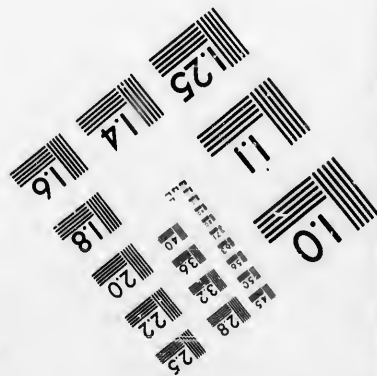
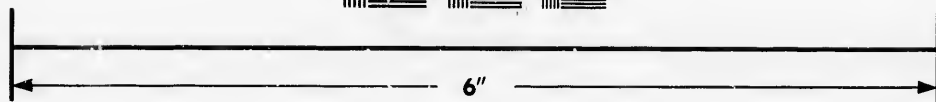
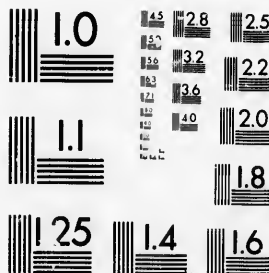


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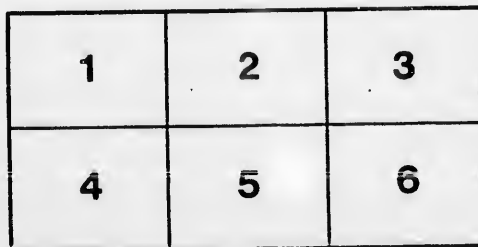
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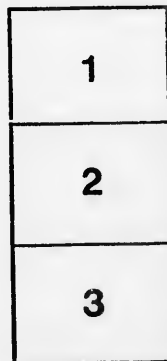
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THE  
SAYINGS AND DOINGS  
OF THE  
SELF-STYLED ROYAL FAMILY,  
THE  
MAGRATHS,  
OF  
MACKENZIE'S CASTLE, SPRINGFIELD.

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**BY J. K. DEAN,**  
COMMON SCHOOL TEACHER,  
**SPRINGFIELD.**

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**Toronto:**  
PRINTED FOR THE PUBLISHER.  
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1844.



922656

JUN 24 1885

**TO CHARLES MAGRATH,**  
OF  
**MACKENZIE'S CASTLE, CREDIT.**

SIR,—

*As an acknowledgement of gratitude for numerous favours received, and as a token for your general knowledge of Slander and Perjury—subjects with which, it is needless to say, you are fully acquainted; this Pamphlet, on Slander, Perjury, and other vicious practices, in all their forms, is most humbly and respectfully dedicated,*

Sir,

*By your much injured Servant,*

**J. K. DEAN,**

*Common School Teacher.*

**CREDIT, November 1st, 1844.**

J. K. Dean

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Pamphlet - M. Leff

THE Author, whose great object is to purify society by the suppression of immortality and crime, feels it to be his duty to go fully into the proceedings of the Magrath family, from the period that the old gentleman gave Dixon, the Wine and Brandy Merchant, the slip down to the present time.

It appears that the Rev. gentleman arrived in this Province, in the year —, having a wife, daughter, and four sons. Upon his arrival he applied to the present Lord Bishop of Toronto, and to the late Lord Bishop of Quebec, the Rev. Hon. Stewart, for a Church living; he had no prospect of success until Colonel the Honourable Sir Peter Adamson, K. T. S. heard of his forlorn situation; and who, through Mr. Gifford, the late Clerk of the Peace, in the Gore District, took compassion on the Rev. gentleman, and recommended him on account of his poverty, to his Lordship. Bishop Stewart told the Colonel, that he did not think he was a proper object for consideration, having left his native country without any credentials from a Bishop of the Church, and having nothing to recommend him but a list of names of various individuals, purporting to lament his departure, which any person might have obtained as well as Magrath.

Still the Colonel persevered; and, as he had been a most active agent in erecting the Church at Springfield, the Bishop conceded to his wishes, and appointed the Rev. gentleman to the living.

The Magraths manifested the deepest gratitude to the Colonel for having procured for them the means of support; and few, if any, days past by without the whole of the Magraths, or some of the family, being found surrounding the hospitable table of the Colonel.

Indeed, it was remarked by some of the Colonel's acquaintances, that the Magraths had taken possession of his house, and they were determined to keep it.

The sumptuous rounds of eating and drinking continued for many months, until the Colonel, as a Magistrate, was called upon to perform a duty, which was to him very irksome and unpleasant.

The Magraths became possessed of a lot of land on the River Credit; and the floats of timber, &c. coming down this stream frequently lodged upon their land. Upon the arrival of the floats at the mouth of the Credit, the men in charge of them discovered a serious deficiency in the lumber; and, after a great deal of search and inquiry, they ascertained that the Magraths were in the habit of loading the boards that touched upon their land on waggons, and carrying them up to their residence.

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The Colonel granted a search warrant, the boards were found in their possession, and an order was issued to a constable to bring their persons before the Colonel.

This the Magraths evaded by inducing the constable to take them before their friend, a Mr. Thompson, a Justice of the Peace.

The Magraths insisted upon their right to take possession of all boards, &c. that floated upon their land; and the complaint was, for some cause, ignored by the Grand Jurors of the Home District.

The Magraths immediately wheeled round, lost sight of the great favors conferred upon them by the Colonel, and denounced him as a combinator! and actually had the impudence to appeal to the Grand Jurors for a bill of indictment against him for combination, because he had, as an honorable Magistrate, performed that duty which he was bound by his oath to discharge! This was gratitude with a vengeance to a gentleman, who had not only secured a living for the father in the Church, but who had recommended and secured commissions in the Militia for two of the sons.

Before the quarrelsome and ungrateful disposition of the Magraths was discovered, the Springfield Church, by Magraths own account, averaged 160 hearers, what does it average now? With an amazingly increased population? Does it average one-quarter of that number at the present day? No, it does not, nor has it averaged on the Sabbath, for two years past, one dozen of adults exclusive of the Magraths! The fact is, the most steady-going Churchmen and their families in the neighbourhood, have become so thoroughly disgusted with the proceedings of the Magraths, that they seek Divine Worship elsewhere.

Only think of the Parson and his family proceeding to Church with a large bear; and upon the termination of Divine Service, the pious Clerk of the Church, Charley Magrath, for the amusement of children and the pious family, swimming the bear in the River Credit! Amongst the number of respectable attendants at the Church of Springfield in the early part of Magrath's appointment, almost the whole have deserted it: namely, the Messrs. Adamsons, Jarvises, Coxes, Evanses, Proudfoots, Barnharts, Cottons, Vanvalkenburghs, Woodings, &c.

The Clerkship of the Church, which, in most cases in the Mother Country, is given to the head of some poor and pious family, is here monopolized alternately by the Parson's pious sons; all of whom appear ashamed of the office; for instead of sitting at the Clerk's desk, and attending upon the Clergyman as is usual in all well ordered Churches, they sit in the family pew and respond Amen to the Parson! It has been frequently remarked by strangers, that the Credit Church is the only Church they ever saw without a Clerk, and it has also been remarked that the Clerk's desk and seat, are elegantly ornamented, and that the fashionable Clerk, who is ashamed of the office, is not ashamed to receive the

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wages which ought, in common justice, to be applied in aid of some poor man in the neighbourhood.

Upon the retirement of a Mr. Spragge from Springfield, the store occupied by him was rented by the Magraths; and the Rector and his son Tom, waited upon the inhabitants, and stated to them that the son, James, was in a very precarious state of health; and as confinement was likely to prove beneficial to his disease, they wished to procure for him the situation of Post-master; many of the inhabitants signed an address soliciting Mr. Stayner to appoint the *sickly boy*, whose portly appearance obtained for him the appellation of Jack of Clubs; but many of the persons who had signed the address through feeling of humanity, have, as well as the author, great cause to regret their acts.

The Magraths wagged on in the Church and the store for some years—losing hearers in the former, and customers in the latter, until that *tempest in a tea-pot*, the Canadian rebellion placed them unmeritedly in a little brief authority.

Upon the first intelligence of the outbreak, Lieutenant James, without informing the Troop to which he belonged, scudded off to Toronto on Wednesday morning. Major Tom, (who had not then found out the way of punishing his men by gagging,) who has cut so recently such a grand figure in the Life Assurance Companies, proceeded to the month of the River Credit with 15 bold dragoons, and then deserted them! He embarked in a boat, and, when he got out of pistol range of his men, he told them to their astonishment, to make their way home the best way they could, as he would not venture to take them by land to the City! Upon an inquiry as to charges preferred against this *gallant* Major, in 1839, for anonymous slanders heaped upon the Officers of the Regiment commanded by Colonel Adamson; the Major was asked, how it was that he deserted his corps the day previous to *the ever memorable battle of Gallows Hill?* He answered that they had no ammunition, and that he had heard (a gallant excuse) that the enemy was in possession of the road leading to the City.

A Lieutenant Chambers was called upon as a witness, who stated, that he was one of the party under the command of the gallant Major at the time he had deserted them at the mouth of the Credit; declared, that each of the men had six rounds of ball cartridge, and some of them had more than six rounds! That he, the witness, did not hear it expressed by any person on that day, that the rebels were in possession of the road, and that the *gallant* Major knew as well as witness, that Colonel Adamson and several of the Militia officers and privates, had proceeded by the road to Toronto.

To a question put to the Captain, upon what grounds did he presume to arrest, three days after his own cowardly and unsoldierly-like conduct,

*Jim  
gets to be  
Post  
master*

*Rebellion*

*valour*

voting  
for  
Mackenzie?

Captain Lewis, Sergeant Herron, and some other persons of undoubted loyalty, one of whom he had put in irons, and taken them as rebels to the City of Toronto? His answer was, that Captain Lewis had voted for Mackenzie at the late election, when the President of the Court remarked, that the voting for Mackenzie did not constitute a crime; that Mr. Carey, whose loyalty no man could doubt, avowed to the Court, that he had voted for Mackenzie, and he presumed Major Magrath would not attempt to impeach his loyalty.

The prisoners were dragged from their homes by this *gallant deserting* Major on Saturday evening, the father of this young would-be Wellington attended, at Springfield, and directed the party to load each of their pieces *with a ball and three buck shot*; and, if any opposition was offered **THEY WERE TO SHOOT THE PRISONERS!** and then the pious Rector ordered them to march.

The next morning the prisoners were taken before Sir Francis Bond Head, who liberated the whole of the persons taken up by the dastardly poltron!

Abijah  
Lewis  
of  
Hutchinsville

At the inquiry Magrath's statement about Captain Lewis' voting for Mackenzie turned out to be a bare-faced falsehood, as Mr. Lewis never voted for Mackenzie. It appears there were other causes besides that assigned by the gallant Major for his having dragged Mr. Lewis from his home as a traitor. Mr. Lewis was then one of the most extensive merchants between Toronto and Hamilton; the pious Rector, the father of this young would-be a Wellington, but for want of courage, was supplied with various articles of merchandize by Mr. Lewis; and, from his mode of payment, Mr. Lewis was obliged to refuse the Rector 10 gallons of Alcohol without the cash! This, in all probability, was the real cause of Mr. Lewis' arrest, and not, as falsely stated by the bold Dragoon, for his having voted for W. L. Mackenzie; for it appears an undeviating rule of the family, if we may believe the Rector himself, "*that the whole of his family resists to a man, any person who offers an offence to one of them!*" What a pious family!!

It would appear as if the Magraths wished to impress upon the public, that they are men of courage and also of great influence with the Government.

Charley's  
Courage!

As to their courage, where is it to be found? Surely not in the case of the mock duel between the Jack of Clubs and a Mr. McDonald; neither can it be instanced in the conduct of Charley, who when ordered to be ready to proceed on a particular service—the attack upon the Caroline steam boat—he sent word to Colonel Cameron that he was taken so bad in his bowels that it was impossible for him to leave his room! But Charley is also wise enough to avoid a personal combat, particularly when he knows that the friend of the gentleman slandered by him, and

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who was authorized to call upon him for satisfaction, would not submit to a cork-bullet duel.

Lieutenant Cox, of Colonel Adamson's Regiment, was insulted by Magrath, and he, as an officer of honour and character, called upon Capt. Robert Cotton, of the same corps, to carry a hostile message to Magrath. When the message was delivered, what was the conduct of this scion of piety? Did he, as is usual with military men, refer him to a friend? O no, he became petrified, and, by way of averting the punishment he merited, he said he could not meet Mr. Cox with such a friend as Mr. Cotton, who although holding the rank of Captain, in one of the battalions, recently raised in Upper Canada, was devoid of the qualifications of a gentleman, as he had carried on business as a Saddler in a country village! a very fine excuse for the notorious perjurer and twice convicted slanderer, the son of a horse shoer, and the grandson of a stitcher and manufacturer of wax ends! No man can despise the littleness of such mean insinuations more than the writer, who knows, that some of the greatest men of the age have been engaged in humble avocations previous to their elevation to some of the highest offices in the state.

*Robert Cotton.*

*a Saddler*

*old —  
Mr. Magrath  
" a  
horse-shoer!*

As to a Saddler, there cannot be any thing dishonourable in it; the present gallant General Pollock and his brother, the Solicitor General of England, worked as Saddlers in their father's shop in Long Acre, Westminster, yet they are not proscribed from the rank of gentlemen, the younger of whom is expected to sit on the Woolsack, as Lord Chancellor of England.

*Saddler of note*

This certainly must be galling to the refined taste of the son of the horse shoer, and the grandson of the stitcher and manufacturer of wax ends!

As to Mr. Robert Cotton, it must be conceded to him by every man of his acquaintance, that a more honorable, or more gentlemanly man is not to be found in the Township where he resides.

