

No. 1.
Sir George Arthur
to Lord Glenelg.
1st January, 1839.
Encl. 5 in No. 1.

ness, weakness, and folly; and that while we pointedly condemn and rebuke those engaged in it, we feel called upon to express our solemn conviction that most, if not all, of them were influenced by misrepresentation, and acting under a delusion as strange and unaccountable as it has been disastrous and fatal, without any feelings of hostility toward our Canadian neighbours, but under the expectation and belief that instead of fighting with, they would be hailed by them as the champions of liberty, and received with open arms and heartfelt greetings.

Resolved,—That we, in common with all our countrymen, feel a deep commiseration for our misguided citizens captured near Prescott, and now in confinement at Fort Henry, in Canada; and that while we acknowledge the right of the provincial authorities to condemn according to the laws of their country, in the exercise of this authority we hope to see justice tempered with mercy, and expect to witness magnanimous treatment toward these unfortunate men, worthy of a brave and generous people.

(Copy.)

Enclosure 6 in No. 1.

To his Excellency Sir GEORGE ARTHUR, Governor of Upper Canada.

SIR,

Lyme, December 13th, 1838.

Encl. 6 in No. 1.

THE petition of the undersigned inhabitants of the town of Lyme, in the county of Jefferson, and State of New York, respectfully sheweth, that they are informed that Charles Smith, late of the town of Lyme, in this county, is confined at Fort Henry, in Kingston, Upper Canada, and under sentence of death for participating in the late outrages committed in defiance of law upon the peaceable and unoffending citizens of Her Majesty's Government at the Windmill, near Prescott.

The undersigned, as citizens of the United States, feel the delicacy of their situation in soliciting your Honour to pardon an individual who has, by his own act, placed himself beyond our jurisdiction, by violating our own laws, as well as forfeiting his life to the offended laws of the country he has invaded; and nothing but the extreme solicitude we feel for the fate of this youth, our entire belief that gross misrepresentations led him to join in that act of wanton aggression, induces us to present the circumstances of his case for your consideration and mercy. The subject of this petition is a young man under twenty-one years of age, a native of England, and arrived in this country in company with a widowed mother (his father having died on the voyage), and three brothers, about four years since. His uniform good habits and conduct have endeared him to all who know him, and to them is a sure evidence that a misguided zeal alone led him to join in the perpetration of an outrage for which his life is forfeited. The undersigned, therefore, have nothing to present in extenuation for his crime, and on which they beg for mercy to be extended to this young man, but his age, his character, and the fatal delusion which they believe has governed his conduct.

(Signed)

Zebulon Converse,
Jonathan Howland,
Smith Bartlet,
Jere Carrier,
Nelson Potter,
S. S. Robinson,

Henry Ainsworth,
John Davillard,
J. T. Ainsworth,
Buel Trullen,
Orra Squires.

(Copy.)

Enclosure 7 in No. 1.

To his Excellency Sir GEORGE ARTHUR, Governor of Upper Canada.

SIR,

Albany, 22nd December, 1838.

Encl. 7 in No. 1.

I HAVE hitherto refused to take any part in applications addressed to you in behalf of individuals taken in arms within the Canadian territories. The case of Mr. Sweatman of this city, which is about to be presented to you, is a *peculiar* one. The application in his behalf is signed by some of the most respectable gentlemen in this city, and their statements are entitled to the fullest confidence. Under the circumstances I depart so far from the rule which I have hitherto observed, as to beg you to take the case of Mr. S. into your favourable consideration. I write you in great haste as the papers are to be dispatched immediately, and I beg you to be assured of the considerations of respect with which

I am, &c.

(Signed)

JOHN A. DIX.

(Copy.)

To his Excellency Sir GEORGE ARTHUR, Governor of Upper Canada.

Albany, 21st December, 1838.

WE the undersigned citizens of Albany, in the State of New York, respectfully represent to your Excellency that we have this morning learnt from the public papers that Daniel Sweatman, late of this city, has been taken prisoner for an hostile invasion in the province of Upper Canada.