

Message from His Excellency the Lieutenant Governor, communicating Documents in relation to the Invasion of the Canadas by the people of the United States.

GEORGE ARTHUR,

In compliance with the address of the House of Assembly, the Lieutenant Governor now transmits copies of such Communications from Her Majesty's Minister at Washington, relating to the invasion of the Canadas by people from the United States of America, as he considers himself at liberty to publish.

Government House, 8th April, 1839.

(SIR GEORGE ARTHUR TO MR. FOX.)

Copy.

*Government House,
Toronto, 22nd October, 1838.*

SIR,

On my return to Toronto from Quebec, on the 18th instant, I had the honor to receive your Excellency's letter, marked "confidential" of the 4th instant.

The information it contains, of the extensive preparation for the Invasion of this Province, is indeed sufficiently alarming; it is amply borne out by statements which have reached me from other quarters, and of which copies are enclosed.

The documents Nos. 1 & 2 are still more particular than the statements which your Excellency had received. Of their entire accuracy I have no doubt. You will perceive that the information they contain, is remarkably corroborated by the statement No. 3; and, indeed, there are many other statements before the Government, which tend to shew this deponent's accuracy.

I have despatched an officer to Major-General Macomb, earnestly requesting him to prevent the arms in the public Arsenals, from falling into the hands of the Brigands; which is inevitable, unless decisive measures be adopted, and carried into effect with promptitude and vigour.

I have, further, earnestly desired him to take such other steps as are within his power, to avert the calamities which must follow, if the Brigands cross into Canada.

I appeal to you also, Sir, to urge upon the American Government the solemn obligation they are under, as a civilized State, to prevent these lawless aggressions from being carried on upon the frontier.

It would appear that Riflemen from Kentucky have been brought to Cleveland, to take part in this wicked crusade; that Indians have been engaged to co-operate, who are still in a savage state; and that a Bank has been established, to provide funds, in which numbers of American Citizens appear to have taken Shares.

These are proceedings which, it may be expected, the Government of the United States should suppress, now that they have a perfect knowledge of their existence; and I do trust, that in Her most gracious Majesty's name your Excellency will demand of them so to do.

I enclose a memorandum, (a copy of which has also been sent to Major-General Macomb,) containing the names of the most prominent leaders in the conspiracy, and their immediate arrest might have a most beneficial tendency. I have also addressed Governor Marcy.

Having taken these measures to avert the threatened calamity, I have called out a Militia force to act in conjunction with Her Majesty's Regular Troops, in opposing such an enemy; and if it must come to blows, I have no doubt but we shall be able to strike an effective one, to deliver the country from such a band of Ruffians.

I have, &c.

(Signed)

GEORGE ARTHUR.

(MR. FOX TO MR. ADRON VAIL.)

Washington, Nov. 3rd, 1838.

SIR,

The alarming reports which had reached the United States Government respecting apprehended hostile movements against Canada from within the American Territory, and which are communicated to me by the friendly orders of the President, have been amply confirmed by intelligence conveyed to Her Majesty's Colonial Authorities through various other channels; and I am sorry to add, that the mischief appears to be far more serious and extensive, and the danger of hostile disturbance more imminent, than had been represented in the information received at Washington.

It is now ascertained beyond the possibility of doubt, that a secret combination or conspiracy, of vast extent, and possessed of great resources in money and military provisions, has been formed, and is at this

moment in active progress, within the confines and jurisdiction of the United States, for the purpose of waging war upon Her Majesty's Provinces of Upper and Lower Canada. The combination extends along the whole line of the Canadian Frontier, from Maine and Vermont to the state of Michigan, it extends also far into the interior of the States of New York, Pennsylvania, and Ohio; and likewise into the neighbouring state of Kentucky. It is affirmed, and believed, that 40,000 American citizens are already enrolled in this criminal association. The above is the lowest estimate: the depositions of some of the informants carry the numbers to a much greater extent. To these are joined a few vagrant Canadian refugees; the number of the American conspirators is daily and hourly increasing. The plot is carried on by means of masonic lodges, secretly established in almost every town along the Frontier, the members of which communicate with each other by private signs, and are divided into several grades of initiation. A complete system of these secret signs, as well as the cypher or secret alphabet, by means of which the associates correspond in writing, is in the hands of Her Majesty's Authorities. The regular organization has been completed of a pretended provisional Government for Upper Canada, with assumed official rank and commissions, both civil and military. The names description and residences of the chief individuals composing this pretended Government who are American Citizens, are also in the possession of the British Authorities.

