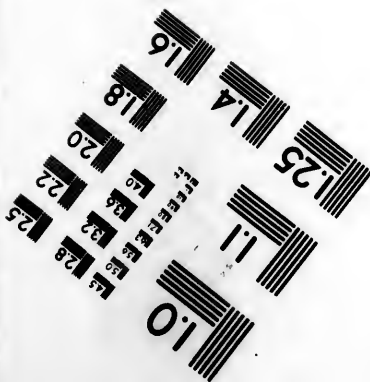
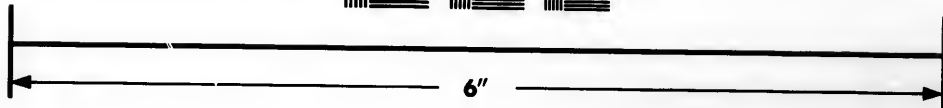
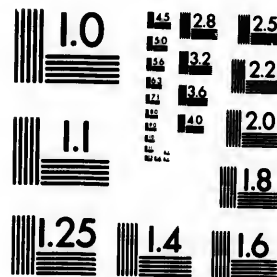


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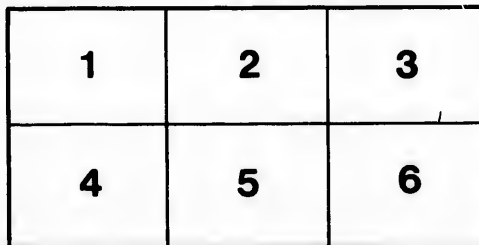
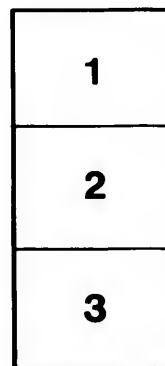
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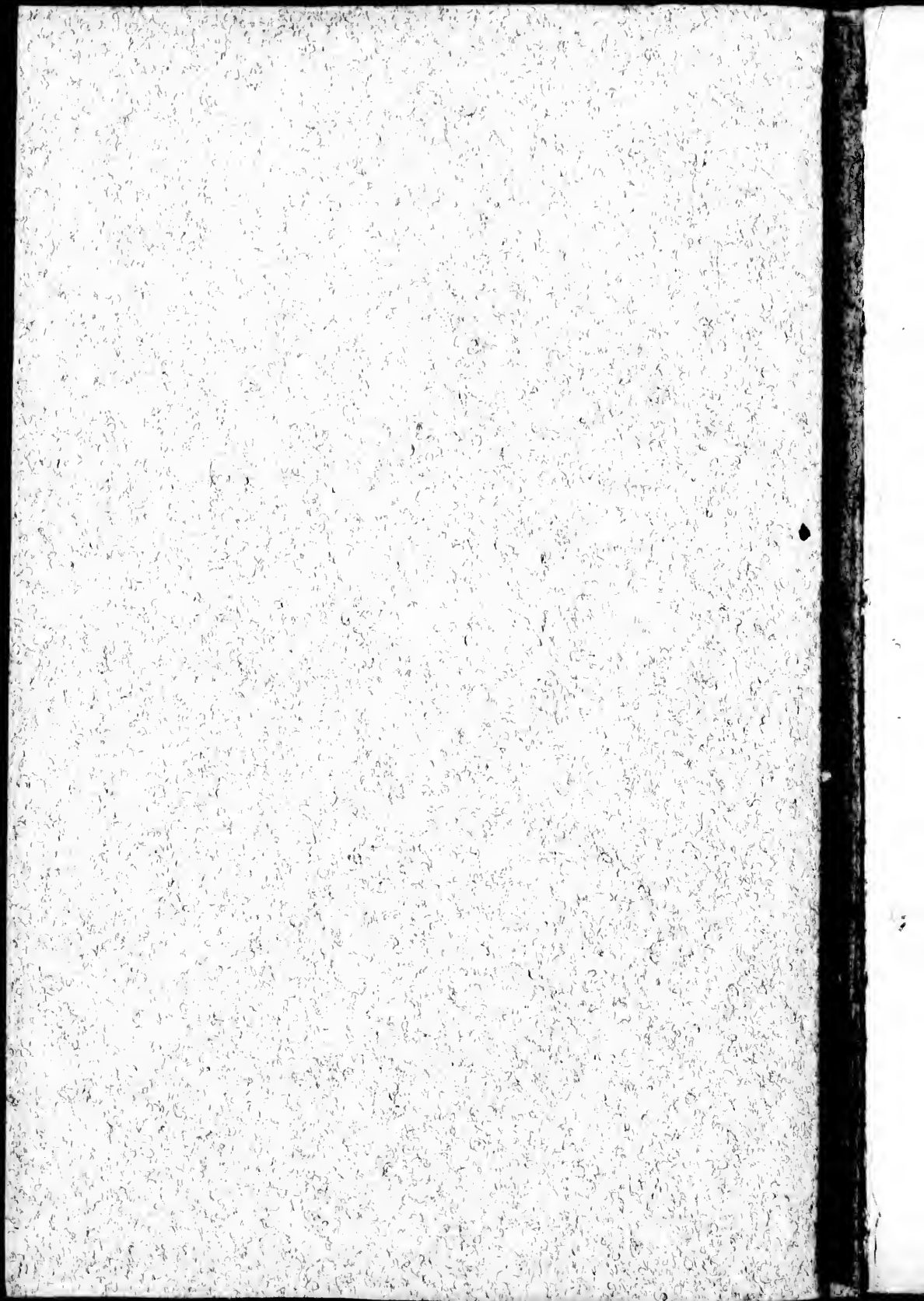
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THE
AFFAIRS
OF
THE CANADAS.

IN A SERIES OF LETTERS.

BY
A CANADIAN.

*“Correct every real grievance, but maintain the happy Constitution inviolate.”—
His Excellency Sir Francis B. Head, and the People of Upper Canada.*

LONDON:

PRINTED BY J. KING, COLLEGE HILL, LONDON.

1837.

TO THE MEMBERS
OF
THE BRITISH PARLIAMENT.

MY LORDS AND GENTLEMEN,

The following summary view of the rise, progress, and present state of the principal questions which have, of late years, agitated the Canadas,—and which are, at the present time, destroying the peace and blighting the prosperity of Lower Canada,—is most respectfully dedicated to you, by a sincere lover of his country, an humble admirer of the Monarchical Government of Great Britain, and a devoted friend to the unity of the British Empire.

A CANADIAN.

*20, Guilford Street, Russell Square,
January 28, 1837.*

CONTENTS.

PREFACE.

	Page
Author's reasons for writing these letters—Testimonies of the Canadian press—Why anonymous	i

LETTER I.

To Messrs. Hume and Roebuck.

The demands of Messrs. Hume and Roebuck and their Canadian confederates—What those demands involve	5
--	---

LETTER II.

To the same.

Former character of the Canadian Executives—Committee of the British House of Commons on the civil Government of the Canadas in 1828—Complaining parties in the Canadas satisfied with the report of that committee—Improvement in the spirit and administration of the Canadian Executives since 1828—Split amongst the Canadian "Reformers" in 1833—One shade of them change their ground from complaints against abuses, to a war against the <i>Constitution</i> , to which they had heretofore expressed a strong attachment—This crusade against the Constitution of the Canadian Government originated with Mr. Hume and Mr. Roebuck—Proofs—Extracts of letters written by Mr. Hume and Mr. Roebuck	9
--	---

LETTER III.

To the same.

When a change in the <i>Constitution</i> of the Canadas was first advocated in Lower, and afterwards in Upper Canada—Extracts from the constitution of the " <i>Canadian Alliance</i> " Society, Mr. Roebuck's letter, May, 1835, Mr. Papineau's speech, November, 1835, in favour of a "pure democracy" in the Canadas—Character and progress of this republican spirit—"Grievance Committee" Report of the Upper Canada House of Assembly in 1834, on which all Mr. Hume's attacks upon the Canadian Executives, during the last Session of Parliament, (1835-6) were founded—how that document was got up and sent to England—People of Upper Canada not Republicans—Proofs—Extract from an address of the Upper Canada House of Assembly to His Excellency Sir Francis Head, the 15th of November, 1836, (note.)	15
--	----

LETTER IV.

To the same.

Hostility of the French party in Lower Canada to British commerce, British immigration, and British inhabitants—Proofs—Extracts from the <i>Minerve</i> and <i>Canadien</i> newspapers, a speech of Mr. Rodier, Member of the Assembly, and an address of Mr. Papineau	
--	--

	Page
to the electors of the West Ward of Montreal—Conclusions— P.S. Extracts from a French pamphlet circulated <i>only</i> in the country parts of Lower Canada	21

LETTER V.

To the same.

Three alternatives in Governing Lower Canada—Position of the British and French inhabitants—effect of continuing the French language in legislative and judicial proceedings—The British in- habitants opposed to Mr. Roebuck's schemes—Character of the French inhabitants by a French nobleman—Treatment of them by the British Government—Proceedings of the Legislative Coun- cil and House of Assembly on the subject of education—Mr. Roe- buck's statements respecting the Canadian Timber Trade, (note)	28
--	----

LETTER VI.

To the same.

Remarks on the attacks of Mr. Hume and Mr. Roebuck upon the Ca- nadian Executives, Legislative Councils, and Land Companies— The authority on which Mr. Roebuck's statements are founded nu- gatory—More persons of French than of British origin have been called to the Legislative Council and appointed to office in Lower Canada during the last eight years—Mr. Roebuck's "responsible government" incompatible with the <i>colonial</i> relation—Responsi- bility of the colonial Executives as at present constituted—The several objections urged by Mr. Hume and Mr. Roebuck and their Canadian associates against the Canadian Legislative Coun- cils and Land Companies stated and answered—What desired by the author in behalf of the inhabitants of the two Canadas— The influence of the debates of the Imperial Parliament upon the public mind in the Canadas (note)	37
---	----

LETTER VII.

To His Majesty's principal Secretary of State for the Colonies.

Defence of His Excellency Sir Francis Head against the various alle- gations of Mr. Hume and his anti-Constitutional associates in Upper Canada	54
---	----

LETTER VIII.

To the same.

Lower Canada—Inferences from the preceding letters—Present politi- cal aspect of the province—Immediate interference of Parliament necessary—Three things must not be done—Remedies suggested —Interest of Upper Canada in the adjustment of Lower Canada affairs—Pernicious effects of permitting the unconstitutional pay- ment of £1,100 per annum to Mr. Roebuck (note)—Concluding remarks	70
--	----

P R E F A C E.

THE author of the following Letters is a native of Upper Canada,—the son of an “United Empire Loyalist,” who has been an officer in His Majesty’s service since the commencement of the American revolution, and has resided in Upper Canada the last forty years, during the greater part of which period he has filled important public situations, such as High Sheriff, Colonel of Militia, Chairman of the Quarter Sessions, &c., in the London District. The author had no political object in view in his visit to this great country of his forefathers; but he came accredited by honorary letters of introduction and recommendation from SIR JOHN COLBORNE, and other gentlemen of the first respectability in both the Canadas. The circumstances under which he has been induced to intrude upon the notice of the British public are sufficiently explained in the following note, addressed by the author to the editor of the journal in which these letters (except the 8th and the Notes) originally appeared:—

“Sir,—During a period of several years the peace and interests of the Canadas have been seriously injured, and the measures and wishes of his Majesty’s government have been greatly embarrassed and retarded, by the statements, representations and proceedings of Mr. Hume and Mr. Roebuck, and their Canadian associates.

“I believe that a plain and full exposure of the statements and conduct of these parties, and a fair vindication of the British and constitutional interests of those valuable provinces, has never been attempted by any person familiar with the subject, and personally acquainted with the state of things in that country. Erroneous impressions have, therefore, been made on the public mind in this country respecting the state of affairs and parties in the Canadas, and those noble possessions are in danger of being wrested from the British Crown.

“The affairs of the Canadas are come to a crisis, and His Majesty’s government and the British parliament are now called upon and obliged to interfere.

“Under these circumstances, I solicit, on behalf of both England and the Canadas, a place in your journal (as the most extensively circulated, and the most generally read by all parties) for a few letters on Canadian affairs.

“For the information of your numerous readers, respecting myself it may be requisite for me to add, that I am, what I assume to be, a *Canadian*, by birth and education, recently from Canada, from which I have never been absent two years

in my life. All my feelings and connexions are Canadian. I am personally acquainted with most of the public men and party leaders in one province, and with several of them in the other. I have travelled throughout the whole country, and know the character, state, and feelings of the inhabitants. I have been a regular reader of nearly every newspaper of any consequence, of all parties, in both provinces for many years past. I have never received a favour from government, nor has any of my relatives. I am entirely unassociated with any contending party in the Canadas, nor have I any interest whatever in the appointment of any individual to, or removal from, office.

"But from what I have personally witnessed in the Canadas, in the United States, and in England, I have a decided preference for Monarchical Institutions. I believe them to be as essential to the best interests and happiness of the Canadas as of Great Britain. I am anxious that those provinces should continue in connexion with, and subject to, the crown of Great Britain. I also owe a duty as a British subject. I am, therefore, induced—I may say I feel myself compelled by a sense of duty—to step out of my accustomed retirement, and attempt an exposition of the general affairs of the Canadas. That exposition I now submit to the grave and candid consideration of British statesmen, and of an enlightened British public.

"I have the honour to be, Sir,

"Your obedient humble servant,

"A CANADIAN."

"London, June 1, 1836."

By the foregoing note, as well as in the following letters, it will be seen that the questions of Canadian agitation have not been arrayed against, or identified with, any political *party* in England. The author's simple object has been to remove, as far as possible, the obstacles to the adjustment of Canadian affairs which have embarrassed successive administrations, and to rescue the Canadas from those prejudicial suspicions which had been created in political and mercantile circles by Mr. HUME and Mr. ROEBUCK.

The following letters do not *now* come before British statesmen and merchants as unauthenticated *ex parte* statements. The statements on which the principal arguments are founded have been confirmed by recent occurrences in the Canadas, as shown in the Notes; and the entire series (except the 8th and the Notes) has been republished and widely circulated in those provinces, without any answer being attempted by the Canadian republican writers. They have indeed vented a few paragraphs of abuse against the supposed author of these letters—showing that they would have refuted his statements and arguments had they the requisite materials: but the British public well know that nibbling personal attacks are not argument, but are proofs assumptive of the want of it. As testimony corroborative of what has been advanced in these letters, the author selects the following out of numerous similar notices respecting them, which have appeared in the Canadian newspapers. *The Patriot* newspaper (published in Toronto, Upper Canada) of the 15th of November, 1836, says,—

"There is nothing at which Upper Canadians have more reason to rejoice than the circumstance of their affairs being now, from time to time, laid open to the British public through the medium of the London press. For this the province is greatly indebted to ——— [naming the supposed author of these letters]. That gentleman, in the course of the last summer, published in the London *Times* a course of letters addressed to Messrs. Hume and Roebuck, admirably calculated to expose to the people of England the nefarious and seditious proceedings of those despicable men and their miserable tools here. These letters were republished in *The Patriot*, and, we believe, in most of the Conservative prints,—doubtless with salutary effect. Doctor Duncombe's journey to London, to poison the minds of the people of England against his Excellency Sir Francis Head, by monstrous false allegations of misfeasance in his government,—which his Excellency could have no opportunity of denying—has elicited from Mr. ——— another masterly production, which he has addressed through the London *Times* to the Right Hon. Lord Glenelg, His Majesty's Principal Secretary of State for the Colonial Department. We call it masterly, but that is a cold term whereby to express our high admiration of its merits." * * * "We regret our inability to give Mr. ———'s (7th) Letter in this number, but will commence it in our next, and shall not be able to finish it until the next after, it occupying four closely printed columns in the London *Times*. It is probable that, after it is completed in type, we shall print off some copies in pamphlet form, as it is desirable it should find its way into every family. It ought to be circulated by thousands."

(From the same Journal, Nov. 18.)

"The letter of 'A Canadian,' which we give to-day from the London *Times*, is of so interesting a character, so full in explanation—so fervid and vigorous in defence of right—so lucid and effective in the exposure of perfidy, and so triumphant in the frustration of the knavish tricks of the sneaking enemies of Sir Francis Head, and the people of Upper Canada, that we could not reconcile its separation into two parts with our ideas of the impatience which must be felt by the good people to peruse the vindication of their justly cherished friend and champion from the false and malicious accusations of his and their wretched maligners. Therefore have we given it entire, although it occupies so large a portion of our impression. Following it is the identical petition of Dr. Duncombe, which drew forth this admirable letter of 'A Canadian.' Read that petition our subscribers; read it every man, woman, and child in the land; read it reformers and non-reformers, constitutionalists and revolutionists, monarchists and pure democracy men, and find us, if it be possible, a single human being with effrontery enough to speak of it approvingly. That the celebrated Joseph Hume should have identified himself with this Dr. Duncombe in foisting before the British parliament such disgusting rigmarole, exhibits a feature in his character which marks him fitter for the hostler of an inn than for a representative of Middlesex."

The *Montreal Gazette* (Lower Canada) of the 19th of November, observes:—

"——, the author of a series of powerful letters in the London *Times*, under the signature of 'A Canadian'—to which we have already given insertion—has come forth in a seventh, of some length, in defence of Sir Francis Head, from the numerous charges made by Mr. Hume, in the House of Commons, founded on the exparte statements of Dr. Duncombe. This letter we present to our readers to-day. It will be found characterized by the calm and forcible arguments of its predecessors, the moderation of its style, and the pointed application of its facts and references. The inconsistency between Dr. Duncombe's political opinions of 1835 and 1836, is prominently brought into contrast, in a manner not very favourable to the Doctor's political reputation, as well as the friendship now existing between Dr. Duncombe and Mr. Hume, and the opinions but recently expressed by the former regarding the latter. The constitutional party owe much to the activity and perseverance of the author of these letters, for the able *exposé* of Canadian affairs he has volunteered for the information of the British public."

The following sentence from the editorial remarks of the *Kingston Chronicle* (Upper Canada), November 30th, will conclude these extracts:—

“The masterly letters which have from time to time appeared in the London *Times* signed ‘A Canadian,’ must have had a powerful effect in opening the eyes of ministers to the *real* state of our affairs, and of the views and objects of that party, who, with an industry that would be highly creditable in an honourable cause, have ceaselessly endeavoured, by the most wilful and shameless disregard to truth, to mislead the people in England with regard to the true state of the affairs of this colony, by means of their paid agent, Mr. Roebuck, and that apostle of misrepresentation and falsehood, Mr. Joseph Hume.”

One word as to these letters being *anonymous*. 1. The statements and arguments advanced are, the author conceives, sufficiently established, independent of his name. 2. His name is already known where it may be considered of any importance to what he has written. 3. He has no desire to become conspicuous in the matters respecting which he has been reluctantly induced to trespass upon the attention of the British public. 4. From the tenderness of his age, and other personal considerations, he would not have been emboldened, under his own proper name, to have expressed himself with that freedom which the occasion required, and his personal knowledge of the affairs of the Canadas authorised. The name of the author is, however, at the service of any gentleman who chooses to inquire of the printer.

LETTERS
ON
THE CANADAS.

LETTER I.

*To Joseph Hume and John Arthur Roebuck, Esquires, Members of
Parliament.*

Sirs,—The possession of the Canadas has been acquired and maintained by Great Britain at the expense of a vast amount of British treasure and blood. They embrace a territory of 360,000 square miles, the greater part of which is mild and healthy in climate, fertile in soil, unexcelled in internal navigation, and amazing in its resources of production, trade and commerce. Those provinces, so extensive, so valuable, so greatly improved, and so rapidly improving, are on the verge of being lost to the British Crown—of being lost, not on account of disaffection in the minds of any considerable portion of the inhabitants to British Government, but by means of the inculcation, diffusion, and adoption of political theories (under the name of civil rights) which involve the annihilation of every prerogative of the King and British Parliament; a change in the entire character of the social institutions of the country; and the substitution of an independent democracy for British Colonial Monarchy.

That this is the state of things in the Canadas is now matter of notoriety; but the extent to which this state of things exists, who are the authors of it, and the influence which it is likely to exert upon the mutual interest of the Canadas and Great Britain, together with the remedies it demands, is not so well understood,—is indeed but little known in this country. This desideratum I will endeavour to supply.

And at the outset, I do not hesitate to affirm, nor do I doubt of being able to demonstrate it, that you, Sirs, are the principal authors of that unsettledness which now shakes the throne of British power in the Canadas; and if those fine countries be virtually or rudely severed from the parent state, with you will rest the responsibility and guilt of it.

The first part of the subject resolves itself into two parts. 1. What are the demands of the Canadian parties that you patronize and represent? 2. Did those demands originate with them or with you?

