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BIDWELL, Marshall Spring

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THE MARSHALL S. BIDEWELL PAPERS

The Bidwell Papers may be divided into main groups, some 50 letters dealing largely with political affairs, and about 115 letters dealing with his legal practice.

The former consist largely of personal letters from Bidwell to Henry Cassady of Kingston written between 1834 and 1847. Bidwell was the leader of the Moderate Reformers in Upper Canada previous to the Rebellion of 1837. Although he had no part in the uprising itself he incurred the enmity of Sir Francis Bond-Head who, immediately following the outbreak, advised him to leave the country. Henry Cassady was a lawyer practicing in Kingston and a business and personal friend of Bidwell's. Following the latter's flight to the United States he relied on Cassady to protect certain of his property and legal rights in Upper Canada.

This correspondence throws much light on the reasons which caused Bidwell's departure and on his view of Bond-Head's action. It also gives some information with regard to his new life as a resident of the United States.

Included with the Cassady letters are contemporary or near contemporary copies of Bidwell's letters to Bond-Head and Hagerman, the originals of which are to be found in our W. H. Merritt Papers. *[Antonie Cookson]*

- The purely business letters may be divided into 2 groups:
1. 3 business letters, 1830-1831, sent to John Bogart, Brockville.
 2. 110 business letters to Ford & Bogart, Brockville, 1833-1835.

These seem to lack any allusion to personal affairs or to the political or social events of the time. They are largely from Bidwell's clients asking for information on the progress of their legal affairs or from Bidwell explaining the technicalities involved in their cases and suggesting possible courses of action.

1830 - 1847 Bidwell (Marshall S.) Letters.

These consist of two groups,

1. Business letters, 1830-1835, sent to John Bogart, Brockville, (3)
2. Business letters to Ford & Bogart, Brockville, 1833-1835. (110)

This group was presented to the Archives by His Honour, Judge McDonald, Brockville.

2. Personal letters, Marshall S. Bidwell to Henry Cassady, Kingston, and Clara Bidwell (Mrs. M. S. Bidwell) to Mrs. Mary Eliza Cassady, Kingston. Most of these are written from New York, 1834 - 1847.

This group was presented to the Archives by Dr. Jabez H. Elliott, Toronto, in 1938.

See attached calendar of second group.

BIDWELL (MARSHALL S.) LETTERS

Presented to the Archives in 1938
by Dr. Jabez H. Elliott.

1834 Letter, Marshall S. Bidwell, Toronto, to Henry Cassady, Kingston. Has just returned from St. Augustin where he has left Mrs. Bidwell. Is greatly concerned about her health. "Though constitutionally addicted to a view of the darker side of things, I dare not, in this matter, for one moment, look at it". Enquires as to payment of costs in a court case but is not "very confident" that Mr. Macpherson has paid Mr. Mackenzie. December 1, 1834.

1837 Copy of letter, Marshall S. Bidwell, Toronto, H. E. Sir Francis Bond Head. "In consequence of the kind conversation of you Excellency this morning, I have determined to leave the Province forever. I am aware that the circumstances to which your Excellency alludes are calculated to give rise to suspicions against me in relation to these insurrectionary movements and while they would be likely to render my further residence in the Province unpleasant they make your Excellency's kindness the more worthy of my deep and lasting gratitude. I am confident at the same time that the investigations which will now of course be made will fully remove those suspicions from the mind of your Excellency, and will prove that I had no knowledge of expectation that any such attempt was in contemplation". December 8, 1837.

Copy of letter, C. A. Hagerman, Toronto, to M. S. Bidwell. "The apprehension entertained respecting Mr. Doel's Brewery and Doctor Rolph's property, I am fully convinced are utterly unfounded, but I shall nevertheless take measures to have a watch placed near those premises for their greater security - but I again repeat that I am fully convinced they are in no danger from the quarter you mention or any other. I have seen your note to Sir Francis Head announcing your intention to leave the Province, and as you say forever. I will use no unnecessary words to assure you that I lament - deeply lament - that any train of circumstances should have induced you to believe that this estrangement from a country in which you have lived so long, and where you have made so many sincere friends, was imposed upon you as a duty. I have known you long and in some respects intimately and my respect for your private character as a neighbour and a friend arising from a knowledge of your

amiable disposition in those relations of life which do not involve political controversy has impressed me so strong with feelings of friendship and esteem that I cannot now part with you perhaps forever without emotion. You are however going to a place of security; I am remaining in one apparently at least of danger, your fate may yet, and I think most probably will be happier than mine - but whatever may be the result be assured that if in the course of my remaining days I can do you any service by shielding your character from unmerited reproach, or in any other way, rendering your path of life more pleasant or agreeable to you, than it would be without my aid, my exertions and my testimony in your favour shall not be withheld and my prayer that God may bless you". December 8, 1837.

Second copy of above letters; also copy of unsigned letter written from Lewiston. "I avail myself of the first leisure moment at my command to repeat my acknowledgments for your Excellency's conversation with me on Friday last. I am well aware that in a moment of extraordinary excitement, circumstances that would at other times have no weight, will lead to suspicion and often indeed to conclusive evidence. I do not therefore complain, though deeply regret, that your Excellency should think my former political life and opinions, the garbled extracts of a hasty and carelessly written letter to Doctor O'Gallaghan in August last, and published without my consent, and without the qualification or limitation of the context, and the finding of a flag at Montgomery's Tavern inscribed "Bidwell and the glorious minority" which I supposed had been a banner prepared for some election or public meeting, but certainly not for such a purpose as a revolt, and never used I believe by the insurgents, sufficient reasons for signifying to me your wish that I should suddenly and forever leave my home and country, with all the ties and connexions, the scene of my dearest attachments and happiest recollections, the birthplace of all my children, the burial place of three of them, and that I should come to land where I am a stranger, and where I am without a profession, and without means of providing for the support of myself and those dear to me. But I submit to a necessity, which however is deeply painful, conscious of my innocence. I nevertheless would not think of remaining in Upper Canada without your consent after your Excellency had intimated to me your expectations and wishes that I should leave it, I could only yield without hesitation to those

wishes, and feel grateful for the kindness with which they were expressed".

1837

Letter, M. S. Bidwell, Toronto, to H'y Cassady, Barrister, &c., Kingston. "I am leaving the Province at the Request of the Lieut. Gov'r, suddenly & forever I am apprehensive that he suspects me of participation in the revolt, but I am entirely innocent, as will be apparent upon an investigation into the origin, extent, &c. of the conspiracy. I suppose my part political course & exertions & opinions have been the cause. But whatever may be the cause, I think it best without hesitation to comply with the Lieut. Gov'r's expressed wish especially as it was accompanied with many expressions of kindness, & these are times when the slightest circumstance, to minds excited by prejudice & alarm, may appear conclusive evidence of guilt. But I have not time to enlarge. I have written to John S. Smyth, Esq., to come up & close up my business for me. Whether he will come or not I don't know; & whether he does or not, I must beg of you the favour as soon as the roads will permit, to come up & act for me as the exigency of the case may require. I leave my sister & Marshall for the present, probably till Spring. They will continue to keep house; come then at once to our house & advise with her, advise about my affairs, property, &c. & do everything you think necessary for me. God will reward you, for your kindness. I don't know where I am going or what I shall do, to support my dear family. But I commend them & myself to the care of that God who let forth Abraham & Jacob & was their protection & saviour.

"Remember me to Mrs. Cassady & all friends, affectionately. May we meet in peace where wars will forever cease & sorrow & sighing.

"I rec'd yesterday a letter from Mrs. Bidwell She had arrived with improved health at St. Croix, after a rapid & boisterous passage & is settled in the same house with Mrs. Hamilton. I fear the shock which she will feel when she hears of what has happened". December 9, 1837.

