

The Constitution, 15 November 1837 and 22 November 1837.

Both Lord Durham and contemporary scholars have tended to treat the Upper and Lower Canadian rebellions as separate, but Allan Greer has made a persuasive argument that presents them as products of a broader revolutionary age. Even if the rebellions were not co-ordinated, many, including the leader of the rebellions in Upper Canada William Lyon Mackenzie, felt a great deal of connection with and admiration for the other. Moreover, the grievances and causes of the rebellions in both provinces were remarkably similar.

The Constitution By W. L. Mackenzie.

To the Convention of Farmers, Mechanics, Labourers, and other Inhabitants of Toronto, met at the Royal Oak Hotel, to consider of and take measures for effectually maintaining in this colony, a free constitution and democratic form of government.

The Committee appointed to report a popular Constitution, with guards suitable for this Province, in case the British system of government shall be positively denied us, respectfully submit the following draft:

WHEREAS the solemn covenant made with the People of Upper and Lower Canada, and recorded in the Statute Book of the United Kingdom of Great Britain and Ireland, as the 31st Chapter of the Acts passed in the 31st year of the reign of King George III., hath been continually violated by the British Government, and our rights usurped; *And Whereas* our humble petitions, addresses, protests and remonstrance against this injurious interference have been made in vain—WE, the people of the State of Upper Canada, acknowledging with gratitude the grace and beneficence of GOD, in permitting us to make choice of our form of Government, and in order to establish justice, ensure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of civil and religious liberty to ourselves and our posterity, do establish this Constitution.

1. Matters of religion and the ways of God's worship are not at all intrusted by the people of this State to any human power, because therein they cannot remit or exceed a tittle of what their consciences dictate to be the mind of God, without wilful sin. Therefore the legislature shall make no law respecting the establishment of religion, or for the encouragement or the prohibition of any religious denomination.

2. It is ordained and declared that the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever hereafter be allowed within this State to all mankind.

3. The whole of the public lands within the limits of this State, including the lands attempted, by a pretended sale, to be vested in certain adventurers called the Canada Company (except so much of them as may have been disposed of to actual settlers now resident in the State,) and all the lands called crown reserves, clergy reserves and rectories, and also the school lands, and the lands pretended to be appropriated to the uses of the University of King's College, are declared to be the property of the State, and at the disposal of the Legislature, for the public

service thereof. The proceeds of one million of acres of the most valuable public lands shall be specially appropriated to the support of Common or Township Schools.

4. No Minister of the Gospel, clergyman, ecclesiastic, bishop or priest of any religious denomination whatsoever, shall at any time hereafter, under any pretence or description whatever, be eligible to, or capable of holding a seat in the senate or house of assembly, or any civil or military office within this state.

5. In all laws made, or to be made, every person shall be bound alike—neither shall any tenure, estate, charter, degree, birth, or place, confer any exemption from the ordinary course of legal proceedings and responsibilities whereunto others are subjected.

6. No hereditary emoluments, privileges, or honours, shall ever be granted by the people of this State.

7. There shall neither be slavery nor involuntary servitude in this State, otherwise than for the punishment of crimes whereof the party shall have been duly convicted. People of Colour, who have come into this State with the design of becoming permanent inhabitants thereof, *and are now resident therein*, shall be entitled to all the rights of native Canadians, upon taking an oath or affirmation to support the constitution.

8. The people have a right to bear arms for the defence of themselves and the State.

9. No man shall be impressed or forcibly constrained to serve in time of war; because money, the sinews of war, being always at the disposal of the Legislature, they can never want numbers of men apt enough to engage in any just cause.

10. The military shall be kept under strict subordination to the civil power. No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

11. The Governor, with the advice and consent of the Senate, shall choose all militia officers about the rank of Captain. The people shall elect their own officers of the rank of Captain, and under it.

12. The people have a right to assemble together in a peaceable manner, to consult for their common good, to instruct their representatives in the legislature, and to apply to the legislature for redress of grievances.

13. The printing presses shall be open and free to those who may wish to examine the proceedings of any branch of the government, or the conduct of any public officer; and no law shall ever restrain the right thereof.

14. The trial by Jury shall remain for ever inviolate.

15. Treason against this State shall consist only in levying war against it, or adhering to its enemies, giving them aid and comfort. No person shall be convicted of Treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

15A. No ex-post-facto law, nor any law impairing the validity of legal compacts, grants or contracts, shall ever be made; and no conviction shall work corruption of blood or forfeiture of estate.

