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PREFACE.

TO THE PUBLIC.

It has been seen with what unparalleled inhumanity I have several times been dragged before your tribunal.— Although each time I have confounded my enemies and doomed them to the severe loss of your confidence and esteem, preserving to myself unimpaired the inestimable trophy of your good will; it is nevertheless irksome to a feeling mind, to be the constant butt of malicious and designing men.

The attack which has lately been made upon me in the House of Assembly from a quarter, whence as it will be clearly seen, I had the least right to expect it, is known to all. To every man whose reputation is assailed, will ever be accorded by a generous public, the privilege of self-defence, the first great principle in nature. With truth I can aver, that in no instance have I appeared, but when goaded into your presence by the lash of calumny. If in repelling the wanton injuries with which it has been attempted to overwhelm me, I have inflicted some incurable wounds, who is to blame?

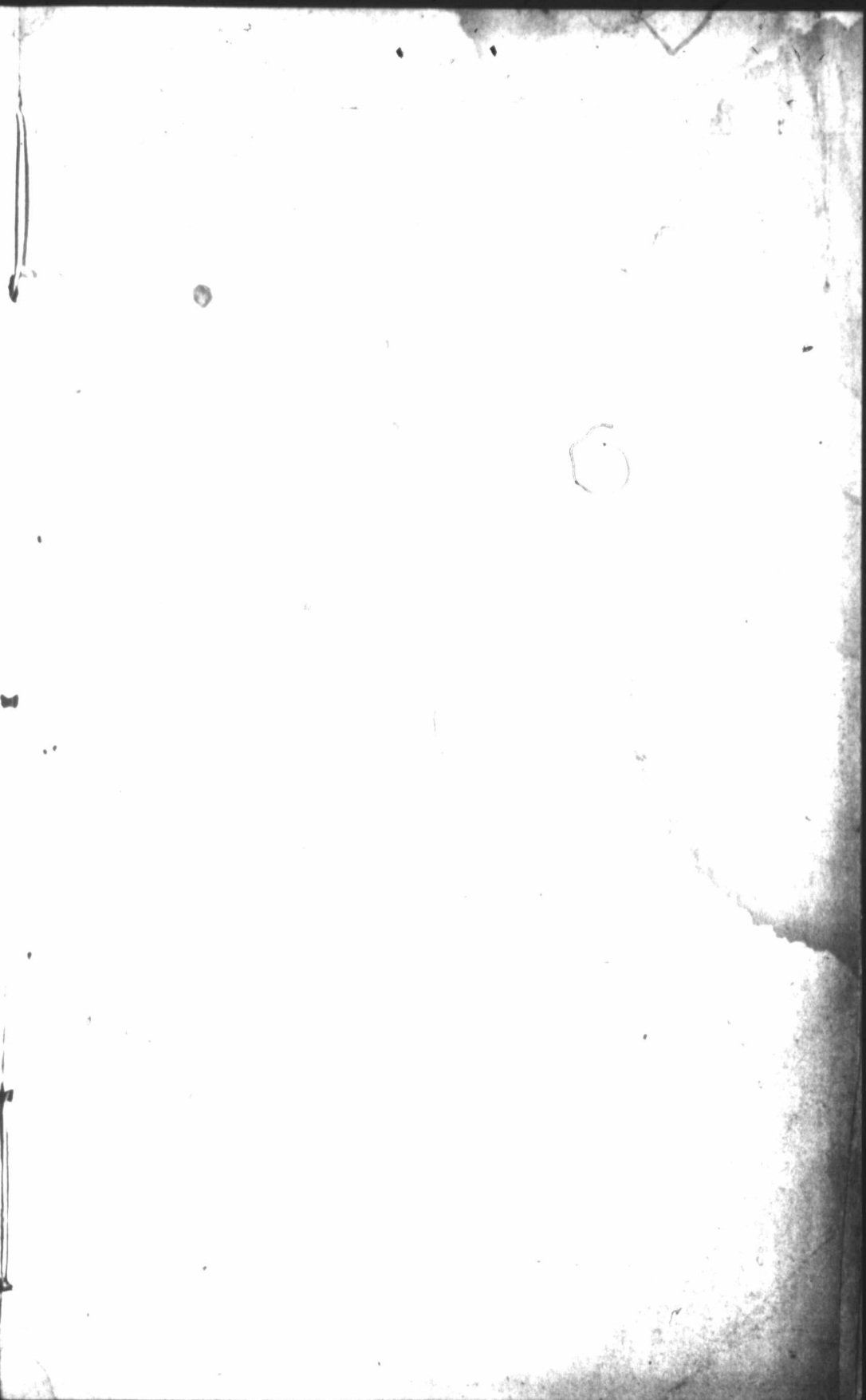
I trust that the reprehensible doctrine advanced by Mr. Nichol in the House of Assembly, that “the respectable and honorable character” of a man (and without examination as to the reality, or factitiousness of such reputation) will have no weight with you. Admit such a principle, and the equality of justice is subverted. Then indeed shall *“we have fallen upon times, in which venality no longer skulks in the dark, but snatches the bribe in public; when rapine preys on mankind without opposition, and perjury betrays it without enquiry.”* May the purity of your Constitution be ever guarded by men who have a full acquaintance with its principles, and steady minds to maintain them; and may it ever be your happy lot to know, how to discriminate between the pouncing hawk, and the harmless dove; the gaunt Wolf, and the prizeable watch dog.

As I have ever shewn myself resolved not to remain quiescent under public outrage from my fellow men, it is but reasonable to expect that I should feel no disposition to commit wrong towards them; should it therefore appear, that in the following pages I have treated Mr. Hagerman with severity, I entreat your recurrence to the injustice with which he has most unprovokedly and undeservedly treated me; and if I have urged upon him any thing calculated to mislead your minds, your impartial ears will, I am sure, be open to his explanations.

I am, with the highest consideration,
The Public's most obedient, and
Most humble Servant,

THOMAS DALTON.

Kingston, Upper-Canada, March 17th, 1824.



"By the words of thy own mouth will I condemn thee."

TO CHRISTOPHER ALEXANDER HAGERMAN, ESQ.

SIR,

WHENEVER necessity imposes on one of lowly condition, the task of addressing a personage exalted a dozen atmospheres above him, his situation becomes peculiarly embarrassing. Judge then Sir of my distress, on emerging from my insignificance, to approach the awfully dazzling greatness which irradiates the name of Christopher Alexander Hagerman. A learned Counsellor, a wise Legislator, the confidential Representative in Parliament of the most important City in the Province, a Colonel of Militia, a Collector of his Majesty's duties at the Port of Kingston; and Heavens! still elevating the keen glance to grandeur yet in embryo. Honors, like the multiplying dews of Heaven, showering upon your merit their fertilizing riches, have swollen it to a bursting exuberance, and placed it in such prominent relief, as must not only fix the admiring regards of contemporary men, but of succeeding generations.

Thus Sir, might address you, some fawning parasite, wont to stroll in the Eden whence Commissioner Macaulay gathers his boquets; where tropes and figures abound as plenteous as Musquitos in a Canadian swamp: but Sir, I am no parasite. From me, you must be content to hear the language of truth, dressed in the plain and homely garb of unsophisticated Brown-chain English.

If a person be wantonly dragged before the Public, and unjustly held up to scorn; his name associated with crime which his heart abhors, and blazoned to the world in company with men whom public opinion has condemned; however painful may be the task, still it is a task imperative upon him to perform; to hurl back the malicious brand, and shrivel to a cinder the unballowed hand which first projected it against its ignitable mark. Not for himself alone is this duty imperative upon him, his friends, his connections, his children, all that is precious to him in life, extend to him their hands in supplicating attitude, and cry to him in piercing accents to avenge the foul affront.

Sir, however favorably the world had judged of the qualities which adorn your heart; whatever conviction it

had entertained of the surpassingness of your understanding, there still wanted one proof, to fix unalterably the public sentiment, and it was given with a force and splendour, which a Province yet in its swaddling clothes, was scarcely able to sustain or comprehend. Yes Sir, the celebrated Bank Bill, of which you so justly boasted of being the father, established your reputation with men of sense, for profundity in legal knowledge, for regard for, and devotion to the free constitution of your country; for a deep and discriminating knowledge of human nature; and for a gentlemanly, and firm supporter of the principles of common honesty.

But this was not enough. As though "appetite grew from what it fed on," in proportion as you have gorged on glowing reputation, so has your hunger become more and more ravenous. It was insufficient that you should have credit for a brilliant understanding; a profound erudition in your calling; a noble devotedness in the cause of our sacred constitution; an unaccountable knowledge of human affairs; and an enthusiastic ambition to clap a shore against tottering honesty: all this I say was insufficient. You must be a sparkling jewel without a flaw, a sun without a speck, shining in rotund magnificence, shedding around you copious floods of effulgence sublime, and illuminating this darksome world with one splendid blaze of Faith, Hope, and Charity. For this you have offered the irresistible price of your never-to-be-forgotten speech in the House of Assembly, on the second reading of the new bank bill, which will be found in the York Observer of the 1st March, 1824.

Verily I predict, that reputation so gained, will accumulate upon you such massive glory, as may peradventure place you in the predicament of the Spanish Grandee's Horse, which fainted and fell to the earth, with sheer weight of his golden trappings.

If in trying the issue between us, you should find yourself bereft of some small portion of public esteem, in which you have been so covetous to enshrine yourself, and which you have adopted such extraordinary and unaccountable means to secure, "you need not shake your gory locks at me," "thou canst not say I did it." No Sir, set it down to the score of your own folly; to that usurping tyrant o-

ver weak minds, the passion to please every body. A passion, which when intemperately indulged, leads to the destruction of more genuine christian principle, than would save half the world from perdition. You have dragged me before the public, and before the public I appear. If you seize me by the collar, I grasp you by the neck with a strangling gripe, and every sinew in my frame shall burst, but I will for once suffuse over your unblushing countenance the crimson glow of repentance. When you were astonishing the House of Assembly with your vituperative oratory, you might fancy yourself in like security with the Kid in the fable, who sauced the Lion from the Penthouse; let us see with what energy you will defend yourself from his attack, on the world's extended plain.

Let me warn you Sir, against the fatal error of taking refuge in silence. Though the difference in our stations be so immeasurable; though you be a Barrister, and I a common brewer; though you be a bud proudly swelling with the cream of aristocracy, and I but one of the million: still Sir, the silence you may mistake for dignity, may be interpreted by the world to your disadvantage. You will have to clear up some inconsistencies concerning matters of fact and principle, bespre your former constituents can consider you a fit person to represent them again in Parliament. No secret explanation to thick and thin friends; no under whispering about "scoundrel, scurrility, beneath one's notice," and such like, will serve your purpose. You must come forward to the world openly in the face of day, and explain away what otherwise must stick by you for life. If you have never learnt till now, you shall now be taught, that there are more kinds of honesty than one, and that that which only consists in the mere refraining from stealing, is that which shines with the least brilliancy in the character of man. A negative, pitiful, pimping kind of honesty, compared with that dignified and refined principle of manly virtue, which abhors the thought of committing wrong even towards an enemy. I will promise to you, that you have now a very different antagonist to him who drove you to the writing of *VINDEX*, and you will not fail to perceive, that your cause too is different. Keep in mind then, that unless you exert a little more talent and ingenuity than you displayed on that oc-

casion, you are a lost man, for your nearest and dearest friends will blush for you and be ashamed.

You Sir I am sure will agree with me, and with every man of sense, that **DUPPLICITY** is the distinguishing characteristic of **KNAVES**. That it is a cloak the honest man needs not, and scorns to wear. Nay, you *must* agree with me, for as well might puny man attempt to arrest the course of the thundering waters disembogued from Erie o'er the tremendous falls of renowned Niagara, as attempt to resist the force of Truth. It is mighty as the roaring cataract, or the blast that rends and uproots the stubborn oak. It is mightier still, for it is the dexter-hand of God himself, which oft he stretches forth to unmask villainy, and expose it to the scorn of pitiless man.

I shall now commence my narrative of your proceedings as regards the bank, and as regards myself. To learned Commentators and to unlearned ones too, I shall leave the inferences, only premising that I shall take the liberty to throw in now and then a hint to assist the crude imaginations of the latter. Should I be so unfortunate as assert any thing wrong, it will be from a defect of memory, not from intention to give the slightest shade of dark colouring, whereby to induce a false understanding prejudicial to your reputation as a public character, or to your repose as a private individual. I meet you now as an open and declared enemy, scorning to do you wrong either publicly or secretly, but resolved to do myself right. The press is as open to you as to me.

It must be in your recollection, that I had no hand, act or part, directly or indirectly in the formation or establishment of the Bank. It was not till some time about your second election of Directors, that having become proprietor of ten shares, I was without solicitation or interference of any kind, and without my knowledge, consent or approbation, elected a Director, and notified accordingly. You were present at my election, but what part you took, I neither know nor consider of any consequence. I remind you of this just by way of making it apparent, that if the thing was a "bubble," it was of none of my blowing.

After struggling through oceans of adverse circumstances, and sustaining the rudest shocks from exterior foes,

and internal imbecility, it was at length firmly seated in the public confidence, when, dire to tell, it fell suddenly prostrate a victim to the foul machinations of the darkest villainy. An avenging power shall dispense rewards for this.

To relate all the circumstances which preceded the failure of the Bank, would be but a dry and tedious retracing of often trodden ground, and perhaps incur to myself the charge of egotism. The curious who would have their memories refreshed have only to turn to my two public letters to Whitney. They contain a faithful history of the affair, which has never been, and never can be with truth contradicted. I will take the period of my final settlement of all pecuniary matters with the Bank for my starting post, recurring occasionally to prior circumstances, in order to concentrate into one luminous mass, your multitudinous rays of intellect and honesty, that they may be thence reflected, to sublime by their genial heat, the morality of ages yet unborn.

