she had lain embedded. Upon being set free, she proceeded to the neighbourhood of her consort near the windmill, and there took up a position, the *Experiment* keeping up a brisk but not very disastrous fire upon her. The *United States* succeeded in landing a body of filibusters near the windmill during the afternoon, and a number of small boats also landed small bodies of men on the Canadian shore. The ensuing night was passed by the filibusters at the windmill in throwing up earthworks and otherwise strengthening their position.

On Tuesday morning United States Marshal Garrow, who had arrived at Ogdensburg during the preceding night, crossed over and took possession of both the schooners, which were thus prevented from rendering any further assistance to the filibusters. The same official also took possession of the steamer *United States*. The British armed steamers *Cobourg* and *Victoria* about the same time reached Prescott, and proceeded thence down the river to the immediate vicinity of the {265} windmill, upon which they opened fire. A simultaneous attack was made upon the filibusters from the land side, a number of the local militia having assembled, together with a portion of the 83rd Regiment. A sharp engagement followed, the result of which was that the invaders were compelled to take refuge inside the mill and the stone buildings adjacent to it. They lost two officers and eleven men, and thirty-two of them were taken prisoners. The loss on the side of the Canadians was not much less. The fight from first to last was watched from the American shore by great crowds, who kept up an enthusiastic cheering by way of encouragement to the filibusters. Several boatloads of them attempted to cross over to the assistance of their countrymen, but were driven back by the armed steamers in the river.

The filibusters having retreated within the mill and the other stone structures, upon the walls of which the Canadian forces were unable to make any impression without large artillery, the next two days were spent in comparative inaction, pending the arrival of effective armaments. On Thursday, the 15th, a large body of troops and a quantity of heavy artillery were despatched to Prescott from Kingston. They did not reach their destination until the afternoon of Friday, the 16th, but they made short work

of the campaign when they were once on the ground. The rest of the story is soon told. The guns were placed in position at about four hundred yards distance from the windmill. An hour before dark fire was opened simultaneously from these and from the steamers in the river. The headquarters of the filibusters speedily became untenable. A white flag was displayed, and an unconditional surrender followed. A hundred and sixty prisoners, including eighteen wounded, were taken and conveyed to Kingston. A few of their companions escaped to the woods, and finally made their way across the river in small boats. The rest of the force was slain, but it is impossible to state the precise number, as no trustworthy return on the subject was ever made. The loss was at least twenty, and was probably twice that number. The loss on the British side was two officers and fourteen rank and file killed, and about sixty wounded.

Among the prisoners captured at the windmill was Von Shoultz, the leader of the filibustering expedition—a gentleman altogether too good for {266} the company in which he was found, and with which he had allied himself. He was a man of liberal education, of soldierly character and bearing, and of high aspirations, who under favouring circumstances might well have won honourable fame. He could have had no small or merely selfish motive in joining the ranks of the filibusters, for he was possessed of considerable property, and had nothing of the brigand in his disposition. He had however fairly forfeited his life, and the state of public feeling in Canada was such that he could not expect mercy. He and a number of his fellow-prisoners were brought to trial before a court martial at Kingston. He was ably defended by the present Premier of the Dominion, then a young man whose way in the world was yet to be made. The eloquence and forensic skill displayed by the clever young counsel did much to advance his own fortunes, but were of no efficacy to save the life of his client, who was hanged at Kingston on the 8th of December. A number of the other prisoners taken after the battle at the wind-mill underwent a similar fate. Of the remainder, some were transported, while others were sentenced to longer or shorter terms of imprisonment; but the majority of them, being young men under age, who had evidently joined the expedition from thoughtlessness or love of adventure, were pardoned by the Lieutenant-Governor and permitted to return to their homes in the States.

This was the most eerious invasion which had yet taken place. It would have been more serious still but for the interference of the United States authorities, who, tardily roused to a sense of their responsibilities, had despatched a body of troops to Ogdensburg under the command of Colonel

Worth. These troops broke up and dispersed several hundreds of filibusters who were on the point of passing over to the opposite shore to the succour of their comrades. It is matter for regret that equally determined measures were not resorted to some days before, in which case there would have been no invasion, and many lives would have been spared. The Federal Government had been ready enough to supply information derived from paid spies as to the intended movements of the combination, but had been slow to take measures for forcible repression. The representations of Mr. Fox, however, had by this time produced effect. Both the Federal and State Governments perceived {267} the impolicy of allowing hardly-disguised warfare to be organized and carried on within their borders against a friendly power. The expedition against Prescott had been organized in the most open manner, and before the eyes of any citizen of the State of New York who chose to look at it. It had disturbed the peace along the frontier for many miles along both sides of the river. President Van Buren resolved to do his duty. He put forth a proclamation enjoining that no countenance or encouragement should be shown to those who, by their breach of the neutrality laws, had forfeited all claim to protection. Citizens generally were called upon to assist in bringing these persons to trial and punishment. Nor was this proclamation a mere official utterance. The authorities began to make arrests right and left, and to signify plainly that toleration had reached its limit. A second movement from Cleveland against Amherstburg was promptly nipped in the bud, and the filibusters realized that their occupation was at an end.

One more attempt at invasion, however, was made on the western frontier. During the first week of December an armed body composed of several hundred men embarked at Detroit on board a steamer called the *Champlain*. They crossed over to the Canada shore, and landed near Windsor. They next advanced upon the village, captured the handful of militia on guard there, and set fire to the *Thames*, a small steamer lying at the adjacent wharf. The steamer was entirely destroyed, as also were several buildings in the immediate neighbourhood. After doing much damage from which they could not have hoped to derive any benefit, a number of the filibusters started on a march down the river road towards Sandwich, the main body remaining in possession of Windsor. Those who moved southward were guilty of various deeds of ruffianism and atrocity. Four men whom they encountered were brutally murdered, and one, an army surgeon named Hume, was shockingly mangled and mutilated after being put to death. The miscreants had not proceeded far southward, however, before they encountered a detachment of a hundred and seventy militia from

Sandwich, under the command of Colonel Prince. The Colonel, who resided near Sandwich, had been aroused by the firing of muskets at Windsor, which is only between two and three miles distant.

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He lost not a moment in placing himself at the head of the militia stationed in the village, and in hastening northward to the assistance of his fellow-countrymen. While on the way he met the enemy as above mentioned. The latter took up a position in an orchard, but were attacked by the Colonel and his force with such determination and valour that they were soon dispersed and driven in all directions. Twenty-one of them were killed and over thirty were taken prisoners. A few of them took refuge in the woods, where they literally perished from cold and want of food. The rest escaped back to the American side, whither they were soon followed by the main body from Windsor. Colonel Prince felt so indignant at the atrocious murders committed by the invading party that he took summary vengeance upon four of the prisoners, who by his orders were shot upon the spot. This was certainly a high-handed proceeding, such as it would be undesirable to encourage, even in times of excitement, but it must be admitted that there was great provocation. The shooting was duly reported, in the most concise phraseology which the facts admitted of. An investigation was held, and the Colonel received an admonition, but it is doubtful whether his popularity was not increased, rather than diminished, by the transaction.[298] The other prisoners were forwarded to London, where they were in due time brought to trial. Seven of them, including four Canadian refugees, were sentenced to death and executed in front of the Court House.

The expedition against Windsor was the last of the filibustering invasions. Isolated cases of incendiarism and personal maltreatment could not be altogether prevented, but there were no further organized attempts against the peace of the Province. The States authorities caused it to be distinctly understood that there was to be no more systematic plunder, rapine, murder and mutilation; that persons engaging in such pursuits {269} would for the future receive no left-handed countenance, but would be dealt with according to their deserts. All this doubtless had its effect in preventing much turmoil and bloodshed; but it would be a great mistake to suppose that Canada was solely or even chiefly dependent upon either the Federal or State Governments for her preservation. She was by this time well able to defend her own frontier, and was in no danger of falling a prey to the filibustering invader. There had been a thorough re-organization of the militia, which had been placed on a permanent footing; and a well-equipped

naval force had been established on the lakes. The Upper Province alone had a hundred and six regiments of militia at its service, and could have placed forty thousand men in the field on very short notice.[299] There were also seventeen regiments of the line distributed over the two Provinces, in addition to a cavalry regiment and a due proportion of artillery, sappers and miners, and engineers.[300] Independently of any question as to the justification or otherwise of the Rebellion, it must be gratifying to every native-born Canadian to reflect that his country, in the hour of need, proved equal to the situation in which she found herself placed; that she required no outside assistance to enable her to repel successive invasions of her shores by a horde of foreign marauders who committed robbery, arson, murder and mutilation, under the pretext of conferring freedom and equality upon the inhabitants.

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[295] The captain of the steamer had been informed immediately upon touching at the wharf that a number of armed men had been seen on the island daring the day; but he does not appear to have attached any importance to the intelligence, and made no preparation whatever for resistance.

[296] The volume is commonly known as *Wait's Narrative*. Its full title is *Letters from Van Diemen's Land, written during Four Years' Imprisonment for Political Offences committed in Upper Canada*. By Benjamin Wait. Buffalo, 1843. "Colonel" Wait, who had been with Mackenzie on Navy Island, is, or recently was, living at Duluth, Minnesota.

[297] "Labourers left their employ, apprentices their masters, mechanics abandoned their shops, merchants their counters, magistrates their official duties, husbands their families, children their parents, Christians their churches, ministers of the Gospel their charges, to attend these meetings" i. e., the Hunter's lodges "to which the public officer, the magistrate, the conservator of the peace, was only admitted by breaking the official oath he had previously taken to support the constitution and laws of his country."—See an appeal to the Patriots of Jefferson County, State of New York, quoted in the *Report from the delect Committee of the House of Assembly of Upper Canada appointed to report on the state of the Province*, dated 30th April, 1839.

[298] That is, so far as the Upper Canadian population were concerned. Public sympathy in the border States of course ran the other way. Placards were posted up along the public streets in Detroit, offering a reward of $800 for Colonel Prince's dead body, and $1,000 for his living body. Soon after the posting of those placards an American was arrested at Sandwich on suspicion of having come over to murder the Colonel and convey his dead body to Detroit. He was bailed by the Collector of Customs at Detroit. For several years afterwards Colonel Prince's life was in constant danger. To do him justice he never flinched, but pursued what he deemed to be the line of duty without regard to consequences.

[299] "The militia army list for Upper Canada alone showed 106 complete regiments, with the full complement of officers and stall, the names of the two latter grades filling eighty-three closely-printed octavo pages. There were four battalions of incorporated militia, organized and clothed like troops of the line; twelve battalions of Provincial militia on duty for a stated period; thirty-one corps of artillery, cavalry, coloured companies and riflemen; while most of the militia corps had a troop of cavalry attached to them. Thus, with a population of 450,000 souls, Upper Canada could easily assemble 40,000 men in arms without seriously distressing the country."—MacMullen's *History*, 2nd edition, p. 472.

[300] *Ib*.

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CHAPTER XXXV.

MACKENZIE IN EXILE.

When the narrative last took account of Mr. Mackenzie he was engaged in travelling about from place to place in the United States, making inflammatory speeches, and doing his utmost to stir up the people to engage in filibustering expeditions against Canada. His biographer, in recording his movements at this time, makes a strenuous attempt to show that Mackenzie had very little to do with the operations against Canada subsequent to the affair of Hickory Island.[301] That this attempt is made in good faith I do not presume to call in question. Mr. Lindsey, deriving his knowledge solely or chiefly from material furnished by his father-in-law, doubtless wrote what he believed to be true on this subject. I have equally little doubt that he has long since become convinced of his error. However that may be, the evidence is overwhelmingly against him. The fact is that Mackenzie never ceased to play the part of a firebrand so long as he had an atom of influence. With regard to the Hickory Island expedition, he afforded it all the aid in his power, and indeed practically acted as adjutant-general to it, until his jealousy was aroused by the circumstance of the chief command being bestowed upon Van Rensselaer.[302] He threw it up, not because he disapproved of such methods of warfare, or because he had become ashamed of acting in concert with a horde of thievish ruffians for the spoliation of his old home; but because those who conducted it had formed a correct estimate of his qualifications, and would not permit him to have any prominent voice in their councils. He took no part in several subsequent expeditions; but it was simply and solely because the filibusters did not invite his cooperation, or even {271} admit him to their confidence. They had discovered that his stubborn and uncertain temper, his excitable nerves and unstable judgment, unfitted him for any prominent place in their ranks. They had also become aware that his discretion was not to be depended upon, and that it was unsafe to intrust him with their secrets. “General” McLeod, who for some time acted as

“Commander-in-Chief of the Western Division of the Patriot Army,” appears to have received such convincing evidence of Mackenzie’s inability to keep counsel that he addressed a sort of circular letter to the prominent filibusters on the frontier, advising them to let Mackenzie know nothing of their movements.[303] The majority of {272} the recipients of this circular acted on the suggestion, and Mackenzie was thenceforward compelled to take a very subordinate position in the ranks of the filibusters. He nevertheless continued to spout on behalf of “liberty,” and to do as much mischief as lay in his power. There is good reason for believing that he was privy to several petty aggressions on private property on the Niagara frontier; that he instigated several specially lawless ruffians to undertake the blowing up of the monument which had been erected some years before on Queenston Heights to the memory of General Sir Isaac Brock;[304] that he was concerned in an attempt to destroy some of the public works in connection with the Welland Canal, and that he even went so far as to carry a keg of powder on his back in aid of that attempt. That he went about from Rochester to Buffalo, Plattsburg, New York, Philadelphia and elsewhere and harangued audiences on behalf of the “Patriot” cause we know from his own *Caroline Almanac*, as well as from the distinct admissions of his biographer.[305]He established a paper “to express the views of the Patriots in Canada and their friends in the United States.”[306] We further know from his own testimony that he joined Theller, after that valiant Free-Lover’s escape from the citadel at Quebec, and that he went about haranguing public audiences as to the wrongs sustained by the ex-Brigadier-General during his imprisonment. But what need to accumulate evidence on the subject? The question is not one which admits of any dispute. The simple fact of the matter is that, with the spirit of a true demagogue, he made a trade of agitation, and did his utmost to keep up the {273} excitement against Canada long after that trade had ceased to be either profitable or popular. A desire for revenge appears to have gained complete ascendency over him, and to this passion he sacrificed the welfare and happiness of his family. Instead of devoting himself to some honest and useful pursuit, whereby he would have been enabled to provide for the wants of those dependent upon him, he gave up much of his time to attempts to make farther trouble for the Upper Canadian Government. This could have been prompted by nothing but revenge, for he well knew that no good either to himself or others could possibly result from his machinations. He must also have known that he had become powerless to do any serious harm. His judgment was notoriously bad, but it was not yet so hopelessly perverted that he could seriously have believed that any efforts of his could ever again imperil the stability of the Government of Upper Canada. He knew that, whatever chance there might once have been of subverting that

Government, the day for such attempts was past, and that in any case he was the very last man in the world to enter upon such an undertaking with any prospect of success. He knew that he was no longer dangerous to anybody. But he also knew that he might cause a certain amount of trouble and anxiety to his old enemies, and this seems to have been preferable, in his estimation, to more legitimate employment. As late as the month of March, 1839, he devoted himself to hopeless attempts to get up further expeditions against the peace of Canada.[307] Again, in his *Caroline Almanac*, published towards the close of the same year, he urges Upper {274} Canadians to prepare themselves for a change, and to use all the means in their power to hasten it. If these behests are obeyed, he predicts that "the last British red soldier" will erelong leave the banks of the St. Lawrence for ever.

In sooth, these years of exile must from first to last have been years of misery and deprivation to Mackenzie and his family. As for himself, he tried first one thing and then another. In May, 1838, he started a newspaper called *Mackenzie's Gazette*. The place of publication at first was New York, but the proprietor subsequently removed to Rochester, where the paper continued to appear with more or less regularity until some time in 1840. Its policy, from the first number, was to instil hatred of Great Britain and British institutions into the minds of its readers. It paid much attention to Irish affairs, and became to some extent the exponent of the worst phase of Irish opinion in New York. It was of the exact type of the New York Fenian organs of the present day, and Mackenzie himself was the legitimate predecessor of O'Donovan Rossa. During the early months of its existence it devoted much space to recording the achievements of the filibusters against the Canadas. Ruffians who perpetrated the most brutal murders in the name of liberty were held up to admiration in its columns, and referred to as heroes and patriots fit to be ranked with Washington and Kosciusko. Among other lucubrations which appeared in its early numbers was an account of the Rebellion in the Canadas, copied from *The United States Magazine and Democratic Review*. In this account was a statement presumably derived from Mackenzie himself to the effect that the movement near Toronto was precipitated either by the treachery or criminal indiscretion of one of the insurgent leaders. The reference here was of course to Dr. Rolph. Many of the Canadian {275} refugees remonstrated with Mackenzie for inserting this reflection upon the Doctor, more especially as he himself admitted that there was no ground for it. He accordingly contradicted the statement as to Dr. Rolph's treachery, which he characterized as an error;[308] but his own account, as given in other numbers of the Gazette, was so shamelessly false and base: there was such a mean attempt to vindicate himself at the expense

of all the other prominent personages concerned in the revolt: that it aroused great indignation among the better class of Canadian exiles. Dr. Morrison, who had by this time settled in Rochester, wrote to Gibson,[309] at Lockport, requesting that he would take steps whereby Mackenzie's lies might be prevented from becoming matters of history. Gibson had meanwhile written to Rolph, requesting him to insert something in the respectable American papers, disclosing {276} the truth about the matter, and exposing Mackenzie's "villainous lies." Dr. Morrison and others urged the same request. Accordingly, Dr. Rolph prepared a long and argumentative paper, dealing with Mackenzie's various conflicting stories in a masterly and comprehensive manner. For some reason or other this production never found its way into print, and it now appears for the first time in the form of an appendix to the present work.

In September, 1838, Mackenzie appeared before the Marine Court of the City of New York, where he declared his intention to become a citizen of the United States, and to renounce all allegiance to any foreign Prince, Potentate, State or Sovereignty whatever, "and particularly to the Queen of the United Kingdom of Great Britain and Ireland." This, of course, was a mere form, and did not in any degree divest him of his allegiance to the Crown of Great Britain. His allegiance, however, had for some time past been purely a nominal allegiance of which it was out of his power to divest himself. The fact seems to be that his once earnest but shallow patriotism was dead within him, and that no new sentiment arose in its place. His biographer informs us[310] that "he never felt entirely at home in the States, and almost always continued to sigh for an opportunity of returning to his beloved Canada." In view of the manner in which he had been accustomed to speak of "his beloved Canada" for some years past, and of the manner in which he continued to speak of her during the early years of his exile, his anxiety to return seems to stand in need of explanation. The truth is that the disastrous result of his long opposition to authority had soured his mind. He had become a chronic grumbler, and found fault {277} with pretty nearly everything and everybody. In the institutions of the United States, which he had once so extravagantly belauded, he now found quite as much to stir his animadversion as he had ever found in the abuses of the Family Compact. Long before his return to "his beloved Canada" he had become as heartily tired of republican institutions as he had ever been of the monarchical system. In matters pertaining to politics and Government, as in most other things in this world, distance lends enchantment to the view. We are all of us apt to over-estimate whatever is remote or unattainable, and to undervalue that which lies at our doors. When Mackenzie was brought face to face with

the system which he had once heralded as the *ne plus ultra* of human wisdom, he found so much to condemn that he went to the other extreme, and unwillingly conceded to republicanism the advantages which it is fairly entitled to claim.

