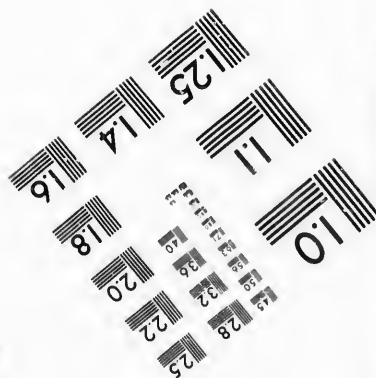
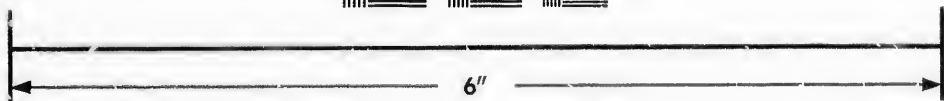
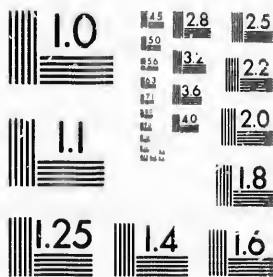


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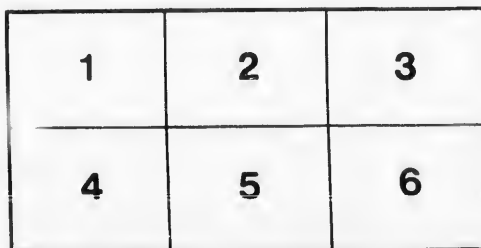
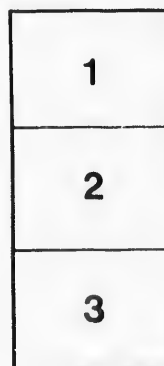
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Within an inner room his couch they spread,  
His funeral couch; with mingled grief and love,  
They laid a crown of roses on his head,  
And murmured, "brighter is his crown above."

They scattered round him, on his snowy sheet,  
Laburnum's strings of sunny-coloured gems,  
Sad hyacinth and violet dim and sweet,  
And orange blossoms on their dark green stems.

And now the hour is come,—the priest is there,—  
Torches are lit,—the bells are tolled,—they go,  
With solemn rites of blessing and of prayer,  
To lay those dear remains in earth below.

The door is opened—hark that quick glad cry—  
"Carlo has waked—has waked, and is at play!"  
The little sisters leap and laugh, and try  
To climb the couch on which the infant lay.

And there he sits, alive, and gaily shakes,  
In his full hands, the blossoms blue and white,  
And smiles with winking eyes, like one who wakes  
From a deep slumber at the morning light.

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### THE CANADA QUESTION.

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Civil war in the British North American Provinces! This event has come upon the people of the United States with something of apparent suddenness and surprise; and yet, to those who have attentively observed the progress of opinion in the two Canadas, the proceedings of the Assembly of Lower Canada, the discussions on the subject in the British Parliament, and the agitation of the Canadians themselves, the actual collision between the mother country and her colonies has been a matter neither strange nor unexpected. Indeed, if there be any thing remarkable in the fact, it has been, that, situated as the British Provinces are, in close contiguity with the United States, and exposed, as they thus have so long been, to the salutary contagion of democratic institutions and democratic principles, they have been content until this time to remain the subject colonies of Great Britain.

While, however, it has been apparent, of late especially, that a

change in the relations of Great Britain and her North American Provinces was at hand, it is right to observe that actual hostilities were precipitated by the violence of the royalist party in Lower Canada. The Canadians were pursuing *reform* in constitutional modes. Their House of Assembly had again and again presented the grievances of the colony to the notice of the mother country. They had refused, as they lawfully and constitutionally might, to make appropriations for the salaries of the officers of the Crown, unless the reforms, municipal and constitutional, which they deemed essential to the colony, were conceded by Great Britain. They were peacefully organizing themselves, as they had a right to do, for effective resistance,—forcible or not, as the case might require,—to any attempt of the Crown to coerce them into an abandonment of the objects of reform which the good of the colony demanded. They were discussing these objects in public meetings and in public journals, as they had full right to do. They were preparing to maintain their rights by force if assailed by force. But they did not strike the first blow. They did not explode the train of revolution. This was done by the persons and the party attached to the mother country, who assaulted individuals of an association called 'Sons of Liberty,'—mobbed the printing office, and destroyed the printing materials, of the principal journal of the Canadians, a paper conducted with great spirit and ability, the *Vindicator*—arrested and imprisoned many of their number on charges of sedition or treason, and thus drove the Canadians to take up arms, and kindled the flame of civil war in the Province.

There can, we are inclined to think, be little doubt, that it was the *purpose* of the violent loyalists of Montreal, in those steps, to precipitate the outbreak, the near approach of which was self-evident,—in the belief that the rapidity of action, bravery, and discipline of the regular troops, would probably be able to crush at once the first insurrectionary gatherings, before the depth of the winter should open the communication across the St. Lawrence by means of the ice. Matters had, by this time, proceeded so far, the mutual feelings of the two parties had reached such a point of exasperation, and the organization of the Canadians, emanating from the central association of the 'Sons of Liberty,' in Montreal, was progressing so rapidly, that, in truth, the course adopted seemed the only one that afforded a chance of nipping the embryo revolution in the bud. By driving out into overt treason all the leaders,—whose designs were already scarce half concealed, while they pursued them so skilfully as to keep within the line of personal safety,—it was doubtless supposed that the result would either place their persons within the power of Government, as prisoners, or get rid of them as fugitive exiles.

