

Sir Francis Bond Head



A Narrative

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PREFACE.

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As I have reason to believe that the most important of my despatches from Upper Canada were, contrary to usual custom, submitted for the decision of the Cabinet, I am perfectly sensible that the publication of this volume must draw upon me the whole force of the Government.

The despatches it contains were almost, without exception, written either during the day, while I was constantly interrupted, or late at night, when I was tired. Several were actually despatched in the rough draught; and such was the pressure of public business, that I had seldom time to revise them.

The general plan of my communications to the Colonial Office was unequivocally to explain the expected result of my proposed measures, which, having been long ago carried into effect, must now be tested by the triple ordeal of the future, present, and past; and, as it has so happened that this volume has been published with extraordinary celerity (it has been printed in a week), I think it cannot be denied that—as I have no political connexion with any party, as I do not address myself to any party, and as there does not exist in either House of Parliament a single member who can stand up and say that, directly {iv} or indirectly, I have in any way solicited his assistance on this or on any subject,—I can have but little to support me in an unequal contest but the justness of my cause.

I have neither explanations nor professions to offer. Why do I publish these despatches? Am I actuated by public

principle or private feeling? What do I expect to gain by the course I am adopting? Will it be of any service to the country in general, or to our North American colonies in particular?

To all of the above questions one answer will suffice. *Reader, peruse the volume, and then judge for yourself.* Its copyright I have presented to my worthy publisher; and having now, as I have long wished to do, submitted to the country the result of my experience in the administration of the government of Upper Canada, I abandon it to find its own level among the mass of Reports and Documents which are already struggling to obtain the consideration of the public.

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My reasons for not having delayed the publication of my "Narrative" until the despatches ordered to be printed by the house of lords were promulgated.

The accusations against me and against the legislature of Upper Canada, contained in Lord Durham's Report, which, by the advice of Her Majesty's Government, was "presented by her Majesty's command to both Houses of Parliament," were as follows:—

1. That, as Lieutenant-Governor of Upper Canada, I had managed to obtain at the elections a constitutional majority in the House of Assembly, by making deceptive misrepresentations to the people; and that in a number of instances the said elections had been carried "by the unscrupulous exercise of the influence of my Government."

2. That I had formed my Executive Council of persons whom I had "taken from without the pale of official eligibility,"—that this Council had "accepted office almost on the express condition of being mere ciphers;" and that, having been selected under these degrading circumstances, it continued, {vi} under the administration of Sir George Arthur, "to feel that under no conceivable contingency could they expect an Assembly disposed to support them."

3. That the members of the House of Assembly of Upper Canada "had been elected under circumstances such as to render them peculiar objects of suspicion and reproach to a large number of their countrymen;" and that they were accused of having "violated their pledges at the elections."

4. That by the above acts the people of Upper Canada had been exasperated.

On these offensive accusations being laid, by advice of Her Majesty's Government, before both Houses of Parliament, accompanied by four hundred folio pages of additional matter selected by the Government, but which, strange to say, did not contain a single word in defence either of me or of the Executive Council or House of Assembly of Upper Canada, I found myself all of a sudden most ungenerously thrown by a Government I had faithfully served, into a dilemma from which it was utterly impossible for me to extricate myself with impunity: for, if I should vindicate myself, by publishing the despatches which I had refused to divulge to both Houses of the Canadian Legislature, I knew I should instantly be accused of betraying my employers; while, on the other hand, if, to avoid this imputation, I should remain silent, I felt most strongly that the Executive Council of Upper Canada {vii} whose private as well as public characters had been so unjustly assailed—the House of Assembly of Upper Canada, who had during two arduous sessions so nobly supported me, the electors of the province, who in peace as well as in war had so constitutionally flocked around me, and the Legislatures of our North American Colonies, who had so loyally co-operated with Upper Canada in standing against democracy, would indignantly have declared, that, supported as I had been by them all, I was bound to them by honour and by gratitude, not only regardless of every personal sacrifice, to step forward to shield them in their absence from being so unjustly defamed before the Imperial

Parliament, but to save them from the ruinous consequences of Lord Durham's Report, by exposing to the country the unintentional misrepresentations which it contained. The dilemma in which Her Majesty's Government placed me was a cruel one; because, without any means of escaping, it forced me to sacrifice either my reputation among diplomatic men by publishing my despatches, or my character among men of the world by ungratefully shrinking from defending those to whom, under Providence, I was indebted for infinitely more than my life.