*?*

Can I say so much of his aspersion? Impossible! Indeed, the conduct of the Magraths' family must be disgusting to every man of moral feeling.

At the period that Charley had contemplated the ruin of Mr. Lusty and his family, he enticed him to attend at his friend Ballinger's 10 Pin Alley, to play a game with him and two other persons, in the presence of his pious father, the Rector, and his sister, Miss Magrath. This took place two days subsequent to his having written to his brother, in Toronto, to fish-out testimony, in order to convict this same Mr. Lusty of felony! Magrath and his partner lost the game, and the sum staked 2s. 6d., was swallowed in grog in Ballinger's Bar-room by the party.

*10 Pin Alley*

Lusty was arrested upon a charge preferred against him by this said Charley, tried at the Assizes, and acquitted by the Jurors without leaving the box.

Charley  
to match in  
£50.

Mr. Lusty brought an action against Magrath for this malicious prosecution, and obtained a verdict for (£50) fifty pounds, which was confirmed by the Judges of the Queen's Bench.

Smuggler

During the prosecution of Mr. Lusty, Magrath swore that Lusty's occupation was discreditable. Now, gentle reader, what do you suppose this occupation to which perjured Charley alluded to, was? *Smuggling!* Lusty and the Magraths were inseparable in their friendship, and connected in trade as SMUGGLERS. The Magraths furnished Lusty with butter to smuggle and sell in the United States; and also to purchase teas at Buffalo, smuggle them into this Province for their use and benefit! which teas they disposed of to their customers at their herring, tobacco, and whiskey, or huckster's shop at the Credit. But the honest partners quarrelled about the division of the spoil. Hence, this malicious prosecution against Lusty.

Charley's  
Magrath!

As to the defamation of female character, married and single, humble and exalted, Charley's expressions relating to them, are so beastly and atrocious, that I shall not offend the ears and eyes of my readers with a recital of them.

Of all men I ever knew, this Charley Magrath is the most dangerous that ever associated in families where there are females.

But, indeed, it would appear that a majority of the family is tainted with ruffianism.

Major Cowardly Tom

Major Cowardly Tom, whose incorrigible conduct (as peculator, &c.) was made known by Captain Maitland's pamphlet, upon the inquiry into the Turf Race Funds of Toronto, ought never to be lost sight of.

And independent of that dirty transaction, I shall give two additional traits in the proceedings of this gallant gagging and *amiable* personage.

Tom  
Magrath

Whilst he was figuring away with his long sword, mustaches, gilt spurs, and cigars, at the Falls of Niagara, he had the impudence to address two English gentleman; one of whom, Her Majesty's then late Ambassador in Columbia, was on his return to Eng<sup>l</sup>and. Magrath having stated to him that he had raised his Troop in Toronto; the gentleman asked him if he knew a Mr. —, an English gentleman; yes, said Tom, I know him well, "he is a drunken, worthless character, devoted to — and a man that has been frequently found on a morning, drunk in the streets!" The gentleman was prostrated by this information; he went to Toronto; saw his relative who is one of the most sober and exemplary men in the City, and told him the information he had received from Tom Magrath. Mr. —, after having assured his relative it was a gross slander, produced a letter from this same Tom Magrath, dated a few days before, wherein Magrath implored of him, in case he should hear of a vacant situation under the Government, to inform him of it, as he had a promise of an appointment when the Troop would be disembodied! Reader, what

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situation is such a character fit for? I presume the celebrated Bill Hoames, or Titus Oates, would have loathed the service of such a ruffian.

In the next place, this gallant gagging retreating Major became, through his late unfortunate wife, acquainted with a Captain —— and his family.

Miss Rose, the late wife of Tom, taught a day school west of Toronto; from her talent and amiability, she became employed in a boarding school in Toronto, where she saved some money. Upon her retirement she by invitation made the friendly habitation of Mr. and Mrs. —— her home for 18 months. She was treated as one of the family, and lived there, during the whole period, free of expense. After her union with Tom, she and her husband were filled with expressions of gratitude for the favours conferred; gagging Tom often avowed to Mr. and Mrs. —— that to him it would be the highest gratification to have it in his power to render him some service for the benefits conferred upon his dear partner.

Tom and his wife took up their residence in Springfield; and as an industrious man, for which I give him greater credit than for the insurance business, he turned out as a teamster, at \$2 a day, hauling flour from Streetsville Mills to Port Credit. From this honourable occupation the gallant and gagging Tom was, owing to his best friend the reckless Mr. Mackenzie, flung into the command of a Troop of Dragoons, and at the head of them, as aforesaid, he effected his escape from the fanciful dangers that floated in his fertile mind;—and we now find him from his savings (or peculations) in the Troop, hoisted into a chariot. During the zenith of his power and emoluments, his friend Mr. ——, to whom he had promised so much, was disappointed in a remittance from Europe. Mr. —— applied to him for the loan of a few pounds, which he would repay upon the arrival of the next English mail. Tom declared that he was "hard-up," and that he could not spare a copper at that time, but he would do what lay in his power to obtain the sum required by Mr. ——; and in two or three days subsequent he waited upon Mr. ——, and lent him the sum required. Tom, who pays no respect to the injunction "let not thy left hand know what thy right hand doeth," communicated the transaction to several persons, one of whom told Mr. —— of it. Mr. —— felt indignant upon finding that his name was handed about Toronto by Magrath, and in expressing his contempt of the gallant mustaches Major, he was told that he ought not to reprobate Magrath in such a manner, for, in reality, he was his most zealous friend. Mr. —— asked in what respect. The answer was, that Tom had felt such sympathy for the sufferings of him and his family, that he went about with a subscription paper in order to relieve them from penury, and that Magrath had induced him to subscribe ten shillings, and that he had known several persons to contribute in the same way!! Here then is the honourable work of the

*Tom's  
a  
Leamington*

*Tom's  
mode  
of  
assisting  
a  
friend!*



gallant and deserting gagging Major ; he promises his friend the loan of a sum of money—he goes out and begs from scores the sum required ; he calls upon friend — and gives him the money, not as the gratuitous donations of the humane and charitable, but as Magrath's own money ! and took an obligation for the repayment of it ! Poor — was aroused to madness ; his first resolve was to challenge the gallant Peculator ; but a friend advised him not to do so, upon the ground that the duel, if Magrath should appear on the ground, would terminate in a cork-bullet duel, for the whole family had a strong antipathy to anything mightier than cork, or feathers. Mr. — bowed with deference to the opinions of his friend, and appeared determined to try what effect a cow-hide would have upon gagging Tom's back. But here again his friend interposed by assuring him, that punishing the Major with silent contempt, and communicating the baseness of his conduct, would be more severe to *an old offender* of his description than the cow-hide.

The legal mistakes of the Magraths are not confined to lumber floating on the Credit River ; they have extended to cattle and hogs, as poor Mr. Hair and Captain Robert Cotton can testify. The Reverend Rector, fed as his own, an ox or steer, the property of Mr. Cotton, and refused to give it up until Mr. Cotton had threatend him with an action of Trover.

Mr. Hair, a man struggling to support a wife and seven children, lost his hogs ; they disappeared as if by magic for the space of five weeks ; his wife and himself were in search of them, but could get no tidings whatever of them. Fortunately, one of his children in passing Magrath's yard saw three of his father's hogs, and told his father.

The father proceeded to the yard, and found his hogs well fatted by the Parson, and their ears bored with the Parson's usual mark !!

The labouring men employed by the pious Rector have to take store pay ; and whilst potatoes could be had from any of the farmers, for cash, at 1s. 6d. per bushel, the poor labourers were charged 3s. 9d. per bushel, by the pious Rector !

When beef was to be had in abundance at 1½d. per lb., the Magraths' labourers were chargrd by him 3d. per lb. !

The author, who happens to be a Book-keeper, can vouch that the smuggling transactions of James Magrath during his Magisterial power were very extensive, and his profits great : and, in posting up certain books, the author finds that a portion of this contraband tea is not yet paid for ; nor will it ever be, as the Magraths have threatened, if sued, to take advantage of the Act of Parliament !

Surely the Executive, with these glaring and fraudulent transactions before their eyes, will not again dishonour the Bench of Magistrates by appointing dishonourable smugglers to it.

Of all the men that the author ever knew, none can equal Charley

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Magrath in the aspersion of female character: he has been the cause of bringing ruin upon females of respectability, as well as upon characters of many humble individuals, indeed, he is a man who glories in his baseness. Only think of him and his brother James almost ready to slaughter each other about an unfortunate girl of the name of Ann Simpson, who lived a servant with the Magraths, and was debauched by at least two of the brothers, Charley and James, as admitted by themselves and the unfortunate girl!! James got her to say that the child was Charley's; and Charley after some days tampering made her assert that the child belonged to James: both brothers became violent, and their pious father, in the hope of allaying their hostile feelings to each other, had a meeting convened, and he, after having heard the statements of his sons, like a man of this world, advised them as the evil was committed, to settle with the girl in the best and cheapest way they could, by giving her a small sum of money and sending her away from the neighbourhood! With the request of the pious father the sanctified sons complied; and, in order to wipe all odium from the family, one or both of them bribed the girl to swear the child upon another individual!

As to James' conduct, it is well known in the City of Toronto, where he, instead of supporting his offspring, sent it to the Workhouse!

My readers, although I have stated I would not disgust the public with a recital of the blackguard language and slanders of the Magraths, yet, I think it my duty, for the sake of female character, to point them out, so that the heads of families may be on their guard, and not admit such ruffians to cross the thresholds of their doors: for, to my knowledge, a young and innocent female, the daughter of a particular friend of the Magraths, was so grossly aspersed by Charley, that a young gentlemen who felt the noblest attachment for her, had, from the language used by this monster, to drop the acquaintance.

But, it appears that the whole family are tainted with a slanderous propensity; for even the Rector, in his first conversation with the author, in this village, asserted, that *all the inhabitants* (except blacksmith Wilson and innkeeper Ballinger) *were rebels!* although a very large majority of the inhabitants, and as the Rector himself well knew, were mad loyalists.

But it appears that a rebel, in the Rector's mind, is not a person that is hostile to the Sovereign or institutions of the country, but a man that would feel it to be his duty to tell him of his own improper conduct, as well as the infamous conduct of his sons.

I dare assert, that loyal Wilson and Ballinger never reprimanded him or his sons, for having swam a bear, caught fish, purchased butter, pease salmon, mutton, &c. ! and, as the Yankees say, *hooked boards* out of the Credit on the Sabbath!

Neither did they reprobate Major Tom and "Coptin" James, of the

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Lancers, for having stabbed a Mr. Campbell with a spear, because he had reprimanded them when he found them, on the *Sabbath evening*, spearing salmon in the river!

For this act they had to borrow forty dollars, and pay it to Mr. Campbell to put a stop to a prosecution.

Therefore, as loyalty is viewed by him, not as obedience to the Queen and the Government, but as attachment to himself and his hopeful family, he, of course, considers every man in the village disloyal except his steady tools, Wilson and Ballinger.

As to Ballinger's loyalty, all in this neighbourhood are aware according to the Rector's version of loyalty of what it consists: he is, in fact a standing witness (and a very clever one) in all cases where the Magraths are concerned in litigation. And, indeed, he is doubly useful; for, when they wish to avoid suing a debtor in their own names, they generally assign the notes or due bills to loyal Ballinger, who sustains no loss by the transfers; for, to the author's knowledge, this same loyal Ballinger screwed from Thomas Smith, Wm. Gilbraith; and last but not least, considering his circumstances, from a poor man, with a wife and seven small children, \$2 in usury! Although by his own admission, he had bought the poor man's note from Magrath at "a very great shave." But all persons acquainted with the Magraths, must be aware, that they are not the men to be shaved by such loyal tools as Ballinger; for they themselves handle the razor, and shave with the greatest dexterity such persons as have the misfortune to fall under their clutches! The author is greatly deceived if loyal B. has not been deeper shaved than any of the former.

But in what light will the Rector's loyalty appear when properly analyzed?

What was his advice to Tommy Cole, when called upon by Charley Magrath to sign a pay-list for moneys due to him as a Militiaman, for services performed during the rebellion?

Cole, as an honest man, told him, in his Yorkshire dialect, that he had rendered no service to the Queen, and that he would not act the part of a swindler by accepting of the money.

The Reverend Parson, who was present, said, in his rich Irish brogue, Tommy, you are a great fool; my son, put your name into the pay list, (as a friend of yours,) and, whether you served or not, you should sign your name and pocket the money; I would not leave the Queen a York sixpence if I could get it out of her; and don't be such a fool as refuse the money. But all would not do. Tommy said, No! I shall not turn swindler at this time of life; and, as your son has obtained money from the Queen to pay me for services which I never rendered, let the money be returned to the little Queen, and God bless her!

This was a poser to the aged Rector, who became as dumb as an oyster upon hearing the moral doctrine of the honest Yorkshireman.

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It is surprising how some individuals secure fortunes as if by accident. Only view the large sum so recently secured by the gagging Major, Tom Magrath.

Here is a man that never possessed a shilling of his own until he had married Miss Rose.

After their marriage, so needy were they, that the gagging Major had to turn teamster

Shortly afterwards chance, not gallantry, placed him as a "Cooptin" of the Lancers; and in this capacity, although expending his pay and allowances, he continued to save several hundred pounds.

Having been deprived of his pay and allowances by the reduction, he still sported as a man of rank and fashion at the Seat of Government; for he appeared to be always tugging at the heel of a Governor's staff, to some of whom, if we believe the Rector, he gave splendid entertainments; and, in order to do the thing neatly, the aged Rector furnished poor Tom with some of his oldest and best currant whiskey, supposing that it would be a stepping-stone to secure a situation for Tom under the Government.