It will be remembered that shortly before the evacuation of Navy Island he had been arrested for breach of the neutrality laws, and compelled to give bail.[311] After repeated postponements, the trial came on at Canandaigua, the capital of Ontario County, New York, on the 20th and 21st of June, 1839. The indictment was for setting on foot a military enterprise at Buffalo, to be carried on against Upper Canada, against the peace of the United States. Mackenzie conducted his own defence, which was from first to last a bid for popularity among the enemies of Canada, who composed the great majority of the audience. He however overdid the matter, and disgusted the judge who presided, as well as many of the respectable persons who were present. He referred to Queen Victoria as "that girl," and declared that she had no lawful authority over the Canadas. He spoke of himself as a victim of "British interest, British influence, and British gold" and enlarged upon his admiration for the "free institutions" of the United States. His rhetoric, however, availed him nothing. The evidence was conclusive, and the jury returned a verdict of guilty. He was sentenced to eighteen months' imprisonment, and to pay a fine of ten dollars. He was placed in jail at Rochester, where he dragged out a miserable existence for nearly eleven months. During the interval he compiled and published {278} the *Caroline Almanac*, to which frequent reference has been made in these pages. In criticising this infamous production some allowance should unquestionably be made for the desperate circumstances in which Mackenzie found himself placed at the time of its publication. He was in a foreign country. He had a family dependent upon him for support. He was without means, and his imprisonment shut him out from the ordinary avenues of employment. His only resource was to publish a book which would sell: something which would tickle the foul palates of the lowest and most abandoned class of the community on the frontier; which would represent their raids upon Canada, and the atrocious crimes by which those raids were distinguished, in the light of noble and heroic achievements, worthy of the emulation of mankind all the world over. The result of this necessity was the issue of the *Caroline Almanac*. How far it contributed to the replenishment of the domestic exchequer I am unable to say; but certainly any man possessed of the least sense of responsibility would have hesitated before giving such a production to the world, even under the exacting conditions above referred to. No mere summary or analysis can convey the slightest notion of the contents of this

closely-packed pamphlet. Nor shall any such summary or analysis be attempted here. Its very name affords some clue to its character. The excitement on the subject of the *Caroline* had not yet abated on the frontier, and the question still remained unsettled between the States and Great Britain; so that no name could have been chosen which would have appealed so directly to the passions and prejudices of the hour. On the first page appeared what professed to be a representation of the *Caroline* on the point of making a plunge over the Horseshoe Fall, and various features were introduced into the scene for the purpose of rousing the evil passions of the American people against Canadians. As this picture has been reproduced in a note to the present volume,[312] any further reference to it here is unnecessary. But the picture was not one whit worse than the letterpress. From beginning to end, the compiler not only indulged in the most outrageous falsehoods, but pandered to the worst passions of the most lawless and ruffianly class of the community. Whatever in history or tradition could tend to instil hatred {279} of England and hatred of Canada into the hearts of his readers was eagerly pressed into service. Whatever was likely to provoke further raids into Canada by a lawless and abandoned mob was made the most of. All the former raids were described with the most wilfully mendacious perversion of facts, and their want of success was deplored in language which the author evidently intended to be pathetic. The "American Patriots" were referred to as having "gained immortal honour for their race and name."[313] The author's copious vocabulary was strained to find words bad enough to express his feelings towards "his beloved Canada." The bird which "files its ain nest" is proverbially an ill one, and if there is truth in the old saw, Mackenzie was certainly the foulest bird known to natural history. Chief Justice Robinson was stigmatized as "the Jeffries of Upper Canada."[314] Other public men who had ventured to differ from him were treated in the same fashion. Rolph, Bidwell, Morrison and Gibson all came in for a share of his vituperation. Rolph and Morrison were condemned for not joining the rebels on Yonge Street; though readers of the foregoing pages know that those gentlemen were under no sort of obligation, moral or otherwise, to do so. "It was unfortunate," writes Mackenzie, "that Dr. Morrison was allowed to participate in the matter. It is wonderful how many he contrived to tell beforehand, although under every bond of honour and good faith to hold his tongue. He did nothing; was worse, far worse than useless, and self was ever uppermost with him."[315] To any one who remembers Dr. Morrison, such language as this is its own most effectual refutation. To those who knew him not, it may be said that he was about as like {280} Mackenzie's representation of him as mid-day is to midnight. No word as to the projected rising had ever passed his lips. Had the case been

otherwise, we may be quite sure that evidence as to the fact would have come out on his trial, and would have been eagerly laid hold of as a means of consigning him to the gallows. But for the pure malice of the thing, it would be ludicrous to see Mackenzie accusing Morrison of betraying secrets, when as matter of fact the latter was notoriously a man of close mouth, whereas Mackenzie was so incapable of keeping his own counsel that he betrayed his great secret to Hogg and others within a few days of the appointed meeting at Montgomery's.[316] But Morrison was now hostile to him, and must be maligned accordingly. Mr. Bidwell fared no better. "Bidwell imitated Peter, and denied us altogether," wrote Mackenzie; "and being an American was at once admitted into all the courts of N. Y., while Mackenzie, an European, went to jail."[317] A letter ostensibly written by William Alves, a Canadian refugee, was inserted in the *Almanac* for the purpose of making it appear by independent testimony that Mackenzie's conduct had been heroic during the occupation of Montgomery's—in fact, that he had been the one brave man among a host of poltroons. As has been seen on a former page, however, this letter was really written by Mackenzie himself, and signed by Alves at his request.[318] It has also been seen that Alves subsequently contradicted his former testimony.[319] In this letter, however, such as it is, Gibson is accused of {281} cowardice. In fact, Mackenzie attacked all his former colleagues, one after another, and endeavoured to throw the whole blame of failure from his own shoulders, where it properly rested, to theirs. A similar course of falsehood and vituperation was adopted with respect to the mother-country. He ransacked the history of the dark ages to find signal examples of tyranny and oppression, which were served up to his readers with such extraordinary comments as the most perverse malignity could afford. The story of the butchery of Sir William Wallace was retailed, with all the repulsive particulars about disembowelling and dismembering; the moral derivable therefrom being that "English barbarity" is the same now as it was five hundred years ago. Her present Majesty was referred to as "Victoria Guelph, the bloody Queen of England."[320] She was represented as having urged on the murder of virtuous Canadians, and as being "as keen for spilling Canadian blood as her mad old grandfather Geo. 3rd."[321] Every low, mean, lying scandal that human ingenuity could devise about Her Majesty was dragged in for the delectation of the American loafers to whom his appeals were especially addressed. The English Cabinet was referred to as "Victoria Melbourne's bloody divan."[322] In another place it was said that "Victoria and the English Ministry and peerage" thirsted for Canadian blood.[323]To "drive such a hellish power off the continent of America" was stated to be "doing God good service."[324] A hope was expressed that Chartism might

flourish, and that "the bloody and cruel Guelphs" might be put down.[325] Passages like these—and the *Almanac* contains scores of them—sufficiently indicate the character of the work. And Mackenzie had not the excuse of ignorance. He had been in England, and had had personal relations with members of the Government. He knew that the private character of the Queen was stainless; that neither Her Majesty nor any member of her Cabinet thirsted for Canadian blood. He well knew that what he wrote was a farrago of falsehood and impotent malice from first to last. He had lost all sense of the distinction between right and wrong. Whatever he might have been in the days of his prosperity, it is clear that he had by this time become a mere loud-mouthed purveyor of ribald libels. The man who a few years {282} before had proclaimed through the columns of his newspaper[326] that disloyalty could never enter his breast, and that the very name he bore was a sufficient guarantee of his unswerving fidelity, had now descended so low that he could drag the name of his Sovereign in the mire for the delectation of the foulest and most degraded element of a foreign population. As has already been suggested, much is to be excused to him on the score of poverty, but even poverty furnishes a very slight excuse for such depths of self-degradation as his.

He remained in durance for nearly eleven months, when, in response to numerous petitions, the President remitted the remainder of his sentence, and he was permitted to go free.

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[301] See *Life of Mackenzie*, vol. ii., pp. 181, 182, 187, 195, 196, 213, etc.

[302] *Ante*, p. 237.

[303] One of these lies before me as I write. The General seems to have conceived an invincible distrust of Mackenzie at this time. While on a temporary visit to Lewiston he was informed that the latter, as stated in the text on p. 272, had taken part in several petty aggressions on the Upper Canadian frontier, in the course of which the property of private citizens had been plundered and destroyed; and that he had instigated Benjamin Lett and others to secretly drop over to Queenston Heights in the night-time and blow up the monument erected there to the memory of General Sir Isaac Brock. This dastardly piece of Vandalism was not consummated until about two years later, but McLeod, who had himself been a soldier in the British army, and who had a great veneration for Brock's memory, was supremely disgusted that such a suggestion should have emanated from Mackenzie, who moreover, as the General was informed, had induced certain sympathizers in Buffalo to provide money for carrying it out. About the same time it came to General McLeod's ears that Mackenzie had instigated the blowing up of certain works on the Welland Canal, and that he had actually gone so far in aid of this enterprise as to carry a keg of powder on his back by night from Buffalo to Black Rock, where it was conveyed across by Ben. Lett in a boat to the Canadian shore. General McLeod's indignation knew no bounds. He was ready to afford every assistance in his power to any regularly-organized filibustering expedition which might be determined upon in committee, but he had no sympathy with such exhibitions of petty malignity as this. He prepared a "General Order" to the effect that persons detected in such acts for the future would be tried by court-martial and punished. He enclosed a copy of this order in a private circular to the officers in command of "Patriot parties on the frontier." From certain papers of General McLeod in my possession I transcribe the following copies of both order and circular.

"G. O.

"Officers and non-commissioned officers and men engaged in Patriot service, detected crossing the lines to plunder, destroy monuments, public works or private property, shall be tried by a Court Martial, and punished accordingly.

"(Signed) D. McLeod,
"*General, Commanding Western Division.*
"Lewiston, 1838.
"Certified.
"(Signed) Ashley, *Adjutant-General*."

"PRIVATE CIRCULAR.
"*Officers in Command of Patriot parties on the frontier:*

"Sir,—The General in command of the Western Division of the Patriot Army has been informed by good authority that Wm. L. McKenzie has been a party to several acts, unjustifiable aggressions on the Canadian frontier: That he has aided a party to blow up Brock's monument at Queenston, and also to blow up a public work on the Welland Canal, and that he carried a keg of powder on his back in aid thereof. I exceedingly regret it. Nothing can be gained, but much harm can be done, by a course of warfare so discreditable to the cause we are engaged in, and the Patriot object in view.

"I enclose you a General Order, as a guide to officers in command, to be read at the head of every company in the service.

"I have, etc., etc.,
"(Signed) D. McLeod,
"*General, Commanding Western Division*."

[304] See preceding note. Mackenzie's share in laying the foundation-stone of this monument has been glanced at in vol. i., pp. 123, 124.

[305] See *Life of Mackenzie*, vol. ii. , p. 185.

[306] *Ib*.

[307] The following circular, signed by Mackenzie and John Montgomery, and addressed in Mackenzie's own well-known handwriting, lies before me. It is surmounted by the device which was commonly used at the head of circulars issued by the Hunter's Lodges.

"[This is to be considered a private and confidential communication.]

"ROCHESTER, N. Y., March 12th, 1839.

"DEAR SIR:—

"You are respectfully requested to attend a Special Convention, to be composed of Canadians or persons connected with Canada, who are favourable to the attainment of its political independence, and the entire separation of its government from the political power of Great Britain.

"The Convention is to be conducted in a strictly private manner, and will be held at six o'clock in the evening of Thursday, the 21st of March inst., in a large room in Rochester, fitted up for the purpose.

"Those to whom this circular is addressed will please attend at half-past five on said evening, (Thursday, 21st inst.,) at Mr. Wm. L. Mackenzie's dwelling, (the first brick house on the right hand in South Clinton street,) from whence they will be directed to the hall of the Convention.

"You are requested to preserve this circular, with your address on it, and bring it with you to the place of meeting.

"As matters of importance, affecting the future welfare of Canada, will be immediately brought before the Convention, you are

earnestly requested to be punctual in your attendance.

"We have the honour to be, Sir,
"Your faithful servants,
"W. L. MACKENZIE,
"JOHN MONTGOMERY."

[308] I transfer Mackenzie's own words from the fifth number of his *Gazette*, dated New York, Saturday, June 9th, 1838. "In the statement," he writes, "that the movement 'was precipitated either by the treachery or criminal indiscretion of one of their leaders' there is an error. We are of the opinion that the act of hurrying on the rising, and making that movement partial which would have otherwise been general, was a fatal indiscretion; but was committed with the purest and most honourable motives, and might have given us the means of success, had the gentleman who was the cause of it at once, and with that frankness which distinguishes his character, come to our camp and openly identified himself with the revolt, or even kept us informed of the state of affairs in Toronto on the night of the 4th December last." The reference to "that frankness which distinguishes his character" is presumably intended for sarcasm. Certainly Dr. Rolph merited no such eulogium, even at the hands of his most devoted admirer.

[309] Dr. Morrison's letter, now in my possession, is as follows:

"ROCHESTER, 28 May, 1838.

"MY DEAR GIBSON:—

"I was pleased to hear that you had met with employment in your profession, and I hope you will long continue to do so. Since my arrival in the City this time I have seen Mackenzie's two first nos. of his *Gazette*, in one of which he pretends to give an additional version of the Canadian Revolution. There is in my belief in this statement so wanton a misstatement of facts, and even a contradiction of what he formerly published as a narrative, that it ought not to go unexposed, for all this is apparently done for the selfish purpose of vindicating himself at the expense of others, which is too cruel to be borne.

"You will perceive by this latter pretended exposition, he makes his want of success to be owing to three things, principally caused by others; viz.: 1st, a change of the day, on account of what he calls false rumours that his movements were known, although his brother-in-law, or himself, or both, had communicated the facts to Hogg, and he to the Government. 2nd, that Dr. Rolph desired him not come into town till Tuesday in the evening, while at the same time the Doctor told in the city after coming down with the flag of truce he was at his heels, and advised the people accordingly, and although he admits that Horne's house was fired as a signal to march into the city, and was done at between 2 and 3 p.m., as an understanding between himself and the Doctor. 3rdly, that the Doctor was to have gone out and did not, pretending this was an arrangement. I am thus particular, expecting you may have some among you who may be able to contradict

these misrepresentations not for public use at present, but for future and personal justification.... Believe me to be, my Dear Sir,

"Yours most truly,
"T. D. MORRISON."

Dr. Morrison never forgave Mackenzie for this and subsequent acts of baseness, and never again admitted him to his intimacy. In after years, when they had both returned from exile, and were residing in Toronto and working in a common cause, Mackenzie, in letters now in my possession, complained that Dr. Morrison kept him at a distance, and seemed to regard him with aversion. See note on pp. 279, 280, *post*.

[310] See *Life of Mackenzie*, vol. ii., p. 199.

[311] *Ante*, p. 236.

[312] *Ante*, p. 210.

[313] P. 93.

[314] P. 40.

[315] P. 102. How far this represented Mackenzie's honest opinion will appear from the following extract from a letter written by him to Dr. Rolph on the 31st of May, 1852, and now in my hands: "Dr. Morrison early in life lost his situation because of his principles. In his best days he showed both spirit and principle, ever holding fast to what he believed to be right. I think that the little degree of gratitude shown by the people after his return from exile vexed him a good deal. He stood a trial for life, and had mind and body harassed; and though he bore up manfully I have no doubt but that many cares and vexations preyed upon his health. He had not the disposition to dash in among people who had forgot him, as I did, and hence he was actually ostracized for his attachment to their rights. I heard a few days ago that he had had several paralytic strokes, and went next door to Mr. Baker's, to learn how it was.... So far as I can learn, his mind is weakened a little, and his hand injured; but it is probable he will come round and be well again, and I wish he may, to see the prosperity of his country and the triumph of his early principles. You will think I ought to have called, but on many occasions that I have been with him at his door and near it neither he nor Mrs. Morrison bade me come in.... Be this as it may, the Doctor was and is one of our truest, purest, honestest men, and I hope he'll weather these difficulties, and see more happy days.... I remain, Dear Sir,

Your truly obliged Servant,
(Signed) W. L. MACKENZIE."

He could hardly expect that Dr. Morrison would willingly have him in his house, after the way he had written in the Caroline Almanac.

[316] *Ante*, pp. 18, 19, and note.

[317] Caroline Almanac, p. 102. Such rhetoric as this needs but brief comment. Bidwell had had nothing to do with the Rebellion, and did not devote himself to robbery and pillage after leaving Canada, as Mackenzie did. Had he done so and we beg pardon of his shade for the hypothesis he too would probably have found his way to jail.

[318] *Ante*, p. 23.

[319] *Ante*, p. 85.

[320] Pp. 5,13.

[321] P. 13.

[322] P. 20.

[323] P. 40.

[324] P. 73.

[325] P. 51.

[326] See the *Colonial Advocate* for June 10th, 1824.

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CHAPTER XXXVI.

FRUITS OF THE REBELLION.

The Canadian Rebellion, which to all practical intents had collapsed long before this time, might now be regarded as completely and absolutely at an end. Completely and absolutely at an end, not only as regarded Canadians, but also as regarded American sympathizers; for the subsequent machinations of a handful of the latter to provoke a war between the States and Great Britain came utterly to naught, and were too insignificant in their scope and effects to deserve more than the briefest of passing references. What purpose, then, had been served by this ill-organized and inefficiently-conducted movement: this revolt which had never contained within itself the essential elements of success; which for many months had disturbed the public peace throughout an immense extent of country; which had led to grave complications and discussions between the representatives of two great nations; which had gone far towards provoking a sanguinary and ruinous war between those two nations, with Canada for the battle-ground; which had involved an incalculable amount of suffering and much sacrifice of human life; and which, from a military point of view, had finally resulted in ignominious failure and disaster? Was anything obtained by way of compensation for these undoubted evils? And, if so, was the thing obtained worth the price paid for it? These are the questions which need to be answered by any one who seeks to estimate aright the significance of the Canadian Rebellion.

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When the old Laird of Auchinleck was asked by Dr. Johnson what Cromwell had done for his country, he replied, in Carlylean fashion: “God, Doctor, he gart kings ken they had a *lith* in their necks.” In like manner, if the question be asked: “What did the Rebellion do for Canada?” the answer must be: It aroused public opinion in England to the reality of Canadian grievances. It proclaimed aloud to the nation that the cherished colonial

system—so far, at any rate, as Canada was concerned—had survived its usefulness; that the perennial complaints of Canadian Reformers had not been the mere inventions of an angry and jealous-minded Opposition; that a large part of the population of Canada had for years groaned under abuses such as no people worthy to enjoy the blessings of freedom could be expected to endure with patience; and that they would no longer quietly submit to be treated like the children of a professedly beneficent, but in reality cold, indifferent, and unsympathizing parent. True, the revolt in the Upper Province had been easily put down, but that had been largely due to the inefficiency of the leaders; and in Lower Canada the rebels had presented a much more formidable front. So widespread a movement could not have come to a head unless the public discontent had been both wide and deep.

These conclusions forced themselves upon the English Ministry at an early period in the history of the Rebellion. They perceived that there must have been great misapprehension on the part of themselves and their predecessors with respect to Canadian affairs. It was evident that the military Governors who had been sent out one after another had wholly failed to grasp the realities of the situation. Even now the most contradictory accounts reached them by every packet-ship. There seemed reason to fear that the Maritime Provinces would follow the example of the Canadas, and hoist a standard of rebellion. It was necessary that something should be done, and at once. Sir John Colborne was for the time in the right place.[327] No man was less likely to play with so dangerous a weapon as Revolution. Even with such forces {285} as he had at his command, he would certainly make an end of open insurrection in the Lower Province. But when the insurrection should have been put down, a very difficult task remained for the Civil Administrator. It was necessary that a broad and liberal policy should be pursued; that the bitter memories of the past should be as far as possible obliterated; that hostile factions should be reconciled; that the merits of the long-standing quarrel between the Government and the people should be carefully enquired into, and that whatever could justly be done to remove the causes of it should not be delayed. It seemed inevitable that a satisfactory readjustment of all the various matters in dispute would involve some more or less important change in the relations of the colonies to the Empire. The adequate discharge of such duties as these was of course not to be expected from Sir John Colborne. What was required was a man of statesmanlike intellect; a man not wedded to precedent; a man susceptible to new impressions, and with a leaning in favour of popular rights. Could a man be found uniting these seyeral qualifications, it was hoped that a

satisfactory solution of the British American problem might yet be arrived at.

As everybody knows, the gentleman selected by the British Ministry to unravel the complicated web of Canadian affairs at this juncture was John George Lambton, first Earl of Durham. His past career seemed to point him out as one specially suited for the performance of such duties as those now entrusted to him. He was by descent and by conviction a Liberal of the Liberals. He came of one of the oldest families in the realm—a family which had been great and distinguished from the days of the Plantagenets, and which still maintained sway over the ancestral domain from which the name of Lambton had originally been derived. Yet this old and wealthy family at several critical conjunctures in the national history had opposed the assumptions of the aristocracy, and identified themselves with the cause of liberty and the rights of the common people. Lord Durham's father had been a leading member of the most advanced section of the Whig party, and the personal friend and ally of Charles James Fox. Lord Durham himself had been prominently identified with the party of progress ever since attaining his manhood, and while plain John George Lambton had taken a very {286} conspicuous part in the House of Commons as an advocate of Parliamentary Reform. He had married a daughter of Earl Grey, and had thus strengthened his position with the party to which he belonged. Everything that education and careful political training could do to develope his capacity for statesmanship had been taken eager advantage of. He was unquestionably one of the most accomplished young men in the nation, and was inspired with a genuine enthusiasm for the welfare of his kind. He had displayed great aptitude for politics, and was long regarded as the coming man in the ranks of Reform. After his elevation to the peerage he had entered his father-in-law's Reform Ministry in 1830 as Lord Privy Seal, and had had his full share in maturing and carrying through the great measure of 1832, though ill health and domestic affliction had prevented him from taking as conspicuous a part in the debates as might otherwise have been expected of him. In a word, he had from first to last been identified with the most advanced phase of political thought of his time. His general abilities were far above the average. When much in earnest he was capable of fervid eloquence, and his oratory frequently stirred up the sluggish atmosphere of the House of Lords. He had spent several years at the Russian Court, and was conversant with diplomatic usages. Altogether, it seemed as if he united in his own person all the qualities which the exigencies of the time in Canada imperatively called for. Certainly it would not have been easy to find any one individual possessed of so many elements of fitness.

On the other hand, his Lordship had certain little weaknesses which rather tended to disqualify him for the great trust reposed in him. He was naturally self-willed, and had always been accustomed to have his own way. He was not fond of subordinating himself to the views of others, and on several notable occasions had shown himself to be not amenable to discipline. His temper was high, and not always under control. When thwarted, he was capable of making himself exceedingly disagreeable. Even at the Council Board he had more than once indulged in outbursts which had nearly driven the more decorous members from the room, and which had driven the Prime Minister to the verge of desperation.[328] His health, too, was far from strong, and his bodily {287} infirmities tended to increase the irritability of his temper. These were rather serious disqualifications, but they were not insuperable, and it was believed that his Lordship would rise with the demands made upon him. At sueh an important epoch in his life it was thought that he was not likely to forget how much depended upon him, and it was confidently predicted that he would acquit himself in a manner befitting his position and his lineage.

When Lord Durham was first approached on the subject he expressed great reluctance to accept the onerous responsibilities wherewith it was proposed to clothe him. The uncertain state of his health, and a full appreciation of the difficulties which must inevitably await him in the event of his acceptance, combined to make him hesitate. The Government, however, were urgent, and in an evil hour for his own happiness, but in a propitious hour for Canada, he finally yielded his assent. He was appointed Governor-General of British North America and Lord High Commissioner, with very full and extraordinary powers. He addressed himself with energy to the labours before him. Recognizing the importance of securing efficient subordinates he obtained the assistance of Mr. Charles Buller, a brilliant and enlightened political philosopher of the Radical school, who had once been a pupil of Thomas Carlyle, and who for some years past had sat in the House of Commons. Mr. Buller came out in the capacity of chief secretary to his Lordship. He fully justified the high expectations which had been formed of him, and it is not going too far to say that for the most beneficial results of Lord Durham's mission to Canada, this country owes him a heavy debt. Two other gentlemen of great abilities—Edward Gibbon Wakefield and Thomas E. M. Turton—came out as assistant secretaries. They also rendered valuable aid, but both of them were men of bad moral repute, and they thus furnished his Lordship's enemies with a weapon of offence.