The Duke of Wellington, totally unsolicited by me, seeing the miserable predicament in which I was placed, magnanimously rose in my defence, and, supported by two late Secretaries of State for the Colonies both of whom declared that I was entitled {viii} to vindication, his Grace called upon Lord Melbourne for the production of the whole of my despatches.

The very point which I myself had refused to accede to the addresses of both Houses of the Canadian Legislature was thus fairly brought before Lord Melbourne by his political antagonist, and the moment had therefore arrived for his Lordship to determine and to declare before the country, whether he would resist or yield to a request, the consequences of which he was fully aware of. His Lordship was pleased deliberately to accede to the Duke of Wellington's motion, and accordingly such of my despatches as were necessary to my vindication were ordered to be printed.

The important point being yielded, publicity being granted, and the immediate elucidation of the real truth

being of vital importance not only to my own character, to the character of the authorities of Upper Canada, but to the empire at large, ten days after this permission was granted, I published in a popular form, and with necessary explanations, the case which I had hitherto withheld from the public.

In this publication I did not divulge a single State secret, but by producing less than a sixth of my despatches, I merely exculpated myself from the accusations which had been made against me, by explaining what had been the policy I had endeavoured to pursue, what had been the difficulties which had vexatiously been opposed to me, and how, instead of being supported by my employers, I had {ix} by their repeated attacks been eventually driven from my post.

For reasons which I am unable to explain, an unusual delay took place in the promised production of my despatches, in consequence of which my defence of the policy I had pursued was published before it was officially promulgated by Her Majesty's Government.

I acknowledge with submission the breach of form I have thus committed; at the same time it will, I hope, be also admitted that, leaving my natural eagerness to vindicate myself, and those who had supported me, from the offensive accusations which had been brought against us before both Houses of Parliament, completely out of the question, it was of vital importance that my volume should reach the colonies and appear before the judgment of the British public, as nearly as possible, simultaneously with Lord Durham's unfortunate recommendations: for surely it

must be evident that in our colonial policy there exist errors enough without wilfully sowing and giving time for the growth of others, which, by a prompt reply, might at once be eradicated; and this general observation is particularly applicable to Lord Durham's Report, which, without intentional offence to his Lordship, I must say, contains allegations against the Legislature of Upper Canada, and expressions of admiration of the United States, almost sufficient to make our Canadian Militia throw down their arms in despair.

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Notwithstanding these reasons, it has, however, been observed by Her Majesty's Government, before Parliament, "that my publication of my despatches is unparalleled, and that long may it remain so." Whether the provocation as well as the treatment I have received from Her Majesty's Government be also "unparalleled" is a question for the public rather than me to determine. I will therefore proceed to notice two other remarks made against me by Her Majesty's Government, viz., that I ought not to have published at all—first, any despatches impugning the political principles of individuals (one of whom principally alluded to is, I presume, Her Majesty's Under Secretary of State for the Colonies); and secondly, any expressions hostile to the institutions of the United States, Her Majesty's Government having determined, although I have published them, officially to withhold all such documents from the public.

Now what a contradiction this is to the course which the Government pursued respecting Lord Durham's allegations

against *me*!

These allegations leaked out into the "*Times*" newspaper before they were officially laid before Parliament, or rather before it was even decided that they *should* be laid before Parliament, just as my despatches appeared *after they had been ordered to be printed*. In the former case, however, the greater irregularity was urged by Her Majesty's Government as their excuse, or rather as their reason, for promulgating {xi} a libel; while, in the lesser case, it is said to be no reason at all for their publishing it. And now, let us examine who are the parties that in one instance Her Majesty's Government join in attacking, and in another instance, exactly similar, protect from defamation.

Why, the individual whom Her Majesty's Government have assisted in assailing before both Houses of Parliament is the man who on the continent of America humbly maintained monarchical principles against democracy; while, on the other hand, the individual whom they *shield* is Her Majesty's Under Secretary for the Colonies, declared, on respectable evidence which it has been offered to produce, to have assisted in our colonies the progress of republican institutions!!

