

Constitutional

1829

(CIRCULAR.)

York, U. C.

SIR,

THE Constitutional Committee of York, beg to call your particular attention to the important Report of the Committee of the House of Commons on Canada affairs, and to observe, that though, in many respects, very decided in favour of our Constitutional rights and privileges, this ought to encourage us to exert our utmost endeavours to make our just complaints known, and to afford every information to that Committee and the Imperial Parliament, rather than induce us for one moment to relax in our endeavours to obtain redress. This is more particularly evident from the Committee, in their Report, having invited us to give them information as to the situation of our affairs, as appears from the following paragraphs in the Report:—

“ Though your Committee have now disposed of the most important subjects of their inquiry, they are aware that on an examination of the petitions and the evidence, many other matters will appear entitled to consideration.

“ The Committee think it necessary also to observe that the evidence from Upper Canada has not been equally ample and satisfactory with that which they have had the advantage of receiving from the Lower Province.”

This Committee desire to instance the recommendation in the Canada Committee's Report, that all the revenues of the Provinces should be under the controul and direction of the Provincial Commons. The severe but noble animadversions made on the injustice and impolicy of the public prosecutions for libel, originating in feelings hostile to the liberty of the press, and the manly reflections made on the persecutions of persons, in public employments, for the constitutional exercise of their civil rights, as points of material importance.

You will observe, from the tenor of the Report itself, that the whole business of the Committee has not been closed in this first report, but that they look forward to further investigation at the next session. As our enemies, ever active, will no doubt be on the spot to suggest their views, it behoves us to be there also with ours, to counteract misrepresentation, and to enforce the necessity of those changes, in our present system, the want of which, we so severely have felt, still feel, and ever will feel, unless we exert ourselves to obtain relief. We would notice on this head, as of moment—firstly, the independence of the judges—the want of which, you cannot have forgotten, led to the cruel dismissal of Mr. Justice Willis—Secondly, the difficulty which has usually attended every attempt by our representatives to procure the repeal of the 44th of the late King—commonly known as the Gourlay Act, a statute so hostile to our liberties, and injurious to our best feelings as British subjects—Thirdly, the manner in which the Executive and Legislative Councils, are constituted the consequent grievous evils we have suffered by the practical irresponsibility and evil council of the former, and are likely to endure by the controul the local government have over the latter, unless these bodies become more habitually respectful to the voice of the public, and attached to the real interests of our common country.

We believe the petition now sent to you to obtain signatures, embraces these and all other essential defects of our present system of polity; and the state of Upper Canada not having been so fully represented to the Canada Committee, as it is the interest of the colony that it should, we think it of the utmost importance that this Petition should have general circulation, and receive the consent, by signature, if possible, of the whole province. This is the more requisite, as we have been informed, by a gentleman examined by the Canada Committee, that nothing will better ensure the complete redress of our grievances, than a general expression of opinion, by the people of this colony, by a petition numerously signed.

We beg to suggest the calling of public meetings for the appointment of committees in each District, and sub-committees in each township, to ensure general success in obtaining signatures, and to direct that they be properly made to the several petitions, so as to enable this committee to attach them to the general Petition of the same tenor, to be transmitted to the several high authorities addressed. You will, of course, be able to judge of the best means of procuring signatures in your neighbourhood; and, we have no doubt from the importance of the occasion, that you will exert yourself to the utmost to obtain as many as possible, as you must be aware that numbers of signatures are the only means by which they have, in England, of judging of the extent of public feeling and opinion. Five copies of this petition are forwarded—one for each body addressed, and we take the liberty of recommending that the signatures be taken on paper, attached to each petition successively, filled on one side only, and not on both, or on the printed paper to prevent confusion, and as much uniformity as possible in the petitions sent to England; it is also very essential that every individual should make his own signature or mark, as the ease may require.

We are, Sir,

Your most obedient Humble Servants,

W. W. BALDWIN, *Chairman.*

ALEX. BURNSIDE,
JOSEPH CAWTHRA, Sen. } *Committee.*
JESSE KETCHUM,

ROBERT BALDWIN,
T. D. MORRISON, } *Secretaries.*

P. S. When the Petitions are signed to be returned, may we request you will be good enough to send them by some safe private conveyance, and not by post, to avoid the great expence of postage.