As to the demands of the Canadian parties, I refer not to them all; I refer only to those demands which distinguish them as parties from the rest of the inhabitants of the Canadas, and which distinguish you as their advocates. The nature of those demands I trust will not be disputed, as they are stated at great length in a recent address of the Lower Canada House of Assembly to the King, which has already appeared in several of the British journals. I will, therefore, only state them briefly:—1. A Legislative Council (or House of Lords) chosen periodically by popular election, instead of its members being appointed for life by the Crown. 2. Absolute control by the local assemblies of all colonial revenues—those which arise from the sale of Crown lands, as well as all others. 3. An Executive Government, wholly dependent upon, and responsible to, a local legislature thus constituted. 4. The abolition of the Canadian Land Companies. 5. The entire management by the local legislature of the Crown lands. 6. The establishment of the local institutions, and the appointments to public offices upon principles of popular election. (*a*)

Such are the leading objects of the Canadian parties with which you stand individually and officially identified, and whose measures you publicly advocate. I will here pause, and respectfully request the British reader to re-examine the foregoing paragraph, and will then ask him, what do the objects therein enumerated involve? Do they not involve a total subversion of British power and authority in the Canadas? Is not a large portion of the power of the British Crown extinguished by wresting from it the election or appointment of one co-ordinate branch of the Legislature? Is not a great part of the rest of the Royal power destroyed by the proposed annihilation of the control of the Crown over

(*a*) These objects are stated in the words of the Canadian Republican parties in the *third* letter.

all the Crown revenues, and even the Crown lands themselves? And is not British power completely extinguished in the Canadas, when the Executive Government, together with its officers, is made directly responsible to the local elective assemblies, instead of being responsible to the King and British Parliament? I again ask the intelligent reader, what these avowed objects of yourselves and your Canadian confederates imply? even apart from the proposed abolition of British companies incorporated by royal charters and acts of Parliament, and therefore having the pledge of the British nation for the security of their property and interests. Is not your colonial reform, then, unqualified republicanism—nay, downright democracy? Is not your colonial “self-government” complete independence? And, supposing your objects to be accomplished, I ask wherein has Great Britain an iota more control or power over the Canadas than she has over any state of the American Republic? In such a case, will not the Governor himself be the poor powerless creature of a local assembly, instead of being the representative of the King’s Government? The omnipotent two-fold elected assembly would indeed send back a British Governor in a trice, as the parties you represent are now striving by popular meetings to accomplish already in respect to his Excellency Sir Francis Head, so lately appointed Governor of Upper Canada. And would you, would any Englishman of common sense, vote hereafter for the appropriation of a sixpence for the commercial and political protection and defence of a country over which neither the King nor Parliament has a shadow of control, and in which Great Britain has not a penny of revenue or property?

Be it remembered then, Sirs, that your present objects are not the correction of real or alleged abuses in the administration of the Canadian Government; for it is admitted that the utmost efforts of His Majesty’s Government and its representatives in the Canadas have, for several years past, been directed to the investigation and correction (as far as the adverse complaining party has permitted) of every practical evil heretofore complained of. So much so, that your confederates in Upper Canada can scarcely invent a single grievance of a practical nature, but are directing their whole attention to theoretical questions. Your objects, therefore, are not improvement in the practice or administration of the established Government; but they are, in every instance, changes in the constitution of the Government, and changes too, which in every instance involve a transfer of the revenues, property, and power

of the Crown and British Parliament to the local assemblies; or, in other words, changes which involve the annihilation of British dominion, and the establishment of an independent Republic in the Canadas.

Will the reader, will any British heart, sanction such a project? Shall the thousands and tens of thousands who have settled in those noble provinces, under the pledged faith of British national honour, and who have fought in defence of British authority and interests, be rudely or clandestinely severed from the land of their fathers, and be sacrificed to the cupidity of an adventurous party of agitation traders in the Canadas, and their commissioned advocates and partizans in England? I trow not.

In my next I will show how far you have contributed to originate the present agitations in the Canadas, and to bring them to this perilous crisis.

I am, &c.

A CANADIAN.

London, June 1, 1836.

LETTER II.

Sirs,—In my last letter I showed that the objects which you and your Canadian confederates propose is nothing less than the subversion of the British, and the establishment of an independent republican Government in the Canadas.

I proceed now to state the part which you have taken in originating and promoting these objects. I must, however, premise a few general observations. In former years partialities and abuses did exist in the administration of the Canadian Governments, that, in my opinion, justified the greater part of the complaints which were at that time made against them. The character of the Government of Lower Canada was exclusive; its acts were, in many instances, partial, and its general mien was rather haughty. In Upper Canada the administration of the executive power was equally exclusive; favoritism prevailed, in many instances, over merit; the more numerous religious denominations were not authorized to hold even a foot of land for chapels, &c.; and the affairs of the province generally were administered in the letter and spirit of high ultraism.

Such was the state of Canadian affairs when a select committee of the House of Commons was appointed in 1828, to investigate into the civil government of the Canadas. With the report of that committee the complaining parties in the Canadas expressed themselves well satisfied, especially the House of Assembly of Lower Canada.

Though all the objects recommended by that committee have not been carried into effect so early and so extensively as has been desired both by His Majesty's Government and its best friends in the Canadas, yet, every Colonial Secretary of State, from that time to this, has inquired into and proposed remedies for more or less of the subjects of Canadian complaint. The Royal despatches which have from time to time been sent out to the Canadas, have been most liberal in their character, and have afforded ample proof of the anxious attention bestowed upon the interests of those provinces on the part of His Majesty's Government. The local administrations, under the direction and influence of successive royal instructions, have undergone an entire change in their spirit and

character, and to some extent in their very composition. In Upper Canada, the appointments to the offices of magistrate, &c., have, for several years past, been impartial, even upon the confession of the majority of the Radical journals; no complaints of any importance have been made against the administration of justice; civil disabilities on account of differences in religious faith have been entirely removed; openness and impartiality have, for the most part, characterized the administration of affairs in that province. This improved spirit in the government has been so apparent, and the former grounds of complaint have been to so great an extent already removed, that a great proportion of those who formerly complained of grievances have gratefully acknowledged the obvious intentions and efforts of His Majesty's Government to redress those grievances, and have become its decided supporters. In Lower Canada, the Royal efforts made to improve the local government and to advance the interests and happiness of the province, have not been equally successful; but, as one who has always desired the removal of every obstacle to the good government and improvement of the Canadas, I am bound to say, that the exertions of the King's Government and of successive Governors have not been wanting to redress every real grievance complained of—to reconcile adverse parties—to promote the interests of all, without sacrificing the rights or liberties of any. The leading French politicians, flushed with the success of their former representations,—supported as they had been by a very respectable portion of the English inhabitants,—began to conceive higher objects; even nothing less than the establishment of their ancient nationality and ascendancy in the province. In the development of this feeling may be found the cause why the remedial measures of the King's Government in respect to Lower Canada have not been carried more fully into effect. The objects contemplated by these Frenchmen became apparent in the legislative session of 1833 when Mr. Neilson, of Quebec, and other liberal English inhabitants, who had heretofore been associated with Mr. Papineau and the majority of the Assembly, seceded from them, and declared their determination to maintain their former professions and principles in supporting the Constitution of the country. That portion of the grievance party leaders in Upper Canada, who had been influenced by no higher motives than self-interest and aggrandizement (for there is this description of characters in all political parties), perceiving the gradual correction of evils without their rising to places of power and emolument, began now to make

common cause with the French Republicans in the Lower province, and to demand certain changes in the Constitution, and the concession of certain prerogatives of the Crown. The grounds of complaint, as well as the character and composition of these parties in both the Canadas, have therefore become essentially changed since 1828, or even since 1832. Formerly warm and unqualified attachment to the Constitution of the country, as well as to the Royal person and government, was expressed in every address: now, the Constitution is denounced *in toto* as radically vicious. Formerly it was a war against abuses; now it is a war against the Constitution, and against every man in authority, and even against the authority of the King's Government, as will fully appear in my next letter.

The inquiry now arises, with whom has this change from reform to revolution in the politics of the Canadas originated? I answer, unhesitatingly, with Mr. Hume and Mr. Roebuck. Of this I have been fully convinced since 1833. As the suggestion and commencement of all such schemes take place in secret, I cannot, of course, prove my assertion to a moral certainty. I will, however, submit my reasons to the consideration and judgment of the British reader, and leave him to decide.

In 1831-2, two political persons from the Canadas were in London. The one, Mr. Viger, was agent of the House of Assembly of Lower Canada; the other, Mr. Mackenzie, was agent for a grievance party in Upper Canada. Those gentlemen, during their protracted stay of nearly two years in London, were in constant and intimate communication with Messrs. Hume and Roebuck; who, it has since been ascertained, (but was not known then in the Canadas), were theoretically hostile to the Canadian constitution of Government; who maintained that most important established prerogatives of the Crown should be transferred to the local assemblies—that the colonial legislatures ought to be modelled anew, and should, in fact, be as sovereign as the Parliament of Great Britain.

Now, up to the time of Messrs. Viger and Mackenzie's leaving London for the Canadas in 1832-3, the idea of interfering with the Royal prerogative, or changing the constitution, was never mooted by either of the complaining parties in the Canadas, but was expressly disclaimed by both parties; and when they were charged by some of their warm opponents with being republican in their feelings and views, and with meditating a change in the established constitution of the country, they repudiated the charge as an unfounded and wicked calumny. So far

was even the French House of Assembly of Lower Canada, up to that period, from advocating the repeal or subversion of the constitution, that on the 28th of January, 1831, they concluded an address (agreed to unanimously), to the Governor-in-Chief, in the following words:—
 “It will be our earnest desire that harmony may prevail among the several branches of the Legislature, that full effect may be given to the Constitution as established by law, and that it may be transmitted, unimpaired, to posterity.” The addresses of the Assembly of Upper Canada have breathed a similar spirit, and expressed the same sentiments up to 1835. But on the return of Messrs. Viger and Mackenzie to the Canadas in 1833, the questions of the defectiveness of the constitution and the necessity of altering it—the prerogatives of the Crown, and the importance of superseding them by the increased power of the Assembly—an elective Legislative Council, &c., began to be agitated, first in Lower, and afterwards in Upper Canada, (for Mr. Viger returned to Canada a few months before Mr. Mackenzie). But, when the proposition for even an elective Legislative Council was first brought before the Lower Canada House of Assembly, it was negatived by a considerable majority, many of the French party not having yet been schooled into the ulterior schemes of Messrs. Viger, Papineau, Hume, and Roebuck; nor was the question of an elective Legislative Council ever debated in the Assembly of Upper Canada until since January, 1836. These organic changes in the constitution have, however, been contended for by Messrs. Viger and Mackenzie, and those who have joined them since 1833; and they have declared that Messrs. Hume and Roebuck, “the best friends to Canadian rights and interests”!!! had assured them that such changes were absolutely necessary, in order to the inhabitants of the Canadas becoming “a free people.”

The cautious reader will probably reply, that these circumstances, though strong, do not definitively fix the authorship of the schemes of Canadian independence upon Messrs. Hume and Roebuck; I admit they do not; nor will I ask his verdict without adducing further corroborating testimony. In addition, therefore, to the assertions of the Canadian party leaders whom you represent, I will submit to the reader what must have been the advice of Messrs. Hume and Roebuck to Messrs. Viger and Mackenzie in 1833, when, on the 4th of September of the same year, Mr. Hume addressed a letter to Mr. Henry Taylor, of Lower Canada, which contains the following words:—“As long as the Canadas remain under the direction of the Secretary of the Colonies, my opinion is that they should have representatives in the British Par-

liament. But my wish would be to set the Canadas and the whole of British North America, free to govern themselves, as the United States do, by their own representatives, and to cultivate a good connection with the mother country, for their mutual interest. Until that takes place, neither the Canadas nor Great Britain will derive those advantages which they ought to have from a different and more economical management of their resources."

This, as far as can be ascertained, was the first written recommendation ever given in favour of Canadian republican independence, and it was given before the question was agitated in the Canadas. A few months after the date of the letter above quoted, namely in the following March, Mr. Hume proceeded so far as to offer his advice openly and directly to the Canadians, to the same effect. In a letter to Mr. Mackenzie, he said—"Your triumphant election on the 16th, and ejection from the Assembly on the 17th, must hasten that crisis which is fast approaching in the affairs of the Canadas, and which will terminate in freedom and independence from the baneful domination of the mother country, and the tyrannical conduct of a small and despicable faction in the colony." "The proceedings between 1772 and 1782 in America, ought not to be forgotten, and to the honour of the Americans, and for the interests of the civilized world, let their conduct and the result be ever in view." (a) Mr. Roebuck was wont to give similar advice to the Lower Canadians. In a letter dated July of the same year, he said to the "Central Montreal Committee" of the Papineau and Viger party—"One resource, and one resource alone, remains:—to be a

(a) The pretext under which Mr. Hume and his Canadian associates heretofore advocated the establishment of a Canadian Republic was, that the Canadians desired it, and would never be contented until they obtained it. But since the strong demonstration of the contrary feeling by the Upper Canadians at the late elections, these republicans continue to advocate the same project of independence, but upon another ground; namely, that of *necessity*, whether the Canadians desire it or not! Thus Mr. Mackenzie—to whom Mr. Hume addressed the letter quoted above—in an address "to all spirited, sensible, and just Canadians," in *September* last, holds the following language:—

"Whether we are the party of the *few* or the *many*, this great truth should be our rallying point. Upper and Lower Canada to be great and happy *must* be *independent*; and we should use all lawful means by petition and address to attain that noble end. We are an infant nation—allow us to be free—permit us to part in peace—and send the mean men who are placed over us back to their humble stations from whence they were unhappily brought to *our* shores to disgrace *our* country and theirs."

Mr. Mackenzie now exhorts "spirited and just Canadians" to attain the "noble end" of "independence by petition and address;" but, at the time he received Mr. Hume's "baneful domination" letter, he exhorted the "spirited and just Canadians" not to pay their taxes, and told them that they were "justified in *open* and *armed* resistance" against what their "best friend" Mr. Hume had termed "a small and despicable faction;" *alias* the Government of the country.

free people you must resist the British Parliament." Mr. Roebuck then (very prudently, of course) advises them to appeal once more to the British Parliament (whom he had directed them to "resist," as the only means of becoming "a free people") before taking up arms, adding—"It is better, I allow, to fight than to lose all chance of governing ourselves; but it assuredly behoves us to try all means before resolving to have recourse to arms."

Such, Sirs, has been your advice to the people of the Canadas in past years. The above extracts are only specimens of much that you have written to those countries. How faithfully Mr. Roebuck's advice has been followed by the Assembly of Lower Canada is already matter of history; as that Assembly has, ever since that advice was given, resisted every appointment and measure which have been approved of and adopted by the King and British Parliament.

I now ask the reader whether my assertion is not sufficiently established—that the scheme for establishing Canadian independency did not originate in the Canadas—was not suggested to the Canadian inhabitants by any thing which they experienced or witnessed, but that it originated with Messrs. Hume and Roebuck, and was the result of ambition, covetousness, personal hostility, or political theory, or all united?

I enquire not, in the present letter, as to the probable effects of your schemes as beneficial or injurious upon both Canadian and British interests—I only enquire here into its origin. When I therefore heard you, Sirs, in the House of Commons, on the evening of the 16th instant, speaking in affected tones of lamentation of the dissatisfaction and excitement which exist in the Canadas, I could not but inwardly exclaim, "Oh, shame! where is thy blush? Oh, integrity! thou hast indeed fled from such bosoms!" Who could have thought or felt less, to hear men pretending to lament the progress and ruins of a conflagration which they themselves had kindled and blown to a flame, and at the ravages of which they inwardly rejoiced, anticipating thereby the harvest of their adventurous midnight devices?

The above, however, is but the shade of your political portraits in respect to your conduct in Canadian affairs; the likenesses themselves will be seen when I sketch the progress, spirit, and character of the agitation and Canadian parties whom you represent and who have so submissively and perseveringly followed your advice.

I am, &c.,

June 6, 1836.

A CANADIAN.

LETTER III.

Sirs,—The object of the present letter is to give an epitomized statement of the progress, spirit, and character of the Canadian agitations and partics that you represent, and of which I have shown you are the primary movers.

I have said that the first step taken by the Lower Canada House of Assembly to abolish the constitution of that province was in 1833. That Assembly proposed to call a provincial convention of delegates to consider the propriety of either abolishing the Legislative Council, or of rendering it elective. This proceeding was adopted the very session after that in which the same House of Assembly had unanimously prayed that “the constitution, as established by law, might be transmitted unimpaired to posterity.” Their correspondence in the interval of these two sessions with Mr. Hume and Mr. Roebuck, and the return of Mr. Viger from London, had poured this flood of new light upon their minds. By a Royal despatch, dated January, 1834, this conventional project was disallowed. In Upper Canada materials did not exist for so speedy and successful an adoption of your opinions and advice; and for more than a year after Mr. Hume had recommended the establishment of an independent republic in British North America, like that of the United States, his recommendation was not responded to by a single newspaper in Upper Canada, except Mr. Mackenzie’s, and in that very cautiously. Not even your pupil, Mr. Mackenzie, had the hardihood to whisper the Elective Legislative Council project within the walls of the Assembly; he therefore adopted another method to carry your scheme into effect. He proceeded, in the first place, to get a little society formed for the discussion of political questions, and the diffusion of political information. After a few months’ weekly lecturing to companies of persons thus assembled, a sufficient number of kindred spirits were prepared for further proceedings, and the members of this society, at a meeting held in its room on the 9th of December, 1834, formed themselves into a society, with branches in the Canadas and elsewhere, to be known by the title of “The Canadian Alliance,” for the attainment of the following among other objects:—

"1. A responsible representative system of government, and the abolition of the Legislative Council, the members for which are nominated for life by the colonial governors.

"2. A written constitution for Upper Canada, embodying and declaring the original principles of the government.

"3. The abolition of the law of primogeniture.

"4. The control of the whole public revenue by the representatives of the people.

"5. To oppose all undue interference by the Colonial-office, Treasury, or Horse Guards, in the domestic affairs of the colonists.

"6. The diffusion of sound political information by tracts and pamphlets.

"7. The extinction of all monopolizing Land Companies.

"8. The vote by ballot in the election of representatives, aldermen, justices of the peace, &c.

"9. To enter into close alliance with any similar association that may be formed in Lower Canada or the other colonies, having for its object 'the greatest happiness of the greatest number.'

"Mr. W. L. Mackenzie, M. P., Corresponding Secretary for the Society and all its branches.

"Mr. Joseph Hume, M. P., and Mr. John Arthur Roebuck, M. P., agents in London.

"Mr. E. B. O'Callaghan, M. P., (editor of the *Montreal Vindicator* newspaper), agent in Montreal.

"Mr. Etienne Parent, House of Assembly, Lower Canada, agent in Quebec." Also Agents in Nova Scotia, New Brunswick, and Newfoundland.

How exactly do the objects thus stated by the parties for whom you are agents agree with the recommendations (heretofore quoted) of Mr. Hume in 1833—the year in which this Mr. W. L. Mackenzie left London for Upper Canada, and commenced this new scheme of political independence. For let the above objects be accomplished, and where has England a shred of monarchical government, property, or power in North America? And if you could by any means induce or compel His Majesty's Government to sanction an elective House of Lords and republican government there, how soon and emphatically would you say, "What has been sanctioned as good and necessary for North America cannot be vicious in principle, or bad for England." Nay, you and your Canadian confederates have, in fact, already said so. In a

letter addressed by Mr. Roebuck to Mr. Papineau, Speaker of the Lower Canada House of Assembly, May, 1835, he calls the Legislative Council "a wretched imitation of a baneful mischievous institution," (the English House of Lords); and adds, "The object you have in view is to frame a government in accordance with the feelings and wants of the people. In America, no government can unite these conditions but one that is purely democratic." Accordingly Mr. Papineau, on the 14th of last November, in a speech on Mr. Roebuck's agency in London, is reported to have called Mr. Roebuck "the faithful mirror of that house," and to have further observed—"The people of this province were now merely preparing themselves for a future state of political existence, which he (Mr. Papineau) trusted would be neither a monarchy nor an aristocracy. He hoped Providence had not in view for his country a feature so dark as that it should be the means of planting royalty in America, near a country so grand as the United States. He hoped, for the future, America would give republics to Europe."

No comment is required on these passages but that which British feeling will indite to the mind of the reader. I therefore return to the "Canadian Alliance" Society, of which you are the London agents. This society has continued to hold its meetings nearly every week since its formation; has done all in its power to extend and multiply its branches; has succeeded in forming several in different parts of the province; has, by resolutions, appeals, &c., attacked every measure of Government which it could in any way convert into a topic of excitement, and has assailed every member of the Assembly, and almost every other public man who was known to be favorable to the established institutions of the country; has, last of all, sent to the officers of its branches and into various parts of the province printed petitions to the Assembly against granting any supplies to Government, and in favor of sending the newly-appointed governor, Sir F. Head, back from whence he came. This the majority of the Assembly have resolved to do—refusing the supplies, demanding the recall of Sir F. Head, and a new governor and government, responsible to the local Assembly, and a variety of other things, "too numerous to mention."