But not only do Her Majesty's Government protect this individual, but they declare their intention to protect democracy itself; and although twenty-two pieces of artillery of the United States were fired during a fortnight upon Upper Canada while I commanded there—although the Americans, after having set a price upon my head, shamefully invaded the province in all directions,—shot down thirty of our brave soldiers,—cruelly murdered and

plundered the Queen's subjects,—brutally insulted several ladies on board the British steamer (the *Sir Robert Peel*), which they burnt,—barbarously mutilated the corpses of our officers, one of whom, it is said, they hung up by the {xii} heels as a mark for their rifles.—Although, on relinquishing the government of Upper Canada, I was pursued for upwards of forty miles by these Americans, who hunted me like bloodhounds to murder me, for no other reason than because, as her Britannic Majesty's representative, I had resisted the repeated proclamations by which the American "Generals commanding" had insolently called upon Her Majesty's subjects of Upper Canada to exchange British institutions for democracy.—Notwithstanding all these provocations, and notwithstanding these infamous aggressions have already cost the country nearly two millions of money, I am to be censured by Her Majesty's Government for having, after they had agreed to the publication of my despatches, made the country and the civilized world aware that I had called "shame" upon those institutions of the United States which their citizens had vainly endeavoured, by bayonets and artillery, to force upon the people of Upper Canada, whether they liked them or not.

If Her Majesty's Government are of opinion that the old-fashioned custom, which in British history has ever been maintained, of indignantly resisting insult and aggression, is henceforward to be abolished, why, instead of first inculcating the new doctrine upon an humble individual like myself, did they not venture at once to rebuke the Duke of Wellington when, on the 6th ult., his Grace, in a speech

which men of property in the United States will both appreciate and admire, compared {xiii} the unjustifiable invasion of the Canadas “*to a system of warfare known only among the most lawless of the most barbarous states of the East and of Africa?*”

Do Her Majesty’s Ministers conceive that the plain-dealing yeomen, farmers, merchants, and manufacturers of the British empire are to be called upon to pay two millions of money for a secret war with America, which no man is to dare to mention; and that our public officers, smarting under the indignities they have received from the American Republic, are to be publicly censured, unless, with the servility of spaniels, they lick the hand that has been striking them?

Do Her Majesty’s Ministers afford this unheard-of protection to *our own* revered institutions? No! Every fault which conflicting Commissioners of Inquiry, one after another, can ingeniously point out in the *Monarchical* institutions of the Canadas have been printed with eager alacrity; every recommendation from friend or foe to subject the Governor, the Executive Council, and the Upper House of the Provincial Legislature to the will of the people, has been listened to “*with the utmost possible respect,*” and published in detail. Lord Durham’s censures against my policy; his Lordship’s allegations against the Executive Council whom I appointed, against the Legislative Council, and even against the representatives of the people of Upper Canada, by the advice of Her Majesty’s Ministers, have been all “laid before {xiv} both Houses of Parliament by command of the Queen.”

Neither the private nor the public feelings of the supporters of British institutions have been spared; but the moment (availing myself of Lord Melbourne's motion, that a portion of my despatches be printed) I tell the country the real truth—the moment, in defence of our monarchical constitution, I utter a word against those republican institutions of the United States, which have assailed and insulted it, Her Majesty's Government defend democracy, and frown upon me for having disclosed the resistance I offered to its attacks!

Lastly, how could Her Majesty's Government complain before the House of Commons, that *too many* of my despatches had been published, when in the same breath they cheerfully consented to print a *second batch* of them, on Mr. Hume's ridiculous pretence, that their publication was necessary for the purification of *his* character?

If her Majesty's Ministers feel that they have been seriously injured in the opinion of steady men of business by the publication of my despatches, they should blame themselves, not me: for if they themselves had not torn up the solemn treaty of peace which existed between us, I should still have been governed by its terms.