The gagging Major, after having expended more than he could well spare in the pursuit of office, gave up all hope of attaining one, and he would no doubt, but for a wise expedient, have to return to the teaming life again,—a situation which he was much better qualified to fill than that of a "Cooptin" of a troop of Cavalry, or a gagger of the persons who had the misfortune to serve under such a gallant officer.

It appears that he has as a last resort insured his wife's life for one year, for a sum of what amount do you suppose, reader?

Not for hundred pounds or one thousand pounds, but for fifteen thousand pounds. Is not this truly astonishing?

Poor Mrs. Magrath, who was in perfect health a day or two before the expiration, (of one of the policies, for he had effected insurances upon her life in three offices, for five thousand pounds in each.) was taken suddenly ill, and expired the same evening.

That evening, if report be true, he applied to a clergyman in Kingston to attend at 5 o'clock the next morning to inter her body, and wrote to the insurance agents to pay him the sums insured, fifteen thousand pounds!

Here was an ascent for the old teamster! but as yet, I am told, he has not received this *Canadian plum!* and I trust he never will.

Reports of a very unpleasant nature were spread throughout the country, tending to show that there was something besides fair play in the sudden exit of Mrs. Magrath.

Her body was exhumed, and a post mortem examination had; and the Major, who in the midst of his assumed affliction was quite awake, selected two friendly doctors in the City of Toronto, and shipped them off 190 miles to examine the body! This added fuel to the fire. It became the topic

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of conversation : for it was well known that Kingston was as well provided with able and scientific professional men as Toronto, and that the gagging Major had no cause to doubt their judgment or veracity.

This flagrant act, although the table talk of almost every family in the Province, was not, strange as it may appear, noticed by any of the numerous Editors in the Province. I would like to know if they were bribed or intimidated ?

There must be something to occasion the gagging of Editors of this Province, which would have aroused, upon such a subject, the whole press of Great Britain.

To an Englishman it would appear truly astonishing, if an individual (like the gagging Major) were to insure his wife's life for so enormous a sum as fifteen thousand pounds, and that wife's exit so sudden as poor Mrs. Magrath appears to have been, without any notice of it.

Not a word in any of the papers about her sudden death, - the sums insured upon her life - or the exhuming and examination of her body ! Shame upon the conductors of the press of this Province.

It now appears that the Insurance Offices demur to the living husband's application for payment of the fifteen thousand pounds ; and in order to compel them to pay the amount, the gallant Major has selected the *twice convicted slanderer and notorious perjurer*, Charley Magrath, to act as his agent, and has actually shipped him to England as a witness on his case ; - a finer witness could not have been selected, for his prowess as a witness in a Court of Law, equals, if not surpasses that of the notorious Titus Oates..

Upon the Rector's leaving Ireland, he had the precaution to get a number of individuals to append their names to a certificate of good behaviour. (What a pity that wine & brandy merchant Dixon had not put his name to it on the dark Saturday night that his Reverence committed his precious body to the winds and the waves in the bay of Dublin !)

It appears that wily Charley has adopted the course pursued by his pious father ; he travelled through various parts of the country, getting the signatures of individuals to a certificate, testifying that a more honest, exemplary, gallant, and loyal gentleman cannot be found in Canada than himself ! This certificate, he, as a matter of course, will produce to the insurance directors, and to a Court of Justice if necessary.

As the father, in his hurry to embark, had forgotten to ask wine and brandy Dixon for his signature to his own certificate, so the son, in his movements upon his departure for England, forgot to ask the author to certify to his amiable character.

But the author, acting upon kindly feelings, has not forgotten to apprise the insurance directors of the true character of this scion of piety they have to deal with.

It would be the business

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It would appear as if the Magraths wished to controul every man, and the business of every man.

There are now stationed in the village of Springfield a sergeant and three privates of the — Regiment, who are billeted upon a tavern-keeper. The cork bullet duelist, alias, the Jack of Clubs, supposing that he could make some profit on them by getting them removed from their present quarters to the house of a poor man in his debt, and, in order to effect his object, he had a petition or certificate prepared, testifying to the zeal and loyalty of his debtor, and pointing out the necessity of having the soldiers removed to his debtor's house, and to the shame of several persons be it spoken, that this same cork-bullet duelist had got them to append their names to the same scandalous production. This certificate or petition, was transmitted by Magrath to Toronto; but, to the honour of the Colonel be it spoken, it had not the desired effect.

A day or two before Easter Sunday, this same James Magrath attacked a very aged and a very feeble man in his herring shop; the language used by him—the names called—the oaths sworn—were of such a beastly description that I shall not offend my readers by a repetition of them; yet this same Magrath had the effrontery, on the Sunday following, to appear at the *Lord's table*, and receive the Holy Sacrament! A few days afterwards the Rector asked the author why he had not taken the Sacrament? And when repeatedly pressed to answer the question, he told his Reverence that he could not, from the vile and abusive language used by his son James to old Mr. Thomas, approach the table as a partaker of the Sacrament along with him; for his son had made no apology to the old man, nor did he exhibit any symptoms of contrition. To this his Reverence replied, that that was nothing to me; "that every tub should stand upon its own bottom."

In consequence of this, and notwithstanding my custom from Magrath's shop, the whole family, like a nest of hornets, attacked me, and formed a resolution to deprive me of my school, and banish me from the village.

At an election of the Trustees of the Springfield School, the father and son used every means in their power to have one of themselves, and two of their tools elected, and they were so certain of success, they actually had engaged another Teacher. The election, which was hotly contended for, and of a boisterous description, satisfied them that their boasting and their efforts were unavailing, for Messrs. Cox, Vanvalkenburgh, and Carey, were the choice of the majority. Still they were not satisfied with these defeats. There was a bone worth contending for—a sum of (£50) fifty pounds was to be expended in the erection of a school-house; this sum the Magraths wished to have the controul of, being well aware that the person or persons employed in the erection would have to take in store *ay*, at their very moderate prices, the full amount of the building. They

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protested against the election: and the School Township Superintendent insisted that another election should take place. The day fixed upon for the trial of strength and patriotism was during the Assizes, when thirteen of the voters were in Toronto, as witnesses, and jurymen. The Magraths appeared to be certain of victory; but at four o'clock in the morning of the day of election two teams were started from this place to proceed to the City. (19 miles,) in order to bring up the friends of social order. And within half an hour prior to the polls opening, the gallant freemen made their appearance, and the Magraths' tribe were in the minority. The Chairman (Mr. Oliver Hammond) and the Trustees elected on the first day were again re-elected. Indeed, the only persons opposed to their election were the Magraths; three of their labourers, and five persons in their debt, and Doctor Dixie, of Prinrose Cottage, whom they had imposed upon, by making him believe that he would, through their interest, be elected as a Chairman and a Trustee. The author, and almost every person present, regretted to have witnessed the awkward predicament in which so young and worthy a man was placed, particularly when he had no man to propose him to the meeting but the *twice connected slanderer and notorious perjurer*, Charley Magrath. Surely our highly respected doctor will in future avoid associating with such a cess-pool.

During the period Magraths have had the Post Office, weighty and numerous complaints have been preferred against them to D. P. M. G. Stayner, to all of which, although letters were proved (by some of the most respectable men in the country) to have been damaged and intercepted, seals broken open, and other violations of the Post Office regulations—he has turned a deaf ear, insulted some of the complainants, and supported the Magraths in the violation of their duty, if not of their oaths of office, as will appear by the following correspondence:—

The author's first letter to Deputy Postmaster General Stayner, appears to be inadvertently misplaced, the substance of it, however, is embodied in the *author's* memorials to the Governor General, and the following is Mr. Stayner's reply thereto:—

GENERAL POST OFFICE,

Quebec, 14th December, 1843.

SIR,—I have to acknowledge the receipt of your letter of the 7th instant, complaining of your having been insulted at the Credit Post Office, and that you had posted two letters at that Office to a correspondent in the United States, upon which you had paid the postage, which had not been received.

In stating the failure of letters deposited at a Post Office, it is necessary, in order to afford me any chance of tracing the cause of such failure, that dates and other circumstances should be mentioned,—such as whether you took the letter to the Office yourself, or whether you sent it by another person, and whom; to whom delivered at the Post Office, &c.

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I shall instruct the Post Office Surveyor, Mr. Freer, who is stationed at Toronto, to look into the complaint advanced by you, and I will be obliged by your furnishing him with the particulars to which I have adverted.

I have the honour to be, sir, your obedient servant.

[Signed] T. A. STAYNER, D. P. M. G.

To J. K. Dean, Esquire, Credit.

CREDIT, January 4th, 1844.

SIR,—I have to inform you that upon the plan proposed by you to investigate into the charges preferred against the Post Office here, will not give that information to you and the public, who are as deeply interested in this inquiry as I am.

If you are determined to receive no testimony from any person, except that person prefers a charge in writing to you against the Postmaster or his Deputy, you are, in my opinion, crushing the inquiry at the threshold, and stifling the just complaints of the aggrieved. There is not one in ten that will take the trouble of writing to you upon the subject, and from the little faith placed in the department by many in this part of the country, owing to the investigation and Mr. Stayner's decision thereon some time ago. Some say they will not attend, to prefer or support charges, unless compelled. I beg to know, sir, whether you have it in your power, as is the practice in England, to command such attendance? If so, be pleased to furnish me with a dozen copies of summonses, so that I may have them served on the persons necessary to attend on the day of examination. As to the necessity, as you state, of furnishing Magrath with the charges and names of the aggrieved, it is, I believe, contrary to the practise of all Courts of Inquiry, and would have a tendency to enable those complained of, either from their influence or acts of intimidation, to prevent the attendance of witnesses, some of whose testimony would have an important bearing upon the case. For instance, can you expect a person in the employ of the Magraths, or in their debt, to come voluntarily forward and charge them with delinquency? You know they will not. And, therefore, if you have not the power to compel their attendance, which is most material, the guilty may be screened and the innocent will continue to suffer.

As to my statement with regard to the Rev. James Magrath, it is my wish that it may be investigated, and, although you assert that it cannot operate against the Postmaster here, because I had not complied with his request—yet it will establish the charge set forth, for the old gentleman cannot deny that he has been in the habit of receiving his letters free of postage.

As to my charge of assault against the Postmaster, I beg to say that I will prove to your satisfaction that I have been most grossly insulted by the Deputy Postmaster, when inquiring for my letters and newspapers. Secondly, that I paid the postage on three letters to the United States, two of which were never received. I shall also prove that the mails have been exchanged by persons not entitled to do so. I also beg to state that the most respectable residents and neighbours will come forward on the day you may fix upon for the investigation to testify that the Postmaster here is unworthy of confidence, and that they dare not put their letters into the Office,—and that they are compelled, at a great inconvenience, to send their letters to distant Offices for safety.

Hoping I have not trespassed too much upon your patience, I beg to add, that

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a number of persons will be in attendance at the day of examination, and will state their grievances, if allowed to do so—and if not, they will consider themselves much injury. As far as my knowledge extends, the names of witnesses and the testimony which they intend to give are not furnished to persons arraigned in any Court of Justice, and in a case of inquiry such as you now intend to institute, it would, in my opinion, be preposterous to do so, for it would, as I before stated, enable the Postmaster to use his influence and intimidation on to put a stop to their appearance.

I have the honour to be, sir, your most obedient servant,

[Signed]

J. K. DEAN.

E. S. Freer, Esquire, Toronto.

CREDIT, January 16th, 1844.

SIR,—I and others who have suffered through the Post Office Department, have been waiting with great anxiety to know the day that you will attend at this place to investigate into the charges preferred by me against the Deputy Postmaster here. Will you be so good as to favour me with the day that you will be up here to hold the inquiry, or will you send the summonses as requested! Some of my witnesses may be absent on the day of investigation, unless I receive early information from you. Waiting your reply,

I have the honour to be, sir, your obedient servant,

[Signed]

J. K. DEAN.

E. S. Freer, Esquire, Toronto.

CREDIT, January 23rd, 1844.

SIR,—I have written twice to you on the Post Office oppression, and have not received a reply to either. This, you must know, if you have received my letters, is very discourteous and ungentlemanly. I shall wait a few days longer for your answer, and if not then received, I shall appeal for redress to a higher authority.

I am, sir, your very obedient servant,

[Signed]

J. K. DEAN.

E. S. Freer, Esquire, Toronto.

TORONTO, January 25th, 1844.

SIR,—On my return to Toronto on the 3rd instant, finding many matters awaiting me, which had taken precedence of your complaint, and being obliged since to make two journeys from Toronto on Department business, which could not be postponed, you will be satisfied, I trust, that it has been out of my power to pay earlier attention to your communication.

I regret that you should have misunderstood me as regards the proposed plan of investigation, I thought I had clearly explained myself at the Credit on the evening of the 2nd instant. It will, perhaps, be best that I should give you, by way of example, a brief statement of the course pursued by me in inquiring into certain charges against a Postmaster in May last, on the route between Toronto and Hamilton, and which I would recommend should be followed in your case. The complainants had addressed the Government, embodying their grievances in six distinct charges. These being referred to the Deputy Postmaster General, I was instructed by him to institute an inquiry. Proceeding to

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the spot, I furnished the Postmaster with a copy of the charges, and as he required a few days to prepare his defence, this, as a matter of common justice, was allowed him. I shortly afterwards appointed a day to suit the convenience, as far as practicable, of the parties concerned, procured the attendance of two impartial Magistrates; one selected by the complainants, the other by the Postmaster, went through the investigation, and made my report, embracing the opinion of the magistrates, which was transmitted by the Deputy Postmaster General to the Secretary West. This course, I have reason to believe, met the approval of the Government. My desire now is that you should allow me to pursue the same mode of proceeding in your case. It matters not for the ends of justice that you have not addressed yourself in the first instance to the Government.

