

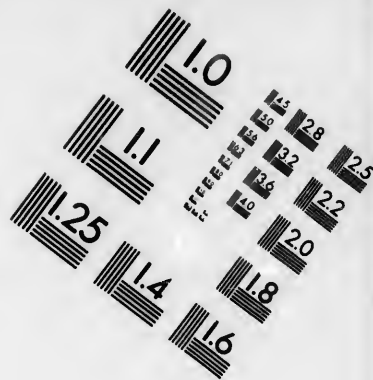
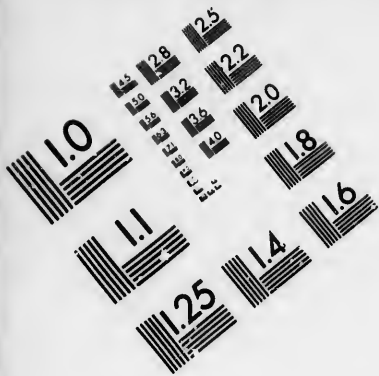
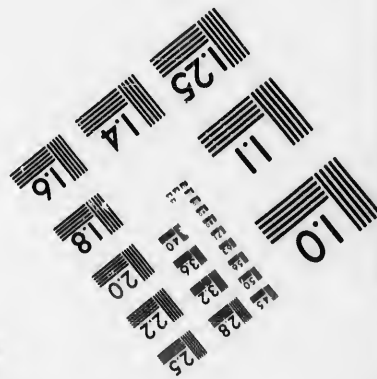
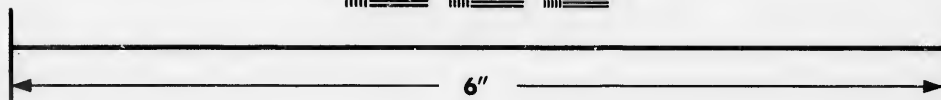
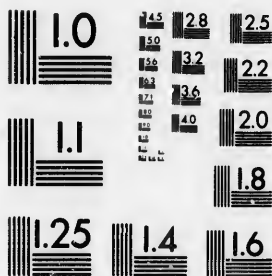


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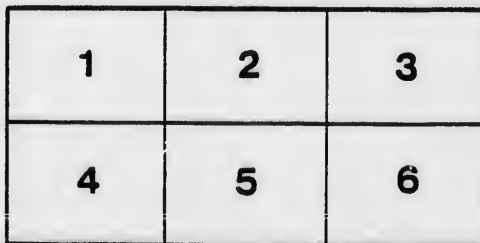
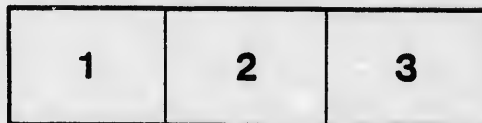
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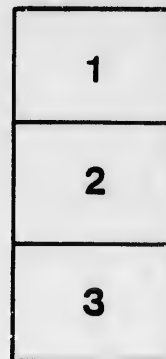
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To the Honorable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

The Humble PETITION of WILLIAM L. MACKENZIE, Printer; Member representing the County of York, in the Legislative Assembly of Upper Canada; (and deputed to this Country as the Agent for the Petitioners to the King and Parliament, praying for a Redress of Grievances:)

Sheweth,

THAT between the months of June, 1831, and April, 1832, the people of Upper Canada, having full confidence in the gracious disposition of His Majesty early to hearken to the just complaints of his subjects throughout his widely extended dominions, met together in their respective towns and counties for the purpose of petitioning His Majesty on the State of the Province, and of laying their grievances at the foot of the Throne.

At upwards of a hundred general Meetings of the Landowners and other Inhabitants of the districts, counties, towns, and townships into which Upper Canada is divided, Memorials to His Majesty were adopted, and subscribed by between twenty and thirty thousand persons, a considerable majority, as there is reason to believe, of the whole male adult population. And it was a request of the Memorialists, unanimously made at all their Meetings, that your Petitioner should proceed to England in charge of their Memorials, and endeavour to obtain a favourable answer.