The immediate crisis was brought on by measures of the British government, adopted in the aim to compel the Canadians to submit

themselves to the will of the mother country, in respect of the questions of right raised by the House of Assembly of Lower Canada. To understand this point, however, and the merits of the controversy generally, it is necessary to go back to the former early history of the colony, and trace events down to the present day.

Canada, originally a French colony, it is known, came into the possession of Great Britain by conquest, being assured to her by treaty in 1763, just at the beginning of the controversy between her and the colonies now constituting the United States. The province contained at that time a small population, less than a hundred thousand souls. Being exclusively French, and having for many years been at war, more or less, with the old British Colonies in America, the Canadians did not, at the epoch of the Revolution, sympathize in feeling with the latter; and, unwilling, perhaps, to incur anew so soon the horrors of war, remained passively submissive to the authority of Great Britain,—governed, without institutions of their own, as a conquered colony.

But when the French revolution not long afterwards ensued,—an event, by which, from their French origin and language, the Canadians were likely to be more sensibly affected than by a revolution in the British colonies, though on the same continent,—the British government felt the necessity of anticipating any discontent in Canada by the voluntary concession of institutions, and by other measures which might conspire to secure their allegiance.

Accordingly, in 1791, an act of Parliament was introduced and passed by Mr. Pitt, which is commonly called the 'Constitutional Act;' and by which the colony was divided into two governments, Upper and Lower Canada. The idea was, to organize each after the model of the constitution of Great Britain itself: answering to the King, a Governor,—for the Cabinet, an Executive Council,—for the House of Lords, a Legislative Council,—for the House of Commons, a Representative Assembly. The colony was divided, in order to have that part of it called Upper Canada peopled by emigrants from Great Britain, so as to balance the French colony of Lower Canada.

To this organization of the Canadas very serious objections were made at the time; which objections have, in the progress of events, been fully verified. First, it was objected that, by the separation, Upper Canada would be insulated in the interior of the continent, being accessible to maritime commerce only through Lower Canada, or through the United States. Then, it was objected that the theory of the 'Constitutional Act' was radically defective, inasmuch as Canada had not, and no American colony could have, an hereditary aristocracy of sufficient number and weight to correspond to the peerage of Great Britain; and therefore the Legislative Council would either be nugatory, if it did not exercise its functions independently of the Assembly, or on the other hand, if it did, would

become odious to the colony, as the mere instrument of the Crown, by whom its members were appointed.

Out of this inherent vice of the 'Constitutional Act' a multitude of evils have flowed. As the Canadians grew in numbers and intelligence, they naturally desired to meliorate the condition of their country, in conformity with the spirit of the age. But the Legislative Council proved to be a perpetual drawback on all reform,—a standing conservator of every abuse.

Thus matters went on, until the war of 1812, between the United States and Great Britain, at which time, as before in 1774 and 1791, the government of Great Britain took pains, by politic conciliations, of one sort or another, to enlist the Canadas on their side, and against the natural ally of the Canadians.

Since that period, however, the discountents of the Canadians have been gradually growing to a head; until, in 1833, the supply bill, passed by the Assembly, was coupled with conditions of the reform of various gross abuses of the colonial administration; which the Government not consenting to reform, the supply bill was lost. This event was the beginning of the end; for the next year the House of Assembly set forth solemnly the grievances of the colony, in the celebrated "Ninety-two Resolutions." This document has not, that we are aware, been published in the United States; and its great importance at the present time, as a formal exhibition of the claims of the Canadians to redress, will justify us in transferring some of the more material parts of it to our pages.

Resolutions of the House of Assembly of Lower Canada, dated

*Quebec, Friday, 21st February, 1834.*

1. *Resolved*, That His Majesty's loyal Subjects, the People of the Province of Lower Canada, have shewn the strongest attachment to the British Empire, of which they are a portion; that they have repeatedly defended it with courage, in time of war; that at the period which preceded the Independence of the late British Colonies on this Continent, they resisted the appeal made to them by those Colonies to join their confederation.

4. *Resolved*, That this House, as representing the People of this Province, has shewn an earnest zeal to advance the general prosperity of the Country, by securing the peace and content of all classes of its Inhabitants, without any distinction of origin or creed, and upon the solid and durable basis of unity of interest, and equal confidence in the protection of the Mother Country.

6. *Resolved*, That in the year 1827, the great majority of the People of this Province complained, in Petitions signed by 87,060 persons, of serious and numerous abuses which then prevailed, many of which had then existed for a great number of years, and of which the greater part still exist without correction or mitigation.

7. *Resolved*, That the complaints aforesaid, and the grievances which gave rise to them, being submitted to the consideration of the Parliament of the United Kingdom, occasioned the appointment of a Committee of the House of Commons, of which the Honorable Edward Geoffrey Stanley, now His Majesty's Principal Secretary of State for the Colonial Department, and several others who are now Members of His Majesty's Government, formed part; and that after a careful investigation, and due



deliberation, the said Committee, on the 18th July, 1838, came to the following very just conclusions:—

1stly. "That the embarrassments and discontents that had long prevailed in the Canadas, had arisen from serious defects in the system of Laws and the Constitutions established in those Colonies."