Copy of letter, Marshall S. Bidwell, Lewiston, to His Excellency, Sir Francis Bond Head. "I avail myself of the first leisure moment at my command to repeat my acknowledgments for your Excellency's kind expressions of personal regard and good wishes, during your Excellency's conversation with me on Friday last. I am well aware that in a moment of extraordinary excitement, circumstances that would at other times have no weight will lead to suspicion and often indeed to conclusive evidence. I do not therefore complain, though I deeply regret, that your Excellency should think my former

political life and opinions, the garbled extracts of a hasty and carelessly written letter to Doctor O'Callaghan in August last and published without my consent, and without the qualification or limitation of the context, and the finding of a flag at Montgomery's Tavern inscribed 'Bidwell and the glorious minority' which I suppose had been a banner prepared for some election or public meeting, but certainly not for such a purpose as a revolt, and never used I believe by the insurgents, sufficient reasons for signifying to me your wish that I should suddenly and forever leave my home and country, with all the ties and connexions, the scene of my dearest attachments and happiest recollections, the birth place of all my children, and the burial place of three of them, and that I should come to a land where I am a stranger, and where I am without a profession and without means of providing for the support of myself and those dear to me. But I submit to a necessity which however is deeply painful, conscious of my innocence. I nevertheless would not think of remaining in Upper Canada without your consent, after your Excellency had intimated to me your expectations and wishes that I should leave it, I could only yield without hesitation to those wishes, and feel grateful for the kindness with which you were pleased to express them; and the flattering declarations of a friendly interest and regard towards me with which they were accompanied. I have left the Province however with a confident expectation that after the highly excited feelings of the moment shall have subsided, and the grounds of suspicion against me shall be calmly reviewed, and the origin, circumstances and connexions of this revolutionary attempt shall be traced out, your Excellency will be convinced that I have had no participation in or connection with or previous knowledge of this affair; that my temper, principles and conduct are pacific, and that I have done nothing inconsistent with my duty, as the subject of a free government which does not prescribe opinions or condemn any one for the free or even unguarded expression of them. To leave a country endeared by so many recollections and associations, and to leave it so abruptly, and under such circumstances, is not merely attended with great pecuniary sacrifice, the ruin of my business, and perhaps the destitution of an affectionate and dependent family but it is mortifying and painful on other accounts. Having considered it my duty however in deference to your Excellency's expressed wishes to make this sacrifice, you may be assured that I shall never return without the consent of your Excellency or Her Majesty's Government At the same time I look to the result of the investigation now in progress (which I trust will be extended to my conduct) with

confidence for the removal from your Excellency's mind of all suspicions. In the meantime I gratefully remember the kindness with which your Excellency has expressed yourself, on the recent as well as former occasions, and I rely on that kindness to excuse me troubling you with this letter. With Sincere wishes for Your Excellency's happiness and for the welfare of Upper Canada under your Excellency's administration". December 11, 1837

1837

Letter, Marshall S. Bidwell, Rochester, to Henry Cassady,

Barrister at Law, &c., Kingston, U.C. "I wrote you before

I left Toronto, commending to your kind & friendly over-sight & care my affairs generally. I have not given [sic] heard from you but I know that you will do everything for me that is in your power. I remained at Lewiston, until last Friday, in hopes of hearing from home, with some faint hopes, I confess, that I should see you; and I have remained here with some lingering hopes of that kind. But I shall leave here to-morrow morning as it is necessary I should proceed without delay to Albany, in order that I may apply for admission to the bar of the Supreme Court of this state. Of the result of this application I am not so sanguine as I was; tjo' I have received many strong marks of kindness & sympathy. I am, as you would suppose, lonely & dejected. To be left at my period of life without a home, without a profession, without any plan for the future, with a dependent family, is enough to excite despondency & gloom. But on God I rely; on that merciful & gracious Providence which has hitherto sustained & I trust will now direct & bless me. Remember me to Dr. Armstrong & Mr. Truax & their families and all other friends. I should feel thankful for a few lines to me at Albany. The property occupied by Dr. Rolph was conveyed to me last January for a consideration actually & bona fide advanced by me. So was the building & lot on the other side of Lot Street, formerly occupied in part by Mr. Kennedy. I made large advances to Dr. Rolph to pay off debts; & those different lots were conveyed to me in consequence. The first mentioned tract was conveyed to me by Judge Macaulay, &c., Ex'rs of Dr. Macaulay; & the last by Charles Thompson who has a lien on it for a sum of money, I think £400. If I sold it without his consent, I was to pay him that sum. Will you keep your eye on it, & prevent its being confiscated. My banishment (for it was virtually a banishment) was not only unjust & cruel to me, & without any cause to excuse it but in my judgment (if I may be a judge in my own cause) it was impolitic. However, it is of no use to talk about it. December 27, 1837.

1838

Copies of three letters, Marshall S. Bidwell to Henry Cassady, (1) December 27, 1837 - see above - (2) Do not indulge any fears of a war. Depend on it, the Gov't of this country, and I presume of Great Britain, are sincerely disposed and resolutely determined to maintain peace, and they will not be induced by the foolish, or criminal, or intemperate conduct of any men on either side to engage in hostilities. The Gunpowder resolutions and speeches at Toronto are certainly well calculated, though I hope not designed to involve the countries in that dreadful calamity; but the British Gov't will act with more calmness and dignity. It is my belief as well as I hope that there is not the least danger of war. I have recently received several letters from Mrs. Bidwell, the latest dated 6th Feb'y. She was recovering from an intermittent fever and was indeed almost well; tho' not entirely restored to her strength. Since the fever her cough is less troublesome than it has been for years. She is happily composed and undisturbed under the recent trials which have befallen me, she intends on her return in the spring to visit Upper Canada. After putting up every thing at Toronto that may require to be removed, she will visit her father, if he shall be spared till her return. I wish you would let him know how she is, and her resolution to visit him. She regards the treatment of me as a high handed act of tyranny and injustice but expresses a hope that it may not prove to be a very great misfortune. I thank you for the kind manner in which you endeavour to sustain my hopes and inspire me with resolution. If your friendly and affectionate wishes could avail, I know I should be comfortable; but I have good reason to be despondent. I have concluded to remove to New York, and shall go there as soon as the navigation of the river commences, which may be expected in a very few days if this weather should continue. What will be the result of this step I cannot foretell with certainty; but I write with great sincerity when I express the opinion that I am ruined. It is a difficult thing to get into business and to maintain my stand in a strange land; and you must consider how many embarrassments I must encounter from my ignorance of the laws of this state. If I do not succeed at once in opposition to some of their ablest men, I must remain in **obscurity**, unemployed, but what chance of such success have I. You may depend on it, my feelings are sad enough. I have a small commission for you. Capt. Clapperton, the celebrated African Traveller, was in Upper Canada, I believe just after the war - he was a Lieut. R.M. and commanded on Lake Huron. I have heard Capt. Sinclair mention that he had seen a log book kept by Capt. Clapperton. Now, my object is to ascertain from Capt. Sinclair whether it remains and can be got. If it can be, I should like very much to get it for the Rev'd Dr. Sprague of this place who has a large and singular collection of autographs. I

should be glad to have it in my power to pay him some compliment and this, I think, is one which he would value. It has been supposed I hear that when admitted to the bar here I took an oath of objuraton of allegiance. This is a mistake. I took an oath to support the Constitution of this State and of the United States, and no other oath. I had nothing to do with the late rebellion, and an as innocent in this respect as you can possibly be. You know very well that I would not give you this positive assurance if it was not true. If it (were, it) would have been given before, if I had thought it at all necessary. Let me add, that, since I was expelled from the province, I have done nothing to instigate or countenance any hostile designs or proceedings against that country. The day will come, when no one will defend the manner in which I have been treated; but it will be too late for me. If ever any one has really wished to see Upper Canada happy and prosperous, I claim that distinction for myself. I have acted faithfully, disinterestedly and never violently; and my reward is banishment and ruin. Can anything be done to sell my property at Kingston or Bath at reasonable prices, or to collect my debts, arising out of my old business? If you can employ anyone to do it under your superintendance it will be a great favor to me to have those debts collected. William Forward can aid and if he should unfortunately be in Gaol, it would be probably convenient for him to afford assistance. I hear with pain of his troubles. I hope he may yet vindicate himself from any charge. Please remember me to Mrs. Cassady, I hope I may yet see her, altho' I can't go to Canada. If I get settled, I hope I may meet her at my home. Ah! I never before knew the full value of that word, Remember me also to Dr. Armstrong, Mr. Truax and all other friends".
Albany, March 15, 1838.