The dilemma in which they involved me, by acknowledging and laying before Parliament, as an official "Report," the pamphlet of an Ex-Governor, {xv} who *before* his resignation had been received had, in a Quebec Proclamation, assailed them and the Imperial Parliament as severely as *after* his resignation had been accepted he assailed in his said London Pamphlet the conduct and by-gone policy of an Ex-Lieutenant-Governor of Upper Canada,

“functus officii,” like himself—the consequent demand in the House of Lords for my despatches—and the exertions which I was forced to make in self-defence, will, I believe, be a warning to British Statesmen:—

1st. Never again to forget their own dignity by refusing to accept the resignation of a public servant, when, by word as well as by deed, he frankly says of their measures (as I did within four months of my arrival at Toronto), *“that he has not an idea in common with them;”* and that the policy they have desired him to follow *“has a democratic character, to which he cannot conscientiously accord.”*

2ndly. Never again in our colonies, in opposition to the earnest recommendations of the Lieutenant-Governor, to raise up the well-known enemies, and to pull down the time-tried friends of British Institutions.

3rdly. Never again to combine with any one in unjustly dragging before both Houses of Parliament a silent, innocent man, who, in his retirement, was faithfully concealing their policy.

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CHAPTER I.

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Preliminary History—The Elevation of Mr. M'Kenzie, and the recall, by the Colonial Office, of His Excellency Major General Sir John Colborne.

Mr. M'Kenzie, who has caused the effusion of so much British blood and money, was, it is believed, an insignificant pedlar-lad, who, about eighteen years ago, having transferred himself to America, under disreputable circumstances, succeeded in becoming the shop or errand-boy of a notorious republican at Toronto.

After living for some years in this description of society, he gradually brought himself into notice by the extraordinary talent he displayed in inventing gross falsehoods, and, as his radical associates acutely perceived that such poisonous misrepresentations flowing through the province would by degrees sicken the loyalty of those who, secluded in the backwoods, were completely dependent for political information on the local press, he was strongly encouraged to throw aside his shopman's apron, and to set up a newspaper.

With this detestable object in view, Mr. M'Kenzie's exertions for many years were really almost superhuman. Every hardship, whether of wood, wind, or {2} weather, which the settler encountered in his lonely residence in the forest, was, by some falsehood or other, ingeniously shown to proceed indirectly from Downing-street, or directly from the Government House, or Legislative Council, at Toronto. Every magistrate, militia officer, postmaster, or schoolmaster, who in any way misbehaved himself, either in

public or private, was declared to be an especial favourite of the Government; artful comparisons were constantly unfairly made between the condition of the old, densely-peopled districts of the United States and the young settlements of Upper Canada, the difference being of course attributed to the withering influence of monarchical institutions.

After these mischievous misrepresentations (which lowered, if it were possible, Mr. M'Kenzie in the estimation of every honest, intelligent man) had sufficiently shaken the loyalty of those who, secluded in moral darkness, had unfortunately listened to his tales, he considered that the time had arrived for getting up some vague petition to the Colonial Secretary for the general correction of "grievances." In order to obtain sufficient signatures for this purpose, it is perfectly notorious, throughout Upper Canada, that the most barefaced and impudent deceptions were practised. In various directions agents were employed who, themselves, affixed the names or marks of all who could be induced to acknowledge they had any one thing to complain of, indeed, {3} several worthy individuals were added to the list, who actually believed they had joined in a loyal address. The names and signatures thus collected in batches, on separate pieces of paper, were then all pasted together, and, with scarcely anything but these credentials in his wallet, and with unprincipled impudence as his companion, this low adventurer (by one of those eccentric chances which occasionally characterise the course of an impostor's life) returned to his mother-country, to introduce himself in Downing-street to her Majesty's Secretary of

State for the Colonies, leaving behind him in Upper Canada that kind of character which, with more wit than elegance, has been thus quaintly described by an American writer:—

“He is, without exception, the most notorious liar in all our country. He lies out of every pore in his skin. Whether he be sleeping or waking, on foot or on horseback, talking with his neighbours or writing for a newspaper, a multitudinous swarm of lies, visible, palpable, and tangible, are buzzing and settling about him like flies around a horse in August.”

One would have thought that the infamous notoriety of this low-bred, vulgar man would have secured the Governor and Legislature of Upper Canada from his libellous and seditious accusations; but, alas! the very fact of his undertaking a journey of nearly 4000 miles shows pretty clearly that Mr. M’Kenzie {4} shrewdly suspected that the Colonial Office would not be very inimical to his demands.