The Lord High Commissioner, buoyed up by high hopes of effecting lasting good to the colonies and the Empire, reached Quebec towards the end of May. By this time there was an end to internal discord in both the Canadas, though, as has been seen, the frontier continued to be disturbed by filibustering invasions for some time afterwards. {288} His Lordship remained in this country about five months, nearly all of which period was passed by him in the Lower Province. Notwithstanding his almost incessant ill health, he devoted himself to the objects of his mission with never-failing industry and vigilance. The labours of his secretaries were tremendous. The variety of the subjects with which they were called upon to deal—the comprehensiveness of their enquiries, and the innumerable details attendant upon each separate branch of enquiry—might well have daunted any but the most thorough and earnest-minded of investigators. One of the most embarrassing of all questions calling for immediate consideration was the disposal of the rebel prisoners who crowded the Lower Canadian jails. Not one of the latter had yet been brought to trial for their participation in the Rebellion, and their number was so great that some difficulty was experienced in finding room for them. The question presented serious difficulties, and caused Lord Durham and Mr. Buller many an anxious hour. If the prisoners were brought to trial in the ordinary manner, the proceedings would last for months, and would keep hundreds of persons in anxious suspense for an indefinite period of time. Such prolonged proceedings would not only interfere with the usual course of justice, but would involve serious expense to the country. All this expense would moreover be incurred to very little purpose, as there would inevitably be constant miscarriages of justice. Sympathy with the revolt was all but universal among the French-Canadian population from among whom the juries would necessarily be in great measure selected, and such jurymen would certainly not return verdicts against their unhappy fellow-countrymen for engaging in a treasonable movement wherewith they themselves were in full sympathy. Acquittals would follow in the wake of the clearest evidence of guilt. Such complications as these would greatly tend to lower the public respect for the mode of administering the law. On the other hand, to set the delinquents free would be to encourage them to further insurrection. The determination finally arrived at by Lord Durham was to proclaim a general amnesty to all the rebels except the ringleaders and certain other personages specially named. This determination was carried into effect by an ordinance dated the 28th of June, the day of the young {289} Queen's coronation at Westminster. A number of the ringleaders were induced to place themselves at his Lordship's disposal, whereupon they were transported to Bermuda without any form of trial whatever, and sentence of death was pronounced

against them in case of their unauthorized return. This was a merciful and gracious method of disposing of the vexed question; but it was clearly beyond the scope of Lord Durham's authority, and intelligence of it no sooner reached England than his enemies, of whom he had many, attacked him with fierce acrimony. Lord Brougham availed himself of the opportunity to pay off an old score of several years' standing, and opened his battery in the House of Lords. Brougham's example was followed by Lord Lyndhurst, Lord Ellenborough, and other statesmen of mark. The Government were too weak to stand up against these assaults, and after one or two attempts to defend their emissary they yielded to the pressure brought to bear upon them. The ordinance was disallowed, and an intimation of the fact was forwarded to Lord Durham at Quebec. Ill news, however, travels fast, and before the official missive reached its destination his Lordship learned the facts from the columns of an American newspaper. He was cut to the heart, and felt as though he had received his death-blow. The official despatch reached his hands a few days afterwards, and he concluded that no good purpose was to be served by a longer sojourn in Canada. He issued an indiscreet proclamation in which he took the public into his confidence, and explained the nature of his policy. In the same document he announced the disallowance of his ordinance, and reflected upon the Home Government for not supporting him. This proceeding was exceedingly injudicious, and afforded his enemies a pretext for charging him with having appealed from the advisers of his Sovereign to the judgment of a still rebellious colony. The London Times referred to him as "the Lord High Seditioner," and some of his brother peers declared him to be a more dangerous rebel than Papineau. The Home Ministry felt bound to recall him; but he did not wait for an official intimation to that effect. He threw up his place, and sailed for England, leaving the administration in the hands of Sir John Colborne. His petulance and irritability, however, which were in great measure due to the enfeebled state of his constitution and the ruin of his {290} high hopes, did not render him oblivious of the duty which lay before him—the duty of putting the Government in possession of the results of his labours in the Canadas. In due course the celebrated *Report* which bears his Lordship's name was presented to Parliament, and from that time down to the present it may truly be said that the soundness of his colonial policy has stood in small need of vindication. The *Report* was not free from error. Considering its great length, and the wide variety of matters with which it dealt, absolute freedom from error was well-nigh impossible; but the errors were not numerous, and were almost wholly confined to matters of detail. Enlightened opinion has long since recorded its final verdict, to the effect that Lord Durham's *Report* is one of the most masterly State papers of the

age. “It is not too much to say,” remarks a recent writer,[329] “that in the course of the next twenty years this report changed the colonial policy of the Empire, and the principles laid down in it certainly converted Canada from a revolted colony into one of the most loyal dependencies of the British Crown.” It was to Mr. Buller that Lord Durham was indebted for placing his ideas upon paper;[330] but it was in the generous mind of his Lordship alone that the broad and liberal policy had its origin. There can be no reasonable doubt that this Canadian mission, and the thousand anxieties and worries which grew out of it, materially shortened his Lordship’s life. He died in little more than a year after the publication of his Report. “Canada,” said John Stuart Mill, “has been the death of him.” But though his life was thus cut short almost before he had reached middle age, and though he failed to climb the pinnacle of political eminence which had once been predicted for him, he had not lived and toiled in vain. Canada should be especially tender to his memory, for she is indebted to him for the greatest political blessings which she now enjoys. And not Canada alone. “The {291} success of the policy,” writes Justin McCarthy,[331] “lay in the broad principles it established, and to which other colonial systems as well as that of the Dominion of Canada owe their strength and security to-day. One may say, with little help from the merely fanciful, that the rejoicings of emancipated colonies might have been in his dying ears as he sank into his early grave.”

As all the world knows, the Report went very fully into all the most important questions, internal as well as external, which agitated the British North American Provinces. The principal defects in the colonial system were surveyed with a searching eye. The evils arising from the interference of a colonial department in details of local government were pointed out with clearness and precision. The capacity of the colonists for self-government was insisted on. A strong opinion was expressed to the effect that the direction of their internal affairs should be entrusted to the colonists themselves,[332] and that interference on the part of the Home Government should be confined to matters affecting the relations of the colonies to the mother-country. The internal affairs of the respective colonies, more especially of the two Canadas, were reviewed with a statesmanlike combination of breadth and minuteness. The disastrous effects of Sir Francis Head’s administration of affairs in the Upper Province; the abuses in the Crown Lands Department; the selfish policy of the Family Compact; the long-standing grievance of the Clergy Reserves; the impediments to industrial progress; the animosities in the Lower Province arising out of difference of race—these and a score of other matters of the highest public importance were expounded with singular clearness and impartiality.

Finally, a legislative union of the two Canadas was confidently recommended as a remedy for the manifold evils by which those colonies had long been beset. “In existing circumstances,” said the report, “the conclusion to {292} which the foregoing considerations lead me is that no time should be lost in proposing to Parliament a Bill for repealing the 31st of George III.”—the Constitutional Act of 1791—“restoring the union of the Canadas under one Legislature, and reconstituting them as one Province.”[333]

The principles enunciated in Lord Durham’s Report found acceptance with the English Ministry. A Bill founded upon its most important recommendation was introduced into Parliament by Lord John Russell during the session of 1839, and a Committee of the House of Commons was appointed to consider and report thereon. The Committee found that before they could deal with the subject in a manner befitting its importance they required still further information. It was also necessary to obtain the concurrence of the two Provinces whose political future was so deeply concerned in the proposed experiment. Charles Poulett Thomson, President of the Board of Trade, was fixed upon as a proper emissary to obtain the requisite information, and to gain the assent of the colonists. He went out to Canada in the capacity of Governor-General in the autumn of 1839. How he succeeded in his mission has been told at length in various works whose special scope it is to deal with the subject. It will be sufficient to say here that Mr. Thomson energetically devoted himself to the task of carrying out the recommendations of his predecessor, and that, as a result of his exertions, a Bill uniting the Provinces of Upper and Lower Canada received the sanction of the Imperial Parliament. It was by no means universally popular among the colonists. In Upper Canada the Conservatives were almost universally opposed to it, and had only been induced to yield a reluctant assent by the urgency and dexterous finesse of the Governor. This, however, had served the necessary purpose, and the Upper Province had thus been brought into line. In the Lower Province the French-Canadian population were still more hostile; but the constitution had long been suspended there, and no Legislature was in being to give expression to the popular view. A Crown-appointed Special Council was the only quasi-representative body in existence in the Province, and it represented British interests alone. It had easily been induced to yield assent to the proposed union, which was accomplished without {293} reference to the French-Canadians. A peerage was conferred upon Mr. Thomson as the reward of his services, and, as Lord Sydenham, he had the honour of inaugurating the union which he had done so much to bring into being.

The Act of Union came into operation on the 10th of February, 1841, by virtue of a royal proclamation issued five days previously. As has been intimated, the measure was forced upon the French-Canadians who formed the great majority of the population in the Lower Province. It would serve no profitable purpose at the present day to discuss how far such coercion was justifiable. The union served its end fairly well for a few years, but it was a measure of temporary utility only. A time arrived when it wholly failed to meet the requirements of our Canadian polity, and when a larger scheme, on a broader basis and with more comprehensive objects, succeeded to its place. But, considered in the light of a makeshift, the union fully met the views of its projectors. It was the means of bringing about Responsible Government—that important concession for which the Reformers of Upper Canada had contended ever since they had had a recognized existence. A series of resolutions introduced by Robert Baldwin during the first session of the First Parliament of United Canada admitted the great principle. Certain amendments to these resolutions, proposed by Mr. Samuel Bealey Harrison, the Provincial Secretary, received the sanction of Parliament, and became part of the constitution of the land. The amendments were to the same effect as the original resolutions, but were somewhat more circumscribed in their application. As finally adopted, they were acted upon by Lord Sydenham and by his immediate successor, Sir Charles Bagot. During Sir Charles Metcalfe's term of office as Governor-General a contest arose between him and his Ministers as to the meaning and application of these famous resolutions, and thenceforward Responsible Government in Canada was practically suspended. It was not restored until after the arrival of Lord Elgin, who enjoys the distinction of establishing on a firm and secure basis the policy which his illustrious father-in-law[334] had projected. All these matters are well worthy of the reader's {294} most careful attention, but they belong rather to the history of Responsible Government than to the "Story of the Upper Canadian Rebellion."[335] The Rebellion, then, though it failed in the field, was very far from being an utter failure. It accelerated the just and moderate constitutional changes for which the Reform party had for years contended, and which, but for the Rebellion, would have been long delayed. It led to Lord Durham's mission, which brought everything else in its train. From Lord Durham's mission sprang the union; from the union sprang the concession of Responsible Government, the end of Family Compact domination, the establishment of municipal institutions, reform in all the departments of State.

In the foregoing pages it has been shown that the Upper Canadian Rebellion was the legitimate outcome of Upper Canadian misgovernment:

that it was the fitting sequel to a long course of oligarchical tyranny and oppression. A majority of the population had for many years been compelled to submit to the exactions of a minority. They had been forced to contribute to the support of a Church with whose teachings they were not in sympathy. Hundreds of them had groaned beneath the abuses in the Land-granting Department. All the chief avenues to power and fortune had been closed to them. Whenever a public place of honour or emolument had become vacant, either in the Legislative Council or elsewhere, it had been filled from the ranks of their oppressors. The Province had been subject to the rule of a succession of military Lieutenant-Governors who had no knowledge of or sympathy with our local institutions, and who had been mere tools in the hands of the dominant faction. The purely domestic concerns of the colony had been subject to frequent interference on the part of a Colonial Minister thousands of miles away, who was generally the obedient servant of the Lieutenant-Governor, who in his turn registered the {295} decrees of the Compact. The possession of the franchise had furnished no safeguard against these abuses, for success at the polls had availed nothing. The Executive were not responsible to public opinion, and could hold their places in spite of overwhelmingly hostile votes in the Assembly. These, and a multitude of other collateral evils, had been endured for many years with patience. When patience had no longer been possible, they had been protested against with energetic vehemence, but still with due regard to the laws and constitution of the colony. As these protests not only proved unavailing, but rather tended to the aggravation of the evils, a third phase had eventually been reached, which had culminated in open revolt on the part of a small portion of the population.

Those who actually joined in this revolt formed a very insignificant proportion of the Reform party generally. They were confined to the Radical element who were more especially subject to the influence of Mackenzie. Had the entire body of Upper Canadian Reformers taken part in the movement there can be little doubt that the Government would have been at least temporarily overthrown. For a short period, indeed, owing to the fatuity of the Government and their unwillingness to believe in the reality of a rebellion, it seemed possible enough that even the small band who actually took up arms might be successful in capturing Toronto and seizing the Governor and his Councillors. Such a contingency was possible up to the night of Tuesday, the 5th of December, and if the insurgents had had a competent military head there is no reason to doubt that they would have marched into the city before that time.

It is perhaps worth while to speculate for a moment as to what would have been the ultimate result of such a march. That the city and the Government would have fallen into the hands of the insurgents may almost be received as a foregone conclusion, for their number was largely in excess of that of Colonel Fitz Gibbon's volunteers, and there were hundreds of Radicals under arms in the city who were ready and anxious to join them when they should once have proved that they were thoroughly in earnest. Had the Government once fallen into their hands they would have been reinforced from all parts of the Province, {296} and ultimately by the great bulk of the Reformers. The Rebellion would thus have been approved by a decided majority of the entire population of Upper Canada. A Provisional Government would have been formed with Rolph at its head. Dr. Baldwin would almost certainly have joined it. Mackenzie would have been restrained from interfering in such a manner as to endanger its safety.[336] It is at least fairly to be conjectured that Robert Baldwin and Mr. Bidwell, upon perceiving that the revolt was acquiesced in by a majority of their fellow-countrymen, would have also yielded their allegiance. Suppose all these things to have taken place: supposing the petty rebellion to have thus assumed the form of a successful revolution: what would have been the attitude of the mother-country? Of her power to put down such a revolution there can be no sort of question. But, is it by any means certain that she would have felt herself called upon to restore the old order of things by the strong hand, and contrary to the wishes of a majority of the Upper Canadian people? Would she even have felt herself justified in so doing? Her subsequent policy would almost seem to indicate a negative reply to these questions. She sent out Lord Durham with a view to enquire into popular grievances. Having learned the nature of those grievances, she set herself to work to redress them. She conceded Responsible Government, the absence of which had been the chief factor of discontent. One by one she conceded every demand the Reform party of Upper Canada, as a body, had ever put forward. It is therefore not to be accepted as a matter of absolute certainty that Great Britain would have felt herself constrained to put down the Rebellion in the Upper Province, had it succeeded in subverting the established order of things, and had it received the sanction of a majority of the people.

Such speculations as these are not altogether futile, for they assist in enabling us to form a correct estimate of the merits of the Rebellion. In the face of such facts as are now admitted by persons of every shade of political opinion, it is impossible to say that the movement was unjustifiable. Nor can it truly be said that the price paid for the benefits it conferred was out of

proportion to those benefits. Unhappily, however, a great part of the cost had to be borne by those least entitled {297} to bear it. The Reform party at large were long saddled with the responsibility for the rising, and for the filibustering expeditions which arose out of it. But in this as in all other matters, time eventually went far to make the balance even. Public opinion has long since done justice to the men who struggled to obtain for Canada the advantages of the English constitution. Everybody now admits that in the long contest which culminated in the union of the Provinces the Reformers were in the right and their opponents in the wrong.

It would be untrue, however, to say—as is often said by persons who know no better—that all the changes for which the insurgents contended have long since been conceded. There can be no greater error. Any one who takes the trouble to read Mackenzie's proclamations will readily perceive that the concessions have stopped far short of his demands. Our Governors, our Judiciary, our Sheriffs and Justices of the Peace, are not yet elected by the public voice.[337] Our connection with the mother-country is still maintained. In a word, we have not yet become a Republic. But the essential advantages of free government have long been ours. They would probably have been ours ere this if there had been no Rebellion, but our fathers would have had to wait for them, and they had already waited long. Feeble and rash as the movement undoubtedly was, it hastened the inevitable end, and the benefits remain to us and to our children. Doubtless there are those among us who believe that even such manifold abuses as existed half a century ago in Upper Canada were preferable to Rebellion. But even such persons will hardly deny that great allowance should be made for those who took up arms. Others, who have less reverence for authority, will echo the aspiration of Sir John Falstaff, quoted on the title-pages to these volumes: "God be thanked for these rebels!" And such a state of mind is quite consistent with a stern reprehension of much that was done in those days under the cloak of Rebellion. It must moreover be borne in mind that most of the rebels took up arms under a misapprehension. They did so at the instigation of Mackenzie, who represented to them that the task before them was an easy one, and that {298} the subversion of the Government could be effected without bloodshed.[338] When they found out their mistake it was too late for most of them to retreat. So far as Mackenzie himself is concerned, his hatred against the Government was so great as to render him desperate. His exact state of mind can only be surmised, but he probably felt that he had no stake in the country as things then stood; that there was at least a possibility of the success of the rising; and that if failure came he could make his escape to the States, where his situation would be no worse than it had long been in

Canada. He is to be blamed for misleading his adherents as to the state of public feeling among the Reformers, and thus endangering their lives and liberties for his own ends. For this, however, he might be forgiven. Considering the state of his nerves at the time, some excuse might even be made for his incendiarism, his highway robbery, his abandonment of the rolls of revolt and other papers at Montgomery's, whereby scores of his victims were exposed to the vengeance of the Government. For his conduct after his arrival in the States: for his setting on foot a series of plundering and murdering expeditions into Canada by a mob of foreign ruffians: for his attempts to destroy public monuments and to blow up public works on the Welland Canal: for his outrageous published attacks upon all the more reputable among his former colleagues: for his attempts to saddle upon them the responsibility for his own ignominious failure: for his persistent endeavours to bring about a disastrous international conflict: for his shameless disregard for decency and truth: for his infamous published attacks upon his virtuous young Sovereign and upon persons and things which all but the most degraded of human beings hold in respect: for these things it is impossible to find any adequate excuse whatsoever. For these he stands arraigned at the bar of history, and no advocate can hope to secure on his behalf a verdict of "Not guilty."

The ill-feeling against Canada did not cease along the frontier of the United States until long after the filibustering expeditions were at an end. From time to time some untoward event would occur to keep alive the memory of the *Caroline*. In the month of November, 1840, {299} Alexander McLeod—who, it will be remembered, had fought on the Government side at Montgomery's[339] and had subsequently accompanied Captain Drew on a tour of inspection around Navy Island[340] —had occasion to cross over from the Canadian side of the Niagara River to Lewiston. He was Deputy Sheriff of the Niagara District, and an ultra-loyalist. The population of Lewiston were almost entirely made up of "sympathizers," and McLeod had long been an object of hostility to them. They chose to believe that he had been concerned in the cutting-out of the *Caroline*, though he had really had nothing to do with that exploit, having spent the night of the 29th of December at a cottage in Stamford village,[341] He was arrested, however, on a charge of murder and arson—the alleged murder consisting of the shooting of Durfee, and the arson consisting of the burning of the *Caroline*. False evidence was produced to the effect that McLeod had boasted of having been concerned in the cutting-out expedition,[342] and he was committed to prison. In due course the Upper Canadian Government represented the facts

to the British Minister at Washington, who, on behalf of the Home Government, avowed the destruction of the *Caroline* as the public act of persons in Her Majesty's service, and demanded McLeod's release. The Government at Washington, however, did not accede to the demand, alleging that the offence charged against the prisoner was within the jurisdiction of the State of New York, and not of the Federal {300} Government. There could of course be no direct international relations between the British Government and the State of New York. McLeod was kept in durance in spite of renewed demands for his release, and the relations between the States and Great Britain, which, owing to various causes, had for some time past been far from cordial, now became still more strained. After lying in jail at Lockport for about eight months, the prisoner had himself taken before the Supreme Court of New York under a writ of *Habeas Corpus*. He gained nothing by his motion. The Court discharged the writ, and he was remanded to jail. After long delay and much exercise of technical ingenuity on the part of counsel on both sides, the trial took place in October, 1841, before the Circuit Court at Utica. It lasted eight days, and resulted in an acquittal. Had the prisoner been convicted the instigators of the prosecution would probably have gained their point, for it is tolerably certain that there would have been a costly and disastrous war.

In the following spring, John Sheridan Hogan, a Canadian journalist who resided at Hamilton, was twice arrested at Rochester on a similar charge; but after being subjected to some delay, he was discharged from custody without undergoing, as McLeod had been compelled to do, a long term of imprisonment.[343] This was the last expiring effort of the filibusters to bring about a war. On the 9th of August, 1842, the Ashburton Treaty was signed, whereby all matters of difference between Britain and the States were amicably adjusted. The discussions respecting the Oregon boundary several years later seemed, for a brief season, to afford a hope to the filibuster that he would again find employment for his talents, but that danger too passed by. He was not destined to play any further part in our country's history; though his legitimate successor has been known to us in more recent times under the guise of the Fenian raider.

[327] Lord Gosford, the Governor-General, was recalled early in 1838. Thenceforward, until the arrival of Lord Durham, Sir John Colborne filled the dual position of Civil Administrator and Commander-in-Chief of the Forces.

[328] See *The Greville Memoirs* (First Part) *passim*, and Le Marchant's *Memoir of Earl Spencer*.

[329] Mr. Henry Reeve. See *The Greville Memoirs* (Second Part); American reprint, vol. i, p. 142, note. Mr. Reeve refers to the report as embodying the opinions of Mr. Gibbon Wakefield and Sir William Molesworth on Colonial policy. "What," he asks, "would have been the result if the Ministers of George III. had treated the complaints of the American colonies in 1774 with equal wisdom?"

[330] "The whole report was written by Charles Buller, with the exception of two paragraphs on Church or Crown Lands, which were composed by Gibbon Wakefield and Mr. Hanson."—*Ib*. The last-named gentleman afterwards became Sir Richard Davies Hanson, Chief Justice of South Australia.

[331] *A History of Our Own Times*, chap. iii.

[332] "The British people of the North American colonies are a people on whom we may safely rely, and to whom we must not grudge power. For it is not to the individuals who have been loudest in demanding the change that I propose to concede the responsibility of the colonial administration, but to the people themselves. Nor can I conceive that any people, or any considerable portion of a people, will view with dissatisfaction a change which would amount simply to this, that the Crown should henceforth consult the wishes of the people in the choice of its servants."—Report (Canadian folio reprint), p. 91.

[333] *Report* (Canadian folio reprint), p. 104.

[334] By his marriage with Lady Mary Louisa Lambton, Lord Elgin was the son-in-law of Lord Durham. "The real and effectual vindication of Lord Durham's memory and proceedings," wrote Lord Elgin, "will be the success of a Governor-General of Canada who works out his views of Government fairly. Depend upon it, if this country is governed for a few years satisfactorily, Lord Durham's reputation will be raised beyond the reach of cavil."—See Lord Elgin's *Letters and Journals*, p. 41. His Lordship's administration of Canadian affairs fully proved the truth of these words.