(3) "I have been admitted in the most handsome manner as Attorney and Councillor by the Supreme Court, and Solicitor and Councillor by the Court of Chancery, an unprecedented favor and hour, no one before haveing been admitted, even from another State of the Union, as Attorney or as Solicitor. In fact, I have experienced nothing but kindness since I came Here. I have not determined where to settle; my attention has been directed principally to New York, Rochester and this place. I shall take a little time for consideration. I hope to have the pleasure to hear from you soon. I feel the deepest concern about the land I have left, and I pray for its peace and happiness. There has been a good deal of excitement here; but it would have subsided if that unfortunate affair had not occurred at Schlosher. I have endeavoured to allay excitement and shall continue to do so. May God preserve you all. My best respects to Mrs. Cassady, Dr. Armstrong, &c." Albany, January 4, 1838.
"Write to me at this place I am going to New York but shall return here".

Letter, Marshall S. Bidwell, Albany, to Henry Cassady. Kingston, January 4, 1838. See above third letter. Original.

Letter, Marshall S. Bidwell, Albany, to Henry Cassady, Kingston. "I shall make no attempt at present to express my deep sense of your great kindness. No language that I have at my command would be at all adequate to my feelings. I returned here from New York a day or two ago, & was happy to find your letter of the 16th instant. Your letter written at Rochester I have not had the pleasure to receive; but have written to that place & hope I shall soon get it. I have suspended a determination as to the place of my future residence, until I hear from Mrs. Bidwell. I have had, only one letter from her since I left Toronto & that not of a late date. She had not heard of the disturbance when (she) wrote and I cannot but be apprehensive as to the effects upon her health of the tidings of those events. At the date of her letter (10th Dec.) she was in good spirits; her health had improved; she had gained five pounds in weight; her cough was less troublesome & her strength was greater. This is a great mercy to me as well as to her; and I ought to think more of it & less of my troubles. But unhappily I am more prone to fix my thought on my disappointments & cares; and to say the truth have been in great distress. If I should get settled & begin to succeed in business, I should probably be much relieved; but at present I am in perplexity & distress about my future residence & my success is doubtful. It is not with me as with a young man, who has youth & friends on his side & whose expenses are small, & who can be well content to advance slowly & steadily. If I do not succeed at first, I shall probably be laid on the shelf & be unable to succeed at all. And success at first is hardly to be expected, as there are a great many difficulties to be overcome; particularly my ignorance of the practice and of the particular laws of this state. My attention has been directed to one of three places as a residence; either New York, this city or Rochester. In New York there is great commercial distress, greater probably than there has ever been before. The disastrous effects of this commercial depression must be felt in every department of life. The expences of living there are also very heavy. On the other hand, it is a place which must increase, greatly, almost indefinitely, & if Mrs. Bidwell should be compelled to visit a warmer climate again it will be very convenient to do so. A really eminent & successful lawyer there may in a very few years acquire a fortune; but there is a multitude who do not succeed. On the whole, my mind is filled with anxious & distressing concern about my future ways. You are right in supposing that I have had no part in these revolutionary projects & was entirely ignorant of them.

It seems I have been sacrificed not for anything I have done or meditated but because the Colonial office wished to appoint me a judge; so that if any one, not approved by the family junta, is selected for favour at Downing street, he is to be on that account, ruined. You are wrong in your conclusions about Dr. Rolph. He has been opposed to the proceedings on Navy Island & exerted his influence to break up that establishment, but this is between ourselves. Sir George Arthur had not arrived at New York on Saturday but was daily expected. I should like to have seen him. Let me hear from you again & let me know if the Legislature pass any law to confiscate my property for having complied with the request of Sir Francis Head. If all I hear of his conduct is true, I have reason to regard it with great indignation." January 31, 1838.

Letter, Marshall S. Bidwell, Albany, to Henry Cassady, Kingston, March 15, 1838. Original of second letter in group of three copied above p.6.

Letter (copy), F. B. Head, Toronto, to Marshall Spring Bidwell.

"Your letter dated Lewiston 11th Dec'r has remained among a number of other communications to which from the extraordinary events which have been occurring here, it has been out of my power to reply. Altho' I deliver up the Gov't of the Province this day to Sir George Arthur, I will not leave Toronto without acknowledging the receipt of your communication, which indeed I requested the Atty.-Gen'l to do shortly after I received it. I have but few observations to make to you. You know better than I do what has been your line of political conduct in this Province. You know better than I do to what use you have applied your acknowledged talents & you know as well as I do what have been the lamentable results of the policy which has been pursued by the party which considered you as their leader. In consequence of the rebellion which has lately taken place a great deal of misery and serious losses have been incurred and tho' I have never entertained towards you any feeling of animosity yet I must say that as long as I should have remained Lt. Gov'r of this Province I should have felt it my duty to Upper Canada not to have annulled the agreement you made never to return here. Received as you have been by the Bar of the United States I feel confident that your talents have now nothing to impede them, whereas they were here constantly obstructed by a conscientious predeliction in favor of elective institutions which you must be quite aware are subversive of Monarchical Government." March 23, 1838.

Memorandum on back of page.

"I saw Sir F. B. Head as he passed through this. I called on him having first ascertained that it would be agreeable to him. He was evidently pleased that I did so and expressed his respect for my talents, moral character, &c. but said he could not agree in my politics; he said he had answered my letter very 'cautiously'. As I rose to retire, requested me to remain until the servant left the room. He then said that in order to avoid the appearance of double-dealing, he thought it right to tell me what had occurred between H. M. Gov'l and him about me; that he had been required by Lord Glenelg to appoint me a Judge & to restore Mr. Ridout and that he refused to do this which led to his resignation. I replied that I had called on him, not to enter into explanations but as a proof that I entertained no vindictive feelings and was disposed notwithstanding my conviction of the injustice I had received at his hands to treat him with the respect due to the station which he had filled, but that as he had introduced the subject, candor and justice to myself required of me to say that af(t)er I had resided nearly 26 years in Upper Canada and had during all that time been a peaceable & obedient subject & had borne as he had admitted an irreproachable and exemplary character to take advantage of an occasion when I could not exercise any choice to compel me suddenly to leave a country in which I had formed all my attachments, connexions and habits where alone I had a home of property or profession was exceedingly arbitrary, unjust and cruel, involving as it might and probably would the ruin of myself and family. He replied it was one of the consequences of the rebellion and he regretted it. I said, No, it was his Act, not that of the rebels. I could not blame them for it, but I would not pursue the subject as I wished to say nothing disagreeable to him. I tendered my services while he remained in New York and we parted pleasantly enough after all."

1838

Letter, Marshall S. Bidwell, New York, to Henry Cassady, Kingston.

----- "I sent a letter on Saturday to Mr. Ryerson, expressing my sincere thanks for the kind interest which he had taken in my behalf. I ought also to have acknowledged the ability & form with which he has done it ' I doft know how I could have omitted to mention that also. I wish you would convey these acknowledgments for me to him. To recover his friendship will give me no ordinary pleasure. The government of Upper Canada seem to me to be mad. Every man executed there will be viewed as a martyr & the history of Ireland will be repeated. I have been most unjustly persecuted. If it affected only myself, I should not bestow a thought on it. But it does distress me when I think how the comfort & happiness of others dear to me as life are involved. I saw Sir George Arthur

at Albany. I arrived there the same night he did & called & left my card for him the next day. Afterwards, in the course of the day, I saw a gentleman who heard (?) I intended to call & being with Sir George Arthur mentioned it to him, & from him I understood Sir George would be glad to see me. I therefore repeated my call & saw him. On my entering, he said he could of course express no opinion on my case of which he had already heard but that he should be happy to hear anything I had to say. I told him I had called to pay my respects but should be very glad to state to him all that had occurred between Sir Francis & myself; which I accordingly did. We had some further conversation which convinced me that there would be no liberality under him. I did not request permission to return. I had been unjustly banished & should I ask that as a favour which think to have been offered as an act of justice? I should be glad to dispose of all my property in Canada. I do not at present like an auction & I am not able to name a price. Perhaps you can get offers for my property in Kingston & will let me know at they are & I will then determine on them. I have not yet fixed myself & am still perplexed & distressed. My last letter from Mrs. Bidwell was dated 29 March. She was still suffering from a bad cough brought on by a bad cold. She expected to wait for a passage in the Eliza which has just arrived here & will not sail so as to return here under six or eight weeks. I almost wish she would come sooner. The difficulty is to get a passage in any other tolerable vessel. The prospects of business amongst the commercial men here is my opinion is very fair & flattering. The Boston Banks have resumed specie payments, & all the Northern & Eastern Banks will do so too. Probably all the Pennsylvania & Southern Atlantic Banks will do it. Business will start like magic. I am obliged to you for taking steps to wind up my accounts & affairs. I must of course suffer great loss from my absence. But when I think of what others are suffering, I forbear to murmur at the arrangements of Providence. Mr. Forward can give much information, if he will do so, about my business; information that will be useful in settling my affairs. ---- If I should get settled, I shall always be glad to aid you, in my power, either by counsel on your law business or by services when I may be settled. ---- The British steamers, Sirires, arrived last night & the Great Western this afternoon (Monday). I sent to Mr. Ryerson a copy of a letter which I rec'd from Sir Francis Head. I sent my letter to Mr. Ryerson by Mr. Hincks of Toronto. April 23, 1838.