2dly. "That these embarrassments were in great measure to be attributed to the manner in which the existing system had been administered."

3dly. "That they had a complete conviction, that neither the suggestions which they had made, nor any other improvements in the Laws and Constitutions of the Canadas, will be attended with the desired effect, unless an impartial, conciliating, and constitutional system of Government were observed in these loyal and important Colonies."

8. *Resolved*, That since the period aforesaid, the Constitution of this Province, with its serious defects, has continued to be administered in a manner calculated to multiply the embarrassments and discontents which have long prevailed; and that the recommendations of the Committee of the House of Commons have not been followed by effective measures of a nature to produce the desired effect.

9. *Resolved*, That the most serious defect in the Constitutional Act,—its radical fault,—the most active principle of evil and discontent in the Province, the most powerful and most frequent cause of abuses of power,—of the infractions of the Laws,—of the waste of the public revenue and property, accompanied by impunity to the governing party, and the oppression and consequent resentment of the governed,—is that injudicious enactment, the fatal results of which were foretold by the Right Hon. Charles James Fox, at the time of its adoption, which invests the Crown with that exorbitant power, (incompatible with any Government duly balanced and founded on Law and Justice, and not on force and coercion) of selecting and composing, without any rule or limitation, or any predetermined qualification, an entire Branch of the Legislature, supposed from the nature of its attributions to be independent, but inevitably the servile tool of the authority which creates, composes and decomposes it, and can any day modify it to suit the interests or the passions of the moment.

10. *Resolved*, That with the possession of a power so unlimited, the abuse of it is inseparably connected, and that it has always been so exercised in the selection of the Members of the Legislative Council of this Province, as to favor the spirit of monopoly and despotism in the executive, judicial, and administrative departments of Government, and never in favor of the public interest.

21. *Resolved*, That the Legislative Council of this Province, has never been any thing else but an impotent screen between the Governor and the people, which, by enabling the one to maintain a conflict with the other, has served to perpetuate a system of discord and contention; that it has unceasingly acted with avowed hostility to the sentiments of the people as constitutionally expressed by the House of Assembly; that it is not right, under the name of a Legislative Council, to impose an aristocracy on a country which contains no natural materials for the composition of such a body; that the Parliament of the United Kingdom, in granting to His Majesty's Canadian Subjects the power of revising the Constitution under which they hold their dearest rights, would adopt a liberal policy, free from all considerations of former interests and of existing prejudices; and that by this measure, equally consistent with a wise and sound policy and with the most liberal and extended views, the Parliament of the United Kingdom would enter into a noble rivalry with the United States of America, would prevent His Majesty's subjects from seeing any thing to envy there, and would preserve a friendly intercourse between Great Britain and this Province, as her Colony, so long as the tie between us shall continue, and as her Ally whenever the course of events may change our relative position.

37. *Resolved*, That the political world in Europe is at this moment agitated by two great parties, who in different countries appear under the several names of Serviles, Royalists, Tories, and Conservatives, on the one side, and of Liberals, Constitutionals, Republicans, Whigs, Reformers, Radicals, and similar appellations on the other;

that the former party is, on this continent, without any weight or influence, except what it derives from its European supporters, and from a trifling number of persons who become their dependents for the sake of personal gain, and of others who from age or habit cling to opinions which are not partaken by any numerous class; while the second party overspreads all America; and that the Colonial Secretary is mistaken, if he believes that the exclusion of a few salaried Officers from the Legislative Council could suffice to make it harmonize with the wants, wishes, and opinions of the People, as long as the Colonial Governors retain the power of preserving in it a majority of Members rendered servile by their antipathy to every liberal idea.

41. *Resolved*, That His Majesty's Secretary of State for the Colonial Department has acknowledged in his Despatches, that it has frequently been admitted that the People of Canada ought to see nothing in the Institutions of the neighboring States which they could regard with envy, and that he has yet to learn that any such feeling now exists among His Majesty's subjects in Canada: to which this House answers, that the neighbouring States have a form of Government very fit to prevent abuses of power, and very effective in repressing them: that the reverse of this order of things has always prevailed in Canada under the present form of Government: that there exists in the neighbouring States a stronger and more general attachment to the national institutions, than in any other country; and that there exists also, in those States a guarantee for the progressive advance of their political institutions towards perfection, in the revision of the same at short and determinate intervals, by conventions of the People, in order that they may, without any shock or violence, be adapted to the actual state of things.

44. *Resolved*, That the unanimous consent with which all the American States have adopted and extended the Elective system, shews that it is adapted to the wishes, manners and social state of the Inhabitants of this Continent; that this system prevails among those of British and those of Spanish origin, although the latter, during the continuance of their Colonial state, had been under the calamitous yoke of ignorance and absolutism; and that we do not hesitate to ask from a Prince of the House of Brunswick, and a reformed Parliament, all the freedom and political powers which the Princes of the House of Stuart and their Parliaments granted to the most favored of the Plantations formed at a period when such grants must have been less favorably regarded than they would now be.