[335] Whoever wishes to pursue these important topics further will find a tolerably full exposition of them in *The Last Forty Years*.

[336] *Ante*, p. 94, note.

[337] See the Navy Island proclamation, the principal portions of which are abridged *ante*, pp. 184, 185.

[338] See Lount's statement, *ante*, p. 79.

[339] *Ante*, pp. 128, 129.

[340] *Ante*, p. 203.

[341] *Ante*, p. 218.

[342] This evidence has been the means of transmitting McLeod's name to posterity with an undeserved taint upon it. It is generally assumed that he really made a false boast of his connection with the *Caroline* affair, and the so-called histories of Canada uniformly represent him as having done so. About five years since I took some pains to get at the truth about the matter, and ascertained beyond any reasonable doubt that McLeod was guiltless of any false boasting or misrepresentation. In a former work of mine I have endeavoured to correct the erroneous impression. "It is tolerably certain that McLeod never made any such boast. The only evidence of his having done so proceeded from persons whose enmity he had incurred through the discharge of his official duties. McLeod was not one of the most moral or high-minded of men, but he was no swashbuckler, and was by no means given to boasting about his achievements. Neither was he addicted to vaunting his exploits at the expense of truth. It would moreover have been the height of absurdity for him to lay claim to having been engaged in such an expedition as that of the 29th of December, as the names of all who took part in it were enrolled under the personal direction of Colonel MacNab, and were all well known on the following day. The simple fact is that the prosecution of McLeod was instigated by a republican mob, and there was no difficulty in procuring any evidence which the exigencies of the case might require."—*The Last Forty Years*, vol. i., p. 173.

[343] Hogan's arrest appears to have been due to his own machinations to bring about a war. (See Lindsey's *Life of Mackenzie*, vol. ii., p. 280.) His tragical fate is still remembered by many residents of Toronto.

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CHAPTER XXXVII.

CONCLUSION.

Nothing further remains to be done except to glance at the subsequent career of the leading insurgents who have figured in the foregoing pages. During the tenure of office of the first Lafontaine-Baldwin Ministry, repeated attempts were made to obtain a general amnesty for all the rebel exiles. Sir Charles Metcalfe, who was then Governor-General, was prepared to grant the request, but with an express reservation in the cases of Papineau and Mackenzie. To this reservation Mr. Lafontaine refused to yield, and the matter remained in abeyance for six years.[344] The chief end of the Ministers was however effected by a series of special pardons under the Great Seal, which were issued at irregular intervals until most of the exiles had returned. Among the earliest of those to whom clemency was extended were Dr. Rolph, Dr. Morrison, Dr. Duncombe, David Gibson, Nelson Gorham and John {302} Montgomery, each of whom received a pardon during the summer of 1843. All of them hastened to avail themselves of the privilege thus afforded them of returning to Canada. Rolph and Morrison once more took up their abode in Toronto, and resumed the practice of their profession. Gibson returned to his farm on Yonge Street, and Nelson Gorham to his former home at Newmarket. The sequel of John Montgomery's life has already been outlined.[345] Dr. Duncombe had formed plans for a permanent residence in the States, and merely availed himself of the pardon in order to pay a visit to old friends in Canada.[346] Other exiles were permitted to return from time to time. The entry of a *nolle prosequi* enabled even Papineau himself to come back to his native land, where, as everybody knows, he re-entered public life, and stigmatized Responsible Government as a cheat and a fraud. But it was not until after the arrival of Lord Elgin, and after the formation of the second Lafontaine-Baldwin Government, that a general amnesty was granted for all offences arising out of the Rebellion. The measure was introduced by Mr. Lafontaine during the session of 1849, and encountered

no serious opposition from any quarter. It was rapidly passed through its several stages, and was assented to by his Excellency on the 1st of February, when the session was barely a fortnight old.[347]

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The only conspicuous insurgent remaining to avail himself of the provisions of the Amnesty Bill was Mackenzie, whose life, since his discharge from Rochester jail, had been one of almost continual suffering and deprivation. While it is impossible to close one's eyes to his many grave faults and failings, it is equally impossible to contemplate this portion of his life without commiseration. He drank the cup of poverty to the dregs, and too often knew the woes of want. He had entirely lost his sympathy for republican institutions, and bitterly regretted that he had ever sought to impose them upon the people of Canada. "Over three years' residence in the United States," he wrote, towards the end of 1840, "and a closer observation of the condition of society here, have lessened my regrets at the results of the opposition raised to England in Canada, in 1837-8. I have beheld the American people give their dearest and most valued rights into the keeping of the worst enemies of free institutions. I have seen monopoly and slavery triumph at their popular elections." These words appeared in the last number of his *Gazette*, the publication of which had been continued, with more or less regularity, during his imprisonment. For some months after his liberation he appears to {304} have lived in constant dread of being kidnapped and delivered up to the Canadian authorities, who are represented by his biographer as resorting to every expedient to get him into their power "for the purpose of strangling him."[348] Judge Jones is said to have been possessed by "a revengeful thirst for the blood of a fallen foe," and to have dragged the ermine through "the dirty waters of insurrectionary strife"[349] in order to gratify this thirst. He is distinctly charged with endeavouring to influence "an American Judge" to exchange Mackenzie for a number of Prescott and Windsor prisoners,[350] in which endeavour, it is said, "there can be no question" that he had "the authority of the Colonial Executive."[351] "The attempt to obtain possession of a political refugee who had sought an asylum in another country," writes Mr. Lindsey, "will forever remain a blot upon his memory."[352] I am wholly unaware of the evidence upon which these extraordinary statements rest, but it is incumbent upon any one bringing such charges to assign authority, and the authority should be something much more worthy of credit than the unsupported word of Mackenzie. It seems much more probable that the unhappy man's fears were in large measure the result of poverty, ill health and broken spirits. But he

had sufficient grounds for uneasiness, without conjuring up imaginary bugbears. He found himself unable to obtain a livelihood, and was reduced nearly to the point of starvation. One of his whimsies took the form of opening a law office in Rochester. He had no legal qualifications for the practice of law, and the local courts refused to furnish him with the requisite authority. But his fitness was never called in question, for no clients came, and the domestic larder was often empty. His desperate circumstances did not tend to restore his former esteem for the social and political institutions of the United States. "The more I see of this country," he wrote, in 1842, "the more do I regret the attempt at revolution at Toronto and St. Charles."[353] Being, as he himself admits, "starved out"[354] of Rochester, he removed to New York in the summer of 1842. He soon obtained a situation there in connection with the Mechanics' Institute. "He refused situations in two or {305} three newspaper offices," says Mr. Lindsey, "because he would not occupy a subordinate position on the press; and this disposition to be everything or nothing was no bad illustration of his character."[355]Assuming this to be a correct statement of Mackenzie's motives, the inevitable inference to be deduced is that he was both heartless and selfish; that his petty conceit outweighed his affection for his wife and children. If he had had a proper regard for his family he would gladly have accepted any employment, subordinate or otherwise, that came in his way, in order that he might thereby be enabled to provide them with the necessaries of life. And if he had possessed anything like a proper estimate of his own qualifications he would have known that he was unfit to fill any other than a subordinate position on the press of New York. In the beginning of 1844 he threw up his situation in the Mechanics' Institute, apparently under the expectation that he was about to receive a more lucrative place in the Customs. The new place, however, proved much less satisfactory than had been anticipated, and he devoted his spare time to the writing of books. He wrote and published a life of Benjamin Franklin Butler and a life of Martin Van Buren, neither of which yielded much recompense. In 1846 he obtained employment on the New York *Tribune*, having apparently survived his determination not to accept a subordinate position. He for some time represented the paper at Albany during the session of the State Legislature. His situation afforded him the means of seeing further beneath the surface of republican institutions than he had ever before been enabled to do, and he found that they did not improve upon acquaintance. "I frankly confess," he wrote, in 1847, "that had I passed nine years in the United States before, instead of after, the outbreak, I am very sure I would have been the last man in America to be engaged in it."[356]

And so the years dragged on with him. He was quite unable to accumulate anything, and was still often hard put to it to provide ways and means. He was heartily sick of New York, and of the United States generally. The great desire of his soul was to be permitted to return to the land which he had once so contemptuously reviled. In the beginning {306} of February, 1849, as has been seen,[357] Mr. Lafontaine's Amnesty Bill received the royal assent. There was thus nothing to prevent Mackenzie from gratifying his great longing by returning to Canada. In the fulness of his heart he addressed a missive to Earl Grey, Colonial Secretary in the Home Government. "A course of careful observation during the last eleven years," he wrote, "has fully satisfied me that had the violent movements in which I and many others were engaged on both sides of the Niagara proved successful, that success would have deeply injured the people of Canada, whom I then believed I was serving at great risks.... I have long been sensible of the errors committed during that period.... No punishment that power could inflict, or nature sustain, would have equalled the regrets I have felt on account of much that I did, said, wrote and published.... There is not a living man on this continent who more sincerely desires that British government in Canada may long continue."

So completely had he boxed the compass of political opinion. It is certainly no reproach to any man to learn wisdom in the school of adversity, and Mackenzie's lesson had been a long and bitter one. A review of his subsequent career, however, leads irresistibly to the conclusion that he had in reality learned nothing during his exile: that he was the same erratic, unstable creature that he had ever been, and that his views, political and otherwise, were from first to last mere reflections of his outward circumstances. His beliefs changed with the nature of his occupation and his personal surroundings. Every man is to some extent the creature of circumstances, but Mackenzie, notwithstanding his strong individuality, was the veriest shuttlecock in the hands of fate. It is not difficult to conceive of him in the rdle of either a hot-gospeller of the Middle Ages, or of a devoted servant of the Inquisition.

His first experiences after his return to Canada were not pleasant ones. He did not return direct to Toronto, but proceeded from New York to Montreal, where Parliament was then in session. He visited the Legislative library, and was engaged in consulting the catalogue when he was recognized by Colonel Prince, who, it will be remembered, had good reason for holding the days of 1837-'38 in especial abhorrence. The {307} Colonel, with characteristic impetuosity, approached his side and threatened to kick

him down stairs if he did not at once leave the room a not very valiant threat, as Mackenzie was very small and puny in appearance, being not much larger than a well-grown lad of thirteen. Mackenzie immediately left the library. His assailant soon afterwards expressed regret for his conduct, and was forgiven.[358] The truth is that the arch-rebel's return to Canada was exceedingly ill-timed. The Province from end to end was in a state of great excitement owing to the debates on the Rebellion Losses Bill, which was not the least burdensome of the legacies bequeathed to posterity by the troubles of 1837-'38. The Tory party were in a ferment. Every allowance should be made for the feelings which animated them. That they should oppose the measure was nothing more than might have been expected, and had their opposition been restricted to ordinary constitutional means, the Government and the Province at large would have had no just grounds of complaint. They, however, proved their own inconsistency by resorting to methods which they had spent their lives in denouncing. They refused to bow to the popular will, set on foot serious riots, mobbed the Governor-General in the public streets, burned the Parliament Buildings to the ground, raided the houses of prominent members of the Ministry, and wrought irreparable havoc generally. Many of them soon afterwards joined in a project for the annexation of Canada to the United States, thereby giving the lie to all their most loudly-vaunted professions. They proved conclusively that their loyalty was of that spurious kind which is zealous {308} only while the sun of prosperity shines upon it. What would have been their attitude had they been subjected to such grievances as beset the Upper Canadian Reform Opposition in ante-Rebellion times?

Such was the state of affairs at the time of Mackenzie's return. The famous Bill passed its third reading in the Assembly on the 9th of March, and in the Upper House on the 15th. A week afterwards Mackenzie reached Toronto. His arrival was the signal for a disturbance which might almost be called a riot. The house in which he was quartered was assailed with stones and bricks. He himself was burned in effigy, as also were Attorney-General Baldwin and Solicitor-General Blake, both of whom had made powerful speeches on behalf of the obnoxious Bill. For several days it was unsafe for the returned exile to venture out of doors. The excitement, however, soon abated, and local society settled down to its normal condition. The figure of the whilome editor of the *Colonial Advocate* was once more a familiar object on the public streets of Toronto. During the following year his family came over from New York, and he thenceforth found a permanent home among us. The sufferings he had undergone formed a passport to the sympathies of many who had known him in other days. He continued to be

more or less straitened for means, but he obtained a certain amount of employment from the Reform newspapers, and his circumstances, in comparison with what they had sometimes been during his exile, might almost be termed prosperous. His most deep-seated grievance at this time arose from the fact that the Reform leaders ignored his existence. He besieged Mr. Baldwin with applications on the subject of his losses arising out of the revolt which he himself had been the principal instrument in bringing about. After his flight from Montgomery's his creditors had proceeded against him as an absconding debtor, and whatever property he had left behind had been sold by due course of law. He now laid claim to be reimbursed to the extent of twelve thousand dollars, alleging that Sheriff Jarvis and others had sacrificed and embezzled his effects. Mr. Baldwin, well knowing that there was no just ground for these charges, refused to investigate them. With regard to the pecuniary claim, it was too preposterous to be entertained. The claimant had not been worth a dollar at the time of his flight from Canada. It is probable enough that his {309} effects were not sold to the best advantage, but that was almost inevitable in the case of an absconding debtor, and it would have been outrageous to attempt to saddle the responsibility for it upon any one but himself. The country had just passed through a serious crisis owing to the urging of recompense for rebellion losses, and the time was not propitious for further experiments in that direction, even in the case of genuine and meritorious claims. Mr. Baldwin's refusal to accede to the demand, added to his icy coldness of demeanour, aroused Mackenzie's bile, and he began to assail the Government through the press upon every available pretext.

A growing feeling of dissatisfaction with the Government also arose in the minds of a good many enthusiastic Reformers, who regarded the ministerial policy as being too slow for the times. The feeling was carefully nursed by Dr. Rolph, James Lesslie (proprietor of the *Examiner*), Peter Perry, David Christie, Caleb Hopkins, and William McDougall. The last-named gentleman was then a young man under thirty years of age, who had recently come prominently to the front as an advocate of advanced Reform opinions. These gentlemen, with others, were chiefly instrumental in forming a new political wing, which soon came to be known as the Clear Grit party.[359] Their platform included many reforms which have long since been accomplished. Mackenzie still retained a large measure of energy, and was as ready to take up the trade of an agitator as he had ever been. He professed to be entirely independent of any and all political parties, but he was in reality an adherent of the Clear Grits, and joined in their crusade against the Ministry. He was encouraged to pursue his career of agitation by

the prospect of a seat in Parliament, and in the spring of 1851 he presented himself to the electors of Haldimand as a candidate for their suffrages. His opponent was Mr. George Brown, editor and proprietor of the Toronto *Globe*. Various circumstances operated to defeat Mr. Brown. The constituency contained a large Roman Catholic population, and Mr. Brown was then known as a strenuous champion of Protestantism. He was moreover supposed to be bound up with the fortunes of the Government, {310} which had steadily lost ground in the more Radical constituencies. At all events, Mackenzie was returned at the head of the poll, and at the ensuing session he took his seat in the Assembly. He acted with the Clear Grits, and did his utmost to defeat the Government. Among the planks in the Clear Grit platform the abolition of the Court of Chancery occupied a prominent place. This plank was taken up during the session with great fervour. Mackenzie brought forward a motion for the abolition of the Court, and for the conferring of a larger equitable jurisdiction upon the Courts of Common Law. In his speech in support of the motion he betrayed, as might have been expected, a very inadequate knowledge of the subject-matter. The Court of Chancery, however, had long been unpopular in Upper Canada. It had recently been remodelled, and brought under better influences than formerly. Mr. Blake had been appointed Chancellor, and had done much to take away the reproach which attached to its name; but sufficient time had not elapsed to enable him to make his presence widely felt, and the ill-repute of the Court still continued. Many Upper Canadian members favoured its abolition, and now supported Mackenzie's proposal. By means of the French-Canadian votes the Government were able to defeat the motion, but Mr. Baldwin felt the situation very keenly. It was under his auspices that the Court had been remodelled, and he felt himself responsible for it. The question was one of purely local application. It affected the Upper Province only, and, though he was no stickler for the double-majority principle, he did not feel justified in clinging to office when a majority of members from that Province had signified their disapproval of a local measure which had been carried through Parliament under his own eye. In a word, he regarded the vote as a want of confidence in himself on the part of the Upper Canadians, and announced his resignation accordingly. This was more than the members had bargained for. A number of them hastened to beg him to reconsider his decision, alleging that they would by no means have supported Mackenzie's motion had they supposed that their doing so would have produced such a result. Mr. Baldwin, however, having fully made up his mind, was not to be turned from his purpose, and retired from the Ministry. Soon afterwards Mr. Lafontaine followed his example, and Mr. Hincks was entrusted with the formation of a new Administration.

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Mr. Hincks addressed himself to the task before him. Mr. Morin, who was the legitimate Parliamentary successor of Mr. Lafontaine, successfully undertook to adjust the Lower Canadian membership in the new Government. Mr. Hincks personally assumed responsibility for the Upper Canadian portion. His first care was to endeavour to reconcile the discordant elements in the Reform party. The Clear Grits had attained to such influence that it was impossible to form a stable Government without their assistance. Dr. Rolph, who had become their ruling spirit, was not in Parliament. Since his return he had devoted himself to the practice of his profession, and had paid very little attention to politics until after the formation of the second Lafontaine-Baldwin Government in 1848. He had founded a medical school in Toronto, which had already attracted to itself much of the highest talent in the country. As a medical professor and teacher he seemed to have found his true vocation in life. He was looked up to by the entire profession, and his pupils conceived for him an ardent enthusiasm. He was fairly prosperous, and seemed to have settled down in a fitting groove for the remainder of his days. But when a Reform Government had come into power he had once more begun to take part in political discussions. Among the long-standing abuses which had not been swept away by the union were the Clergy Reserves, upon which, it will be remembered, Dr. Rolph had in former times delivered powerful utterances. It had been expected that Mr. Baldwin and his colleagues would take immediate steps for the removal of this crying grievance. Before any effective steps could be taken by the Canadian Legislature, however, it was necessary to obtain the repeal of an Imperial Statute. The Government had moved in the matter, but the more advanced wing of the Reformers considered that the question had not been taken up with sufficient vigour, and that, in a word, the Ministry were disposed to shirk the question. This belief, combined with other sources of dissatisfaction, had led to a widespread agitation, and ultimately to the formation of the Clear Grit party above referred to. Dr. Rolph's feelings on the Clergy Reserve question had undergone no change with the lapse of years, and he took a leading part in the agitation. The new party hailed him as their leader, and proposed that he should enter Parliament. {312} Such was the aspect of affairs when Mr. Hincks addressed himself to the task of constructing a new Government in the autumn of 1851. It was necessary that the Clear Grit element should be conciliated, and that they should be represented in the Administration. Approaches were accordingly made to Dr. Rolph, who accepted office upon condition that Mr. Malcolm Cameron —a gentleman of advanced opinions, who had held office in the late

Government, and who had long been an important factor in public life in this country—should also have an office assigned to him. The Doctor became Commissioner of Crown Lands, and was returned to the Assembly by the constituency of Norfolk, which he had represented in ante-Rebellion times.

There seems to be little doubt that Dr. Rolph contributed materially to drive Mr. Baldwin out of public life. It has been seen that Mr. Baldwin resigned his seat in the late Government in consequence of the Upper Canadian vote on the Chancery Bill. Dr. Rolph was known as an opponent of the Court of Chancery, and all his influence had been cast against it. While the question had been under discussion he had written vigorous articles in the *Examiner* which could hardly have failed to produce an effect upon public opinion. Rolph's attitude throughout the ensuing election campaign, and throughout the various complicated party negotiations which were set on foot at this juncture, was one of hostility to Mr. Baldwin. The latter, who was defeated at the polls by an obscure Clear Grit candidate, found himself practically supplanted by Dr. Rolph in the leadership of an influential wing of Upper Canadian Reformers. Under the circumstances it was natural that he should conceive an ill opinion of the Doctor, and from that time forward there appears to have been no intercourse between them. The relations between them had never been intimate since Rolph's return from exile, but they had been accustomed to interchange the ordinary civilities of life, and to confer together upon matters of common interest to both. I can find no evidence that they ever met or corresponded subsequent to the session of 1851, and Mr. Baldwin's sentiments from that time forward would seem to have precluded any such meeting or correspondence.[360]

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And here it becomes necessary to devote a paragraph to the very remarkable individuality of Dr. Rolph. His general characteristics have been described with some minuteness in the first volume of this work.[361] It has been seen that he was a man whom it was not easy to understand; who often acted from hidden motives, and who took no one into his full confidence. He was by nature subtle and secretive, much more ready to receive information than to impart it, and ever on his guard against verbal indiscretion. These qualities had doubtless been fostered and developed by his life while in exile. Any one who studies his career with an honest desire to arrive at the truth will be driven to the conclusion that his misfortunes had a deteriorating effect upon him. During his residence in the States he must have been conscious of having wasted his talents and shipwrecked his life. After his return he found himself looked coldly upon by persons who had once held

him in high respect and esteem. He knew that his intellectual powers fitted him to take a high place, and ambition was not dead within his breast. It affords matter for regret that he allowed himself to be beguiled into re-entering the political arena. As a professional teacher he had found his niche, and a wide sphere of usefulness was open before him. In this capacity {314} there was not another man in the country to be compared to him. On the other hand, there were scores of second and third-rate men far better fitted for public life than he. Politically speaking, his mind had not grown since the old days when he had stood up side by side with Marshall Spring Bidwell in the Upper Canada Assembly, and faced a ministerial phalanx with undaunted front. He had paid little attention to politics during his absence from the country, and, in a political sense, the world had marched past him. He never fully regained what he had lost. When he re-entered public life he was not far short of threescore years old; an age at which not one man in ten thousand is susceptible to new influences and impressions. He had no enthusiasm for the duties of his department, which were for the most part performed perfunctorily or through the medium of subordinates. It was a time of chicanery and finesse in all the walks of public life. Few politicians trusted each other, and caballing and plotting were the order of the day. The great objects which ministers had assigned to themselves upon assuming the reins of power were in large measure lost sight of. All their dexterity was required in order that they might be enabled to keep their places. In such diversions as these Rolph appears to have had his full share. He had not that high-minded singleness of purpose which had ever been a motive power with Baldwin, and which had impelled the latter to regard the loss of office, and even loss of personal prestige, as altogether secondary considerations when duty clearly pointed out the way. He seems to have pursued a tortuous course almost from the moment when he succeeded to office. It is tolerably certain that it would have been impossible for him or indeed any other Upper Canadian just then to hold office on any other conditions, and I am far from believing that he was one whit more culpable in this respect than were most of his colleagues; but he was a man exceptionally endowed: a man from whom his country had a right to expect better things. It is sad to think that his later public career went far to dimmish the splendid reputation which he had gained in earlier times.