are formidable but of course they must be encountered. I have not heard from Mrs. Bidwell. When she last wrote she thought of coming in the Eliza which will not be here for six or seven weeks yet. ----- The balance of my accounts with the Bank of Upper Canada & People's Bank was transferred to my credit here. I am waiting anxiously for Mrs. Bidwell or some tidings from her. I cannot say that I expect her at present; though I much wish she may come, as I cannot settle until she arrives. I have no idea of returning to Canada, if the government were willing. A permission to return could not repair the wrong done to me, or be any recompense for the mortification & anxiety which I have passed. I find I have been brought before the public, I feel grateful for the kind & friendly interest which our friend has taken upon the subject. I had no idea, when I wrote the, that my letters would be published & should have been glad if there had been no necessity for its being done. But I am incapable of forming any judgment of the necessity or of the effect of its being done. I expect to have my feelings pretty well lacerated by the discussion now commenced and I wish it could be checked. I suppose that Mrs. Bidwell will visit you on her return. She has expressed a wish to make her father a visit. I have not yet absolutely fixed on a place of residence. Much will depend on her choice & the state of her health. With regard to my property in Kingston, I don't intend to be in haste to sell it. Tho' my expectation that I may be driven to a forced sale will encourage the hope of intended purchasers that they may get it at a sacrifice. Unless I can get a fair price, therefore, I shall wait a while. I hope property will rise in value, yet, at Kingston. It is my belief that anything will revive here & I hope the influence of the prosperity of this great country may be felt also in Upper Canada. ----- In January I wrote to a friend in England & communicated to him a full account of what had befallen me. This letter, I learn, he showed to Lord Durham and intended to show it to Lord Glenelg. This gentleman writes to me that he supposes I will memorialize Lord Durham. This I do not intend to do. I thing the Government should indemnify me for the loss & injury I have sustained, but I have no expectation that anything of the kind would be done, if I were to solicit it & I have come to the conclusion that the best thing which I can expect will be to billet (billet?) entirely alone. Perhaps I may get settled here so as to prepare the way for future usefulness.

18th May

----- I trust no explanations will be required from me in print. I have a mortal aversion to newspaper controversies & especially about myself. I have, besides, given up all idea of returning to Upper Canada & should not consider a permission to return as of any consequence, unless peculiar & unforeseen circumstances should render it necessary for me to go there for a short time." May 17, 1838.

1838

Letter, Marshall S. Bidwell, New York, to Henry Cassady,
Kingston, June 24, 1838.

"You can imagine how warm the weather has been until lately. Previously to it I had an attack of bilious fever. Since I recovered, I have been laboriously & constantly employed in preparing for the argument of a cause before the Court of Errors now in session, altho' I am apprehensive it may after all slip through my hands. These are bona fide the causes of my not having written you sooner. Mrs. Bidwell will go on in a few days. I think her health has been considerably improved. I am much obliged to you for the papers containing Mr. Ryerson's communications about me written with his characteristic ability. Please to give my respects to him."

Letter, Marshall S. Bidwell, New York, to Henry Cassady, care of
John S. Smith, Esq., Barrister at Law, Toronto, Upper Canada,
July 27, 1838.

----- "I am not in the least offended at the publication of my letters to you. To have published them myself or (which would be the same thing) to have given my assent to it, would have been in my estimation, unbecoming & improper, & would probably have excited suspicions that they were written by me with a view to their publication. But as there was nothing in the letters themselves of which I am at all ashamed, & as they were published without my knowledge (which I thing was stated by Mr. Ryerson) I have nothing to complain of, especially if you & Mr. Ryerson, who could judge much better than I could, thought they ought to be printed. Mr. Ryerson's exertions in this matter were equally unsolicited & unexpected by me. His friendly disposition & the great ability with which he has executed the task he so kindly undertook are fully appreciated by me, and I wish you would take an opportunity to say so to him. I have never had the least expectation that I should receive justice from the Government. I have been unjustly & cruelly treated. I am actually a loser in property & business to a large amount, which I could ill afford to be deprived of under any circumstances, & still less in the situation in which I am placed. But this is less important than the pain, distress & anxiety which I have suffered. It is not easy for you to enter into my feelings or conceive the difficulties which I must encounter. For what am I thus treated? What offence have I committed? What must the world think of the government that thus treats its own subjects. I have been careful to do & say nothing that could in the least afford the Government a pretext for neglecting my case or forbearing to do me justice & redress my wrongs. I never had any expectation of justice from them; but I was anxious that my friends (who thought there was honor in them) & in due time, the world, might see what was the true character of the British Government. It will not be long before the real character of

Lord Durham will be known. His late visit to Upper Canada will in this point of view be of service. That he should violate in so shameful a manner all the professions of his life; that he should countenance & cherish the desperate faction that rules Upper Canada, is to be regretted, & is by me sincerely regretted, but it causes no surprise. I have no expectation of anything better from him. He has great opportunities to do good & great responsibilities. He might restore peace & happiness to Upper Canada. I wished sincerely he would do it. My prospects are dark & gloomy. I see no way of getting into business here, & do not know what will befall me. But I will not trouble you with complaints. I know if you could soothe my feelings or in any way assist me, you would cheerfully do it. I have not been able to get a house here yet exactly to suit me; but I hope every day to get it fixed in that respect. When I get settled, I shall certainly expect to see you. ----- While writing, I have had a call on the subject of a house which I have been thinking of taking, & I have concluded to take it. Will you tell Mrs. Bidwell, it's the house we were looking at in 14 Street. I found if I did not take, it I might lose the chance & I have not been able to find any I liked so well.

Letter, Marshall S. Bidwell, New York, to Henry Cassady, Kingston, August 25, 1838.

"I went to Albany last week to meet Mrs. Bidwell & family but she did not arrive until Monday afternoon when we immediately proceeded to this city & at once entered on our housekeeping. She was somewhat unwell at Rochester & by the advice of Drs. Armstrong & Rolph was pretty freely cupped. By this operation her strength was reduced, but it is returning. Dr. James, whom you saw at our house a year ago last fall, has been to the Red Sulphur Springs in Virginia, with a lady who was suffering under pulmonary attack, which was very severe. After a residence there of five weeks she has returned entirely cured. From Dr. James' experience in this case, as well as his observation in other cases, and the information which he acquired, he draws the conclusion that these springs (the Red Sulphur) possess extraordinary virtues in pulmonary complaints; he strongly urges Mrs. Bidwell to visit them this fall. With this advice, if circumstances should favour, it is probable we may comply. The house which I have taken till May next is No. 39 in the Fourteenth Street. It is remote from the gay & busy parts of the city & some of my friends disapprove of my coming so far up; but the fact is I could not find a residence lower down that was tolerable, & besides, I prefer the retirement. We have fresh air & good water & by means of the omnibusses can easily get up & down. We hope to see you & Mrs. Cassady here this fall & therefore I will give you directions how to reach us. You have