47. *Resolved*, That the fidelity of the People and the protection of the Government are correlative obligations, of which the one cannot long subsist without the other; that, by reason of the defects which exist in the Laws and Constitution of this Province, and of the manner in which those Laws and that Constitution have been administered, the People of this Province are not sufficiently protected in their lives, their property and their honor; and the long series of acts of injustice and oppression of which they have to complain, have increased with alarming rapidity in violence and in number, under the present Administration.

73. *Resolved*, That it was anciently the practice of the House of Commons, to withhold Supplies until grievances were redressed; and that in following this course in the present conjuncture, we are warranted in our proceedings, as well by the most approved precedents as by the spirit of the Constitution itself.

75. *Resolved*, That the number of the Inhabitants of the country being about 600,000, those of French origin are about 525,000, and those of British or other origin 75,000; and that the establishment of the Civil Government of Lower Canada, for the year 1832, according to the yearly Returns made by the Provincial Administration, for the information of the British Parliament, contained the names of 157 Officers and others receiving Salaries, who are apparently of British or Foreign origin, and the names of 47 who are, apparently, natives of the country, of French origin; that this statement does not exhibit the whole disproportion which exists in the distribution of the public money and power, the latter class being, for the most part, appointed to the inferior and less lucrative offices, and most frequently only obtaining even them, by becoming the dependents of those who hold the higher and the more

lucrative offices; that the accumulation of many of the best paid and most influential, and at the same time incompatible, offices in the same person, which is forbidden by the laws and by sound policy, exists especially for the benefit of the former class; and that two-thirds of the persons included in the last commission of the peace issued in the province, are apparently of British or foreign origin, and one-third only of French origin.

84. *Resolved*, That besides the grievances and abuses beforementioned, there exist in this province a great number of others, (a part of which existed before the commencement of the present Administration, which has maintained them, and is the author of a portion of them) with regard to which this House reserves to itself the right of complaining and demanding reparation, and the number of which is too great to allow of their being enumerated here: that this House points out as among that number:

5thly. The intermeddling of members of the Legislative Council in the elections of the representatives of the people, for the purpose of influencing and controlling them by force; and the selection frequently made of returning officers for the purpose of securing the same partial and corrupt ends;—the interference of the present Governor-in-chief himself in the said elections; his approval of the intermeddling of the said Legislative councillors in the said elections; the partiality with which he intervened in the Judicial proceedings connected with the said elections, for the purpose of influencing the said proceedings in a manner favorable to the Military power, and contrary to the independence of the Judicial Power; and the applause which, as commander of the forces, he bestowed upon the sanguinary execution of the citizens by the soldiery.

6thly. The interference of the armed military force at such elections, through which three peaceable citizens, whose exertions were necessary to the support of their families, and who were strangers to the agitation of the election, were shot dead in the streets: the applause bestowed by the Governor-in-chief and commander of the forces are the authors of this sanguinary military execution (who had not been acquitted by a petty jury) for the firmness and discipline displayed by them on that occasion.

We have selected only a part of these Resolutions, because of the great number and length of the whole; but what we have given will sufficiently illustrate the nature of the grievances of which the Canadians complained.

In consequence of these and other proceedings, commissioners were sent from Great Britain to investigate the affairs of Canada on the spot; which commissioners at length made report, in accordance, of course, with the instructions and wishes of the Government by which they were employed,—the Canadian House of Assembly continuing to refuse the supplies,—and on the 6th of March, 1837, Lord John Russell introduced into the House of Commons the following resolutions, by way of answer to, and decision upon, the complaints of the colony.

1. That since the 31st day of October, in the year 1832, no provision has been made by the Legislature of the Province of Lower Canada for defraying the charges of the administration of justice, and for the support of the civil government, within the said Province; and that there will, on the 10th day of April now next ensuing, be required for defraying in full the charges aforesaid to that day, the sum of 142,160*l.* 14*s.* 6*d.*

2. That at a session of the Legislature of Lower Canada, holden at the city of Quebec, in the said Province, in the months of September and October, 1836, the Governor of the said Province, in compliance with his Majesty's commands,

recommended to the attention of the House of Assembly thereof, the estimates for the current year, and also the accounts, showing the amount due in respect of the civil government, and signified to the said House his Majesty's confidence that they would accede to the application which he had been commanded to secure, for the payment of the arrears due on account of the public service, and for the funds necessary to carry on the civil government of the Province.

'3. That the said House of Assembly, on the 3d day of October, 1836, by an address to the Governor of the said Province, declined to vote a supply for the purposes aforesaid, and by the said address, after referring to a former address of the said House to the Governor of the said Province, declared that the said House persisted, amongst other things, in the demand of an elective Legislative Council, and in demanding the repeal of a certain Act, passed by the Parliament of the United Kingdom, in favor of the North American Land Company; and, by the said address, the said House of Assembly further adverted to the demand made by that House of the free exercise of its control over all the branches of the Executive Government; and by the said address the said House of Assembly further declared, that it was incumbent on them, in the present conjuncture, to adjourn their deliberations until his Majesty's Government should, by its acts, especially by rendering the second branch of the Legislature conformable to the wishes and wants of the people, have commenced the great work of justice and reform, and created a confidence, which alone could crown it with success.

