

at Quebec, where no doubt he has a large hoard of *my property*; and under his directions, parcels have been opened that were not in the mail, and because they contained Scribblers, refused to be delivered to the persons to whom they were directed.— Such as have been sent in from the States, where it is known the work is printed, in the same way and form as all other papers come in, have shared the same fate. Latterly, in order to put the matter in the most glaring point of view, and since the legislature has been in session at Quebec, I have sent in by post, the six copies which the House of Assembly themselves take of the Scribbler, and copies also to such individual members of the Legislative and Executive Councils, and of the House of Assembly, as are subscribers to the work, in order that, if Mr. Sutherland refused to deliver them, and detained them at the post-office, the matter might be the more notorious, and taken up both as an infraction of public right, and a breach of the privileges, both of those honourable bodies, and of the individuals as members of them : whilst if he offers to deliver them upon payment of the full letter-postage upon them, I should conceive he would subject himself to an action for extortion.

Thus far as to the facts of the case: and now I would ask whether, if such power can, by construction, be supposed to be vested in the deputy-post-master-general, it is not a power of an arbitrary, unconstitutional, and oppressive nature, such as in no country ought to exist? If the statutes under which he acts do not either provide for the free conveyance of papers, or stipulate what precise charge shall be made for them, yet they can not, with any degree of consistency or propriety, be supposed to admit of his using his own individual will, in either franking them entirely, or prohibiting them entirely. If they are to be considered in the same light as letters, he is equally departing from the line of his duty, as prescribed by act of parliament, whether he lets them go at an under rate, or overcharges them. Setting aside the actual agreement he was under with me, he would have as much right to say, I will not forward letters through the post-office, for A. or B., against whom I have a pique; as to say I will not let such a paper go through the post-office on the same terms as others, or on any terms at all, because I do not approve of it. Nay it is worse with regard to papers; the injury in the instance of the letters, would be merely an injury done to the individuals; but the stoppage of a paper is an injury done to all the readers of it, and to the public; so might he stop the Free Press, or the Canadian Spectator, or the Upper Canada Herald, because he did not approve of the line of politics they have adopted; so might he stop the Albion, or the Spectator, from New-York, the Commercial Gazette from Boston, or any other paper from the