16. The real estate of persons dying without making a will shall not descend to the eldest son to the exclusion of his brethren, but be equally divided among the children, male and female.

17. The laws of Entail shall be forever abrogated.

17A. There shall be no lotteries in this State. Lottery tickets shall not be sold therein, whether foreign or domestic.

18. No power of suspending the operation of the laws shall be exercised except by the authority of the Legislature.

19. The people shall be secure in their persons, papers and possessions, from all unwarrantable searches and seizures; general warrants, whereby an officer may be commanded to search suspected places, without probable evidence of the fact committed, or to seize any person or persons not named, whose offences are not particularly described, and without oath or affirmation, are dangerous to liberty, and shall not be granted.

20. Private property ought, and will ever be held inviolate, but always subservient to the public welfare, provided a compensation in money be first made to the owner. Such compensation shall never be less in amount than the actual value of the property.

21. *And Whereas* frauds have been often practised towards the Indians within the limits of this State, it is hereby ordained, that no purchase or contracts for the sale of lands made since the day of in the year , or which may hereafter be made with the Indians, within the limits of this State, shall be binding on the Indians and valid, unless made under the authority of the legislature.

22. The legislative authority of this State shall be vested in a General Assembly, which shall consist of a Senate and House of Assembly, both to be elected by the People.

23. The Legislative year shall begin on the day of , and the legislature shall every year assemble on the Second Tuesday in January, unless a different day be appointed by law.

24. The Senate shall consist of twenty-four members. The Senators shall be Freeholders and be chosen for four years. The House of Assembly shall consist of seventy-two members, who shall be elected for two years.

25. The State shall be divided into six senate districts, each of which shall choose four senators.

The first district shall consist of, &c.

The second districts shall, &c.—(and so on, as a convention may decide.)

26. An enumeration of the inhabitants of the State shall be taken, under the direction of the Legislature, within one year after the first meeting of the General Assembly, and at the end of every four years thereafter; and the senate districts shall be so altered by the legislature after the return of every convention, that each senate district shall contain, as nearly as may be, an equal number of inhabitants, and at all times consist of contiguous territory; and no county shall be divided in the formation of a senate district.

27. The members of the House of Assembly shall be chosen by Countries, and be apportioned among the several counties of the State, as nearly as may be, according to the numbers of their respective inhabitants. An apportionment of members of Assembly shall be made by the legislature, at its first session after the return of every enumeration.

28. In all elections of Senators and Members of the House of Assembly the person or persons having the highest number of votes shall be elected. In cases in which two or more persons have an equal number of votes, where only one is required to be elected, there shall be a new election.

29. All Elections shall be held at those places which may be considered by the electors to be the most central and convenient for them to assemble at. No county, district or township election shall continue for a longer period than two days.

30. In order to promote the freedom, peace, and quiet of elections, and to secure in the most ample manner possible, the independence of the poorer classes of the electors, it is declared

that all elections by the People, which shall take place after the first session of the legislature of this State, shall be by ballot, except for such town officers as may by law be directed to be otherwise chosen.

31. Electors shall, in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning from them.

32. The next election for Governor, Senators and Members of Assembly, shall commence on the first Monday of next; and all subsequent election shall be held at such time in the month of or , as the legislature shall by law provide.

33. The Governor, Senators and Members of Assembly shall enter on the duties of their respective offices on the first day of next.

34. And as soon as the Senate shall meet, after the first election to be held in pursuance of this Constitution, they shall cause the senators to be divided by lot, into four classes, of six in each, so that every district shall have one senator of each class: the classes to be numbered 1, 2, 3, and 4. And the seats of the first class shall be vacated at the end of the first year; of the second class, at the end of the second year; of the third class, at the end of the third year; of the fourth class, at the end of the fourth year; in order that one senator may be annually elected in each senate district.

35. A majority of each House shall constitute a quorum to do business, but a smaller number may adjourn from day to day and compel the attendance of absent members. Neither House shall without the comment of the other, adjourn for more than two days.

36. Each House shall choose its Speaker, Clerk and other Officers.

37. In each House the votes shall, in all cases when taken, be taken openly, and not by ballot, so that the electors may be enabled to judge of the conduct of their representatives.