No sooner was Rolph's name mooted as a candidate for Parliament than Mackenzie came forward and hailed the event as one of the most propitious signs of the times. All through the ensuing campaign his {315} pen was gratuitously employed in Rolph's service. Of Mr. Hincks he professed to be more or less suspicious, but he sounded Dr. Rolph's praises in every

newspaper to the columns of which he could gain access.[362] No sooner had the Doctor assumed the duties of his office than Mackenzie began to urge his alleged claims for recompense for property lost or destroyed in 1837. He continued to urge them with ever-recurring pertinacity. Some idea of the nature of his appeals on the subject may be gathered from the letter published in a note to a former chapter.[363] Thenceforward for nearly a twelvemonth scarcely a week elapsed during which he did not pester Rolph with long communications on the subject.[364] Now, there is good reason to believe that Rolph would willingly have served him in this matter had it been practicable to do so. The Doctor was no purist. He would doubtless have been ready enough to provide for Mackenzie at the public expense, and thereby disarm his opposition. But the claim was utterly preposterous, and had the Government attempted to perpetrate such a shameless job their very existence would have been imperilled. Little more than two years had elapsed {316} since the country had been shaken from end to end by the Rebellion Losses Bill. The fury of the Opposition had risen to a height unprecedented in our history. It had led to the stoning of the Governor-General, the destruction of the Halls of the Legislature, and to the permanent removal of the seat of Government from Montreal. What might be expected to be the result if a supplementary Rebellion Losses measure should now be introduced to reward the individual who had himself been the prime factor in bringing about the revolt in Upper Canada? Even had the claim itself been genuine, no Government would have dared to venture on such an experiment; and in point of fact the claim was utterly without merit. Mackenzie had sustained little or no pecuniary loss by the Rebellion, for the very sufficient reason that he had had little or nothing to lose.[365] The subject appears to have been informally discussed at the Council Board, the members of which were not long in arriving at the conclusion that nothing could be done. No sooner had this intimation been conveyed to Mackenzie than he began to sharpen his knife for the Government in general and Dr. Rolph in particular.

About this time Mackenzie began to betray unmistakable symptoms of mental aberration. His malady was made manifest in various ways, though it was not until a short time before his death that it had made sufficient progress to incapacitate him for the ordinary pursuits of life. He had always been impulsive and eccentric, but up to this period, if there had been any organic disease, it had not declared itself. The highest medical authorities in the land now pronounced him to be on the high road to lunacy.[366] There can be no doubt in any reasonable mind {317} that their diagnosis was correct, and from this time forward indignation at his conduct must give way to

commiseration for his mental state. Dr. Rolph learned that Mackenzie was making preparations for an attack upon him in the Assembly in connection with the flag of truce affair of the 5th of December, 1837. It became known to him that an attempt would be made to convict him of violation of the flag, and he set himself to work to procure evidence in rebuttal. There were two persons living, either of whom could adduce conclusive evidence on the subject. One of these was Mr. Baldwin, who had been Sir Francis Head's emissary jointly with Dr. Rolph himself. The other was Mr. Hugh Carmichael, who had been the actual bearer of the flag, and who at this time resided in the township of King, a few miles from Toronto. The relations between Rolph and Baldwin at this time have already been indicated. They were such that the former was in no position to ask a favour of the latter, or even to make a request from him of any kind, unless under very urgent circumstances. There was, however, nothing to prevent an application to Carmichael, who could have no reasonable objection to state the simple facts. Dr. Rolph accordingly wrote to his partner in Toronto, Dr. W. T. Aikins, requesting him to call upon Carmichael and obtain his written testimony. Dr. Aikins obeyed, and procured the very clear and explicit statement which appears in a note on a former page.[367]

The statement was not obtained much too soon, as an opportunity soon afterwards presented itself to Mackenzie for an assault upon Rolph.... On the night of Thursday, the 28th of October, 1852, Mr. W. H. Boulton, who sat in the Assembly as one of Toronto's representatives, from his place in the House made a personal attack upon the Doctor in connection with the flag of truce.[368] He spoke with great heat, and his manner was as offensive as his matter. He stated that he did not desire to charge the Commissioner of Crown Lands with being a traitor and a {318} betrayer of confidence —"but," said he, "I cannot help stating that in 1837 I *did* hear of an honourable gentleman who accepted the most confidential and honourable position that could be assigned to man by the hands of the representative of his Sovereign, to bear a flag of truce to a number of deluded people; but instead of suggesting peace, he recommended fire and slaughter to his fellow-citizens, and then skulked from the country, leaving his victims to ruin and misery. Whether the individual referred to was the honourable member for Norfolk I will not pretend to decide; but the name of this celebrated character was John Rolph, who appears by the journals to have been expelled the House for reason by a majority of thirty-seven to two."

These remarks produced a decided sensation in the Assembly. Dr. Rolph denied that he had been guilty of anything dishonourable in connection with

the flag of truce, and alleged that Mr. Baldwin was well aware of this fact.[369] He also referred to the statement of the flagbearer in his possession. The matter was brought before the Assembly a second time by Mr. Boulton, when Dr. Rolph reiterated his former statements, which appear to have been finally accepted by the former as satisfactory. Now, with respect to the flag of truce, Rolph's position, according to the best opinion I have been able to form, was quite tenable. The embassy had been practically forced upon him: that is to say, he would have rendered himself open to suspicion and danger of arrest had he refused to accept it.[370] Even had he conferred privately with the rebel leaders on the occasion of his first visit to their camp, it would be possible to find strong excuses for him. But the weight of evidence goes to show that he had no secret conference with them until the second visit, when the embassy was at an end. This matter has already been considered at length.[371] The flag-bearer's statement, if true, {319} was decisive; and Rolph further attested the evidence of Mr. Baldwin. It is to be regretted that Mr. Baldwin did not feel it to be his duty to come forward with his evidence at this juncture, as his bare word would have set the question forever at rest. It can hardly be supposed that his evidence would have been unfavourable to Rolph, or the latter, knowing the truth, would never have suggested him as a witness.[372] But, as has been seen, Baldwin was on ill terms with Rolph at the time, and could hardly be expected to go out of his way to do him a service. He had retired from public life, and was not disposed to mix himself up in the quarrels of those who had in great measure supplanted him. Had any express demand been made upon him, he would doubtless have told his story; but he apparently did not feel called upon to volunteer a statement, more especially as he had given a succinct account of the matter in dispute nearly fifteen years before.[373] So far as the flag of truce is concerned, then, Dr. Rolph apparently had no reason to fear the minutest investigation. But the whole subject was naturally distasteful to him. He was conscious of having been connected with a movement which had proved an ignominious failure, and he desired that the theme, so far as he was concerned, should be consigned to oblivion. The nature of his connection with the revolt has been set forth in these volumes. He had certainly had nothing to do with originating the Rebellion, nor had he taken any actual part in hostilities; but he had cooperated with Mackenzie as to preliminaries, and it was to his message to Gibson[374] that the rising had been accelerated by three days. Under such circumstances he could not truthfully deny that he had been concerned in the affair, and Mackenzie was thus enabled to place him in an utterly false position, and to arouse prejudices against him which have not yet been wholly cast aside.

Barely a week had elapsed after this episode when it came to Rolph's ears that Mackenzie was making ready for a ferocious onslaught upon him through the press and in the Assembly. The attack in the Assembly was in secret session. It was replied to by Rolph in caustic language, so far as Mackenzie was concerned, but he took special {320} care to implicate no other of the insurgents. A few days later it became known that Mackenzie was about to start a newspaper,[375] and erelong the paper itself—the *Message*—appeared. No one who examines a few numbers of this production will entertain much doubt as to the editor's unsoundness of mind. It was an *omnium gatherum* of scrappy, egotistic, puerile, unconsidered odds and ends, many of which had no bearing upon any practical question, and which served only to give currency to the writer's malignity against persons whom he disliked. Dr. Rolph came in for an especial share of this malignity. All that a diseased ingenuity could devise against him was published to the world without the slightest regard to honour or truth. The Doctor was powerless to make any effective reply to these attacks, as he could not enter upon the discussion of Rebellion topics without compromising other persons who were still living,[376] Altogether, his hands were pretty effectually tied, and he was compelled to endure his stripes as best he might. The attacks could not seriously affect his political position, as Mackenzie {321} and his paper had no appreciable political influence; but no man likes to see himself periodically held up before the community as a false and cowardly traitor. Through this ordeal, however, Rolph was compelled to pass so long as he remained in public life, and even afterwards. In 1854 Mackenzie issued a pamphlet entitled *Head's Flag of Truce*, which was largely made up of extracts from various numbers of the *Message*. It was chiefly directed against Rolph, though Mr. Hincks and other members of the Government also came in for a large measure of the writer's denunciation.

Dr. Rolph continued in the Government until the formation of the MacNab-Morin coalition in September, 1854, though he had been disaffected for some time previously, and had ceased to be in full accord with his colleagues. Upon his resignation he joined the ranks of the Opposition, where he remained until the close of the then-existing Parliament in 1857, when he retired from public life. It is matter for regret that he ever ventured upon the troubled sea of politics after his return from exile, as by so doing he certainly detracted from the high reputation which he had gained in the old Assembly of Upper Canada. He accomplished little or nothing for his party, and considerably less than nothing for himself. He was too old to adjust himself to the requirements of a new generation, and gave himself up to the personal and party exigencies of the time, rather than

to any mature efforts of statesmanship. During his tenure of office he made many bitter enemies, and few or no friends. His aims appear to have been largely selfish, though by no means sordid, as he never took advantage of any of the opportunities for enriching himself which must have come in his way. His political pursuits seriously interfered with the success of his medical school, and he remained a poor man for the rest of his life. Indeed, it is hard to conceive of any man with less care or thought about {322} pecuniary matters. He was no financier, and gave himself no concern about ways and means. He was moreover free-handed, if not large-hearted, and every year gave away more than he could well afford in benefactions to the poor. His sympathies were easily worked upon. At any tale of woe or suffering his heart and purse-strings readily flew open. He also became the prey of professional borrowers, who depleted his pockets without any thought of repayment. And, to his credit be it said, he was no respecter of persons in his charities, but was as ready to relieve the needs of his bitterest enemy as of his dearest friend. At a time when Mackenzie was pouring out concentrated vitriol upon him from week to week, and doing his utmost to ruin him in public estimation, Rolph was ministering to the necessities of a needy member of Mackenzie's own immediate family, who had no sort of claim upon him.[377] According to the testimony of those who knew him best, he would with equal readiness have given of his substance to Mackenzie himself.

Mackenzie continued to represent Haldimand in the Assembly until the month of August, 1858, when owing, no doubt, to poverty and a consciousness of failing powers he resigned his seat. He had long ceased to exert any influence upon public opinion. In fact it can hardly be said that he had ever possessed any such influence after his re-entry into political life. Upon his return to Canada, he, like Rolph, had discovered that this country had not stood still during his absence. New men and new ideas had come to the front. He found himself nobody where he had once been a considerable personage. He could still make a rousing speech to a crowd of electors in the country, but he found that in the House he was merely tolerated out of consideration for his age and his afflictions. His conduct, in fact, soon caused him to be looked upon as a sort of licensed joker in Parliament. He seemed to have no conception of how much there was in his past life which it {323} would have become him to forget, or at least to permit others to forget. In his speeches in the Assembly he was constantly dragging in what he meant to be playful allusions to the troubles of 1837-'38; apparently forgetful of the fact that those troubles had been no matter for jest to the families of Lount, Matthews, and many others whose lives had been

permanently and hopelessly darkened through Mackenzie's own counsels. His biographer records, with much apparent complacency, that "he always treated the subject jocosely." It is clear that he ought to have carefully avoided the subject altogether, and that if it had been forced upon him he should have treated it as a tragedy and not as a comedy. It had been no comedy to his victims, nor to the members of his own family. His biographer also appears to regard it as worthy of emulation that Mackenzie refused to accept office under the Government: that, in a word, he "treated the offers as little short of insults, such was his almost morbid jealousy of an attack upon his independence."[378] Surely the writer of these words cannot have sufficiently weighed their effect. Independence is a good thing, but for Mackenzie independence was an unattainable luxury. He was miserably poor. He had a large family dependent upon him for bread. His first duty was to them, and if they had not been of less moment in his eyes than the pitiful little self-conceit which he termed "independence," he would gladly have accepted an office which would have enabled him to relieve them from want. Independence! when he was in debt to everybody who would trust him, and when he borrowed money from every one who would lend! Independence! when he pestered one political friend after another to indorse his paper, in order that he might be able to raise money thereon! Independence! when no rebuff, however rude, could intimidate him from going back with the same request to the same individual time after time, frequently to be again repulsed with words which to a really proud man would have been charged with the bitterness of death itself! Independence! when an appeal on his behalf had to be made to the Reformers of Upper Canada to keep starvation from his door, and to provide him with a home in which he might find shelter from the weather! And it was surely a strangely distorted sense of independence {324} which impelled him to refuse an office at the hands of the Government when he was at the same time pressing them to grant him twelve thousand dollars upon a claim which, as he well knew, had no foundation in right. Such independence as this is spurious independence: as spurious as was the loyalty of those Tories who inveighed against Rebellion in 1837 and signed the annexation manifesto in 1849.

The Government had every disposition to stretch a point in his favour. They went as far to relieve him as they could, and paid him a considerable sum by way of recompense for services rendered before the Rebellion in connection with the Welland Canal. The County of York also came to his relief, and paid him several hundred pounds for past services. But these benefactions for in that light only can they be regarded merely staved off the

inevitable. He continued to publish his paper whenever he could raise the necessary funds, but it was rather a source of expense than of revenue, for as soon as the novelty of the publication wore off it had to take its stand largely on its merits, which were not such as to obtain for it any considerable circulation. About two years before he withdrew from public life a number of his old Reform friends, recognizing the necessity of doing something for him, started a subscription on his behalf. A considerable sum of money was raised, and there seemed to be every prospect that he would be placed in a position of comfort for the rest of his days. But here, for the hundredth time in his life, his wrong-headedness and irascible temper went far to counteract the efforts of his friends. No sooner did he learn that subscriptions were coming in on his behalf than he applied to James Lesslie, the custodian of the fund, for a sufficient sum to enable him to revisit the old country and to make a tour in Europe. Such a request does not savour much of that sturdy Independence of which his biographer speaks. Mr. Lesslie was one of his oldest friends, who had known him from boyhood, and had befriended him on many an occasion when he had stood in sore need of assistance. As Mr. Lesslie well knew, the object of the contributors to the fund had been to provide for Mackenzie's family as well as himself. It had certainly not been intended that any portion of it should be used in enabling Mackenzie to travel about the world. Mr. Lesslie, as delicately as he could, pointed {325} out these facts to Mackenzie, adding that he had neither the will nor the power to permit any portion of the fund to be diverted for such a purpose. His refusal roused all Mackenzie's insane fury. He denounced his old friend with a coarse and brutal vehemence for which, it is to be hoped, his mental state was chiefly responsible.[379] He next inserted an advertisement in the newspapers intimating that he desired no further subscriptions. The contributions accordingly ceased, and the committee proceeded to do the best they could for the family with the amount already realized. A portion of it was invested in a house and lot on Bond Street, Toronto, to which Mackenzie removed, with his family. Thenceforth until his death he continued to reside there. The rest of the fund was doled out to him by the committee as it was needed, for they well knew that if the whole were advanced to him in a lump sum it would soon disappear, leaving his family as destitute as before. Meanwhile his malady continued to make slow progress. He possessed wonderful vitality, and his constitution instinctively fought against the disease. But the inevitable came, and the closing years of his life were years of gloom and despair. The last of the fund was spent, and he had no income from any source whatever. In 1860 the publication of his paper had to be discontinued. For long before this time it had appeared only at fitful and irregular intervals, and it had afforded clear evidence of its

editor's condition. His mental and physical powers steadily gave way, and softening of the brain disclosed itself by unmistakable signs. He died at his home on Bond Street on the 28th of August, 1861, at the age of sixty-six years. Four days later his remains were laid to rest in the Necropolis, whither he had helped to remove the bones of Lount and Matthews less than two years before.[380] His own remains lie far remote from those of his co-conspirators, and in the north-eastern part of the cemetery.[381]

And so, after more than threescore years of almost incessant turmoil and strife, William Lyon Mackenzie slept his last sleep, and found the only repose which was possible to one of such a temperament as his. {326} In passing judgment upon various portions of his career I have found it necessary to pronounce a severe judgment upon him. Though severe, however, it has, I think, been just; and I am quite sure that it has been honest. Mr. MacMullen, who seems to have known him personally, and who had watched his course for many years, has summed him up in terms which so entirely commend themselves to my judgment that I cannot do better than quote them.[382] "There can be very little doubt entertained by any impartial or unprejudiced person," he writes, "that the singular and very imprudent conduct of Sir Francis B. Head produced in a great measure the wretchedly organized rebellious outbreak in Upper Canada. His injudicious administration, in the first place, created a large amount of political agitation. In the second, the absence of all military preparation to repress armed riots of any kind, invited the rebellion of a small minority of disaffected persons.... But these circumstances, nevertheless, do not lessen the criminality of the course pursued by William Lyon Mackenzie, who was decidedly the leading evil spirit of the crisis, and who must ever be held morally responsible for much of the bloodshed in Upper Canada at this period. The progress of time has mellowed much of the asperity with which his conduct has been regarded, and enabled us to form more just conclusions as to his principles and his objects. As one traces his checkered existence, which presents such a strange admixture of upright intentions and dangerous errors, a doubt of his perfect sanity cannot fail to be evoked, to receive additional colour from the softening of the brain that finally resulted in death. Ever unstable as water, he flits changefully before the eye as the Dundee shop-boy, the uneasy clerk, the bankrupt shopman, the newspaper editor, the bookseller, the druggist, the member of Parliament, the agitator, the political agent to England, the fomentor of rebellion, and the rebel general. As a refugee in the United States he shifted his occupation with the same chameleon rapidity as in Scotland and Canada; his peculiar faculty of getting into difficulties of one kind or another being in no way diminished,

until at length, fully as tired of the {327} people as they were of him, he was glad to shelter once more his fortunes under the British flag which he had so impotently essayed to trample in the dust.... He lacked the sterling talent and the sober judgment which constitute the truly eminent man, and his once great popularity rested solely on the passions and prejudices of the hour. He was alike an indifferent writer and a commonplace speaker, and the very prominent position to which he attained was owing to the excitement of the times and the paucity of talent in a comparatively new country. His subsequent return to Canada was fatal to his previous reputation for ability, and plainly stamped his mediocrity. A weekly newspaper termed *Mackenzie's Message* published by him had a brief existence, and while alive was not distinguished for ably-written editorials, such as appeared in contemporary journals, but, on the contrary, for snappish and ill-natured articles, querulous complainings, and for being the receptacle of all manner of fantastic odds and ends, the fungi of an energetic and acute, yet diseased and ill-balanced intellect."[383]

As just mentioned, Mackenzie's death took place in August, 1861. In the course of the following year his life, written by his son-in-law, Mr. Lindsey, was published. That work contains much interesting matter, and is of unquestionable value to the student of our history, but as the author's materials consisted almost entirely of papers and documents left behind by Mackenzie, impartiality was hardly to be looked for. It was inevitable that a book written under such conditions should to some extent reflect Mackenzie's personal feelings and enmities. Dr. Rolph, for instance, could hardly expect perfect fairness of treatment. As matter of fact, the Doctor's conduct in connection with the flag of truce was misrepresented precisely as Mackenzie had misrepresented it ever since Rolph had refused to press his claim for twelve thousand dollars. I feel bound to say that Mr. Lindsey performed his unpleasant task without coarseness or unnecessary personal bitterness. Still, the fact remained that Mackenzie's half-insane falsehoods were accepted and chronicled by his biographer as grave historical truths, and that Rolph was held up to the gaze of posterity in an unfavourable and unwarrantable light. The Doctor felt that it was incumbent upon him to reply to the charges {328} against him. He however found himself surrounded by serious difficulties. As far back as 1856 he had become involved in unpleasant quarrels with the faculty of his medical school. It is unnecessary to go minutely into the grounds of these quarrels. It will suffice to say that the other professors considered that Rolph was disposed to arrogate too much to himself in connection with the management of the school, and that they were not disposed to submit to his authority. They resigned in a body at

the commencement of a session, and started a rival school. Rolph was put to great inconvenience, being compelled to carry on the old establishment with such aid as he could obtain. He himself frequently got through an amount of lecturing and general work in connection with the establishment amply sufficient for the energies of two ordinary men. Then followed litigation between the rival schools as to which was entitled to the original appellation —the Toronto School of Medicine. In this litigation Doctor Rolph was worsted, though his school continued to hold its own in public estimation, and was for some years carried on successfully. By way of addition to various other sources of uneasiness, he was conscious of the approaches of age, and of a perceptible diminution of vigour. Towards the close of 1861 his failing powers were brought painfully home to him by a paralytic stroke, which to a large extent deprived him of the use of his right hand and arm. When the *Life of Mackenzie* appeared he was unable to write with facility. Dr. Morrison, who might have afforded valuable assistance, had been dead for some years. David Gibson was still in the enjoyment of vigorous health, and the two began to collect material for an effective reply to Mackenzie's charges. The reasons for maintaining silence were constantly becoming less and less potent. To persons in the evening of life, however, a year passes rapidly by, and before anything had been done towards putting facts upon paper, Gibson died suddenly at Quebec, of congestion of the lungs. This was on the 25th of January, 1864. Thenceforward Rolph seems to have felt helpless to move in the matter of self-justification. Occasionally, in moments of that fitful vigour which sports with old age, he would begin to dictate the story of his connection with the Rebellion to his wife; but these spasmodic efforts never produced any enduring result, as his vigour {329} soon relaxed and his mind wandered from the matter in hand. He does not even appear to have made any attempt to arrange his papers in methodical form. He continued to practise his profession, so far as he was able, up to the spring of the year 1870, when he retired, and took up his abode in the house of his son-in-law, Mr. Lyster Hayward, at Mitchell, in the County of Perth, Ontario. There he lived out the few months that were left to him. The sands of his life had nearly run themselves out, and to all practical intents his life's work was over. He breathed his last on the 19th of October, 1870. He wanted but five months of completing his seventy-eighth year.