A pretended national Bank of Canada has also been organized, to be established and maintained by the seizure and plunder of the public property. The superior Lodges of the Association are believed to be situated in the Towns of Rochester, Buffalo, and Detroit: a grand central Lodge; or convention of Delegates is held at Cleaveland; another considerable Lodge is situated at Cincinnati. Arms and Warlike Stores are secreted at various points; and the conspirators also reckon, that with their present force and number, and complete organization, they will have no difficulty in again forcing and plundering the United States and State Armies, whenever the time for showing themselves in Arms shall have arrived. No less than nine Steam Boats, of those that ply regularly upon Lake Erie, the names of which are in the possession of the British Authorities, have been engaged for the service of the conspirators. I am afraid there is no doubt that a number of Magistrates, Justices of the Peace, and State officers of the above mentioned States are involved in the present flagitious enterprize.

The direct objects of this vast combination are, to invade and conquer Upper and Lower Canada, to subvert and revolutionize the established Government of those Provinces, and to wrest them from the rightful dominion of the British Crown. These are the designs of the chief directors of the plot; but it is probable that a large majority of their followers have enlisted in the scheme, for the sole purpose of rapine and plunder. The particular mode and time of operation do not appear to have been yet determined upon by the conspirators, but will be made to depend upon circumstances, and the accidental course of events.

The above particulars, a large portion of which is already known to the United States Government, are derived from private information, received through various channels by Her Majesty's Authorities in Canada. The evidence which has been already submitted to Her Majesty's Authorities, and also to myself, is of such a nature that we can entertain no doubt whatever of its truth. There may possibly be error and exaggeration in some of the details, which must usually happen when secret machinations are to be detected and dealt with, but the general truth of the information admits of no doubt whatever.

In this critical state of things the immediate interference of the supreme authority of the Republic, can alone avert the most terrible and afflicting consequences: and I do solemnly appeal to the President and Government of the United States effectually to suppress this lawless association, which is plotting the destruction of Her Majesty's Provinces and fearfully hazarding the peace of both countries. Vasts hordes of banditti and assassins are maturing their plans for the desolation and ruin of a British Territory: they are engaged in this work within the jurisdiction of the United States where no British authority can reach them,—but where Her Majesty's authorities rely confidently upon the friendship and honor of the United States themselves, to exert the necessary power. It would not be fit for me to suggest modes of proceeding: but surely there must reside somewhere in every well constituted state, the power to prevent those who live under its laws, from persisting in the perpetration of violent and atrocious wrong against a friendly foreign people.

I must observe that the present crisis in no way resembles an ordinary case of Neutrality between contending foes; between parties contending in open and legitimate war. Neither is this a case of Neutrality as between a Government and its rebellious subjects. No rebellion or civil war is now raging in Canada; nor has been for nearly a twelve-month past. The insurrection of last winter, in Lower Canada, was suppressed in a few weeks; the insurrection in Upper Canada was suppressed in a few days.—Yet from that time to this, Her Majesty's Provinces have been kept in an almost constant state of warlike alarm, by attempts and projects of invasion from abroad; the invaders being the citizens of a friendly Republic, of a country with whose Government Great Britain is at peace. Her Majesty's subjects are exposed to the inconvenience and expense, the hazard and suffering of a state of war, while they are precluded from retaliating or making just reprisal upon their enemy. That enemy is enabled, again and again to mature his plans of aggression within the confines of a friendly power, whose laws, from some incomprehensible reason he still continues to evade or over-rule. I have here presented no exaggerated picture of the extraordinary state of things, which we have witnessed during the last twelve months upon the Canadian frontier. It is true that whenever actual invasion has been attempted, the attempt has been quickly repelled by the firmness of Her Majesty's troops and by the high courage and heroic loyalty of the British population of Canada. But it is not just that all these hazards should again be encountered; and the burthen again forced upon Her Majesty's subjects, of defending themselves in arms against the hostile citizens of a friendly State.