'4. That in the existing state of Lower Canada, it is unadvisable to make the Legislative Council of that Province an elective body; but that it is expedient that measures be adopted for securing to that branch of the Legislature a greater degree of public confidence.

'5. That while it is expedient to improve the composition of the Executive Council in Lower Canada, it is unadvisable to subject it to the responsibility demanded by the House of Assembly of that Province.

'6. That the legal title of the North American Land Company to the land holden by the said company by virtue of a grant from his Majesty, under the public seal of the said Province, and to the privileges conferred on the said company by the act for that purpose made, in the fourth year of his Majesty's reign, ought to be maintained inviolate.

'7. (Relates to 'The Canada Tenure Act,' and 'The Canada Trades Act.')

'8. That for defraying the arrears due on account of the established and customary charges of the administration of justice, and of the civil government of the said Province, it is expedient, that, after applying for that purpose such balance as shall, on the said 10th day of April, 1837, be in the hands of the Receiver General of the said Province, arising from his Majesty's hereditary, territorial and casual revenue, the Governor of the said Province be empowered to issue from and out of any other part of his Majesty's revenue, in the hands of the Receiver General of the said Province, such further sums as shall be necessary to effect the payment of the before-mentioned sum of 142,160*l.* 1*1s.* 6*d.*

'9. That it is expedient that his Majesty be authorized to place at the disposal of the Legislature of the said Province, the nett proceeds of his Majesty's hereditary, territorial and casual revenue arising within the same, in case the said Legislature shall see fit to grant to his Majesty a civil list for defraying the necessary charges of the administration of justice, and for the maintenance and unavoidable expenses of certain of the principal officers of the civil government of the said Province.

'10. (Relates to the trade between Lower Canada and Upper Canada.)

These resolutions, were introduced by Lord John Russell, in a speech which betrays throughout a halting between two opinions; a reluctance to drive things in Canada to the last resort, and a conviction that still matters were evidently and irresistibly tending thither. Indeed, Lord Stanley, in the subsequent debates, very

justly characterized the resolutions as too weak for coercion, and too strong for conciliation. The Ministers were warned by the opposition that this was *the old question* between the thirteen colonies and the mother country; that things had been going on in the same train in Lower Canada now, as in Massachusetts Bay formerly; that Canada had precedents to refer to, and act by, in the history of the thirteen colonies, for any public contingency of her own case; that, *in general*, a populous and powerful colony could not be retained by Great Britain, without the consent of the colony itself; that especially the Canadas could not, being in the vicinity of the United States, imbued with democratic opinions by contact with a democratic people, and sure of being able to draw resources from, and find refuge in, the American republic; and that the Ministers had but one course to pursue,—to grant at once the reforms prayed for by the House of Assembly of Lower Canada. Accordingly, Mr. Leader moved, as a test question, by way of amendment of Lord John Russell's motion,—‘that it is advisable to make the Legislative Council of that Province an elective council.’ The main position upon which Lord John Russell rested the resolutions, was, that the ministers of Great Britain could not conduct the affairs of Lower Canada if the Legislative Council was elective. Which simply means, of course, that an elective legislative council would, naturally, be in the interests of the colony,—while the Legislative Council, as at present constituted, of nominees of the Crown, was subservient to the interests of Great Britain, as adversary to those of the colony. Indeed, he expressly says:—‘I do not suppose that these colonies will persist in their demands; but, if they do still hold out, we have not the means of carrying on the government of them here, in continual resistance to their assemblies.’ Mr. O’Connell, Mr. Leader, Mr. Roebuck, and others, very justly replied:—‘You cannot hold the Canadas at any rate, if you adopt and act upon these resolutions,—perhaps you may, if you grant their demands; but to undertake to coerce them is, of itself, to make sure of their separation from the mother country.’ However, the Ministers persisted, and the resolutions were, from time to time, after more or less of debate upon the more important of them, passed in the House of Commons, by decisive majorities,—being finally disposed of in that body on the 24th of April.

On the 9th day of May, the resolutions were taken up in the House of Lords, discussed and passed,—being opposed only by Lord Brougham, who, in addition to speaking against them, entered the following protest on the journal of the Lords.

*Dissentient,—*

1. Because these resolutions, embracing a great variety of important subjects, upon which different opinions may be entertained by the same persons, were all passed to the vote as once, in a House of not a tenth part of the members that frequently attend when questions affecting the interests of political parties or even individuals stand for discussion.

2. Because, though some of these resolutions are justifiable, there are others, and especially the eighth, which set all considerations of sound policy, of generosity, and justice, at defiance, and will most likely be regarded as indicating a design to crush whatever spirit of opposition to the Executive Government may at any time and for any cause show itself in any portion of North American provinces.

3. Because it is the fundamental principle of the British Constitution which was intended to be established in Canada by the act of 1791,—and was finally promulgated in 1831, that no part of the taxes levied upon the people shall be applied to any purpose whatever without the consent of their Representatives in Parliament; and this control ought in an especial manner to be vested in the people of the Colonies, seeing that it never can give them the same unlimited influence which it confers on the people of the parent State; for, if supplies are withheld by the Commons of England on account of grievance, the Crown has no other resource, and the grievance must be redressed; whereas, if the Commons withhold supplies for the like reasons, the Crown cannot by this proceeding be obliged to redress the grievance as long as the Parliament of the mother country is willing to furnish the funds required.