That your Petitioner as the Bearer of a Memorial to your Honorable House, agreed upon last year, and subscribed by ten thousand of the Landowners and other Inhabitants of Upper Canada, praying that an Enquiry might be instituted into the State of the Colony and relief extended—said Memorial was presented by one of the representatives for Middlesex a short time before the close of the last Session, but the investigation prayed for was not gone into.

That your Petitioner was introduced to the Secretary of State for the Colonies on the occasion of presenting the Addresses from Upper Canada, last July, and has had the honor to obtain several audiences of His Lordship, and has permitted to address many communications on the State of the Province to the Colonial Office; but has not been able to perceive during a stay of nearly nine months in England, that the Memorialists, of whom your Petitioner is one, are likely to be benefited, or existing abuses lessened, by any efficient measure of reform proceeding from the Colonial Office. He fears that he has been unable to convince the Secretary of State that there are any grievances worthy the attention of the Government.

That your Petitioner is a Member of the Central Committee of Friends of Civil and Religious Liberty, who forwarded the Memorial of ten thousand of the Freeholders of Upper Canada to one of the Representatives for Middlesex for presentation in your Honorable House, in 1831. The Petition was ordered to be printed, but there has been no enquiry. The Memorialists have requested your Petitioner to endeavour to obtain the attention of Parliament to the prayer of their Memorial.

That your Petitioner was a Member of the Provincial Committee who forwarded to one of the present Representatives for Middlesex for presentation in your Honorable House in 1828, the Memorial of eight thousand of the Inhabitants of Upper Canada, stating their grievances; and that he has been required to act as their agent.

That about five thousand Inhabitants of the County of York, of whom your Petitioner was one, transmitted Petitions for redress of grievances, for presentation in the Houses of Lords and Commons in 1829, but because of some informality in the wording the Legislature would not receive or listen to them.

That the recommendations made by the Select Committee of your Honourable House, to which was referred, in 1828, the consideration of the state of the Civil Government of the Canadas, have not been complied with as far as Upper Canada is concerned. On the contrary, the abuses then complained of have greatly increased, and are increasing, with perfect impunity to the wrong doers. The attention of the Province is anxiously turned towards the deliberations of Parliament, in the confident expectation that your Honourable House will at length favourably listen to our humble prayers, cause enquiry to be made, and grant relief.

An opinion is very generally entertained in Upper Canada—and, as your Petitioner believes, with good reason—that wherever the Government or its officers have an opportunity to injure in their business or prospects in life those persons whose names are attached to petitions calling the attention of His Majesty or your Honorable House to the misconduct which prevails in the Colonial administration, or who take a prominent part with the complainants, they seldom fail to use it. It is well known that for years together the right of the people to meet together and petition for redress of grievances was suspended, at the request of Sir P. Maitland, (now governing Nova Scotia and residing in England :) it was made a criminal act for any number of the Lawdovers to assemble together to petition ^{the} King, within the limits of Upper Canada; and the royal grants of public lands to Canadians, bestowed as a reward of their bravery in defence of the Province in time of war, were rescinded by General Maitland because they ventured to meet and petition Parliament for a redress of grievances, in time of peace!

Petitioning England, and sending Agents to London from year to year, is attended with much difficulty, trouble, and expence to a people 4000 miles distant from the supreme authority—and it is a duty at all times necessary to have to complain of the conduct of others. Although, however, the act of petitioning is unpleasant, the right is nevertheless dear to British subjects; and I humbly request permission to recapitulate some of the grievances felt by the Inhabitants of Upper Canada which have been embodied in their Memorials to the King, the Parliament, and to the Lieutenant Governor and Provincial Legislature. Having been honored with the confidence of the Landowners, in whom is the right of suffrage, so far as to be five times successively chosen to serve as a Member of the Legislative Assembly for the most populous Shire in the Canadas, that in which is the Seat of the Government of the Upper Province—having been unanimously elected last November while absent in this country endeavouring to obtain the attention of the Colonial Department to the Petitions of the Freeholders, I may reasonably be supposed to speak their sentiments.