On a review of the assets of the Bank, my debt appeared to be £3,600, this included the amount of my Stock, £752, so that my real debt was £2,848, (I do not go to fractions) but as I could have no claim for Stock till the Public was paid, of course it was considered that I was indebted in the whole sum. How it was to be paid was the first consideration. It could not enter into the mind of any Director, that the whole sum could be paid down. It was naturally concluded I had not been quite such a fool, as to pay the Bank interest for money to lock in a chest. No, it was well known it had been expended in the furtherance of objects of trade, as beneficial to the Province as to my own particular interests, and could not be commanded at the instant: and the Directors like wise men, and men who understood the true interests of all concerned, agreed to allow me a proper time to pay the debt, and it was finally settled that I should pay £125 a quarter with interest.

You were not only instrumental, but active, in bringing about this settlement; and in the course of your arguments on the subject with the Directors in my absence, you were pleased to pay me the compliment of saying, "However I may differ with Dalton on some points, I

must say he is a straight man in his dealings." Here Sir your honesty shone with such force of splendour, as penetrated the innermost recesses of my heart, and secured for you through life a zealous friend, if by a manly consistency you could have retained your hold of him.

The affair was settled, a Bond and Mortgage of your own preparing were given, and off you went to Parliament.

With the returning season, returned that maniac rage for legislation, which like a frenzied devil, presides over the destinies of our Province, dictating the records of our imbecility, and planning intricacies for our unfortunate progeny. Mr. Jonas Jones thought it expedient to make our Bank affairs the subject of parliamentary investigation. The matter was referred to a committee from which emanated a report, declaring that there appeared to have been an abstraction of the funds of the Bank to the amount of £5884, and that it appeared from the evidence, and admission of the parties, that the said abstraction could only have been effected by some or all of the three Officers, Benjamin Whitney, President, Smith Bartlet, Cashier, and John W. Ferguson, Teller. Mr. Jones, as I have been informed, had stirred in this affair, from an impression, that our Bank had issued seventy or eighty thousand pounds of notes, and that it had nothing to redeem them, in short, that the whole concerned were a set of barefaced swindlers.

But when it appeared in evidence, that at the time of the stoppage of the Bank, no more than about £32,000 of notes were in circulation, of which £16,000 had been subsequently redeemed, that the assets of the Bank exceeded its debts £5000, that its immediate failure was solely attributable to the President's having feloniously taken from the Bank of Canada in Montreal £8000 of its redeemed notes, that suspicion as to the abstraction of its funds could not by any possibility attach to more than three individuals, and finally that every possible endeavour was being used to terminate the affair honorably for the Directors and to the satisfaction of the public. Mr. Jones wisely considered that he had performed his duty when the committee had given its report to the House, on which he commented with due force and just discrimination, and as a

mere matter of course, predicated upon it a Bill for the consideration of the House, which it is said meant justly to all parties. Mr. Jones had wisdom and address enough to stop at the point, whence a step beyond, he knew would compromise his own honor, and most politically left it to your own judgment, whether to pursue the thing any further or no, by withdrawing from Parliament on leave of absence.

Sir, if you had but had the sagacity to have taken the hint, how much ill blood would have been prevented. But the ball once upon the bound, you became enflamed to kick it to the goal. I gave you full and timely warning of what would be the infallible consequence, of the conduct you were pursuing. I plainly pointed out to you the danger of confiding in the men who are now the Commissioners; I told you of the ruin that must ensue; the impossibility of the Public's ever receiving a shilling, and marked with deserved reprobation, the infamy that would attend the passing of an *ex post facto* law, for the aggrandisement of a few rapacious individuals, at the expence of so many innocent families. Of my letter I unfortunately kept no copy. It was written in great haste, and with a fervour I trusted would have its due effect on your mind. I wrote to you last summer for a copy of it, but you sent me word you were sorry to say, it was either lost or destroyed. I would freely give a golden guinea, even had I to pay a premium to obtain it, to be able to give that letter verbatim to the public, it was three pages of foolscap, and every word a fearful and prophetic warning. It covered a specimen of a poem about Whitney, which in mercy has never appeared. Though I cannot gratify the public with that letter, it happens that I have preserved your answer to it, which follows.

9th March.

Dear Sir!

You will ere this have been informed of the course I have taken with respect to the Bank.—I certainly did not draw up the report of the Committee, nor did I advise the matter being brought before Parliament, but when it was decided to do so, I had but one line of conduct to pursue, my situation then became materially changed, I was no longer an individual exerting myself for the bene-

fit of a few, but a public man who was compelled to judge for my constituents generally; and I confess, *that I do not think any measure more just, than that which has been adopted, although some innocent persons will undoubtedly suffer, yet that could not be avoided in a general measure;* I believe Mr. Bartlet was himself satisfied of this before he went down. The Legislative Council has not yet sent down the Bill, but it will pass I have no doubt, and I think all interested in the affairs of the bank ought to rejoice at the event.

Of your Poem let me tell you *with the sincerity of a man who wishes you well,* that you do abstain from publishing it—if you have any regard for prudence or virtue you will do so, why harrow the feelings of the friends and connexions of the person you allude to? they have done you no wrong, they have in no way offended, can you not be Christian enough to forgive? will it not be more magnanimous in you to do so? Depend on it you will (besides evincing an unchristian spirit) injure your business and your good name. I would not write thus strongly to you, *if I did not feel interested for your welfare,* AS I TRUST I DO FOR THAT OF EVERY OTHER INDIVIDUAL, therefore I beg you will give up the idea of putting it forth. I hope to be able to return home the ensuing week, and shall be glad to have a call from you when I will speak further on the subject to you.

Your very obed't Servt.

(Signed) C. A. HAGERMAN.

Mr. T. Dalton.

To this elegant, friendly and Christian-like effusion, I crave your most particular and serious attention. I will hammer it for an hour with your last speech in Parliament, and try if with all my hammering, they will emit one spark of consistency. Your speech begins thus, "Mr. Hagerman said, when the Bill was first introduced he thought that it ought not to be entertained upon constitutional grounds, but he felt it to be his duty to accede to it, AS IT WAS THE WISH OF THE HOUSE" Indeed! is this the value you set upon the Constitution? would you indeed, sell the constitution for the paltry vanity of mingling in the bigger crowd? I always understood that you gave yourself out for one of the main props of our Constitution.

Who could ever doubt that if any traitorous scoundrel should ever dare to intrude a sentiment into the House of Assembly prejudicial to the Constitution and the "principles of civil liberty," but its walls would instantly shake to their foundation with the indignant thunders of your eloquence? Bank-confessor! cut out the vile words and chew them to a mummy! Have you not told us in this very speech how you were devoted to your King and Country? Read sir! "When he was elected he came to this House fully determined to do his duty to his King and his Country, and he never advocated principles contrary to civil liberty; such were the principles he had acted on, and would continue to act upon, as long as he had the honour of a seat within its walls." May heaven snatch from such hands, the guardianship of its best gift, our Constitution, or it must fall to careless ruin.

"The Bill brought in had for its object to collect the debts due to the Bank for the benefit of the creditors, but the BILL which passed this House, was a **MONSTER OF THE MOST DEFORMED SHAPE**" Ah! was it so? Look to your letter! "*I confess that I do not think any measure more just than that which has been adopted,*" And besides, you posted from York to Kingston in a glow of delight, and boasted to many with triumphant exaltation, that but for your incessant labours the bill would never have passed. You pursued it you said, "*through all the branches of the Legislature,*" & now you call it "*a monster of the most deformed shape*"! Pray let me ask you sir, how you came to find this out? Is it a conceit of your own, or did those terrible anonymous writers, who so ruffled the equanimity of the never-to-be-enough-respected Commissioners, furnish you with new optics? Your powers of vision grew with the unpopularity of the Bill, till from beholding it as the most just measure that could be adopted, the *ne plus ultra* of Legislation, it became gradually transmuted into a monster of the most deformed shape. Deformed indeed! Yes sir, it was the base offspring of the intensest moral obliquity, begotten on a **FURY**, by Earth's fell fiend **CORRUPT**; ushered into life by screaming **DEMONS**; nursed in the festering lap of **PRIVATE VENGEANCE**; fostered through a nine months of cancerous devouring, by **HARRIS** vomited from **PLUTO'S**

deepest caverns; but now slain by the pealing thunders of a **FREE PRESS.**

You will judge sir, how much I admire your speech, by how little I esteem my trouble in furnishing from it copious extracts, for the gratification of the public. It is so honorable to you as a man, as a Representative in Parliament, as a pillar of the Constitution, and above all as a Christian, that I delight to comment upon it. You will finally be exalted to the tip-top of Aristocracy, whence from the left hand side of the much-to-be-admired George Markland, you may look down with disdain on the beggarly "*mob.*" So rare, and elegant a specimen of the cant of candour; the cant of honesty; the cant of christian charity; and the cant of patriotism, ought to be preserved for the edification of the young fry of Barristers, who may hereafter be ambitious to twinkle, where you have shone with such dazzling brilliancy.

"At the suggestion of a person interested, an alteration took place, a clause was introduced to release the property of the Cashier, Teller and President. The hon. member for York (the worthy Doctor Baldwin) at his (Mr. H's) suggestion inserted the third name. The bill was sent to the Upper House, and most singular to state, the clause which rendered the Bond given by the President and Patrick Smyth valid was struck out by the Honorable Legislative Council."

Here are three sentences no doubt thought by yourself so cuttingly bright, as to pierce their way to the understandings of men through six fathoms of mud, but upon my word, to me, they are utterly incomprehensible. How singular it is to state, that the House struck out the clause, which rendered the President's bond valid, when with the first of the same breath you say, a clause was introduced to *release* the property of the Cashier and Teller, & at *your suggestion* the President's.

Would you sir, have had the Legislative Council, guilty of the wicked abomination of resusitating a Bond which you *yourself* had cancelled some months before? Is it thus you would support the "*principles of civil liberty*" and common honesty? Did you not with your own hand cancel Patrick Smyth's bond on the 16th of September 1822, and would you in March 1823 renyate it for his

destruction by an infamous *ex post facto* law? It appears it is not to the renowned champion of Civil liberty, and common honesty, Christopher Alexander Hagerman, Esq. the world is indebted for the non appearance of a more hideous monster than has arrogantly stalked over this ba-by theatre of Legislation, where mushroom Solons, & Lycurgusses “play such fantastic tricks before high Heaven, as make the Angels weep.”

“The President was heard against the Bill, and his conduct there was most infamous and foul—his charges were of a most dark and abominable description, and such as he (Mr. H.) could never have contemplated. They had however that weight with the upper House, that they passed the Bill in its deformed shape. When the bill was returned to this house, he at first objected to it, but as an attack of the most foul and unwarrantable nature, had not only been made upon himself, but upon gentlemen of the most unimpeached (and unimpeachable Mr. Hagerman!) honor and integrity with whom he acted, he withdrew his opposition, as *the Commissioners had the power of examining upon oath.*”

Precious admission! Christopher Alexander Hagerman, Esq. assents to a law, which he calls “a monster of the most deformed shape” **BECAUSE** “*the Commissioners had the power of examining upon oath,*” or in other words, they had the power by that infamous Bill, to admit him to be a witness in his own behalf, to swear himself clear! For this selfish purpose he would violate the Constitution and pass “a monster of the most deformed shape” an act which he declares “was disgusting to the whole of the people in Kingston and its vicinity.” What a genuine, true, faithful, disinterested Representative of “the whole of the people in Kingston and its vicinity”!

Pray sir, who were the “Gentlemen of unimpeached honor and integrity” who sustained conjointly with you, this “most foul and unwarrantable attack” of the President? He attacked nobody but you, Mr. Bartlet, and myself. Mr. Bartlet was one of the officers, and you say the officers are all scoundrels; so I have the honour to be left in your company, the ‘Gentlemen of unimpeached honor and integrity’ to bear the dread brunt of President Whitney’s ‘most dark and and abominable charges.’—

You need not have conjured up deformed monsters for my protection. You need not have starred in my defence.— A firmer hand than belongs to the palsied representative of 'Kingston and its vicinity' is ever upraised to annihilate my calumniators. If Whitney unwarrantably attacked me, I punished, and am 'magnanimous' enough to forgive him. My case happily wanted no *ex post facto* law to enable me to swear *myself* clear!

"The house had now before them the report of the Commissioners, and he must say it was a most cruel (what wretched cant!) and a most unjustifiable report. It could have been proved by the most unimpeachable characters, if the Commissioners thought proper to examine them, (*as the commissioners had the power of examining upon oath?*) that the abstraction of the funds took place long before the Directors took possession of the funds: but instead of doing so, they had upon the testimony of persons who wished to throw the fraud off themselves, made a most cruel, (what cruel cant!) and unjust declaration to this house, and to the Country, that they could not discover whether the abstraction took place before or after the resignation of the President."

Why, sir, in a "sketch of observations by Mr. Hagerman," in Commissioner Macaulay's Chronicle of the 7th of March, 1823, (Commissioner Macaulay is unique at "Sketches of observations?") I find the following. "If however the house preferred naming the Commissioners (just as if the Commissioners were not named before you went to Parliament) gentlemen of unquestionable integrity, might be selected in Kingston, whose appointment he was sure would be acceptable to all parties. The only thing desirable in such a case would be, that they should be persons wholly unconnected with the Bank in every point of view. And then with the concurrence of all parties, (what parties? there was nobody but yourself concerned with the Bank in the House) the names of the Honorable George H. Markland, John Kistly, and John Macaulay, Esquires, were inserted."