There is one more event in the progress of incipient revolution in Upper Canada which it is necessary to notice for the information of many members of the British Parliament, to whom was presented, a few months since, an octavo volume of Canadian grievances in the form

of a report of a committee of the House of Assembly. (a) I wish to state how that volume was got up and transmitted to England. In the legislative session of 1834 Mr. Mackenzie moved for the appointment of a committee, consisting of three or four besides himself, to take into consideration certain parts of Lord Ripon's dispatch to Sir John Colborne, dated November 8, 1832; and, as chairman of the committee, he availed himself of the pretext and opportunity thus afforded him to assail the principles of the constitution, and every branch of the Government. But little was heard of the proceedings of this committee during the session. The report, which fills nearly 600 pages, was not presented to the house until after 1 o'clock in the morning of the day before the Governor had given notice of his intention to prorogue the Legislature. More than half of the members had retired for the night, though there was not an absentee among the "Canadian Alliance" members. On account of the advanced hour of the night, the late period of the session, the length of the report, (and the supply bill not having yet been passed) it was proposed to dispense with reading the report and to print it for the information of members and the public during the recess. This proposition, after some complaint from one or two members against such a mode of proceeding, was agreed to. One of the leading Conservative members hearing next day that a voluminous report of this committee had been, at a very late hour, presented to the House and ordered to be printed, searched for it, in order to learn its contents; but the report was not to be found, either in the clerk's office or in any of the committee-rooms. Just before the prorogation he complained of this to the House, and Mr. Mackenzie, on being questioned, replied, that he had not desired to conceal the report from any member of the house until the close of the session, but he had taken it to his own house to get some parts of it copied and sent to Mr. Papineau, of Lower Canada, and to Mr. Hume, in London. Loud complaints were of course made against such unparliamentary and unheard of conduct; but the object of the "Canadian Alliance" party was accomplished. The session closed; and this report was printed, and sent home to His Majesty's Government, and to many members of the Imperial Parliament, as the deliberate sentiments of the people of Upper Canada, speaking through their representatives; and was made the basis of a very elaborate despatch from Lord Glenelg

(a) See the remarks of His Excellency Sir Francis Head, on that report, in the first part of the 7th letter.

to his Excellency Sir F. Head, dated December 15, 1835. Yet this report was never even read in the Assembly, nor was a resolution for an Elective Legislative Council ever moved, or the question ever discussed, in the Upper Canada House of Assembly, until since the beginning of the present year. (b)

Such, Sirs, is the manner (as I can easily prove by abundant references to legislative debates) in which your schemes have been promoted in Upper Canada. What would be thought of a report of a select committee of the House of Commons being thus made and sent forth to the world, embracing the constitution of the House of Lords, the administration of justice, the prerogatives of the Crown, the whole questions of crown and public revenue, of church and state, of taxation, &c.? Since the assumption of the government of Upper Canada by Sir F. Head, a majority of the Assembly have undertaken to give him, as a new man, some lessons on responsible government; differences have taken place; the most outrageous proceedings have been adopted, and the most extravagant demands have been made, and the supplies have been withheld by a majority of the Assembly. But their proceedings in any of these questions prove nothing as to the sentiments and feelings of the people of Upper Canada, any more than the report of one of their committees on geology proves what are the geological opinions of the Canadians. The people of Upper Canada were never appealed to on any of these constitutional questions. The "Canadian Alliance Society" itself had no existence until since the election of the present House of Assembly. The test by which a majority of the present Assembly was elected was their disapproval of the proceedings of the late Assembly, in expelling a member several times for the same offence; and I confidently declare, Sirs, that the imputation of your schemes to the people of Upper Canada is a libel upon them. The residence of my life has been among the people of whom I thus speak. I am one of them by birth, education, feeling, and interest. I admit you have republican partisans there; you have, indeed, a "Canadian alliance" there; but it is not the organ of Upper Canadian principles and feeling, and the *animus* of its talent, and its weekly lecturer, is nothing but a deposed Catholic priest. The people of Upper Canada

(b) See this proved in the 7th letter, where it will be seen, the leading "Reformers" in the Upper Canada House of Assembly, in 1835, disclaimed all desire to change the *Constitution*, and declared that nineteen twentieths of the inhabitants of Upper Canada were opposed to any change of that kind.

are not republicans, nor do they desire a "government purely democratic." They desire nothing but a monarchical colonial government well administered; and the truth of this assertion they will assuredly prove by an almost unanimous elective voice whenever any British Government puts the question to them. (c)

I am, &c.,

A CANADIAN.

June 15th, 1836.

(c) The first six of these letters were written before the *dissolution* of the Upper Canada House of Assembly was known in England. The dissolution of that Assembly took place the 28th of May—eighteen days before the date of this letter;—the elections commenced the 27th of June—twelve days afterwards. The elections resulted in the return of such an Assembly as the author, from his personal knowledge of the character and feelings of the inhabitants of Upper Canada, had confidently predicted. On the new Assembly being called together, a *constitutional* address to His Excellency Sir Francis Head, of which the following are the concluding paragraphs, was adopted by the Assembly on the 15th of November, with a minority of only *ten*,—thus furnishing the strongest evidence of the correctness of the views and statements given in these letters:—

"As the Constitution of Upper Canada happily secures to British Emigrants their own revered and cherished institutions—as this noble climate and luxuriant soil offer them immediate independence and support, with a moral assurance that their land must in a few years unavoidably increase in value to a great extent—we reasonably hope, and will earnestly endeavour, to attract the redundant enterprise, capital and population of the Empire, by setting before them these solid advantages in the most prominent and conspicuous manner; and it is but natural for us to expect that capital and industry will now flow towards this favoured Province, in which we agree with Your Excellency in the conviction that such capital is fully as secure as in the Mother Country.

"We will give our prompt and careful attention as well to the public accounts as to the estimates of the sums required for the necessary support of the public service, as soon as the same are laid before us, and will not fail to take into our immediate consideration measures for relieving the Government of this Province from the embarrassment it has laboured under, and is still suffering, from the supplies for the public service having been withheld.

"We most sincerely hope that the important trust reposed in us by our constituents will be discharged in a manner calculated to raise the Province in the estimation of the British Empire, and to secure to it those advantages which we have hitherto derived from its fostering care and protection.

"The principles of our Constitution, in the maintenance of which consists the safeguard of our lives, liberties and property, are identical with those of the constitution of the Mother Country, and if maintained in their purity, cannot fail to produce peace, prosperity, and good government.

"We are fully satisfied that the people of this Province desire nothing more ardently than to see those principles supported, and the connexion with the British Empire sustained, and we therefore cordially respond to Your Excellency's determination to maintain this, our happy constitution, inviolate. Protected from external danger by the overshadowing power of the Mother Country, and free to pursue any measures calculated to promote our internal welfare and improvement—we feel that there is a course before us leading to the most auspicious results, and that the time has arrived, when, preserving our character as a loyal British Province, our institutions may be settled on a firm basis—our resources developed—all well-founded causes of complaint removed—and peace and prosperity secured for us and our posterity."

LETTER IV.

Sirs,—I turn now to Lower Canada; and in reference to your partisans there, I assert, that, under the pretence of claiming a republican self-government, they are endeavouring to destroy British commerce and interests in that province: to put a stop to British immigration; to exterminate British influence; to bring the population, speaking the English language, into complete subjection to the French inhabitants, and thus to re-establish the ancient French ascendancy. My proofs, in this case, as they have been from the beginning, shall be derived from the acts and sayings of your partisans themselves, and not from the epithets or statements of an adverse party.

Mr. G. R. Robinson asserted thus much in his place in the House of Commons on the evening of the 16th instant, which I propose to prove. Mr. Roebuck denied the truth of his statement, and called upon Mr. Robinson for his "authority." I know nothing of Mr. Robinson, nor to what party he is attached; but for the truth of his statement, in this instance, I can adduce numerous authorities. A few will answer my present purpose.

If, then, as you seemed by a sneer in the House of Commons to intimate, the deadly opposition of the House of Assembly to a land company formed for the express purpose of settling the wilderness parts of the province with British emigrants, and of developing its latent resources, is no "authority" in this case, will you admit as "authority" the loud denunciations of the Assembly against the expenditure of a farthing by the Government for the promotion of immigration into that province? Will you admit as "authority" the passing of a bill, during its late session, to impose upon all ships and vessels coming from British ports, a quarantine of twenty-one days, before they should be permitted to land a bale of goods or an emigrant in the province? Or, if all this be no "authority," except to prove how strongly you and your Canadian compeers favour British commerce and immigration in that province, perhaps the following extract from the *Minerve* newspaper (the leading

French journal of your party published in Montreal, Lower Canada), will be admitted as possessing some "authority" in support of the assertion which I have undertaken to establish:—

"In examining with an attentive eye what is passing around us, it is easy to convince oneself that our country is placed in very critical circumstances, and that a revolution will perhaps be necessary to place it in a more natural and less precarious situation. A constitution to remodel, a nationality to maintain—these are the objects which at present occupy all Canadians.

"It may be seen, according to this, that there exist here two parties, of *opposite* interests and manners—the *Canadians* and the *English*. These first-born Frenchmen have the habits and character of such. They have inherited from their fathers, a hatred to the English; who, in their turn, seeing in them the children of France, detest them. These two parties can never unite, and will not always remain tranquil; it is a bad amalgamation of interests, of manners, of language, and of religion, which sooner or later must produce a collision. It is sufficiently believed that a revolution is possible, but it is believed to be far off; as for me, I think it will not be delayed. Let them consider these words of a great writer, and they will no longer treat a revolution and a separation from the mother country as a chimera—'The greatest misfortune for man politically,' says he, 'is to obey a foreign power; no humiliation, no torment of the heart, can compare to this. The subjected nation, at least if she be not protected by some extraordinary law, ought not to obey this Sovereign.'—We repeat it, an immediate *separation* from England is the only means of preserving our *nationality*. Some time hence, when *emigration* shall have made our *adversaries* our equals in number, more daring and less generous they will deprive us of our liberties, or we shall have the same fate as our unhappy countrymen the Acadians. Believe me, this is the fate reserved for us, if we do not hasten to make ourselves *independent!*" (a)

(a) Efforts have been made to excite the French inhabitants of Lower Canada against the Government, not merely because it is *British*, in opposition to a *French* Government, but because it is *Protestant* in contra-distinction to *Catholic*; though no Catholic is required by law to contribute to the support of any Protestant clergyman; and though by the statutes 14th George III. and 31st George III., cap. 31, His Majesty's subjects professing the religion of the Church of Rome, in both Upper and Lower Canada, are secured in the exercise and enjoyment of their religion, and their clergy are secured in the tithes and rights which they had been accustomed to enjoy under the Government of France, as far as it relates to the professors of that religion. So completely is the Romish Church secured by those imperial statutes that it cannot be touched directly or indirectly by the colonial legislatures. Yet

Probably, Sirs, the following from a speech of Mr. Rodier, member of the Assembly, delivered shortly after the season of cholera in Lower Canada, will also be admitted as some "authority." (The cholera was made a pretext for opposing British immigration, although it appeared in various places in the Canadas, and in the United States, where an emigrant had never been seen:—

"When I see my country in mourning, and my native land presenting to my eye nothing but one vast cemetery, I ask, what has been the cause of all these disasters? and the voices of thousands of my fellow citizens respond from their tombs,—it is emigration. It is not enough to send amongst us avaricious egotists, without any other spirit of liberty than could be bestowed by a simple education of the counter, to enrich themselves at the expense of the Canadians, and then endeavour to enslave them—they must also rid themselves of their beggars, and cast them by thousands on our shores—they must send us miserable beings, who, after having partaken of the bread of our children, will subject

hear the *French* newspaper organ of the Papineau party in the very capital of Lower Canada.

(Translated from the "*Canadien*" newspaper, published at Quebec, April 10, 1835.)

"Besides seeing that public opinion in Canada had turned to reform, and that the model offered by the institutions of the United States was one which was proper for us and could alone ensure to the country the prospect of happiness and greatness; seeing this, these writers did not miss the occasion to depreciate these institutions, which are the glory of this continent. * * * The only rational consequence to be drawn from the conflagration of the Boston Convent is, that Protestants are essentially intolerant and the sworn enemies of Catholics, and wherever they can persecute, without danger, they will do it. * * * Therefore, in Lower Canada our Government is Protestant, and so much so, that it recognizes the Protestant religion only, protecting it by duty as well as by inclination, while it only tolerates the Catholic Religion. What becomes, then, of the outcry over the ashes of the Boston Convent against the institutions of our neighbours; they fall with all their weight against the Protestant and powerful actual Government of Lower Canada. * * * To find examples and proofs of intolerance, hostility and jealousy on the part of the Home government, against Catholics, it is not necessary to cross the sea. [Here follow instructions to Sir G. Prevost in 1811, ironically denominated "tolerant," and which "we never can too often recall," says the writer, "to the attention of the Catholic population of this province: Read them, Catholics, to whom the British Authorities are so much boasted, and see if your security is certain under the spirit that animates them."] There is scarcely one of these articles that does not menace the annihilation of your religion. The only thing wanting is the occasion to do it safely. Fortunately you are five to one, but let the Land Company go into quiet operation, and follow up the good advice given it here by one of our principal personages to bring out English, Irish, and Scotch Protestants instead of Catholics. Let alone the Land Company, protected by the Legislative Council and the Executive, and the present generation will not descend to the tomb without witnessing the downfall, if not ruin, of a Religion, under the wing of which civilization has settled itself on the banks of the St. Lawrence." * * * "Let it not be thought that these instructions are a dead letter," given after the discontents of Craig's administration, when it was necessary to conciliate. "Under these circumstances, a Governor ruling over a Catholic people, receives instructions, the execution of which would raise in revolt subjects the most contented with their Government." The writer terminates by the favourite explanation that "fear alone" restrains the British Government from all the most horrid persecutions, &c."

them to the horrors of hunger and misery; they must do still more—they must send us, in their train, pestilence and death. If I present to you so melancholy a picture of the condition of this country, I have to encourage the hope that we may yet preserve our nationality, and avoid those future calamities, by opposing a barrier to this torrent of emigration. It is only in the House of Assembly we can place our hopes, and it is only in the choice the Canadians make in their elections they can ensure the preservation of their rights and political liberties.”

The following from Mr. Papineau's own pen will, perhaps, be admitted as still better, if not the best, “authority.” These extracts are made from an address of ten newspaper columns in length, to the electors of the West Ward of Montreal, or rather to the French inhabitants of Lower Canada, which Mr. Papineau published after his last election to the Assembly. I wish it were admissible to transfer the whole address to this place; but I must restrict myself to two or three passages, which will be sufficient to illustrate the feelings and views of your Canadian party. Mr. Papineau says—

“The constitution has ceased to exist of right; and, in fact, can no longer be maintained but by force and violence, employed for the oppression of the many in the interest of a small band of pensioners, who work it well to their own advantage, and who, for the good of the mother country and of the colony, cannot be too soon driven from public life, because they are too much corrupted to be reformed—too rotten to be cured. Their contact is contagious: no honest man should act or associate with them, and thereby prolong, even for a few days, their calamitous administration.

“It (the French party) has not, it ought not to entertain a shadow of hope that it will obtain any justice whatsoever from any of the authorities, constituted as they are at present in this country. If it would entertain the same opinion of the authorities in England that it entertains of the authorities in this country, these obstacles could easily be overcome.

“The affections of the British for Ireland and the colonies has never been any thing else than the love of the pillage of Ireland and the colonies, abandoned to the cutting and carving of the British aristocracy and its creatures.”

(Query—Have the colonies been “pillaged,” or made what they are, by the British Government?)

"Restrict your consumption of British produce as much as possible.

"Your enemies are not numerous enough to injure you. You are sufficiently numerous to injure them. Break all connection in business and interest with those who separate their affections and interests from yours. Pardon the ignorant who is mistaken. Chastise the rogue who deceives. Let those who are so presumptuous as to prefer their own opinions and will, learn, that whatsoever be their titles to favours from the Administration, they have no claims to the confidence of the people. Bow not your heads," &c.

I could easily occupy columns with examples of such "authority" as the above; but out of the mouths of these "three witnesses" my every word is sufficiently established.

What conclusions, then, does this threefold authority establish? I think—1st, that your French constituents in Lower Canada have struck for a Government of "nationality;" that is, a French Government; 2d, that therefore every man in office, without exception, is to be deposed; 3d, that British commerce and immigration are to be opposed in every possible way; 4th, that every man speaking the English language, who will not give in his adhesion to the "nationality" Government, is either to be ruined in his business, or "chastised" as a "rogue"—that is, if the "nationality" party can do it; 5th, that "the British" are to be regarded and treated as "pillagers" of the "colonies," notwithstanding "the British" have given the French inhabitants of Lower Canada ten times more liberty than a French king ever gave them, and have protected and fostered them as children, for more than half a century, without a farthing remuneration.

I know not, Sirs, which is the greater prodigy of human perverseness of principle and feeling—the above examples of French ingratitude, heartlessness, arrogance, and ambition, or your own conduct in originating and promoting such a "nationality" against the interests, character, feelings, and rights of your own countrymen. I will not impugn your motives; but I must say, that I envy neither your feelings nor your reputation in such an advocacy and character.

I am, &c.

A CANADIAN.

June 24, 1836.

P.S. I beg to subjoin a few extracts from a French pamphlet, printed at Montreal, but circulated in the country only amongst the illiterate and credulous *habitans*. An English translation of this

pamphlet has appeared in the Canadian newspapers. The authorship of the pamphlet is attributed to Mr. Papineau. It expresses the same sentiments and feelings with those which have been quoted from Mr. Papineau in the former part of this letter. There are several things in the following extracts to which I crave particular attention.

1. The feeling sought to be instilled into the minds of the French Canadians, in respect to the Constitutional Act of 1791, in respect to the motives which dictated the passing of that act—an act for which the French party have again and again expressed their grateful acknowledgments; and in addresses to the King in 1828 and 1831, they prayed his Majesty “to maintain the inhabitants of Canada in the full enjoyment of the *constitution* as established by law without any change whatever.”

2. The impeachment of the British government in disposing of the Crown Lands. The legal and constitutional right of the Crown to dispose of these lands will be examined in the sixth letter.

3. The manner in which “Britons” are spoken of as intruders “swarming” to “our” shores, “our” country, &c.

4. The admission that the “British” merchants, by their enterprise, and the “indolence” of the “Canadians,” have “made themselves masters of all the trade, as well foreign as domestic.”

5. The determination throughout to exterminate British power, and to re-establish French ascendancy in Lower Canada.

The following are the extracts referred to:—

“Since 1792, Canada has enjoyed the advantage of a Constitution, which permits her to participate in the legislation of the country, by the means of a House of Assembly, elected by a majority of votes, in each of the towns and counties. The friends of power extol this gift very highly, under pretext that we are indebted for it to the magnanimous philanthropy of the English Government. The truth is, that Constitution was granted to us by England only from necessity. She gave it with regret; and her Governors are but too successful in following up the intentions of the Metropolitan State, by endeavouring daily to cripple the exercise of constitutional rights, either by a blind adherence to the orders which they receive or yielding to the impulse of their own propensity towards an absolute administration.”

“But in granting this favour the spirit of British domination was made manifest; the English Legislators took care to establish such an equiponderance as would enable them, at will, to destroy the favour which they seemed to grant. Therefore, the powers of the Canadian House of Commons were so ambiguously defined as to be susceptible of different interpretations; so that its privileges might be curtailed. Therefore, a species of aristocracy was created by an upper house, called the Legislative Council, in such a manner as to frustrate every measure originating in the Lower House, which might be in opposition to the views of the administration. The Constitution was granted merely to propitiate the people, and to wheedle them in the name of liberty; but not to recognise any portion of sovereignty which belongs to the people; nor to secure to the country the good effects which it ought to derive from so noble an institution.”

“The protection, or to speak more plainly, English sovereignty over Canada, brought other evils in its train. A swarm of Britons hastened to the shores of the new British colony, to avail themselves of its advantages to improve their own condition.”

"The Government seized upon all the waste lands of the Crown. Those invaluable estates, and which are becoming more so every year, ought to have been left, or the greater part thereof, to the country: they would have proved instrumental in ameliorating every branch—in making new roads, building new bridges, opening ports, establishing institutions, embellishing the cities, erecting Roman Catholic churches, founding a school in every village, endowing colleges—in a word, a number of things of which we are at present deprived, and which the want of capital compels us to neglect, would have been accomplished by the proceeds of the public lands, and would have produced to the province those improvements by which the civilization of nations is advanced."

"It is unheard of, that a monarch should seize upon all the lands of a state, and convert the same to his own sole use. In all kingdoms the ungranted lands become national property! they form the common treasure, they are managed for the general advantage, and are only sold in the name of the nation, and each citizen receives a portion of the purchase-money, by the amelioration which the proceeds are the means of introducing into the country. Here it is quite the contrary; these rich territories have been wrested from Canada."