Immediately after the Thirteen Colonies, now the United States of America, had adopted their present federal constitution, an Act was passed in the Parliament of Great Britain dividing the Province of Quebec into two; establishing a splendid and very expensive system of Monarchical Government in an infant country, among a few agricultural settlers scattered over many hundred miles of a wilderness frontier; providing for the creation of hereditary titles of honor, and establishing legislative bodies over whose proceedings the people could exercise no control, the representatives of an imaginary aristocracy, in a portion of the American Continent in which no class of persons possessed of large fortunes, and an illustrious name or ancient lineage, were to be met with.

As there are no materials in Upper Canada out of which to form an influential order of hereditary legislators, the whole authority of the State, civil and military, has usually been concentrated in the person of the officer commanding the forces, acting under such instructions as he may have received from time to time from the Colonial Office or the House Guards.

The heads of departments in this country who thus exercise an influence over the internal Government of the Colony, cannot be the most fit to judge concerning the wants and wishes of a country they never saw. They must depend on their Agents.—And thus it is, that while in the adjoining States the chief magistrates are freely elected by the people from among their ablest and most patriotic statesmen, the colonists are under the necessity of submitting to the mandates of a person bred in the army, a stranger to their feelings, prejudices, manners and customs, ignorant of the country he is sent out to govern, having no permanent interest

Addresses to His Majesty from Upper Canada

Petition to the
House of Com-
mons, 1832.

Applications at
the Colonial
Office.

Petition to the
House of Com-
mons, 1831.

Petition of 132

Petition of 1829.

Recommendations
of the Canada
Committee
neglected.

Persecution for
Opinion.

Difficulty of Positioning.

The Quebec Act

Government of
Upper Canada

in common with its population, and being continually surrounded and advised by a body of self-interested counsellors whom no popular vote of disapprobation can ever change.

There is not now, neither has there ever been any real constitutional check upon the untutored disposition of men in the possession of power, to promote their own partial views and interests at the expense of the interests of the great body of the people.

Causes of the Present Discontents.

The infancy of the country, the poverty of the first settlers, the command over the waste lands (the disposal of which is regulated by no law,) and the civil and military expenditures derived from the taxes levied upon the people of these kingdoms, has left all the power in the hands of the executive government, and rendered the apparent constitutional check derived from the custom of electing a branch of the legislature altogether nugatory, or perhaps *rather mischievous than otherwise*, it serving as a cloak to legislative acts for promoting, in many if not in most cases, individual and partial interests at the sacrifice of the public good, and that too with an apparent sanction from the people through their representatives.

Hence, immense tracts of waste lands, vested in the crown for the benefit of actual settlers, were granted to individuals who kept them from actual settlers in the expectation of realizing fortunes out of them.

Hence the very great neglect of the roads; hence the general retardment of the prosperity of the Province.

Hence the interspersing of crown and clergy reserved lands among the lots to be granted for actual settlement.

Hence the sale of those lands to the Canada Company, founded upon the principle that a revenue was to be derived from the labours of the first settlers in a wilderness, for the advantage of persons resident in England; and in order to afford incomes to public functionaries, pensioners, and favourites, over the amount and continuance of which the people or the representatives they might select could exercise no control.

Hence high salaries over numerous offices, pensions and perquisites for many persons living on the industry of the colony without affording any adequate return for the advancement of the public prosperity.

Hence the extensive, insecure and dangerous Banking Monopoly in the hands of the government and its officers. Hence the alarming increase of the Provincial Debt. Hence the secrecy with which a large portion of the revenues are expended, while information concerning the management and appropriations is yearly refused to successive Assemblies in His Majesty's name.

Hence the unequal and very imperfect state of the representation of the qualified electors in the House of Assembly; in which, as at present constituted, a majority of the whole members are elected by places containing less than one-third of the whole population and assessed property in the Province.