Now Mr. Hagerman, let us for a moment look back to the days that are gone, when some scenes occurred which put in connection with the choice of these gentlemen of integrity and ability, burst upon the view, and strike the

wickened sense, with an oppressive weight of vice suspi-
 tion.

When before you went to Parliament, you will recollect I am sure, how frequently you threw out to the Directors, hints such as these. "I think it would be a good thing if such men as George Markland and John Kirby would undertake to wind up our affairs." "But I don't think Kirby would have any thing to do with it." (How you were mistaken, Mr. Hagerman.) "I wonder if John Macaulay would undertake such a thing." "I fear the Legislature will take up the business." These expressions were often thrown out before the Directors, seemingly with a view, that some one should catch at the bait, and make himself your cat's-paw, to achieve your great designs. But you had to deal with a set of mutes, "tongue-less blocks"! Tired with long waiting for a solitary nibble, you made a cast with a net for all the shoal at once, and boldly proposed at a full board of Directors, at which were also present all the members of the investigating Committee, that we should place our affairs into the hands of George Markland. You said you had spoken to him on the subject, he had expressed some slight objections, which you thought might easily be overcome, if a deputation were to wait upon him; you thought too, John Macaulay might be prevailed on to join him, and perhaps even John Kirby; at any rate you would do your best to prevail upon him: and then you expressed your fears that the Parliament might interfere, in which case we might all be ruined. Your speech excited a stare of mute astonishment, such as doubtless you have seen sometimes in the House of Assembly, on occasions of your powerful appeals to their understandings. I know not how long silence might have reigned, had not I rapt out with vehemence, a saying too vulgar for repetition here, (which however you may find in the Scribbler) which caused an instant roar of laughter; prostrated your fine eloquence in the dust, disconcerted all your generous and deep laid plans for our prosperity, and excited the first blush I ever beheld upon your countenance. The matter was instantly settled.

These facts you DARE NOT DENY. Admitted, they want no commentary of mine, they have been most ably com-

mented upon in the paper called the **FREE PRESS**. Let the public draw their own conclusions. Every petit Jury knows how to put this, and that together, to settle upon a verdict. It is in vain that Jonas Jones has kindly declared in Parliament, that you did not *originate* the bill. Still you are it's father, and will ever be so considered. For ever it will be called Hagerman's Bill.

Now for the Commissioner's report! You call it "a most *cruel*, and a most unjustifiable report"! Dare you calumniate the Commissioners, of whom Mr. Robert Nichol has said in Parliament, "*He believed, however, that the correct, and highly respectable, and honorable characters of the Commissioners was sufficient protection to them*"; and whom you yourself have characterised as "Gentlemen of unquestionable integrity"? How does your audacity compare with the magnanimity of Mr. Nichol, who, some time since, having procured a resolution to be passed in "that House", that Commissioner Macaulay had been guilty of a gross and scandalous libel, permitted his humble apology, and his "correct, and highly respectable, and honorable character" to be a "sufficient protection" to him, while you have bespattered him and his compeers, with the epithets "*cruel*" and "*unjustifiable*", for merely pretending ignorance about the date of the abstraction? Is it not you who are cruel and unjustifiable? I warrant the Commissioners have wept under your piercing lash!

What did you expect from the Commissioners? Did you expect more than man can perform? Where are your unaccountable perceptions of human nature? & where all my salutary but wasted warnings? Did you not, with all your wonderous understandings know, that however man love the treachery, he still hates the traitor more? Were you really so imbecile as to expect that the Commissioners would make you their Solicitor; their confidential adviser, after you had betrayed all your colleagues in office? In that particuiar, if the Commissioners cannot be complimented for their gratitude, they are certainly entitled to praise for their discrimination. After you had mounted the Gentlemen a Cock-horse, they gallantly turned their backs upon you, as you deserved: till when your ears were impenetrable to the lisses, groans, and execrations

of an indignant and disgusted public. But then the film dropt from your eyes, and you perceived at once, "a monster of the most deformed shape", which, in the misty haze of your embryo conceptions, had appeared the "*most just measure that could be adopted*", of which you have emphatically said, "*I think all interested in the affairs of the Bank ought to rejoice at the event.*"

Why so much palaver about Whitney? what did he say of you more than the Commissioners have said? He laboured to prove, (and remember Sir he was speaking in his own cause) that the abstraction could not have taken place prior to his expulsion from the Presidency; from which he would have had it inferred, that by some possibility or other, you might have stolen the money. When we consider the relative situation of the two parties; one as pleading in his own justification, and naturally inclined like a drowning man to catch at straws for his immediate salvation: and the other appointed by a solemn act of Legislation as JUDGES in the case, what will appear the conduct of Whitney in comparison with that of the Commissioners? One is the passing rant of an ephemeral railer, the other, the pitchy sentence of three impure assessors of your own selection. While the one excites a smile of derision, the other should call forth the bitterest execration. Yet it is worthy of observation how different is the language you use in respect of them both. Of Whitaeay who is the least offender against you, and against morality, you speak as "most infamous and foul" "dark and abominable." The Commissioners, who aimed at your reputation a mortal stab, and have shocked the world with the flagitiousness of their report, you say are "cruel and unjustifiable"! Fie upon you Mr. Hagerman! Fie upon you! Were manhood enthroned where it is evident puerility tyrannically usurps, I should not have the mortification of writing of you as I do; and I would even now shun the odious task, but that I owe to my posterity a better name, than you can ever hope after this, to transmit to yours.

The last quotation from your speech is now left so far behind, that it is necessary to bring it forward again, in order to keep it close under the reader's eye. You say "it could have been proved by the most unimpeachable

characters if the Commissioners thought proper to examine them; that the abstraction of the funds took place long before the Directors took possession of the funds;— but instead of doing so, they had, upon the testimony of persons who wished to throw the fraud off themselves, made a most cruel and unjust declaration to the House and to the Country, that they could not discover whether the abstraction took place before or after the resignation of the President.”

This is a plain admission that you failed in your obvious duty, both as a Director of the Bank, and a Member of Assembly, in not requiring the Commissioners to lay before the House, the evidence on which they had founded their report; which is the more inexcusable as you and twenty-two other members were enjoined so to do, by a circular letter, a copy of which will be found in the Appendix. If you had pursued the course which rationality dictated, you might have spared your trumpery and ludicrous whining. You would have seen Sir, that their “cruel” report was not only not founded upon any evidence at all, but that it was directly opposed to the evidence they did receive: and then I suppose you would have called it *more “cruel” still!*

It is easy to account for the tenderness of your reproach of the Commissioners, which it is said burst from your swelling heart in strains so pathetically moving, that every eye glistened with sympathetic tears, while your own, ejected precious pearly drops, of unknown number and amount.

Though the Commissioners made a sudden irruption on your reputation, still, they are influential Gentlemen, whose “honorable characters are their protection”, and who consequently can never be brought to the bar of Justice. George Markland is an Executive Councillor, looking up to the Governorship, and John Macaulay one in expectancy. It would have been an aberration from the best founded maxims of prudence to have closed the door for ever against accommodation. A kick from an Executive Councillor! what is it more than a box on the ear from a lady? Condemnatory expressions suited to the case, would not have suited your interests; while slight reprehension could be stoned for, by after-spaniel fawning.—

Besides a reputation for tempering justice with mercy, is particularly palatable to you; and how could you consistently point the animadversion to the conduct of exalted and honorable gentlemen, which it is only proper and *safe* to level against a fallen enemy, sunk to rise no more?—The epithets ‘dark,’ ‘foul’ and ‘abominable,’ would have sounded most abominably if applied to great men who might shoot you with an air gun, from the pinnacle to which you elevate your ardent gaze: but as applied to harmless, defunct President Whitney, they are sonorous, musical, pretty, and creditable.

“The Bank was not a South Sea bubble, it was established by monied men, and supposed to stand upon the best footing; it was not established to work an iniquity, it was founded upon good faith, and if conducted by honest men, it would have been in operation to this day. But the President and Cashier wished to realize money by the Institution, they became jealous of each other and quarrelled, which occasioned its failure. It was not to the abstraction of the £5,000 that the failure was owing, but to the run which immediately took place upon the quarrel being made known to the public. It was said that the Directors ought to have counted the money once a week—he admitted that there was a want of attention on the part of the Directors, for this they were chargeable and for nothing else, but if counted every day the fraud would have been committed. There were officers in charge of the funds and one or the whole of them must have committed the fraud, but it was impossible to know which of them was guilty. Upon the establishment of the Bank, the President and Cashier took up between two and three hundred shares, but upon the failure of the Institution it was discovered that they reduced them without the knowledge of the Directors to 60; it was never thought that they were such scoundrels.” No Sir! the Bank was no South Sea bubble. It was as you observe, founded upon good faith, at least as far as regarded the views and intentions of a vast majority of the Stockholders. But what was that most barefaced humbug that ever was hatched in the flimsy brain of an infatuated speculator, the Bank Bill? That impure emanation from rank dishonesty! Was not that a South Sea bubble? Was

it not made to protect the base; oppress the innocent; defraud the public; desolate the town; and swell the pomps and vanities of two or three puffing, vainglorious, 'cruel' men, and add to the heaps of boasted riches 'wrung from the hard hands of peasants' by foulest usury? That you may be able to give so lucid an explanation of the many suspicious circumstances appearing in your conduct, as may enable a discerning and impartial world to acquit you from all bad design in this nefarious and mysterious affair, is the worst wish I entertain towards you.

The choice of the Commissioners connected with your instalment of them into office in your mind's eye, previous to your going to York; all one family compacted jnto, in your own knowledge most disagreeable to your fellow directors, although you have asserted that they were appointed with the 'concurrence of all parties,' nobody concerned with the Bank being present at their appointment but yourself, wants full and complete explanation.

The choice of these men, two of whom at least you knew to be large creditors of the Bank, and notorious speculators in its notes, in the face of your own doctrine promulged in your 'sketch of observations' of the 7th March 1823. 'That the only thing desirable in such case would be, that they should be persons *wholly unconnected with the Bank in every point of view,*' wants full and complete explanation.

The unconstitutional power given by the bill to any three individuals, no matter who, to summon before them their fellow countrymen, who had already been acquitted by the House of Assembly even from *suspicion* of crime, to answer in secret conclave to interrogatories upon oath, under pain of incarceration during pleasure for refusal; themselves being bound by no such solemnity, upon the precious plea of their 'unquestionable integrity' their 'correct, respectable and highly honorable characters,' thus establishing in the bosom of your infant country an odious inquisition similar to that which for centuries devastated continental Europe, wants full and complete explanation.

Sir, the Olive-branch, (not the 'Falchion',) and words of peace (not bloody daggers) are the balm to heal the wounded heart. Horrific sight! to see aged, and pleuary

experienced men, fathers of large families, and grandfathers ! dragged before a secret tribunal, of childless, selfish greenhorns, whose collected knowledge would hardly be sufficient with the hardest puffing, to swell out a moderate pig's bladder to a third of its power of distention, to answer their interrogatories under pain of imprisonment !!! The civil rights of every man thus used, are battered desisively about his skull. Who that has any knowledge of right, and wrong, the smallest smack of independent feeling, or ever cherished in his heart, the slightest affection for the rights secured to us by the British Constitution, could uphold such monstrous proceedings ?

When you were so infatuated with the examining power given to the Commissioners, as to point it out as your inducement for assenting to pass your 'monster of deformed shape,' were you not aware that it was an inquisitorial power calculated to produce the result, which it has in fact produced ; a partial iniquitous and 'cruel' report, of which now, you weeping complain in terms so forcible and affecting, because the inquisitors did not screen you as you expected they would ? Your conduct through the whole appearing to have been selfish and unprincipled ; it is not surprising that your apology should be childish, contradictory and inconsistent.

The foul dishonesty of giving power to the Commissioners to collect the assets of the Bank, without providing for an equitable distribution of them among the creditors, but leaving it at their sole discretion when and whom to pay, and whether to pay or not till the day of judgement, knowing the reputation for rapacity of at least two of them, wants full and complete explanation.

The infamy of seizing the property of the Bank from the hands of the Directors who were still held responsible to the public, and placing it in the hands of irresponsible men, absolutely at their controul, without any check or restraint as regarded its appropriation, men whose *obtrusive acceptance of such an invidious office, was an utter disqualification for a creditable discharge of it*, is a crying abomination, which calls for a full and complete explanation.

The introducing a clause into the bill acting retrospectively to the nullification of legal titles to lands sold and

paid for, and stigmatizing both buyer and seller as fraudulent knaves, whereby the very mortgages given in security to the Bank itself were invalidated, *yourself being a-loof from the operation of this legislative abortion*, having no lands or houses to sell, calls for full and complete explanation.

The fraudulent power given to the Commissioners to sue immediately for debts solemnly stipulated to be demanded only by periodical instalments, and secured by Bond and Mortgage, on the faith of a voluntary treaty, by the insertion in one clause of the act, of the words 'notwithstanding a further time may be given for payment,' wants full and complete explanation.