"The remainder of those lands so wrongfully called 'Crown Lands,' has been lately conceded to a Company of Speculators in England, who will realize immense profits from them, while the Canadian people will be shut out from participating in those advantages; as the proceeds arising from the sale of those lands, will not be expended in the Province, no benefit can result therefrom to the people of this country. (b) But this measure is accompanied by a political object on the part of the Colonial administration. The growing knowledge of the Canadians and their inclination towards right have alarmed the Britons; they wish to settle our soil with their own children, in order to obtain a majority sufficient to balance the elections in Canada; and afterwards by force of oppression, to compel the descendants of the Frenchmen, who profess a religion different from theirs, to abandon the place of their birth, the place where the bones of their fathers repose, a land to which they cling as their sacred home."

"In consequence of the facilities afforded by the administration, for the settlement of Britons within our colony, they came in shoals to our shores, to push their fortunes; every species of office was immediately filled with these new comers, but that was not sufficient for British cupidity: others of them established themselves in our cities, they were encouraged and supported by their fellow countrymen, and secretly extending their schemes, they slipped into every profession, and made themselves masters of all the trade as well foreign as domestic. The Canadians by their indolence contributed towards the fortunes of the British, they retired from trade satisfied with the moderate competence they had acquired, they did not support the young beginners in trade; and gradually all the Canadian merchants were supplanted by Britons."

"If, as there was little doubt, the patriotic party could maintain its ground; if the progress of reform could continue; if the firmness of the Canadian representatives shewed itself well worthy of the continued confidence of their constituents; if Britain should see herself forced to yield to all the demands of the colony, not only would the Clerkarchy (*Bureaucracy*) lose all their offices, which would be then distributed according to popular justice and common sense; not only would the British see their favours, honours, and profits eclipsed, and the preponderance of that aristocracy of which they are so proud; but they would still further be compelled to assist in the act of equity, calculated to wound most deeply their jealous supremacy. They ought to be compelled to bend under the will of the majority. These men who pretend, notwithstanding their petty number, to dictate to and command powerful bodies, (masses.) In a word, they would in despair be compelled to see the government yielding to the general voice—restore power to the '*enfants du sol*,' whom they hate as much from political rancour, as from the difference which exists between their origin, their religion, their character and habits."

(b) By the terms of purchase the British American Land Company are to expend one-half the purchase-money within the province, in making roads, bridges, &c.

LETTER V.

Sirs,—I think I have adduced ample testimony to prove that your French constituents of Lower Canada hate “the British” as “pillagers,” consider themselves a totally distinct people from the English, are hostile to British commerce and immigration, and are resolved upon establishing a government of “nationality;” or, in other words, of re-establishing the ancient French ascendancy. They already possess the representative branch of the Government; they demand the control of the Executive also, because, forsooth, they have been under British tuition long enough to be able at last to count, and have learned that they are the majority in numbers.

On the contrary, you have repeatedly declared that the French Canadians are British in their views and feelings, and ought, therefore, to be invested with the sovereign authority of the majority in the government of Lower Canada. Now, apart from my refutation of your assertions on this subject, I would ask, on whose side of the question lies both a natural and historical absurdity? Is it natural for a man born and educated with the views and feelings of a Frenchman (and thus have the French of Lower Canada been nurtured) to be British in his predilections and attachments? And in what age, or what continent or island, has a Frenchman ever become an Englishman?

Now, Sirs, the whole of British legislation towards Lower Canada—indeed, towards any of her possessions which are or may be settled with a mixed population of English and French—turns on this point. If the English and French inhabitants differ in their views, feelings, customs, habits, and language, Great Britain must do one of three things. She must give them independency, and let them fight the battle of ascendancy among themselves; or she must legislate for, and govern, them, as two distinct races of people; or she must amalgamate them, either by abolishing the French language and feudal customs, or by abolishing the English language and British usages. The first, I take it for granted, no British statesmen but Mr. Hume and Mr. Roebuck are inclined to do; the last Great Britain ought to have done at the conquest of Quebec: the second she has endeavoured to do for half

a century. Several provisions of the British Acts of Parliament of 1784 and 1791 were made in reference to two distinct classes of inhabitants, securing to each class ample protection in the enjoyment of certain of its customs against the encroachments of the other. The great body of the British inhabitants are contented with, and claim the continuance of, the protection thus secured to them by the original constitutional law of the province. The French inhabitants demand an extension of their privileges and powers; they demand, in fact, the annihilation of the less numerous British inhabitants, as a distinct class, under the assumption of a "nationality" government—grasping for the control of those branches of the government, by virtue of which the English inhabitants, notwithstanding their inferiority in number, enjoy equal protection and advantages, and attempting thereby to bring the English minority (but the majority in wealth and intelligence) into that state of vassalage to a French domination, to which the majority principle of a republican government would reduce them in that province.

I would here put it to any candid reader of any party, whether the English inhabitants of Lower Canada, even if they did not amount to 10,000 instead of 150,000, are not entitled to that protection and to those advantages which the acts of the British Parliament pledged to them when they purchased property and settled in that province? And can the British Parliament itself alter the constitution of Lower Canada so as to bring the English inhabitants, against their own consent, more under the control of the French, without violating good faith with the sons of the mother country? I ask, on the other hand, whether the French inhabitants, by declaring that the constitution which bestowed upon them the privileges they enjoy shall exist "no longer than it is supported by force and violence," have not forfeited all right to the privileges of that constitution? The argument may be stated thus:—A majority of the British inhabitants insist upon the continuance of the original constitution, well administered upon British principles. A majority of the French inhabitants insist upon having that constitution remodelled. This is placing the question in the simplest light, and the most favourable to the French majority, for they do, in fact, demand independence. My conclusion therefore is, that the British inhabitants have the pledged faith of the British Legislature, for the continued enjoyment of their constitutional rights and privileges; whilst the French inhabitants, by renouncing the established constitution and appealing to have it remodelled, have placed the rights and privileges which they enjoy

under it, such as their language, customs, &c., at the disposal of the British Parliament, to be dealt with as a question of expediency.

I am not, however, prepared or disposed to say, that the English language should henceforth, after the year 1840, be made the legislative and judicial language of Lower Canada; nor do I say that the principles of English law respecting property, general registry, &c., should supersede a French feudal system; but I will presume to submit to the consideration of British statesmen the following observations of a judicious and intelligent American writer:—

“The unwise act of Lord Grenville, passed through Parliament in the year 1784, permitting the people of Lower Canada to conduct their pleadings and promulgate their laws in the French language, has prevented them from ever becoming British, and so far weakened the colony as an outwork of the mother country. It has always been the policy of able conquerors, as soon as possible, to incorporate their vanquished subjects with their own citizens, by giving them their own language and laws, and not suffering them to retain those of their pristine dominion. These were among the most efficient means by which ancient Rome built up and established her empire over the whole world; and these were the most efficient aids by which modern France spread her dominion so rapidly over the continent of Europe. While Lower Canada continues to be French in language, religion, laws, habits, and manners, it is obvious that her people will not make good British subjects; and Britain may most assuredly look to the speedy loss of her North American colonies, unless she immediately sets about the establishment of an able, statesmanlike government there, and the direction thitherward of that tide of emigration from her own loins, which now swells the strength and resources of the United States. Her North American colonies gone, her West India islands will soon follow.”—*America and her Resources*, p. 245.

Thus wrote even a republican in 1818. The progress of events in Lower Canada for several years past could not be more accurately narrated than the well-informed author of *America and her Resources* predicted them 18 years ago. This prediction will receive its complete accomplishment in less than 18 years more, if His Majesty's Government does not take warning from the past. If British pride and obstinacy once lost 13 colonies, it is not less possible that British indulgence, and liberality, and indecision, may throw away half as many provinces.

I am aware that it may be attempted to evade the force of my facts

and reasoning, by asserting what you, Sirs, have often endeavoured to impress upon the House of Commons, that the Canadian Republicanism which you advocate is as common to the British as to the French inhabitants of Lower Canada, and that the examples of French prejudice and feeling which I have adduced occurred during strong party excitement, and are not a fair specimen of the general feelings of the French population.

To the first part of this objection I could oppose unquestionable testimony and statistical facts. But I prefer establishing every part of my statements and arguments by reference to the proceedings of your own party. If, then, there is the slightest foundation in your often-repeated assertion, how is it that an avowal of the feelings of the British as well as French inhabitants of Lower Canada has never been made in favour of your measures? How is it that associations have been formed, agents have been employed, and petitions, signed to the number of 20,000 or 30,000, out of a population of 150,000, have been transmitted to London against your "nationality" scheme? If even a nominal fraction of "the British" support you, how happened Mr. Speaker Papineau, in a written address, to characterise "the British" as "pillagers?" How happened the leading French organ of your party to assert that the English and French inhabitants were "opposite in interest and manners," and could never be "amalgamated" without "producing collision"—that the "French have inherited from their fathers a hatred of the English?" How happened Mr. Rodier, member of Assembly, to denounce the English merchants of Lower Canada as "avaricious egotists, without any other spirit of liberty than could be bestowed by a simple education at the counter?" How happened the Canadians to be exhorted to elect members to the Assembly with the special view of "opposing a barrier to the torrent of emigration?" How happens every advocate of your party to insist upon a government of "nationality" in Lower Canada, as the grand consummation of their efforts and wishes? Never, then, Sirs, let this absurd and groundless assertion escape your lips again.

As to the second part of the objection, or rather the second objection, I admit that the examples adduced have all occurred during the several years of party discussion which has distracted Lower Canada. But this very objection is founded upon the truth of my argument, instead of overthrowing it; for if the opposition is not between the French and English, as distinct classes, how could the representatives of the French

party have ever thought of denouncing the English by wholesale, even under the most violent excitement? Nay, indeed, if there were the least truth in the objection, the stronger the excitement the more enthusiastically would the English inhabitants have been lauded, instead of being scouted and proscribed as "foreigners," "egotists," "pillagers," and "beggars."

On the objection respecting the general feelings and prejudices of the French Canadians, I may observe that the character of those ignorant, harmless, idle, and superstitious people has undergone no perceptible change during the last half century; in this sort of immutability of attachments, habits, and manners, they themselves boast and feel a national pride; they declare their determination to perpetuate the customs of their forefathers. I blame them not for it; I only assert it to be the fact; and, therefore, that the British Parliament and Government must have an eye to this state of things in legislating for and in governing Lower Canada. I have already shown that one of their organs frankly declared, "they had inherited from their fathers a hatred for the English;" I will now prove it—not from what may have occurred under the excitement of party feeling, but when gratitude for British kindness was overflowing the heart. I take for my authority the Duke de la Rochefoucault Liancourt's *Travels through the United States of North America and Upper Canada, in the years 1795, 1796, and 1797; with an authentic Account of Lower Canada*. The testimony of that exiled French nobleman is of great importance on this subject. I will, in the first place, give his ingenuous confession of his own feelings; and then his statement respecting the feelings and habits of his countrymen in Lower Canada. The following passage, descriptive of the Duke's feelings when sailing over the Canadian lakes, &c., is, I think, on more grounds than one, worthy of the particular attention of British statesmen, and I am persuaded no apology will be necessary for the length of it:—

"I am at a loss to account to myself for the various perceptions which pressed upon my mind, and prevented my feelings from being entirely absorbed by gratitude, and by the pleasing sensations it naturally produces. I love the English more, perhaps, than any other Frenchman; I have been constantly well treated by the English, I have friends among them, I acknowledge the many great qualities and advantages which they possess. I detest the horrid crimes which stain the French revolution, and which destroyed so many objects of my love and esteem;

I am banished from France; my estates are confiscated; by the Government of my country I am treated as a criminal or corrupt citizen; severed from all I hold dear, I have been reduced to extreme, inexpressible misery, by Robespierre and the ruffians whom my countrymen have suffered to become their tyrants: nor are my misfortunes yet consummated—and yet the love of my country, this innate feeling now so painful to me, so clashing with my present situation, holds an absolute sway over my soul, and pursues me here more closely than elsewhere. This English flag, under which I am sailing over lakes where the French flag was so long displayed—these forts, and these guns, the spoils of France, this constant, obvious proof of our former weakness and our misfortunes, give me pain, perplex and overpower me to a degree which I am at a loss to explain. The success last year obtained by Lord Howe, which the English mention with more frankness because they suppose our interest to be intimately connected with theirs—the eagerness they display in announcing new defeats of the French, the accounts of which are prefaced by the assurance that English triumphs and exertion shall reinstate us in the possession of our estates and followed with congratulations—all these common topics of conversation, which our guests seem to introduce with the best intention, prove more painful to my feelings, as I am necessitated to hide my thoughts, lest I should be deemed a fool by the few, in whose eyes I am no Jacobin, no Robespierrian, and because I am, as it were, at cross purposes with myself. And yet it is a sentiment rooted, deeply rooted in my soul, that I would continue poor and banished all the days of my life, rather than owe my restoration to my country and my estates to the influence of foreign Powers and to British pride.”—(Pp. 262, 263.)

The Duke de la Rochefoucault Liancourt's account of the French Canadians is equally candid and equally fraught with wholesome counsel to the politicians of this great empire. He does not say, with Mr. Papineau and Mr. Roebuck, that “the British” have “pillaged” the Canadians—nay, though a bigoted, yet honest Frenchman, he admits that “the British” have not only conferred upon the French Canadians privileges which had been withheld from them by a French King, but that they have actually had much difficulty in teaching and introducing among them those principles of civil liberty which are at once the birthright and the glory of Englishmen. Take the following extracts as proofs and illustrations:—

“No Canadian has just grounds of complaint against the British

Government; the inhabitants of Canada acknowledge unanimously that they are better treated than under the ancient French Government; (*a*) but they love the French, forget them not, long after them, hope for their arrival, will always love them, and betray these feelings too frequently, and in too frank a manner, not to incur the displeasure of the English, who, even in Europe, have not made an equal progress with us in discarding the absurd prejudices of one people against another."—(Page 306.)

"They pay no taxes, live well, at an easy rate, and in plenty; within the compass of their comprehensions they cannot wish for any other good. They are so little acquainted with the principles of liberty, that it has cost a great deal of trouble to establish juries in their country; they oppose the introduction of the trial by jury; in civil causes these are not yet in use. But they love France, this beloved country engages still their affections. In their estimation a Frenchman is a being far superior to an Englishman."—(Page 307.)

"The farmers are a frugal set of people, but ignorant and lazy. In order to succeed in enlarging and improving agriculture in this province, the English Government must proceed with great prudence and perseverance; for in addition to the unhappy prejudices which the inhabitants of Canada entertain in common with the farmers of all other countries, they also foster a strong mistrust against every thing which they receive from the English; and this mistrust is grounded on the idea that the English are their conquerors, and the French their brethren. There are some exceptions from this bad agricultural system, but they are few. The best cultivators are always landholders arrived from England."—(P. 314, 315.)

"Upon the whole, the work of education in Lower Canada is greatly neglected. At Sorel and Three Rivers are a few schools, kept by the nuns; in other places men or women instruct children. But the number of schools is, upon the whole, so very small, and the mode of instruction so defective, that a Canadian who can read is a sort of phenomenon. From the major part of these schools being governed by nuns and other women, the number of the latter who can read is, contrary to the

(*a*) "Previous history affords no example of such forbearance and generosity on the part of the conquerors towards the conquered,—forming such a new era in civilized warfare, that an admiring world admitted the claim of Great Britain to the glory of conquering a people, less from views of ambition and the security of her other colonies, than from the hope of improving their situation and endowing them with the privileges of freemen." (*Political Annals of Canada.*)

custom of other countries, much greater in Lower Canada than that of men.

"The English Government is charged with designedly keeping the people of Lower Canada in ignorance; but were it sincerely desirous of producing an advantageous change in this respect, it would have as great obstacles to surmount on this head as in regard to agricultural improvements."—(Pp. 318, 319.)

I will not weaken the force of the above extracts by any comments. Our noble author remarks, in another place, that "nineteen-twentieths of all property, amenable before the courts of justice, belong to merchants." (*b*) (Page 320.) The same remark holds good still, as far as regards the French population. I have been repeatedly and most credibly informed that there is but one importing French mercantile house in all Lower Canada, and that not a large one; and that the principal partner in that house was brought up in a British house. In respect to education itself, a little, and but a little, advance has been made among the French Canadians. It is notorious in Canada that several of the French members of the Assembly can neither read nor write. Out of two French grand juries in the district of Montreal, empanelled a short time since, there was but one man who could write his name. A special legislative act exists in Lower Canada to authorize the trustees of common schools to affix their marks to school reports. Such is the intellectual stature of the great majority of the people whose leaders and representatives issue mandates to the King and Parliament of Great Britain, and demand a "nationality" Government over more than 100,000 expatriated Britons, and that too under the auspices and guidance and advocacy of Mr. Hume and Mr. Roebuck! (*c*)

(*b*) The author of the French pamphlet, quoted in the *Postscript* of the 4th letter, bitterly admits, that through the "indolence" of the "Canadians," British merchants have become the sole possessors of the commercial wealth of Lower Canada.

(*c*) The following remarks of the *Kingston Chronicle* (Upper Canada), November 30, 1836, will enable honourable members of the British Parliament to estimate the correctness and importance of Mr. Roebuck's representations on Canadian affairs:

"We could quote numberless specimens of the bold mendacity of these *respectable servants of the Lower Canada House of Assembly*, (Messrs. Hume and Roebuck,) but one will suffice. During the last session of the Imperial Parliament Mr. Roebuck rose in his place, and presented a petition against the Timber Trade, informing the House, at the same time, as the accredited representative of all the British North American colonies, he was authorised to declare to the House his constituents' extreme anxiety for the abolition of a trade so pernicious in its consequences. This daring assertion, of course, passed uncontradicted in the House, for the plain reason, there was no person to gainsay it. We know, but the gentlemen of the House of Commons could not, that all the British North American colonies

It may, indeed, be said, that the House of Assembly has passed several bills to promote the education of the French inhabitants, but the Legislative Council has either rejected or mortally mutilated them, and this gross ignorance has been thus perpetuated. Be it so; but what sort of school bills has the House of Assembly passed? Why, bills to render each school among an ignorant peasantry a complete little republic, and excluding the slightest inspection on the part of the Government; and when the Legislative Council has amended any of those bills so as to give the Government that oversight of the common schools which obtains invariably in the United States, the House of Assembly has indignantly rejected them, pronouncing the Legislative Council a band of "British pillagers," and chosen Hottentot ignorance in preference to any educational instruction in which British influence might be incorporated—in which British generosity and intelligence might come in contact with French prejudice and jealousy, and the means of establishing a "nationality" republic be thereby retarded and counteracted. And all this, says Mr. Roebuck, to the tune of £1,100. a-year; and says Mr. Hume, in the hope of a similar fee from Upper Canada, (but the "baneful domination" letter has settled Mr. *Hume's* agency for that province) all this, say these incomparable statesmen and patriots, is but the groanings of oppressed intelligence and virtue under the grinding despotism of British tyranny! I may say to you, gentlemen, as Mr. O'Connell is sometimes wont to say to your superiors, "I wish you much joy of your honour and your company!"

I am, &c.,

A CANADIAN.

repudiate the assertion, and denounce its author as a person totally regardless of truth. There can be no doubt that Mr. Roebuck's masters in Lower Canada (for we have nothing whatever to do with the man), are extremely anxious for the abolition of a trade that introduces British capital, emigrants with knowledge, industry, and loyal feelings, into these provinces. It is no part of their policy to cherish such."

LETTER VI.

Sirs,—I will conclude these letters with a few brief remarks on your principal statements and arguments against the Canadian Executives, Legislative Councils, and Land Companies.

You rest the truth of both your doctrines and statements upon the representations of a provincial assembly, and adroitly denounce statements, complaints, and remonstrances from any ever so respectable and numerous a portion of the Canadian inhabitants, as unworthy of credit or respect, because they stand contradicted by the declarations of the representatives of the people. (I allude particularly to Lower Canada.) Your tactics are specious, but dishonourable and deceptive. The authoritative remarks of "Junius," in reference to a British House of Commons, will apply with double force to either of the Canadian Assemblies, and will call up in the minds of intelligent statesmen many appropriate reflections on nearly all the representations of the *present* Canadian Assemblies. "Any man who takes the trouble of perusing the journals of the House of Commons will soon be convinced that very little, if any regard at all, ought to be paid to one branch of the Legislature declaratory of the law of the land, or even of what they call the law of Parliament. It will appear that these resolutions have none of the properties by which, in this country particularly, law is distinguished from mere will and pleasure; but that, on the contrary, they have every mark of a power arbitrarily assumed and capriciously applied; that they are usually made in times of contest, and to serve some unworthy purpose of passion or party; that the law is seldom declared until after the fact by which it is supposed to be violated; that legislation and jurisdiction are united in the same persons and exercised at the same moment."