the No. of our house & street. If you engage a coach, make a bargain at the time; it will probably cost you a dollar; that is enough. If you come up in an omnibus, take either Brower's or Waverly line, getting a promise from them when you get in, to bring you to my house. So, too, the Clinton Line, or Kipp & Brown's will bring you to it, or to the corner of 7th Avenue & 14th Street, which is within a few steps, my house being on 14 Street & between 6 & 7 Avenues; but you must make them promise to do this when you get in. When you once get here, I will soon make you acquainted with the ways of doing things here. I am this minute in very directive humor. I really hope you will come. The journey is not much. Come, at once, to our house, which I trust, wherever I may go, will be felt by you to be your home. -----I congratulate you on the recovery of so large a portion of the money which was purloined from you. You were more fortunate than I should have expected you to have been. I entertained the expectation that before this time I should have found some satisfactory arrangement for business; but I have not yet been favoured with success in that respect. If I could effect arrangements in this matter to mind, I should be quite contented. I will make all right with you about the house you have purchased. I presume we shall not differ about the price. The lot in Stone(?) Street opposite Ollcott's cost many years

ago more than the amount for which you think it will be sold. I prefer therefore not to sell it at present, I wish you would see to the lot & house near Jones(?). Mrs. Bidwell's health has been impaired in some manner by the fatigue & care to which she has of late been exposed, in removing my family, seeing to my family, &c. The wrong done to myself by the Government, I can bear with patience but the injuries done to my family through this wrong affects me deeply".

Letter, Marshall S. Bidwell, New York, to Henry Cassady, Kingston. Private & confidential. September 17, 1838.

" I should do injustice to the interest which you take in my situation & prospects if I delayed to inform you that I have at length commenced business in this city, in partnership with Geo. W. Sterry (?), Esq., who has long been in extensive practice with very high reputation as an office lawyer, although, like many others in this place, he has not been in the habit of going into courts to argue cases. He was partner with John Wells, Esq., till his death & since that time with George Griffin, Esq., Mr. Wells was a contemporary with Emmett & the other giants of that day & is generally admitted to have been at the head of the bar. Mr. Griffin is considered one of the most eloquent & able

x Sterry may be strong - See account of Bidwell in Allan Nevins'ed The Diary of George Templeton Strong (4 vols.)

counsellors here. To succeed such men is a high honour; one altogether beyond my merits or pretensions. But, by this connexion, I gain something in addition to, & even more important to me, this honour; for Mr. Sterry (?) is a sound lawyer, of the closest habits of application, & possessing in a high degree the confidence of the merchants & men of property & business in the city. He is wealthy & liberal in his spirit & perfectly just & upright. How our arrangement for my connexion with him has been brought about I hardly know or can tell. He dissolved partnership with Mr. Griffin this spring & when first applied to, as he has since told me, by one of my friends, he declared, if Daniel Webster should come here, he would not go into partnership. The arrangement therefore, I must devoutly ascribe to the mercy & goodness of God. It demands the most sincere thanksgiving on my part. At the same time, it is not without its difficulties. It will require great exertions on my part to sustain myself in such a position. To do that, I ought to be master of the Law of England & this state; but to so dear & intimate a friend I may say, without danger of exposure on the one hand, or of being suspected of affectation on the other that my knowledge is miserably superficial & imperfect. I should utterly despair if I did not depend upon a higher than human arm for assistance. The anxieties & distress I have undergone have impaired my memory & mind & spirits. And I regard my present attempt as a fearful undertaking. Still I hope a divine power will aid me & carry me through all difficulties. Mr. Sterry is not at present in much business having transferred the business to Mr. Griffin when he dissolved! I cannot but renew my invitation to you & Mrs. Cassady to favour us with a visit this fall. We live quite out of town but our residence has on that very account the advantage of great quiet & retirement. The great Mogul, Lord Durham, has got such a slap in the face from the British Parliament that I suppose he will resign. His administration has apparently proved, as I thought it would, a complete failure, distinguished only for his childish pomp & his melancholy but infamous violation of all the free & liberal principles which he formerly professed. Sir George Arthur (whom nature & education have fitted for Turkey or Russia) is quartered on Upper Canada, with little hope, I fear, of a change. As to my own case, it has turned out as I expected it would. There is too little honour or justice in the Gov't to afford me any redress. Mrs. Bidwell handed Mr. Stevenson some Upper Canada bills which he was to give you for the purpose of being converted into current money. If you have the, please to remit them to Mr. Smith. He is to make a payment for me of £100 in Toronto if he can scrape so much together. It will save me the necessity of paying it here & of course not only relieve me from some inconvenience, in providing funds here, but also be a saving of the exchange."-----
My office is No. 56 Wall Street; my house No. 39 14th Street.
(between 6 & 7 Avenues.)

Letter, M. S. Bidwell, New York, to Henry Cassady, Kingston, October 10, 1838. "I thank you for your letter of the 4th, & accept your promise to make me a visit with thankfulness. I wish when you come you would put up in your trunk cloth enough to make me a handsome winter surtout. Having the highest confidence in your taste & judgment, I leave the colour, quality & price to yourself. I hope you will be able to get along with your business without wearing yourself out. I can't wish you should have less business, but I may & do wish you may have sufficient help of the right sort to enable you to get along with it, without difficulty. I have rec'd a letter from a friend in London, who had such a communication from Lord Glenelg as led him to think I must be in Canada. This is entre nous. However, I expect nothing, I know the Canada authorities too well to expect anything liberal from them, even if they are ordered. Nothing is likely to be done or proposed that will be of any service to me, but such men as Lord Durham or Sir George Arthur or their subordinates."

1838

Letter, Marshall S. Bidwell, New York, to Henry Cassady, Kingston, November 27, 1838. "A long time (at least it seems to me a long time) has elapsed since I heard from you. Your last letter filled my bosom with the hope of seeing you here, as you undoubtedly inferred from the hew hasty lines which I wrote you at the time. That you have not been here has been a disappointment which my family & I have felt deeply. Added to this disappointment, your silence has given me concern, which the recent events on the frontier have increased; for I could not but think of you at such times with anxious & painful interest. I trust that you have been preserved by a kind Providence, amidst these agitating occurrences, in peace & comfort & health, but to hear from yourself that such is the case will be a great satisfaction to me, & therefore I trouble you with this letter. All my family are once more together. Mary has suffered of late so constantly with head ache, that we have concluded to remove her at present from school & she has therefore recently returned to the city. Mrs. Bidwell's health is such as to give me a good deal of anxiety and I have been revolving in my mind with painful solicitude whether to insist upon her going to St. Croix or not. Her determination at present is to remain here but I do not feel altogether satisfied that it will be prudent for her to do so. Her health was considerably improved by her residence last winter, but all the advantage she derived from that cause she has lost and more than lost from the fatigue she was obliged to undergo last summer in removing our family from Canada. The weather this fall has been unusually cold & unpleasant here. It is said to have been colder than it ever was known before to have been at this season of the year. The summer was warmer than it had been before. Marshall & my sister are both

well. My own health is as usual. Of my business, I cannot yet speak with confidence. It is entirely experimental. My partner is everything I could wish; but I have had no opportunity to argue causes & to ascertain by trial how far I should succeed in such business. I wish you would have the kindness to see to my property in Kingston. I have forborn to write to you about it, because I have hoped to see you here; which hope I still cherish. The commercial and money affairs of this city & country are very prosperous & the prospects are encouraging to all men of enterprise. Do you ever see any who are willing to own themselves my friends? If so, remember me to them. For my part, you know me too well to suppose that I do or can forget my friends and the thousand interesting associations that bind me to that country ---- P.S. Can I give you any professional assistance? That I take pleasure in the examination of legal questions you know, & if I can give you any aid in this way, I shall be happy to do it. My acquaintance with equity, jurisprudence & practice is increasing. Can it be rendered in any way servicable to you?"