This will want a little explanation on my part as well as yours, which I will proceed to give. You might perhaps be able at once to destroy the force of this challenge, by saying that those words do not convey any such power, *which they really do not*. But I aver that such was their intent, and that it was only owing to your piteous ignorance of the grammatical structure of your mother tongue, which prevented the power being conveyed to the Commissioners, in all the pomp of technical phraseology. A power as villainous as unconstitutional, subversive of every principle of justice, and common honesty, fit only for you to conceive, and the Commissioners to execute. Here is the PROOF. Speaking to a Director of me and my concerns with the Bank immediately after your return from York; you observed to him, that my bond was done away with by the act, and that the Commissioners had the power to sue me immediately for the whole debt. The person alluded to, demanded the reason of your opinion, and you referred him to the identical words. He endeavoured to convince you that they could not by any possibility be distorted to such a construction as you gave them, but in vain; however your chagrin was manifest. Until you deny this, which I know you dare not do, it is needless to mention my informant's name.

This fact makes self evident another. That you and George Markland had preconcerted the business, for his understanding of these celebrated words, as well as that of the other Commissioners, was the same as your own; which is proved by the fact of their suing upon the strength

of them after the first instalment had been paid, and before the second was due ; and also from their report, in which they intimate to the Legislature, that such they conceived must have been the original intention of that body. Now it cannot be imagined that any men of common understanding could give such a construction to such plain and simple words, without previous concert, *that such should absolutely be the meaning*. I willingly leave the question to the world's judgment.

I guess Sir, that the monster is becoming more and more deformed to your view, keep fast hold of your wits, for by and by, it may become so huge, and hideous, as to place them in danger.

I thus finish my comments on the first sentence of the last quotation, and shall now proceed to the last sentence. The middle being all common place rant, is unworthy of notice. As I have it in my power pointedly to contradict a fact stated by you, relative to the conduct of Mr. Whitney in the disposal of his shares, and for which you call him a 'scoundrel,' I consider myself bound so to do.— Mr. Bartlet is connected with Mr. Whitney in the fact stated, and his situation is precisely the same, but as I will give you no opportunity of saying, that I am influenced by any partiality, I shall avoid further mention of him in the case. Then sir, unless you are troubled with such a memory as those who borrow with no intention to pay, you must remember that it was a great many months before the failure of the Bank, certainly eighteen or twenty, that Mr. Whitney sold his shares. The matter was spoken of at the board of Directors more than once in your presence, and a "cruel and unjustifiable" attempt was made by one or two persons of whom you were one, to compel Mr. Whitney to keep his shares ; but he very properly resisted, insisting on selling all but sixty. It was explained that he had not taken them with a view to hold, but to enable the Bank to commence operations. How then it came to be discovered on the failure of the Bank, that he had reduced his shares from between two and three hundred to sixty, without the knowledge of the Directors, it remains for you to explain ; and unless you do explain, when, how, and by whom this discovery was made, the world will be apt to set you down for a greater

“Scoundrel” than Mr. Whitney or a much worse man.

As we are upon the word “Scoundrel” I shall observe *en passant*, that I have been informed, that although I have the misfortune not to shine in the printed report of your speech, under that dignified title, you nevertheless did me the honor to announce me *on the floor of the house*, as one of that numerous, meritorious and well nursed class of his Majesty’s subjects. But more of this anon. I proceed to quote from your speech.

“The Directors supposing them (the officers) to be honest and honorable men, (like you supposed the Commissioners) placed too much confidence in them, (as you did in the Commissioners) but the house should not on that account subject them to too much severity. He really believed that gentlemen could not be found in this, *or in any country*, that possessed more strict honor and honesty than the Directors; (so you believed of the Commissioners)—they were men above suspicion. (So were the Commissioners, *and beyond it too*.) Every man acquainted with Mr. McLean, Richmond, Murney, Cummings, and McLeod,—(where is Mr. Dalton?) must admit, that they are men in whom the greatest confidence could be placed, they were *above descending* to low intrigue; they did not wish to take any advantage of the public creditors, (nor did the Commissioners) on the contrary they felt the greatest anxiety to do justice to the whole of them; (so do the ‘cruel’ Commissioners) and if the *business* had been placed in their hands (why did you take it out of their hands?) instead of being placed in the hands of commissioners, the *business* would have been closed months ago (this is a new light!) to the satisfaction of all parties.”—
Well! well! well!

“Upon my word and honor
As I was going to Tonnor,
I met a pig, *without a wig*,
Upon my word and honor”!

Do you think Sir, that the five Gentlemen above named are TROUTS, *to be caught with tickling*? I hope for their sakes the world will not adopt *your measure* of their understandings! But Mr. Hagerman, how could you be so ‘cruel and unjustifiable,’ as to leave poor ME out of your group of worthies? *I, for whose welfare you felt so inter-*

ested! I, that straight man in his dealings! Alas! I should be in despair, did I not discover that you have generously provided me a snug birth at the fag end of your speech. What pity Sir! but you, like those five gentlemen were above 'low intrigue,' you could not then descend to the low discrepancies of a mere idiot! One unacquainted with facts would imagine, that you had crossed the Atlantic, and discovered with astonishment on your return, that the House of Assembly had been stupid enough to pass the rascally Bank Bill in your absence. How could any one conceive, that you were its Sire, its Champion, its 'robust advocate,' that you had 'pursued it through every branch of the Legislature,' (of course then to Majesty in the person of our Governor, but of this by and by) that it had been passed by the House of Assembly without much examination by the members, merely because you were considered by them as the organ of the Directors and Stockholders, and to whom, as well as to the public, they consequently believed it would be pleasing, satisfactory, and beneficial? Did you not boast in a letter from York in March, 1823, (published in the Newspapers) that the worthy Doctor Baldwin (who had opposed the Bill with vehemence) had withdrawn his opposition in compliment to Mr. Hagerman? was not this printed too, as now, in Italics? and did you not wriggle through the crowd of your Constituents like a dog in a Fair, barking an eulogy on your determined stand, in support of the Commissioners and the Bank bill, till the "anonymous writers" poured forth the "leperous distilment", which, adding corruption to corruption, finally left the Bank bill and its promoters such a stinking mass, as enforced an involuntary pinching of the nose from every passer by? Then the Bill was none of your advising; you had no hand in it; it was an unjust bill; and you crept on gradually from one saying to another, endeavouring to keep pace with public opinion, till at last you absolutely pronounced it an "INFAMOUS BILL"!! Pshaw! I sicken at recording your inconsistencies—for Heaven's sake explain them away!

Now you really think, that "if the *business* had been placed in their hands, instead of placing the *business* in the hands of Commissioners," the *business* would have

been closed months ago, to the satisfaction of all parties. This is your opinion, boldly expressed on the "floor of the House"; and really any one would think, that you had no hand in the *business* of taking the *business* out of the hands of those men of *business*, and putting the *business* into the hands of the integrifid Gentlemen Commissioners, who are no men of *business*. Who could think that such a man of *business* as Mr. Hagerman was at the beginning, middle, end, top and bottom of this *foul business*? This pithy member of your penitential speech, for its beauty and convincing force, merits particular regard, and it's sound doctrine ought to be promulgated in more languages than one. Let us try it in French. Si vous avez des *affaires à faire*, donnez vos *affaires à faire*, à des gens qui savent bien *faire les affaires*; car si vous donnez vos *affaires à faire*, à des gens qui ni savent pas bien *faire les affaires*, il est clair que vos *affaires* resteront, faute d'avoir donné vos *affaires à faire*, à des gens qui ne sçavaient pas bien *faire les affaires*!

Let me afford you a few moments relief from my "scurillity", and lull you into complacency with your own oratorical fascinations.

"The Act ought to be repealed, particularly that part of it which attaches personal property,—it operated to the prejudice of the honest and honorable, (indeed! another new light!) whilst the rogue escaped its provisions. The Directors were restrained by the ACT from conveying their property, but by LAW, they can!! (Remember Sir, that although you declare the Bank was no "South Sea Bubble", "but founded by monied men upon good faith", still you gave it the title of "PRETENDED BANK"! Beware! lest you procure for yourself the title of PRETENDED LAWYER! It wanted the discriminating powers of Mr. Hagerman to discover the difference between an ACT OF THE LEGISLATURE and a LAW!!) and Bartlet and Dalton who owed £8000, (why not state how much each respectively owed? you knew precisely. But to further your private views, it was necessary to lump us together) gave judgments and their property was sold, no other Directors had done so; (was any other Director driven to it by persecution? was the property of any other Director attempted to be seized, a

prey to a few greedy speculators, to the fraudulent deprivation of every honest Creditor of his just rights?) that they and their families should be deprived of their property when they had no notion to make away with it. The act may be evaded, (how surprising!) and it has been evaded. (so much the better.) Any Director may go to his Creditors, **AND HE WOULD BE JUSTIFIED IN DOING SO**, (right Mr. Hagerman) and say, I owe money to you, you are an honest Creditor, here is a Bond and judgment, take it and sell my property. If you do not, it will be sacrificed through the roguery of individuals, and the unjust provision of an Act of Parliament." Why Mr. Hagerman, you surely possess supernatural powers! for this is precisely what I told my creditors, and these are the very steps I took to secure them from the intended fraud of the Commissioners, as will be seen by my Petition to the House of Assembly in the Appendix. Although it was at much cost, thank God, I succeeded in placing them all in safety, aloof from the ravenous wolves who would ransack church-yards for their prey. Was I not *justifiable* Mr. Hagerman? Traitor should I have been to my trust as a Director, had I willingly suffered a shilling of current money belonging to me, to fall into the hands of the Commissioners; traitor to my honest Creditors, and to the honest Creditors of the Bank. But, as I see you are in a better mood for listening to yourself than me, I will give you another paragraph of your Speech, and then crave to be heard again.

“By the repeal of the law no injury could be inflicted; there was £8000 secured by Mortgage, which the Commissioners could recover; (how would there be any Commissioners if the law were repealed—besides you forget, you should have said the *act* not the *law*) they had abundant property to pay the whole amount due. (Yes, you know well, that I had abundant property to pay the amount due from me, and you know too, that it has been frittered away through the persecutions of the Commissioners) He received letters from his Constituents condemning the law; [*law again*] *it was disgusting to the whole of the people in Kingston and its vicinity*, and as it operated unjustly against the honest, and did not secure to the Creditor what

was due by the fraudulent—he did hope that it would be repealed.”

Let me ask you Sir, to what is it attributable, that this *law*, or this *act* [which you will] “did not secure to the Creditor what was due by the fraudulent”, and operated unjustly against the honest”? Was it not that the act itself was the offspring of a fraudulent conception? The thing was not intended to punish the guilty, and protect the innocent. It was intended to *make money*, of which every clause of the act is a damning proof. If justice had been meant, you would not now be puzzled to furnish the numerous explanations demanded of you. One plain, straight-forward course would have been adopted. The property of the officers *who admitted that the abstraction could not but be confined to themselves*, sequestered [as in the case of the South Sea Bubble, and as yours and the Commissioners ought now to be, to repair the ruin you have effected] to satisfy the public; and the Directors and Stockholders left to settle their own affairs among themselves in their own way. No such outrageous humbugs as Commissioners, Inquisitors, secret examinations upon oath, and imprisoning during pleasure, were necessary to the discovery of abstractors *who stood confessed* on the “*floor of the House*”! Summary Justice was not convenient, or suitable to the end in view. Resort must be had to a protracted series of persecutions; ruin must topple upon ruin to gratify envenomed grudge; men and families must be sacrificed at the shrine of cupidity: and one of your “scoundrels” Mr. Hagerman must at all events be protected for the sake of his family connections, and his *holy* friendship with that eminent Brick merchant* who is gone to London in search of some place of profit, the very honorable George Herkimer Markland. *Ainsi va le monde!!!*

Now Sir its your turn again.

“The clause qualifying the directors to become Candidates at elections might appear to have been introduced for him, [undoubtedly it might] when he was elected he came to this house fully determined to do his duty to his King and country [so it has appeared] and he never advocated principles contrary to civil liberty, [no secret in-

* See Appendix.

quisitions, and imprisonment during pleasure] such were the principles he acted on, and would continue to act upon as long as he had the honor of a seat within its walls; [when the walls of "that House" encompass you again, pray God you may have your seat in the gallery] but as a continuance in the House of Assembly would operate against his interest, [this is well understood] he wished the clause was left out—[if the clause were left in you must go, *bon gre mal gre*, no body else in town being fit.] His coming back to this House did not depend upon himself [thank God for that] it depended entirely upon his honorable Constituents, [how can "a mob" be honorable?] and if he should return to this house, [you would play the same pranks over again] it would be entirely out of respect to them, and not from any desire of his own."

Be in no wise alarmed about your interests suffering from returning to Parliament; you have made "your honorable constituents" drink of too bitter a potion for them to allow you to cater for them again. *Even though you have been singed it will not do.* We Masons can tell as well as some others when an electioneering trick is played off upon us. You have no refuge but to creep under the protecting wing of Lewis Day's best customer. What if he have ruptured you a little! you must forgive and forget—he has broken no bones! he has POWER! some loaves and fishes may be in his gift! and if not, you know his *word* will travel like the meteor which leads benighted men into bogs and swamps! You must kiss and be friends, there is no alternative—I insist upon it, you must. Zounds man! "*can you not be christian enough to forgive*"? "*will it not be more magnanimous in you to do so*"? "*I would not speak thus strongly to you if I did not feel interested for your welfare, as I trust I do for that of every other individual*"!!! One word more on Parliamentary affairs before I quote your last paragraph. If you must absolutely be gratified so far as to be returned again member for Kingston, I will just tell you how you may insure your Election, if you can by any possibility adopt my counsel. Contrive that nobody shall oppose you but Commissioner John Macaulay, who has been putting forth his reconnoitering feelers for ascertainment of the public estimation of him, and your election

is morally certain, for "your honorable constituents" may be inclined to chuse the least evil.