Be good enough to furnish the Deputy Postmaster General, or myself, with a statement in writing of what you intend to allege against the Postmaster at Credit, with a brief detail of circumstances, date, &c., for if your complaint savours of the oppression which you assert, it must surely be susceptible of being put down in writing. You misunderstood me quite, if you thought that no testimony from any person would be received, except that person prefers a charge in writing. Quite the contrary. It will be competent for you to bring forward as many witnesses as you please, without naming who they are beforehand, to support the charges. I only expressed it as my opinion, to which I still adhere, that it would not be a just inquiry as regards the Postmaster, if he were called upon for explanation upon any serious matter tending to compromise his character or situation, without being first distinctly apprised thereof, that he might have a reasonable time to prepare his defence.

With respect to the verbal objection which I understood you to make, to calling in Magistrates, I have deemed it advisable, and have the sanction for it of ——— my head of Department, to request the attendance on such occasions, of some intelligent and impartial inhabitants of the neighbourhood, (which qualification Magistrates are generally presumed to possess) for it cannot be supposed that I, who am comparatively a stranger to your community, should be able to judge of the degree of credibility to be attached to the statement of witnesses so well as respectable individuals who have been brought up in the neighbourhood; and in this view alone, it is better, I conceive, in order to ensure an open and impartial inquiry, that Magistrates should be solicited to assist, as I have done in all other similar cases.

I wish you also to understand that I am at this moment very much pressed with business which may require my absence from Toronto occasionally for some days. If any communication, therefore, which you may hereafter make me should not meet with an immediate reply, you will be pleased not to ascribe it to a wrong cause.

I have now marked out the course which I consider the most direct and speedy for investigating the grievances which you allege to have suffered from the Credit Office, but if you should decline putting forth your complaint in any other shape than it appears in your letter of the 4th instant, I must endeavour to fix as early a day for holding the inquiry as the business which I now have in hand will allow.

I have the honour, &c.,

[Signed]

E. S. FREER,

J. K. Dean, Esquire, Credit.

Post Office Surveyor.



CREDIT, January 16th, 1844.

REVEREND SIR.—I have the honour to inform you that I have been employed as Teacher of this District School, No. 3, Toronto Township, during the last twenty-one months. That on the 26th day of December last, being the expiration of the term agreed upon between me and the parents and guardians of this district to teach, a general meeting of the inhabitants was convened, which was numerously attended; the inhabitants, upon its being proposed and seconded, Mr. John Carey was ordered to take the chair. The chairman explained the object of the meeting to be “first, whether they approved of Mr. Dean, as a teacher, and, if so, to testify the same by standing up.” To this proposition all rose unanimously. Upon the second proposition, “whether they should continue Mr. Dean upon the former plan, or retain his services under the stipulations of the present Act of Parliament,” being put, a majority voted for retaining him upon the new system. Upon the third proposition, “whether the school should be continued in Mr. Dean’s large room, or removed to a house then recently rented for the accommodation of Protracted Meetings then held by a new sect of Methodists,” being put, it was carried by a large majority that it should continue in Mr. Dean’s room. The next proposition was, that Messrs. Carey, Woodruff, and Wilson, should act as inspectors of the school until such time as trustees should be appointed. This was carried unanimously; and, after having proposed a vote of thanks to the chairman, the meeting dispersed in the greatest harmony.

The following morning I was notified by the new sect of Methodists, that if I would not teach in their conventicle, and allow them to remove the school stove into it, they would not send their children to me. I told them I was compelled to abide by the voice of the majority, and requested them to convene another meeting, and I should most willingly comply with the order of the majority. They said they would do no such thing; and, if I would not comply with their request, they would break up my school. Acting upon this unjust principle, they not only kept their own children from my school, but, by threats and falsehoods, occasioned other parents to do the same; and on the day following, only ten pupils were in attendance; but, at the present period, owing to the exertions of the liberal part of the community, I have thirty-six. Pursuant to your circular, all the inhabitants, freeholders and householders, were notified to attend on the 9th, to select a chairman and three trustees to serve for the year. It appears that the family of the Rev. James Magrath, and the new sect of Methodists, entered into a league, offensive and defensive, in order to carry three objects, and mustered all the force they could to out-vote the friends of social order—no less than three of the Magraths attended, two of whom, it is well known, had no vote in the district, and they declared at the meeting, when asked how they became entitled to appear there as voters, that they should not gratify the chairman of the meeting! And one of them, Charles Magrath, said that they could call in from the road whom they pleased, voter or no voter, and the chairman had no right to refuse his vote. Not one of the three Magraths ever paid for a day’s education for a child of any poor individual of this place. The first object was, by the appointment of the Magraths and one or two of their partizans, to have the controul of the Fifty Pounds for the erection of a School House, so that James Magrath, who keeps a store, would provide the material and the hands required, for which he would pay, as is his usual custom, in goods

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at an enormous profit. Secondly, to relieve the new sect from the payment of rent for their conventicle, by removing the school to it, and paying the rent from the school funds. And thirdly, to dismiss me, and take possession of the school stove, and place it in the said conventicle. Perhaps it may not be amiss to inform you that the Magraths and I were upon the most friendly terms so long as I paid them, for the use of my family, from 50 to 100 per cent. for goods more than I could have obtained the same sort of goods at Cooksville or Oakville. No sooner had I ceased dealing with them than the Rev. James Magrath told me, when on my way to hear Divine Service, that *if I gave offence to any one of his family, he and the whole of them would resent it to a man!* I offered to submit the question in dispute to himself, and told him I was willing to abide by his decision, which he refused. I also told him that I was very sorry to hear such language from the lips of a gentleman to whose Church I then belonged, that I was wantonly insulted by his son; and, even if I had committed an offence, it was his duty, as a Minister of the Gospel, to forgive me, for Christ declares, if your brother offend seventy times seven in a day, thou shalt forgive him;—but the reverend gentleman to my great astonishment, asserted, *that that was not the case with them, for they would resent it to a man!*

The Magraths now boast that they will set aside the election of a chairman and three trustees, but should the persons elected be continued in office for twelve months, the Rector, the Rev. James Magrath, has the power of withholding the money from them, and would do so!

I have the honour to be, rev'd sir, your most obed't servant,

[Signed] J. K. DEAN.

Rev. Robert Murray, Kingston.

*P.S.*—Since writing the above, I have been informed that the Magraths wish to drive me from this village, in order to prevent me from giving testimony against them, at an inquiry ordered to take place, wherein they are implicated in the Post Office delinquency. Two of the present trustees, Messrs. Carey and Vanvalkenburgh, pay me for the tuition of five poor children.

KINGSTON, 20th January, 1844.

Sir,—I have the honor to acknowledge the receipt of your letter of the 16th instant, regarding the election of the Trustees for your School District, the difficulties connected with the school-room, and the power of withholding the school money.

In reply, I have to state that the Trustees who are chosen by the votes of the majority of the freeholders and householders present in the meeting are legally elected. The Trustees thus chosen have the privilege of choosing the teacher, and managing every thing connected with the school-house. But they have no power to turn out the teacher; this power being vested exclusively in the Township and County Superintendents. As regards the school fund, the Township Superintendent is authorized to pay the money to teachers, but neither he, nor any other person, is authorized to withhold it when it is due.

I have the honor to be, Sir, your most obedient humble servant,

(Signed) ROBERT MURRAY.

Mr. J. K. Dean, Teacher, Credit.

CREDIT, *January 26th, 1844.*

SIR,—Yours of yesterday has come to hand, and in reply thereto I beg to inform you, that I wish to have the proceeding carried on by you in the same manner as that performed by your predecessor; and I trust that you will furnish me with summonses, at least one dozen, to serve upon unwilling witnesses.

If you have not summonses, please send me a copy; and I shall prepare those that are necessary to serve. As to the charges, I refer you to my letter of the 4th Instant; there will be several other charges, which will be supported by witnesses on the day of investigation, some of which are startling, and as it is your wish to purify the Department, I hope a thorough inquiry will be gone into.

I am, sir, your very obedient servant;

J. K. DEAN.

E. S. Freer, Esquire, Toronto.

CREDIT, *February 2nd, 1844.*

SIR,—I am extremely surprised and concerned that you have not fixed upon a day to investigate the charges I have preferred against the Post Master here. It has been propagated here that you will not pay any attention to my complaint; that the Magrath's influence is such that you will grant no inquiry;—I now, therefore, notify you, that this shall be my last application to you.

Two of my witnesses, in all probability, will leave here the latter part of the ensuing week, and through you I am to lose the advantage of their testimony.

It is rather strange that you should, after having read the order of the Deputy Post Master General, thus act towards me.

I still am, sir, your very humble servant,

J. K. DEAN.

E. S. Freer, Esquire, Toronto.

CREDIT, *SPRINGFIELD, February 5th, 1844.*

SIR,—I have the honour to inform you, that with reference to my case, I am extremely sorry that you felt it advisable to stop me or my agent from cross-examining Charles Magrath when he first closed his testimony, on the ground that you would hear all the plaintiff's witnesses; and when he had got through with the whole of them, you then refused to hear the cross-examination.

It was my intention to have questioned, whether he had not made it his boast that his influence was so great with you that he could recover any suit brought by his family—and this I would have established by an unimpeachable witness.

As to the due bill, or order if you please to call it, I fear it was not sufficiently explained by my agent. The thing, of itself, is plain enough, for it expressly says, "good to J. K. Dean, in goods, £1 8s. 5½d.," on the 5th day of September last; and you will readily perceive those goods for which the suit was brought were obtained subsequent to the date of that order or due bill, and endorsed upon it—consequently it was useless after that. The first of those goods being had by me thirteen days after receiving the said order, on the 18th September, and the last of them on the 9th of November, wherefore this is exactly in accordance with the provisions of the due bill or order. The very unpleasant manner that you addressed my agent, when he insisted upon his right to cross-examine Charles Magrath, annoyed him, so much so, that he came to the resolution to

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withdraw from your Court, supposing that you were biased against him. And it appeared rather singular to him, that the rule enforced by you, when Magrath closed his testimony, was not adhered to in the case of every other witness, for my agent was not interrupted by your worship in the cases of Cameron, Patterson, and Clay—nor was I interrupted when cross-examining my agent, but before the trial terminated, he asked your worship's permission to cross-examine Magrath, when you immediately replied—It is all over, and would not hear him, although you stated in the first instance that he would have the privilege of doing so when the evidence was gone through.

In haste I remain your much-injured yet your very obedient servant,

J. K. DEAN.

Judge Powell, Toronto.

P. S.—The cheque you will be pleased to preserve, as it will be required in another Court to answer the ends of justice. I never endorsed the name of Rt. Peel, and when I found out that the name was necessary, I called at Magrath's store, and asked for the cheque, in order to transmit it for endorsement to my friend in the States, but Magrath had gone to Toronto and took the cheque with him, and that the clerk said "Charley was well known, and he would endorse it and get it cashed."

*To His Excellency Sir Charles Theophilus Metcalfe, Governor General of British North America, &c. &c. &c.*

**MAY IT PLEASE YOUR EXCELLENCY,**

It is with the greatest deference I have the honor of submitting to your Excellency a complaint of the most grievous nature, relating to the conduct of the Deputy Postmaster and his sub of this place. I complained on the 7th day of December last, to Deputy Postmaster General Stayner, of the improper conduct of his deputies in several instances, and assuring him that many highly respectable individuals in this neighbourhood felt as I did, the unjustifiable and oppressive acts of those in charge of the Post Office here. In reply thereto, Mr. Stayner directed me to submit my complaint to a Mr. Freer in Toronto. I complied with his suggestion on the 4th day of January, and was assured by Mr. Freer, two days subsequent, that he would institute an inquiry, and afford me and the other sufferers such redress as we might be entitled to. From that period to the present, Mr. Freer has not performed the solemn pledges made to me verbally and in writing. There are many in this neighbourhood who have, as well as myself, grievous complaints to make of the delinquencies of the Postmaster, if notified by Mr. Freer to attend, but he states that he has no authority to compel their attendance, and if they are brought forward to the Post Office in expense, which in my opinion is contrary to the practice of the Post Office in England. Relying upon your Excellency's honour and impartiality, I do hope that you may be pleased to compel Mr. Freer, or some other officer of the department, to do that justice in the case which the country loudly call for.

I have the honor to be your Excellency's most obedient humble servant,

(Signed) J. K. DEAN,

Credit, Springfield, Feb. 20th, 1844.

SECRETARY'S OFFICE, KINGSTON, 2d March, 1844.

SIR,—I am commanded by the Governor General, to acknowledge the receipt of your letter of the 20th ult., complaining of the conduct of the Postmaster at Springfield; and to inform you in reply, that the subject has been referred to the Deputy Postmaster General for inquiry and report; on the receipt of which, the subject will receive His Excellency's consideration.

I have the honor to be, sir, your most obedient humble servant,

(Signed) JAMES HOPKIRK.

J. K. Dean, Esquire, Credit, Springfield.

To His Excellency Sir Charles Theophilus Metcalfe, Governor General of British North America, &c. &c. &c.

The humble Petition of J. K. Dean, of Springfield, River Credit Common School Teacher,

HUMBLY SHEWETH:—

That your petitioner, a native of England, arrived here about two years ago, and has ever since been employed as a common school teacher in this village, receiving from the Rev. Mr. Rintoul, and the Rev. Mr. MacGeorge, the Principal Common School Commissioners under the late act, testimonials of the most honourable description.

