

SIR FRANCIS BOND HEAD

1837

A thesis endeavouring to prove that Sir Francis Bond Head, the last Lieutenant-Governor of Upper Canada should bear a large share of the blame for the Insurrection of 1837, in Upper Canada.

by

John Clayton Vincent

June 1950

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A Thesis

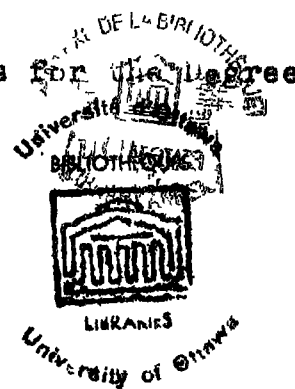
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The author, John Clayton Vincent, was born at Beachburg, Ontario, February 15, 1904. He attended the University of Western Ontario, London, and was graduated with the degree of Bachelor of Arts in 1940. Following graduation from The Ontario College of Education, Toronto, the author has been teaching High School in the Province of Ontario.

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The following changes have been made in this thesis:

1. The bibliography has been greatly enlarged as well as annotated.
2. There are now five chapters as suggested by Dr. Brault.
3. The former first chapter dealing in detail with the machinery of government has been deleted.
4. Much new material has been added to the last two chapters.
5. There are now less quotations because many of the those formerly used have been paraphrased.
6. The compilation of the thesis has been made to conform to the University of Ottawa standards studied by the author during last summer's course in Methodology.

INTRODUCTION

This thesis attempts to maintain that Sir Francis Bond Head, the last Lieutenant-Governor of Upper Canada, should bear a large share of the blame for the Insurrection of 1837 in Upper Canada. There have been varied opinions as to his culpability in the past, but the author is convinced that after all reliable sources of history for this period have been studied carefully, there is conclusive evidence that the aforementioned statement can be proven to be accurate.

We all are aware that much in Canadian History remains to be done and that there is a vast amount of research awaiting future History scholars. This short thesis, although perhaps infinitesimal, will contribute a small part towards the completed whole. The author feels that the facts related in this thesis and gleaned from many sources have not before been compiled in one single work. Then, too, there is the growing conviction among research workers that many History texts have not presented unbiased or accurate accounts of the Insurrection of 1837 and the various participants. Professor New, in his latest book on Lord Durham, intimates the same opinion and goes so far as to state research has convinced him that Papineau was never the rebel that History texts have branded him. He feels that research will yet lift him into the category of a statesman. Likewise, the author is of the

same opinion, in respect to many other rebel participants. Sufficient credit has never been given in any history book to the contributions of some Reformers towards the culmination of Colonial Responsible self-government. In the thesis at hand, the principal topic deals with the régime of Sir Francis Bond Head but in so doing it is impossible not to elucidate upon matters touching other characters and events of that period.

Of the books listed in the bibliography it might be said that none give in detail all the events of the régime of Bond Head. It has, therefore, been necessary to synchronize materials from all the various sources listed and mould them into this thesis. Works by MacKenzie, Rolph, Ryerson, Hincks, Lindsey and Dent contain very fine material but are somewhat biased since they were bitter enemies of Sir Francis Bond Head. Likewise, the newspapers and periodicals of those times were decidedly for or against the Governor and the materials in them are also partisan. The books written by Sir Francis Bond Head are very enlightening but contain but one side of the story in which the Governor seeks to justify his actions. When he was criticized after his publication of A Narrative he changed his version somewhat in a later writing named, The Emigrant. This action decidedly weakened Bond Head's case in the light of competent

critics. The works of Durham, Kingsford, Wallace and Kennedy are quite reliable and unbiased but no one of them contains all the details of the period concerned. Many of the above-mentioned works have been used as important sources of material which have been woven into the fabric of this thesis. However, one old publication, in particular, has thrown a great deal of light upon the actual minute details prior to and during the actual Insurrection. This book, A Veteran of 1812, gives the actual happenings of the times by the very Commander-in-Chief of the Forces of Bond Head, viz.: Colonel James Fitzgibbon. The statements are reliable and it is more detailed than other works as regards the events of the actual Rebellion itself. Several pamphlets written by Fitzgibbon were of importance and in fact the above-mentioned book is a compilation of a series of pamphlets by the same author.

