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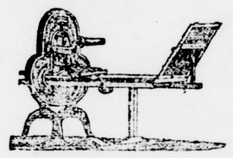

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Colonial.

DECLARATION

OF THE VIEWS, &C. OF THE BRITISH CONSTITUTIONAL SOCIETY.

The Members of the British Constitutional Society, deem it a duty they owe their fellow subjects throughout the Province, to declare the views and objects of the Association, and the causes which have led to its re-organization.

In doing this they are actuated by an anxious desire to be fully any fairly understood—to prevent (if that be possible) misrepresentation, and to disseminate throughout the country those principles of attachment to the Constitution which they are proud to cherish.

The fundamental principle and object of the Society is to *Perpetuate the Connexion between Upper Canada and the United Kingdom of Great Britain and Ireland. This is the end*—all other objects of the Society are but means for securing that end. Convinced that this province principally owes its rapid advancement in population and wealth to that connexion, we look to its continuance with hope and confidence for a steady influx of valuable settlers, and for an increased developement of the resources of the colony—and satisfied that the Constitution conferred on us by the Mother Country is well adapted to secure our peace, welfare, and good government, we desire to uphold that Constitution in its integrity, and are determined to resist all innovation upon it, whether proceeding from open enemies, or the more insidious attacks of pretended friends.

A calm and dispassionate review of the events that have occurred for some time past has led us to the conclusion, that a crisis has arrived which renders it the bounden duty of every true lover of his country to stand forth and join heart and hand with his fellow subject in sustaining the Constitution, and resisting the attempts at its subversion which have lately assumed a more tangible shape, and which *must be put down*, unless we are disposed to submit tamely to be revolutionized without the least show of resistance.

The letter of Mr. Hume, addressed to a notorious political character of this community, ventured to characterize the superintending power of Great Britain over this province as a "baneful domination;" and though the sentiments contained in that document were well nigh akin to treason, and were loudly and unequivocally condemned by a large majority of the inhabitants of Upper Canada, there was and is a party who echoed those sentiments then, and whose conduct since, leaves little room to doubt that they would hail with satisfaction a course of events which should terminate in a complete independence of, and seperation from the Mother Country.

Passing over intermediate events, a reference to which would occupy too much time, we recur to the opening of the last session of the Legislature. In the Lieutenant Governor's speech an allusion was made to the difficulties created by the French party in Lower Canada, as producing an injurious effect on the prosperity of this province by discouraging emigration, and retarding internal improvement. The House of Assembly took occasion in their answer to express their approbation of that party in Lower Canada, expressing "respect for their patriotic exertions," and acquitting them of being "the cause of any of the dissentions and embarrassments existing in the country." This language was used with a full knowledge that the French party had passed laws throwing great impediments in the way of emigrants—had imperiously demanded an elective Legislative Council—and had left the public service totally unprovided for, because their unreasonable demands were not complied with.

Shortly after the arrival of Sir F. B. Head, our present Lieutenant Governor, he communicated to the House of Assembly the Instructions he had received for the Administration of the Government of this province—Instructions received in a spirit of liberality, and showing a desire to correct all real grievances, and to afford a remedy for every well grounded complaint; and in His Excellency's address to the House he called upon them to afford their assistance in carrying such remedial measures into effect. To this appeal not the slightest response has been given, nor has one single measure been passed by the House in accordance with the gracious spirit of those instructions.—On the contrary, the moment a difference upon a constitutional point arose between His Excellency and his Executive Council, the House (abandoning former alleged grievances, and forgetting that they had themselves only in the previous Session declared the Executive Council to be an irresponsible body,) at once laid hold of the new doctrine, of the right of the Executive Council to have all the affairs of the province submitted to their consideration—insisting that this was the intent of the Constitutional act, and attacking the Lieutenant Governor in language as little consistent with the dignity of a Legislative body, as with the respect due to the Representative of their Sovereign. Not only did the House endeavour to sustain the Executive Council in their attempt to assume the responsibility of administering the Government—but they also claimed to have the Council responsible to them, and subject to be removed if so desired by a majority of the Assembly—and in furtherance of the latter object passed a resolution, expressive of want of confidence in the new Council appointed by his Excellency.