That so long as petitioner purchased the goods, &c. necessary for the support of himself and family at the store of the Deputy Postmaster, he was treated in the most courteous manner; all letters to and from his friends and relatives in England and the United States were regularly received; but so soon as petitioner was apprised that the Deputy Postmaster and his sub, had charged him from 50 to 100 per cent. upon the goods purchased from them, more than petitioner would have been charged in other stores within three and a half miles of this place, and that when petitioner had withdrawn his custom from them, they commenced a most unmanly and oppressive persecution against petitioner and his family; they intercepted letters going to his friends, by which petitioner sustained a serious loss; and they actually, although they never contributed one penny for the support of the common school, raised a party, five-sixths of which were composed of their hired men and debtors, to vote themselves and one of their partizans into office as common school trustees, in order to expel petitioner from the school; but in this they were grievously disappointed. Petitioner having called one day for a letter, which he had for some days been anxiously looking for, was told by the Deputy Postmaster that there was none. Petitioner requested him, in a polite manner, to search in the office, when the Deputy Postmaster replied in a bawling voice, "if you come again in that way I will put you under arrest!" Your petitioner in order to protect himself from the meditated oppression of the Deputy Postmaster, complained to Deputy Postmaster General Stayner of his conduct, and was referred to a Mr. Freer of Toronto, on the 4th day of January. Mr. Freer promised in the manner already submitted to your Excellency, to investigate the case, but did not act in accordance with his repeated promises until Saturday the 9th instant. The particulars of the proceedings, and the mode adopted by Mr. Freer in conducting the inquiry, your petitioner begs leave most respectfully to submit for your

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Excellency's consideration. Mr. Freer selected four magistrates and a neighbouring Deputy Postmaster, with whom your petitioner was not acquainted, to preside with him, and as he, Mr. Freer, said to speak to the character of every person examined, so far as their knowledge extended. Your petitioner told the gentlemen appointed that he would object to the sub-deputy being called upon as a witness, he being muet in damages in two suits—one in twenty-five pounds, the other in fifty, for malicious prosecution and defamation of character. In the latter case the verdict was confirmed by the Court of Queen's Bench, and also for having sworn falsely in open Court on three cases, which petitioner was ready to establish by five freeholders of unimpeachable character.

This Mr. Freer over-ruled, saying that petitioner should prosecute him in another court, or produce the record of his conviction.

To petitioner's first charge against the office-holders, that of defrauding the revenue, by allowing their father to transmit and receive letters addressed to the Deputy Postmaster under cover.

This charge Mr. Freer said they had no right to go into it; and when petitioner requested to examine the Deputy Postmaster touching the transaction, he told petitioner that that did not concern him, as petitioner could not have sustained any loss by any fraud committed by them upon the revenue. Petitioner then asked Mr. Freer if such conduct were not a violation of the oath which they had taken, as Deputy Postmasters, and in opposition to the instructions of the head of the department. Here again Mr. Freer interposed, by saying that neither he nor the magistrates had any legal power to swear them; and if they had, they were not bound to criminate themselves.

Petitioner established by the testimony of Lieut. Oliver Hammond, of the Trafalgar Cavalry, the insult recited above.

Your petitioner then being sworn, deposed, that he had paid postage to Deputy Postmaster and his sub on three letters mailed for the United States, only one of which was received. The first on the 25th January, the second on the 10th April, and the third on the 12th May, all in the last year; and only the latter of which was received; and in answer thereto my friend says, "*if I had received your letter of the 25th January, I could and would have remitted you \$50 or \$100, but I never received it, nor the one you mention, dated 10th April.*"

The Deputy Postmaster was called upon to produce the post office book, to see if the payment of the postage was acknowledged by him, when it appeared that he gave credit only for the letter of 12th May.

Petitioner next stated, that they were in the habit when they re-mailed letters, to charge the additional postage on letters to persons who abstained from purchasing their goods, whilst those re-mailed to their customers and friends were exempt from the additional postage. Here Mr. Freer asked petitioner how he could establish the fact. Petitioner told Mr. Freer that he had received his information from Deputy Postmaster Proudfoot of Trafalgar, who has been Postmaster there for twenty years; and who would, if notified by Mr. Freer, attend and establish the facts. And petitioner requested Mr. Freer to send a notice to his subordinate officer, Mr. Proudfoot, to attend and he would be down within one hour. Mr. Freer replied, "I have really no controul over Mr. Proudfoot; I cannot compel him, or any deputy, to attend, and it is for you, Mr. Dean, to bring him here."



Mr. M  
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Petitioner's next charge was, that the Deputy Postmaster was in the habit of forwarding in the mail-bag large parcels, free of postage, to his friends, and in support of this charge, petitioner called upon the Deputy Postmaster of Streetsville, who was one of the gentlemen selected by Mr. Freer and the Deputy Postmaster to preside on the inquiry,—who being sworn deposed, that the Deputy Postmaster here, had enclosed in the mail-bag, for his friend, Mr. Groome, a parcel without any charge of postage, containing 14lbs. of flax-seed!! Upon this testimony being received, Mr. Freer, who, in fact, acted as an apologist and an advocate of the delinquents during the whole inquiry, stated, that although they had no authority to do so, yet there might be sickness in Mr. Groome's family which would be a palliation of their conduct—and he Mr. Freer called upon Mr. Groome; and on his being sworn, Mr. Freer asked him if his wife, or any of his family were sick at the time; Mr. Groome said, in reply, his wife was seriously ill, and it was expressly for her use, as a medicine, that he had purchased it in Toronto, and brought it up to Springfield, and as he, Mr. Groome, was on horseback, he requested the Deputy Postmaster to forward it by the mail carrier the next time he was despatched to Streetsville. Petitioner remarked that it appeared strange that he should have bought such a large quantity for his wife's use—a quantity sufficient to supply the wants of all the females in the country; and that if *she had* been so seriously ill as he described her to be, and that he had felt so great an anxiety for her recovery, that he did not carry it on horseback the four miles, or at least a part of it for her immediate use.

The reply made by Mr. Groome, who is clerk of this division court, was, you are a damned blackguard; and a John Street told the petitioner that he was a damned scoundrel, and ought to be driven from the country for making such remarks. These persons, although expressing themselves in this odious manner, in the presence of Mr. Freer, were not reprimanded for their conduct, although Mr. Freer frequently interrupted and reprimanded petitioner for having put what he, Mr. Freer, conceived to be unnecessary questions to the Deputy Postmaster, and told them they were not bound to answer any question that would have a tendency to criminate themselves.

Your petitioner in his examination swore, that the Deputy Postmaster or his sub, had charged him the inland postage on each of his letters to the States 7½d., whereupon the Deputy Postmaster swore, that he had never charged petitioner or any other person more than 7d. on each single letter, that petitioner's statement was false, and he produced a book, which he submitted to Mr. Freer, to convince him that petitioner had committed perjury! Fortunately for petitioner there were several spectators in the room, who were in the habit of paying the inland postage to the United States, and who viewing with the feelings of men, the injustice and stigma they were attempting to fix upon petitioner's character, voluntarily came forward and swore, that this same Deputy Postmaster had always charged them for the inland postage, not 7d., as sworn to by the Deputy Postmaster, but 7½d.!! The following are their names, Mr. Joshua Pollard, the oldest settler in the Township, Mr. George Wooding, and Mr. A. G. Hatch.

Instead of Mr. Freer reflecting upon the conduct of the Deputy Postmaster, or reproving him for the false testimony he had given, he justified the act by asserting, that he had a right to charge 7½d.; but this palliation cannot wipe

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away the odium fixed upon the deputy by his swearing that he never charged more than 7d. inland postage on each letter!!! Mr. Freer asked petitioner if he had got through with his case? Petitioner replied that he had a number of witnesses to examine, who would substantiate more fully the delinquencies of the Deputy Postmaster, and petitioner called Mr. Carey. Mr. Freer first objected to hear him; but when Mr. Carey told him what he had to say could not detain him above two minutes, and being anxious to avoid attending on a future day, he, Mr. Carey, hoped he would then hear what he had to say, as he had nothing but documentary evidence. Mr. Freer told him to proceed. Mr. Carey stated that he could not ascribe in the present instance, any delinquency against the Deputy Postmaster here; but he would put a letter into Mr. Freer's hand which he hoped he would read to the magistrates, as he had suffered most severely in his feelings from the barbarous conduct of some person or persons in the department,—for 5 weeks he and his family were in the habit of sending letters to the United States, where two of his grand-children resided, and they were, it would appear from the letter which he handed to Mr. Freer, in the habit of writing to him, and none of the letters, although the inland postage was paid in both countries, came to hand! Mr. Freer read the letter and returned it. On Mr. Carey being handed a letter, which he had written in Kingston, on the 17th day of October to a Mr. Vanvalkinburgh, at the Credit Post-office, he stated, that he had written the letter and put it into the Kingston Office the day on which it bears date, which was the day previous to the Kingston post mark being stamped upon it; that upon his return he met Mr. Vanvalkinburgh opposite the Post-office here, and asked him if he had received his letter? Mr. V. said he had not, although he had called two or three times a week to make inquiry respecting it. Mr. Carey requested him to go to the Office and demand it, as it must have been received some days before. Mr. Vanvalkinburgh complied with his request and brought out the letter, which was then 14 or 15 days subsequent to the date of the Kingston post mark! where or by whom the letter was detained Mr. Carey could not say, but it appeared there was a violation of the department's order, not having the date of its receipt, at the Credit, marked upon it.

Mr. Vanvalkinburgh being sworn said, that he expected from Mr. Carey a letter, and that he had twice or thrice a week called at the Credit Post-office, during Mr. Carey's absence, and was told there was no letter, and thought it rather strange that it should have been withheld so long from him by the Deputy Postmaster. Petitioner then called upon a Mr. Lancaster, when Mr. Freer stood up, and said, he would hear no more evidence. Petitioner told Mr. Freer that he was requested to call on ten other suffering freeholders, the greater part of whom were present, and ready to be examined, each of whom would convince him of the annoying and oppressive conduct of the Deputy Postmaster and his sub in their official capacity; when he, Mr. Freer replied, he would not hear any more evidence, and put a stop to the inquiry!!

Petitioner begs to enclose to your Excellency a note which was read to the court, and received from a sufferer, a highly respectable gentleman, detailing his feelings upon the conduct pursued by the Deputy Postmaster and his sub here; and which feelings are not confined to him; for, to petitioner's knowledge, there are several highly respectable individuals suffering like Mr. Cox—men who are determined to uphold your Excellency in the honest and manly



course you have pursued, and who thirst for an opportunity to go boldly forward to the hustings to record their votes against that base compact, whose object is to degrade your Excellency and enslave the country. Your petitioner, therefore, prays your Excellency may be humanely pleased to render such justice to him and the other sufferers, as in your Excellency's wisdom may seem proper, for it is petitioner's opinion, and the opinion of the other persons aggrieved, that Mr. Freer is not an impartial officer, for along with a many interruptions received from him by petitioner, he would not allow him to call upon several persons to prove they had no confidence in the Credit Post-office, and were compelled for safety to post their letters at Cooksville, Trafalgar, and Oakville. He also refused petitioner appointing an agent to conduct the proceedings. And your petitioner will ever pray.

(Signed) J. K. DEAN.

Credit, March 11th, 1844.

CREDIT, April 29th, 1844.

SIR,—I have the honour to inform you that in consequence of the oppressive conduct manifested by the Deputy Postmaster and his sub towards me and many others in this neighbourhood, an inquiry took place on the 9th ultimo, into their conduct as Postmasters. At that inquiry four Magistrates, and a neighbouring Deputy Postmaster, at the request of the Post Office Surveyor, attended, in order to report upon the proceedings, and, from the testimony adduced in support of the flagrant violation of the department orders—the detention of letters, and various other acts committed at this Post Office, they, as I am credibly informed, recommended the immediate removal of the deputy and his sub from the office.

I had, sir, the honour of enclosing to you, for his Excellency's information, a petition, dated the 11th ultimo, in which was faithfully detailed the proceedings which had taken place at that inquiry, and, strange to say, as yet no notice has been taken of it. I, therefore, suppose, as it appears there is no safety in the Post Office conveyance, that the petition was not received by you. For the Magraths pursue the same system of oppression and insolence on the one side, and partiality on the other, as they were wont to do previous to the inquiry.

As I am now preparing for publication a statement of facts relating to the above characters, as Deputy Postmasters, it is my earnest desire, before its going to press, to be honoured with a reply to my petition. It is to be hoped that his Excellency will not support or countenance the Magraths in their outrageous proceedings in the performance of a public duty,—one of whom has been already convicted at the Court of the Assize, for malicious prosecution and defamation of character, and verdicts had against him, one for £25, and the other for £50; and against both of whom I should have preferred, had I the power to attend the Court during the recent Assizes, indictments for perjury, for having sworn falsely at the above inquiry.

I have the honour to be, sir, your very humble servant,

(Signed) J. K. DEAN.

J. M. Higginson, Chief Secretary, Kingston.

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CIVIL SECRETARY OFFICE, KINGSTON, 30th April, 1844.

SIR,—I have to acknowledge the receipt of your letter of the 29th instant, and to inform you that it has been transferred to the Provincial Secretary, by whom it will be brought under the notice of the Governor General.

I have the honor to be, sir, your obedient servant,

(Signed) J. M. HIGGINSON.

J. K. Dean, Esquire, Credit.

SECRETARY'S OFFICE, KINGSTON, 3d May, 1844.

SIR,—I am commanded by the Governor General to acknowledge the receipt of your letter of the 27th ult., addressed to the Civil Secretary, and to acquaint you in reply, that the petition to which you allude was duly received, and immediately transmitted to the Deputy Postmaster General, with the view of his making such inquiries, and acting with reference to the facts stated in it, as he might consider necessary. Your present application has also been forwarded to that officer.

I am, sir, your obedient servant,

(Signed) D. DALY, *Secretary*.

Mr. J. K. Dean, Credit.

CREDIT, SPRINGFIELD, April 23rd, 1844.

SIR,—You are aware that I preferred charges against the Deputy Postmaster of this place, in the month of December last;—you are, I doubt not, equally as well aware, that those charges, and other violations of his (Magrath's) oath of office, were fully substantiated on the day of the inquiry, which was, as you must know, on the 9th ultimo, and I have not as yet heard of the result.