1839 Letter, Marshall S. Bidwell, New York, to Henry Cassady, Kingston, January 8, 1839. "I was much relieved & gratified by your letter of the 17 Dec.; for it reached me just about the time that your long-previous letter of the 17 October arrived in one from Dr. Armstrong, who has sent on the parcel accompanying it to Albany where I suppose it remains awaiting a conveyance to this city. I had begun to feel a good deal of concern about the health of yourself & your family; for I did not suppose you had banished me from your memory or heart; a banishment which I should deplore more than any Sir Francis Head could inflict on Sir George Arthur continue. Of your brother William's death I had been informed through an obituary notice in a newspaper. It gave me great pleasure, though connected with melancholy associations, to learn that the latter part of his life was the best part. And although this circumstance renders his death a greater loss to you yet such a brightening termination of his short career is far less gloomy & painful to the survivors as well as the sufferer than if there had been no previous amendment; so that mercy, in this case as in so many others, is mingled with judgment. I hear that there is quite a general apprehension at Kingston of a war between this country & Great Britain. Be assured there is not the most remote probability. Messrs Hagerman, Arthur, & Dalton, though very great men in their own estimation, cannot affect this object with all the aid of Mackenzie here who is pursuing his labours, as I understand, with the same spirit and to the same end. Among the great body of the people of this country there is not the least disposition to excuse, much less to countenance or justify such proceedings as the invasion at Prescott. I repeat what I wrote to you last winter that the general & state governments are sincere in their endeavours to preserve neutrality; altho' neither the genius of the people nor the forms of government, nor an enlightened policy permit them to attempt this object by harsh &

violent measures. I hope a better state of feeling will yet prevail in Canada as well as on the frontier; tho' I confess to you I see no ground for hope while Sir George Arthur remains in the Province. However, I will not trouble you with politics, for which I feel an increasing aversion. I have not heard a word from Mrs. Bidwell. The ship in which she sailed was spoken, 6 days out, rather more than halfway to St. Croix. By the bye, I believe I had not informed you that the state of her health became such as to compel her to leave again for St. Croix. She was worn out by the fatigue of removing our family this summer. Those who have driven me from a country, where I had lived 25 years, without a crime I shall hold responsible for the injury which her health has sustained. The day of retribution may yet come. Marshall met with a fall which injured his head so seriously that we were quite alarmed about him & obliged to sentence him to a low diet that was little better than starvation. He has recovered finally though slowly. Mr. Jas. R. Shaw, formerly of Kingston, has written to me lately & mentioned that he was about to visit Canada. He thinks that I am in his debt, for monies collected & says that it so appeared from a statement which Mr. Forward allowed him to take from my ledger. I think there must be some mistake, or at least that charges against him for bills of cost in cases that we commenced were not entered in the ledger. As he may call on you on the subject, I wish you may be prepared on the subject. Prospects of business are as doubtful as ever, with me. At my period of life & amidst such a crowd of competitors, it is not easy to get into business. I am disappointed very much that you did not visit us, but I depend on your promise for the spring. The anticipations which your kindness has led you to entertain for me are not likely to be realized. Over the future fate of Canada dark clouds rest. The colonial state in its nature is temporary. No one of the least reflection can suppose that it will be permanent, altho' the time & mode or circumstances of its termination may be involved in the obscurity of the future. The uncertainty that results from this consideration is of itself a great evil. ----- Can you inform me where Rev. Mr. O'Neil of your church is; how settled, &c."

Letter, Marshall S. Bidwell, New York, to Henry Cassady, Kingston, May 23, 1839. "I thank you for your two letters; both of which were welcome as any letter from you will always be. I confess I had become anxious, almost impatient to hear from you, & to be assured that you are well & had not excluded me from your recollection or regard. I breathe more freely & feel better since I received your letters which carried your wonted kindness of feeling. Mrs. Bidwell returned last week. Her health has

not improved this winter so much as it did in former winters at the south. Still, there has been an improvement for which we should feel thankful. She took cold unfortunately on her return which brought on a violent & distressing toothache, & was followed by an attack of St. Croix fever, from which she has not yet entirely recovered. As I am not inclined to sell my Kingston property at present (hoping that there will yet be better times in Canada, altho' I don't see how), I wish you would let it to Mr. Barle, for five years if necessary & for the best terms as to rent & repairs you can. Can you tell me the whereabouts of Dr. Wood, the dentist, & whether he is likely to visit this city; and if so, when? I rejoice with you in the continuance of peace. War is a great calamity, in any country and under any circumstances; but there are considerations which would render a war between Great Britain and this country an evil of incalculable magnitude. You know that my opinion has been uniform and constant that there would be no war between the countries. What the Ministers intend to do with respect to Canada, no one seem to know. They appear to be strangely unwilling to give Canada the benefit of those great principles for which they have contended so strenuously in the mother country & to which they owe their own situations. However, we shall know what the ministerial project is. Shall I congratulate you on your election as Mayor? or condole with you? To see you honoured by your fellowtownsmen gives me sincere pleasure & if the honours are not accompanied by too many cares & labours, I shall congratulate you on the appointment with great cordiality. I 'shall' do so; for I reserve this & a great many other things till I have the pleasure to see you here; which I look forward to with deep interest. We hope that Mrs. Cassady will accompany you. My house is No. 118, 14th Street, between 6 & 7 avenues. No. 39 was on it formerly but it seems that number was put on it the mere fancy of former occupier. ----- Please to pay the taxes, if convenient, for John Murray on lots Nos. 24 & 25, in 7 Con., Hungerford & lot No. 23 in 6 Con. of Hungerford & charge it to me; let me know the amount. Please to ascertain as well as you can the probable value of these lots & what could be got for them & whether it is better to sell now or wait. ----- "

Letter, Marshall S. Bidwell, New York, to Henry Cassady, Kingston, May 27, 1839. "In 1833 or 1834 I commenced a suit in K.B. for Messrs. J. W. Armstrong & Co. against James Cotter, Esq., upon their notes drawn by J. W. Chandler & which purported to be endorsed by him, J. B. F. Cotter & Sam'l Munro. Of the fact of

the endorsement of the two last named indorsers, there was no doubt but he (J. Cotter, Esq.,) alleged that his signature was forged. On this ground he defended the case & a verdict was found in his favour. One or more suits were commenced at the same time against the other parties, in which there was either a confession or verdict for Pltff. I think the latter. From a letter which I have lately received from Messrs. Armstrong &

I learn that Messrs. F. B. F. Cotter & Munro had agreed to pay these notes, but now refuse on the ground that the notes must be delivered up to them & that on an application at Toronto they cannot be found & they enquire whether they may not be among my private papers. I have explained to them that the notes went into the possession of the Clerk of Assize & that if they cannot be found the loss must not be attributed to me. I wish you would also explain the same thing so as to remove from their minds any impression or suspicion that I am in any respect in fault. They know that the notes were produced in the trial against James Gotter, Esq. The practice in the Crown Office is to put in a parcel by themselves all the exhibits of any one Assizes, but sometimes an exhibit is left in the record & by mistake gets into the hands of the attorney who takes the record. It is barely possible, therefore, tho' by no means probable, that these notes may, by mistake, have gone into the hands of Mr. Cotter's attorney with the record. If a verdict was taken in the case of cases agt. Changler, J. B. F. Cotter & Sam'l Munro, the notes must have been produced by the Clerk of Assizes at the trial of such case or may have been filed with the record in such case. These notes, then may be found in examination in the exhibits of that year & Assizes, or in the record agt. Jas. Cotter, Esq., or judg't roll, if judg't is entered, or in the hands of his att'y; or in the record of the case agt. Chandler, J. B. F. Gotter & Munro; & if that record after trial came into my hands it should be examined. All my records I left with Mr. Smith. I think I had instructions not to enter judg't in such last case & I doubt whether I ever had the record. Will you see whether the costs in these various cases have been paid & if not endeavour to get them."