Disappointed by the firmness which the Lieutenant Governor displayed, and unable to answer the Constitutional arguments by which he justified his course, the House, as a last endeavour to coerce His Excellency into their views, resorted to the unprecedented measure of stopping the Supplies. Even after this course was resolved on, they nevertheless passed Bills for the expenditure of large sums of public money, under the control of Commissioners named by themselves from the ranks of their political friends and providing also in many instances for the liberal payment of such Commissioners, out of the pockets of the people, in the expectation that they would be thus enabled to keep up an influence in the country, while they embarrassed the public service. The consequence of this proceeding was the reservation of all Money Bills—a stop to public improvements, and an additional discouragement to emigration.

In this uncalled for proceeding, more than in any other, the revolutionary views of the party are disclosed. Let the honest, intelligent, and loyal Farmer, or other inhabitant of this Province, ask himself this plain question—Whether he at any time desires to see the Courts of Justice impeded in their progress—the prisoners confined in the gaols of the Province left untried—the Offices of the Surveyor General—the Register—the Receiver General—in short, all those Offices in which their own business, and that of their fellow subjects is transacted closed, and access to them completely denied?—Would they not pronounce those who would wantonly produce such a state of things, as enemies to the peace, welfare, and good government of the Province, and wholly undeserving of their confidence. Yet such would be the present condition of the people of Upper Canada, if the efforts of the men who now assume to be the only Patriots in the Province, could have full effect. And they have actually thrown upon the Lieutenant Governor, the very individual whom they have so unjustly and ungenerously calumniated, the responsibility of making some temporary provision for the public service, or of suffering the business of the people in the different public offices to be put a stop to: and such will be the case ultimately, unless the people, becoming awake to the condition of the country, and seeing that these men under the name of Reformers & *Revolution*, discard them as unworthy of, and faithless to the trust reposed in them. We have yet to see what opportunity will offer for this expression of public opinion: but in the mean time, the country languishes for the want of grants for roads and other improvements—the taxes continue to be levied on the people, but they no longer return into circulation by being expended among us; they are locked up in the vaults of the Receiver General—doing good to no one; public servants are unpaid—and the sentence of public justice on prisoners confined in the Penitentiary, may become impossible to be executed for want of necessary funds; and these and other numerous similar evils, are the work of men who call themselves PATRIOTS.

Another occurrence, just before the close of the Session, is also worthy of notice. At midnight—the last night preceding the Prorogation—a letter was laid on the table by the Speaker of the House of Assembly, from Mr. Papineau, the leader of the French party in Lower Canada—a party decidedly hostile to British principle—British population, and British Government—which, probably, encouraged by the tone of the Address to Sir John Colbourne, above adverted to, endeavour to establish a system of co-operation between the Radical parties of both Provinces. The whole tenor of this letter shews that the object desired by Mr. Papineau and his party is a change of the Constitution—in other words, a Revolution: and he does not hesitate to effect to assert, that any system which may be adopted by the Imperial Parliament to regulate the affairs of Lower Canada, other than that propounded in the celebrated Ninety-two Resolutions, "*could not but excite feelings inimical to the interests of the Parent State* ON THIS CONTINENT." In this letter, also, the Legislative Councils are denounced as the "cause and main-spring of all the heart-burnings, distinctions, and sufferings IN THESE PROVINCES." It is worthy of remark, that in this letter Mr. Papineau evidently assumes that the party, "*to whose organ*" the letter is directed, agree in his opinions, and are prepared to make common cause with him;—an assumption, the source of which will be at once found in the language of the above-mentioned Address, which speaking of the Lower Province, says, "with which it is equally our duty and our interest to cultivate a good understanding." And let it be further remembered, that up to this moment, neither in the House nor out of the House, has one man of that party come forward and publicly disavowed his participation in those opinions; but they have tacitly let tadopted the anti-British and revolutionary doctrines of the Ninety-two Resolutions, and of Mr. Papineau.

We are fully persuaded of the truth that the great mass of our fellow-subjects in this Province are imbued with the deepest and most ardent loyalty and attachment to their King and the Constitution under which they live, and that if they were made sensible that the contemptibly few and obscure men who have brought about these evil measures, are [illegible] the only persons who desire to preserve and maintain the rights and liberties of the people, were, in fact, actuated by no such patriotic motives; but that their object was to create discord and animosity among those who have every motive to the reverse and harmony with each other in order to obtain a diversion from the division and to get power for sect ther dangerous purposes—such most Patriots would be instantly scouted by those whom they have deluded, and returned to that obscurity from which, but for accidental causes and the practice of the most unworthy means, they would never have emerged.