Will you be kind enough to inform me, at your earliest convenience, as to your decision thereon. There are eleven persons, all respectable freeholders, waiting as anxiously as myself to know whether it is your intention to remove those perjured office-holders, James and Charles Magrath. The latter of these is the former's sub. and has been ruled in damages in two suits—one, in £25, the other in £50, for malicious prosecution, and defamation of character. In the latter case the verdict was confirmed by the Court of Queen's Bench. The eleven persons alluded to above have each of them suffered severely through the detention, and as some of them say, the interception of their letters, as well as other grievous annoyances through the Post Office. If your decision is to confirm the injuries I have sustained through those *perjured villains*, in their capacities as Deputy Postmasters, they are determined to petition for another inquiry, and for an impartial chairman, one who will not act as Mr. Freer did, as an apologist and advocate for the delinquents. The greater part of those persons were present at the inquiry, but Mr. Freer would not hear them.

I am, sir, your obedient humble servant,

(Signed) J. K. DEAN.

T. Stayner, Esquire, Deputy Postmaster General, Quebec.

*Credit, 18th May. 1844.*

SIR,—Having had the honour to address you on the 23rd ultimo, on the subject of the Post Office delinquences, and not having had the pleasure of your reply thereto, it strikes me most forcibly, that my letter miscarried, for it is impossible that a gentleman in your high official situation could have delayed, or neglected, answering an epistle of such vast importance not only to me, as a suffering individual, but to the public at large. I therefore, hope that you will be pleased to acknowledge the receipt of it, or notify me, that such letter was not received by you. This Sir, is the more necessary, in order to enable me to bring to a close the manuscript of a faithful, honest and voluminous publication, which I have now prepared for the press—a copy of which I shall take the liberty of forwarding to you: and I do trust that it will convince you, that those mothers of humbug, *the Magraths*, who so often boast of their great influence with you, have not only been injuring me and insulting the public, through the Post Office, but have humbugged yourself and Mr. Freer. Waiting your early reply, I have the honour to be,

Sir, your much injured yet obedient servant,

J. K. DEAN.

T. Stayner, Esq. D. P. G. Montreal.

*General Post Office, Quebec, 23<sup>d</sup> May, 1844.*

SIR,—In answer to your letter of the 18th instant, requesting to be informed if I had received your letter of the 23rd of the previous month. I beg to say, that that letter came duly to hand, and that as I was then making a Report to the Government on the subject of the investigation which has taken place into your complaint to His Excellency the Governor General, against the Post Master of Credit—I transmitted your letter to the Secretary, Mr. Daly, with the other papers connected with the affair. I think upon REFLEXION you will admit that your case having been referred to the Governor General, your proper recourse is to His Excellency.

I am, sir, your ob't. servant,

(Signed) T. A. STAYNER,  
D. P. M. G.

Mr. J. K. Dean, Credit,

*CREDIT, May 25th, 1844.*

*To his Excellency Sir Charles Theophilus Metcalfe, Governor-General of British North America, &c., &c., &c.*

MAY IT PLEASE YOUR EXCELLENCY:—

It is with feelings of pain and pleasure I have read the account of its being the intention of our beloved Queen and her Ministers to deprive us of your invaluable services in this Province, in order to elevate you by

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placing you in the brightest and most extensive command in her gift;—  
pain for the loss this Province must sustain by your recal from the  
Government at a period like the present—and pleasure for the judicious  
selection of you as successor to Lord Ellenborough, but before your  
Excellency's departure, I humbly trust that you will be pleased to order  
the Deputy Post Master General to decide upon the delinquencies and  
daring insolence of his Deputy here, as submitted through your Excel-  
lency to him for that object. Many highly respectable persons in this  
vicinity, owing to their want of confidence in the deputies here, and the  
insolence received from them, are compelled, for safety, to forward their  
letters to, and receive answers at distant offices. Your Excellency must  
be aware, that there can be no safety in a country where Post Masters  
assume the power of intercepting, detaining, breaking open the seals, and  
destroying the letters of individuals, as had been established on a previous  
inquiry by gentlemen, farmers, and tradesmen of the first respectability,  
who had, under oath, testified to those atrocious and unBritish acts of the  
Magraths. I have already written twice to Mr. Stayner upon the subject  
of my sufferings, and he has not deigned to reply to either. The low  
cunning and tact of the Magraths are inexhaustible: one of them, Charles,  
the twice convicted slanderer, and, as I shall shortly prove, a perjurer of  
the deepest dye, had the audacity, in an Address, got up at a hole-and-  
corner meeting in Streetsville, to come forward as a proposer of a Reso-  
lution, approving of your Excellency's conduct, at a time when no notice  
of such a proceeding was given to the numerous persons in attendance,  
not even to our representative, Mr. Duggan, who happened to attend in  
the village on that day. There can be no doubt Magrath's object was to  
make it appear to your Excellency that he and his family are persons of  
popularity, whereas the contrary is the case; for there can be no family  
so unpopular with all classes of the community. As a recent instance,  
they boasted they would expel me from the School District; and, upon a  
trial of strength, all they could muster to vote on the day of election were  
12 persons, namely, 3 Magraths, 3 of their hired men, 3 in their debt,  
and 3 others who occasionally work for them.

There is no doubt, if it had been publicly announced that an Address  
was to be got up at the meeting, but Resolutions would, without plager-  
ism, be prepared, proposed, and seconded by honest men, of talent,  
respectability, and an Address forwarded to your Excellency, to which  
would have been appended the names of the most influential freeholders in  
the Second Riding, as was the case at a subsequent meeting, convened by  
our member, Mr. Duggan. And these very Magraths would induce you  
to believe that they are the most loyal subjects in the Province, would not,  
when asked to vote for our respected member, Mr. Duggan; no, nor  
would they use that influence, which they have so vauntingly set forth, to

secure his election. As it appears that it is the desire of our beloved Queen to recall your Excellency from this command, and place you in the most important one in the Empire, it is my wish that the blessing of Heaven may accompany your Excellency in your important mission; and that the inhabitants over whom you will command, will justly appreciate the boon conferred upon them by her most gracious Majesty.

I have the honour to be,

Your Excellency's most humble and obedient servant,  
J. K. DEAN.

*Civil Secretary's Office,  
Kingston, 29th May, 1844.*

SIR,—I am directed by the Governor General to acknowledge the receipt of your letter of the 25th instant, and to thank you for the friendly sentiments expressed towards His Excellency. I am to inform you that your letter has been transferred to the Provincial Secretary, in whose Department all matters connected with the Post Office are considered.

I have the honor to be, sir, your obedient servant,

J. M. HIGGINSON.

J. K. Dean, Esq., Credit, Springfield.

P. S.—It is perhaps right to add that His Excellency has no intention whatever of at present resigning the Government of this Province into other hands.

CREDIT, *July 8th, 1844.*

REVEREND SIR.—Having heard that the sermon preached by that exemplary and pious clergyman, the Reverend Mr. MacGeorge, relating to the slanderous attacks by persons in the higher grades of life upon humble individuals, I lament exceedingly that the whole of your family, a majority of whom is addicted to that impious vice, were not present—particularly your twice convicted son Charley, as the sermon might operate upon his disordered brain, so as to compel him to abandon his slanderous and backsliding career. But I hope, Reverend Sir, that the sermon has had a salutary effect upon yourself—for you must recollect when I requested you to introduce me to the inhabitants of this village, your reply was, that they were all rebels except two, namely, your friend, Wilson the blacksmith, and your still more particular friend, Ballinger the innkeeper. Since that period, I have had satisfactory proofs that you, a man who professes to be a minister of Christ, had wantonly and wrongfully mangled your neighbours—some of whom you ought to pray for unceasingly for the benefits they have conferred upon you and your family. But it appears that gratitude is a stranger to your breast, witness your conduct to Mr. Dixon of Dublin, wine and brandy merchant. But, like fathert

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like son ! You are aware that your son, Charley, has paid pretty freely for his slanders, and if other persons had felt so sensitive as poor MacNabb and Lusty, another of your sons would have had to pay freely also. You, sir, may preach about minor crimes, but what crime can be greater than that of destroying, perhaps under the mask of sanctity, the fair fame of an honest individual ? Your son looked up to Mr. — as a friend, both were brother Orangemen, and yet your son, assassin-like, proclaimed to his own brother that he was a drunken, worthless character, frequently, upon the approach of day, found asleep in the gutter ! and a man who wallowed in scenes of prostitution. Never was a more foul, a more reckless or impious charge preferred against a human being. It is, was well known to your son, that this same Mr. — was and is a man of most exemplary conduct—a tender father, an affectionate husband, a sober and a praying christian. Yet this is the gentleman that was maligned and mangled by your brutal son ! Talk, indeed, of crime ! What crime can surpass this ? We view the cowardly incendiary who fires his neighbour's barn, or his house, with horror and detestation, but his crime is virtue itself compared with that of your guilty son. For the incendiary risks his life, but the still greater incendiary of character generally escapes unpunished ! You know, Reverend Sir, how I have suffered through the slanders of your family, and the base course pursued by your sons to deprive me of the means of support of my wife and children ; but thanks be to Providence, a wise and virtuous community, whom you denounced as *rebels*, interposed their authority, and defeated your guilty sons, when they imagined that my ruin was complete.

When smarting under the injustice of a judgment obtained through the black perjury of your son, Charley, I appealed to you to interpose your authority as a father and a clergyman, and what was your reply ? It was most fiendish. Your words were—"If you offend one member of my family we all resent it, to a man !" Is this the language of a christian minister ? Is it not language that would disgrace a man of common morality ? Christ tells us that we must forgive our enemies ; nay, pray for them ; but you, a well paid minister of the English Church, join them in their hue and cry to crucify me and my family, because I had purchased goods in an honest store for my family's use, 100 per cent. cheaper than I could have obtained them in your son's store. It is my intention, in order to put the saddle upon the right horse, to publish a pamphlet, detailing the honourable march of you and your family, from the very night that you had gulled your friend Dixon. I shall not omit your pious performance on the race course, in the nine-pin-alley, and your celebrated advise as to how your amiable sons should act towards the girl Simpson. Surely your sons must have the appetites of cormorants, or they would have staid their persecuting course against me ; but the contrary is the

case, for your son Charley, in order to carry his vengeance against me, descended into the grave of your poor, unhappy daughter-in-law, whose thread of life was so unexpectedly and suddenly cut off,—and states, that I and others had assailed your Reverence, your daughter, and your niece! and that I had told you to pull the crape from off your hat, as you would soon be in hell with your daughter-in-law!! Who, sir, but a villain, could have thought of such language, or possess blasphemous feelings to express such language? Yet, your son Charley, the amiable Amen-clerk of the Church, has run it through this village and distant places!! I now call upon you, sir, as a minister of that Church, of which I am a member, to contradict this blasphemous statement—you know it to be false, for I neither saw your daughter, your niece, nor yourself, and, therefore, in common justice to me and the community, and as a reprimand to your son, you ought not to hesitate to comply with this my reasonable request. If I know anything of my own feelings, no man would have dared to assail, in such odious language, in my presence, you or your female relatives.

In hopes of hearing from you, I am, Reverend Sir,  
Your much-injured yet obedient servant,

J. K. DEAN.

Reverend James Magrath, Rector, Toronto Township.

*To the Right Honourable Sir Charles T. Metcalfe, Baronet, Governor  
General British North America, &c., &c., &c.*

MAY IT PLEASE YOUR EXCELLENCY,

I have the honour to acknowledge the receipt of a letter from Mr. Secretary Daly, in answer to my memorial to your Excellency, upon the subject of the oppressions endured by me through the Postmaster and his assistant here; and also through the Post Office Surveyor, who had undertaken to investigate the charges preferred by me against the Postmaster and his assistant; but who had, in a most peremptory manner, broken up the inquiry, refusing to hear the testimony of ten suffering freeholders, the greater part of whom were present, and ready to be examined, each of whom would convince him of the annoying and oppressive conduct of the Postmaster and his assistant, in their official capacity.

But previous to his retiring from the room, he had assured those individuals that he would attend at some early day and go through with the whole of the testimony—a promise which, to this hour, has not been performed, although he has been called upon to do so. At the investigation Mr. Freer, the Post Office Surveyor, had no less than four magistrates to aid him in the investigation, and from the facts elicited during the partial inquiry, three of these magistrates, when called upon by Mr. Freer, to give their opinion upon the merits of such parts of the case as had come

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before them, recommended to Mr. Freer to remove, without delay, the Magraths from office.

This recommendation has not been attended to, and, strange as it may appear, Mr. Secretary Daly says "that your Excellency had the whole proceedings under consideration, and saw no reason to believe that any partiality was displayed, or that the investigation or its results differed in any respect from what the justice of the case required." I beg leave most respectfully to submit to your Excellency that I think it impossible, if the case and the report of the magistrates had been submitted *in their true colours* to your Excellency by Mr. Stayner, or Freer, that your Excellency could have come to such a conclusion. And as to the result spoken of in Mr. Secretary Daly's letter, it appears very surprising to me, that neither I, nor the other suffering individuals who had suffered through the Post Office Department here, nor the magistrates who had been called upon by Mr. Freer to preside at the investigation, have been apprized of the result. In fact I can assure your Excellency that no notification of the result has been received by the magistrates or any of the aggrieved individuals. I also beg leave to submit to your Excellency that the injustice of the Office still continues in its *full vigour*, for no less than four individuals, uninterested in the previous charges, have been compelled, very recently, to complain to the Deputy Postmaster General of the maladministration of the Magraths in the Post Office Department. Post Offices have been established in all countries for the convenience of the public, and not, as it is here, for the benefit of the incumbent; and it is really grievous to a number of persons in this part of the country whose letters have been detained, and some of the seals broken open, to be compelled to post their letters for safety in distant Offices. As to myself I feel deeply aggrieved; a stranger almost in this country, having nothing but my character and industry to maintain my wife and children, I looked up to your Excellency for common justice; and I now find, by Mr. Secretary Daly's letter, that the base assertion of my unceasing slanderers have more weight, through the agency of Stayner and Freer, than the justice of my case, or the testimony of the highly honourable individuals who had testified under oath before the inquiry.