If the invasion which is now meditated, be allowed to take place, disastrous consequences will ensue. If the American invaders, proceeding from within the jurisdiction of the Republic, should obtain a transient success, and overrun a portion of British territory, the United States would necessarily become answer-

able to Great Britain for the whole amount of the damage sustained both public and private, for the recovery of the territory, and the reparation of individual loss. If on the other hand, which is more probable, the invading armament be repulsed, is it possible to suppose, that the victorious party, exposed to such unheard of enormous provocation, will always have the forbearance to respect the American boundary, from within which a lawless and unprincipled enemy will have been enabled to advance? Is it possible to believe that a horde of Ruffians and Brigands shall be permitted, again and again, to issue forth from within the territory of the United States, for the ruin of Her Majesty's subjects, and still, when repulsed, to shelter themselves at pleasure beneath the same extorted and abused protection? I allude not to these things for the purpose of arguing, prematurely, the question either of the right of self defence, or of national reparation: I speak only of the probability of events; and out of either of the cases above supposed there would arise national discussions and disputes, of which it is painful to contemplate the issue, painful to those who desire as cordially as I do, to behold a long continuance of peace and friendship between England and America. It is by timely and instant measures of prevention, under the authority of the Supreme Government, that the mutual calamities, now imminent, may be averted.

I have the honor to be,
&c. &c.

(Signed) H. S. FOX.

(Mr. FORSYTH to Mr. FOX)

Washington, Nov. 15th 1838.

SIR,

The President, to whom has been submitted the note addressed by you to the acting Secretary of State of the 3rd instant, conveying information of a secret conspiracy supposed to exist within the confines and jurisdiction of the United States, for the purpose of waging war upon the British Provinces of Upper and Lower Canada,—has instructed me to make the following reply to it.

The Government of the United States has regarded with the deepest anxiety, the unfortunate disturbances which have recently taken place in Her Majesty's possessions adjoining the Northern Frontier of these States, and has spared no exertions whilst enjoining upon their citizens, a proper sense of their obligations to prevent by all legitimate means, any interference on their part in the affairs of their Canadian neighbours. That measures of this nature were promptly adopted by the President, upon the occasion referred to, you are well aware, as also how far they have proved successful. Prompted by the same feeling, the reports which have reached this city of apprehended hostile movements against Canada from within the American Territory, whether received through official or other channels, have been scanned with lively interest by the executive; and although the examination has resulted in a conviction that the circumstances detailed in them are of a highly exaggerated character, every precaution that the most watchful prudence can suggest; and perfect good faith towards a friendly nation dictate, has been, and will continue to be taken, to avert the threatened mischief.

If an organized combination against any foreign Government entertaining the lawless designs attributed to that described in your note of the 3rd instant, exists within the jurisdiction of this Government, it is the duty of the United States, as well to themselves as to that foreign Government, to use their best endeavours to suppress it. In the determination to fulfil this acknowledged obligation, the Government of the United States cannot with propriety, take into consideration the contingent consequences on discussions to which you have alluded; and the President is pleased to find, that you have properly omitted to argue, so prematurely, questions of the right of self defence, or national reparation, in reference to circumstances that have not happened, and which it is hoped will never occur.