How fully have those very just observations of "Junius" been illustrated in most of the proceedings of the Lower Canada House of Assembly for several years past! I will give one example out of a score. That Assembly accused Lord Aylmer to the British House of Commons, in 1834, "of illegal, unjust, and unconstitutional conduct."

A committee of the House of Commons was appointed to investigate these (with many other similar) allegations, and acquitted the accused. But did the accusers acquiesce in the decision of the tribunal to which they had appealed? No, no, the decision did not accord with their "will and pleasure," and therefore they, only a few months after, declare that their "affections are like to be alienated from the Government of England itself," because "Matthew Lord Aylmer is still continued in the government of this province, after having been formally *accused* of 'illegal, unjust, and unconstitutional conduct.'" In the judgment of these learned and "purely democratic" legislators, for a man to have been "formally accused," even though he may have been acquitted, is a total disqualification for office; accusation is identical with guilt; they are both the accusers and judges, and pronounce it an "alienating" grievance from the Government of England itself, because they are not allowed to be the executors, as well as judges, of their own party accusations! Admirable emanations these of moral justice and constitutional intelligence!

Now, as an example out of a hundred of the weight which ought to be attached to the statements of your "nationality" assembly, take the following:—In an address to His Majesty, about three months since, that Assembly says,—“We solemnly repeat that the principal object of the political reforms, which this house and the people of this province have for a great number of years used every effort to obtain, is to extend the elective principle to the Legislative Council,” &c. Will the reader credit it, that a proposition to render the Legislative Council elective was never introduced into that Assembly until 1833; and that in 1831 that very Assembly prayed unanimously, that “the constitution as established by law might be transmitted unimpaired to posterity?” “Are *three* years a “*great number* of years?” Well has “Junius” again remarked, “In what a labyrinth of nonsense does a man involve himself who labours to maintain falsehood by argument! How much better would it become the dignity of the House of Commons (House of Assembly) to speak plainly, and tell us at once that their will must be obeyed, not because it is lawful and reasonable, but because it is their will.”

So much, Sirs, for the authority on which you rest your statements. I will notice but one of your charges against the Lower Canada Executive. It is a principal one, and may, therefore, serve as a specimen of the rest. It is this—“that it is seldom (to use the words of the Assembly) men of French Canadian origin find their way into

office under any circumstances." The ignorance of the French population, as was shown in my last letter, is quite sufficient to account for the appointment of comparatively few Frenchmen to public situations in former years—especially under an English Government, with the English laws, and with the French antipathies to the English. But I can prove from statistical documents, that a larger number of persons of French origin have been appointed to office since 1828 (when the Canada committee of the House of Commons made their report) than of British and American origin. I can give the names of the persons, offices, and time of appointment, if the correctness of this statement be questioned. (a)

Thus much, then, on your facts, in addition to what I have advanced in my former letters. I will now advert to some of your peculiar doctrines. One is (as the Lower Canada House of Assembly expresses it), "to render the Executive Council directly responsible to the representatives of the Canadian people." This is what you call "re-

(a) I will here add a few facts in support of these assertions. In the early part of Lord Aylmer's administration, his Lordship recommended the appointment of five gentlemen to the Executive Council, whose names are given in his Lordship's dispatch of the 5th of March, 1834, and of whom his Lordship says,—“Four of the five gentlemen above named are of French origin, and it is a circumstance worthy of notice with reference to the complaints of the House of Assembly of the ‘vicious composition’ (as they allege) of the Executive Council, that these gentlemen were all Members of the House of Assembly, and all belonged to what is termed the popular or Canadian party in that house.”

In an admirable despatch to the Earl of Aberdeen, dated the 18th of March, 1835, Lord Aylmer has given a statement “showing the appointments to offices of profit or emolument made by his Lordship from the commencement of his administration to the 1st March, 1835,” the offices, names, and origin of the persons appointed. I need not occupy these pages with the names and offices referred to. The following statements and observations of his lordship deserve particular attention, and are, I think, conclusive on this subject. No apology is required for the length of them.

“The House of Assembly complain ‘that the chief recommendation to office continues to be a marked and bitter animosity towards the people of this province, that it is seldom men of French Canadian origin find their way into office under any circumstances,’ and so forth.

“The assertion that it is seldom men of French Canadian origin find their way into office, is best answered by a reference to facts. From the accompanying statement, it appears that of 142 appointments which have been made to offices of profit and emolument, from the commencement of my administration in the month of October 1830 to the 1st of the present month (March 1835), 80 are of French origin, and 62 not of French origin; that during the same period the appointments made to offices, not of profit and emolument, amounting to 580, 295 are of French origin, and 285 not of French origin. It thus appears, that in the two instances above-mentioned, the one of appointments to offices of profit and emolument, and the other to offices not of profit and emolument, the advantage is on the side of individuals of French origin.

“In regard of the appointment of commissioners for the trial of small causes in different parts of the country, the same statement shows that those appointments amounted during the same period to 330, of which 151 are of French origin, and 179

sponsible government ;” and it involves nothing more nor less than the termination of British supremacy in the Canadas. For—1. It is plain that the Governor and his Council cannot both be responsible for the same act, any more than the King and his Cabinet. 2. If the Council be responsible, the Governor must be merely the nominal head of the Government, the same as the King of England, and cannot therefore be responsible for the acts of the Local Executive, either to His Majesty or to the British Parliament. 3. If the Executive Council be “directly responsible” to the Local Assembly, then the Executive Council is not only the acting head of the provincial Government, but is irresponsible to the King and British Parliament; for no man can serve two masters;

not of French origin, leaving a trifling numerical advantage in favour of the latter class, which is accounted for in a *nota bene* at the foot of the statement.*

“The appointments to be commissioners for the trial of small causes had no connection whatever with the general election, during which the Local Government preserved the strictest neutrality. An augmentation of the number of the magistrates in various parts of the country, which had been in contemplation for some time, was suspended on that occasion to avoid anything that could bear the appearance of an interference with the elections; and the same returning officers in the several counties, cities and boroughs who had before performed that office, were reappointed, although it was perfectly well known that the greater number of them were favourable to the party opposed to the Government, and those only of the former returning officers were removed (a few in number), who had on previous occasions incurred the censure of the majority of the House of Assembly.

“The assertion of the House of Assembly, that the persons appointed by me to office are men who display ‘a marked and bitter animosity towards the people of this province,’ must appear very extraordinary after reviewing the accompanying statement of appointments to office during my administration, and it is one which I find difficult to answer, because the individuals alluded to are themselves taken from ‘the people of the province,’ towards whom they are represented as entertaining sentiments of ‘marked and bitter animosity.’

“The drift of this assertion of the House of Assembly is evidently to make it appear that the Canadians of French origin are unfairly dealt with in the distribution of offices; and it is made a matter of complaint with a certain political party in the province, which is identified with the majority of the House of Assembly, that the Canadians of French origin are not appointed to office in numbers corresponding with their proportion to the whole population of the province. Upon this point I take leave to submit a few observations to your Lordship’s consideration. They occur in my answer to an address from the inhabitants of Montreal during the last summer, and are introduced here in order that they may be presented to your Lordship’s notice in an official form.

“If it be desirable that a rule should be established for the distribution of the honours and employments at the disposal of the Crown amongst the King’s subjects

* The following is the *nota bene* referred to:—

“N.B. The majority of commissioners of Small Causes not being of French origin, is accounted for by the fact, that nearly one-third of these appointments are for the townships, where persons of French origin do not reside, and where the French language is not spoken.

“Not of French origin includes persons of every other origin who have received appointments, very many of whom are descendants of families settled within the province for several generations, and who are as much identified with the best interests of the province as it is possible for persons of French origin to be. A fact which is alike applicable to every description of appointment, whether of emolument or otherwise.”

and "direct" responsibility to the local Assembly implies independence of the Imperial Parliament. Your doctrine is, therefore, inconsistent with the colonial relation of the Canadas to the Mother country, and

in the province of different origin, according to their relative numbers, it becomes a matter for consideration, in what manner this object is to be accomplished. Is it proposed to separate and divide into classes the inhabitants of English, French, Scotch, Irish and American birth or origin; and in like manner to parcel out into shares proportioned to their respective numbers all those honours and employments assigning to each class its due proportion? or, is it proposed, that successively as employments in the various departments of the administration become disposable, they shall be conferred upon individuals of the several classes in rotation, thereby establishing a species of lottery of the favours and distinctions of Government?

"In giving effect to the principle of distribution above-mentioned, the necessary calculations for ascertaining the numbers in each class must undergo frequent revisions, with reference to the constant changes going forward in the component parts of the population of the province from the effects of immigration and other circumstances. These, and other details, would inevitably give rise to further complaints and jealousies; but what is more than all to be deprecated, the principle above-mentioned directly tends to keep alive and perpetuate those very distinctions of national origin, which have been complained of, and of which the traces cannot, for the tranquillity and prosperity of the province, be too speedily or too effectually obliterated.

"It is not in the light in which this subject has just been placed that I understand the liberal views of His Majesty's Government, but rather that the most rigid impartiality shall be observed in distributing the honours and employments at the disposal of the Crown, and that without reference to national origin, he who may be considered the best qualified for employment, or most deserving of honour, shall be the individual preferred.

"This, as I understand it, is the principle upon which His Majesty's Representative in the province should govern his proceedings in the distribution of the honours and employments at the disposal of the Crown—a departure from it in favour of any particular class can alone constitute a just ground of complaint, and if inflexibly and steadily acted upon, no such ground of complaint can reasonably be brought forward on any side.

"I have only to add, my Lord, to the foregoing observations, that the principles they inculcate have served as the rule of my public conduct in the administration of the Government of this province; and that in selecting individuals for office, I have invariably made choice of those who, according to the best of my judgment, were best qualified for it, without partiality, favour or affection.

"It appears from the statement which accompanies this despatch, and referred to above, that of the appointments to offices of profit and emolument which have been made during my administration, more than one-half have been bestowed upon Canadians of French origin. The assertion of the House of Assembly, therefore, that 'it is seldom men of French Canadian origin find their way into office under any circumstances,' has been fully disproved. And with reference to the complaints of the Assembly upon that head, I beg to call your Lordship's attention to the fact, that the whole of the preferment of the Roman Catholic church in the province, exceeding 25,000*l.* per annum, besides fees and dues, is almost exclusively in the hands of 'men of French Canadian origin;' the head of their church, in the province (himself invariably a French Canadian enjoying a large revenue, of which 1,000*l.* per annum is paid out of the military chest), disposing of that preferment at pleasure, and without the slightest interference or control being ever attempted on the part of the Local Government. I beg not to be understood in stating this fact, that I contemplate, or would desire to see any change in the present system of patronage in the Catholic church—far from it; the fact is brought forward merely with reference to the complaints of the Assembly.

"In addition to the foregoing advantage enjoyed almost exclusively by 'men of French Canadian origin,' the appointment of teachers in the schools established in

proposes not merely the relinquishment of the royal prerogatives and authority in those provinces, but also the transfer of the prerogatives and authority of the Imperial Parliament to the local assemblies; or, in other words, the independence of the Canadas.

According to the present relation of the Canadas to the parent state, the Governors are responsible to the King and Parliament for all the acts of the local Executives; they can also be prosecuted by any individual in the colonies for any act of oppression or injustice, as well as any justice of the peace; the Executive Councils are councils of advice, not cabinets, and are responsible in those cases only in which the constitution of the Canadas requires their concurrence to give effect to executive acts. And pray, Sirs, what other responsibility is more efficient than this, or can exist in the Canadian Executives, unless Sovereign Legislatures be established there, the same as in Great Britain, or in the United States?

What you have advanced respecting the Legislative Councils also requires a brief notice. One of your principal charges is, that those Councils have opposed the improvement of the country. I have already shown that the Legislative Council of Lower Canada has not opposed the diffusion of education; I will now ask you how you can make it appear that the Legislative Council of either province has opposed the improvement of the country? Have not the majority of those Councils always been strenuous advocates of all possible facilities of internal navigation? Are they not mostly merchants, with considerable landed property in the country? How, then, can they be otherwise than favourable to the agricultural and internal improvements of the country, when those very improvements are the sinews and life-blood of their own commercial enterprise and freehold wealth?

But, you say, some unworthy individuals have been appointed Legislative Councillors. Has no unworthy individual ever been called to the House of Lords? I admit that individuals have been called to the Legislative Council who, after their appointment, have shown themselves unworthy of the honour conferred upon them and the trust reposed

the country parts of the province, under the authority of Acts of the Provincial Legislature, with salaries and allowances amounting altogether to 18,000*l.* per annum, is virtually at the disposal of the Members of the House of Assembly, of whom the great majority are of French origin.

“Taking together the facts which I have had the honour of stating above, your Lordship will perhaps be of opinion that the Assembly have no reasonable cause to complain of the men of ‘French Canadian origin’ being upon an inferior footing to their fellow-subjects of British and other origin in the province, in regard to the enjoyment of offices of profit or emolument.”

in them; but have not many wealthy, intelligent, and worthy individuals also been called to the Councils; and have not many sharpers and bankrupts been elected to the Assemblies? And would not such characters be as likely to find their way into elective Councils as into such elective Assemblies? This objection only proves, at most, the want of caution on the part of those who have invested such characters with legislative powers; but it affects not the principle in the one case any more than in the other.

You say, again, the Legislative Council is dependent upon the will of the Executive, because its members are appointed by the Crown. I answer, would the members of the House of Commons be very dependent upon the people of Great Britain and Ireland, if they were elected for life? How, then, can you say the members of the Legislative Councils are dependent upon the Crown, when, the very moment they are elected Councillors, they are legislators for life, and can no more be deprived of the legislative character than any member of the British House of Lords.

Your answer then is, "The Legislative Council bears no analogy to the British House of Lords, either in number, wealth, influence, or intelligence." I admit it; and will ask, in reply, what analogy the Canadian House of Assembly bears to the British House of Commons, in numbers, wealth, influence and intelligence? What analogy does Canada itself bear to Great Britain in these respects? To establish your vague and oft repeated assertions on this point, you must prove three things. 1. That a Canadian House of Assembly possesses more wealth, intelligence, and influence in comparison of the Legislative Council, than the British House of Commons does when compared with the House of Lords. 2. That the British House of Lords possesses more members, wealth, and intelligence in comparison of the population, wealth, and intelligence of Great Britain and Ireland, than a Canadian Legislative Council does in comparison of the population, wealth, and intelligence of either of the Canadas. 3. That the House of Lords represents a larger portion of the feelings and interests of the inhabitants of Great Britain and Ireland, than the Legislative Councils do of the feelings and interests of the inhabitants of the Canadas. Now, Sirs, from 30 years' residence in the Canadas, and nearly a year's travelling and residence in England, with a tolerable knowledge of the political, commercial, and literary history and present state of Great Britain and Ireland, I unequivocally deny each of these propositions; and (with the exception of purely French prejudice in Lower Canada against every thing English) I positively affirm, that in each case the

comparison would turn on the side of Canadian Legislative Councils. And in this assertion I concede to the House of Lords all that is attributed to that venerable and noble body by its ablest advocates.

If it be desirable, in the present position of affairs, to increase the number of members in the Canadian Legislative Councils, that can be done without subverting the principles of their constitution, either by the Crown exercising its already established prerogative, or by an imperial act, empowering the present councillors to elect one or more representative members from each county, the same as the 16 representative Peers of Scotland are elected at the commencement of each Parliament.

But, Sirs, whence arises the implacable hatred of your Canadian confederates and yourselves against the constitution of the Legislative Councils? I answer, from the same source with your enmity against the constitution of the British House of Lords. You have, as a pretext, adverted to the acts of the Lower Canada Legislative Council. I am not the advocate of those acts, any more than I am the apologist of numerous acts of the Elective Assembly: but I venture to assert, that if the acts of the Assembly were as carefully and as pugnaciously scrutinized as those of the Legislative Council have been, your argument would more than fall to the ground. Your familiar assertion, that "the Legislative Council is the mere screen of the Executive Government," sufficiently develops the cause of your rancorous denunciation of that body. You and your partisans have sought the possession of the Executive prerogative and power; you have demanded that the "Executive be directly responsible to the representatives of the (Canadian) people;" in the preambles and certain clauses of many bills which the Canadian Assembly has of late years passed, attempts have been made to accomplish these objects; which objects have been steadily resisted by the Legislative Council, either by rejecting or modifying such bills. Here, then, is the real cause of the present war against the constitution of that branch of the Government. The Legislative Council has met the Assembly on the threshold of its attempts to gain the citadel of Executive supremacy, and has thus "screened" or shielded the Royal power from being degraded into "a government purely democratic." Happy is it for the inhabitants of English, Scotch, Irish, and American origin, who speak the English language, that there is a Legislative Council in Lower Canada; and it is to be hoped that that branch of the Government will be sustained with an integrity and decision, in proportion to its importance. You have wisely concentrated all your forces against the Legislative Council, because you well know

that the constitution of that body forms an impregnable fortress for the defence of the Royal prerogative on the one hand, and the protection of the rights and interests of 150,000 British inhabitants on the other. (b)

The Upper and Lower Canada Land Companies are another strong hold and increasing resource of British influence and power, on the overthrow of which you are as intently bent as on that of the Legislative Councils. Hence your "alliance" party in Upper Canada demand the "extinguishment of all monopolizing land companies;" and the majority of the Lower Canada Assembly charge the British Parliament with having "sanctioned the sale of lands belonging to this province to several individuals using the title of the 'British North American Land Company,' and hereby have taxed this colony, contrary to the most important and indisputable of the birth-rights of British subjects." These Frenchmen then employ a long paragraph of declamation on this "unconstitutional taxation," (c) and "equally unconstitutional application of the said tax," this "destruction of the political independence of the people," &c., and conclude by demanding "the immediate repeal of the act passed in favour of said Land Company." The speech of Mr. Roebuck, in the House of Commons on the evening of the 16th of May, contains a repetition of this bombast of the

(b) During Sir James Kempt's administration of the Government of Lower Canada, four new members were added to the Legislative Council, two of whom were of French origin. Fourteen were added during the administration of Lord Aylmer, of whom eight were of French, and six of British origin. Concerning these additions to the Legislative Council of Lower Canada and the character and independence of that honorable body, Lord Aylmer, in a despatch to Mr. (now Lord) Stanley, dated 5th March, 1834, makes the following very just observations.

"Not one of those 18 gentlemen holds office, or is in any way connected with or dependent upon the Government of the Province.

"The actual state of the Legislative Council is as follows:—It consists of thirty-five Members, taken from the most opulent and respectable classes of society of various origin, in different parts of the Province, of whom seven only hold office, including their Speaker (the Chief Justice of the Province,) and the Lord Bishop of Quebec, who is rarely present at the deliberations of the Council.

"It would be difficult, perhaps, to find in any British Colony a Legislative Body more independent of the Crown than the Legislative Council of Lower Canada; and so far am I from possessing, as the King's Representative, any influence there, that I will not conceal, that I have on more than one occasion regretted the course adopted by the Council. But whilst I make this confession, I will not deny but I have, on the contrary, much satisfaction in avowing that I repose great confidence in that branch of the Colonial Legislature;—it is a confidence derived from my knowledge of the upright, independent, and honorable character of the great majority of those who compose it, and of their firm and unalterable attachment to His Majesty's Person and Government, and to the Constitution of the Colony as by Law established."

(c) To hear these Canadian republicans and their London counsellors and agents clamour about "taxation" and the "burdens of the people," a stranger would naturally conclude, that the Canadians are oppressively taxed; when the fact is, the whole of the public taxes in either of the Canadas is, for each individual, only a fraction more than one-third of the amount of taxes paid by each citizen of the neighbouring States of the American Republic.