Now Sir, it is your turn to talk a brief paragraph, and then I shall do all the rest of the talking myself, except that I may now and then allow you permission to clap in a quotation from a letter or so. You shall have all fairness, nothing shall be suppressed that can tend to procure for you from the public, **A JUST ESTEEM.**

"After pointing out the injustice of the act which he wished the House to repeal, as it enabled the scoundrel and the rogue to escape its provisions, [there are no provisions in the Act against "scoundrels and rogues", and you never meant there should be any] while the innocent and honest suffered by it [just as it was settled upon] he reprobated the mode adopted by the Commissioners [how "cruel" to reprobate the Commissioners] in prosecuting individuals who offered [who had secured the sums due to the Bank by mortgage] to secure the sums due to the Bank by mortgage on their property, which they refused to accept, [you do not know what you are talking about] and implored the House [with tears] not to grant the extension of power suggested in the report. He would however be sorry to release the property of DALTON, Whitney, Bartlet and Ferguson, if they had any way to hold them."

I have now Sir done you the justice to quote every word of your speech as it glitters in all the papers of the day, and in my commenting upon it, I trust you will do me the justice to acknowledge, that I have not travelled much *out of the record.* The most difficult part of my task is yet to perform. I have to rummage all the quaint authors for tickling phrases, in order to render you that satisfaction to which you are so richly entitled. I have peeped into BILLINGSGATE, and ST. GILES, but I perceive their ideas and language assimilate too much with those I would condemn. I shall therefore cast them aside, and dip into others more likely to furnish expressions genteel enough to address to an honorable member of Assembly, who bedizens his speeches *on the floor of the House* with the elegant and sonorous epithets, "SCOUNDREL" and "ROGUE," which in general estimation are held more

suited to the Bully of a Brothel, than to an honorable representative in the great council of the country.

Oft have I, on perusing your parliamentary speeches, felt a sensation of pain, an indescribable sort of pity, approximating to shame, which has suffused over my cheeks an involuntary glow. How sorrowful ! have I thought, that one so irrefragably a lineal descendant from the great Demosthenes, should have retained so pitiful a spark of the Promethean fire that raged in the bosom of his divine ancestor ! Where ! have I exclaimed, are the patriot thunders, that enwrap the welfare of the state ! that were wont to rend the spheres ! to rouse all antient Greece in rich array, for emulous contention in deeds of virtuous valour ! and fire the languid soul with thirst intense, for glorious martyrdom in freedom's holy cause ? Alas ! fled, and my fatigued ears, are stunned with the pertinacious rattle of a CHATTER-BOX ! Where Wisdom pointed to the reward of virtue, the Dolt now gapes at the loaves and fishes ! Where ripe judgment made its invulnerable and awful stand, PUERILITY now vasculates, ' pleased with a bubble, tickled with a straw ' ! Where PRINCIPLE was the undeviating rule of action, IMPUDENCE now stalks, LORD PARAMOUNT, undisguised, and unabashed ! Where the accused was openly arraigned in terms of manly eloquence, the devoted victim of a JUNTO is now assailed with the insidious fraud of an INCENDIARY, and bespattered with the vile effusions of the RANKEST BLACK-GUARDISM ! and O horror ! *all this on the floor of our National Council House ! ! !*

It is now time to direct the attention of the reader to the last sentence of the last paragraph of your speech. " He would however be sorry to release the property of DALTON, Whitney, Bartlet and Ferguson, if they had any way to hold them."

It forcibly strikes the mind, how repeatedly and vehemently you have dwelt on the insufficiency of the Act, to protect the honest, against the fraudulent ; the respectable and honorable against the ' Scoundrel ' and the ' Rogue ' : and it will not be forgotten, that you have drawn according to your ideas of geometrical precision, a line of striking demarkation. The honest ! the respectable and the honorable ! such as the most exalted and dignified of all

other countries could not surpass ! you have gathered in a petit jewelled circle, as foils to add splendour to its chrysolited Center CHRISTOPHER ALEXANDER HAGERMAN, Esq. !!!

“ Were the *Commissioners*, men of more honour, more honesty, or more respectability, than the honorable member for Kingston”? asks Mr. Wilson, member for Prince Edward. Let us reverse the question, and ask, Is the honorable member for Kingston, a man of more honor, more honesty, or more respectability, than either of the Commissioners? and still I say NO ! Shake them all in ONE BAG !

The ‘SCOUNDRELS’ and the ‘ROGUES’ whose property you would hold for the benefit of the ‘honest, the respectable and the honorable’ you have strung in one noose, and by the multiplying force of your imagined influence, hoisted to the reverse extremity of the letter L, with the same celerity, that a hundred men would walk off with the rope that exalted to the YARD ARM of one of his Majesty’s ships, some unfortunate delinquent, sentenced by a Court Martial to an expiative death ! Heavenly God ! and I the foreground of the picture !

Mr. Hagerman, remember the tears, the sighs, the sobs, the moving accompaniments of your bitter lamentations, over the ‘cruel and unjustifiable’ calumnies of the Commissioners ! Remember Sir, that I am *in form* like you, a MAN ! Permit me then like you, if I am hurt, to cry, and snivel, and groan ! *Have not all men their affections ?* When you tickled the FIVE, did they not laugh ? and when you lacerate my heart, shall I not shriek ? Yea, I will conjure spirits from Heaven, and spirits from Hell, to avenge thy ‘dark,’ ‘foul,’ ‘abominable’, but thank God, harmless stab ! Why should not I extract sympathetic rheum as well as you ?

Let us examine, of what consists your superiority over mine to public sympathy ? If you are Dutch, I am English ; if you would be a man of standing, I trust I am one of some *understanding* ; if you are a Lieutenant Colonel of Militia without a Regiment, I am a Lieutenant of a Militia Regiment, and Lieutenants have feeling. If you have a wife, so have I ; children, I have seven to your one ; family connections, I have them too ; friends whose

good opinion you value, I am not without mine. If you be a Lawyer, [whether real or pretended remains to be settled] though I am but a Brewer, still I have Barristers in embryo, who I hope may live to put you to shame. If you be a Mason, so am I, though I must confess that in becoming one, it was not to the end of being elected a member of Parliament: in short Sir, through whatever light you are penetrable to my view, I cannot discover that I am less a MAN than yourself, or any reason why I should hold my reputation of less account.

I have it from authority which I cannot question, that you openly called me a 'SCOUNDREL' in the House, but that the Parliamentary reporter, in writing down the word, like the recording Angel, '*let fall a tear, and blotted it out forever*'! How can I sufficiently express my gratitude to Mr. Cary for his kind, benevolent intentions, which overcoming his better judgment, concealed from him the impropriety of the act. How can a man vindicate his traduced reputation if he be ignorant of the fact and the traducer? Besides Mr. Carey should have considered, [but how could a Christian consider in such a case] that no man, conscious of his rectitude, can ever be apprehensive of danger from the direct and open assault of an impudent calumniator. It is then, that like some towering ocean'd rock, that frowns in scornful majesty on envious waves beneath, which roaring round, torment its base, he stands in all the glorious pride of self-assured indestructibility! The confidential, secret whispered slander, that ensanguined night-dirk of the assassin of reputations, is the only frightful object that can terrify or injure a JUST MAN. That you, Hagerman, have used this foul dagger, from your own unasked acknowledgment, I will show. It is not you alone that I defy; with you, I defy ALL THE DIRECTORS, some of whom, however, have too much of my regard to incur my defiance in anger.

If a man venture to tax another with being a "Scoundrel"; [I rest not upon the information above quoted, but upon your careful classification in your parliamentary oration, of the "honest, the respectable and the honorable" and the "fraudulent" the "Scoundrels and the rogues"] surely it is not too much to demand of him a

reason for his approbrious reviling? Then Sir, let me demand of you, why you have dared *on the floor of the House*, to hold me forth as a “fraudulent” man; a “scoundrel” and a “rogue”? Sir, it is imperiously demanded of you to tell! Your reputation, your honor, your **FATH**, **HOPE** and **CHARITY**, and what is more than all to you, perhaps your **COLLECTORSHIP**; and your **BREAD** are at stake. Come forward Sir! in the face of the world! and relate your history of my misdeeds. Tell of my frattids; my cheatings; cozenings and robberies! and tell, Mr. Hagerman, of my foul **CONSPIRACIES**!! Tell of my nefarious plotting with usurious Brick-merchants, y-clept Legislative Councillors, and Shylock postmasters, to humbug the Parliament of my country, of which I was an unworthy member; to incarcerate the persons of my fellow townsmen, seize, and confiscate their property, defraud the public, and rule it with a rod of Iron! Tell all this, and tell likewise, *that I smiled in a man's face while I cut his throat!!!*

All this you may tell with your wonted plausibility and powers of persuasion; but, indeed Mr. Hagerman, I am still unconscious of having committed wrong. I borrowed money from the Bank—a large sum to be sure, but not over-much considering the amount of my stock. Not as much as yourself, putting you on the same comparison,—your shares being, I think, twenty, and mine ninety-four. The Bank held vouchers, which were readily acknowledged, and an arrangement for payment, safe and satisfactory to all parties concerned was speedily and amicably effected. Upon the unfortunate demise of our ill fated institution, I stepped forward with alacrity to pledge my property in security, not only for the sum I had borrowed, but for the amount of my Stock paid in, which you have declared in your speech *was sufficient*. I trust there is nothing in all this which calls on the world to uphold you in designating me a “SCOUNDREL”—I have yet to learn that borrowing money is a crime.

My first instalment was immediately paid, and five others were at my command, when, twenty days before the second was due, I was sued by your “cruel” Commissioners, your “gentlemen of unquestionable integrity”, who were appointed with the “concurrence of all par-

ties"! They knew full well my state of preparation, but the kind of money I had to pay was unsuitable for their purposes;—Kingston money would not answer the purposes of speculation. They were willing enough to *buy* it, but not to receive it in payment; and they thought it better to get my debt in *current money* through the Sheriff, than receive it from my hand in a depreciated paper, though my bond expressly provided me the privilege of paying in Kingston money. Besides, if I were sued at law, *I might possibly run away*, a **DESIDERATUM** on many accounts. My property would fall an easy prey, and my absence, *be one of the bones at least, removed* from the gullets of some cormorant gentry, which prevented them from gobbling their neighbors fast enough to keep pace with their mighty powers of digestion.

For the protection of my Creditors, myself, and all concerned, I took the course already told, *and pronounced in your speech quite justifiable*. I went to my creditors and said, [AND WAS JUSTIFIED IN SO DOING] "*I owe money to you, you are honest creditors, here is a bond and judgment, take and sell my property.—If you do not, it will be sacrificed through the roguery of individuals and the unjust provision of an Act of Parliament*"!!! But whether you had pronounced it justifiable or no, would be of small consequence, since the steps I took have been attended with expected success, and have the approval of my own conscience. I am now arrived at the utmost boundary of my confessions; thus far I plead guilty; but as for the conspiracies and plotting with Legislative Councilors, Shylock Postmasters and so forth, "*Thou canst not say I did it*"!

Think not, Sir, that I complain of not being one of the subjects of your electioneering hyperbolical panegyric; such food would sit but ill upon my squeamish stomach. It is the malignancy of your invidious distinction of which I complain. You have thought proper to point out by name *every Director but me*, as an "honest, respectable, and honorable man", and ME, as the first of four "fraudulent scoundrels and rogues", whose property ought to be held for the benefit of the former. For this, you have to account to the satisfaction of an impartial public, or remain till death the opprobrium of every honest minded

man. Remember your own whining lamentations for the light goadings of the Commissioners. Remember the thunders called forth by their comparatively innocent conduct from the immortalised James Wilson of Prince Edward, and tremble at the bolt that may transfix you! Read their condemnation I say, and tremble.

“The OFFICERS of the Bank [Benj. Whitney, President, Smith Bartlet, Cashier, and John W. Ferguson, Teller, *all set down by you as scoundrels*] were honorable men when compared with others. They may be charged with having abstracted the funds of the Bank—they may be charged with having abused the confidence of the Directors; *but they could not be charged with the heinous crime of attempting to affix the guilt upon the innocent.*”

Justice to myself now urges to a contrast of the respective lines of conduct, our several natures and dispositions have prompted us to pursue towards each other; and if circumstances should forcibly maintain me in the foreground of the picture, you will have no right to complain, having yourself appointed me that post of honor, though it is confessed in a garb so dingy, that an imaginative spectator might be reminded of the resurrection of soot.

Referring to my commentary on the Commissioners' Report, [see Appendix] it is seen, that speaking of you I use the following words.

“Although I have no reason to feel much affection for Mr. Hagerman, I should consider myself a degenerate brute, if I hesitated to bear unequivocal testimony to the utter impossibility of his having been in any manner concerned in any abstraction. No man of sense or feeling will ever for a moment affect to think he was so. This affectation of the Commissioners, and this charge respecting the Directors against the conviction of their own minds, produced from evidence lying under their very noses, must stamp their Report with lasting infamy.”

On the 9th of September, 1823, I addressed you the following letter.

Sir,—Although I consider you my personal foe, I feel that I should but ill discharge my duty as a man, could I suffer your reputation to receive an undeserved stain, from which it was in my power to shield it.