38. Each House shall keep a Journal of its proceedings, and publish the same except such parts as may require secrecy.

39. Each House may determine the rules of its own proceedings, judge of the qualifications of its members, punish its members for disorderly behaviour, and with the concurrence of two-thirds expel a member, but not a second time for the same cause.

40. Any bill may originate in either House of the Legislature; and all bills passed by one House may be amended or rejected by the other.

41. Every bill shall be read on three different days in each House—unless, in case of urgency, there-fourths of the whole members of the House where such bill is so depending shall deem it expedient to dispense with this rule; in which case the names of the majority or members present and consenting to dispense with this rule shall be entered on the Journals.

42. Every bill which shall have passed the Senate and Assembly, shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign it; but if not, he should return it with his objections to that House in which it shall have originated, which shall enter the objections on its journal, and proceed to reconsider it. If after such reconsideration, two-thirds of the members present shall agree to pass the bill, it shall be sent together with the objections, to the other House, by which it shall likewise be reconsidered; and if approved by two-thirds of the members present it shall become a law. In all such cases, the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the Journals of each House respectively. If any bill shall not be returned by the Governor within ten days (Sunday excepted) after it shall have been presented

to him, the same shall be a law, in like manner as if he had signed it, unless the legislature shall, by its adjournment, prevent its return, in which case it shall not be a law.

43. No member of the legislature, who has taken his seat as such, shall receive any civil appointment from the governor and senate, or from the legislature, during the term for which he shall have been elected.

44. The assent of the Governor, and of three fourths of the members elected to each branch of the legislature, shall be requisite to authorize the passage of every bill appropriating the public monies or property for local or private purposes, or for creating, continuing, altering, or renewing any body politic or corporate; and the yeas and nays shall be entered on the Journals at the time of taking the vote on the final passage of any such bill.

45. The members of the legislature shall receive for their services a compensation to be ascertained by law and paid out of the public treasury.

46. Members of the General Assembly shall, in all cases, except treason, felony and breach of the peace, be privileged from arrest during their continuance as such members; and for any speech or debate in either House, they shall not be questioned in any other place.

46A. No person shall be a senator or member of the house of assembly who shall not have attained the age of years, and been years a citizen of the State, and who shall not, when elected, be an inhabitant of the State.

47. No Judge of any Court of law or equity, Secretary of State, Attorney General, Register of Deeds, Clerk of any Court of Record, Collector of Customs or Excise Revenue, Postmaster or Sheriff, shall be eligible as a candidate for, or have a seat in, the General Assembly.

48. No person who hereafter may be a collector or holder of the public monies, shall have a seat in the General Assembly, until such person shall have accounted for and paid into the treasury all sums for which he may be accountable or liable.

49. All officers holding their offices during good behaviour, or for a term of years, may be removed by joint resolution of the two Houses of the Legislature, if two-thirds of all the members elected to the Assembly, and a majority of all the members elected to the senate concur therein.

50. The House of Assembly shall have the sole power of impeaching, but a majority of all its members must concur in an impeachment.

51. All impeachments shall be tried by the Senate, and when sitting for that purpose, its members shall be on oath or affirmation to do justice according to law or evidence; no person shall be convicted without the concurrence of two-thirds of all the Senators.

51. The Legislature shall have power to pass laws for the peace, welfare and good government of this State, not inconsistent with the spirit of this Constitution—To coin money, regulate the value thereof, and provide for the punishment of those who may counterfeit the securities and coin of the State.

I. To fix the standard of Weights and Measures.

II. To establish an uniform rule of naturalization.

III. To establish uniform laws on the subject of Bankruptcies.

IIII. To regulate commerce.

V. To lay and collect taxes.

VI. To borrow money on the credit of the State, not, however, without providing at the same times the means, by additional taxation or otherwise of paying the interest,

and of liquidating the principal within twenty years.

VII. To establish Post Offices and Post Roads.

52. Gold and Silver shall be the only lawful tender in payment of debts.

53. No new County shall be established by the General Assembly, which shall reduce the County or Counties, or either of them, from which it shall be taken, to less contents than 400 square miles, nor shall any County be laid off of less contents.

54. There shall be no sinecure offices.—Pensions shall be granted only by authority of the Legislature.

55. The whole public revenue of this State, that is, all money received from the public, shall be paid into the Treasury, without any deduction whatever, and be accounted for without deduction to the Legislature, whose authority shall be necessary for the appropriation of the whole. A regular statement and account of the receipt and expenditures of all public money shall be published once a year or oftener. No fees of office shall be received in any department which are not sanctioned by legislative authority.