I have the honour, &c.,  
(Signed)

J. K. DEAN.

Credit, 14th July, 1844.

Copy.

SECRETARY'S OFFICE, MONTREAL, 9th August, 1844.

SIR,—I am commanded by the Governor General to acknowledge the receipt of your memorial, again bringing your complaint against the Post-



Postmaster at Credit, under his Excellency's notice, and I am to refer you to the decision of his Excellency already issued in this case.

I have the honour, &c.,  
 Mr. J. K. Dean, Credit. (Signed) D. DALY.

CREDIT, September 6th, 1844.

SIR,—I perceive that a letter addressed by you to me lies in the Post Office, upon which is a charge of three shillings postage.

Now, sir, it is totally out of my power to pay the postage on such letters.

I have had the honour to correspond with various functionaries in Great Britain and the Colonies, and never was put to the expense of postage except in my correspondence with you; and I feel it to be a great hardship, circumstanced as *I now am*, to be compelled to pay the postage upon letters originating in PUBLIC and OPPRESSIVE GRIEVANCES. In fact such a line of policy closes the door of redress against all complaints emanating from persons in my humbled circumstances.

I have the honour to be, sir, your very humble servant,  
 (Signed) J. K. DEAN.

D. Daly, Esquire, Provincial Secretary, Montreal.

SECRETARY'S OFFICE MONTREAL, 13th September, 1844.

SIR,—In reply to your letter of the 6th instant, I am commanded by the Governor General to inform you, that as you had been repeatedly informed of the result of your complaints, relative to the Post Office of Springfield, and the expense of the investigations having been defrayed by the public, it was not considered proper that the public should be put to further expense in the matter, and the postage on the letter referred to—and which was a mere repetition of the answers already sent to you—was not paid.

I now, however, by his Excellency's desire, enclose a copy of it, and pay the postage on the present letter; but am to state, that when parties write so repeatedly upon the same subject, they must not expect that the postage should be defrayed by the public.

I am, sir, your obedient servant,  
 (Signed) D. DALY, Secretary.

Mr. J. K. Dean, Cooksville.

CREDIT, September 23rd, 1844.

SIR,—I have the honour to acknowledge the receipt of your letter of the 13th instant, and have to assure you that the letter referred to, as containing the decision of his Excellency, has not been received by me. Therefore, I presume that the Postmaster here, or his assistant, must have disposed of it in the same way as they disposed of my two letters to the

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United States. Under such circumstances, I need not say to you, sir, that I feel deeply aggrieved.

I have the honour to be, sir,  
your much injured, yet very obedient servant,

(Signed) J. K. DEAN!

Hon. D. Daly, Pro. Sec'y., Montreal.

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The black-legged disposition of the family in their transactions with the unfortunate labourers in their employment, through their store-pay settlements, are well known! Even the poor boy who lights the stove in the Church and sweeps the floor and pews, is compelled to take store-pay for his wages, although it does not exceed sevenpence half-penny per week! The Magraths get the York shilling from the few who attend the almost deserted house of worship, and they make on it at least a profit of fifty per cent.

But a recent transaction of James Magrath, alias Jack of Clubs, who, when mounted on horseback, as the honourable Mr. Irvine truly stated, looks like a round of beef placed on a small plate, astonishes the people of this neighbourhood; one of the Magraths, said to be the Rector, wishing to dispose of a sleigh furnished with buffalo robes, applied to their acquaintances (for it is impossible that such men can have any sincere friends) to subscribe four dollars each, in order to have them raffled. Amongst the number gulled by the pious family upon this occasion, was a Mr. Grant- ham, of Trafalgar, who paid his pound for a shake of the dice-box and a throw. The night fixed upon for the raffle, it was inconvenient for Mr. Grantham to attend, and he commissioned Master James, as the Rector calls him, to manage in the best way he could for him. The box and dice went to work at the North American, and Mr. Grantham's name being the last on the list but one, a person present offered to purchase his right, his agent, Master James, agreed, and actually received three pounds from young Stanton; and, strange as it may appear to that part of the public who are unacquainted with the quirks and shifts of the Magrath family, his same Master James gave but one pound out of the three pounds received, to Mr. Grantham! In fact, he fobbed two pounds of his friend's money. Now, it is well known that the closest friendship existed between the plunderer and the plundered; not a week passed by without some of the members of the Rector's family, or the Rector himself, visiting Mr. Grant- ham and his lady, and partaking of their hospitable fare! The blood which flowed in their veins was frequently warmed by the wine and brandy of Mr. Grantham. This was not all, Mr. Grantham, as a member of the Church of England, was a constant attendant at the Rector's Church, which to the latter was something of a compliment, as it swelled the number of hearers, so that on some Sabbaths, they might amount,

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including the Magraths and their servants, to twenty persons. But, no matter what friendship Mr. Grantham might have manifested to the family, or what services he might have rendered to them, all was dissolved when the dollars came in question. Self, was there, and *self* and the *Magraths are inseparable!*

This same Mr. Grantham attended, last winter, by invitation, at the Magraths, and whilst there, the Rector told him that he had killed an ox of his own, and had more beef than he stood in need of; and as he had that day got in an additional quarter from one of his customers, which was in reality the finest and fattest quarter he had seen since he had left Ireland, and which, he thought, would suit Mr. Grantham. Mr. G., upon the Rector's description, said he would take it; and the pious wolf had the modesty to charge 3½d. per lb., by which he must have cleared 2d. per lb. profit. But here the thing was not completed, for upon Mr. Grantham having put it into his sleigh, the old Rector, when Mr. G. was about driving home, halloed, "Stop, Mr. Grantham, I must have a *bit* for Charley!" and, suiting the action to the word, he pounced like a hungry tigress upon the beef, and with his butcher's knife cut out the greater part of the surloin, and carried it into his own house! Mr. Grantham paid dearly for his lunch, or dinner, but he may debit his loss to the piety of the Rector!

In all cases where the Magraths have a dispute with an individual, their great weapon of defence appears to be to raise the hue and cry of conspiracy and combination; and to proclaim that they were assailed by their opponent or opponents on account of their father being a *pious minister* of the Church of England, and because they themselves were men of gallantry and loyalty! This was the case when they were called to account for "hooking" timber out of the River Credit.

It was also the case when Captains Cotton and Cox prepared charges against them for intercepting and breaking open seals of letters in the Credit Post office!

In one of Lusty's cases, that of the horse borrowed by the *sporting parson* to carry his precious carcass to the Humber Race Course, the plaintiff and all the witnesses were denounced by the Magraths as combinators and conspirators. When the pious Rector was mulct in £10 damages and costs for having had in one of his merry moods one of the eyes of Lusty's horse knocked out, during the Races—when application was made by Lusty to the Grand Jurors of the Home District for a bill of indictment for perjury against *poor* Charley, for what he had sworn upon the *sporting trial*, they wrung the changes upon the words loyalty, piety, combination and conspiracy. And also in Lusty's other action against the *amiable* Charley, who was mulct in £50 damages and costs, for *slander* and malicious prosecution, the piety, gallantry, and loyalty of the Rector and his

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"brave boys" was bandied about by them; and combination, conspiracy, and disloyalty hurled by them at Lusty, his witnesses, the jurors, and the Court! And even in the author's own case, upon the Post Office injury, *innocent* Charley rose up and said, "I see it now; It is a combination; 'tis a conspiracy! That man" (alluding to a Mr. Wooding, a witness,) "hung me! I mean, gentlemen, in effigy."

So it is pretty evident that piety, loyalty, gallantry, combination, and conspiracy, are the chief shields, and they have, in more instances than one, proved powerful. They cling to these words with such pertinacity, that in the author's opinion, if the small sum of £15,000, now claimed by the gagging and modest Major from the Insurance Offices, should be withheld, the very woods of Springfield will resound with the incessant cry of loyalty, piety, combination, and conspiracy!!

I shall leave it to an impartial public to decide who are "the most vicious of a vicious race." Whether the assailed or assailers have been the combiners and conspirators?

Where am I to look for the Magraths piety? Is it in their wanton and brutal attack upon Campbell? Is it in their "hooking" the lumber floating down the Credit? Is it in the defamation of female character? or is it in their fishing and swimming a bear, immediately after divine service, in the River Credit? Can I find it in the acts of the Rector a patron of horse racing and his loyal Ballinger's Ten-pin Alley? Or shall I find it in his acts, wherein he charges the unfortunate labourers 3s. 9d. per bushel for potatoes? or, in his cribbing and boaring the ears of the hogs of poor Mr. Hair? Or in his monopolizing for months, the steer of Captain Robert Cotton? I think not. Nor can it be manifested by his turning night into day, and day into night, in accommodating his bilgewater associates in their midnight orgies. Surely, there was no symptom of piety in the Rector's celebrated advice to his incestuous sons, when he directed them not to slaughter each other about the girl Simpson and new-born infant, but to send them out of the neighbourhood by giving the poor girl a small sum of money? It cannot be found in the act of James when he sent his infant, from his own door, to the Toronto Workhouse.

Piety, indeed, in the Magrath family! Why, a man might as well expect to draw blood from a turnip, as to find piety in any one of the males of this family.

It is a well know fact, that upon the last visitation of the Lord Bishop, at the Springfield Church, the Rector was so gorged for several days previous to his Lordship's arrival, that he could not perform any part of Church Service. Indeed, he seemed (poor old man) so bloated from the three nights display of revelry; that he reminded the author of the state of a bull-frog panting for breath in the torrid zone! He was so enfeebled

"hooking!"

from the revels of the three precedings nights and days, (being all that time occupied in celebrating the baptism of gagging Tom's child,) that one of his sons had to lead him to a window in order to get air; and in that position he stood, with *his back* to the Lord Bishop, during the greater part of the time occupied by his Lordship in preaching a sermon condemnatory of the acts above described.

Never was language better applied; and I am sure the audience (that is the pious part of them) was highly delighted at the castigation given to the great and *fashionable* sinners of Springfield upon that occasion.

Really, to go into a detail of the Rector's acts and deeds, it would in itself fill a volume. What think you of a Clergyman, and a Minister of the Church of England too, denouncing his neighbours (without the shadow of reality that they were,) with the exception of the loyal blacksmith and tavern-keeper, ALL REBELS. There can be no piety in such conduct; neither can there be any in his listening, surrounded by his bilgewater fashionables, to his son "Willy" singing debauched songs without reprimanding him!

As to their loyalty and gallantry, all I need say about them, is to refer my readers to *the glorious retreat of the gagging Major*, not from the enemies of the Queen, but from her defenders—the fifteen bold Dragoons who had accompanied the poltron to the Credit Harbour the day previous to the ever-memorable battle of Gallows Hill!

Having by reference, disposed of *Tom's* gallantry and loyalty, I shall refer my readers to the cork-bullet duel of "Coptin" James for his gallantry; and as to Charley's gallantry and loyalty, I shall refer to the challenge of Mr. William Cox, and the answer poor cowardly Charley returned to Colonel Cameron's order, "that he was so bad with a pain in his bowels, that it was impossible for him to leave his room," to proceed with the flotilla to the American shore, the night of the attack upon the steamboat *Caroline*.

But were I to look for cowardice, slander, combination, and conspiracy, I should look to the *Magraths* above all men; for they are as fully conversant and as well loaded with these acquisitions, as the cocoa-tree is with nuts, or the cob with grains of Indian corn.

During the administration of Sir John Colborne, the gagging Major, upon the incessant and pressing applications of his parents to his Excellency and Lady, was appointed to superintend the location of Emigrants upon lands, near to Lake Simcoe. In preceding on his route he happened to enter into conversation with an amiable young woman, then on her way to the residence of Captain Anderson, she having been engaged by Mrs. Anderson to live with her as a servant. The gagging Major was all politeness to the young woman; he asked her where she was going, and what her prospects were. The innocent girl candidly told the SHARK that she

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was preceding to Captain Anderson's. Magrath told her that he was going in that direction, and that he would be happy to see her safe at her master's house; that the road she then proposed going was several miles farther than the one he would take her. The poor girl, relying upon his statement, proceeded with him; and he (*Magrath-like*) attempted to debauch her! but she escaped the *fangs* of the *incestuous monster*! Upon her arrival at the house of Captain Anderson, she communicated to Mrs. Anderson the brutal manner in which she was assailed, and also her fortunate escape. Mrs. Anderson asked her for the name of the incestuous savage that had attempted to violate her chastity. The poor girl said she did not know his name, but she understood that he held some situation under the Government, and that he wore spectacles.

From the statement of the girl, Mrs. Anderson believed that, as that highly respectable gentleman, Mr. Alley, was the only person in the Government employ that wore spectacles, he must have been the person; and for several months this infamous charge attached to Mr. Alley! It was, however, discovered that the gagging major was the wretch that had attempted the ruin of this innocent and chaste female, a stranger in the Province, and not the honourable and virtuous Mr. Alley!!!

I perceive from a Toronto paper of the 29th August, 1840, that the Magraths ridiculed Captain Cotton on account of his spelling! What will the learned Magraths say of the gagging Tom? The Governor General, I am told, wished to make education a test of a voter's qualification; and he, no doubt, had the speculator, Tom Magrath, in his mind's eye, when he wrote to Downing-Street.