A foul report is current which perhaps you may be the last to hear; thus I have heard it. During the time the notes of the Bank were being destroyed, George Markland saw you going out of the Bank with a large packet, something was said too about McLeod, whether it was that he was in your company I am not positive. However George Markland asked you where you were going, and you showing him your bundle, replied, you were going to burn the notes. Markland shortly after fell in with Whitney, related to him the circumstance, and asked him [Whitney] 'do you really think he will burn them?' It was concluded between them, *that you would hardly be such a fool.* Since that time you have been watched. It is said you have paid considerable sums of the Bank notes to the Commissioners, packed up in bundles precisely in the same manner as they were wont to be packed in the Bank. From which it is inferred they were the notes you pretended to burn. It is added that the Commissioners themselves suspect you of foul play, which should not surprise, if it be true that George Markland were capable of putting the portentous and lago query to Whitney, above mentioned.

It is not a little remarkable that Markland and Whitney have been as thick as two thieves ever since the failure of the Bank. It is said that from the Book, a burning of the notes purports to have taken place between you and McLeod *alone*, [if this be true it was a great imprudence on the part of you both] and conversation runs that you could easily bamboozle such a one as McLeod, who is known to be your great admirer, for your having said once in Parliament, how much you admired the Methodists.

It happens most accidentally, that since my knowledge of the aforesaid report, I have been apprised of a source from whence you received a large sum in our Bank notes, packed and pressed in the identical fashion of the Bank, of which fact I hasten to inform you, that you may at once rescue your reputation from secret slander, and know the characters of the men you have respectively sought to uphold and to destroy.—I am, &c. &c.

THOMAS DALTON.

To G. A. Hagerman, Esq.

On the 18th of the same month I received from you the following reply.

Kingston, 18th September, 1828.

Sir,—My absence from home for the last ten days will account to you for not having sooner acknowledged your letter of the 9th, which was only this morning put into my hands. Upon what grounds you assume that I am your personal foe, and have sought to destroy you, I am at a loss to conjecture, and as you have not chosen to explain yourself, I can only in general terms, most solemnly deny the imputation.

If your opinion is founded on *the remarks I have sometimes felt it my duty to make*, on principles you have chosen to proclaim, you have adopted an unjust criterion to decide by. *My observations on your conduct and character have been elicited by necessity, not resentment*—I feel none towards you, although if I am correctly informed, you have given me reason to entertain emotions of that kind. I believe you have never been denied my services when they could be useful to you in any *honorable transaction*, and you may feel assured *that my disposition in this respect is in no wise altered!*

I give you *my grateful thanks* for the information your letter contains, although it relates to a subject, the character of which fills me with amazement, disgust and indignation. The measures I will take shall be such as to elicit a proper knowledge of all the circumstances, *and you will probably know the result.*

I do not believe that bills were ever burned in the presence of McLeod and myself alone; but this can be ascertained by reference to him and the book.

I am, Sir,

Your very Ob. Serv't.

(Signed)

Ch. A. HAGERMAN.

Mr. Thomas Dalton.

I felt too much contempt for your silly reply to take the least notice of it. It will be at once seen, that the object of my letter to you, was not to extract from you confessions of what might have been your conduct towards me, but to put you on your guard against the secret machinations of cherished snakes; scorning to see my direct enemy fall

into ignominy from the venomous shafts of occult villainy, while I could interpose a shield to ward them off, though it were to cause my own perdition.

After what has been explained, it can surprise no one, that I regarded you as my personal foe, and I am inclined to believe, that every creditor of the Bank will *now* regard you as his. I have made it pretty evident that every engine, that fraud and malice could devise, has been set at work to effect the destruction of me and mine, and if utter ruin has not yet overtaken me, if I am yet unburied in the gulph that yawned for me, it is because my native energy, joined to the steady support of unrelaxing friends, and the able counsels of men of *real* eminence in the law, have baffled the projects of feeble plotters.

It cannot be seen by my letter to you, that I had formed any opinion on any remarks you may have thought it your duty to make on the principles I have chosen to proclaim, and I now beg to inform you, that I never heard that you had made any. And ought I to suppose that if I had, I could be offended with them, seeing that I never proclaimed any sentiments that will not defy the *strictest scrutiny*? No unworthy sentiment dwelling in my heart, none can issue from my lips, or flow from my pen.

Now will it appear from your own unasked acknowledgement, that you have used the nightly assassin's dirk. 'My observations on your conduct and character have been elicited by *necessity*, not resentment'! What observations? and what necessity? I know nothing of your observations or your necessities. I asked you not for this confession, you gratuitously make it *self evident*, that you have been a backbiter, a secret slanderer of my conduct and character. What you know prejudicial to my conduct and character, you are now called on to state. I trust they have been and are such, as to make it quite immaterial what observations you may have made, or may hereafter make upon them, and to render me superior to the resentment of any individual whatever. I imagine your weightiest charge, and that which will most oppress your heart, will be my present unravelment of your crooked and froward policy.

Do please to explain what you mean by the following nonsensical sentence of your letter. 'I believe you have

never been denied my services when they could be useful to you in any honorable transaction, and you may feel assured that my disposition in this respect is in no wise altered.' (I might go to your former letter and add, *as I trust it is not towards any other individual !*) What affectation of cant is all this ? Did I ever solicit your service in any *dishonorable* transaction ? any one would naturally infer that I had.

It will be seen by your first letter, that in the concluding sentence you invite me to call upon you on your return from York, which I did ; and after a long conversation with you in which I made you fully acquainted with my sentiments on the Bank Bill, I told you it would be necessary that the Directors should have a meeting to take the property from Mr. Stanton in order to its regular transfer to the Commissioners. You replied that you would never meet the Directors any more, as it might be thought *we were acting in concert*. The same evening I called on Mr. Bartlet and told him of the interview I had had with you, who said, ' *O, I forgot to tell you, that I had seen Mr. Hagerman, who told me to say, that he desired you would not call upon him, as it might be thought we were in correspondence together.*' I believe I have not been in your office since. Heavens ! this smells strongly of duplicity, *if it be not the identical thing*. As for correspondence, the world has seen a part of ours, and it will judge how far I ought to be ambitious of cultivating it.

I will now quote a delectable passage from a letter of yours dated 24th June, 1823. It is in your usual pathetic style, and is a fine proof of your *consistency* on the subject of acting in *concert*. It should be observed, that this was written at the time when the bombardment of the Bank Bill by 'anonymous writers' was raging with such force as made it evident it would be soon blown up. It is a fine text for a dissertation upon discretion, forbearance, prudent conduct, irritable feelings, and *harmonious concert*, but I will even leave it to make its own impression.

"The embarrassments which the failure you allude to has occasioned are not *peculiar to yourself*; I trust however no one will increase the difficulty of getting out of them by acts of imprudence. Much may be done for the bene-

fit of all parties, by forbearance and prudent conduct.— This is not the *time* for exciting irritable feelings, even if there was provocation; by far the weightiest portion of responsibility rests with the *partners of the late association*, they therefore should use every exertion to bring its affairs to an *amicable and satisfactory conclusion*, which I feel confident may be done, if they act discreetly and in concert!

Let me call to your mind your boast about urging the Bill through every branch of the Legislature. It has always been currently reported, that the Governor at first hesitated to give his sanction to the Bill, on account of the opinion of Chief Justice Powel being adverse to it, 'on the grounds of its unconstitutionality;' but that he was afterwards induced to do so, from your urgent representations of its *absolute necessity*; which appears natural enough on the part of the Governor, you being the representative of the town of Kingston, and Chairman, Director and Solicitor of the Bank: and also one of the Committee of the House of Assembly on Bank affairs: he would naturally conclude, that it was a thing prayed for by the 'concurrency of all parties,' (it being impossible for him to know, that your *real* opinion was, that, 'if the business had been placed in their hands (the Directors) instead of being placed in the hands of the Commissioners, the business would have been closed months ago to the satisfaction of all parties') as being the most speedy and beneficial mode of winding up the affairs. Report gives you credit for begging and beseeching his Excellency with great vehemence, to give the Bill his sanction, although you say it was such a monster of deformity, in short for battling the watch with him like a Trojan! Your vain glorious boasting has confirmed the report in the public mind; whether it be fact or no is best known to yourself.

It will be seen by your letter of the 18th Sept'r. 1823, that you say, I should probably know the result of the measures you would take to elicit a proper knowledge of all the circumstances of a subject, the character of which filled you with '*amazement, disgust, and indignation*,' and for information on which you give me your '*grateful thanks*.'

I have to observe, that I never heard any result. Be it

clearly understood, that I say not this to induce any improper belief concerning you. On the contrary, I am still ready to declare on my conscience, and my oath, that I believe you would not be guilty of stealing money. I recur to this by way of simply showing your slavish durance in the toils of the Honorable George Herkimer Markland. **YOU DARED NOT INVESTIGATE!** Whether you burned the Notes or no, I care not; and if all the notes of the Bank had been stolen, your Bank Bill has rendered it a matter of perfect indifference to every one concerned, except the disappointed thief.

Let me now direct the most particular, earnest, close and serious attention of the public, to two quotations from the manly, eloquent and electrifying speech of that upright, and undaunted member of Assembly, **JAMES WILSON OF PRINCE EDWARD**: whose clear light will in after ages, enable the Historian to record with fidelity, the names of the infamous authors of the pigmy Bank-Bill-Bubble, that set all Kingston together by the ears. Let his kind friends who have expressed apprehensions lest he might suffer for his manly independence, remain at ease. An overwhelming torrent of vengeance shall pursue the base wretches who dare to injure a Representative of our Province, for nobly expressing his virtuous sentiments, *on the floor of the House of Assembly*.— Let it be remembered, that persecution of the just, is but the fuel of honest indignation!

“The Bill brought in by the learned member for Grenville (Jonas Jones) which would have done justice to all parties, was, *by some strange, foul and hidden influence, thrown out.*”

Mr. Hagerman declares that the Bill received its deformed shape in the Legislative Council. The influence, tho' it be ‘*strange,*’ ‘*foul*’ and damnable, **IS NO LONGER HIDDEN**, the honorable George Herkimer Markland, that **JUST JUDGE**, that ready and convenient acquitter *without trial or investigation* of his bosom friend President Whitney before a committee of the Legislative Council, **STANDS CONFESSED** enshrouded in all the gloomy horrors of his ‘*strange,*’ ‘*foul*’ and ‘*hidden*’ perpetrations. Oh Markland! whilst thou art unpunished Lord COCHRANE has been infamously dealt with.

“He beseeched the house to remove the Commissioners, and bring the business to a close. The poor people in the country were ruined, many of them had their hard earnings bought up at 50 or 60 per cent. below what the Bills cost them, and now, *when the state of the funds was only known to the Commissioners, there were agents despatched to the United States, to purchase the Bills of the Bank.*”!

Here is forced upon the mind, another proof of the fraudulent intention of the monster of deformity. Why should the state of the funds be only known to the Commissioners? Because of the careful abstinence of the authors of the Bank Bill from providing for the Directors and Stockholders, a legal right of access to the Books of the Institution, a privilege which is the lawful right of every bankrupt in every country, and yet these are unceasing and silly brawlers about precedents. Here was a door opened for fraud! and listen to one of the consequences announced to the world *from the floor of the House of Assembly!* This Mr. Hagerman wants full and complete explanation.

The discretionary power given to the Commissioners to appropriate the Stock of the Directors and Stockholders at their gracious pleasure, your own Stock being but about twenty shares, while that of others certainly no more culpable than yourself, was from forty to ninety shares, is a trait of liberality, generosity, and common honesty, which ought to acquire for you from all considerate men, unbounded applause. Of this I will ask from you no explanation.

One passing word on the ludicrous farce that has been played off by the Commissioners, which has excited as much amazement as merriment. It is well known that as soon as they found the Bank Bill sit uneasy on the stomachs of ‘the people of Kingston and its vicinity,’ they were loud and unceasing in their exclamations of ‘It was forced upon us!’ ‘we would give a hundred guineas to get rid of it!’ (well would it have been for them had they given a thousand) ‘We are compelled to act by the law,’ ‘It was wrong to take the business out of the hands of the Directors,’ ‘It is unfortunate the parliament ever meddled with it!’ and such like hypocritical cant. But as soon

as the House of Assembly expressed an unanimous wish that the business should be actually taken out of their hands and placed in the hands of Directors to be chosen by the Stockholders, ("this plan so obviously just to individuals, and so well calculated to give security to the Public was unanimously approved of"—see York Observer 12th Jan. 1824) the 'strange, foul and hidden influence' was again at work. The Legislative Council could not accord with the Lower House **BECAUSE** *the Commissioners could not consent to their dismissal*, (I wonder if the consent of the Stockholders was asked when they were appointed?) lest it should be a reflection upon them after the slanders that had been heaped upon them by anonymous writers. Just as if the severe, but just condemnation of their scandalous, uncalled for, and lying report, and the unanimous expression of the desire of the House to expel them from their offices, was not a tenfold more severe reflection upon them, than 'the slanders of anonymous writers! Surely the Commissioners must want common understanding, or they must think this community destitute of it.

Pray Sir, to whom should the public now look for satisfaction? Is it to the unfortunate Directors and Stockholders who have been cheated, cozened, and swindled at noon day out of their means of paying their debts, or is it to those who 'through the roguery of individuals' procured 'the unjust provisions of an act of Parliament' to despoil and plunder them under the colour of law? This is a question for you to solve, and for the public to cogitate upon. The Public will hardly rest contented under the solemn humbug of such slightly veiled hypocrisy. It should look for satisfaction somewhere, and where, but to those who have defrauded it by a base cajoling of the Legislature, into a measure fraught with iniquitous depravity, for the unholy fattening of two or three insatiate men at the expense of a whole community? The offended majesty of justice, the outraged and insulted honor of the Province can never be appeased, till the House of Assembly have at least voted, the tearing of Hagerman's infamous Bank Bill from the Statute Book, and ordered it to be burnt by the hands of the common hangman. As you have originated the Bank-bill-bubble in Parliament, so it is the duty of the Parliament, as in the case of the South

Sea Bubble, to afford satisfaction to the public, by the confiscation of the property of its wicked projectors.