With a single exception, all the persons who figured conspicuously in the Upper Canadian Rebellion have passed to their rest. The deaths of Mackenzie, Rolph, Morrison, Lount, Matthews and Montgomery have all been duly recorded. Jesse Lloyd and Silas Fletcher have also long since travelled the same dark and unknown road. Nelson Gorham alone remains to

tell the inner story of the original conspiracy from personal recollection and observation. I have been glad to avail myself of some of his reminiscences in the foregoing pages.

The Story of the Upper Canadian Rebellion has now been told. In the telling of it I have not scrupled to combat some prevalent beliefs, and even to assail some long-cherished convictions. I have been compelled to take a view of the chief actor in the drama widely divergent from that taken by his son-in-law in *The Life and Times of W. L. Mackenzie*, and subsequently echoed by other writers who have accepted that biography without subjecting its contents to personal investigation. It was inevitable that there should be such a divergence, as my opinions and materials have been derived from a wide variety of independent sources, whereas Mr. Lindsey's were chiefly derived from Mr. Mackenzie himself. In dealing with matters of fact, as well as with matters of opinion, I have frequently been compelled to differ from Mr. Lindsey, though, unless where such a course seemed to be clearly indicated, I have not deemed it necessary to call attention to what I am forced to regard as the defects of his work. And I have much pleasure in bearing testimony to the fact that notwithstanding its shortcomings—doubtless {330} largely due to the exacting conditions under which it was written—the *Life and Times* is an important contribution to Upper Canadian history, and to a proper understanding of the struggles of the past.

In the foregoing pages I have made no important statement of fact without assigning authority therefor. I have done my utmost to record the evidence impartially, and to arrive at the simple truth. I have not attempted anything in the nature of hero-worship. Such an attempt would have been altogether out of place. Lount and Matthews were brave men, and laid down their lives for a cause in which they believed. As such they deserve to go down to future generations of Canadians. So far as Rolph and Mackenzie were concerned, they were zealous for Reform, but I can find little of the heroic in the lives of either. It is not appointed unto all men to be heroes. Let every man be judged according to his deeds. "By their fruits ye shall know them."

In a field so full of treacherous and carefully-concealed pitfalls, it is very difficult, even for the most wary traveller, to avoid stumbling. In a narrative which is necessarily to a large extent constructed from innumerable complicated and often self-contradictory details, it is perhaps too much at any rate for one who lays no claim to infallibility to hope that there is absolute freedom from error. But I may at least be excused for saying that

whatever care and diligence could do to avoid error has not been neglected. The result of much arduous labour is now before the public. It is my confident belief that the labour has not been in vain.

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[344] This delay was bitterly resented by Mackenzie, who, moody and suspicious, chose to believe that it was due to the laches of the Ministry. He wrote to Inspector-General Hincks, threatening all sorts of dire consequences. On the 5th of November, 1843, Mr. Hincks thus wrote to Dr. Rolph:

"KINGSTON, 5 Nov., 1843.

"MY DEAR SIR:

"I have just received a *threatening letter* from Mackenzie, who says that if I do not write him immediately he will publish another 'Welland Canal,' shewing up Dr. Baldwin, Dunn, Price and myself, besides Lesslie, Doel, Beaty, &c., &c. His object evidently is to get money, and therefore I conclude there is no use in getting any one to give him advice. Of course such a publication would be 'nuts' to our friends the Tories, and though it would in all probability be a nine days' wonder, still, it would do harm. Mackenzie pretends to believe that we are opposed to an amnesty. Some of his friends in Toronto might, one would think, set him right on this point, but as I feel assured that money is what he wants, I think it would not be worth while taking any notice of him whatever. We shall have a pretty publication, filled with everything that falsehood and malignity can suggest....

"Yours faithfully,

"F. HINCKS."

[345] *Ante*, p. 252.

[346] *Ante*, p. 158.

[347] I here reproduce a note from a former work of mine, in which this matter of the amnesty is dealt with at considerable length.

"Considerable misapprehension appears to exist on this subject, owing in great measure, doubtless, to inaccurate statements in Mr. Lindsey's *Life and Times of Wm. Lyon Mackenzie*. It is there alleged that 'by the end of the year 1843 an amnesty—not general, but very comprehensive had enabled numerous political exiles to return to Canada' (vol. ii., p. 290). This is altogether erroneous. No amnesty, comprehensive or otherwise, was granted in 1843, nor at any time prior to 1849. Those exiles who returned to Canada before the last-named date did so either by virtue of special pardons granted under the Great Seal, or in consequence of official discontinuance of proceedings against them.... 'Three years after,' proceeds Mr. Lindsey, 'Mr. Isaac Buchanan wrote to Sir Robert Peel and Lord Palmerston, begging that they would have Mr. Mackenzie included in the amnesty. The reply was that before this would be done the Canadian Ministry must recommend the measure. But the latter were averse to such a course, and to them alone his continued exclusion from Canada was owing. The remembrance of this circumstance probably infused some gall into his opposition to the men who composed this Ministry after his return to Canada.' See *Life and Times*, vol. ii., pp. 290, 291. There is evidently a good deal of misapprehension here. *Imprimis*, Sir Robert Peel resigned office in June, 1846, and was not in power at the time indicated viz., three years from the end of 1843. But greater confusion remains behind. At the time when Mr. Buchanan is said to have applied to Sir Hubert Peel and Lord Palmerston a Tory Government were in power in Canada, and it was not surprising that they should decline to recommend an amnesty to Mr. Mackenzie. But it certainly is surprising that their doing so should have 'infused gall' into Mr. Mackenzie's opposition to their steadfast opponents, the Reform Ministers whom he found in power upon his return. The passage is so

dubiously worded that it is not easy to know precisely who were the men against whom Mr. Mackenzie's opposition is said to have been directed. Possibly the idea intended to be conveyed is that his 'gall' was directed against the Tory ex-Ministers, or such of them as still remained in Parliament. But it is evident that Mr. Mackenzie (whose opinions are doubtless accurately reflected in his biographer's pages) cherished a feeling of soreness against the Lafontaine-Baldwin Ministry which he found in power on his return to Canada; and this, coupled with the fact that after his election to the Assembly he opposed the measures of that Ministry, leads to the conclusion that they, and not their predecessors in office, are the persons indicated as the objects of his 'gall.' We are told that upon his return he found Responsible Government administered by persons, 'only one of whom, Mr. Hincks, paid the least attention to the man who had been reviled as its author so long as it was deemed odious and unpopular.' *Life and Times*, vol. ii., p. 293. There was no reason why the Government should pay Mr. Mackenzie any special attention. As matter of fact, however, they had been unanimously in favour of procuring an amnesty whereby he might be enabled to return from exile, and had not shrunk from the responsibility of urging it upon the attention of Parliament at the earliest moment when such a course was practicable. To assert that they did so in consequence of pressure from 'Mr. Hume and others,' as is said on p. 292, vol. ii., of Mr. Lindsey's work, is simply to violate historical truth, although Mr. Mackenzie doubtless believed the contrary, and impressed his belief upon his biographer."—*The Last Forty Years*, vol. ii., pp. 136, 137, note.

[348] *Life of Mackenzie*, vol. ii., p. 272.

[349] *Ib*., p 273.

[350] *Ib*., pp. 272, 273.

[351] *Ib*. , p. 273.

[352] *Ib*.

[353] *Ib*., p. 281.

[354] *Ib*., p. 282.

[355] *Life of Mackenzie*, vol. ii., p. 282.

[356] *Ib*., p. 290

[357] *Ante*, p. 302.

[358] In a letter dated May 8th, 1852, the original of which is in my hands, Mackenzie writes: "As to Mr. Prince's concessions to me, they came to little. While I was in the library reading, he came up, accosted me, insulted me grossly, drove me with threats of violence out of the library, walked down with me, drove me through the lobby and into the street, threatening the while to throw me down stairs. I did not complain, but bore—it then nor afterwards. When I left for Toronto he followed me next day; passed me on the road to Kingston; was first there, and at Belleville and Toronto. You know what occurred. But 'to err is human,' etc. After I returned he expressed himself sorry, and of course I could not say more. Last session he was sometimes quite friendly, and at other times denounced me from his seat as a traitor and rebel. His son is made a Master in Chancery. He a Queen's Counsel, and fees of £300 given him on the circuit, while I am unable to get an answer to a petition! One thing is evident from the Globe: he may be expected to act as a foil to George Brown in the House, though that may not have influenced his appointment." The petition here referred to is Mackenzie's petition to be paid $12,000 for property lost through the Rebellion which he had set on foot, as to which see *ante*, pp. 82-85,' 90, and *post*, pp. 308, 309, 315, 316, 324.

[359] For an account of the origin of this appellation, see *The Last Forty Years*, vol. ii., p. 190, note.

[360] I feel bound in this place to notice a statement which is often heard, to the effect that Mr. Baldwin never spoke to Dr. Rolph after the flag of truce episode on the 5th of December, 1837. This statement appears to be traceable to erroneous impressions on the part of a member of Mr. Baldwin's family, on the strength of whose assertions I was myself led to accept and record it in a former work of mine. See *The Canadian Portrait Gallery*, vol. i., p. 34. That my informant was and is perfectly honest in the expression of his belief I have no doubt whatever, but in the face of such evidence as is now in my hands I am forced to the conclusion that he is in error. I have in my possession a number of letters written by Mr. Baldwin to Dr. Rolph subsequent to the latter's return from exile. They extend over a series of years, and refer to various topics, public and private. They are one and all couched in a strain of dignified friendliness, and are certainly not such letters as a sincere man like Mr. Baldwin would write to a person to whom he would not speak. There is also the clearest evidence that personal conferences took place between them: that on at least one occasion in the year 1848 Mr. Baldwin called at Dr. Rolph's house, and that in January, 1849, Mr. and Mrs. Rolph called at Mr. Baldwin's. In a letter dated the 29th of March Mr. Baldwin refers to the pleasure it would afford him to promote Dr. Rolph's wishes in the matter of a public appointment. This evidence and correspondence, I think, fairly disposes of the assertion that Baldwin never spoke to Rolph after 1837. At the same time, various little circumstances have led me to conclude that though the two were on terms of ordinary civility up to 1851, there was not much cordiality. Mr. Baldwin would certainly feel that Dr. Rolph had lowered himself by his connection with the Rebellion, and would moreover condemn him, under the circumstances, for going out with a flag of truce to the rebels. Dr. Baldwin, who was less austere than his son, preserved the most affectionate relations with Dr. Rolph during his exile, as well as after his return, but he died within a few months after the latter event, and was thus unable to act as a mediator.

[361] Vol. i., pp. 104-108.

[362] See *ante*, p. 82, it seq.

[363] *Ante*, pp. 83, 84.

[364]

These communications are all couched in the same strain, which is one of fulsome adulation of Dr. Rolph, combined with abuse of Mr. Baldwin. He perpetually refers to the high value which he attaches to the former's "kind and friendly tone." He has become a pessimist as to the future of the country, but Dr. Rolph's presence in the Government is the one bright spot in an otherwise dark horizon. Sometimes he is disposed to grumble at the little confidence the Doctor reposes in him. He thinks he should be made acquainted in advance with the policy of the Government, and is even disposed to think that his advice should occasionally be asked. He does not relish the idea of "looking to Mr. Spence and Mr. Tiffany" for a knowledge of official arrangements. Then he insinuates that his support of Rolph is entitled to clearer recognition. "It seems to me," he writes, under date of Feb. 23rd, 1852, "that the course I took in Assembly and through the press last session my motion which floored Mr. Baldwin and broke up the Lafontaine-Baldwin union by the resignation of the latter had some little to do with your advent to office; though in your Dundas speech everything is made to depend upon Spence and Tiffany; and however friendly you may be you have avoided my door at all times when here since." Then, being fearful that he may have offended the Doctor, he writes to apologize for his seeming querulousness, and begs that it may be laid to the score of the many troubles he has passed through. He refers to the greatness of soul displayed by Dr. Rolph in making allowance for his petty grumblings. On the 8th of March he writes: "When you would otherwise get angry at my grumbling tone, you call to mind what I have endured in the last 30 years, and why; and then you write in a kindly tone. I am glad you can do this—it does me good." As the months roll by, he becomes importunate on the subject of his $12,000 claim. On the 8th of May he writes: "I had the humiliation of waiting on Mr. Baldwin in the matter constantly for 18 months, but in vain. He felt more anxious to please Osgoode Hall than to do me tardy justice; more willing to

add $1,000 to Gurnett's income than make him disgorge my substance. I begin to doubt as to redress."

[365] *Ante*, p. 82.

[366] In a letter now lying before me, dated 10th Sept., 1852, and written by a gentleman still living, who is recognized as one of the most eminent medical practitioners in Canada, I find the words following: "Drs. Workman, Morrison and myself think Mackenzie is slightly deranged. You are aware [here follows a reference to certain painful circumstances to which further reference is unnecessary.] We would not wonder to see Mackenzie there [in the Toronto Asylum for the insane] also." The Dr. Workman here alluded to is known to all readers of these pages as the most eminent expert in matters relating to insanity that this country has ever produced. He is still living, and I have frequently conversed with him on the subject. He is quite convinced that Mackenzie had the seeds of mental disease in him for years before their outward manifestation at the period mentioned in the text. Shrewd non-professional observers were also satisfied of Mackenzie's mental unsoundness at this time. See *ante*, p. 89. Others, including the writer of the letter above quoted, have given me assurances to the same effect.

[367] *Ante*, p. 86. It has been asserted that this statement was prepared by Dr. Rolph himself in Quebec, and sent up to Dr. Aikins for the purpose of being signed. This assertion is probably true, as the statement is dated at Quebec at a time when Carmichael was at his home in King; but this does not lessen the value of the testimony, as the whole of it is in Carmichael's handwriting, and must therefore have been transcribed and approved of by him. Rolph subsequently appointed Carmichael to a subordinate office under Government. See first paragraph on p. 87, *ante*.

[368] See *ante*, chap, xxiii.

[369] Mackenzie afterwards accused him of denying on this occasion that he had been in any way connected with the Rebellion. I can find no evidence of such a denial in the newspaper reports of the debates, or in the memory of persons who were present during the altercation. Rolph certainly denied that he had been the Executive of the movement, which he was able to do with absolute truth; but when called upon he uniformly admitted his complicity in the movement itself, which, indeed, it would have been the most abject folly for him to deny.

[370] *Ante*, p. 64.

[371] *Ante*, chap, xxiii., and note at end.

[372] *Ante*, p. 73, note.

[373] *I.e.*, to the Treason Commission. See *ante*, p. 87.

[374] *Ante*, pp. 36, 37.

[375] In a letter which I find among the Rolph papers, dated Dec. 12th, 1852, a prominent Upper Canadian thus writes to the Doctor: “Mackenzie is about bringing out a weekly paper, to make confusion worse confounded in the Reform ranks. He gave me a tremendous blowing up the other day for ‘abusing him.’ He said I was a hireling did as I was bid by my masters, etc. He denounced you, and avowed his determination to put the saddle on the right horse in regard to 1837. I told him he always was a marplot, and seemed determined to remain so: that as to 1837 he at least would gain nothing in public estimation by a discussion of its events, and that I for one was quite willing to enter on the investigation. He admits he is acting from personal motives, and will, I have no doubt, produce a great deal of mischief. His paper will be extensively read, and will injure the *Examiner*.... Lesslie is in no very good humour at the prospect. He is not entitled to much sympathy, for he has defended him and upheld him in his abuse of others, and now he will find the viper that he has warmed into life ready to sting him.”

[376] *Ante*, pp. 90, 91. David Gibson, who had been appointed by Rolph to a Government position, thus writes to the Doctor at this time. "I enclose a copy of a circular showing the position of W. L. Mackenzie on 12th March, 1839. [This is the circular reprinted *ante*, pp. 273, 274, note.] As to the invitation therein, I declined. He then commenced assailing me, and has at every opportunity done so since, with a view to destroy my character. If I were to publish a statement of the affairs of 1837, he could get the public to suspect it was from a bitterness of feeling I have towards him. Some advise me to let him alone; others say 'Have at him.' I would rather that my testimony were given on oath, before some tribunal, than as voluntary testimony, lest I should be accused of mis-statements. The copy of the circular may be given to the world with a true statement of the transactions of '37. I suppose he will be out on me as to my appointment, but it will be very hard if I cannot bear it. If I write him it will be such a letter as he may publish if he pleases. His friends here disapprove of his course, but are unable to prevent him." In a postscript Mr. Gibson writes: "After seeing Mackenzie's attack of yesterday [this doubtless refers to one of the periodical attacks against Rolph in the *Message*] I have again opened this letter with the view of asking you if you thought it worth while to give his version in the *Caroline Almanac*, showing his different versions of it; or if it is best to let him alone. He throws out an insinuation that I am to contradict Mr. Lount's statement. Not so; I was not present, and cannot say what took place; but I know it is true as to Mr. Lount preventing him burning Sheriff Jarvis's house. He has been making his brags that he is the only man that can break you down, and I have no doubt he will do all he can." See also pp. 89-91, *ante*.

[377] I have in my possession the most pitifully-worded letters addressed by this personage to Dr. Rolph. From the strain in which they are written, and from the receipts and notes which accompany them, it is evident that these applications were always favourably responded to, and in such a manner to as save, as far as possible, the borrower's self-respect. These were simple acts of charity and benefaction, and it is clear that Rolph never received, or expected to receive, repayment for his advances. The surviving members of Mackenzie's family, above all other persons in the world, should cherish a tender regard for the memory of Dr. Rolph.

[378] *Life of Mackenzie*, vol. ii., p. 298.

[379] For these particulars I am indebted to Mr. James Lesslie himself, who imparted them to me a short time before his death.

[380] *Ante*, p. 250, note.

[381] In Section O., No. 94.

[382] Mr. MacMullen, in his account of the Upper Canadian revolt, has to a considerable extent followed the narrative of Mr. Lindsey. His estimate of Mackenzie, however, is clearly his own and is perhaps the best piece of character-drawing in his entire work.

[383] *History of Canada*, 2nd edition; pp. 469, 470.

THE END.

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APPENDIX

(*Referred to ante, p. 276.*)

The following review was prepared by Dr. Rolph during the first year of his residence in Rochester, and while he was slowly working his way into practice as a physician and surgeon in that city. It was written at the urgent request of Dr. Morrison, David Gibson, and a number of their fellow-exiles, for the purpose of exposing numerous malevolent falsehoods which had been disseminated by Mackenzie. Dr. Rolph's intention was to publish his review in some influential periodical, but he appears to have subsequently altered his mind, and it has not hitherto been given to the world. So far as appears, indeed, it was never fully completed for publication. It was found among the Doctor's papers after his death, merely in the form of a rough draft. The reader will notice several passages where sentences have been left imperfect, and where that harmony of expression which is usually observable in Dr. Rolph's writings is altogether wanting. This is accounted for by the fact that the document, as here printed, is merely a first sketch, and did not receive any final revision at the hands of its author. Notwithstanding these defects, it is eminently characteristic of Dr. Rolph's subtle powers of argument, and of his faculty for reducing bombastic and mendacious pretensions to the level of cool reason and common sense. It is the argument of a trained counsel, skilled in exposing the weak points of his opponent, and in marshalling his facts in such array that they may be seen from all points at once. As it stands, it forms an unanswerable indictment against Mackenzie. The liar stands fairly convicted out of his own mouth. No one can rise from a careful perusal of it with any respect whatever for the veracity of the man who combines an inordinate capacity for vilification and lying with an unaccountable shortness of memory.

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It is important to bear in mind that Mackenzie had not been many days in the United States before he was emphatically repudiated by all that was best among his former allies. His method of levying warfare upon Upper Canada with the aid of the lowest and most ruffianly element in the border States was not likely to commend itself to any moderate or just-minded man. He felt his repudiation keenly, but, as was his wont, instead of endeavouring

to amend his own conduct, he sought to revenge himself by betraying and libelling the men whom he had just before been holding up to the admiration of the world. At the time when the following review was written, Mackenzie had issued three several accounts of the rising in the Home District. Each of these materially differed from both the others as to important matters of detail. The earliest in point of time was the Navy Island proclamation dated December 13th, 1837. When it was written, Mackenzie hoped to secure Dr. Rolph's countenance and assistance in his projected invasion of Upper Canada. He accordingly refers to the Doctor in the proclamation as "that universally-beloved and well-tried eminent patriot, Dr. John Rolph." The Doctor's expatriation is moreover included among the "crimes and misdemeanours" of Sir Francis Head, for whose apprehension a reward of £500 is offered. The conduct of "our esteemed fellow-citizen Dr. John Rolph" is throughout spoken of in terms of the highest praise, and he is referred to as having announced his concurrence in the Rebellion after the refusal of the Lieutenant-Governor to state in writing the objects he had in view in sending a flag of truce to the rebel camp. The reverses in the Home District are stated to have been due "first, to accident, which revealed our design to our tyrants, and prevented a surprise; and second, to the want of artillery." Not a word of complaint against Dr. Rolph here. Nothing but the most fulsome praise. Yet all the Doctor's actions in connection with the revolt were as well known to Mackenzie at this time as they ever afterwards became. The change of day, the failure to join the insurgent ranks, the failure to send out information as to the state of the city all these things must have been fully present to Mackenzie's mind when he wrote his proclamation. Assuming that there had been a violation of the flag of truce, that also was well known to Mackenzie. Yet, as just {333} stated, he distinctly negatives any such violation by declaring that the Doctor's concurrence in the revolt was not manifested until *after* the Lieutenant-Governor's refusal to state his objects in writing. Dr. Rolph is not only completely exonerated, but is ranked by Mackenzie only a little lower than the angels. [See *ante*, vol. ii., p. 186, *et seq*.] But in less than a month after the issue of this proclamation Dr. Rolph had explicitly thrown off all connection with Mackenzie, and had forbidden him to make any further use of his name. [*Ante*, pp. 233, 234, 235.] Mackenzie accordingly set himself deliberately to work to malign the Doctor, and to place the blame of failure upon his shoulders. This he subsequently did in his narrative in the Watertown *Jeffersonian*, and afterwards in his own *Gazette*. [*Ante*, p. 274, *et seq*.] Each one of these three accounts differs in important points from both the others. Mackenzie's inconsistencies are pretty effectually shown forth in the following review. Had the latter been written subsequent to the publication of the *Caroline*

Almanac it would have contained a still more ignominious exposition of Mackenzie's utter untrustworthiness. As it stands, however, it is an unanswerable indictment, and must effectually destroy all confidence in Mackenzie's veracity.