The reception which Mr. M’Kenzie met with in Downing-street he has boastingly explained by the following letters, which are only a part of many he has published in Upper Canada, in order triumphantly to demonstrate the accredited importance with which he had been received, notwithstanding the documents, of which he was the advocate, had not passed through the executive government, or before either branch of the Legislature of Upper Canada.

(copy.)

Colonial Office, July 26, 1832.

Sir,

Lord Goderich has desired me to acknowledge the receipt of your papers, and I have the honour to inform you that his Lordship regrets he cannot appoint an earlier day than Friday, the 3rd of August. On that day, however, at two o'clock, he will be glad to see you at this office.

I have the honour to be

Your most obedient humble servant,

Charles Douglas.

W. L. M'Kenzie, Esquire.

19, Wakefield-street, Brunswick-square.

(copy of extract.)

Downing-street, 8th September, 1832.

Sir,

I am directed by Lord Goderich to acknowledge the receipt of your letters of the 27th August and 5th September. {5} In answer to these communications, I have to inform you that the other addresses, as well as that from the Niagara district, have in the usual manner been laid before his Majesty, and you are at liberty to state this fact to the persons by whom they have been signed, without receiving a separate answer to each.

With respect to the war losses and the state of the representation, although, of course, he can enter into no discussion with any private individual on those subjects. Lord Goderich is willing to receive and to pay such attention as they may seem to require to any further written statements you may think fit to submit to him. If you have anything to offer which can only be verbally communicated, his Lordship will not refuse, on his return to town, to afford

you such opportunities of addressing him as his other avocations will allow.

(Signed)Howick.

To W. L. M'Kenzie, Esquire.

(copy.)

Colonial Office, Tuesday 26th.

Sir,

I am desired by Lord Goderich to propose to you to call here on Saturday next, at two, instead of to-morrow, at half-past twelve, as the House of Lords meet at one o'clock to send up an address to his Majesty.

I am, Sir,

Your humble servant,

B. J. Balfour.

To W. L. M'Kenzie, Esquire.

&c.&c.

Colonial Office, November 2, Tuesday.

Sir,

Lord Goderich has desired me to express to you his {6} regret that the pressure of business should have prevented him seeing you since his return to town. He now begs leave to propose one o'clock on Tuesday next, at this office, for the interview you desire.

I am, Sir,

Your obedient servant,

B. J. Balfour.

W. L. M'Kenzie, Esquire

&c.&c.

Colonial Office, November 5th.

Lord Goderich presents his compliments to Mr. M'Kenzie. He finds himself obliged to change the proposed hour for interview to-morrow to twelve o'clock instead of one, which he hopes will not be inconvenient to Mr. M'Kenzie.

W. L. M'Kenzie, Esquire.

Colonial Office, November 6th.

Lord Goderich is sorry to be again obliged to put Mr. M'Kenzie off. He has now to propose twelve o'clock on Wednesday, instead of twelve to-morrow.

W. L. M'Kenzie, Esquire.

In this country, people will scarcely comprehend why Mr. M'Kenzie should (writing the words "*Esquire*" and "*your most obedient humble servant*" at full length) have published with so much ostentation copies of the above commonplace communications. In a small community, however, considerable importance is attached to any interview with a minister; and in colonial society this distinction is {7} not only, by the vulgar, looked upon as an honour, but, by the most sensible and reflecting, it is justly considered as a political advantage which may be productive of very serious results.

The following memorandum, which Mr. M'Kenzie published in Upper Canada, together with the notes which have been just quoted, sufficiently show the mischievous application that may be made of these improper interviews.

(copy.)

Memorandum.—On Wednesday, the 7th of November, 1832, I had the honour of a very long interview with the Secretary of State; and on the day following the despatch

was written, which is an answer, in part, to my representations.

(Signed)W. L. M'Kenzie.

The despatch from the Colonial Minister to His Excellency Sir John Colborne, to which Mr. M'Kenzie here alludes, is one of the most extraordinary public documents ever published in Upper Canada. It begins as follows:

(copy.)

Downing-street, Nov. 8, 1832.

Sir,

During several months past, I have been in occasional communication with Mr. William M'Kenzie upon the subject of the grievances said to exist in Upper Canada, and for redress of which various petitions have been addressed {8} to his Majesty, I propose in this despatch to follow Mr. M'Kenzie through those parts of his statement, respecting the representation of the inhabitants in the House of General Assembly, which appear to me essential to the consideration of the practical questions *he* has undertaken to agitate.