56. There shall never be created within this State any incorporated trading companies, or incorporated companies with banking powers. Labour is the only means of creating wealth.

57. Bank Notes of a lesser nominal value than shall not be allowed to circulate as money, or in lieu thereof.

58. The Executive power shall be vested in a Governor. He shall hold his office for three years. No person shall be eligible to that office who shall not have attained the age of thirty years.

59. The Governor shall be elected by the People at the times and places of choosing members of the legislature. The person having the highest number of votes shall be elected; but in case two or more persons shall have an equal, and the highest number of votes, the two Houses of the Legislature shall, by joint vote, (not by ballot) choose one of the said persons for governor.

60. The Governor shall have power to convene the legislature, of the senate only, on extraordinary occasions. He shall communicate by message to the legislature at every session, the condition of the State, and recommend such matters to them as he shall judge expedient. He shall transact all necessary business with the officers of government; expedite all such measures as may be resolved upon by the legislature; and take care that the laws are faithfully executed. He shall, at stated times, receive a compensation for his services, which shall neither be increased nor diminished during the term for which he shall have been elected.

61. The Governor shall have power to grant reprieves and pardon after conviction, for all offences, except in cases of impeachment. A notice of all such pardons or reprieves shall be published, at the time, in some newspaper published at the seat of government.

62. The Governor shall nominate by message, in writing, and, with the consent of the Senate, shall appoint the Secretary of State, Comptroller, Receiver General, Auditor General, Attorney General, Surveyor General, Postmaster General, and also all judicial officers, except Justices of the Peace and Commissioners of the Courts of Request, or Local Courts.

63. In case of the death, impeachment, resignation, or removal of the Governor from office, the Speaker of the Senate shall perform all the duties of Governor, until another Governor shall be elected and qualified, or until the Governor so impeached shall be acquitted, as the case may be.

64. The executive authority shall issue writs of election to fill up vacancies in the representation of any part of the province in the General Assembly.

65. The Judicial power of the State, both as to matters of law and equity, shall be vested in a Supreme Court, the members of which shall hold office during good behaviour, in District or County Courts, in Justices of the Peace, in Courts of Request, and in such other Courts as the Legislature may from time to time establish.

66. A competent number of Justices of the Peace and Commissioners of the Courts of Request shall be elected by the people, for a period of three years, within their respective cities and townships.

67. All courts shall be open, and every person for any injury done him in his lands, goods, person, or reputation, shall have remedy by the due course of law; and right and justice shall be administered without delay or denial.

68. Excessive bail shall not be required; excessive fines shall not be imposed, nor cruel and unusual punishments inflicted.

69. All persons shall be bailable by sufficient sureties, unless for capital offences, where the proof is evident or the presumption great; and the privilege of the writ of Habeas Corpus shall not be suspended by any act of the Legislature, unless, when in cases of actual rebellion or invasion, the public safety may require it.

70. In all criminal prosecutions, the accused hath a right to be heard by himself and his Counsel, to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face; to have compulsory process for obtaining witnesses in his favour; and in prosecutions by indictment or presentment a speedy public trial, by an impartial and fairly selected jury of the County District, or division in which the offence shall be stated to have been committed; and shall not be compelled to give evidence against himself—nor shall he be twice put in jeopardy for the same offence.

71. In prosecutions for any publication respecting the official conduct of men in a public capacity, or when the matter published is proper for public information, the truth thereof may always be given in evidence, and in all indictments for libel, the jury shall have a right to determine the law and the fact.

72. No person arrested or confined in jail shall be treated with unnecessary rigour, or be put to answer any criminal charge except by presentment, indictment, or impeachment.

73. It shall be the duty of the Legislature so to regulate the proceedings of Courts of Civil Jurisdiction, that unnecessary delays and extravagant costs in legal proceedings may not be a cause of complaint.

74. Sheriffs, Coroners, Clerks of the Peace, and Registers of Counties or Districts, shall be chosen by the electors of the respective Counties or Districts, once in four years, and as often as vacancies happen. Sheriffs shall hold no other office, and be ineligible for the office of Sheriff for the next two years after the termination of their offices.