From the evidence in the possession of this department, highly coloured in its details as much of it unquestionably is, there is certainly room to fear that some attempts may be made during the approaching winter, to excite disturbances in Her Majesty's Canadian Provinces. No serious uneasiness as to their result can well be entertained. Such attempts must necessarily prove abortive. And the President is unwilling to believe it possible that any difficulties in the friendly relations subsisting between the United States and Great Britain, will be permitted to spring from such a source. Every thing in the power of this Government to do, will be done, to prevent a result so much to be deprecated; and the President is quite sure, that our efforts to that end will meet with the cordial and efficient co-operation of Her Majesty's Authorities. It will require the exercise of great discretion, as well as the utmost vigilance of the officers of both Governments, to counteract the design apparently existing to involve the two countries in a war. Predatory incursions, and acts of violence on each side of the boundary, will probably be the principal means resorted to, to effect this criminal purpose. The utter impracticability of placing a Frontier, extending nearly one thousand miles, in a military attitude sufficiently imposing and effective, to prevent such enterprizes is evident. Regular military armaments, and the movement of armed bands to any considerable extent from the American side of the line, will I think be successfully repressed; and all other hostile preparations will also be diverted, as far as that object can be accomplished by the active employment of the means at the disposal of this Government. Whilst thus performing all its duties in this regard, it will expect that under no pretext whatever, will the officers in command of Her Majesty's forces permit a violation of the Territory of the United States. Such a step could not fail to have a most injurious effect on the friendly relations at present so happily subsisting between the two countries; and might to the deep regret of both parties, lead to their entire disruption. If any armed bodies of men should take refuge within or otherwise enter the Territory of the United States, they will be immediately disarmed, or expelled by force; and if any American citizen shall have so far forgotten his duty, as to enrol himself among armed bands that shall have crossed our frontier, after being disarmed, he will be arrested, and delivered over to the civil Autho-

rities for trial and punishment. Orders to this effect have already been given to our officers, and they will I doubt not, be promptly and efficiently executed. No depredations committed by the insurgents on our citizens, will be regarded by American officers as justifying retaliation upon Her Majesty's peaceable subjects; and with the application of a similar rule on the part of Her Majesty's Authorities, in respect to such unauthorized and lawless incursions from our side of the line, as may be made in despite of the vigilance of our officers civil and military,—and the exercise of great forbearance in all things on both sides the President allows himself to hope, that the two Governments will be able to overcome difficulties which he feels to be of the most threatening character.

I have the honor to be
&c. &c.

(Signed,)

JOHN FORSYTH.

(MR. FOX TO SIR GEORGE ARTHUR.)

Washington, November 30th, 1838.

SIR,

I herewith enclose to your Excellency the copy of an official Note, which I addressed to the United States Government on the 3rd instant, upon the subject of the extensive conspiracy, which it has been ascertained exists within the territory and jurisdiction of the United States, for the prosecution of lawless and piratical hostility against Her Majesty's North American Provinces. I also enclose a copy of the Official Reply, dated the 15th instant, which I have received from the United States' Secretary of State.

I further transmit to you a Proclamation by the President of the United States, which was issued on the 21st instant, after the intelligence had been received at Washington of the actual invasion of Her Majesty's Province of Upper Canada, in the direction of Prescott, by an armed body of Americans, proceeding from Oswego and Ogdensburgh, in the State of New York. It will be well if this earnest exhortation addressed to his fellow citizens by the Supreme Magistrate of the Republic, shall succeed before it be too late for the peace of both countries, in arresting the present atrocious course of violence and crime.

I continue to receive from the President, and from his Government, distinct assurances of their resolution to employ all means which the law permits for the prevention or punishment of those acts of hostility which are now being perpetrated against the peace of Her Majesty's possessions.

It is my duty, however, to add, that it becomes each day more manifest and certain, that the authority which the laws and institutions of the United States place in the hands of the Executive Government, is not sufficient to enable that Government in the crisis, which we are now witnessing, to fulfil its national duties towards the Crown of Great Britain.

We must still mainly rely for the defence of Her Majesty's Provinces, upon the firmness and valour of Her Majesty's Troops, and upon the well tried honour, courage and loyalty of the inhabitants of British race in Canada. And we may all rest secure in the heartfelt and proud conviction, that the whole strength of the British Empire will be exerted, when necessary, to guard or to avenge the attached and faithful subjects of Her Majesty in North America.

I have the honor to be,
With high regard and consideration,
Your Excellency's &c. &c.
(Signed)

H. S. FOX.

DOCUMENTS

In relation to the invasion of the Canadas by the people of the United States

(Printed by order of the House of Assembly.)

500 Copies.

W. J. Coates, Printer.