Lower Canada House of Assembly. But whence this hostility to the Canadian land companies? Not on account of their mode of managing their affairs, for no one has attempted to impugn the honorable and liberal character of their proceedings. Not on account of their obstructing the improvement of the country, for it is notorious, and can be denied by none, that those companies have added much to the value and brightening prospects of the Canadas, by making their climate and resources better known in this country, by directing thither thousands of British emigrants, many of whom have already risen above the poverty that pressed upon them in their native land, and are rising to easy competence, and in instances not a few to wealthy independence, by settling tens of thousands of acres of excellent land—by expending large sums of money in making roads, erecting machinery, villages, &c.—by inspiring English capitalists with confidence to make Canadian investments—and by contributing incidentally to increase the commerce between Great Britain and the Canadas. But all these facts are so many objections with you and your partisans against the Canada and British American land companies, because the salutary operations of these companies all bear ultimately upon one point—the increase of British property, of British principles, of British influence and power in the Canadas, and the consequent defeat of the French “nationality” and “purely democratic” schemes. (*d*)

(*d*) The interests of these Companies—especially the British American Land Company,—have been seriously prejudiced by the cautious silence which has been observed on the part of the Ministers of the Crown, in the House of Commons, whilst successive attacks have been made by Messrs. Hume and Roebuck, during the last two or three sessions, upon the legality of the titles to the lands which those Companies have purchased, and the sales they have made to actual settlers. I have known persons who were desirous of purchasing land of those Companies reason in this way—“Their titles are publicly denounced in the British House of Commons as defective, where it has also been asserted, no person is secure of the property he purchases of them; nor has the King’s Government said aught to the contrary. It is plain therefore that the Government feels that the titles of these Companies are questionable, or that it is not disposed to afford them its countenance and protection; for surely, if otherwise in either case, it would defend its own acts and assure its continued protection to those who, in reliance upon its good faith, have made large investments and incurred heavy expenditures.” It was therefore with no ordinary satisfaction I heard the Under Secretary of State for the Colonies, in his place in the House of Commons, towards the close of last session of Parliament, denounce the crusade of Messrs. Roebuck, Hume and Co. against the Canada and British American Land Companies, and indicate the inflexible determination of His Majesty’s Government to fulfil to the uttermost its engagements with, and the reasonable expectations of, those enterprising parties who have already done so much to promote the British and commercial interests of the Canadas. Situated as the Canadas are in the neighbourhood of the United States, His Majesty’s Government will most effectually strengthen and perpetuate the mutually beneficial connexion of those provinces with the Mother Country by encouraging, in every possible way, the Canadian investment of British capital,—thereby creating a reciprocal oneness of interest between the two countries. On the other hand, that a very large and increasing profit will, at no distant period, be realized from such investments there cannot be the slightest doubt. The increased value of landed property in the neighbourhood of the im-

The "Canada Company," which has large tracts of excellent land in Upper Canada, was incorporated by royal charter and act of Parliament in 1826. The "British American Land Company" was incorporated as late as 1834; it has already purchased several townships of valuable land in the southern parts of Lower Canada. The former has become too firmly established in both its operations and character to be much affected by your attacks; the beneficial and popular, though infant, operations of the latter excite the principal terror and opposition of the "nationality," and anti-emigration Frenchmen of Lower Canada. Your objections and declamations, however, are directed equally against the titles and objects of both companies; and on account of their incorporation and the sale of certain waste lands of the Crown to them, you have sought to disaffect the Canadas towards the British Government. Allow me, then, to disabuse the British public on this point also.

Your principal charge is, that the King and British Parliament have violated the constitutional rights of the colonists by disposing of tracts of waste lands of the Crown, because you say "these lands belong to the Canadas." This act the Assembly of Lower Canada calls "a virtual dissolution of the constitution, for the consequences of which it cannot answer," and modestly declares, "that the people of the old colonies, now the United States of North America, however much they were aggrieved by attempts at unconstitutional taxation, had much less to complain of on the score of executive usurpation than the people of this province." Now, Sirs, how does it appear that the waste lands of the Crown are the property of the Canadas? Did not the whole of

proving provincial towns in England, will enable any person to judge of the certain increase in the value of landed property in a new country, as its almost every where arable soil is brought under cultivation, where towns and villages are ever and anon already rising up in the wilderness, which is rapidly disappearing before the hand of British and Canadian industry and enterprise; where canals and railroads are projecting and being carried into operation, in connexion with various other internal improvements, calculated to develop the latent resources of the country and promote the interests and comfort of the inhabitants, — and where, even in a state of nature, there are amazing facilities of internal navigation. It is true, that in Lower Canada the blighting *simoon* of French ignorance and ambition has paralyzed the efforts of British enterprise and industry during the last few years; has suspended every improvement, and even produced a temporary depression in the value of property; but this barrier to the prosperity of Lower Canada as a British province, it is in the power of His Majesty's Government and the Imperial Parliament, in a great degree, if not entirely, to remove. In Upper Canada also the recently developed and now defeated conspiracies of a similar Jacobin party have, for two years, partially checked the rapid career of prosperity which has characterised the history of that province. But when it is recollected that during the last thirteen years, from 1823 to 1836, (under various disadvantages which do not now exist,) that province alone has increased in population from 150,169 to 346,600, and that during the same period, landed property has increased in value from one hundred and fifty to five hundred per cent., the most cautious British capitalist can entertain little doubt of the security and ultimately large profit of his Canadian speculations.

those colonies once belong to the Crown of Great Britain and Ireland? No one can deny this. It thence follows that those parts of the Canadas which the King has not given to the colonists or colonial legislatures still belong to the British Crown. Have these lands, then, been given to the Canadas by any order of the King's Government? No. Have they been given by even a resolution of any branch of the British Government? No. Does any provincial charter or the Constitutional Act of 1791, which established legislatures in the Canadas, concede these lands to the colonies? No. The very act which authorised the colonists to elect representatives to legislate for them, recognizes the authority of His Majesty to dispose of these lands as he pleases; and it is no more a violation of the constitution of His Majesty (and especially by an act of the Imperial Parliament) to dispose of these lands to individuals or companies, than it is for Mr. Papineau to sit in the House of Assembly. It is as much a subversion of the constitution to infringe the prerogative of the Crown, as it is to infringe the rights of the colonists. Both are equally recognized and established by law. The "property of the Canadas" is that which the constitution has placed at the disposal of the local Legislatures; the property of the Crown is that which the constitution has placed at the disposal of His Majesty. There were no Legislatures in the colonies until a Royal charter or act of the Imperial Parliament created them. Those Legislatures, therefore, possess no power which was not given them by the act which created them, or by some subsequent act of paramount authority. If the titles of the Canadian land companies are not valid, then not an individual in either of the Canadas has a valid title to a foot of land.

But you will probably reply (as your Canadian confederates have often contended)—that "these Crown lands were worth very little 40 years ago, but by the industry and enterprise of the colonists they have been rendered valuable; therefore they are the rightful property of the colonists." I answer, the increased value of property in the colonies does not annihilate the rights of the Crown any more than it annihilates the rights of an individual. The increased value of the land enclosed in Hyde-park, occasioned principally by the industry and enterprise of the citizens of London during the last 200 years, does not transfer the title or right to that property from the Crown to them. It is true that the Crown lands in the Canadas were of little value 40 years ago; it is also true that the lands of individuals were of as little value. It is likewise true, that whilst the value of Crown lands has been increased

by the industry and enterprise of the inhabitants, the value of their lands has been equally increased by the protection, and encouragement, and expenditures of the Crown and the British Parliament. With how much propriety therefore might the British Government say to your "purely democratic" Canadian confederates,—“Most of you were worth nothing when you settled in the Canadas—all you possess you have acquired under the constitution of Government which you are now endeavouring to destroy—to many of you lands were given with merely paying a few shillings office fee; we have protected your lives, property, and commerce—we have expended large sums of money in maintaining a government amongst you, in erecting fortifications, and making improvements—you ought now to contribute something to reimburse those expenditures.” But the British Government demands no such return. It has even given up to the Colonial Legislatures revenues which were formerly under its own control.

But whatever accession may have been made to the value of the Crown lands in the Canadas by the labours of the inhabitants, your French constituents have no claim to the benefit or credit of it. They have never thought of going beyond the old French seigniories, and have contributed no more to the improvement or increased value of Crown lands than to the settlement of New South Wales. As well, then, might the inhabitants of Guernsey talk about “unconstitutional taxation” as the French “nationality” of Lower Canada. But how does it appear that selling a quantity of waste lands of the Crown is “taxation” at all? What tax does it impose upon a single individual of any British colony? Does it not, on the contrary, contribute to the settlement of these wild lands, and add to the value of landed property in the colony generally, and especially when it is known and considered that every farthing of the proceeds of the sale of these lands is expended in the Canadas? Even in the United States, the public lands in the different states are not granted or disposed of by the Local State Legislatures, but by the General (or Imperial) Government.

How groundless, therefore, are your vapourings about “unconstitutional taxation,” “violation of the constitution,” &c. The object of them, however, is sufficiently obvious—namely, to establish in the Canadas (to use your own words) “a government purely democratic.”

What then would I ask of His Majesty's Government and the Imperial Parliament in this state of Canadian affairs? I would ask nothing for Upper Canada but an opportunity for the people to express their wishes as to monarchical or republican government, by electing repre-

sentatives for that purpose. They have never been appealed to on the subject, as were the French habitans of Lower Canada in 1834. I ask that the people of Upper Canada may not be libelled, but that they may be permitted to speak for themselves. Is this request or proposition unreasonable? (*e*)

In behalf of my fellow-subjects and countrymen who speak the English language in Lower Canada, I ask, as they have often asked, that their relation to the British Government may not be changed, by the transfer of the Royal prerogative, or the control of the Crown revenues, to the French House of Assembly. To accede to the demands of the Assembly will be a violation of good faith, as pledged in the constitution, to the British inhabitants, will turn over 150,000 souls from a British Government to a French majority domination; and will virtually and practically place them under a French Republic, whether it be called a British province or not. I can hardly imagine such a policy on the part of the British Government to be possible; but if it be possible, I do say on good authority, that the sons and descendants of Great Britain and Ireland will not be thus transferred, or sold, or given into the hands of Frenchmen. Thousands of them will die on the battle-field first. They will at once say, "If we must be placed under a Republic, it is far better to be the citizens of an English, than the vassals of a French Republic." They will, in the first place, make forcible resistance; and in the next place, they will seek a union with, and the protection of the United States Government; because they know that if the United States Government should obtain possession of Lower Canada, it would establish the English as the legislative and judicial language there, as it has done in all its other French and Dutch possessions. The Frenchmen of Lower Canada are also aware of this, and dread a union with the United States much more than they do Mr. Hume's "baneful domination of the mother country." Their object is to establish a local French "nationality" Republic. But such will most assuredly be the feelings and efforts of the British inhabitants if the faith of the British Government be broken with them. I cannot believe that they will ever be reduced to such an alternative; but supposing a case which the events of the past year have rendered possible, I frankly state what will be the certain result. I have ample proofs in my possession that such has been a common feeling and consultation amongst them during the

(*e*) The wish here expressed has since been realized. The gratifying result will be found in a note on page 20.

first few months of Lord Gosford's feeble though well-meant government. "Britons never will be slaves."

It may be said, "the United States do not want to enlarge their territories." That may or may not be true; yet no man would object to the enlargement of his possessions, however extensive and valuable they might be, provided an adjoining estate could be added to them with comparatively little trouble or expense. Great Britain has no desire to enlarge her territories; but she would not object to take possession of all her old North American colonies again, if a majority of their wealth and intelligence were to seek an alliance with her upon justifiable and honourable terms. But the burning shame would be, that the expatriated sons of Britain should ever be reduced to seek an alliance with a foreign power.

One thing more is asked for the British inhabitants of Lower Canada—namely, that as the supplies for the maintenance of the local government have been lately placed under the control of the Assembly, they may have an equality in the representation of the province. It were easy to show from early Royal proclamations and acts of the Imperial Parliament, and the administration of the government of Lower Canada for more than half a century, that the perfect *equality* of the British with the French inhabitants was provided for and recognized, notwithstanding the inferiority of their numbers. I now contend, that this equality should be carried into the representative branch of the Government also, when it is invested with great additional powers. I contend for it, not because the British inhabitants are equal to the French population in numbers, but upon the very stipulations of the conquest of French Canada—upon the provisions or articles of the original compact—and upon the ground of actual possession from 1763 to 1831, when the supplies for the maintenance of the local government were placed under the control of the Assembly. I contend for it also upon the ground, that the British inhabitants possess, confessedly, the majority of the wealth and intelligence, and pay more than one-half of these recently conceded revenues of the province. Even before this control of the supplies was given to the Assembly, Mr. Stephen, one of the Under-Secretaries of State for the Colonial Department, gave it as his opinion, "as the only effectual mode of rescuing the English townships from disadvantages to which he thought it was neither just nor safe to subject them," that "the French and English representatives should be brought with an equality, or some approach to equality in numbers, into the same Legislature." Mr. Stephen observed further—

"The great source of these controversies is the difference in the two races, combined with the difference in the territories on which they are settled."—(Evidence before the Canada Committee, 1828.) In a former letter I have proved this to be the fact; I therefore contend, that "the two races" should be equally represented in every branch of the Government. This is all the British inhabitants ask for. *One* means of accomplishing this object is, to increase the representation of the English townships, as was done originally, and with great advantage to new settlements, in the states of New Hampshire and Vermont, where every given district was allowed to elect one representative to the Legislature as soon as it contained 20 families, and to elect two representatives as soon as it contained (I think) 40 families, when the representation of the district was complete. Until this equality of the "two races" in the representation is granted, or until the House of Assembly retraces its steps and promises fidelity to the principles and equitable administration of that constitution of government to which it has heretofore professed unqualified attachment from 1791 to 1833, I submit that it is no more than an act of justice to the British inhabitants of Lower Canada, that His Majesty's Government should resume the appropriation of those revenues out of which the supplies for the maintenance of the local Government are granted. (*f*)

I have only one thing more to ask in behalf of the Canadas. As you, Mr. Hume and Mr. Roebuck, have been proved to be the authors, as well as the agents of the "nationality" and "democratic Government" schemes in the Canadas, I would submit to the hon. members of the House of Commons that they treat your speeches, whenever you rise to address them on Canadian affairs, with those marks of neglect,

(*f*) The resolutions on which a bill was founded and afterwards passed, to place the revenues raised under the 14th of George III. (amounting to about £31,000 per annum) at the disposal of the Legislature of Lower Canada, were moved in the House of Commons by Lord Howick, the 18th February 1831. These resolutions provided that a civil list for seven years, amounting to £14,000 per ann. should be granted by the Lower Canada Legislature; but no such condition or saving clause was embodied in the bill. The consequence is, that the House of Assembly has obtained the control of those revenues, but has refused to pass any such supply bill for the support of the provincial Government, the officers of which are left year after year without a farthing salary. When the measure was brought into the House of Commons—even with the understood provision that the Lower Canada House of Assembly should agree to the seven years' civil list of £14,000 per annum—Mr. Hume is reported to have said.—"sure he [Mr. Hume] was, that the passing of such an act would be to the Canadians a highly prized boon; it would afford satisfaction and content." The sequel is, that Mr. Hume's "satisfaction and content" has been the virtual suspension of Government and legislation in Lower Canada from that time to this,—the prompting of the Canadians by Mr. Hume and Mr. Roebuck to demand organic changes in their up to that time lauded Constitution, to "resist the British Parliament" itself, and to "keep the conduct of the Americans between 1772 and 1782, and the result, ever in view," until they should obtain entire "freedom and independence from the baneful domination of the Mother Country."

contempt, and scorn which your conduct so richly merits. The members of the British House of Commons would confer few greater benefits on the Canadas than thus to treat the men who have endeavoured on the one hand to persuade Englishmen that the Canadas are a useless and expensive burden to England, and on the other to excite the inhabitants of the Canadas to "resist the British Parliament," and to assert "freedom and independence from the baneful domination of the mother country." (g)

I am, &c.

A CANADIAN.

London, July 12, 1836.

(g) It is not easy for any other than a resident in the Canadas to appreciate or conceive the influence which the debates of the British Parliament have upon the public mind in that country. When Messrs. Hume and Roebuck make positive assertions as to either the measures or principles adopted in the administration of the Colonial Government, and those assertions or arguments, so called, are very partially met on the part of His Majesty's Government, or all discussion is *publicly* deprecated and evidently evaded, the effect is most injurious to the Government in the Canadas. The pupils and partisans of Messrs. Hume and Roebuck proclaim, that "the Government are afraid to have the people of England made acquainted with the system of oppression and corruption which prevails in the Colonies;" or that "such and such statements were made and such principles were laid down before the British House of Commons without being denied or contradicted, and were therefore tacitly assented to and sanctioned by the reformed Parliament of Great Britain." Such are the inferences which have been sedulously and successfully impressed upon the public mind in the Canadas from several debates or conversations which have latterly taken place in the House of Commons on Canadian affairs; nor can any explanation, however correct and conclusive to a mere English reader, remove the erroneous and injurious impressions thus made. On the contrary, when the assertions of these London dictators of Canadian republicanism are pointedly met, and their doctrines denounced with an English like frankness and independence, and determination, the effect is equivalent to settling the questions thus mooted in the minds of the Canadian people,—especially in Upper Canada. I am aware that the British public are fully competent to appreciate the statements and dogmas of certain politicians, independent of other notice, and well know when *silence* in St. Stephen's proceeds from sullen disgust at the tedious verbiage of a political empiric, or breathless admiration of a profound statesman. But what is *conventional* in the British House of Commons is little understood or known in distant Colonies, where a Roebuck and a Hume, from being unopposed, or opposed in a subdued tone, in their Canadian politics,—have been puffed into the political magnitude of a Stanley and a Peel!

May I, therefore, without being considered presumptuous or intrusive, entreat that Messrs. Hume and Roebuck be not henceforth allowed by the Members of the House of Commons to proceed with impunity in their Colonial twaddle. Will honorable Members favour the Canadians with some key to the understanding of their real feelings on such occasions? Will every British Statesman who desires the continuance of the North American Provinces as an integral part of the British Empire, speak of the *Constitution* of those Provinces—at least of the Canadas—not as a *doubtful experiment*—rightful game therefore for the speculations of every adventurer—but as the settled basis of a mutually ratified *compact* between the Colonies and the Parent State—a compact under which, it can be proved, the Canadas have advanced in population, agriculture, commerce and wealth, more rapidly than the adjoining Republican States—a compact under which at least 50,000 emigrants from the United States have settled in Upper Canada alone—a compact embodying principles and obligations which have been, during nearly half a century, spoken of in none other than the strongest terms of admiration and attachment in Royal dispatches to, and Legislative and popular addresses from, the Colonies,—principles and obligations to which *allegiance* has been pledged on the one side, and Royal faith has been plighted on the other;—a compact the unsettling of which will, I am persuaded, be the precursor of the dissolution of the existing political connexion between Great Britain and North America.

LETTER VII.

Defence of His Excellency Sir Francis Head, against the Attacks of Mr. Joseph Hume and his anti-constitutional Associates in Upper Canada.

To His Majesty's Principal Secretary of State for the Colonial Department.

My Lord,—I take the liberty to address your Lordship as the official defender of the Prerogatives of the Crown, and the protector of the rights and privileges of the colonists, from the Governor down to the humblest emigrant. The object of the present letter is to refute the misrepresentations of Mr. Hume, in his speeches on the affairs of Upper Canada, in the House of Commons, on the evenings of the 16th and 19th ult., and to defend His Excellency Sir F. Head against the attacks of Mr. Hume and his discomfited Canadian confederates.

In my former letters I think I have fully proved, in reference to Upper Canada,—1. That the object of Mr. Hume and his Canadian associates, upon their own confession, is the establishment of a Canadian Republic, under what they call the "British Constitution." 2. That this project originated with Mr. Hume and Mr. Roebuck. 3. That the party in Upper Canada, which Mr. Hume calls "Reformers," had always expressed themselves attached to the constitution of that province, up to January of the present year, and repudiated as a calumny—what some of their opponents attributed to them—that they meditated a change in the form or constitution of the Local Government. 4. That the inhabitants of Upper Canada had never been appealed to or consulted on those changes in the Constitution, which have been demanded by a majority of the late House of Assembly at its last session, and were utterly opposed to such changes, and would show themselves so (as I expressed it in my third letter), "whenever the question should be put to them by any British Government." My prediction has been already fulfilled. The inhabitants of Upper Canada have been appealed to—not by His Majesty's Government, but by the Lieutenant Governor, upon his own responsibility; and more than two-thirds of them have responded in favour of the constitution and Sir F. Head, and

against Mr. Hume's fraternity. Of the sixty-two representatives newly elected to the Assembly, forty-four are Constitutionalists; (a) and I venture to affirm, that the constitutional majority would have been still more overwhelming, had the elections been held two months later. This result of the Upper Canada elections has been termed "a re-action." It is a re-action in respect to individuals elected to the Assembly; but it is not a "re-action" in the Constitutional principles of the inhabitants of that province. That was the first time they had ever been appealed to as Constitutionalists and anti-Constitutionalists.