*Note from Major Magrath to Mr. Maitland.*

DR. MAITLAND,—I find in Your racing account for 37 you take Credit for £35 paid by Me. I Can tell you if you think I am going to account for Money paid by Col. *Frazer, Markham, Maitland, Heath*, orders, you are very Much out it will not take you ten Minutes to come hire, at once. we will go over the Accounts together, if you do not I will jüst lay the beautiful documents themselves before the meetnig on the 3rd and let them understand them if they Can for God Knows I Can't.

You &c &c.

In the early part of November last, the author had to dispute an account of James Magrath's; and the consequence was, that he (the author) was summoned to be and appear before John Powell, of the Division Court, at Streetsville, to show cause why he refused to pay to James Magrath the sum of sixteen shillings and fivepence half-penny, being, as sworn to by the notorious Charley, due and owing to the said James Magrath. On the 5th day of the following month, being the day appointed to hear "the great Springfield case," as perjured Charley called it, the author appeared

*Mr. Alley*

*Critique*

*Spelling*

*John Powell*



before that impartial Judge, John Powell, who took up his abode the previous night at Mackenzie's Castle, Springfield, the residence of the pious Rector and his sons Charley and James. The case being called on, Charley, who always appears as clerk and affidavit-man for James Magrath, opened the case by stating that "your honour, the defendant in this case has made boast that he does not owe Mr. James Magrath any thing, and that he will expose me in your honour's Court; how far you will allow him to do that, time will show. This, your honour, is the great Springfield case, the account, as there stated, is written by myself, and it is correct." The Judge called on the defendant, and asked "what objection have you to pay Mr. James Magrath?" The defendant replied as follows:—"The greatest objection in the world, your worship. In the first place, I do not owe him anything, he being, as the witness knows, in my debt. In the second place, I call upon your worship for a non-suit." The Judge asked upon what grounds? "Upon these grounds, your honour: for the plaintiff having sued me in various names, instead of suing in your honour's Court in a fair way, he wishes to make your Court a sort of stepping-stone to defame my character. He does this, not to benefit his own or his brother's cause, but to asperse my character. Your worship, I presume, is aware that all Judges in Great Britain, and Canada, too, I trust, would contemn. His conduct is, it is needless to inform your worship, both foul, malignant, and incorrigible, and only worthy of the character to which I am this day opposed."

Here the twice convicted slanderer called out for the court to protect him. The Judge put a stop to the author's further proceeding; yet, under a threat of confinement, he persisted he was justly entitled to a non-suit, and this impartial Judge admitted that the summons "was rather informal," and he postponed the suit until the next Court, adding, that as Charles Magrath had sworn that he could prove that the defendant had signed the name "Robert, or R. Peel," on the cheque paid to him. The cheque in the interim was to be procured, "and all witnesses were to attend without further notice by subpoena."

Here a friend of the author's interposed, by saying that the defendant in this case was fully entitled to a non-suit, and contended that it was a great hardship, not to say anything of injustice, that the defendant should be put to the needless journey of attending there again. The Judge, who usually takes bed and breakfast with the Magraths, on his Judgeship tours, interrupted my friend, by saying he would not allow him, or any man, to dictate rules for his Court. Mr. Carey said the defendant was prepared to prove that his name was not only DEAN, but was fully prepared to prove by Magrath's own hand-writing, that James Magrath was in the defendant's debt twopence—the trial he postponed.

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ter, about six weeks previous to the dispute in question, that any cause he carried into Court, for himself or his family, where John Powell was Judge, that he would obtain a judgment whether he was right or wrong. In this *reckless slip of the gab*, there appears to be, as the sequel will show, more truth than what poor *perjured* Charley is usually credited for under oath! It was the defendant's intention to have established this fact under oath, by the men above alluded to, but for the peremptory manner in which the Judge closed the case.

The plaintiff's witnesses were, the *amiable* Charley Magrath, his tools, Russel Woodruff and Thomas Fitzgerald. The reader will observe that our honest Judge Powell had stated, that "all witnesses were to attend without further notice."

The day arrived; the cheque was produced, and poor Charley opened the plaintiff's case by saying, that "he and his brother, Mr. J. Magrath, had spared neither trouble nor expense in procuring this valuable document, the cheque." Here this seion of piety, the Amen-Clerk of Saint Peter's Church said, "I am extremely glad, your honour, that you allowed me to postpone this case from your last Court to this day, as it has given me an opportunity of getting evidence here which I conceive is invaluable to me in support of my brother's claim against the defendant. Will your honour allow this man" (meaning the defendant) "to come into Court in the name of Peel, or Dean?" The Judge said, in the name he acknowledges. Very well, your honour, said Charley. The defendant has promulgated that he will prove me a perjurer. (Here the defendant said, And so I will.) Poor Charley called out—Court proteet me. So his friend Powell said he would not allow the defendant to interrupt him. So the *convicted slanderer and purjurer* handed the cheque to the Judge, and said, Your honour, this is the cheque on which the defendant said he had never signed his name "Robert or Rt. Peel." The Judge looked at and then returned it, saying, It is signed, however, by some one.

On Mr. Carey being handed the cheque, he instantly said, I will swear this is no more Mr. Dean's writing than it is mine. The defendant immediately said, I do hope your worship will allow me to be sworn, and I will assert, under oath, that I never did sign it. Surely the oath, if not the bare word of an honest man, ought to be taken in preference to a *twice convicted slanderer and purjurer*. Here Charley said, I hope your worship will protect me—he is (meaning the author) making faces at me—he is grinning at me, your worship! The Judge said, Mr. Dean, you must not nor shall not use such language in any Court where I preside. He is, (said the defendant,) your worship, the fittest and most *incorrigible perjurer* that ever was within the precincts of any penitentiary in her Majesty's dominions. Here poor Charley was allowed to proceed, and called upon Mr. Carey, who applied to the the Judge to know if he could

Carey  
a  
Witness

not procure his pay before giving his evidence. This caused a laugh throughout the Court, in which the judge joined, and Charley was obliged to hand him 2s. 6d.

Here Charley said, Mr. Carey, you have, I dare say, heard Mr. Dean, the defendant, say he had received letters at our Post Office, in the name of R. Peel. Mr. C. said, I have. I have also heard him assign the cause for it. (That is not what I wanted said *honest* Charley.) Did you never hear him say that he had received letters in other names in addition to R. Peel? Never. Here Charley looked daggers! and said, I have done with you. The defendant said, Then I will begin with you Mr. Carey. Do you not know that Charley Magrath is a twice convicted slanderer? Here *amiable* Charley called out at the top of his voice, (as if he gloried in his shame,) "I admit it, and paid the verdict the day it became due." The defendant said, no! only in the latter Lusty's case. The former one, MacNabb's, was made up by subscription.

Archibald Paterson, formerly of Primrose Cottage, Springfield, a poor miserable *tool* of the Magraths, said to the defendant in open Court, You are a damned liar; I would wring your nose if I had you here. (Upon which the defendant called out, Your worship, do you allow swearing in open Court?)

The impartial judge, said you must proceed with your case Mr. Dean, so the defendant said, Mr. Carey will you be kind enough to inform the Court what kind of a character Charles Magrath bears, as a witness, in a Court of Justice. Mr. Carey hesitating said, what do you mean? The defendant said would you believe Magrath under oath? Mr. C. said emphatically, No! The defendant asked Mr. C. his reasons? "I have known him, Charley Magrath, on two occasions to commit cool and deliberate perjury, and I would not believe him under oath in any case wherein he was in the least interested." Reader, Mr. Carey was Magrath's witness. The defendant said, your worship has heard the character given of Magrath by his own witness. I have now in court four highly respectable freeholders who will testify to the same effect, before whom he had committed wilful perjury.

A — Cameron of Toronto, who figured as a witness in gagging Tom's peculations of the race funds, was called, who swore, after having read from himself to Charley Magrath, a letter couched in these sympathetic and endearing terms, "my dear Sir" to a perjurer and twice convicted slanderer. This language strongly reminded the defendant of the old adage, "tell me the company the man keeps and I will tell you what he is!" What an amiable Mr. Cameron, so active and a tool of the Magraths, that he had twice written to New York before he could procure the cheque; and that the cheque produced was the one his friend, Charles Magrath, had paid into the Bank. Cameron had instructions from New York to shew the cheque to Mr. Dean; and, strange to say, so wedded

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was Cameron to the interests of his highly respectable acquaintances, the Magraths, that he refused to produce the cheque when called upon to do so! He wished to visit the pious family, and he fobbed 16s. 10d. of the plaintiff's money for his trip of pleasure!

During the trial, the defendant was frequently interrupted by the Clerk of the court and Constable Ward, whose impertinence and officiousness were so gross, that a stranger would have thought that these mighty and self-important gentlemen, were the JUDGES and not the SERVANTS of the court!

The judge said he would take time to decide the question; and after a delay of a fortnight, defendant's goods, to the surprise of every one who had witnessed the trial, were seized under execution, for the sum of £4 2s. 3½d., being 16s. 5½d. debt, and the remainder costs! And the defendant, by the judges order, had to take from Magrath's shop, IN GOODS, the sum of 16s. 5½d. being the amount of the verdict had against him with the additional 2d. which Magraths owed the defendant at the time the suit was commenced! Will the inhabitants of this District lament the removal of Judge Powell from the Bench?

During the trial, and upon the close of Charley Magraths testimony my agent stood up to cross-examine him. The Judge told the agent he would not then allow him; he must wait until the whole of the witnesses were examined, and then he might cross-examine Magrath! The agent told him his decision was contrary to the practice of all courts of law; that he had a right to cross-examine him then. The judge, in rather a boisterous tone, told the agent he would not allow him to dictate rules for his court.

When the whole of the witnesses were examined, my agent asked the judge if he were at liberty to cross-examine Magrath. No, said the judge, you should have cross-examined him before; I will not allow you to proceed in a cross-examination now! So by this manœuvre, defendant was deprived of material testimony in support of his case, which would have been wired from Charley on a cross-examination! The reader is aware that the judge ordered that the witnesses in attendance on the first day, were to attend the next court without subpoena; yet, in order to increase the cost, the Clerk (Thomas Groome, a real Magrath man,) of the court, in violation of the judge's order, issued subpoenas at the request of his friend Charley.

The matter in dispute originated in an order defendant received from a person in his debt on James Magrath, for £1 8s. 5½d., to be paid in goods at Magrath's shop.

This order was in the hand-writing of Charley, and signed by Thomas Fitzgerald, dated September 5th, 1843. Upon this order Mr. Dean obtained goods to the amount of 16s. 7½d., and endorsed that amount on the order, on the 18th September; and on the 9th day of November,

*T. Groome  
Clerk of  
the Court*

defendant obtained the remainder of the goods due on the order. To the defendant's surprise, Charley told him that he must pay cash for the goods received up to the 18th September. As he (Charley) had not endorsed the amount upon it and again take goods to that amount from the brother's shop, as the defendant's indorsation was not sufficient discharge, defendant told him that he had given him credit upon the order for the full amount, and that he would not take thereafter any goods from Magrath's shop, as he had to pay from 50 to 100 per cent. more than he could have procured them for in the respectable stores at Cooksville.

As a sample of their charges, I here insert the following, viz. :—Cut nails, sold at Cooksville at 4d. per lb., the Magraths charge only 7½d. per lb. ! Knitting needles, 5d. a set (a very inferior article) charged by the Magraths, are sold at Cooksville for 1½d., and a much better article!! “Coptin” James Magrath's charges for herrings, whiskey, tobacco, pipes, &c., are equally enormous; and as to the articles of tea, which the gallant “Coptin” and ex-Justice of the Peace obtained from the United States depots, free of duty, whilst he was a sworn magistrate of Upper Canada, it was sold at an enormous profit by him, although of a very inferior quality. Indeed, the greediness of the whole family is proverbial.

Only read this, Rector Magrath asked Mrs. Lewis for a few apples; she said he might have them. The next day, *Charley Alley* (a near relation of the Magraths) appeared with the Rector's team, the waggon of which was boarded two feet higher than usual. Into the orchard he drove and filled the waggon with the choicest apples. When loaded he started with his booty; but before proceeding half a mile on the Dundas Street road, the team and waggon, on account of the very heavy load, got stuck in a mud-hole. Charley had to return to Mr. Lewis and inform him of the situation in which he was placed, and Mr. Lewis, although disgusted with their voraciousness, was so silly as to furnish him with a yoke of oxen, in order to enable him to take the ponderous load home!—The next day Mr. Lewis took a view of his orchard, and found that he had not only broken the branches of his most valuable trees, but carried off the whole of his choicest fruit—some part of which he had promised to esteemed friends in the city.

It would appear as if the Magraths had exercised over all the people who were gulled by their society, an Algerine power; for they made it a rule to call upon all days, and at all hours, to the residences of their acquaintances, and carry off such fruit, poultry, &c., as they stood in need of, and, in doing so, they fancied they were conferring a favour upon the persons that they were thus plucking. Indeed, no priest ever called upon his parishioners for Easter dues with more authority, than the Magraths were in the habit of calling upon their deluded neighbours, and carrying off such eatables as they stood in need of.

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But it appears this profitable game to the Magraths, and injurious game to their neighbours, has now ceased; for some of their filthiest tools have given them "the bag," and closed the door against them.

At one time, two wholesale merchants from Lower Canada called upon Mr. Lewis in order to settle their accounts, and to spend a few days with him. Upon their arrival, he mentioned to the Magraths the object of the visitors. The Magraths would not take the hint; they were in possession; the beds and the fare were just what suited them; and, as possession is nine points of the law, they were determined not to be ejected by hints or requests. The merchants had to go to a tavern; and as the only alternative, Mr. Lewis had to get rid of his bilge-water fashionables, he started with Mrs. Lewis for York, leaving directions with his housekeeper not to provide the Rector's family with a dinner.

*Since, the extensive author  
 has not published any more  
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 it - although his name  
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