Under these circumstances the British Constitutional Society is re-organized. Not for any party purpose—not for any local or sectional consideration, but because we think the facts above detailed prove that there is a danger at hand—danger to the peace—danger to our established rights—danger to our Constitution. We therefore, call on all loyal men to join us. *The rallying word is the maintenance of the Union with the Mother Country—if need arise, it shall be the battle cry*—for in a cause like this, there can be no hesitation to stake fortune and life at required. But we have no fear that such an ultimate course will become necessary. It will be enough that the people of the Province rouse themselves and express their united determination not to be made the tools of a Revolutionary party in this Province or in Lower Canada—and that they embrace the first legitimate opportunity of supplying the places of those who misrepresent them now, by men having better and more solid claims to the title of Patriots. On this question we may all unite—on the general principle there is no room for difference of opinion among loyal subjects—and we, therefore, confidently hope that our appeal will be responded to by our fellow-subjects, and that every District will have its Constitutional Society, whose motto, like ours will be "to perpetuate the Connexion between Upper Canada and the United Kingdom of Great Britain and Ireland."

W. B. JARVIS,
PRESIDENT.

British Constitutional Society.
GEO. GURNETT, } *Joint Secretaries.*
JOSIE KENT, }

Toronto May 10th, 1836.

A brief Biographical Sketch of His Excellency the Lieutenant Governor.

SIR FRANCIS BOND HEAD is the great grandson of Sir Francis Head, Baronet. The family, which has long been settled in the County of Kent, derives its name from the Kentish port now called Hythe, but formerly known as "*De Hedd.*" The Boundery was conferred in 1676, upon Richard Head, Esq. who represented Rochester in Parliament, when the misguided James the 2 retired to that city, from which he finally embarked for France. Sir Richard Head received the fallen Monarch in the hour of his adversity, and was presented by him with a valuable emerald ring.

Of the early period of His Excellency's life we possess no knowledge; but from the very first moment in which he appeared before the public, his course has been marked by integrity, ability, and decisive promptitude of action. He visited South America, as the agent of the Rio Plata Mining Association; and finding when he got there, that the speculation could never pay, he took upon himself the responsibility of selling the whole concern. When he returned to his employers, they were so indignant at this breaking up of all the golden visions with which their brains had teemed, that they threatened to commence legal proceedings against their too honest agent. He, strong in the consciousness of innocence, for—fortified by the approbation of his Sovereign, who created him a Knight of the Royal Hanoverian Guelphic Order,—and borne out in his views by subsequent events, calmly awaited the storm, which speedily passed away.

When in South America, which country we believe he has visited at two different periods, Sir Francis,—whose skill in horsemanship is already well known in Upper Canada—galloped over the Pampas, or plains of that magnificent portion of this continent. He scaled the Cordilleras, the loftiest chain of the Andes; and with a quick observant eye viewed man in all his varieties—bivouacked on mountains, slept in bush—strengthened and enlarged his mind by travel—and taught his faculties, mental and bodily, to be braced by action, and to be ready at command in the moment of difficulty or peril. With a capacity equal to the entertaining of the most comprehensive views, no trifle escaped his notice. Indeed out of a trifle he extracted importance. He observes a peculiar method used in South America of harnessing horses to the carriage they had to [illegible] by which they were enabled to [illegible] with much less labor, and to [illegible] much heavier load. Of the harness suggested he detailed himself at Waterloo, and applied the South American mode with great success to the transportation of artillery. So valuable and meritorious were his services at Lagny, where he had a horse killed under him, that they did not escape the notice of the veteran Blucher—upon whose recommendation, he was honoured by the amiable King of Prussia with the Military Order of Merit.