The principal, and indeed, only authority on which Mr. Hume and Mr. Roebuck have, for the last six months, based their statements, is a Grievance Report, which has been transmitted to England, and distributed amongst members of the Imperial Parliament. In my third letter I have given some reasons why no confidence ought to be placed in that fabricated and disgraceful document. About the same time that my letter was written in London, the Lieutenant Governor of Upper Canada publicly applied the following language to that Grievance Report:— "Gentlemen, I arrived in this Province impressed with the belief that the Grievance Report was an honest document. It is with deep regret I now deliberately declare it to be a deception, containing assertions to which I can give no milder designation than that they are incorrect; and whenever the proper time shall arrive, it will be easy for me to contrast the statements in this report with the facts which are before us all. When this result shall be known, the British Government which so promptly attended to these complaints, and His Majesty, who so nobly desired they should be corrected, will no doubt entertain feelings which it is not for me to express. In the meanwhile, the fact I state to you will sufficiently explain, why I have been so vexatiously opposed by the very agitators who called for reform; for the truth is, they did not dare to face their own Grievance Report—they were afraid to meet me upon that ground, well knowing that it is easier to transmit accusations to a country '4000 miles off,' than to substantiate them upon the spot."—*Extract from His Excellency's reply to an address from certain inhabitants of the Township of Toronto, May, 1836.*

The electors of Upper Canada have confirmed the truth of that statement; yet does Mr. Hume, in the House of Commons, on the

(a) Since the meeting of the new Assembly, the greatest force which the opposition has been enabled to muster is *eleven* votes.

evenings of the 16th and 19th instants, reiterate a catalogue of charges against the Governor and Government of Upper Canada, founded entirely upon that exploded document, and the accompanying statements of a majority of the late Assembly, who have been, on account of their conduct in reference to that very Grievance Report, and those statements, ejected from the Assembly during the recent elections in Upper Canada. I doubt whether there is more than one other member of the Imperial Parliament, besides Mr. Hume, who has the hardihood to practise such an impudent imposture upon an English House of Commons, and the British public.

The next resource of this defeated party is, to attribute the result of the late Upper Canadian elections to the exercise of corrupt and unconstitutional influence, on the part of His Excellency Sir F. Head; and in order to prefer and establish these charges in this country, against the Lieutenant Governor, a Mr. Charles Duncombe (Member elect for the County of Oxford, Upper Canada,) proceeds to England, petitions the House of Commons and employs Mr. Hume to communicate and endorse his statements to the British Parliament and public. This Mr. Duncombe seems to have left Upper Canada secretly, as I see no mention of his departure in the Canadian papers, and to have taken upon himself the Herculean task of getting Sir F. Head removed from the Government of that Province. I will, therefore, now take upon myself the task of unmasking this political adventurer, and of vindicating Sir F. Head from the calumnies of his republican and disappointed enemies.

This Mr. C. Duncombe is a native of the United States, where he was formerly a country schoolmaster. He at length qualified himself to pass a medical examination; came into Upper Canada about twelve or sixteen years ago, and commenced business as a medical practitioner and land speculator; has acquired considerable influence in the inland County, for which he has got himself elected to the Assembly. But be it remembered, that this same Mr. Duncombe has acquired his political influence with his neighbours and patients, by professing a warm attachment to the established Constitution of Canada, and an uncompromising opposition to all innovations upon it. And I feel quite sure that, notwithstanding there is no local newspaper published in the County in which this Mr. Duncombe has been elected, and the inhabitants have not the greatest facilities of information, and perhaps a larger proportion of them are American settlers than in any other County in Upper

Canada, yet were Mr. Duncombe's new-born opinions as well and as generally known amongst his constituents as his late constitutional ones are, he would not be at this hour Member elect for the County of Oxford. So decided a constitutional reformer has this Mr. Duncombe been, up to within a few months, that on the 30th of January, 1835, he proposed a resolution in the House of Assembly strongly condemnatory of Mr. Hume's celebrated "baneful domination" letter. I will let Mr. Duncombe (in a speech corrected by himself) and his resolution speak for themselves; and I beg it may be remarked in what language Mr. Duncombe and the party he purports to represent were accustomed to speak, not merely of the Constitution of Canada, but of the Canadian policy of the British Government, up to last January:—

"I am not one of those," said Dr. Duncombe, "who think they should act without any regard to the opinions of their constituents; neither am I one who hastily expresses an opinion upon another. But my opinion on this subject (and I believe it is the opinion of the country), is, that we should decidedly express our disapprobation of the sentiments contained in this letter.—(*Loud cries of "hear, hear," from both sides of the House.*) If Mr. Hume wrote that letter for the purpose of expressing his opinions on the free trade, it might be allowed to pass unnoticed; but I cannot view it in any other light than for the purpose of alienating the affections of the people from the mother country, and in that light I believe it is viewed by almost every person in the Province and out of it." * * * * * "I would ask if this House would allow a Member of the Imperial Parliament to interfere in the affairs of this country, and advise the people to throw off the Government of Great Britain, without addressing his Majesty on the subject? I trust not. We are told this is not what was intended by the letter; but the language is so plain that any man of common sense cannot mistake it—(*hear, hear*); and the explanation Mr. Hume has attempted is no better—it just amounts to the same thing. If, Sir, Mr. Hume had shown us that the British Government was ruling us with a rod of iron, that our addresses were neglected, and our wishes disregarded, there might be some excuse for his conduct. But that is not the case; for I will appeal to the journals of this House, that when we passed addresses last session on various subjects connected with the welfare of this country, whether they have not been attended to with the most favourable disposition on the part of His Majesty's Government to our wishes. [Here the Hon. Gentleman mentioned the several despatches which had been commu-

nicated to the House in answer to addresses.] And I do not recollect any occasion when this House addressed His Majesty's Government, and their address was unattended to. This, then, being the manner in which the country is treated by the British Government, I do not believe that there is a Member in this House will stand up and say that his constituents approve of the sentiments put forth in Mr. Hume's letter, in which the Government of the Mother Country is called a 'baneful domination.' And this being the case, I shall feel it my duty, if the amendment proposed by the Hon. Member for Lenox and Addington is lost, to move a resolution expressing a strong and decided opinion, unconnected with any other matter.—(*Hear, hear.*) For, Sir, I consider it to be of the utmost importance to this Province, that the British Government should know what are the sentiments of the country, when they (the British Government) are told that some are 'beginning to cast about in their mind's eye for some new state of political existence,' and others are 'keeping in view the example and result of the revolution of the United States.' If our loyalty and attachment to the British Government should begin to be suspected, would not her protection be withdrawn from our commerce, and no more of her money be expended in this country? And would not our constituents very justly say to us, when they began to feel the effects of such measures, 'You have brought upon us all this evil, and all this poverty; by refusing to disclaim connexion with persons who have avowed themselves the enemies of British Government in this country?' And how could we justify to them our conduct? It is not only necessary that Hon. Members should 'feel loyal in their hearts,' but they should on this occasion express the loyalty which they feel." "If the amendment be lost, I will move one that will express my sentiments on the subject." [Here the Hon. Member read the following resolution]:—"That this House, as the representatives of the sentiments, and guardians of the rights and interests of the people of this Province, have witnessed with feelings of regret and utter detestation the suspicion of disaffection and disloyalty to His Majesty's Government, as construed to be cast upon the people of this Province, by the seditious representations and advice contained in a letter purporting to be written by Joseph Hume, Esq., Member of the Imperial Parliament, dated 29th March, 1834, addressed to the Chief Magistrate of the city of Toronto, and published in the public newspapers of this Province, stating that 'a crisis was fast approaching in the affairs of the Canadas which will terminate in freedom and inde-

pendence from the baneful domination of the Mother Country; and that to accomplish this object 'the conduct of the Americans between 1772 and 1782, and the result, should be ever in view' by the inhabitants of these Provinces. The inhabitants of this Province are fully sensible of the many advantages they derive from their connection with the Mother Country, and the apprehension that there is a disposition on their part to dissolve that connection, must be most injurious to their best interests in the councils of their Sovereign's Government, and is most repugnant to their feelings of strong and tried attachment to their Sovereign and the Constitution under which they have the happiness to live."

Such were this Mr. C. Duncombe's public doctrines and professions in January, 1835, and by virtue of which he obtained a seat in the Assembly in 1834. On the same occasion, Mr. Perry, the acknowledged leader of the Opposition against Sir F. Head, the very man who moved the "stopping of the supplies," because Sir F. Head would not consent, as Sir George Grey expressed in the House of Commons, on the evening of the 16th instant, "to alter the Constitution;"—I say, on the same occasion, Mr. Perry uttered the following words:—"That House had no evidence that Mr. Hume ever wrote such a letter; but admitting that he (Mr. Hume) had written it, and meant what it was said he did—to make the people of Upper Canada dissatisfied with their present form of Government—he (Mr. Perry) disagreed with him, (Mr. Hume) and thought Mr. Hume must have been misinformed to think the people of Upper Canada desired any change: for he (Mr. Perry) would stake his existence, that where one would be found for it, twenty would be found against it." Such were the professed principles of Upper Canadian reformers, as late as 1835. Let the British reader now hear the aforesaid Mr. (miscalled) "Reformer" Duncombe, on the 20th January, 1836, in reference to an address which proposed to "alter the Constitution" in respect both to the Legislative and Executive Councils. What Mr. Duncombe had termed in 1835 "that Constitution under which the inhabitants of Upper Canada had the happiness to live," and to which they entertained "feelings of strong and tried attachment," he terms in 1836, "an Act of Parliament" which it was the "business of every day to amend," and in which he now says "the people" wish "a change." Take the following extract from his speech as an example:—"He (Mr. Duncombe) believed that the proposed address accorded with the views of a majority of the people and of

that House. There was nothing revolutionary in it. It was simply a proposition to amend an Act of Parliament which had created such alarm. He (Mr. Duncombe) had thought amending Acts of Parliament was an every-day business, and it ought to be done whenever it was required to meet the wishes and interests of the people. We wish for a change, and what (other) course shall we take?"

After witnessing such "a change" in the doctrines of Mr. Duncombe and his associates within twelve months, you, my Lord, and the British reader, will not be much surprised—as incredible as it may appear—that they should next be found employing, as their representative in the House of Commons, the same identical Joseph Hume, whom they had in 1835 anathematised, and excluded from the circle of their political connections. And it is quite in keeping, that "honest Joseph," pocketing and forgetting past insults, and in the true Greek Loan spirit, should again become their man, nothing doubting, if he can reinstate them in place and power, they will vote him a salary, (equal to Mr. Roebuck's from Lower Canada) in 1837, as a plaster for their censures upon him in 1835.

Here permit me to beg your Lordship's attention to the conclusion which the foregoing singular facts authorise and establish. How happen these Canadian self-styled "reformers" and Mr. Hume, who were so far apart in 1835, to be one in 1836? Has Mr. Hume changed his doctrines of Colonial policy, since he stated, in a letter to Mr. H. Taylor, of Canada, September, 1833, that it was his "wish to set not only the Canadas, but all British North America, free to govern themselves by their own representatives, as the United States do?" By no means; but these Canadian patriots are now demanding what Mr. Hume exhorted them to seek in 1833-4, and what they themselves disclaimed and condemned in 1835. In addition to this, they disclaimed in 1835 any fellowship with the French republicans of Lower Canada; but in 1836, they adopt resolutions and addresses approving of the objects and proceedings of the Lower Canadian Frenchman.

I would, therefore, submit to any candid reader of any party, whether the above obvious and confessedly essential changes in the recorded sentiments and proceedings of the majority of the late Assembly, in the sessions of 1835 and 1836, are not amply sufficient to account for their complete defeat during the recent elections in that Province, without supposing the exercise of any improper influence on the part of Sir F. Head? On this point I may also add, that in my private letters from

Upper Canada, written in the months of April and May, the defeat of the anti-Constitutional party was predicted. One gentleman, (not a political man) who had travelled, during the month of April, through the Midland, Prince Edward, and Newcastle Districts, embracing the Counties of Frontenac, Lenox and Addington, Hastings, Prince Edward, Northumberland, and Durham, stated to me in a letter dated the 30th of that month, (a month before the late Assembly was dissolved) that Sir F. Head had already become very popular amongst the people; that the proceedings of the majority of the Assembly appeared to be generally reprobated; that there even seemed to be a general and strong desire for the dissolution of the Assembly; that in case of a dissolution there appeared not to be the slightest prospect of one of the majority being re-elected in any of the counties through which he had travelled. And it is worthy of remark, that Constitutionals only have been elected in the counties mentioned by my Canadian correspondent. All these circumstances afford, I think, strong presumptive evidence that the returns made in the recent Canadian elections, are the true expressions of public opinion in Upper Canada, and not the result of Executive corruption and coercion.

But in a matter so important, I wish to place Sir F. Head's conduct above suspicion, and that of his enemies also in its true light. It will have already been seen that their entire testimony, taken in connection with their proceedings, amounts to scarcely the weight of a straw. They stand condemned out of their own mouths, and by their own doings. Nevertheless, I will examine their principal and only specific charges against Sir F. Head and his Government:—1. That in order to influence the elections, persons holding office under the Government actively interfered. 2. That bribery, intoxication, and riots, were encouraged under the sanction of His Excellency. 3. That deeds were issued from the Government Office, signed by Sir F. Head, for the purpose of creating voters to outnumber the real freeholders of the country.

In respect to the first of these charges, I have to remark—1. That it is a standing stereotype complaint and apology, "time out of mind," with the party who now employ it, in every instance of defeat. 2. That the class of public officers against whom Mr. Hume's new-born confederates most frequently and loudly complain, are Post-masters, (!) who are not even appointed or removable by, or accountable to, Sir F. Head; but are appointed by the Deputy Postmaster General in Quebec, and hold their paltry offices under the same authority and regulations

with Postmasters in England. The very circumstance of such peculiar prominence being given to Postmasters in the list of public functionaries, shows how perfectly fabricated and ridiculous are the vapourings of this detected and rejected party. 3. That "Postmasters, Militia Officers, Magistrates, Registrars," &c. have never been precluded from the elective franchise in England; nor have they ever been proscribed in Canada. 4. That "Postmasters, Militia Officers, Magistrates," &c. have, in several instances during the recent elections, as well as on former occasions, actively supported the anti-constitutional party. Mr. Perry, the leader of that party, and Mr. Roblin, a "no supply" man also, are both magistrates and militia officers. Were it necessary I could mention many similar examples. 5. That as persons are appointed to offices of trust and honour, on account of their supposed attachment to the form and constitution of Government under which they live, as well as in respect to their personal qualifications and merit, the great majority of them will, as a matter of course and of duty, support the Constitution against either foreign or domestic invasion. Even a clerk in a mercantile house is expected to support the general interests of the firm in which he is employed. And the simple question to be decided by the people of Upper Canada at the late elections was, whether they would maintain the Constitution established by law, or whether they would have a new one. 6. That all the public functionaries complained of were appointed to office before Sir F. Head's arrival in Upper Canada, and could not therefore be his "chosen favourites;" and if any one of them abused his power during the elections, Sir F. Head is not responsible for it until after his conduct shall have been brought under his notice, and he shall have refused to punish or dismiss the proved offender. And is there not something suspicious and dark in the conduct of this Mr. Duncombe and his coadjutors, who, after having protested "long and loud" against the interference of the British Government and Parliament in any of the internal affairs of Canada which are within the jurisdiction of the local tribunals, pass by every local tribunal, and even petition the British Parliament on such matters as a postmaster's voting at an election; or the decision of a Returning Officer in certain cases; or the attitude and language of individual freeholders during a warm election contest? Do not these men know perfectly well that it is not in the power of the Imperial Parliament or even of the King upon the throne, to do that which the Constitution and law of Upper Canada place under the control, in the first instance at least, of

the House of Assembly, and other local judicial tribunals? Their object in thus coming to the Imperial Government, contrary to their own previously avowed doctrines, and contrary to the laws of Upper Canada, is unquestionably—1. To throw discredit upon the character and government of Sir F. Head; so that he may not hereafter obtain support or countenance from the British Parliament or public. 2. (Knowing that their ridiculous and irregular applications must be rejected,) To create disaffection in Upper Canada, by representing the British Government as having no regard for the wishes or liberties of the “poor Reformers” in Canada. 3. And then to assure the Canadian “Reformers” that they have only themselves to depend upon for the freedom they so honestly demand, which can never be obtained until they shall have effected their “freedom and independence from the baneful domination of the mother country,” and thus, if possible, to bring about the result in Canada which Mr. Hume and Roebuck have from time to time recommended. So much on the first specific charge against his Excellency Sir F. Head.

The second charge is, that Sir F. Head has employed “bribery, intoxication and riot,” to overpower the anti-Constitutionalists at the elections. As to appropriating Crown Revenues, (one of the items named) to election bribery, Sir F. Head could not do it without perjuring the principal clerks in the public offices, and without collusion on the part of His Majesty’s Government. This inference is so obvious, that Mr. Hume and this Mr. Duncombe’s principal coadjutor in Upper Canada (Mr. Mackenzie) publicly states in his newspaper of the 9th of July, that “Lord Glenelg and the British Ministry have employed a mean person like Sir F. Head, and secretly authorized him to use every method in the power of a despotic government to crush the spirit of freedom in Upper Canada.” I will only therefore add, on this point, that after carefully examining the newspaper organs of this party, which have been published since the elections, the whole of the pecuniary bribery, upon their own showing, amounts simply to this; that in several counties conveyances to and from the polls were provided for many of the Constitutional electors out of the funds of a “Constitutional Society” lately formed in Upper Canada. In not a single instance is it even pretended that money was either received or offered to voters on the Constitutional side, much less that Sir F. Head promoted or sanctioned such a proceeding. And I would ask if no anti-Constitutional electors were not conveyed to the poll at the expense of their party?

The charge respecting "intoxication" stands upon the same ground with that of bribery. The perfect groundlessness and wickedness of it will appear, when I observe, upon the showing of Mr. Duncombe's own party, that those classes of people who are the most influential examples and advocates of sobriety and morals are denounced, as the decided supporters of Sir F. B. Head. I will give one example out of several that lie before me. It seems that the Wesleyan Methodists, who are known to be the most numerous and influential denomination of Christians in Upper Canada, voted very generally for Constitutional candidates; which circumstance is attributed to the influence of their Ministers. Hence the aforesaid Mr. Mackenzie, in his newspaper of the 9th of July, asserts—"The Ryerson Conference have proved themselves the basest enemies the country has had to contend with during the late elections." Mr. Mackenzie terms the Wesleyan Conference in Canada the "Ryerson Conference," because four brothers of that name are connected with that body, and are the sons of an United Empire loyalist, (*b*) who has been an officer in His Majesty's service since the beginning of the American revolution, and because Mr. Mackenzie and the rest of Mr. Duncombe's fraternity are rabidly hostile to British loyalists. Now, two things respecting this numerous and powerful body of Christians deserve particular notice in connection with this subject:—1. I perceive that at the annual meeting of their Ministers, held the early part of June, they addressed Sir F. Head, congratulating him (as is their custom) on his safe arrival, as the King's Representative, in Upper Canada—renewed their expressions of allegiance and loyalty—and stated that they desired no support from Government but "equal and impartial protection." 2. That in their yearly epistle to their adherents, whilst they disclaimed any wish to influence them in the choice of their Representatives, they reminded them of their established rule to encourage no candidates who should encourage the dealing out

(*b*) The following is Mr. Mackenzie's language in regard to the Ryerson family. In some personal attacks upon Mr. Egerton Ryerson, Mr. Mackenzie proceeds thus:—"His (Mr. E. Ryerson's) father lifted his sword against the throats of his own countrymen, struggling for freedom from Established Churches, stamp acts, military domination, Scotch Governors, and Irish Government; and his brother George figured on the frontier in the war of 1812, and got wounded and pensioned for fighting to preserve Crown and Clergy reserves, and all the other strong holds of corruption in the hands of the locusts who infest and disturb the province."

Such are the feelings of Mr. Hume and Mr. Roebuck's Canadian associates in regard to those old United Empire Loyalists who adhered to the Crown of Great Britain during the American revolution, and those faithful Canadian subjects of His Britannic Majesty who fought boldly and successfully in defence of Upper Canada against the invasions of the United States from 1812 to 1815.

of drams, &c. at their elections. Here then is a large body of people remarkable for their religious strictness—notorious for their rigid enforcement of sobriety and morals—independent of the Government—so decided and formidable on the side of the Constitution as to be the objects of loud and reiterated attacks by the defeated party; and yet we are told the Constitutional candidates were returned by “bribery, intoxication,” and even “riot!”

In regard to “riot,” out of forty elections, Sir F. Head’s impugners have only specified three at which the proceedings were suspended or interrupted on account of riots—namely Leeds, Simeoe, and Grenville.

Does this look like carrying the elections throughout the Province by “riot?” And let us examine the case of these three exceptions. In the County of Leeds there has not been an election these ten years without a riot, insomuch that a Provincial Act was passed two years ago to prevent the recurrence of such proceedings. There were, therefore, riots in that County long before Sir F. Head came to Upper Canada. In the County of Simeoe the anti-Constitutional candidate, after three days polling, and being hopelessly in the rear, retired from the contest, protesting that he “feared” there would be a “riot” and “bloodshed.” And Mr. Duncombe hastens to England to impeach Sir F. Head on account of this poor man’s “fear” of a riot! As to Grenville two anti-constitutionalists were rioted into the Assembly, and declared by the Returning Officer to be duly elected, in consequence of which, the Constitutional candidates have protested. And yet is the Lieutenant Governor represented as the “head rioter” in Grenville also! Such are the unprincipled efforts of Mr. Hume’s Canadian compeers to conceal the disgrace of their own defeat, and to blacken the character of Sir F. Head, 4,000 miles distant from the scene of action!