1839

Leuber, ^{Wainshall} S. Bidwell, New York, to Henry Cassidy, Kingston, May 31, 1839. "If it should be convenient for Mrs. Cassidy to do it, Mrs. Bidwell would be much obliged to her if she would purchase for her a plain black Irish tabinet dress; she wishes it to be a good large dress. And if your honour's worship would look & see if you can get me half a dozen silk half hose (Black would be preferred) of good stout quality to wear, it would oblige me. All which I hope you will bring with you when you come, & your Honour's worship may command from me, at all times,

any similar services, except nevertheless that I shall not be likely to be the bearer thereof to you, which must be excused on the maxim of law, Lex non cogit impossibilia. Will you do me the favour to forward the enclosed to Dr. Dorland, by mail or otherwise, being assured that it contains no treason or sedition, nor any plan to induce the West Lake Friends to take up arms, but is neither more nor less than a bona-fide partly-friendly & partly business letter to an old friend (a grandson of Willet Casey, Esq.) who wrote me on behalf of Mrs. Weekes of Adolphus-Town, enquiring whether I collected some money for Dr. Weekes of Job Dunham or Israel Dunham on certain notes of the Doctor's. By the way, will you look at my D. C? Dockets & see if any such cause is entered. That I collected no such money, I am confident; but I have some idea that I issued a capias for the Doctor against one or both of those worthies which was not served; after which the note or notes was sent by the Doctor (or by his order) to Messrs Baldwin & Sullivan. "-----" "I send you a dollar bill of U.C. Bank with which I know not what to do. You see, I don't know what to do with money." "

Letter, Marshall S. Bidwell, New York, to Henry Cassady, Kingston, June 10, 1839. "Has any alteration been made in the Law of Upper Canada respecting Patent rights, within the last two years? I have the law as it is published in Macfarlane's & Thompson's Revised Edition of the statutes and I wish to ascertain whether it has been changed; particularly whether it has been changed so that one who is not a subject & inhabitant & inventor can get a patent. I am making enquiry in behalf of a person whom I wish to oblige."

Letter, Marshall S. Bidwell, New York, to Henry Cassady, Kingston, June 22, 1839. "I have been asked for information on the following case. A. is indebted to B., both resident in this state. A. has real & personal estate in Upper Canada. Can B. obtain satisfaction of his debt out of it, by attachment or any other process or method? My answer has been, no, unless, the law has been altered since I left Upper Canada, as an attachment can be got in those cases only when the debtor is an inhabitant of Upper Canada & has absconded or is convicted in the Province. And in all cases but attachments, the service of the process must be made on the debtor personally. Am I right? Or has there been any alteration of the law? Or does your Court of Chancery afford aid in such cases? By the way, I should like to get a copy of the statutes of your last session. Were there

any laws at the second session of the Provincial Parliament, which I think was convened solely on the subject of the Banks suspending specie payment. ----- Mrs. Bidwell has gone to the Red Sulphur Springs in Virginia, which are celebrated for their efficacy in pulmonary complaints. Our friend Dr. James, whom you saw at Toronto in the autumn of 1836, advised the journey very strongly. His daughter & niece (Mrs. Olcott of Albany) are going on with him & Mrs. Bidwell was persuaded to be of the party. It is uncertain how long she will be gone; probably five or six weeks. The rest of the family are as usual."

Letter, Marshall S. Bidwell, New York, to Henry Cassady, Kingston, August 1, 1839. "From our mutual friend, Mr. J. C. Bartlett, who has lately visited Kingston, and from a letter from Dr. Armstrong, I have learned with great concern of your illness and should have felt much more concern if I had not at the same time heard of you convalescence. I trust you will be restored to health by a gracious Providence; and I suppose it would be useful to you to try the effect of a journey & change of air. This object you might attain and at the same time confer a favour noise & dust of the city and we have a room for Mrs. Cassady and you. At the same time it is easy to get into the midst of the city as the omnibusses run every five minutes from a point not distant from us & will, indeed, come to our house whenever we wish. You shall be your own master & live & act just as you choose without ceremony & without being troubled with politics, either Canadian, American or English. It is a leisure time with me & I can go about with you or will let you go alone just as you choose; while you can keep as quiet and retired, if you desire, as if you were in the country. Mrs. Bidwell is at the Virginia Springs but intends to leave there next Monday & will be at home, I hope, in about a week afterwards. She will be glad, as all the rest of our family will, to see you & Mrs. Cassady here. I hope her health is improving, but it is in a state that gives me a good deal of concern: although she writes in an encouraging manner about it. ----- My office is still No. 56 Wall Street; my house is No. 118 14th Street, Between 6 & 7 Avenues."

Letter, E. W. Armstrong to "my dear cousin", concerning a pair of shoes she sent over which are too small and are being returned, some handkerchiefs which were dyed and being sent back by Major Sadlier. and some Bombazine which is wanted. November 14, 1839.

1840
Letter, Marshall S. Bidwell, New York, to Mrs. Mary Eliza Cassidy, Kingston, February 29, 1840. "I presented the two accounts which Mr. Campbell sent me. Messrs. Lowry & Co., after some hesitation, paid me the amount of their account, £4: 5. From Messrs. Van Pelt & Fowler, I could get no answer; but was told by Mr. Van Pelt to whom I presented it that he wished to see another person - I understood his partner - before he could give any answer. I called repeatedly & received such & similar answers, until at last I was referred to another gentleman, from whom I learned that Messrs. Van Pelt & Fowler, like a great many others here, had failed in business & assigned all their property to trustees for the benefit of creditors. He said that this account must be paid if it could not be collected from the debtor in Canada, but that he wished further measures first adopted against them. I explained to him that it appeared from the account that the legal remedies against the debtor had been exhausted, so that all had been done, which could be done, to get the money from them, and, besides, that Mr. Cassidy's executor had no power to take out an execution. He concluded to write you about the bill. And at my earnest request repeatedly promised that he would do so. My delay in writing to you has been owing to this circumstance; for I was kept along from day to day in expectation of an answer, which induced me to defer my letter. I think of you every day:- but I must not describe my sentiments & feelings, or I may open wounds that I hope the Grace of God is gradually healing. I will merely say that since your great loss & calamity you have never been forgotten in our family devotions & have often been remembered in our individual prayers. It is useless to regret that my dear friend & myself had not adjusted our affairs, before his death. We must make this adjustment now, in the best way that we can. The arrangement about the house ought to be carried into effect as soon as possible, for your sake; so that in the event of my death, there should be no difficulty from that circumstance. Did Mr. Cassidy make any provision about it in his will? Did he direct to whom the conveyance should be made? The bargain was made with Mr. Cassidy by Mrs. Bidwell, and the price agree upon. He afterwards wrote to me that he found the ground in front measured a few feet less than he had supposed. My answer I do not recollect, but I felt little anxiety about it, for I knew that there would be no difficulty in the settlement of anything between Mr. Cassidy & myself, as there would be a mutual spirit of sacrifice, accommodation & concession. Nevertheless, I was sorry that he commenced expenditures on the property before the deeds were

executed or at least while anything remained unsettled, as it would materially aggravate the difficulties of the matter if we should not be able to agree. But as I had reason to expect a visit from Mr. Cassady from time to time, I looked forward to an early & final settlement of the business. All this had been defeated by results that I little foresaw. I was not aware that there were long accounts between Mr. Cassady & myself. Will you allow Mr. Campbell to let me know the particulars of them? And will you state fully what you wish & expect me to do, in relation to the house &c. It would of course have been convenient for me to have disposed of them without a mortgage; but I am disposed & determined to do whatever I can for your accommodation. I shall be very much obliged to Mr. Campbell if he will receive & forward to me Mr. Fale's rent. I must beg him to exercise his judgment as to the best mode of forwarding it."

Letter, C. Bidwell, Toronto, to Mrs. Mary E. Cassady, Kingston, May 30, 1840. "After a smooth passage we arrived here safely sometime in the night, and came on shore this morning. I find that writing to New York & getting an answer would occasion so long a delay that I prefer authorizing you to pay the sum of £75 to Gap. Guildersleeve as soon as it is convenient for you to do so. Perhaps it would be well to let him know that the arrangement has been made. I find our house &c. in good repair and looking very much like home. You know my preference for Toronto. ----- My best respects to the two Messrs, Cam(p)BELLS to whom I feel greatly indebted for their kind assistance. I shall be most happy to do anything for any of you in New York and hope you will command my services or Mr. Bidwell's at any time when you need them."

August 31, 1840.