Hence also, the very expensive and at the same time inefficient system for the administration of justice, its great delays, and the want of confidence which the people have so often expressed in its dispensation.

Hence too the attempts to maintain and support these monopolies, separate interests and undue individual advantages, by preferences from government to particular religious denominations, preferences in provision for the support of the clergy, preferences in the direction of education and schools, preferences in appointment to offices of trust, honor and profit, and preferences to those localities, classes, and individuals who will give their support to this exclusive system.

The undue advantages thus possessed by persons in authority, open a door to the practice of bribery and corruption in every department of the state; encourage in the people a servile spirit of dependance on persons in office, and have left their representatives not even the nominal control over a revenue, complicated and very unsatisfactory accounts of the receipts and expenditure of some part of which are partially submitted to their inspection and published as a mere matter of form.

Judges—Juries—
Sheriffs.

For forty years—ever since the establishment of the colony—our judges, sheriffs, and magistrates have been kept in abject dependance on the will of the officer administering the government; and whilst in this state of complete subservience have been called upon to pass, between the richest men in the country and the poorest and most unpopular; between the government and the man opposed to its measures; between the conflicting enactments of British and Colonial Legislatures; between the pleasure of their patrons and the spirit of the laws. In apportioning the retiring allowances of these judges and other public officers, recourse is had, not to the people's Representatives, but to the instructions sent out from the Treasury or Colonial Office. New and expensive and useless offices are created, and the incumbents paid under the like authority.

Our Grand and Petty Juries are selected or chosen at the discretion of sheriffs thus dependant on the government—hence we are liable to be subjected in most cases to a mock trial by jury, and are continually dependant on the caprice of a body of the most violent partizans of the executive under the form of a grand inquest.

Administration of
Justice.

The expenses of obtaining a decision in the law courts are enormous—at least seven-fold greater than in the adjoining republics—the people have no confidence in the administration of justice—they ought to have none.

There is no tribunal established for the trial of cases of impeachment; when complaint is made to this country it is of no avail; it is rather a means of promoting the delinquents to still higher honors.

Outrages by Government Officers.

Justices of the Peace and other officers of the government are frequently proved guilty of the most criminal outrages against the peace of the community—instead of meeting with disapprobation in the highest quarters, they are encouraged in their disgraceful career, advanced and promoted to places of greater power and trust, and the petitions of the Landowners for their removal slighted and contemned.

Powers of the
Magistracy.

The local Magistracy, in the formation of whom the country has not the slightest influence, have assumed the sole control of a large and growing revenue, annually raised by the imposition of taxes on dwelling houses, shops, lands, cattle, horses, gristmills, carriages, &c. Much of this money is squandered in the most profligate manner, and there are no means of redress. Within the last three years, the fee simple of nearly 700,000 acres of excellent land, chiefly in old settlements, the property of individuals, has been sold by the Sheriffs for taxes in arrear, at an average of about five-pence sterling per acre, and the proceeds paid over to these parties to expend without their being subject to any efficient accountability for their proceedings.

Revenues and
Character of the
Official Priest-
hood.

About a fourth or a fifth part of the whole of the lands in the Province are in the hands of the religious teachers of a small minority of the population, who are paid by His Majesty's Government for propagating among the Colonists a great variety of doctrines the most opposed to each other possible, and a part of whose business it appears to be to interfere in the political discussions of the Province, and sow dissension among its inhabitants. These favored Priesthoods receive large incomes besides from the Colonial revenues and from taxes raised from the people of the United Kingdom, in opposition to the wishes of the local Houses of Assembly.

War Claims.

The sufferers by the late war with the United States, whose claims have been acknowledged, have petitioned for redress long and in vain—they are not recompensed. Part of the lands their opportune valor saved were sold to the Canada Company for the purpose of raising a fund for their benefit—but His Majesty's Government apply the proceeds to the purposes of patronage, pensions, sinecures, incomes to bishops and other priests of a variety of churches—the sufferers are forgotten.

Powers of the
Legislative
Assemblies.