Sir Francis seems to have been smitten with a love of travellers, as well as travelling. He has written the "Life of Bruce, the Abyssinian Traveller," and rescued the fame of that lofty-minded and much slandered man from the sneers of ignorance and incredulity. In the "Bubbles from the Brunnens of Nassau," (a work published in 1834,) he mingles among much weighty and valuable information, light pleasant sketches of the society to be met with at the Baths of Germany. A literary journal, enlisted on the popular side, thus speaks of it;—

"A great charm in the volume before us is the kindly, humane disposition it everywhere evinces, and the readiness of the author to observe and be delighted with natural scenery and objects that are equally open to the humblest traveller or to the poorest peasant. He offers some valuable suggestions, derived from his observations of the practice of the Germans in those matters, as to the means of avoiding useless and injurious cruelty in the treatment of our domestic animals. The noble horse, the sweet smelling cow, nay, even the despised pig, claim each a share in his merciful consideration. His descriptions of these animals, and the hills, woods, and valleys of Nassau, where he meets them, are spirited and graphic; and, indeed, all these portions of his book are to us exceedingly interesting. In the pine clad vale of the country—in the sight of a harvest field, with the local peculiarities of reaping the corn—in the home view of a little valley, as in the glorious prospect of the Rhine, caught by climbing up a tree on the mountain's side—in the observation of the manners and habits of the quiet peasantry, or of the sporting of the little fire-flies by night, this amiable traveller finds a fund of enjoyment which he largely imparts to his readers in his easy natural sketches.—At Wesbaden our amusing traveller leaves us, and there we leave him, with a great respect for his talents, and a still greater respect for his pure simple tastes, his freedom from narrow prejudices, and his noble liberality of mind." To this testimony may be added that of another liberal editor—the editor of an English paper called the Hereford Reformer;—"The 'Tour across the Pampas,' (a work written by Sir Francis, containing sketches of his Travels in South America,) and the 'Bubbles of Nassau,' are two of the happiest descriptive works of modern days, and we can most conscientiously recommend them to our readers."—And Colendge, the sublimest and purest of modern philosophers, commends "the Anglo gentlemanly, sensible, and kindly mind breaking forth every where" in the volumes of Sir F. Head.

The latest public capacity in which Sir Francis was engaged, before leaving England to assume the government of Upper Canada, was that of Assistant Poor Law Commissioner—an office created by a recent act of parliament. The county of Kent is one of the richest and most fertile in England, and contains a population of 500,000 souls. Agricultural distress had reached there as well as all over England, to an alarming height, and the objects of the Act under which Sir Francis was appointed, were especially to raise the condition of the agricultural classes and by introducing a better system of giving relief to the needy labourer, to diminish the burden of rates and taxes which weighed so heavily upon the distressed farmer. In carrying those excellent intentions into effect the Commissioner had to encounter a rooted and deep seated prejudice, and commenced his undertaking under very unfavorable auspices, since he had to deal with persons who, if they assented to his proposition, would "sign the death warrant of their own authority." Nothing daunted, he prepared himself for his task; and as his project was (we quote its own account to enable the magistrial divisions into unions by circular letters, he separately collected together the magistrates, parochial officers, and principal rate payers of every division in East Kent."

As the subject was one of intense interest, those meetings were attended by almost every Magistrate in the County, and by many of the clergy, and by all the parish officers; and when it is stated that the magistrial divisions in East Kent are composed of 5, 5, 9, 4, 23, and 25 parishes, it may be easily conceived that the meetings were [illegible] was a matter of necessity, [illegible] to the national desire to obtain assistance for [illegible] Among the Parish officers [illegible] the poor law amendment [illegible] generally hostile; and not [illegible] to leave their horses [illegible] to oppose the measure, [illegible] took place, [illegible] together, and talked the affair over having no idea of the plan proposed, many of them received agreed together that they would hold up their hands against it. The Commissioner being perfectly aware of the existence of these feelings, knowing also they were engendered only by ignorance, as soon as the meeting was assembled, he clearly explained his object. The honest Farmers of Kent were open to conviction; their prejudice melted away before the temperate and forcible arguments of Sir Francis Head, and when the sense of the meeting was taken as to the adoption of his plan

765 voted for it;
5 voted against it.

It is hoped that before long, a similar triumph will await the Lieutenant Governor of Upper Canada.