4. Because the taking possession of the money placed by the British Parliament at the disposal of the Colonial Councils, without their consent, is wholly subversive of the above-named fundamental principle, and directly contrary to the wise and salutary provisions of the act passed in 1831;—nor does it at all signify that this is said only to be done upon the present occasion, and that the rights of the Colonial Parliament are represented as left unimpaired.

The precedent of 1837 will ever after be cited in support of such oppressive proceedings as often as the Commons of any Colony may withhold supplies; how justifiable soever their refusal may be, or in whatever designs the Executive Government may be engaged.

5. Because the constitution of the Council, having been tried for nearly half a century, has not only failed to produce the advantages expected from it, but, after occasioning the most serious evils, has ended in bringing the Legislative operations of the Colonial Parliament to a close; and there seems good ground to hope the evils now complained of may be remedied by introducing the elective principle into the constitution of this body, under due modifications. But the 4th resolution seems to pledge Parliament against ever introducing that principle, since it is not possible to conceive any circumstance justifying its introduction if the existing state of things does not.

6. Because the spirit in which these proceedings were conceived is avowedly adverse to the opinions and desires of a vast majority of the inhabitants of Lower Canada, and the no less plainly avowed object in bringing them forward is, by the authoritative declaration of Parliament to put down the principles and thwart the inclination so generally prevailing among the people of that Province.

7. Because these proceedings, so closely resembling the fatal measures that severed the United States from Great Britain, have their origin in principles, and derive their support from reasonings, which form a prodigious contrast to the whole grounds, and the only defence, of the policy during later years so justly and so wisely sanctioned by the Imperial Parliament, in administering the affairs of the mother country. Nor is it easy to imagine, that the inhabitants of either the American or the European branches of the Empire should contemplate so strange a contrast without drawing inferences therefrom discreditable to the character of the Legislature, and injurious to the future welfare of the State, when they mark with what different measures we mete to 600,000 inhabitants of a remote province unrepresented in Parliament, and to 6,000,000 of our fellow-citizens nearer home, and making themselves heard by their Representatives, the reflection will surely arise in Canada, and may possibly find its way into Ireland, that the sacred rules of justice, the most worthy feelings of national generosity, and the soundest principles of enlightened policy may be appealed to in vain, if the demand of the suitor be not also supported by personal interests and party views, and political fears among these whose aid he seeks, while all men, perceiving that many persons have found themselves at liberty to hold a course towards an important but remote Province, which their constituents never would suffer to be

pursued towards the most inconsiderable borough of the United Kingdom, an impression will be inevitably propagated most dangerous to the maintenance of Colonial dominion, that the people can never safely entrust the powers of Government to any supreme authority not residing amongst themselves.

BROUGHAM.

Our readers can now judge for themselves what are the merits of this great controversy between Great Britain and the Canadas. We say *the Canadas*, because, though Lower Canada has been foremost in the dispute, and though it was upon the resolutions of the Assembly of Lower Canada that parliament acted, and though the British party is much stronger in Upper than in Lower Canada, yet the public question is the same in both, and the one must follow the fate of the other, so far as regards their ultimate relation to Great Britain. Our readers, we repeat, can judge for themselves, as to the merits of the question,—but there are two or three points in it, which we desire to present in relief from the others.

First, it must be admitted, that the Canadians have had ample cause of complaint; grievances enough to justify them in demanding redress, and *in persisting until they should obtain it*. The ministers of the Crown confessed this in the very resolutions they offered; Parliament confessed it; and it is a fact undeniable upon the record; proved by authentic state papers, of which we have given some idea in the preceding pages.

Secondly, those grievances were of a kind which seem to be of the very essence of a colonial government. The remoteness of an American colony from its European metropolis; the diverse and contrariant interest which of necessity grew up in such a case; the fact of being governed by officers, civil and military, sent from a foreign country—these, and a multitude of other considerations, which the colonial history of the United States renders familiar to all, tend to show that a colony on this continent, when it arrives at maturity, and acquires the feelings of self-respect belonging to maturity, *cannot* be satisfactorily governed, or well governed, by a Colonial Secretary in Europe. Lord John Russell might well say, that he and his colleagues could not govern Lower Canada, without repressing the demands of its House of Assembly. Certainly he could not govern it under such circumstances, without the performance of acts, which, as properly averred by Lord Brougham, if applied to the internal administration of England itself, would be denounced and resisted, as tyrannical in principle and insupportable in fact.

Thirdly, it is the right of every people, which possesses the intelligence and physical power, to remodel and reform its institutions at will. This is the fundamental principle of the institutions of the United States, and cannot be denied or controverted, without impeachment of the wisdom and virtue of our fathers of the Revolution, nor without the renunciation of every thing which is peculiar or



valuable in the constitutions, whether of the United States, or of the individual States. It is a right, which belongs to *every people*; and it belongs to a European colony in America, not less, but more, than to any other description of people. The Canadians have all these grounds of right to reform their government, and to institute a new one, in such form as may best promote their own happiness; and they have another, which is equally sacred,—they are *a conquered people*. Great Britain acquired her dominion over them by *force*; they do not owe allegiance to her as an original colony of hers; and surely, if there be any case in which a people may of right throw off the authority of those who govern them, it is when these last are *foreign conquerors*; and which is the precise relation of Great Britain to the Canadas.