The Legislative Assemblies of the Colony possess little or no power to redress the wrongs of the people they profess to represent. Sometimes they are almost exclusively composed of popular members, and at other times a majority is obtained to sanction many bad measures of the government and increase the injurious enactments on the statute book. In 1829, and 1830, their almost unanimous representations to His Majesty's Government pointing out the abuses of the administration of affairs in the Colony, appeared to be productive of but one effect, that of benefiting those whose misrule they exposed.

Postmasters,
Revenue Officers,
Sheriffs, in the
Legislature.

Your Petitioner is returned by a constituency of landed proprietors nearly equal in numbers and assessed value of property with the United constituencies who return a fourth of the whole popular representation consisting of fifty-two members. In utter contempt of the law, there are seven or eight Postmasters, and three or four Collectors of the customs and excise revenue, sitting in the present House of Assembly for places where they ought to be performing other official duties; also a principal Sheriff holding office during pleasure, and representing the place of his own executive jurisdiction. Such persons must obtain their seats by undue influence; and when elected combine with other dependant persons to vote the constitution a dead letter. One of the most violent partisans of the government was made Collector of the Customs at the port of Brockville, while the present Legislature were in session last year, and was not even sent back to his constituents, but continued to sit and vote as before.

Taxation without
Representation.

The largest portion of the taxes and duties levied on the people have been imposed without even the appearance of asking their consent; and the proceeds, as well as the greater part of the other revenues, continue to be appropriated contrary to their wishes, and to purposes they would never sanction. Even in cases where a tax or an appropriation of money is subjected to a vote of the House of Assembly, it is often carried by a majority of members representing a minority of the classes entitled to share in the representation. The House is occasionally asked to grant a few thousand pounds for the support of the Civil Government, but this is merely for form's sake. Sometimes years elapse without any such request being made. Indeed, if the people would submit, the Government could go on for a century independent of a popular vote.

Standing Armies.

Standing Armies are kept among us in time of peace, without the consent of our legislatures; the military is not only independent of and superior to the civil power, but also the chief stay and dependence of those who use a delegated authority to oppress and injure us. Late occurrences in Montreal and elsewhere give a colour of truth to the assertion often made in Canada that bands of armed men are upheld among us, less for the purpose of affording protection to the people than of coercing them. Supported by the military, the crown and the legislature claim our allegiance, but neither afford protection to the lives and property, nor secure the liberty of the subject.

Education.

The progress of Education is obstructed. The Direction of Public Instruction is in general placed in the hands of those whose interest it is to keep the great body of the people in ignorance.

Trade.

The Trade of the Colony with other parts of the world is subjected to a multitude of vexatious and impolitic regulations and prohibitions, enacted without any reference to the Colonists, their wishes or interests. We are oppressed by a weight of commercial monopoly, which on the one hand, causes us to suffer great losses in their intercourse with foreign nations, in order, as some say, to promote Canadian Interests. We are desirous to be delivered from the injuries as well as the supposed benefits attending these monopolies.

Inefficient
Legislation.

Enactments the most wholesome and necessary for the public good, laws anxiously desired by the country, and calculated to promote the welfare of its inhabitants, are continually refused the sanction of the Executive and of the Councils dependent thereon.

Among the multitude of wise and salutary measures thus rejected since your Petitioner first entered the Legislature, may be enumerated: Bills,

For securing to the people a fair and impartial Trial by Jury.

For rendering the Administration of Justice more effectual and less expensive.

For the Encouragement of Education.

For rendering the Representative Branch of the Legislature more independent of Executive Influences, and for procuring a more fair and equal Representation of the People in the Assembly.

For abolishing the Law of Primogeniture, (which exists nowhere else in North America,) and for settling for the more equal Distribution of the real Estate of Persons dying intestate.

For a better Regulation of the three hundred Township Incorporations of the Colony.

For the Improvement of the Roads.

Providing that no Person should be liable to punishment for Publishing the Truth from good motives and for justifiable purposes.