During the period of research work for this thesis the author has made use of facilities at The Public Archives of Canada, Ottawa, at the University of Toronto Library, at the University of Western Ontario Library, at the University of Ottawa Library and at the local municipal libraries in Ottawa, Kitchener and Hamilton. A great deal of the work was done at The Public Archives of Canada, Ottawa, where the writer made full use of that institution's numerous indexes, catalogues, and other helps. Considerable help was obtained from various

volumes of The Canadian Historical Review obtained by mail from Toronto University. The author owned a copy of R.C. Trotter's work, Canadian History. A Syllabus and Guide to Reading.

The appendix at the end of the thesis has been included because the author felt, rather than delete certain long quotations taken from important sources, they should be given in order to give readers ample opportunity to become more conversant with some of the facts dealt with in more detail. No more has been included in the appendix than was considered absolutely necessary to give a clear picture of certain events.

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Chapter I

SIR FRANCIS BOND HEAD'S APPOINTMENT TO UPPER CANADA

The Right Honourable Sir Francis Bond Head, Bart., K.C.H., was born in 1793. He was an officer in the Royal Engineers, and was present at Waterloo. In 1828 he finally retired from the army. In 1834 he was appointed as Assistant-Poor Law Commissioner in Kent, and in 1835 he was appointed Lieutenant-Governor of Upper Canada, being sworn in in January, 1836. He was made a baronet in 1837, tendered his resignation in September of that year and was replaced by Sir George Arthur in March, 1838.

It is very difficult to understand why the British Government chose Sir Francis Bond Head as Lieutenant-Governor of Upper Canada at the time, when a distinct crisis loomed and the services of a tried and wise administrator were needed. Sir John Colborne had just been recalled since he had continued to ignore the demands and grievances presented by the Reform group. Sir Francis Bond Head, in his book, A Narrative, relates that he was the most surprised person in the world when he was awakened by a messenger after midnight informing him to call at the Colonial Office next morning to discuss his appointment as Lieutenant-Governor to Upper Canada. Prior to that he had never even met Lord Glenelg, the Colonial

Secretary. After one or two short interviews with that gentleman, and an audience with the King, Sir Francis left for North America. During the brief talks with Lord Glenelg, there was only a cursory discussion of colonial affairs ending in the presentation of a copy of the Report on Grievances. The Colonial Secretary advised the careful study of this document, but, since he had no time to discuss it thoroughly, he had included some written recommendations on the proposals therein. So, with such a brief and hurried method of appointment, Sir Francis Bond Head was despatched to cope with an extremely serious situation. It was typical of the indifference and carelessness that prevailed then at Downing Street Colonial office.

No man could hardly have been more unsuited for the position either as to training or ability. Here are his own words admitting that fact: "I was really grossly ignorant of everything that in any way related to the government of our colonies I was no more connected with human politics than the horses that were drawing me -- as, I have never joined any political party, had never attended a political discussion and had never even voted at an election." What a tragedy to send a man like that to a Province demanding the skill and tact of a trained Governor! Besides this, Bond Head seemed to have no idea of the type of government existing in

his own homeland. It is almost incredible to us that a gentleman of his station in life could have scarcely any knowledge of the British parliamentary system that was developing, whereby the country was being ruled more and more by the influence of the Cabinet responsible to public opinion.

The appointment of Sir Francis Bond Head has puzzled wiser heads than his and there is a tradition that the Colonial Office really intended the office for Sir Edmund Head. Sir Francis Hincks, in his book Reminiscences of his Public Life adheres to the idea of mistaken identity for he had had plenty of opportunity to confer with English authorities. However, other writers, such as Kingsford, doubt the possibility of the mistake. On one thing almost all writers agree, and that was that Sir Francis was devoid of any shadow of pretence to statesmanship. The texture of his mind was light and airy; he was inordinately vain and self-conscious. His temperament was rash, inconsiderate, impetuous and superficial. He was always fond of producing dramatic effects and had ever an eye for some coup de théâtre.