We do not propose to look at this question in any bearings which it may be presumed to have upon supposed interests of our own. Our aim has rather been to consider it as a question of political right. We look with solicitude, personally, to the issue of the event, because the triumph of the people will be a triumph of liberty—of democratic principle—of the right of self-government; but at all events, it must be the duty, and of course the determination and the endeavour, of the United States, to avoid any compromise of its neutrality, by taking sides either with the colonies against Great Britain, or of Great Britain against the colonies.

On a calm view of the whole subject, no one can, it appears to us, entertain the preposterous idea of the possibility of the continuance of the colonial relation between the Canadas and Great Britain. It is utterly contrary to the spirit of the age. Thank God, the period of force, of armed violence, is passing away from the world, at least, from those countries enlightened and liberalized,—as England has been preeminently,—by the influence of the genius of Commerce. The idea of an armed struggle for dominion over a powerful colony, by England, at this day, is too absurd. A large proportion of the party now in the ascendancy in that country, has long been utterly opposed to the whole system of foreign and colonial policy, maintained by England under the auspices of those anti-liberal principles which are now fast passing away in the mother country itself. A majority of the people of the Canadas desire to be free,—to govern themselves on the pure representative principles of which they have so glorious a model perpetually before their eyes; and they are so unreasonable as not to feel contented to go down to the sea shore\* to greet rulers sent to them from across an ocean three thousand miles wide! It is enough. They must become free whenever they will it.

The question is of no importance to us. There is nothing to be desired by us in the prospective annexation of the Canadas to our Union. That event may happen,—or those provinces may maintain

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\* Paine.



a friendly independence. We have no material objection to the English neighbourhood. Any serious disturbance of friendly relations between the two commercial sister countries, Great Britain and our Union, is an event not less impossible, now, or hereafter, than it would be to roll back the lapse of time, and resuscitate the passed and buried centuries. Nor is there any thing to be either desired or deprecated in the proximity of a kindred republic on the banks of the St. Lawrence. It could not influence, in the slightest degree, either our safety or prosperity. Nor would there be any benefit to them in a participation in our federal union,—at least no greater benefit than would attend a sovereign independence, provided they should follow, which would doubtless be the case, our great principles of republican freedom at home, and peaceful commerce abroad.

And yet we are not haunted with that idea, which we hear so frequently expressed, of 'the danger of extending our already overgrown territorial limits.' This is one of those false ideas which has been bequeathed to us by the Past,—that Past which was terminated when the American experiment first dawned upon the world as the commencement of a new era. That idea is evidently correlative to the one of strong central governmental action. A strong central government cannot, indeed, maintain the cohesion of extended territories, of diversified peculiar interests, beyond certain limits. They follow the mathematical law of all radiating forces—the strength of their action diminishes in inverse proportion to the square of the distance; beyond a certain circular limit it must be inoperative, except by such convulsive effort as must derange and disorganize the whole system. Such a territorial dominion, is then 'overgrown' and unmanageable. But those terms can have no proper applicability to a federal republican system, on the principle of diffusion of power on which ours is based. The peculiar characteristic of our system,—the distinctive evidence of its divine origin (that is to say, its foundation on those original principles of natural right and truth, implanted by the Creator, as the first moral elements of human nature)—is, that it may, if its theory is maintained pure in practice, be extended, with equal safety and efficiency, over any indefinite number of millions of population and territory. In such a federative system,—in which every individual portion is left free to its own self-government, and to the cultivation of its own peculiar interests, with the sole restriction, of respect for the equal rights of other portions, and under the protection of a federal union, of strictly defined powers, to give some degree of uniform national organization to the whole mass, in its relations with foreign powers,—every part has an equal interest in the maintainance of the system, and its great principles. The vitality is not forcibly propelled from the centre to the extremities, but is diffused equally throughout all the parts; and it is only necessary for the latter to contribute a suf-

ficient degree of the vital energy *towards* the centre to keep alive the general unity of the national body. Such a system is, from its nature,—if its great principles are only preserved sound and pure,—as applicable on a large scale as on a small one; and we can see no reason why, at some future day, our ‘experiment’ should not be in successful operation over the whole North American continent, from the isthmus to the pole.

Yet in this supposed gradual extension of the federal union,—if such should be the tendency of future events,—the benefit of every successive accession enures not to the main body, but to the new member added; the former has no interest in it. The natural distrust of the future and the unknown, however clear probabilities may seem, might make it rather the part of prudence to decline the accession which cannot add any material benefit, and may, possibly, do harm. In discussing freely, therefore, the question of the relations between the Canadas and the mother country, we shall not be suspected of a hankering after an extension of our own territory. We look upon the subject only in the light of general principles,—and may, without impropriety, and without violating the spirit of perfect neutrality, express ourselves with entire freedom upon it. No American, sincerely and understandingly imbued with American principles, can refrain from feeling a deep sympathy in a cause so closely analogous with that of our own Revolution;—and feeling, there can exist no consideration to check the free expression of it. At the same time, we hold all actual participation in the contest, whether by individuals or bodies of men, to be highly improper, and equally a violation of our national neutrality (which the individual citizen is as much bound to hold sacred as the organized government) and inconsistent with a philosophical view of the principles involved. If the Canadian *people* will to be free from their dependence on a foreign country, they have but to arise in their strength of mass and say so;—they need no assistance of money or volunteers from us. If it is not the will of the *people*,—or if that will is not sufficiently strong to carry them through the ordeal of revolution,—we ought not yet to desire it. In neither case ought we to exert any other interference, than that moral influence of sympathy and approbation, of which no human power can rightfully restrain the expression. This has been freely done on many former occasions—witness the struggles for freedom of the Greeks, the Poles, or, still more applicably, of the several Republics which have successively risen to independence in the New World. We shall not, of course, be understood as comparing the British dominion over the Canadian colonies, to the illiberal and brutal tyranny against which the rights of man were struggling for emancipation in those cases; yet that does not touch the question. If freedom is the best of national blessings, if self-government is the first of national rights,