For allowing the accused, in all Criminal Prosecutions, the benefit of full Defence by Counsel.

And for appointing Commissioners to consider important Matters of mutual Interest with Lower Canada.

The Legislative
Council.

In these and many other Bills the Legislative Council have served as a screen to take from the Colonial Office, and the General Officer commanding the forces, the odium of cautiously baulking the public expectation and frustrating the wishes of the country. This council is composed of officers of the Government, pensioners of the Crown, priests of the churches of Rome and England, collectors of the Excise revenues, and other persons whose subservience has been sufficiently proved. It has never acquired the public confidence; it has never deserved it.

British Colonial
Expenditure.

The Annual Expenditure occasioned to England by the present mode of Government in the North American Colonies has been estimated at about three millions sterling, inclusive of the tax occasioned by the discriminating duties on timber—this is in time of peace. Even if no return were made to the colonists in merchandize, the whole exports of British America to all the rest of the world would scarcely amount to this sum—and as for the territorial revenue accruing to Britain it is not worth naming.

The Petitions of the people of Lower Canada to their Government, and of the House of Assembly of that Province to the King and Parliament, show that most of the evils of which we complain they also are afflicted with; and that they seek the same simple remedy—the power of "self-government." The other North American Provinces doubtless feel in a greater or lesser degree the pressure of a Colonial system unsuitable to the liberality of the age in which we live.

The Colonies con-
trasted with the
United States.

The majority of the North American Colonists are neither of British birth nor descent—nor are they members of the Established Churches of England or of Scotland. British America is not a country for splendid costly Governments—its inhabitants evidently have no wish for them. The people of Upper Canada are in view of the United States, in daily intercourse with its citizens; they are the same race of men, speaking one language; they see the people on their adjoining frontier thriving and contented under domestic Governments instituted for the common benefit and protection; and they are persuaded that it is the wish of the British nation that they should have no just cause to envy the condition of their neighbours. In Ohio, New York, and Vermont, the military (of whom there are very few) are seen in strict subordination to the civil power—the laws are known to be a faithful expression of the public will—the penal code is humane and merciful—the judiciary are independent, and the people satisfied with the administration of justice—the taxes are raised, and public expenditures appropriated only according to law—the public functionaries require neither extravagant incomes nor burthensome pensions to induce them to fulfil their several duties—population, wealth well distributed, and the value of real estate rapidly increase—to all the citizens are ensured the blessings of education—and, without establishing any one sect over the others, a suitable maintenance is obtained for the ministers of religion from the voluntary contributions of their several congregations.

The best if not the
only means of pro-
moting the pros-
perity of Upper
Canada.

Your Petitioner humbly submits, that unless the people of Upper Canada shall be entrusted with an influence in the management of their own affairs something like that which prevails in the adjoining country, and the burthen of any disadvantageous comparison which they may draw, thereby thrown upon themselves, the difficulties which now surround the Colonial government will speedily be multiplied. Under a frugal Administration the value of landed estate in Upper Canada would be greatly increased, and the settlement of the country much facilitated by a numerous and intelligent class of capitalists, who will neither entrust

their property nor take up their abode in a land in which the Settler is continually liable to be involved in the troubles attending a struggle for the possession of a government able and willing to protect persons and property and secure to the community the blessings of civil and religious freedom.

Prayer of this
Petition.

In laying their complaints, year after year, before your Honorable House, the people of Upper Canada have constantly appealed to facts, and earnestly requested that an early investigation might take place, always reposing, as in duty bound, the fullest confidence in the wisdom and magnanimity of Parliament. And your Petitioner, for the several reasons herebefore set forth, humbly prays your Honorable House to cause an enquiry to be instituted into the condition of the Province, so that justice may be done, and relief extended to its much injured inhabitants.

Your Petitioner will ever pray.

W. L. MACKENZIE.

2, Poland Street, February 21st, 1833.

Imp'd

Mr. John Morrison,

Mr. George Mackenzie,

Mr. James

W. L. Mackenzie