75. The Governor and all other Civil Officers under this State, shall be liable to impeachment for any misdemeanor in office; but judgment in such cases shall not extend farther than removal from office, and disqualification to hold any office of honour, profit or trust, under this State. The party, whether convicted or acquitted, shall nevertheless be liable to indictment, trial, judgment and punishment according to law.

76. After this Constitution shall have gone into effect, no person shall be questioned for any thing said or done in reference to the public difference which have prevailed for some time past, it being for the public welfare and the happiness and peace of families and individuals that no door should be left open for a continued visitation of the effects of past years of misgovernment after the causes shall have passed away.

76A. For the encouragement of immigration, the legislature may enable aliens to hold and convey real estate, under such regulations as may be found advantageous to the people of this State.

77. The River St. Lawrence of right ought to be a free and common highway to and from the ocean; to be so used, on equal terms, by all the nations of the earth, and not monopolized to serve the interests of any one nation, to the injury of others.

78. All powers not delegated by this constitution remain with the people.

79. Such parts of the common law, and of the acts of the Legislature of the colony of Upper Canada, as together did form the law of the said colony on the day of shall be and continue the law of this State, subject to such alterations as the Legislature shall make concerning the same. But all laws, or parts of laws, repugnant to this constitution are hereby abrogated.

80. The senators and members of the house of assembly, before mentioned, and all executives and judicial offices within this State, shall, before entering upon the duties of their respective offices or functions be bound by an oath or solemn affirmation, to support the constitution; but no religious test shall ever be required as a qualification to any office or public trust under this State.

81. This Constitution, and the laws of this State, which shall be made in pursuance thereof, and all treaties, made, or which shall be made under the authority of this State, shall be the supreme law of the land, and the judges shall be bound thereby.

Several clauses for the carrying a constitution like the above into practice are omitted, the whole being only given in illustration of, and for the benefit of a comparison in detail, with other systems.

We have not entered upon the questions, whether any, and if so, what restrictions ought to be laid upon the right of voting, or as to residence in the State, taxation, performance of militia duty, &c. These matters, however, might be advantageously discussed by the public press.

HENRY GRATTAN,
JOHN LOCKE,
ALGERNON SYDNEY,
BENJN. FRANKLIN.

*Committee Room, Royal Oak Hotel,
13th Nov., 1837.*

Look and deeply consider!!!

PEOPLE OF UPPER CANADA,

Are your eyes turned on Lower Canada? Do you know for what the People are there contending? The Struggle in Lower Canada is one that interests every freeman in the world! Above all it is one that interests us Upper Canadians. Are we the descendants of Englishmen, Irishmen, and Scotchmen—are we Canadians, Americans, of whatever country or creed, lost to a sense of liberty and the rights of freemen? We most surely are if we look with indifference on the struggle of the People of Lower Canada. Upper Canadians! behold the spectacle of a brave province and people contending for what? Why for the rights of freemen in the British dominions! Whatever may have been the grievances of the Lower Canadians before this time—however erroneous they may have been—the one against which they are now contending the whole free world will say is overbearing tyranny. Seventy or more out of eighty members of the Parliament of Lower Canada declared by a solemn vote that they would not vote any money to the officers of the Executive until the often and justly complained of grievances of the People of Lower Canada were redressed by the executive and the British Government. The Parliament of Lower Canada, remember, is free and vested with all the powers of the House of Commons of England so far as that Province is concerned, (with the exception of the regulation of commerce,) that it has a right to vote away the taxes raised from the People, whose representatives they are. That this is a right universally acknowledged by the English nation—that this is a right vested in the democratic branch of every free government—and because the Parliament (in other words the great mass of the people of Lower Canada) dared to exercise this right and to preserve it, the *Government of England!* in the face of the world, contrary to their honor! their faith! the solemn act of the Imperial Parliament! and the rights of a free People!! have said “We will take the taxes raised in your own country against your wills and pay our officers—we will put our hands into your public chest and do as we like. We will virtually, practically and openly violate your rights as a House of Assembly. We will violate the Constitution of your Province, and ‘*in the teeth and face*’ of our own acts and former declarations we will tax you and apply the taxes raised in your country to what purposes we please. We will violate that principle of freedom that Englishmen have so long contended for ‘that taxation without representation is unlawful!’” We across the Atlantic will tax you where you are not represented!! Such virtually is the language of the British Government. The People of Lower Canada say in answer, we are free—we will not be slaves. If you, the British Government, do what you are going to do we are no better than slaves. It is our duty therefore to oppose the subversion of our rights. Again, the English Government say we will make you obey—if you will not submit (that is if the people will not submit to the Queen’s commands) we will place armed bodies of hired and paid red coat soldiers over you with fixed bayonets to coerce you, and if you dare resist, to shoot you down in COLD BLOOD! Is this not the case Upper Canadians? Have you not seen the soldiers from your Province dragged down to Lower Canada to butcher if necessary a free People for upholding their liberties.