It is not surprising, then, to find this Lieutenant-Governor in great difficulties soon after his arrival in Upper Canada. His beginning was auspicious in that he displayed a conciliatory and co-operative manner and evidenced his desire to work in harmony with all groups. This was short-lived for

his declaration to rule without advice from any source but Downing Street soon alienated the Reform groups. Sir Francis Bond Head dismissed his Executive Council and appointed one that did his bidding; he dissolved the recalcitrant Assembly and had one consisting chiefly of Tories elected under the guise of loyalty. 1. Following the course of his predecessors, he fell into the clutches of the Family Compact group who used him as its tool. Apart from the small sedate group with which he associated himself in Upper Canada, he left at the end of his term very few friends anywhere. He alienated the friendship of all Reform groups; he lost the respect of the Roman Catholics in Upper Canada because he conceded them few privileges and because he connived in Orange Order activities; he had no understanding or sympathy for French Canadians; he openly insulted and angered the United States; he quarrelled with the members of the Royal Commission investigating colonial affairs; he remonstrated with the Colonial Office and finally refused to take orders from there; he criticized Lord Durham and his Report as being unfair; he quarrelled openly with the British Parliament when he returned home and was reprimanded by them and, finally, Queen Victoria herself, openly rebuked him for publishing state despatches in his book before Parliament had released them. Notwithstanding all the difficulties

1. See Appendix I

with which he had to contend, including the desultory and conflicting views of the British Colonial office, it must be fairly said that he was the poorest and least intelligent of all the Lieutenant-Governors of the Province. His domineering manner, his stubborn attitude and his narrow-minded views only supplemented his lack of training and doomed his work to utter failure. Almost unanimously, historians and writers condemn him and say that, had he been a man of insight and ability, he could quite easily have prevented the outbreak in Upper Canada and avoided needless bloodshed.

Sir Francis Bond Head was an Englishman of the old order who looked upon the ideal social fabric as consisting of Lords and Commoners. The former class was superior and destined to rule the weaker. The commoners must keep their place, and any idea of equality or democracy was taboo to him. He conceived his mission to Canada to be to fight and conquer what he called the "low-bred antagonist democracy." With a mental background like that he failed to grasp the picture in Upper Canada as did Durham who pointed out that there could not be, nor was there, any distinct class discrepancy, since all the population was more or less of a kind. Therefore, the support of the Family Compact, as a select group, was fatal and could not be tolerated. It is very interesting to read what Bond Head thought of the Family Compact. He regarded it simply as that

upper strata of Canadian society and it is difficult for one to understand how he failed to realize or see any of the glaring abuses it perpetuated. He says: (1) "It appears, then, from Lord Durnam's own showing, that this 'Family Compact' which his Lordship deems it so advisable that the Queen should destroy, is nothing more or less than that 'social fabric' which characterizes every civilized community in the world. It is that social fabric or rather fortress, within which the British yeoman, farmer, and manufacturer is enabled to repel the extortionate demands of his labourers: and to preserve from pillage and robbery the harvest of his industry after he had reaped it! The bench, the magistrates, the clergy, the law, the landed proprietors, the bankers, the native-born inhabitants and the supporters of the Established Church, form just as much a 'Family Compact' in England as they do in Upper Canada This party, I own, is comparatively a small one; but to put the multitude at the top and the few at the bottom is a radical reversion of the pyramid of society which every reflecting man must foresee can end only by its downfall." This quotation not only reveals that Sir Francis and the bulk of the population of Upper Canada were diametrically opposed to each other, but it reveals the mind of an Englishman not yet acquainted with, nor even reconciled to the

(1) Head -- A Narrative -- Pages 464-465

democratic changes that had taken place in his own country. Sir Francis deliberately scoffed at the Republicanism of the United States and used the most abusive and unwise language in reference to that neighbour.

Just as Sir Francis Bond Head was about to sail for the New World he remonstrated strenuously in that he had been shorn of some of the pomp and splendour that usually accompanied the arrival of a New Governor. He demanded, in order to give him prestige, a new title, a higher salary, and another aide-de-camp. This is what he says about his trip to Upper Canada: (1) "In order that the King's promise to the Legislature of Upper Canada should be fulfilled, instead of being sent, as had been customary, in a King's ship, I was desired to proceed with my suite, by packet to New York, from whence I was to transport them, as well as my baggage, in the depth of winter, through the United States to Canada I really do them (British Parliament) the justice to believe that they were so intoxicated by the insane theory of conciliating democracy, that they actually believed the people of Upper Canada would throw up their hats and be delighted at the vulgarity of seeing the representative of their Sovereign arrive among them as an actor of all work, without dignity of station, demeanour or conduct: in short,