Letter, Clara Bidwell, New York, to Mrs. Mary E. Cassady, Kingston, "----- We had a smooth passage from Kingston to Toronto where I found myself quite at home in our own house with Mrs. Roof. Finding Mr. Smith engaged in Court and not able to attend to my business immediately, I spent one day at Dundass with Aunt Overfield & then took Mary to see the falls of Niagara. At Rochester I had a very pleasant visit with Mrs. Armstrong & was gratified to find both her & the Dr. in good health & spirits. The Dr's prospects are more encouraging. His practice is gradually increasing and what he gains you know he is sure to keep. Mr. Parker who was here last week purchased a sofa for Mrs. Armstrong. ----- we have been preparing to move to a house which Mr. Bidwell has purchased. We have taken the one we now occupy until the 1st of May, but as the other house is smaller & warmer for winter, I was anxious to get into it this fall, &

to do this we must move soon. I have been able to be at the house almost every day to superintend the cleaning, &c. Young Mr. Campbell requested that Mr. Bidwell would make enquiry about a situation for his brother in this city. Mr. B---- has been looking out for such a situation as he wished since my return from Canada but has not yet been able to find one. Business has been so depressed here for some time past that many young men are thrown out of employment. Many of them will undoubtedly have the preference when business revives as Mr. B---- thinks it will soon, but still it is Mr. B's opinion that Mr. Campbell will be more likely to get a situation here a few months hence. -----
The house which Mr. Bidwell has purchased although much smaller than the one we are now in, has the same number of rooms, & will accommodate you all without any inconvenience. -----
Marshall has just come home to dinner from his office & brought a letter from Dr. Rolph saying that his little boy was very ill & they had determined to try change of air for a short time as the fast resort. If the child should be benefited by the change we may expect them here in a few days, perhaps to-morrow.
(a section is cut out of the letter here)"

42
Letter, Clara Bidwell, New York, to Mrs. M. E. Cassidy, September 17th, 1842. "When I received your letter of May last with the beautiful & valuable dress which accompanied it & for which I am greatly obliged to you, I was preparing to visit the Virginia Springs & took the letter with me intending to answer it there; but having Marshall with me, I was induced to spend a great part of the time in the open air, and six weeks glided away without my having written to any friend out of our own family, to them I wrote once or twice every week to prevent their feeling any anxiety on my account. Mr. Bidwell went with me as far as Baltimore; & met me at Philadelphia on my return. We reached home on Monday evening of this week. I find myself much stronger than I was when I left home, but still liable to spitting blood whenever I get fatigued, and sometimes without any apparent cause. Marshall has enjoyed his rambles over the hills exceedingly this summer & his health has been much improved by it. He has not been quite well since he had the measles last year. Our little Clara has got through the summer very well; she has not been out of the city. Mary has been troubled with rheumatism but is getting better of it now. The season has been peculiarly unfavorable for such complaints. Mr. Bidwell has quite recovered from his lameness; there is some enlargement of the joint yet, but I hope he will not suffer any farther inconvenience from it." Invites her to visit her in the spring. Enquires if Mrs. John Hamilton has gone to Scotland and supposes Mr. John Hamilton is now residing in

Kingston. "Our number if 9 Clinton Place, at the head of Green Street, not far from Broadway. Clinton Place is a part of Fifth Street."

Letter, James -----, Haldimand, to his sister, Mrs. Mary E. Cassady, Kingston, November 26, 1822. Writes about how the family are faring in that district and as to their health. "I do not know how we poor farmers are to live (or how we are to pay our debts living is cheap enough if we can get anything to buy with, Fork is 7/6 to 9/ per Cwt. store pay and other things in proportion."

1843 Letter, Mary Ward, Hope, to her cousin, Mrs. H. Cassady, Kingston, January 31, 1843. Writes and family and personal matters, especially about a bazaar in which she was interested.

1843 Letter, Clara Bidwell, New York, to Mrs. H. Cassady, March 29, 1843, concerning Mrs. Cassady's proposed visit to New York. "We regret very much to hear of Mr. Cartwright's low state of health; his place will not easily be supplied in Kingston. To his young family the loss is irreparable."

1844 Letter, Clara Bidwell, New York, to Mrs. Mary E. Cassady, Kingston, October 14, 1844. ----- "When we returned from Canada we found that Clara had been very ill and was still quite feeble. Dr. McDonald advised taking her out of the city for change of air, and as Mr. Bidwell was desirous that I should try the Sharon water, it was determined that Mary and I should take her to the Sharon Springs. We remained there only a fortnight. Clara drank the water freely and gained strength rapidly; she is now quite well. I brought a box of the water home & continued the use of it myself for about three weeks with decided advantage. It is a very light water. I think it would be of great service to you. I wish you could try it for a month. ----- What does the Dr. determine about removing to Kingston? (Dr. Armstrong, I mean) Mrs. A. seemed to think they might be obliged to go to Kingston; but I could see no necessity for such a move. They are certainly very pleasantly situated where they are, and the Dr. is becoming more known & valued every year. This is the opinion of our Rochester friends. If the Dr. was well established in this city, I think he would find the state of society more to his taste here than in Rochester; but it takes a long time for a physician to get into practice here unless he can form a partnership with one who is

already established. ----- There has been a chair invented by a Mr. Halstead of this city for the purpose of curing dyspepsia. It is kept in motion by the person sitting in it, which exercises the muscles of the arm, and gives precisely the same jolting motion which a person gets when on a trotting horse. Mr. B----- has just got one upon trial and likes it very much. We all take a ride occasionally. ----- Mr. Bidwell's eyes are much better and Marshall's health is greatly improved. His father is now looking about to find a school for him; among the multitude it is somewhat difficult to choose the best." Would like two silk veils - prefers green. They have just sent to Montreal for a Canada stove for their basement.

Letter, Clara Bidwell, New York, to Mrs. Mary E. Cassady, Kingston, December 6, 1844. ----- "We are all as well as usual. I think my own health is better. Mr. B----- complains of his eyes still when he uses them constantly, but they are better than they were. Marshall has been attending school for the last month. His teacher is an Episcopal clergyman who has only eleven boys to instruct. ----- I hope Sarah is growing strong from the use of the shower-bath. Mr. Bidwell and Mary take it daily." Comments on the "ridiculous fashions."

1845
Letter, Clara Bidwell, New York, to Mrs. Mary Cassady, January 4, 1845, Enquires for her family. Comments on the weather. Has sent one of her carpets to Mrs. Rolph in Toronto - Dr. Rolph purchased their house at Toronto.

Letter, Clara Bidwell, New York, to Mrs. Mary E. Cassady, Kingston, February 15, 1845. Comments on the health of her family, &c., also the weather. "One of our stage sleighs was drawn by twenty beautiful bays and all managed by one driver without a postillion. Another had eighteen white horses before it in pairs and driven in the same manner. These sleighs were crowded with from fifty to seventy persons. Mr. Bidwell came up one day in one drawn by eight horses with more than sixty passengers."

Letter, Clara Bidwell, New York, to Mrs. Mary E. Cassady, Kingston, May 17, 1845, on family matters. "Mary went to Toronto about ten days ago with Mr. Rigney. I hope she will spend a good part of the summer in Canada. She was intending to go to Dundass for a few weeks and could like to visit you if she finds company down the lake. Perhaps she may have courage enough to go alone if she should learn that you are to be at home this summer, or any part of the summer ----- Rev. Mr. Murdock formerly of Bath spent one night with us this week. He has three sons in college. Two of his little girls died of scarlet fever last year."

Letter, Clara Bidwell, New York, to Mrs. Mary E. Cassady, Kingston, June 18, 1845. Thanks her for some beautiful ottoman covers.

"Mr. Campbell made so short a stay in New York that we can hardly realize that he has been here. Mr. Bidwell regretted very much that he could not remain another week. He wished to go with him to see various things in which I think he would have been interested." Has heard that her daughter, Mary, is holidaying with Mrs. Cassady in Kingston. Tell how she has spent the summer. Invites Mrs. Cassady to visit them this summer. "Trinity Church is going to be worth making the journey to see when visitors are allowed to inspect the interior."

Letter, Clara Bidwell, New York, to Mrs. Cassady, September 27, 1845. Tells her of a parcel she is sending containing gifts for the members of her family. "Mr. Bidwell is attending the court of Errors at Albany."

1847 Letter, Clara Bidwell, New York, to Mrs. Cassady, April 5, 1847.
Writes concerning several of their friends. Has some plants she would like to send her if an opportunity opens.

Letter, Clara Bidwell, New York, to Mrs. Mary E. Cassady, Kingston, May 17, 1847. Is sending her several rose bushes and a couple of orange shoots.