REVIEW OF MACKENZIE'S PUBLICATIONS ON THE REVOLT BEFORE TORONTO, IN UPPER CANADA.

It is often necessary, for the purpose of prompt intelligence, to give passing events as they are first presented to the public; but it is only by subsequent disclosures, and by the comparison of various and conflicting accounts, and the sources from which they are derived, that historical truth is written and fully attained.

We have now before us his [Mackenzie's] Proclamation, issued from Navy Island, in December, 1837; his subsequent narrative, as published in the Watertown *Jeffersonian*; and his still later additional facts and explanations given in the 1st and 12th numbers of his *Gazette*; also an Upper Canada legislative document containing the testimony obtained from Messieurs Lount and Brotherson, the reported trial of Dr. Morrison and Montgomery, and a few other papers affording occasional incidents of the day.

These narratives bear throughout the mark of a laboured and unqualified attempt to relieve the narrator from at all sharing with his {334} compatriots the failure before Toronto, by imputing it wholly to the misconduct of an Executive[384] (subsequently stated to be Dr. Rolph, and no other person whatever), and to the cowardice of the men under his command,[385] Indeed, we cannot forbear to remark that neither Gibson, Lount, Matthews, nor any others of his brave compatriots, are mentioned as seconding the heroic exertions related of himself, in animating the courage of the men, or arresting their flight, "by threats and coaxing."[386] All, without any specified exception, except himself, "took to their heels with a speed and steadiness of purpose that would have baffled pursuit on foot."[387] No doubt this must be an error, which egotism, however, ought not for a moment to have admitted against companions in arms. With a like feeling, in his 12th *Gazette*, he claims to himself the honour of having "*followed* Lount *from* the field." It is but justice to his leading associates to observe, with a comparison not intended to be invidious, that he did not second the admitted importunity of all others in daylight, on Tuesday, to march into the city,[388] and that none of them in the hour of alarm abandoned their papers to the enemy, or joined in

the cheerless and rather intimidating appeal to the men on Thursday: "Are you ready to fight a greatly superior force, well armed, and with artillery well served?" and, if so, "Go to the woods, and do your best."[389] Had Sir Francis Head so addressed his "150 college boys and trembling officials," they might have precipitately abandoned the capital to Mackenzie's inglorious entrance.

"The Committee of Vigilance formed in Toronto," and "the passing of resolutions of sympathy and cooperation," and the like, were perhaps useful preliminary measures; but we question the good faith of volunteering the statement in the very commencement of a revolutionary struggle. It is calculated to afford an index for a vindictive Colonial Government to the individuals known to frequent such assemblages, and at once becomes a bar to the longer continuance of means, the object of which is thus revealed. Had the American Revolution in its infancy been conducted with these sorts of patriotic narratives after every reverse, criminating every one but Washington, and exposing in the first six months every secret friend and secret association in revolutionary operations, it would have effectually and speedily extinguished that spark of liberty which the wisdom, prudence and fidelity of our forefathers husbanded into a flame.

We are also told, without reserve, that "twelve leading Reformers"[390] {335} agreed one day in November that on Thursday, the 7th of December last, "to attack the City of Toronto, and seize the arms;"[391] and appointed an Executive, "to correspond with Mr. Papineau and other friends below, afford intelligence, aid our efforts, and finally join the army at Montgomery's;" and assigned to Mr. Mackenzie "the entire management of the details."

Leading Reformers, it seems, are not so numerous in Upper Canada as to admit of such a disclosure against them, without suspicion immediately pointing to well-known characters, and tyranny seizing them for victims. A vigilant Government, therefore, has not failed to investigate this allegation, which, by the laws of honour and good faith, ought not to have been thus wantonly made by Mackenzie, if true, while himself a safe refugee, against his compatriots in the power of an enemy, rioting in the Canadas in Executive carnage in the field, on the scaffold, and in the prison. It was a similar breach of good faith to disclose that "the Chairmen of the different associations were to assume the rank of Colonels, and the Secretaries that of Captain." It must be a painful reflection to have consigned many confiding followers to all the insults of suspicion, and the consequent increased facility of conviction, which has sealed the fate of numbers in the gaols and penitentiary persons who, had they foreseen this betraying act, might, upon

the dispersion of his army, have sought, with Mackenzie, an asylum here, instead of remaining in their homes, to be pointed at by their absconded Chieftain, and led by the common hangman as sheep to the slaughter.

From the same culpable inconsiderateness, when Sir Francis Head advanced against him at Montgomery's, he left, in a precipitate retreat, all his papers to fall into the hands of the enemy, and thus further inculpated numbers of his compatriots, and embittered their condition.

With these clues, and an express reference to "a meeting on the 31st July, at Doel's brewery, and the declaration of Reformers then adopted," as overt acts of treason, it was attempted to fasten that crime and its punishment upon Dr. Morrison, who, it seems, presided at that meeting, and signed the document. And one shudders at the peril of an excellent man, thus half convicted on his trial by a cruel and wanton impeachment from a professed patriot. Mr. Price, an attorney, in his evidence, says he "never heard of the existence of an Executive Committee until he read Mackenzie's narrative," and solemnly disavows ever hearing of it till then.[392] Other members of these associations, as Messieurs Elliot, McKay and Armstrong, on this trial, as well as every leading Reformer examined under the Royal Commission of Inquiry, declared that "they never heard of, nor believe in, the existence of any such Executive Committee as mentioned by Mr. Mackenzie in his narrative."[393] From the {336} reported trial of Dr. Morrison, it appears that there was indeed a meeting of leading Reformers at Doel's brewery, when Mr. Mackenzie proposed a conspiracy to take the arms lodged in the City Hall; but the proposition was scouted, and the proposer silenced.[394] It is denied that any subsequent meeting took place of the leading Reformers to concert a revolution, as alleged.[395] If this meeting was fictitious, merely to give colour to a pretended formal nomination of an Executive, of which he might the more satisfactorily appear to the American public not to partake, it is an unworthy artifice. We presume from circumstances that Dr. Rolph yielded his hearty cooperation with Mackenzie and others, as distinguished from that sole exclusive executive agency and responsibility which Mackenzie now attaches to him. Upon the whole, they appear to us to have been a co-Executive, possibly with others.

Indeed, when he occupied Navy Island, and issued his proclamation, he appears to have laboured under no such prepossession. It is a proclamation "by William Lyon Mackenzie, Chairman *pro tem*, of the Provincial Government of the State of Upper Canada"[396]—a title well comporting with a full share of executive character brought from Montgomery's to Navy Island. In that document, speaking of Dr. Rolph, he says, "causing the

expatriation of that universally beloved and well-tried eminent patriot;"[397] and he even adds, as the specific cause of his expatriation, because he "made common cause with our injured people." Whatever concert and cooperation, therefore, existed between the two, there is here no imputation of an exclusive executive character; nor, indeed, do we find it till Mr. Mackenzie had no honours to claim from success, but felt uneasy under the mortification of defeat.

If Mr. Mackenzie was not the Executive, sole or conjointly, it was singular he should take upon himself in the country to name the 7th of December as the day of rising, and then report it to his city confidants a week before the outbreak. And under the impression he was a mere "agent," a subaltern leader, whose simple duty was implicit obedience, it is further singular that upon arriving at Mr. Gibson's, within an hour's ride of Toronto (nine miles), he should have unceremoniously and "instantly sent one of Mr. Gibson's servants to the north, countermanded the Monday movement, and begged Col. Lount not to come down, nor in any way to disturb the previous regular arrangement."[398] In his supplementary observations in his 1st *Gazette*, in corroboration of this sole Executive, he says: "The late Col. Lount and many others have so stated." But the repetition of an erroneous statement, perhaps propagated by himself, is no proof of it. He implicates, we notice, Chief Justice Robinson and others;[399] and Sir Francis Head informs us, on the authority of the prisoners, that he used their names freely as yielding their concurrence.

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Much of this he has found it necessary to retract, in a way calculated to impair his historical credit. Mr. Lount's evidence, however, is before us, given before his execution, under circumstances of solemnity equal to an oath.[400] In it there is nothing to justify this reference to him. There is nothing directly or indirectly to imply that Dr. Rolph constituted an Executive Committee, any more than Mackenzie or himself. Thus, while Lount would not adopt such a subterfuge to exonerate himself under prospect of present death, Mackenzie does so in a secure asylum, to save himself from the charge of revolutionary indiscretions.

It can, too, scarcely escape observation, that the duties respectively assigned to each, will not justify this exculpatory transfer of the whole executive responsibility from himself to Dr. Rolph. The latter was "to correspond with Mr. Papineau, afford intelligence, aid"—not direct wholly "our efforts, and finally join the army at Montgomery's."[401] To himself he

assumes "the entire management of all the details;"[402] and if, in addition to this position, "no attempt could be made to alter the day without first consulting him,"[403] was he not a co-Executive? It is strange that such an hypothetical case as an alteration of the day should be guarded against in the operations of about a week; for his 12th *Gazette* informs us that his books of account were carefully posted by his own hand till within a week of the revolt. And it is still stranger to arrange that if any such emergency should arrive (as it actually did) the Plenipotentiary should not be able by possibility to meet it, even with the concurrence of the whole city, without first consulting him, floating about the townships among secret societies. But this extraordinary stipulation may possibly be explained by the fact that it is the prepared rock upon which to build the charge against his Executive, of altering the day of movement without his consent, as will presently appear. In truth, he seems to make himself the most prominent Executive, but with too much modesty to wear his honours in a republic.

The late appearance of this transfer of all executive character to Dr. Rolph is thus explained by him: "I delayed this explanation till certain individuals had left Canada." If Dr. Rolph was sole Executive, it affected him only, and a thousand persons going into Canada or coming out of it could not be prejudiced; while, on the contrary, the supposition of a plural Executive might, and actually did, lead to injurious suspicions.

We attach very little importance to any distinction between being "sole Executive" and an active compatriot with others. But as the distinction has been made up for the purpose of criminating, these remarks are entitled to a place. Waiving all dispute about such official discriminations, we shall proceed to a critical examination of the narratives as they affect Mr. Mackenzie and his coadjutors.

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While Mr. Mackenzie was engaged in the country, Sir Francis Head, affecting the greatest indifference and incredulity about the proceedings, was secretly watching the insurrectionary operations. With a portable printing press to aid his exertions, he admits that he issued "nearly 3,000 copies of a periodical filled with reasons for a revolt."[404] This indicates more zeal than sound discretion. It was a course the very opposite to that pursued by Sir Francis Head, who, we learn from Mackenzie's 12th *Gazette*, "notwithstanding the attitude which he deemed it politic to assume, privately made all the arrangements in his power to be ready to move whenever the proper moment should arrive." From the same official document it appears

that the vigilance of the Government was increased by these publications and other circumstances; and the Executive Council came to the following resolutions:—

1. *Resolved*: That Mr. Mackenzie be arrested for high treason, immediately after the publication of his next paper.
2. *Resolved*: That he be committed to some place of safe keeping in Toronto.
3. *Resolved*: That his papers be seized if found treasonable.
4. *Resolved*: That two regiments of militia be organized and armed.
5. *Resolved*: That a body of militia be placed in charge of the Fort.
6. *Resolved*: That the militia artillery be increased as the Adjutant-General shall advise.

"The very day before these arrangements were to be executed, Mr. Mackenzie, on the 4th December, carried his insane project into effect by assembling his 500 deluded followers."

How nearly he was the victim of the Government instead of Mr. Lount! And had his papers been seized, those which he left, with a regret slightly mentioned, for the implication of others, would have yielded all needful evidence to visit him with the scaffold. When in this jeopardy, ignorant of it in the country, what proved his salvation? The accelerated movement by his Executive. He was saved by a violation of the pretended stipulation that no attempt should be made to alter the day of revolt without first consulting him. Hence, in his 12th *Gazette*, he says: "If it was a knowledge of these designs that induced Dr. Rolph to call out Mr. Lount's division by a verbal order given on the Saturday, or early on the Sunday morning, no doubt he acted in the main with great prudence." But there is no "if" in his narratives, where he explicitly says: "His motive was a probable rumour that Sir Francis was about to arm the Orangemen and Tories, and fill the garrison with pensioners;" and in another place he mentions "warrants for his apprehension." In his criminating statement he says boldly: "that this rumour was unfounded, the event showed"—thus throwing upon his alleged Executive a burden of proof which official disclosures have supplied, but which, without them, it might have been impossible otherwise to have furnished them by the adoption of Mr. Mackenzie's creed of political morality.

Under these circumstances, it appears that the movement of the 7th of December was anticipated, and an immediate descent on the city ordered. In his 12th *Gazette* and narratives he complains (as if a very ill-used man) that it would have been better had Dr. Rolph sent an express to where Mr. Mackenzie was, which Mr. Gibson and himself well knew. But if we are to pay deference to his narratives as well as to his veracity, how could it be known? He was "attending secret meetings in various towns and places, previous to Sunday, the 3rd of December;" and "on that day rode from Stouffville to Yonge Street,"[405] to his headquarters, and there received the new orders on the very day they reached Gibson. The complaint amounts to this: the express, instead of being sent to trace him out from meeting to meeting, and from place to place (when for the salvation of his own life there was not an hour to spare), was sent to his headquarters, where it was received and promptly acted on by one of his co-patriot leaders, Mr. Gibson, from whom (in his misfortunes borne with fortitude in himself, and with charity towards all) we have yet seen no criminations against any one, in Mackenzie's *Gazette* or any other paper.

He admits the reception of the information "on Sunday evening, at Mr. Gibson's;" and we have next to examine his subsequent conduct.

We must here once more quote his own words: "I instantly sent one of Mr. Gibson's servants to the north, countermanded the Monday movement, and begged of Col. Lount not to come down, or in any way to disturb the previous regular arrangement;" and he assigns two reasons—"because neither the other towns nor the citizens of Toronto were in any way prepared for an alteration, which, if persisted in, would surely ruin us;"[406] though it saved himself from arrest, imprisonment and the gallows. The value and usefulness of an Executive ceases with the toleration of such insubordination; and if Mr. Mackenzie contemplated the imposition of the whole responsibility upon his Executive, he should have been the last to embarrass his operations. The reasons assigned are singularly defective; for the citizens of Toronto, in ready and easy access of the Executive, could not fail of preparation; and, upon his own showing, Mackenzie had all Sunday night and all Monday, and indeed all Monday night, and part even of Tuesday, to communicate with the other towns. But, instead of spending the time in consummating the immediate descent upon the capital, he was countermanding the order, and "begging" other leaders to be guilty of the same insubordination.

That the duty of warning the other towns was of easy and timely execution may be gathered from his narratives. In his first narrative he says: "Only in one instance did we forward a notice of the intended movement beyond the limits of the County of York; and to Whitby, and some other towns in it, no circulars were sent. We never doubted the feeling of the Province."[407] As the country was "ripe for a change," and {340} the defenceless city an easy conquest, it was a wise and discreet course, for concerting the revolution with secrecy and despatch, to limit the immediate operations to these particular townships of the metropolitan County of York. And with the map of the country before us, displaying the facility of sending the information, we are astounded at the fact that the time, ample as it was, was prostituted to defeat, and not to effectuate, what was regarded as an executive order.

In his 12th *Gazette*, he observes: "Had Dr. Rolph communicated with Mr. Mackenzie, and Tuesday night been decided on, the couriers could have crossed the country between Saturday evening and Tuesday evening, so as to have had upwards of 3,000 men on the ground, ready for the attack." But as he reached Gibson's on Sunday evening, the couriers might from that time have been crossing and recrossing the country with full effect in the work of preparation time which he consumed, under his scepticism, in issuing his counter-mandate.

Although he "countermanded," and "begged," and "grieved" about it in a way calculated to produce disunion, yet Lount, we find, determined to proceed under a rational conviction that if the townships could accomplish the enterprise on Thursday, when the Government would be prepared, it would be still easier to do it before the preparation was effectually begun. This disregard for his counter-authority seems from the sequel to have soured his mind, by indicating the inferiority of his influence—the magnitude of which he so often and so largely mentions—and, therefore, to have abated his duty in carrying out the subsequent details which had been assumed entirely for his own management. How otherwise can an excuse be found for his delay? For, if the brave Lount could bring his division from the extreme of the county, thirty or forty miles, what difficulty could there be in mustering them with like intrepidity within the more accessible limits? Indeed, from Sunday he appears to have been either inactive, or *active adversely*; for he represents himself on Monday evening with only 200 men (Lount's division), "wearied after their march, and in the worst possible humour at finding they had been called from the extremity of the county, *and no one else warned at all*."[408] Hence he admits that the complaints of

the men were directed against his insubordination, incredulity, and apathy, which prevented the warning of the adjacent townships. In his supplementary narrative he says: “The men expressed great discontent when they found none from the city and few from the environs waiting for them;” and again, “they had been told thousands from other townships would be their companions.” But this condition arose from his scepticism and insubordination, in refusing to warn and assuming to countermand.

While the men were thus reproaching him, he thus reproaches his Executive: “I then waited some time, expecting the Executive to {341} arrive, but waited in vain. No one came, not even a message. I was therefore left in entire ignorance of the condition of the capital, and instead of entering Toronto with 4,000 or 5,000 men, I was expected to take it on Monday with 200.”[409]

The absence of the Executive is made a complaint, because it left him in ignorance of the condition of the city; for he speaks of himself as expected to take Toronto, complaining only of the inadequacy of the force—an inadequacy we have shown to be the offspring of his own culpability.

It is hard to question a man’s veracity when collating from his own productions; but how could he expect the Executive at the time he professed to do so? The expectation is declared in his first narrative; but in the supplementary one we find that the Executive was actually with him that very day. He says: “When I saw him on the forenoon (I now find it is a misprint for afternoon) of Monday, the 4th December, there was a faint hope that Mr. Gibson’s servant would be in time to prevent the rising that day, as I had requested him; but at all events the Executive was to be prepared for the event.” But to be “prepared for the event” does not imply that the Executive would ride at sunset from Mackenzie’s headquarters, on Yonge Street, to Toronto, for the exercise of riding back again immediately.

The question, therefore, presents itself: Why did the Executive, after visiting Mackenzie’s headquarters on Monday afternoon, return to the city, if that was not the place where he was to be, at all events, “prepared for the event”?

We learn from the narrative that the Executive, upon his arrival at Mackenzie’s headquarters on Monday, must have been greeted with the following specimen of mutinous insubordination: “Mr. Executive, I instantly countermanded the Monday movement, and have *begged* Col. Lount not to come down, nor in any way to disturb the previous regular arrangement. You

are acting, Sir, on a mere probable rumour." With such a salutation, it would not be surprising had Dr. Rolph, as his supreme sole Executive, instantly subjected him to a drum-head court-martial, and its summary consequences; or had declined, as possibly he did, all further cooperation with so dangerous a manager of details. But, suppose he exercised that forbearance which seemed necessary on the occasion, for the promised consummation of the liberties of the country, we have the clearest evidence from the narratives that he was not and could not be expected again that night.

"The previous regular arrangement was not to be disturbed." In other words, the rendezvous was to take place on the following Thursday, on which day, therefore, alone the Executive could have been expected.

The most peremptory countermand had been given, with *begging* {342} and *grieving*. And yet, when a little obliquity becomes necessary to shoulder everything upon his Executive, he reduces its expected efficacy to a "faint hope"—a hope so faint that the Executive ought to have fed his horse on his return to Toronto, and immediately remounted it for Mackenzie's headquarters. But in reality so *unfaint* was the hope, so thoroughly satisfied was he that the movement would be arrested and the previous arrangement prevail, that he omitted, as we have seen, to "warn any one else at all." Now, if the expectation of no movement justified the omission to "warn any one else at all" between Sunday and Monday evening, surely it justified the Executive in remaining in Toronto until apprised, by the manager of details, of an unexpected rendezvous.

The narrative informs us that it was Monday, and the supplementary narrative that "it was near dark on that day when the man returned with news that about 200 men were on their way from the north; of which fact neither the revolutionists in town nor in the townships were aware." Here is a plain admission that the rendezvous was *news*, and that the Executive, one of the "revolutionists in town," was not aware of it; or in other words, that he left Mackenzie without intending to return, or its being expected of him. Indeed, being fully satisfied his counter-authority would prevail, he admits in his supplementary narrative that, besides omitting to warn "any one else at all," he had not, in the management of the details, made any provision to feed and comfort the brave fellows on their unexpected arrival. "As it was, Lingfoot [Linfoot] (as if he were to blame) had not a morsel for the men to eat." In another part, this negligent commissary is described as "a Tory lessee of Montgomery." That they "grumbled" at Mackenzie for not warning "any one else at all," and for not having "a morsel for them to eat," is probable in the extreme. It justified the highest degree of dissatisfaction and

distrust towards him. And if, under these circumstances, they naturally called for Dr. Rolph, there was a want of generosity, conspicuous in all he has written, not frankly to inform the men instead of exciting prejudice or acquiescing in complaint that he was there only two hours ago, and had returned to the city upon being told: "I had countermanded your march till Thursday, warned no other townships, and prepared not a morsel for you to eat. But if you wish, we will send him word."