The last and most serious charge against Sir F. Head is, that he made grants of land and issued patent deeds up to the time of, and even during the elections, in order to create a sufficient number of voters to “overpower the reformers.” The aforesaid Mr. M’Kenzie enumerates eighteen instances in the County in which he was defeated by a majority of one hundred. It is also asserted that “hundreds of voters” were thus “manufactured” throughout the Province. Now, my Lord, I will assume, for the sake of argument, that 1000 voters were “manufactured,” by issuing patent deeds during the month previous to the elections, and yet not the slightest suspicion of “corruption” or unfairness is attributable to Sir F. Head, or to any party concerned.

I will here remark, in the first place, what every reader of the advertisements in the Canadian newspapers must have observed, that there are auction sales of Crown Lands, by the Government Commissioner, in various parts of Upper Canada, every week, from May to November, in lots from a quarter of an acre (where town plots are sold out) to 200 acres. The purchasers of land at such auctions are entitled to their patent deeds from the Crown, as soon as they have fulfilled the conditions of their purchases. A deed can generally be procured from the Crown Land Office, under the signature of the Governor, on one, two, or three days' notice. Patent deeds are thus being issued nearly every day in the year. It would, therefore, appear very strange that the Crown Land Office should be shut up several weeks merely because there was to be a general election; and it would appear equally strange, if purchasers of lands, of both political parties, were not more than usually anxious and diligent to obtain, on the eve of a general election, and especially one of vital importance and thrilling interest, deeds of land which they had purchased; nor would it show any thing more than a laudable disposition in the heads of departments to accommodate those who were entitled to deeds, to employ, if necessary, additional clerks, to meet the increased number of applications in such an emergency. Such then, is Sir F. Head's criminality in "manufacturing" voters of this class. The anti-constitutional party are quite mute as to the number of their own supporters who voted on the newly obtained deeds.

There is also another class of deeds issued from the Crown Land Office, which it is proper for me to notice, and which are issued in the form of "grants." It is on this class of deeds that Mr. Duncombe and his associates ring the changes most lustily. This class of deeds is issued to two descriptions of persons—1. To children of United Empire loyalists, each of whom is entitled, by virtue of Royal liberality, to 200 acres, on his or her becoming of age, as a reward of paternal services to the British Crown. 2. To persons who obtained as actual settlers "free grants" from the Crown. The greater part of Upper Canada has been settled by this second description of persons. Up to within a very few years, grants were made by the Crown of 100 or 200 acres to actual settlers, upon condition of their clearing ten acres, and erecting a dwelling-house within two years. This done, the settler, on paying a small office fee, was entitled to a patent deed, in the form of a "free grant" from the Crown. Now, there are hundreds, perhaps thousands, of settlers in Upper Canada who have done what is there called

“settling duties;” who have occupied their lands from five to fifteen years; and who, knowing that their names are on the books of the Surveyor General and Crown Land Commissioner, for the lot or lots they occupy, feel quite easy, and neglect to pay the requisite office fee, or even apply for their deeds, until they are prompted to do so by some such exciting occurrence as a general election, when they want to exercise their elective franchise, but which they cannot do without a *bona fide* deed of freehold property. For months, and especially for weeks, previous to a general election of an exciting character, in that Province, there is a scramble amongst many inhabitants of new settlements after their deeds from the Crown Land Office, similar to that which is witnessed in England to register voters. Such has been the case from my earliest recollection, and I suppose it will continue to be so, as long as public lands are to be granted or sold. In some cases, perhaps in most cases, the parties concerned employ an agent to procure their deeds from the Government office. On many occasions the land agent or his deputy has met his employers at the election hustings, and delivered to them their “free grant” deeds, when they have proceeded to vote. I can state an individual case in point. On arriving at the age of twenty-one years, I myself was entitled to a United Empire grant of 200 acres of land. I at length presented the proper application and papers to the Governor (Sir P. Maitland) in Council, when the usual order was issued. On locating my United Empire right, I was informed at the Crown Land Office that the Royal patent deed would be filled up and signed by the Governor at any time on a couple of days’ notice. I did not apply for the deed until several years afterwards. Now, had I, in the mean time, desired to vote at an election in the county where this land is situated, I should have forthwith applied for my deed, and would have voted on a deed dated perhaps the week of the election, the deed specifying also that the land within described was a “free grant” from the Crown; and Mr. C. Duncombe would have posted off to England to memorialize the British Parliament, through Mr. Hume, against Sir F. Head, for making a “Canadian” a “free grant” of 200 acres of land, during the very week of the election, in order to “manufacture” him into a voter, so as to “swamp the friends of freedom” in Upper Canada! Now, my own case, my Lord, is the case of hundreds, if not thousands, in that new and rising Province. And there is no more “corruption” or “bribery” in thus issuing deeds from the Crown Land Office in Upper Canada, than there is in England in registering votes in the

manner, and by paying the fee, prescribed by law. Yet knowing how such facts, unexplained, would tell upon the minds of statesmen and others in England, who are unacquainted with the local circumstances of Upper Canada, this Mr. Duncombe and his compeers are employing them to impeach and destroy the public character of a man who is an honour to the country of his birth, and whose heart is as truly liberal, and warm, and honest, and British, as his understanding is quick and comprehensive. (c)

It is with painful reluctance I have again trespassed upon public notice. Had I not felt that letting the misrepresentations and calumnies of Messrs. Hume, Duncombe, & Co. pass unnoticed, while I possessed the requisite local knowledge to refute them, would be a dereliction of duty to the inhabitants and present Governor of Upper Canada, I should not have intruded on the British public another letter on the Canadas. As long as Mr. Duncombe supports the institutions, and endeavours to promote the improvements of his adopted country, he is entitled to respect and confidence; but it is neither seemly nor sufferable for an American fortune seeker to come into a British Province, and as soon as he has accomplished his object, and raised himself to some consequence by professing British feelings and loyalty, to attempt the overthrow of British institutions, and even to foist himself before the British Legislature, and dictate to a British Government what kind and form of constitution shall be established in a British Colony. I do confess my indignation kindles at the thought of my infant native land being libelled and disgraced, and retarded in its rapid career of improvement, from such a quarter. If Mr. Duncombe has become discontented under any other than Republican institutions, let him return to the country from whence he came, in many parts of which he can enjoy them in all the natural perfection of that unsullied human nature which he so much

(c) What has been advanced in this letter in refutation of Mr. Hume and Mr. Duncombe's allegations against His Excellency Sir Francis Head, has been recently confirmed by the Upper Canada House of Assembly, which after a long debate, refused even to print Mr. Duncombe's petition. The resolution for printing it was moved by one of Mr. Duncombe's friends, and was negatived by a majority of 39 to 11.

And if any farther proof were wanting that the present House of Assembly truly represent the feelings and character of the people of Upper Canada, it may be found in the unprecedentedly harmonious, rapid and statesman like manner in which that body is proceeding with the accumulated business of the country; and the present tranquil and already prospering condition of the Province. It is worthy of remark, that the Canadian associates of Mr. Duncombe and Mr. Hume have not got up a single political meeting in all Upper Canada since the election in June last. Why this new era in Upper Canadian history if there is one word of truth in the statements of Mr. Hume and Mr. Duncombe?

admires. But he shall not transplant them into Upper Canada, as long as nineteen-twentieths of the inhabitants possess, as they do now, the heart of, my Lord, your Lordship's most obedient humble servant,

August 24, 1836.

A CANADIAN.

P.S.—Since the foregoing letter was written, I have read Mr. Duncombe's petition to the House of Commons, as published in the *Morning Chronicle*. I observe nothing in it that deserves further notice, except the terms applied to political parties in Canada, such as "Orangemen" and "Tories," "Whigs" and "Reformers,"—terms calculated, if not designed, to deceive the British public, as they are used in a different sense both in the United States and in Canada, from that in which they have been usually employed in England. In the United States the term "Tory" is applied to the ultra-democratic party—a party opposed to even a national bank, as tending to create a monied aristocracy, and infringing the principles of Republican equality; and the term "Whig" is there applied to what is frequently called "the Aristocracy." In Upper Canada, every man that supports the Constitution, however active, and even ultra-Liberal he may be in his views and measures of practical reform and improvement, is, by the anti-Constitutional party, called a "Tory." On the other hand, those who have assumed the name of "Reformers" advocate the abolition of the Legislative Council or Canadian House of Lords, and the establishment of an elective Senate in its place; they insist upon the Governor being governed by a local Executive Council or Cabinet, that shall also be governed by the House of Assembly, being removable at its pleasure; and that all Crown lands, &c. shall be under the absolute management of this local Government. What is that but a Republic? What is that but Mr. Hume's "freedom and independence from the baneful domination of the Mother Country?" Or Mr. Roebuck's Canadian "Government purely democratic?"

As to the term "Orangemen," it is employed to produce effect in this country, and is a mere figure of speech in its application to Upper Canada; for Mr. Duncombe knows perfectly well, that the comparatively small denomination of Catholics in that Province are for the most part supporters of the Constitution, with the Bishop at their head; and that Catholic, Episcopal, Presbyterian, and Methodist clergy have alike been denounced by the self-styled Canadian "Reformers." The deception thus attempted to be practised upon the British public by this Mr. Duncombe and his associates will be at once detected, when the Canadian sense of the terms "Tory" and "Reformer" is understood.

LETTER VIII.

To His Majesty's Principal Secretary of State for the Colonies.

My Lord,—In concluding these cursory observations on the affairs of the Canadas, I beg to draw your Lordship's attention to the present state of Lower Canada. I do so, not with the vain presumption that I can furnish your Lordship individually with any fresh light upon questions respecting which so much labour and expense have been incurred by His Majesty's Government to obtain correct and ample information; nor do I presume to imagine, or desire to bring your Lordship to any other conclusion in respect to the affairs of that Province, than that to which I am persuaded your Lordship must have already come. In regard to the *principles* on which the Government of the Canadas must be conducted, in order to secure their existence, and promote their interests as *British* Provinces, I think there is little room for difference of opinion. My object is, to place, through your Lordship, before the Members of the Imperial Parliament, and the British public, the crisis at which the affairs of Lower Canada have arrived, and the alternatives which are left to the British Legislature in adjusting them;—hoping thereby to contribute, in some humble degree, towards securing the concurrence of all British Statesmen, except Messrs. Hume and Roebuck, in those *constitutional* measures which are essential to *reform* and *establish* the government of Lower Canada.

From the brief sketch which has been given in the preceding letters, of the progress of events in Lower Canada, several inferences forcibly present themselves.

1. That during the last six years, every reasonable effort has been employed by His Majesty's Government, even at the expense of the feelings of the Anglo-Canadian inhabitants, to appease and conciliate the French leaders in that Province.

2. That the demands and arrogance of the Canadian Frenchmen, have increased in an exact ratio with the progress of conciliation and concession on the part of His Majesty's Government.

3. That there is not the slightest trace of grateful feeling in the minds of the ruling French politicians of Lower Canada, for the unparalleled liberality and generosity which the British Government has displayed towards that Province, in comparison with the more wise but less generous policy pursued by the Government of the United States towards the '*enfants du sol*' of those French territories which have come into their possession.

4. That even the latent feelings of impatience, hatred and contempt of British character and authority, cherished by the French Canadian politicians, have developed themselves in proportion as the Administration has reached out the hand of fraternal embrace, and assumed before them the attitude of anxious persuasion and entreaty.

5. That here is a province of vast capabilities—the eye of British North America—the mart of extensive and growing western territories—with a river not inferior to the famed Mississippi, and sea-ports open to all the world;—here is a province, or rather a country, thus favoured by nature and Providence, paralytic in the very act of putting forth its mighty latent energies—awakened into life by British capital and enterprise—and exhibiting the statue-like contrast of suspended animation to the happy and healthful activity of neighbouring provinces on either side. And why? Simply because a band of French politicians—unknown in any single field of exertion and enterprise but that of agitation, and prompted by personifications of restless selfishness in London—demand the absolute control of that British intelligence and energy which have changed Lower Canada from a rendezvous of Fur Traders into the emporium of a large and increasing commerce, a port of numerous ships, and enlarging fields of successful agriculture!

6. Another inference suggested by the facts stated in the foregoing letters is, that whilst concession to the Canadian Frenchmen makes them no better subjects, but renders them more arrogant and ungovernable, it exasperates otherwise peaceable and faithful British subjects to the madness of despair, and the rebellion of self-defence, by the dreary apprehension and prospect of a *transfer* from the fostering and loved government of their father land to a local, selfish, anti-commercial, anti-emigration, and anti-British French domination.

I cannot draw a more faithful picture of the present political aspect of Lower Canada, than in the following words of a gentleman now residing in Quebec, and who has long been an attentive observer of the progress of events in that Province:—

"1. The local Legislature is divided against itself, one of the Houses seeking the destruction of the other for several years past.

"2. The people rallying under prejudices of national origin, industriously excited by political leaders, who by this means are sure of popular support.

"3. An executive Government kept for three years without the means of paying its officers for the execution of the laws, while the money is levied on the people in virtue of permanent Acts, and kept in the chest.

"4. The Judges for the same time without their salaries, and dependant on their tradesmen and fellow townsmen, on whose causes they are to decide, while they are constantly exposed to the calumnious charges of the Representative body, without its having provided the means of bringing them to trial before an impartial and independent tribunal.

"5. The cities and towns left without any funds for police purposes, or legal means of levying any, while thefts and robberies, and murders in the street are of frequent occurrence, and no proper place of detention for criminals.

"6. The roads and bridges, made at the expense of the Province, falling to ruin, and no public improvements going on.

"7. No amelioration of the existing laws, but a virtual abdication of their Legislative functions by the Representative Assembly.

"8. Real property rapidly declining in value, and the employment of capital discouraged.

"9. Labour and agricultural produce deprived of the natural reward, and the only trade which keeps industry alive, threatened in its existence.

"10. Disloyalty, disaffection and contempt of the royal and judicial authorities encouraged and widely disseminated; and the very existence of the Government threatened.

"Such is a true outline of the main features of the present condition of Lower Canada, the correctness of which none will venture to deny, however much parties may differ as to the cause.

"Can such a state of things last?

"Is this the Government that a British King and a British Parliament intend for Canada?

"Or do they intend for us something worse, the Government of men who voluntarily and perseveringly, or ignorantly have brought the Province to its present condition?

"Let the British Parliament and the people of England, Ireland,

and Scotland answer, and save themselves and us, before it is *too late*."

Certain it is, therefore, that *something must* be done, and done without delay. (*a*) I think it is equally obvious, that three things must not be done, if Lower Canada is to be saved to Great Britain, or preserved from civil war.

1. The Executive Government must not be rendered *responsible* to the Local Assembly in the manner demanded by the French Republicans, and their London advisers and advocates.

2. The Legislative Council must not be rendered *elective*.

My reasons against both of these propositions have been given at sufficient length in the *sixth* letter.

3. And to add to the Legislative Council, as at present constituted, from the Papineau school, would be equally destructive of every thing British in that Province, as it would increase the dissatisfaction of the British Inhabitants, and reduce them to the bitterness of slavery, or rather rouse them to desperation—would strengthen the power of French resistance, and weaken the power of British control—would not even satisfy the French leaders themselves, (as past experience proves,) but encourage them to increased and persevering exertions in their crusade for absolute supremacy until they attained it.

As to the *remedies*, (*b*) I will only make one or two remarks in addition to the suggestions I have taken the liberty to offer in a former letter, [Pp. 50-53.] A Governor of talent, judgment, and energy, it will be admitted on all hands, is undoubtedly necessary. It requires something more

(*a*) The earnest observations of Lord Aylmer, in a despatch to the Earl of Aberdeen, dated 5th March 1834, have been gaining strength every day from that time to the present. "I beg most anxiously and earnestly to beseech His Majesty's Government to consider, that to whatever causes the present state of Lower Canada may be truly ascribed, whether to vices in the administration of its affairs, past and present, to the disappointed ambition of factious and evil designing men, or to other causes inherent in the structure of its society, this at least is certain, that the affairs of this noble province have been brought into such a condition, that unless the Imperial Parliament can be induced to interpose its supreme authority in relieving the Local Government from the difficulties with which it is encompassed, and in providing against the recurrence of them hereafter, the authority of the King's Government in the province must be virtually extinguished, and the institutions of the Country set adrift under the guidance of the heads in which the 92 resolutions of the House of Assembly were engendered."

(*b*) I deem it quite superfluous to enter into a discussion of the feudal French laws, want of registries, &c. &c., which are so loudly and justly complained of by the mercantile and other British interests in Lower Canada. I limit myself to the mere mention of those few great principles which I believe must form the basis of a settled and successful British Government in that province.

than a submissive good-natured man to administer the government of Lower Canada.

The interests of the two classes of inhabitants, rightly understood, are the same; and though the common interest has been lost sight of in the mist of national prejudice, and the restless ambition of Frenchmen to regain an ancient supremacy,—who have thereby forfeited the chartered rights of the Constitution against which they have protested and waged war,—yet I desire not the sacrifice of the Constitutional rights of either race, but the equal protection of both. It is, therefore, submitted, whether, in the present state of party feeling and French republicanism, the Executive, in its means of support, ought not to be rendered, in a great degree, independent both of the Legislative Council and House of Assembly, until an equality in the representation is secured to each class of inhabitants, or the French renew their allegiance to the established Constitution, and desist from their really suicidal hostility to British authority, immigration, commerce, and internal improvements.

In saving Lower Canada from present agitation and prospective civil commotion, the *numerical* majority-principle theory must yield to the weightier considerations of the state of society, heretofore settled and acknowledged compact, and rightful British prerogative.

I beg it will also be remembered, that Upper Canada has a deep interest in this affair, and awaits its adjustment with intense anxiety. I have avoided discussing the great question and proposed ulterior remedy of uniting the Canadas; nor have I deemed it necessary to make any remarks on the advantages to the British commercial and agricultural interests of both the Canadas,—viewed simply in that light—of giving Upper Canada unrestricted access to the ocean. The inhabitants of Upper Canada possess a common feeling, as well as interest, with their British fellow subjects of Lower Canada; and should the unhappy day of conflict ever come between Briton and Frenchman, thousands of Upper Canadians will be found rallying to the contest. Sure I am that Upper Canada will never suffer the toll-gate of a French republic to be erected across their high way to the Atlantic, from which to pay £1,100 annual tax to the selfish democracy of Mr. Roebuck, and gratify the free trade republican utopianism of Mr. Hume. (c) The two Canadas

(c) I believe that no single occurrence has latterly done more to lower the dignity and weaken the influence of His Majesty's Government in Lower Canada—and to some extent in Upper Canada—than the apparent conniving at the salary of Mr. Roebuck, paid as it has been out of the public revenues of that province, under a simple resolution of the Assembly, and against the remonstrance of the

must be viewed as one Country ; and if Great Britain desires to develop the amazing resources of that wonderful country—to people its fertile territories with her offspring—to change its boundless forests into fruitful fields and flourishing towns—to cover its rivers and lakes with her ships, and fill its ports with her merchandise—to bind it to herself in the bonds of reciprocal interest, compact and affection,—then must she, regardless of the officious monotony of a Hume and the selfish declamation of a Roebuck, the vapouring of a Papineau and the calumny of a Mackenzie, infuse the constitutional elements of her own monarchical greatness into the institutions of her Canadian progeny ; and, with a Sir-Francis-Head courteous and manly energy, proclaim her intentions, apprise her enemies of the consequence of resistance and her friends of the sure ground of adherence and action ; and, in the language of the present able and successful Governor of Upper Canada, “correct every real grievance but preserve the happy constitution inviolate.” In such a case I believe all will be well ; otherwise, I am persuaded nothing will be well.

I have the honour to be,

My Lord,

Your Lordship's most obedient humble Servant,

A CANADIAN.

London, January 27, 1837.

Legislative Council and the expressed opinions of the late Governor in Chief. The uniform silence of His Majesty's Government on the subject whenever it has been pressed upon their notice, amounts to an admission that such a mode of appropriating the public revenues is obviously unconstitutional ; yet the tacit sanctioning of such an unconstitutional act and dangerous precedent, has appeared to indicate the succumbing of Government to the clamours of a party, and the sacrifice of great principles to the supposed pressure of temporary expediency ; amounting therefore to the confession of an indecision and weakness which have emboldened innovators on the one side, and shaken the confidence and alarmed the fears of constitutionalists on the other. I state these facts not in the way of censure, but for the purpose of caution. I question not the high considerations which have dictated every act of His Majesty's Government towards the Canadas ; and I know too well the labyrinth of misrepresentation and difficulty in which the affairs of Lower Canada have been involved, to utter one word of complaint in regard to the past. It is perfectly clear, however, that if the Constitutional Charter of the Canadas is to be the basis of the Government,—and not the weather-cock vibrations of party “expediency”—the principles and provisions and spirit of that Charter must be firmly and inviolably maintained, how much soever it may affect Mr. Roebuck's pocket or Mr. Hume's prospects.

THE END.

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