I again say, whatever may have been the grievances complained of hitherto by the Lower Canadians, or how unjust or unfounded soever they may have been, is not now to be considered by us. The question is—Are the British Government right or are the Lower Canadians—the one in taking the taxes of the People against their will, and the last in opposing like freeman this gross aggression by a tyrannizing Executive? Behold the oppressors!! in order to enslave a free People encamp soldiers all over their country!! O! Englishmen in Canada and Upper Canadians, have you no brotherly sympathy for the Lower Canadians? Will you calmly and coldly see them

put down by military force? No methinks not. I tell you if they are put down by soldiers you will be so too! If the British Kingdom can tax the People of Lower Canada against their will, they will do so with you when you dare to be free. I tell you, your lot will be like theirs—their fate will be yours!!

You are told, the Lower Canadians are French, by your enemies. Suppose their ancestors were French, does that make them the worse? No, certainly not. The truth is they are Canadians like ourselves; their fathers were born in Canada—they are free-minded Americans, therefore, they will not be slaves!! Many of them are Englishmen and Irishmen and the descendants of them. Whatever country they are of they are fighting for the rights of freeman, therefore, they deserve *our sympathy*! You are told they are Catholics and speak French. Suppose they do; they are none the worse for that. Their opposition to injustice—their acts—their meetings, all shew they desire to improve—to tolerate and support civil and religious liberty:—by their fruits you must judge them. Has not France produced some of the greatest men that ever lived—Patriots, Philosophers, and friends of man? Did not the French Lafayette cross the Atlantic with Frenchmen to support the struggling American people in the revolutionary war? The struggle of the Americans, then *Upper Canadians*, was like that of the Lower Canadians now. They would not suffer England to tax them—they opposed it—England imported troops, soldiers, to put them down—they opposed and gained their liberties!! See them now, a great and enlightened nation, *glorious in liberty*—a light to the world. They dared to be free and were free! Oh, shades of Patrick Henry, Franklin, Hancock, immortal Washington and Jefferson hover over these oppressed provinces, and inspire our public men with noble minds!!

I was astonished when I saw the British government act as they did to Lower Canada. They have subverted a free government—they have trampled upon every right dear to freeman and Englishmen. Why should Lower Canada, if it is a small province, be trampled upon and deprived of the rights of a free people?—I have always (until now) been taught to believe it was the beauty of the British government to respect the weak as well as the strong; but, is this the case with Lower Canada? No, because they are a weak and brave people England oppresses them.

Sir Francis Head, already carrying out the policy used with Lower Canada, on you, Upper Canadians, has, in time of ‘*profound peace*,’” imported ‘*six thousand*’ stand of arms and bayonets to Toronto, and placed them in the hands of one of the most corrupt men in the country, to use against us, Upper Canadians, if we dare to be free or hold public meetings. If Head is loved by the people why does he sleep in the midst of muskets and cannons? He does so, because he knows he has infringed upon our rights; he knows his government is one of force and corruption; his conscience is guilty.

In conclusion, let me advise every friend of the people to provide himself with a rifle, or a musket or gun; let meetings be called, either exclusively among reformers or otherwise; societies everywhere formed; and let *union* exist among you; *keep your eyes on Lower Canada*; be prepared for martial law from Governor Head. It is not at all unlikely but he will take your fire-arms from you, or will cause you to march down to Lower Canada, to put down a people contending for their rights.

Oh, men of Upper Canada, would you murder a free people! Head has sent down his troops, next he will try and send you down to put down your countrymen. Before you do so pause, and consider the world has its eyes on you—history will mark your conduct—beware lest they condemn. Oh who would not have it said of him that, as an Upper Canadian, he died in the cause of freedom! To die fighting for freedom is truly glorious. Who would live and die a slave?

A FRIEND TO DEMOCRACY.