In an able and delightful article, full of quaint benevolence, in the Quarterly Review, he has embodied the results of his experience as a Commissioner; and says the Hereford Reformer, above cited, "We seldom quote the Quarterly, and still less frequently to approve, but there is a charm about the article on English Charity, which is quite irresistible. It is written by Sir Francis B. Head, and we can most conscientiously recommend it to our readers. They will read it with pleasure, and not quit it, without having derived from it a lesson, both of good temper and sound reasoning."

The office of the Commissioner was not that of a *Devil Beggar*, or a *Parish Overseer*, or a *Beggarman*—expressions applied to the King's Representative, by Messrs. Mackenzie and O'Grady. On the Contrary, it was an office which brought Sir Francis Head into communication with the nobility, gentry, and clergy of Kent, and made him acquainted with the feelings and opinions of the yeomanry, and of the Agricultural labourers. It was an office which enabled him to save the County of Kent the yearly expenditure of very many thousands of pounds; it was an office, in which he showed so much of a humane decision in quelling agricultural riots, in which he exhibited so much ability, and such a ready application of it, as to earn the esteem of the Kentish yeomanry, and to attract the observation of his Majesty's Ministers. These were the qualifications that pointed him out as a fit successor to Sir John Colborne,—as a person, whose winning and straightforward manners, added to the nobler qualities we have already attributed to him, eminently fitted him to compose differences, and to conciliate, without unduly conceding. Sir Francis at first refused the proffered dignity; but His Majesty's Ministers, to almost all of whom he was a total stranger, having repeated their request, he "felt it impossible not to accede to it," and accordingly arrived at Toronto on the 23d of January last, and in a day or two afterwards was sworn in Lieutenant Governor of Upper Canada.

Since that time the actions of Sir Francis Head form a portion of the History of Upper Canada. If purity of purpose, if a heart to feel generously, a head to conceive wisely, and a hand to execute firmly, ought to endear a Lt. Governor to the people of Upper Canada, Sir Francis deserves a place in the grateful affections of every honest man.

Sir Francis has been long married to a sister of one, who when living was a bright ornament to the British Peerage His Lady is sister to John, the late Lord Somerville, a Nobleman, in the language of Sir Walter Scott, "combining the knowledge of the Agriculturist, with the manners of the Courtier," and to whom the Farmers of Great Britain are indebted for the introduction of the breed of Merino Sheep.

Lady Head's nephew, the Earl of Errol,—a liberal Peer,—is son in law to His Present Majesty, William the Fourth

ALAN FAIRFORD.

William Warren Baldwin, *Esquire*, Judge of the Surrogate Court of the Home District:—James Edward Small Esquire, Commissioner of the Court of Requests for this City, and Lt. Colonel of the East York Militia—and George Ridout, Esquire, Judge of the District Court of the Niagara District, and Colonel of the 2nd East York Militia: respectively received communications this morning from the Government Office, that they were, from this date, severally released from the duties of their said Offices. His Excellency intimated to those Gentlemen, that his reasons for taking this step, is their having, as active members of a Society, (The Alliance Society) placed themselves in open hostility to the Representative in this Province.

Copies of a printed document, emanating from said Society, and signed W. W. Baldwin, we are informed, accompanied these intimations.

Every body with whom we have spoken to-day, rejoices in this additional evidence of the firmness and decision of Sir FRANCIS HEAD'S character. A similar intimation to certain other individuals who have long enriched themselves at the expense of that Government, which they have been secretly endeavoring to overthrow, would be hailed with delight.—*Toronto Courier.*

The Honorable Peter Robinson, we are sincerely sorry to state, has recently been attacked with a paralytic affection, which has rendered it impossible for him to attend to the duties of his Office of Crown Lands Commisioner, which Office we learn is immediately to be conferred on the Honorable Robert Baldwin Sullivan, until His Majesty's pleasure shall be known thereon.—*Ibid.*

Emigration.—It is supposed that the Emigration from Ireland this year will double, nay—if we pin our faith to some statements—even treble the amount of any former season. The greatest number we believe from Ireland during any one year was 30,000, principally to Canada. This was the year before the Cholera, when 52,000 British subjects were located in British America and the United States. If the present accounts may be relied on, there will be before the end of the season more than 100,000 British landed on the shores of Canada alone. But the emigration is far from being confined to this locality. There has from Dublin and other places been a vast emigration of artizans, carpenters, bricklayers, &c., to New York