In no part of any of the narratives, however, do we find, although the Executive was "at all events to be prepared for the event," that he ever communicated that event to him. It assuredly was an important part of the details assumed by him, to apprise "the revolutionists in town, ignorant of the fact," of the arrival of Lount's division, and that although a full belief in his countermand would arrest the movement till Thursday, had induced him not "to warn anyone else at all," or prepare a morsel for the men to eat, yet, having received "the news" of their approach, he should repair these omissions instantly to the utmost of his {343} power, and march that night into Toronto. No such message is pretended in the narratives to have been sent; and a close examination of his proceedings from Monday evening till Tuesday noon will show positively it was wholly omitted. It seems he was waiting for a message instead of sending one. But having seen his Executive that afternoon, and heard from him the state of the city, and everything bearing on his expected operations, he could not reasonably expect a message to tell him the same things over again; while the absence of a message was equivalent to one telling that all things remained stationary. The promptitude of the Executive in penetrating the affected indifference and unpreparation of Sir Francis Head, and even in anticipating his secret operations, as is admitted, "within 24 hours," ought to have greatly strengthened this conviction. Thus in reasonable possession of all the evidence the Executive could give him, it is nauseating to read in almost every page his piteous complaints that he knew nothing about the city, and that the Executive ought to have come out in an hour or two again to tell him. It was not *positive* intelligence, which a brave man might desire, but *negative* assurances he plaintively wanted. He wished in a few hours to be told that "the arms were *still* unpacked"—implying that, if otherwise, he would not proceed: that "the Tories were still unarmed"—though he elsewhere states "the arms were in disorder, rusting unpacked in the boxes in which they had arrived from Kingston," and therefore unfit for instant appropriation to use: that "the garrison was still unoccupied"—which hypothetical fear he might have combated after taking the city: and that "the city would still welcome him"—though he elsewhere says "we could not

mistake the true feeling of the citizens; it had been too well proved to their own loss." He seems to have been hysterically affected with alternate paroxysms of hope and fear; full of every knowledge and confidence when things were only prospective; full of doubts and fears when brought to the hour of action.

Now, if he was seized with a sudden fit of the horrors, and, being haunted with the apprehension of some sudden revolution in everything against him, he paused in the prompt execution of his purpose, surely he could send four miles for information as easily as it could be sent to him. But, amidst all his self-exculpatory condemnation of his Executive, when excusing himself by charging the men, officers, and all indiscriminately, except himself, with cowardice, he says: the city would have been ours in an hour, probably without firing a shot; *hundreds of our friends waited to join us at its entrance*." Could his Executive and friends occupy a more becoming station? But where was the man who, assuming the entire management of the details, had only to join them by an undisputed march of half a mile? He was hovering about the city; and if he talked, as he now writes, against his Executive, and about his woebegone ignorance of everything, no wonder if he made cowards of even brave men.

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About eight or nine o'clock on Monday evening, he intended, if no one came with tidings from the city, to go there to get information; though it was obviously more necessary for him to give it. Instead of reaching the city, he encountered Alderman Powell, and took him prisoner; and, most unaccountable to relate, at once divulged the whole secret, by informing him that "the democrats had risen in arms, and wished to prevent information of that fact from reaching the city;"[410] and, according to Mr. Powell, in his presence, "ordered the men to be hurried on"—but, alas! not into the city. This disclosure of course would make Powell the more desperate in his resolution to escape at the sacrifice of any life, and the hazard of his own. Yet, with a refinement of courtesy ill suited to the magnitude of the interests involved, and the important details he was solemnly pledged faithfully to execute, he thus accosts Powell and his companion: "Well, gentlemen, as you are my townsmen, and men of honour, I would be ashamed to show that I question your words by ordering you to be searched."[411] And then he placed him, with the arms which there was every presumption he had concealed, in the custody of a Mr. Anderson, and thus wantonly consigned his brave comrade to the known hazard of the very fate he met with. Powell shot Anderson, and galloped to Government House at midnight, to tell the

Governor that Mackenzie himself had informed him that "the democrats had risen in arms, were concealing the fact, and hurrying on the men" though, indeed, he saw none, and heard nothing else of them. How inexplicable is such conduct of the details committed to his management, when compared with his admission, in his supplementary narrative, that "thirty or thirty-five dollars were taken from a Tory magistrate suspected to be a spy, because it was feared he might bribe some one with it in order to effect his escape." But if he searched a Tory magistrate for cash, magnetic in its nature, why not a Tory alderman for arms, more repulsive in their properties? If the one would use his cash, would not the other use his pistol for his escape? And if he could trust a Tory alderman's word that he was unarmed, at night too, on a reconnoitring expedition, why could he not trust his once chosen Patriots with the offer of so contemptible a bribe? To do the Patriots justice, we believe the revolutionary cause would have been as safe with the money left to the Tory magistrate as when transferred to Mackenzie's pocket.

How soon the tragedy of Anderson's death was over! "After which I proceeded again towards the city," says he; "*and not many minutes afterwards* I was overtaken by Powell," who escaped to Government House with all the tidings from Mackenzie. Under these disastrous circumstances, it became his imperative duty to send his Executive the same tidings also, particularly as he acknowledges that "the Reformers in the town were ignorant of the fact of their rendezvous," and of course ignorant {345} that Powell carried from his mouth the information to Sir Francis Head. The first act of the Government might, and probably would be, to strengthen themselves by arresting the leading Reformers in the city, and thereby coax the citizens into cooperation. And therefore it was his duty to march without the least delay into Toronto. But, with a strange perversion of purpose, always apparent at the seeming approach of consummation, he sent no orders to "hurry on the men," and "judged it *most prudent* to return to Montgomery's;"[412] but without sending any information, except through Powell, to the Governor! The ordinary circumstances of the ringing of a fire-bell at night, even if heard, would be left to fire-engines and companies, and certainly could not tell their numbers and position, that Anderson was killed, and Powell escaped with a knowledge of everything. Nor could he expect his Executive to go to Government House, or Tory headquarters, for the very information it was his duty to send.

Alluding to the information Sir F. Head received on Monday night, he says: "His informant, I *believe*, was Capt. Bridgeford."[413] And in his 12th *Gazette* he ascribes it to "the attention attracted by the procession of 200

half-armed men." But how could he believe it, when he knew from Sir Francis Head's and Alderman Powell's narratives, as well as from his own, that the very first information the Governor received was direct from himself, through Powell at midnight?

After his return to Montgomery's, we find his numbers increase; and *he* proposed to march into the city, and *others* objected, alleging, as we are told, that Mackenzie was uninformed of the strength of the fortress; that the other townships had not yet joined the men from the upper country; and that *gentlemen* (not now the sole Executive) who had *advised* and urged on the movements, and even the Executive who had ordered this premature Monday rising, stood aloof, and had "neither joined us nor communicated with us."[414] It does not require much sagacity to perceive how closely these objections are copied from Mackenzie's own reiterated self-exculpatory complaints—so closely, indeed, as to force the belief he himself repeated them so often and so plaintively as to have been deceived by the echo of his own voice. But, if true, did it become him by even more than silence, to *acquiesce* in these objections, unless he welcomed them as a loop-hole through which to escape a march into the city? Ought he to have affected to be overcome with these objections? From his own narratives we collect that he might have abundantly repelled them, as follows: "The Executive was here in the afternoon, with me and Mr. Gibson, and returned to the city, upon being told that I had countermanded your march till Thursday, warned no one else at all, and provided not a morsel for any one to eat. As the revolutionists in town are ignorant of the fact of our rendezvous to-night, we cannot expect them here; {346} but we can with less delay join them there, particularly as I heard in the afternoon the state of the city. And Powell has escaped with the information, which unluckily escaped me, that we had risen in arms, were concealing the fact and hurrying into the city. On to the city, therefore, we must go, before the enemy can act on this intelligence, or our leading Patriots may be first arrested in the city on suspicion, and we attacked afterwards." All this is a collation of his own acknowledgments, and was so far a candid and sufficient answer to the alleged objections as fully to justify his summoning the men to march. And if, instead of silent acquiescence, he had invited them, with a fire which kindles others, the men would have borne him on their shoulders triumphantly into the town. When asked, at Montgomery's: "Are you ready to fight a greatly superior force, well armed, and with artillery well served?" they said: "We are ready;" and he bears his testimony that "never did men fight more courageously."[415] Had a similar invitation been given to them on Monday, they would have

been equally heroic. Why was not the *opportunity* given them to *acquiesce*, as well as to *object*? The men were not to blame.

On Monday night the men are made to complain that Dr. Rolph kept aloof, and neither joined them nor sent a message. On Tuesday, on the contrary, when he visited them with a flag, Mackenzie "durst not tell more than four or five of them the true state of the case."

Without effecting a junction with the citizens, or acquainting his Executive with his numbers, position, and degree of preparation, he remained, augmenting, however, in numbers, to 800, till Tuesday at noon, when he "obtained correct intelligence that, with all his exertions, Sir Francis could hardly raise 150 supporters in town and country." The Executive had already ordered an immediate descent on the city. Why did he not then execute the details of doing it?

In his 12th *Gazette*, as in his narratives, he says that had he been consulted there would have been "upwards of 3,000 men on the ground, ready for the attack;" and in his narrative we read: "Sir Francis says in his speech, 'they were, generally speaking, without arms; and in fact most of them had none to bring.' That was the grand difficulty, and would have been remedied had our movements been delayed till Thursday, as agreed on." Therefore the Executive was to blame! But in his Proclamation he tells us: "3,500 men came and went, but we had not arms for them, nor could we procure them in the country." And in the first narrative, "to seize the arms we so much wanted." And in the 12th *Gazette*, "to seize the 6,000 stand of arms with which the revolution was to be effected." [The following lines are here struck out by the reviewer: "But why, then, complain of his Executive, when even his own remissness had not even diminished the expected numbers or means? If the {347} arms were not in the country, he would not have had them on Thursday; and instead of 3,000 he had 3,500 men. As the revolution was to be effected with the 6,000 stand of arms, they were as accessible on Monday and Tuesday as they possibly could have been on Thursday."]

Hence, it appears, the actual number flocking to his camp, notwithstanding his omission to warn them, equalled his most sanguine expectations; and if, upon coming, there were no arms for them in the country, how can he accuse his Executive of being the cause of the disappointment, either in numbers or armament? And how could the 6,000 stand of arms be available, if he failed in the detail of leading the men into the city, to join their fellows and arm them all?

While himself at the head of 800 brave volunteers devoted to their country, he thus, in his second narrative, again describes Sir Francis, Head's perilous situation: "He sent them (the flag) on Tuesday morning, within 24 hours of the outbreak, when he had not 150 supporters, including the college boys, when his guns were being unpacked and cleaned, and when his family had run into the steamboat, and he was trembling and about to follow." To this must be added the alarm, however unfounded, at the exercise of authority and power by Mr. Mackenzie, not so regarded by all parties as to free them from personal alarm. [Struck out.—We notice in the periodicals that many Reformers were apprehensive their cash in the bank vaults might share the fate of the Justice's cash in his pocket, upon as slight a pretext. And Mr. Thomas Cooper, we see in a Canadian publication by Mr. Charles Fothergill, solemnly states, as within his own knowledge, the particulars of similar transactions: one of a servant girl to the amount of fifteen dollars, notwithstanding her entreaties on her knees—perhaps it was her little all—and another of an old man in rags, of half a dollar; besides four dollars and tea and coffee from Mr. Armstrong.[416] It is also alleged he agitated in his camp the revolutionary lawfulness of emptying the bank vaults of cash.] No doubt the tenor and tone of his political publications also made him, however unjustly, an object of no unreasonable terror.

In this defenceless and fearful state, it was natural for them to seek what protection they might imagine necessary to life and property, by what might, rightly or wrongly, be regarded as the more merciful interposition of their most influential political opponents. There was evidently neither time nor disposition in the emergency to inquire who were radicals or revolutionists. The fate of the city seemed suspended by a thread. As might be expected, the appeal was made to Dr. Rolph, Mr. Robert Baldwin, and Mr. Bidwell, through Mr. Sheriff Jarvis, who, acknowledging the weight of their influence, requested, in the name of Sir Francis Head, their interposition, without specifying anything particular.[417] The two former gentlemen appear to have complied; and all of {348} them would, judging from their lives, have exerted themselves, not without effect, for the extension of protection to both life and property, to both Tories and Reformers; properly regarding it as a mere question of the political ascendency of the people.

Upon going out, it appears from Mr. Lount's evidence that Dr. Rolph told him he came with a flag of truce from Sir Francis, as their friend, not to stop the progress of their proceedings, but to prevent the effusion of human blood.

For the security of all parties it required, as Mr. Mackenzie states, to be in writing. It was made a condition of the flag in returning, and so reported to the Governor, through the Sheriff, "that the Patriots would await his answer for an hour, reserving the right of changing their position, without committing any act of hostility, unless attacked." Under this arrangement they advanced to the toll-gate, within less than a mile of the city, and only half the distance they were from it before. Yet with what conversion to his own credit he thus remarks: "I then turned round to Col. Lount, and *advised him* to march the men under *his* command"—not Mackenzie's own division —"at once into the city, and take a position near Lawyer's Hall."[418]

The second flag returned, announcing, as Lount states, that the truce was at an end. It is not in the narratives, or in Lount's evidence, even intimated that Dr. Rolph was expected to remain. The contrary inference is apparent, and it seems that by common consent he proceeded to the city, where Mackenzie admits "nine-tenths of the citizens were ready to join him."

In his supplementary narrative he avails himself of a plea which had not suggested itself, or been suggested, to him, before issuing his first narrative. He says: "When the people, then, saw him and the Hon. Robert Baldwin, another Liberal, come to our camp with Sir Francis's flag, as his emissaries, it discouraged them much; neither durst I tell more than four or five the true state of the case, because it would have gone to town instantly, and occasioned the Doctor's arrest."

This is a very singular statement. If the men inquired for Dr. Rolph, as the expected leader for Mr. Mackenzie of his forlorn hope: if they asked for him, grumbled and wished him there: if they assembled under his order on Monday, in spite of Mackenzie's countermand: how could it be that he durst not tell more than four or five that Dr. Rolph was still their friend? Had he about him such a treacherous set of Patriots that they would have instantly deserted with the intelligence for the Doctor's arrest? Could he trust the word of Tory Powell, and not trust his Patriots in such a case? If he could not trust them with a bribe of $30, could he not trust them with his fate? Strange, that he should have selected, if true, such abandoned men! Strange, that he ever expected {349} Dr. Rolph to join men thus ready wickedly to betray him! Stranger, that if Mackenzie "instantly saw Sir Francis's weakness," and not his Executive's treachery in the flag; that those about him, all his equals in property, station, and good sense, were too blind to see it also! Stranger, that the men should, as stated in a late paper, when arrayed in rank and file, without exchanging one word with him, begin to cheer him, only stopped by an intimation with the hand! Stranger, that he did not, in the

course of the afternoon, acquaint the Executive with the existence of this critical jealousy, that he might act on it according to his discretion!

Why did he not take the city on Monday afternoon, with 800 men against "150 college boys and trembling officials"? The Executive, of course, is to blame. In his supplementary narrative he says: "but when the flag of truce came the second time, *I was ordered to delay till night*."

It would seem strange that the Executive should hasten the descent on the city "within twenty-four hours," collect 800 men for the express object of prompt action, and then tell them early in the afternoon, when the city was utterly defenceless, to wait till night!

Against the truth of this excuse we have, before the narratives or any discussion on the subject appeared, the declaration of Dr. Rolph, as given in evidence by Mr. Brotherson before the authorities in Toronto, viz.: "that in a conversation with Dr. Rolph on Friday, the 8th December, 1837, at Lewiston, he said that Mackenzie had acted unaccountably in not coming into the town, and that the said Mackenzie could have taken the said town, even on the day on which he had gone with the flag of truce; and that he had expected Mackenzie in town in half an hour after the said John Rolph had returned with the flag of truce."[419]

This is corroborated by Lount's evidence already quoted; for, after specifying the object of the flag to be "to prevent the effusion of human blood," he requested him "not to hear the message," but "to go on with their proceedings."[420] This, too, comports with the terms of the answer to the flag, admitting of advances upon the city, as already noticed.

All this is further confirmed beyond a doubt by Mackenzie himself, who, imputing, as usual, for his own exoneration, the blame of firing Horne's house to the Executive, says, in his supplementary narrative, that he was "to do so before he set off for the city." We have carefully ascertained that the signal for firing the house—done by Mackenzie's own hand—was given in about half an hour after the final return of the flag from the camp, and that this large house had fallen in ruins a little after the middle of the afternoon.[421] Hence, how many circumstances combine again to show his strange misapprehension that when the battle hour was come he was not to fight.

As he admits the men *importuned* him to march into the city on Tuesday afternoon, why did not the countermander of orders, if he really {350} wished it, *importune* his Executive? As he so pliantly yielded to alleged objections against marching into the city on Monday, why so insensible to

appeals for marching into it on Tuesday? If he could not respond to the importunity of the men, why not acquaint his Executive with it?

We learn from a gentleman who left the Province for the Western States, substantially as follows: That after Horne's house had been about half an hour on fire, he heard an expression of surprise from a number of Reformers that Mackenzie did not immediately come into the city. Of ihis number was Dr. Rolph. That he immediately visited the enemy's camp, as requested, and proceeded from the city on horseback up Yonge Street, without any interruption till he reached the advanced guard of the Patriots, about four o'clock in the afternoon, about two miles from the city; and upon seeing Gibson and Lount with the men, stated the surprise of the Reformers, and inquired why they did not come in. They answered: "We cannot go till General Mackenzie is ready." That upon learning Mackenzie was in the rear, he galloped to Montgomery's, four miles from the city, and searched the tavern, and inquired for him for twenty minutes in vain. That he did not find him in the room in which it was said he had just taken his dinner; but after again searching the house in vain, with a Patriot, he found him in a stable, ordering a man off the ground, who declared he came with news from the city; which being discredited or distrusted by Mackenzie, he was driven away. That he then addressed Mackenzie, to whom he was personally known; gave him what information he possessed, and repeated the like message as to Gibson and Lount. That Mackenzie asked what Dr. Rolph was doing, but never expressed, in answer to the surprise and request communicated to him, that he had been ordered to delay till night, but told him to return and say he should be in the city in half an hour. That after riding slowly, and occasionally stopping, he again rode back with impatience, and found him only a quarter of a mile further forward, conversing with some men, who said they also wanted their dinner; and as fresh groups were returning from towards the city, it became dusk, and there seemed a general objection to go in till daylight. But that had Mackenzie been with the men, like Gibson and Lount, when he arrived at the camp with the message, two miles from the city, they might have marched into it in daylight, with an hour or more to spare; and that had he found him readily on reaching Montgomery's, it would not in the movement have made a difference of more than half an hour: and that had he not delayed with altercations, but repaired, at once after he was found, to the camp, he might still have entered the city in daylight.[422]

In the evening attempt he failed; and as he could not, in the execution of it, well suggest a complaint against his Executive, he charges the whole

against his army, who, he says, “took to their heels with a speed {351} and steadiness of purpose that would have baffled pursuit on foot.”[423] And yet then they only saw, within half a mile of the city, “twenty or thirty of the enemy,” and even these also “took to their heels.” It is for the men and officers thus indiscriminately charged with cowardice to defend themselves. It is singular it should be so, considering they were men who had volunteered this duty for the achievement of their country’s emancipation.

On the Wednesday morning it does not appear that any attempt was made to enter the city, and the Government, gaining courage, commenced the arrest of leading reformers in the person of Dr. Morrison; soon after which, Dr. Rolph, either unable or unwilling to join his insubordinate officer, whose men “baffled pursuit on foot,” took refuge in this country, which he reached after repeated arrests.

In the mortification of defeat, seemingly too well deserved, he complains that the citizens, Executive and all, did not come out to him and march in with him; in plain terms, did not take into their hands the execution of the details he had undertaken—a relief which they, perhaps, would cheerfully have afforded him, had he explicitly, or even less directly, expressed a willingness to resign.

It would, however, have been a strange policy to leave the city, which they held, as it were, by their own occupancy of it, and allow the enemy to barricade the streets and avenues against them, thus excluding them in an unarmed state. On the contrary, as he says, “600 waited at the entrance of the city[424] to receive and join them.” Mr. Mackenzie admits himself bound to execute the details of another, and it is no excuse for his misconduct that he would have preferred marching in under cover of the very citizens, the arming of whom from the 6000 stand of arms was the professed object of his movement.

In this review, we have assumed the facts stated in the narratives as the only means at present properly available in the inquiry, and as far as Mackenzie is concerned, he has no reason to complain of it; but we desire not to be understood as admitting the truth of them against any other individuals mentioned by name, or otherwise unavoidably alluded to in the foregoing pages.

[384] *Mackenzie's Narrative* (Toronto reprint), p. 8.

[385] *Ib*., pp. 13-15.

[386] *Ib*., pp. 14, 15.

[387] *Ib*., p. 14.

[388] Here I believe Dr. Rolph to be in error. The weight of evidence bears out the assertion that Mackenzie was willing and even anxious to lead the men into the city on Tuesday, but was unable to induce them to follow him until darkness had set in. This is the view I have taken in the narrative. See chap. xxiv.

[389] *Ante*, vol. ii., p. 126.

[390] *Narrative*, p. 8.

[391] This sentence, it will be noticed, is imperfect, but the meaning is perfectly obvious.

[392] *Ante*, p. 23.

[393] *Ib*.

[394] *Ante*, vol. i., p. 378, *et seq*.

[395] See note at end of chap. xix.

[396] *Ante*, p. 184.

[397] *Ante*, p. 187.

[398] *Narrative*, p. 8.

[399] *Ante*, p. 16, and note

[400] *Ante*, p. 79.

[401] *Narrative*, p. 8.

[402] *Ib*.

[403] *Ib*.

[404] *Narrative*, p. 7.

[405] *Narrative*, p. 8.

[406] *Ib*., pp. 8, 9.

[407] *Ib*., pp. 7, 8.

[408] *Narrative*, p. 9.

[409] *Narrative*, p. 9.

[410] *Narrative*, p. 11.

[411] *Ib*.

[412] *Narrative*, p. 11.

[413] *Ib*.

[414] *Ib*., p 12.

[415] *Narrative*, p. 17.

[416] *Ante*, pp. 107-109, and notes.

[417] *Ante*, p. 62, *et seq*.

[418] *Narrative*, p. 12.

[419] *Ante*, p. 89.

[420] *Ante*, p. 79.

[421] See Wright's statement, *ante*, p. 77.

[422] All this information is embodied in Wright's *Narratives*, *ante*, pp. 76-78.

[423] *Narrative*, p. 14.

[424] *Ib*., p. 13.

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Wrigley, Silvanus Fearns, captured on board the *Caroline*, ii. 213;
discharged on bail, *ib*.

Wyatt, Mr., Surveyor-General, dismissed from office, i. 46, 90;
professes respect for the conduct of Judge Thorpe, i. 90.

[The end of *The Story of the Upper Canadian Rebellion Vol. 2 of 2* by John Charles Dent]