I could enlarge, but it is useless. I have brought you, or rather you have brought yourself into a predicament, and I now leave you on the "horns of a dilemma". I have threaded the intricacies of your labyrinth, and arrived beyond the puzzling point. A wondrous concatenation of circumstantial and positive evidence, principally derived from yourself, has served for my 'cloud of witnesses' and till you come forward with a clear and manly explanation, of what now appears '*dark, foul, and abominable*' you must be content to forfeit what little esteem you may have hitherto enjoyed. I will give you five years for the consummation (to you) of so desirable an event; at the end of which time without further preamble, as, *by the words of your own mouth you will have been condemned*, so by them, shall your sentence be pronounced, in the following prosing terms, extracted from your preliminary observations, to your '*Examination of a Pamphlet entitled a statement of facts relating to the failure of the Bank of Upper Canada, in Kingston.—By Benj. Whitney, Esq. late President of the same.*'

Whatever other consequences may attend the circulation of your speech recorded in the Observer of the 1st of March 1824, "it will be generally allowed that it furnishes one more proof of the truth of the remark, that we have fallen upon times in which venality skulks no longer in the dark, but snatches the bribe in public,—when rapine preys on mankind without opposition, and perjury betrays it without enquiry;—when irreligion is not only avowed but boasted, and the pestilence that used to walk in darkness, is destroying at noon day. Whether it will be giving a check to these enormities, to exhibit one of their perpetrators in naked deformity to the world, is what no man can promise; but it will, I think, be some satisfaction to the lovers of truth, to see one of its enemies, exposed to the scorn and contempt of such as consider virtue necessary to the attainment of happiness.

* * * * *

"Most men would discover that to continue in the same strain, a controversy, (Whitney's controversy with me) which had brought its author into universal contempt,

and which had caused all honest men to shun his society, was but adding fresh inducements to the virtuous of the community, to keep aloof from him.—This, however, *you* seem to have overlooked, or disregarded, and the folly manifested by your publication is, that you either do not consider the privilege of associating with good men, as of any consequence, or that your vanity has so blunted your discerning powers, that you have not discovered how universally you are condemned and shunned, on account of the slanders you have heretofore promulgated. For your audacity however, it is not easy to account—When the assassin raises his arm to destroy his victim, it rarely happens that he executes his deadly purpose in open day, in the midst of numerous witnesses of unquestionable integrity, who are not only ready to secure him for punishment, but capable of giving the most unequivocal and incontrovertible proof of his guilt: *you* however in your fiendish zeal to destroy, *have forgotten*, or disregarded precaution: in sending forth the deadly dart, you may perhaps have imagined, that you would obtain a gratification, in inflicting wounds on the peace of those, who by their uprightness have rendered themselves odious to men possessing minds like your own, which would fully compensate for the severest punishment that could await you: but let me tell you that your satanic hope will be disappointed: the barb has recoiled from the object at which it has been hurled, and so long as you are known or recollected in this society, it will be found sheathed and rankling in your own bosom.” AINSI SOIT IL!

That you may not however perish from gangrene, let me allay the irritation of its wound, with an emolient composed of the *oil of cant*, and *gum-hypocrite*, the recipe for which was culled from the last page of that able work on *PHYSIC*, published by *DOCTOR VINDEK* at *Kingston*, July 29th, 1823.

“Adieu. bad as you are, the hand that has traced these lines has often faltered, (did not I tell you, you had a palsied hand) in recording your depravity, and the heart of the man (query, had he any?) to whom that hand belongs, has often throbb'd with anguish, in recollecting your black ingratitude, (ingratitude indeed! for you, like George Markland, upheld Whitney through thick and

thin,) your hardened profligacy, *your unprovoked slander*. The castigation I have found it my duty to inflict upon you, may possibly have some good effect even with you. It may bring you to a sense of the enormity of your crime, in endeavouring from mere wantonness of malice, to affix suspicion on a man you know and believe to be as guiltless of the crime you allege against him (the only crime Whitney alleged against you, was *your criminating him before one house, and acquitting him before the other*, of which it appears evident enough you were guilty,) as is the infant unborn. Go Sir! (inimitably fine!) I cannot hope for a public retraction; (how could you when you were guilty?) but let me recommend you *in private at least*, to supplicate mercy and forgiveness from HIM (utterably grand!) who is ready to listen to the language of repentance, (like you think your ‘honorab! constituents’) and if it be any consolation to you to know it, receive the assurance, that in the breast of the person you have most endeavoured to injure, there remains no spark of resentment, (magnanimous man!) nor desire to do you harm; and in conclusion, let me recommend you to consult **THAT BOOK!** (which the pious Hagerman consults so often) from whence I trust you will henceforth draw the precepts necessary to guide you in your pursuits through life; you will find recorded, that he only shall dwell in Heaven, that (like Hagerman) *leadeth an uncorrupted life*, and doth the thing which is right! and speaketh the truth from his heart. He that (like Hagerman) hath used no deceit in his tongue, and hath not slandered his neighbour,” *never fouled his own nest*, **NOR BAMBOOZLED THE PUBLIC!!**

Oh Heaven! If in my ethereal soul I must undergo purgative torments, for fleshly aberrations from thy graven laws, cast me into a pit, where scorpions, snakes, and adders abide, but rescue me, O! rescue me from the whining cant of foul hypocrisy.

“Your race is run, your game is up,”
 You’ve drain’d your *self-destroying cup*;
 “So, since it please ye to withdraw,
 Good by t’ye, *Mounseer Nong tong yw.*”

THOMAS DALTON.

Kingston, Upper Canada, March 17, 1821.

TO THE PUBLIC.

I had intended to give an appendix containing a variety of important documents, but owing to the printer's vexatious disappointment, in not being able to procure the necessary supply of paper, I am most unfortunately balked in my intentions. As regards our immediate vicinity it is not of so much consequence, as the newspapers are always at hand to supply the deficiency; but for the satisfaction of persons at a distance it is to be regretted that those documents should be omitted. They are as follows. The report I wrote in anticipation of the Commissioners', for which Mr. Thomson the Printer was so childishly summoned to York, on the motion I believe, of Mr. Nichol. The Commissioners' real report, which met with such deserved reprobation in the House of Assembly, and my commentary thereon, my petition to the House for redress of the scandalous wrongs committed against me by the Commissioners, and the speeches in the House of Assembly on the second reading of the Bank Bill amendment act, the whole forming such a mass of information upon the intricacies of this nefarious job, as indelibly fixes the guilt of the transaction upon the right men.

THOMAS DALTON.

APPENDIX.

Extract from the Free Press of July 17th 1823, in which the Commissioners of the Bank Bill are faithfully pourtrayed.

“ One of the Commissioners of the bank-bill, the Hon. Geo. H. Markland, during his agency for the Bank of Canada, lent Lewis Day, the brickmaker, above alluded to, £500—for three years, upon condition of receiving from him *one hundred thousand bricks* a year, that is 300,000 for the whole term. Eighty thousand towards the first 100,000 were actually delivered when the affair leaked out. The Hon. Geo. H. Markland, in great consternation that the thing had got wind, applied several times to Lewis Day, with wheedling, coaxing, honied words, in order to ‘abstract’ from him a certificate that he had never taken usury from him. But Day was too honest a man to be cajoled into certifying a falsehood, and indignantly refused. The affair has, however, been compromised, and Day has had back his bricks. The aforesaid honourable gentleman is the head of the board for unsettling the affairs of the late bank: uncle Kirby is its body, and cousin Macaulay its tail. Such is the family compacted junto appointed to strew fire-brands through the rising, but now desolate, city of Kingston. The lowest cash price of bricks is six dollars per thousand; thus the honourable gentleman was receiving £450, for the interest of £500, for three years, and was besides secured in the payment of the principal by a sufficient mortgage.—Whether the money lent was his own, or belonging to the bank of Canada, is best known to himself: no imputation, however, is meant to, or can, attach to that bank, as they would unquestionably be kept in ignorance of the purpose to which the money was applied, supposing it to belong to them. Now I would ask, is this man fit to hold any public situation of trust? He will not dare to deny the fact. If he does, I now say to him, *convincam si negas*. Are he, and his uncles, and cousins, fit persons to have the properties of more than an hundred people placed at their mercy? This is enough, for the present, about the honourable brick merchant. I will enlarge at a future opportunity, for it is fit that the public should know

how scurvy an honourable sits at the head of the scurvy board of commissioners, under the scurvy bank bill, scurvily 'abstracted' from parliament, by a scurvy trick, for the scurvy purpose of making scurvy 'appropriations' of the bank funds among a scurvy pack of dependants and favourites; from all which it would appear that the stockholders and the public will be most scurvily used.

THORN.'

From the Kingston Chronicle of March 7, 1823.

We have been favoured by a gentleman with the following sketch of observations by Mr. Hagerman explaining the provisions of the Bill relating to the Kingston Bank.

Mr. Hagerman said that the present enquiry was highly honorable to the character of the House, as it proved the readiness with which the representatives of the people, would step forward to protect their constituents from injury and fraud whenever there was a necessity for their interference. In proposing the adoption of the different clauses of the Bill, he should avoid the use of criminary observations as they were improper and unnecessary in legislating, but in order to account for some of its provisions he would merely state that it appeared from the admissions made by the President, Cashier, and Teller, before the select Committee (of which he was a member) that the abstraction of the funds of the Bank could not have occurred without the knowledge of one or all of them, it also appeared to the Committee, that the public had been induced to receive the bills issued by the association, by the confidence they reposed in the Officers of the Bank and its Directors, persons, who they believed, would faithfully discharge the trusts confided to them, this confidence was further increased by the knowledge they had of the security which had been given by the individuals to whom was intrusted the safe keeping of the money and effects of the institution. At the time these securities were given, the public and the persons who executed them believed them to be legal, they were executed in good faith.—One of the clauses of the Bill went therefore to the making of these securities valid according to the intention of the parties;

and as the Directors could not be discharged from the imputation of great negligence, it was further provided, that any claims they might have for stock or debts should not be paid until all other demands against the institution were satisfied. It was hoped that by this measure, all the just demands against the Bank would be fully satisfied, and indeed he had no doubt but that such would be the case, from the knowledge he had of its affairs.—The Bill then provided that all the debts and effects of the Bank should be vested in Commissioners to be appointed by the Lieut. Governor. He anticipated some objection to this mode, as some gentlemen wished that the Commissioners should be named in the Bill,—he would have no difficulty in acceding to this proposition, did he not fear that it might embarrass the operation of the Law, as some of the gentlemen named might perhaps decline acting, or might be removed by death or other causes, if however the House preferred naming the Commissioners, gentlemen of unquestionable integrity and ability might be selected in Kingston, whose appointment he was sure would be acceptable to all parties.—The only thing desirable in such a case would be that they should be persons wholly unconnected with the bank in every point of view. These Commissioners when appointed would be vested with the power of examining upon oath all persons connected with the institution, and if found unwilling to make a full discovery of every matter within their knowledge relating thereto, they might be committed or held to bail. They were also to determine on all claims against the Bank, and to give certificates [bearing interest] to the holders of the bills, shewing the amount they were entitled to receive. These certificates were to be signed by a Clerk to be appointed by the Commissioners for this and other purposes.

There was also a clause in the bill prohibiting the establishment of similar institutions, and he conceived that it was the duty of the House to guard against the recurrence of injuries to the public similar to the present.

Mr. Hagerman moved for the expunging of a part of the preamble that recognized a British statute which he did not consider precisely applicable to the present case, and particularly as it was not in the least degree necessary as a part of the measure.

The clause for vesting the appointment of Commissioner in the Lieut. Governor was afterwards expunged, and then with the concurrence of all parties the names of the Hon. G. H. Markland, John Kirby and John Macaulay, Esqrs. were inserted.

Some other amendments were moved and carried, proposed by Mr. Baldwin.

EXTRACT OF A LETTER, DATED

“ York, 18th March, 1823.

“ You are aware that the “ Bank enquiry ” was first moved in the house of Assembly here, by Mr. Jonas Jones, and that the subject was referred to a select committee for their report. When this was made, and the bill brought in, the further consideration of the measure was conducted by Mr. Hagerman, [Mr. Jones having been compelled on account of some urgent business to ask leave of absence for the remainder of the session,] and carried on with the greatest moderation and unanimity. The only clause which excited any debate, was that which, *in terms*, rendered legal the bonds given by the Cashier and Teller; some objections were raised by members, and Mr. Whitney was twice heard against its adoption. It however at length passed unanimously, the members who at first objected to it, having given up their opposition. In the Legislative Council, the measure met with more difficulty, and Mr. Whitney was allowed to offer his objections to the clause above alluded to, and in his remarks threw out some very strong insinuations against several of the Directors, and in exculpation of himself.—Mr. Hagerman was heard in reply, and the next day, the bill was adopted in committee without striking out the clause contended against by Mr. W. and in the course of the debate his [Mr. W’s] remarks of the preceding day were very severely animadverted upon by some of the hon. councillors. At the third reading however, a member who had not been in his place the day before, but who from the commencement had been opposed to the bill, objected to its passing, and the house was found to be equally divided; the bill would thus have been finally lost had not some gentlemen agreed to relin-

quash the clause which related *specifically* to the bonds before alluded to. It was therefore struck out, and the bill as amended was sent back to the Assembly. When it was moved that the amendments should be concurred in, they were considered so objectionable by several members, that it is supposed they would have been rejected, had not Mr. Hagerman expressed a hope that they would be adopted, and gave as a particular reason for his wishing it, that the bill contained a clause authorizing the Commissioners to investigate upon oath, in a judicial manner, the conduct of all the parties interested in the institution, by which means those who had been unjustly charged with fraudulent conduct would have it in their power to prove their innocence, and fix the guilt on the persons to whom it ought to attach; upon this Dr. Baldwin and others immediately said that in deference to the wish expressed by Mr. Hagerman they would withdraw their opposition, which otherwise they would not do, as the amendments were repugnant to their sense of justice. It appears however that the parties have not escaped from their liability to the bonds as was intended; it seems that there is a general clause in the bill, which in the most positive manner legalizes them, and I can assure you that all here are not a little pleased at the discovery.