and if the 'fostering protection' of a 'paternal government' is in reality the worst of national evils—in a word, if all our American ideas and feelings, so ardently cherished and proudly maintained, are not worse than a delusion and a mockery—then are we bound to sympathize with the cause of the Canadian rebellion, with the most earnest hope that success may, with as little effusion of blood as possible—why should it flow!—crown it as a Revolution. What may be the immediate issue of the contest, none can presume to prophecy. But even though the present unprepared rising should be crushed, it is evident that the fiat of separation has gone forth beyond recall. The breach already existing, and stretching wider every day, can never again be closed and cemented. Least of all can it be rationally expected, that the fire and sword, as they are reported (we hope without truth) to have been tried at St. Charles, can effect that object. The end is at hand; and it would far better become the noble nation which would itself be the first to dare and sacrifice all in such a struggle, to resign at once, with magnanimity and mercy, an unnatural dominion which it will cost seas of human blood to attempt to retain. In fact, we look with not less deep interest to the news from England, than to the events of the contest in the Provinces. May she be true to her own best interests and highest glory!

But one more remark in connection with this subject. One of the 'signs of the times,' which must strike foreigners, and even liberal members of the anti-popular party among ourselves with surprise, is the disposition which is manifested by many citizens, and not a few respectable presses, of the United States, to frown upon the infant revolution—to disparage the efforts of the Canadians, and the character and principles of the able and respectable men, who, like the Otises, the Adams, the Henrys, and the Franklins of our own Revolution, happen to be placed, by their patriotism, and the confidence of their countrymen, in the front of affairs, as the auspicious champions of the cause of liberty and independence,—and this in the United States,—a government founded on colonial revolution, and of which the vital principle is, the right of every people to have such form of government, and such governors, as it may in its supreme discretion choose! But there is nothing in it that excites our surprise. There has always existed among us a party, respectable in numbers as well as in wealth and education, entertaining an inveterate distrust of, and dislike to, the people and popular principles. And here recurs the broad line of demarcation between our parties, which we can trace on every question that arises. We might point to several leading Whig papers, whose sympathies in every case arising, involving a collision between popular and anti-popular principles, in the affairs of foreign nations, flow, invariably because naturally, in behalf of the latter. It is in fact one of the best tests to apply to the professed republicanism of Americans,—

to ascertain whether it is a sound and pure principle, understandingly believed, and feelingly cherished,—to put them on foreign ground, and observe the side, in the struggles of the two causes there perpetually in progress, their sympathies incline to. This is a test which does not often fail. We by no means intend to apply this reproach to the whole Whig party, or its entire Press. Far from it. There are many variations in degree in the anti-popular bias of sentiment which is, as a whole, their general characteristic; and a large proportion of them are soundly democratic at heart, if they but knew it, and are only excited to oppose a democratic Administration from adventitious causes, and by deceptive appeals to the very principles which ought to make them its earnest supporters.

With respect to the Canadians, we are glad to say, that the number of the papers from which they have to experience this illiberality, is comparatively small. As a whole the people of the Union manifest a warm interest in their cause. We are bound, morally bound, to sympathize, in this, as in every other question, with that party which has the weight of natural justice on its side. And as Americans, as the citizens of a country elevated to greatness by virtue of the very claims to self-government which the Canadians assert, it is impossible to repress the emotion of candid good will towards them, and of ardent aspirations for the honorable success of this new family of worshippers at the holy Shrine of Liberty.

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### SONNET.

Written after reading the translation, from the Greek Anthology, of Meleager's epitaph on his young daughter, published in the United States Magazine and Democratic Review, for October, 1837.

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And was this all, fond sire, thy faith could say,  
 O'er the sweet flowret torn from thy embrace,  
 "Yield, mother mild, a soft and kindly place,  
 And gently lie upon her mouldering clay!"  
 Cold, joyless creed! Oh how beyond compare,  
 Our heav'n-taught hope excels thy utmost art,  
 To fill with balmy peace the broken heart,  
 And cheer the soul, by calm, confiding pray'r!  
 "The precious dust we give, in tears, to thee,  
 Earth, safely keep," the Christian parent cries,  
 "Till the glad hour when all the dead shall rise;  
 And, FATHER, grant, that then my lot may be,  
 To join my lov'd one in her native skies,  
 And there forever dwell with her and Thee!"

B. F. B.