The despatch accordingly obsequiously follows Mr. M'Kenzie through the whole course of his most insulting abuse of the executive, legislative, civil and religious authorities of the colony; and in one instance, merely because Mr. M'Kenzie, an unprincipled, vagrant grievance-monger, had complained "that the law, as interpreted by the Court of King's Bench, entitles the *county* members only to wages," without asking His Excellency Sir John Colborne

or the House of Assembly itself for explanation or vindication, the despatch says, "I have no right to interfere with the deliberations of the Council, but I am able to signify to you his Majesty's pleasure that you should not oppose any objection to any law which may be presented for your acceptance for placing the town and county representations on the same footing in this respect."

Again, because Mr. M'Kenzie had complained that various religious bodies, not choosing to take an oath, were excluded from the elective franchise, the despatch most humbly says, "I shall be happy to introduce a bill into parliament for amending this part of the constitutional Act of 1791, unless there should {9} appear to be some difficulty in that measure which does not occur to me at present."

The influence of the crown appears to have been as successfully attacked by Mr. M'Kenzie as the great constitutional Act of 1791, for, in reply to Mr. M'Kenzie's accusations that "the crown possessed an undue influence in the Provincial Legislature," the despatch says, "If this could be shown, his Majesty would not hesitate to assent to any law which might be passed for the purpose of limiting the number of persons holding offices at pleasure who should be permitted at one time to sit there."

This uncalled-for surrender of the influence of the crown, when compared with succeeding events, forms a most melancholy illustration of the following ominous prophecy, with which it was officially accompanied: "Mr. M'Kenzie," says the despatch to Sir John Colborne, "has concluded his paper by predictions of *bloodshed and civil war*, and a

dissolution of the connexion between Upper Canada and this kingdom.

“But against gloomy prophecies of this nature every man conversant with public business must learn to fortify his mind. They have ever been the resource of those who endeavour to *extort from the fears of government concessions in favour of which no adequate reasons could be urged.*”

Nothing could be more applicable to Mr. M’Kenzie than the above remark, and yet, as if to {10} prove how much easier it is to preach wisdom than to practise it, the despatch concludes by saying to his Excellency Sir John Colborne,—

“I have received these documents from Mr. M’Kenzie, not merely as expressing his own opinion, but also as explanatory of the views of those who have deputed him to represent what they call their grievances to his Majesty. To them, the *utmost possible respect* is due.

“*Having written this despatch with a view to publicity, you have my authority to make it public in whatever manner you may think most convenient.*”

Now, instead of appearing at the Colonial Office as a broken-down pedlar and a notorious disturber of the public mind, let us suppose that Mr. M’Kenzie had come from a distant colony to the Horse Guards, to complain against the military officer in command,—can any one believe that Lord Hill would have taken any other notice of the complainant

than mildly, but firmly, to have desired him to transmit his communication through his commanding officer?

In case a sailor, or even a naval officer, were to come up to London to abuse his commodore, would not the Admiralty pursue the same course, and ought not our colonial governors and legislators to be supported by the Colonial Office with that common caution which would induce every judge and magistrate, or, indeed, any sensible person, not to deliver, {11} or even to form, an opinion on an *ex parte* statement? Yet, in the case before us, the accusations of a man of broken character and fortune against his Excellency Sir John Colborne, against every constituted authority, and against the feelings of every respectable inhabitant in Upper Canada, were not only listened to by repeated appointments, but replied to “*with the utmost possible respect*” in the elaborate despatch above alluded to.

What were Sir John Colborne’s feelings, on unexpectedly receiving this most extraordinary communication, it surely cannot be necessary to divulge, as the sentiments of the other two branches of the legislature of Upper Canada sufficiently appear from the following published extracts of their admirable, constitutional, and indignant reply to the message in which the Lieutenant-Governor transmitted to them a copy of the unfortunate document in question.

TO HIS EXCELLENCY SIR JOHN COLBORNE,
&c. &c. &c.

May it please your Excellency,

We, his Majesty’s dutiful and loyal subjects, the legislative council of Upper Canada, in provincial parliament