The bill was further amended by the Legislative Council so as to render the Directors and officers liable for any deficiency in the effects of the institution, to make good the debts due by it to others than Stockholders, the latter of whom are in every other respect placed on the same footing with the Directors."

Copy of the letter referred to as having been sent to
C. A Hagerman, Esq. and twenty-two other
Members of Assembly.

Kingston, Nov'r. 29th, 1823.

Respected Sir,

Being informed that Messrs. Atty. General, Jonas Jones, Morris and Nichol are appointed a Committee to report upon the Report of the Commissioners of the late Bank; as one deeply interested in any report which may be made by so highly respectable a Committee, I

must be permitted to say, that I cannot see how by any possibility the Committee of the House can arrive at any just conclusions from the Report of the Commissioners, until that Report, together with the evidence on which it is grounded, have been submitted to the Directors and Stockholders, who might perhaps have it in their power to put altogether a different face upon it, and enable the Committee to report with exactness.

I therefore entreat of you as the friend of justice, to make such a representation to the House in this case, as may avert from many innocent individuals, the cruel hardship of being opprobriously stigmatised through the *ipsi dixit* of men, who it is notorious in their own neighbourhood, have exercised their power with a tyranny unworthy humanity to practice, or endure; and with a disregard to justice which but to utter would make the very stones to blush. It is not the Commissioners' Report that could excite the slightest apprehension in the breast of any man, but the Report of the Committee of the House, which with the Public would be conclusive, now and hereafter.—I have the honor to remain, respected Sir, your most obedient, humble servant,

(Signed)

THOMAS DALTON.

To C. A. Hagerman, Esq.
and 22 other members.

P. S.—It has come to my knowledge that the Commissioners yesterday refused to receive some evidence on oath, because they conceived one of themselves reflected on. The evidence relates to the failure of the Bank, and is of an important character.

T. D.

10 o'clock P. M. 30th Nov. 1823.

I have just had put into my hands a paper printed on one side, purporting to be [so far as it goes] the Report of the Commissioners; on the other side are written the heads of the remainder of the Report. If the Report be any thing like what I have received, [the paper was printed in York] I hesitate not to declare it *false*, and at variance with the evidence I *know* the Commissioners to have received.

The following letters addressed to Gentlemen at Montreal on two important occasions will show the state of my feelings at those times. The first is to James Stuart, Esq. the gentleman whom I consulted professionally when in Montreal on the subject of Mr. Whitney's taking the £8000 from the Bank of Canada, to whom I considered an explanation due to myself, after the odious acquittal of Whitney by the resolution of the Directors of the 16th Sept. 1822. The second is to Robert Armour, Esq. Cashier of the Bank of Canada on the occasion of sending him my first public letter to Whitney.

Kingston Brewery, Sept. 17th, 1822.

SIR,

I am sure I need not apologize for troubling you with this. For a man of feeling and honour to lie under the stinging reproach of egregious inconsistency is an injustice too painful for patient endurance. What must be your astonishment when you peruse Mr. Whitney's acquittal in the public papers! must you not imagine that his accusers are a pack of nefarious scoundrels? Yet Mr. Whitney is not a whit better than he was represented to you, but the same darkling plotter. The idea I suggested to you in Montreal concerning his purpose in purloining our notes from the Bank of Canada has been fully confirmed. He held them over our heads as a rod of terror, and with a strong hand, wrested from our Directors acquiescence to his villainous terms. Fears for the public, fears for the fate of the Bank, in which was involved the public safety, bore irresistible sway in the minds of the Directors at large, and afforded full scope for the gratification of the private feelings of their ORACLE, (remotely allied by intermarriages to Whitney) who dictated the filthy trash which now pollutes the columns of our public prints.

It was not ventured however to submit it for the individual signatures of the Directors, the conviction that such an attempt would be hazardous was instantaneous. It was therefore committed in horrid silence to the Vice President, who gave it to Whitney, who inserts it in the papers. By this and other ignominious concessions, the stolen notes have been recovered from Mr. Whitney and his *voluntary* resignation procured.

Such is the course that has been pursued to regain the confidence of the Bank of Canada, and to ward from sore distress an innocent and confiding public. If any thing can palliate the conduct of our Directors, it is certainly their having in view the attainment of such legitimate and praiseworthy objects, but it is deeply to be lamented, that honorable ends cannot always be induced by manly means. If it be not too great an intrusion on your valuable time, may I request the favor of your taking an early opportunity to shew this letter to Messrs. McKenzie and Armour, the President and Cashier of the Bank of Canada, who I would fain should be acquainted with the occult motives for the actions of our Directors. To show it to more might cause me to become embroiled with some with whom I would rather live in peace, who though persons of strict honor and probity are widely at variance with me in opinion on many points. I have the honor to remain

Sir,

Your Obed. Humble Serv't.

(Signed)

THOMAS DALTON.

James Stuart, Esq. Montreal.

Kingston Brewery, April 21st, 1823.

To Robert Armour, Esq.

Respected Sir.

I took the liberty of sending to you by the last mail one of our public prints (the Herald,) containing my letter to our former President (Mr. Whitney) in reply to his statement to the Legislative Council. I trust it has had the effect of convincing your Directors, and yourself, that our Institution fell a victim solely to the unprecedented villainy of that man; and that you have therein found a thorough vindication of the honour of our late Directors as a body, several of whom I know to be men of sound probity. There were however some weak and inefficient characters among them, who in times of difficulty are even more dangerous than sinister inflexibility.

Regrets are vain, but if your purpose of visiting Kingston at the critical juncture had not been defeated by that scandalous advertisement, our Bank would at this moment have enjoyed a reputation for solidity, equal to the best hopes of its directors, and the better for the expulsion

of Whitney who was always regarded with a suspicious eye.

My publication has made a deep impression here, and I trust it will be as lasting as deep. It can afford however but a sorry consolation to the injured public; about the same as would be felt by one in the agonies of death, who at his last gasp might recognize the hand that inflicted his mortal stab. The chief consolation that can be derived from it, is to some individuals whose characters are rescued from the foul imputations that were cast upon them, and the load of iniquity placed upon the shoulders that were formed to bear it.

The premature and unmerited fate of our institution has enkindled an unquenchable flame in Kingston, which in its devastating course will consume some self-conceived incombustible reputations, and bring ruin upon boasted impregnable fortunes. The mutability of human affairs is about to be strikingly illustrated. We are now involved in the odious trammels of an inquisitorial junto, specifically erected to fatten upon our spoils, but they have to contend with men of understanding, who are nothing afraid to expose the perfidiousness of overweening cupidity. It is probable that for some months to come, you would find the Herald sufficiently interesting to induce you to become a subscriber to it, indeed it is the only publication here, that at any time expresses any thing like genuine independence of feeling. You have had a specimen of the *impartiality* of the Chronicle in its conduct towards me in the case of the Bank.

I beg you will assure Mr. McKenzie, your worthy President, and your Directors at large, of the grateful sense I shall ever entertain of the readiness they manifested to prop our tottering fabric. An irresistible flood of untoward circumstances alone destroyed the efficacy of their kind intentions.

I remain with great respect, Sir,

Your obedient Servant,

[Signed] THOMAS DALTON.

Speech of James Wilson, Esq. of Prince Edward, in the House of Assembly on the second reading of the Bank Bill amendment act, as reported in the York Observer of March 1st, 1824.

“Mr. James Wilson most cordially agreed with every word that had fallen from the hon. member for Kingston, and although he differed in opinion with that hon. gentleman on many subjects of a public nature, he should have his hearty support on this. He believed that no man acquainted with the testimony given by the officers of the Bank last Session, could read the report of the commissioners, without pronouncing it to be an unjust and iniquitous document, a document which went to screen the guilty and injure the characters of the honest and honorable. The more he thought of the report, the more his indignation was raised against the dark and foul insinuations therein contained. The President, Cashier, and Teller published to the Country “that the fraud must have been committed by one of themselves, and that no other person could have been concerned in it,” this was their testimony before the committee of this house—it was honorable and praiseworthy in the officers to give such evidence, because it protected the innocent from suspicion. But now the commissioners came forward with a statement, and tell us, that we are not to believe the oaths of the officers, that the fraud might have been committed after the resignation of the President.—What could have been the object of such a statement? nothing in his opinion, but that of endeavouring to screen individuals from a participation in guilt at the sacrifice of the characters of men of the first respectability. If the fraud had not been committed till after the resignation of the President, (which the officers themselves denied upon oath,) it must have been committed after the directors had taken charge of the funds.—He believed the house was not acquainted with the Directors; he [Mr. W.] was, and he could say, that they were men of strict honour, honesty and integrity—men in whose hands he could entrust his life, or Gold to any amount untold—men who would sooner see the whole of their property destroyed before their eyes, than publish such a dark insinuating statement against any individual as that put forth against themselves. The hon. member for Norfolk. who was always ready to

advocate the cause of his friends uttered something about the correct and highly respectable and honorable conduct of the Commissioners; he [Mr. W.] did not blame him for his attachment to his friends; but he would ask that hon. gentleman, where was this conduct to be found? Does their nonsensical report display correctness? Do their attempts to wipe off acknowledged guilt, and cast an odium upon the innocent, establish their honor? Does their dark and foul insinuation against the Directors, confirm their respectability? No, no more than it could fix crimes upon the Directors, or wipe off the odium which the evidence of the officers fixed on themselves.

“The Commissioners ask for further powers, he [Mr. W.] would sweep all power out of their hands, he was sorry that they had any power. They also complain of the slanders of anonymous writers, whilst they themselves are the authors of the most gross and unjustifiable insinuations against the Directors—acting under the authority of an act of Parliament, they assumed powers which it did not authorize; and he hoped their proceedings under that act, would be reprobated by every member in this house, in the same manner as it was reprobated by every honest individual in the country. The officers of the Bank were honorable men when compared with others. They may be charged with having abstracted the funds of the Bank—they may be charged with having abused the confidence of the Directors, but they could not be charged with the heinous crime of attempting to affix the guilt on the innocent.

“Much had been spoken against the Directors for their negligence; but what, he would ask, occasioned that negligence? The bond given by Patrick Smyth and the President was the sole cause of their negligence. If that bond had not been given, they would have been more circumspect, and the fraud would not have been committed.—And how this house could have consented to release these gentlemen from the security entered into, was astonishing, when it was upon the faith of that security, that the Bank went into operation. To release these gentlemen from their bonds, would be establishing a new and a dangerous precedent, it would be encouraging persons to establish Banks and enter into security for officers, who might defraud the institutions because they would not be liable to

the penalties entered into. In fact it would be placing a power in the hands of designing men to strip a whole country of its property, without being accountable for their misdeeds.

“ He [Mr. W.] was told shortly after the failure of the Bank, by one of the bondsmen, that he would be released from his bond : he did not believe him ; he thought it impossible ; but it appeared he was wrong in his opinion ; for the bill brought in by the learned member for Grenville, which would have done justice to all parties, was, by some strange, foul, and hidden influence, thrown out.

“ He beseeched the house to remove the commissioners and bring the business to a close. The poor people in the country were ruined, many of them had their hard earnings bought up at 50 or 60 per cent below what the bills cost them, and now, when the state of the funds was only known to the commissioners, there were agents despatched to the United States, to purchase the bills of the bank, which must operate to the injury of persons like himself, who accepted certificates.

“ It was downright nonsense to tell the house, that it would hurt the feelings of the commissioners to remove them from their situation, and that it might cast a reflection on their characters—he thought the house ought to consult the feelings of a suffering community before they consulted the feelings of commissioners who disappointed their expectations, and he could assure the house if they did not, that it would be a reflection upon themselves. To talk about the fine feelings of the commissioners, and to say that it would be wrong to remove them, was a strange kind of doctrine. It was language that he did not relish ; it was what he would call a feeder to senseless vanity, which ought to be extinguished, instead of fanned, in this infant colony. Were the commissioners men of more honor, more honesty, or more respectability than the honorable member for Kingston, and the rest of the suffering Directors of the Bank, whose feelings had been wounded by the dark insinuations in the report now before them ? He (Mr. W.) was sure they were not ; he hoped no member of the house would say, that they were, even before the publication of that document ; and if not before its publication, surely, a comparison would be ridiculous

after its appearance.—Why hesitate, then, to place the power in the hands of the Directors, who must feel more anxious to bring the business to a close than any other individual? They suffered in their feelings by the Report—they suffered in their property by the officers—their honor and honesty, and not the act of Parliament, secured their property to the creditors of the institution—every thing went to satisfy the house that they were the persons most likely to close the affairs of the bank—were not only interested for themselves, but they were interested for the public, and he did hope that the commissioners would be removed, and the power vested where it ought to have been—in the Directors.”