(1) Head -- A Narrative -- Pages 29-31

like a Republican governor, who, from his cradle, had been brought up to reckon 'that all men are born equal' -- that the fabric of human society has neither top nor bottom -- that the protection of property of all description belongs to the multitude, and that the will of the mob is the real law of the land." Thus did Sir Francis land on our shores, a 'Snob' to be sure, and thus did he depart with a similar outburst of calumny against the lower classes. This so-called outburst came when Lord Glenelg, in considering Judge Ridout's case, accepted the sworn testimony of Mr. Stewart, a carpenter, and a witness, in preference to the opinion of Attorney-General Hagerman who was not an actual witness. Bond Head said, "If the deliberate judicial opinion given by his Majesty's Attorney-General to the King's representative be declared to possess no more weight in the mind of his Majesty's Government than the evidence of a common carpenter, I state, with deference, that the dignity, honour, and authority of the Governor are virtually extinct."

Sir Francis Bond Head lacked the dignity and bearing of a true English nobleman. So haughty and affectatious were his manners to his superiors and those under him that in the end he automatically ostracized himself from all groups of society. He was virtually a 'Mugwump' who, like the bat in the animal fable, belonged to neither the birds nor the beasts. His lack of tact, his frequent misrepresentations, his evident lack of ability and his refusal to submit to Imperial authority, all tended to isolate Sir Francis from British political

circles. The masses in North America looked upon him as a British 'monstrosity' who perverted issues to suit his own ends, who misinformed or misled the Home Government on various issues, who openly referred to the mongrel reformers, who regarded the French as inferior and referred to them as "tainted meat" when mixed with English populations, and who considered the United States Republicans as the scum of the earth.

Let us look at a few direct quotations of his which certainly did not lend themselves to an atmosphere of dignity characteristic of a true English gentleman. Sir Francis wrote this to the Colonial office: "I had only required of his Majesty's Government the negative assistance of not being undermined at home." In another instance the Governor wrote the following to a friend prior to the elections in Upper Canada: (1) "Do you happen to know why a little weasel kills a rat? The rat is the stronger animal of the two and his teeth are the longest; but he bites his enemy anywhere, whereas the weasel always waits for an opportunity to fix his teeth in the rat's jugular vein and when he has done so, he never changes his plan or lets go till the rat is dead." The remark was intended to describe his method of warring against democracy. Again these words occurred in the

(1) Dunham -- Political Unrest In Upper Canada -- Page 184

Governor's official mouthpiece, The Toronto Patriot, July, 1837: (1) "Our mongrel Reformers and the Papineau faction must be content to do what they can with the struggling rabble of Montreal and Quebec. If Papineau does not look sharp he'll perhaps find his neck cut off before he can say Jack Robinson, and, however he may feel self-flattered with silly notions of his popularity, he may be assured that there will be none to grieve at such an event. The author of the Ninety-two Resolutions is a traitor, and to create him a judge was, in my humble opinion, to place on the British bench one whose proper situation was the dock." These are only a few quotations that go to show his lack of discretion in the use of language, for his abusive diction aggravated and goaded his opposition so that what should have created an atmosphere of dignity and respect was totally lacking in that high office he occupied. At times, he was absolutely crude and vulgar. Durham flailed abuses and enemies unmercifully but his diction never exemplified anything but that of a gentleman.

(1) Toronto Patriot -- July, 1837

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Chapter II

THE LIEUTENANT-GOVERNOR'S WORK IN UPPER CANADA

The Lieutenant-Governor, upon taking up his official duties in Canada, announced that he intended to conduct the affairs of the Province of Upper Canada with absolute honesty and with respect to the rights of every class. Accordingly, when the necessity arose for appointing three new Executive Councillors he asked the opinions of individual men from all groups. Their choice, almost unanimously, was Robert Baldwin, the moderate Reformer, and upon Baldwin's advice two other men were chosen, one of whom was Dr. Rolph, another Reformer. The Lieutenant-Governor also toured sections of the Province on horseback and, in a despatch, assured the Colonial Office of the loyalty of the masses but recommended sending in both more settlers and capital in order to develop and expand the Province. All this was ephemeral and only the calm before the storm. Everything went well as long as the Governor was allowed his own arbitrary way of conducting affairs. Soon, however, he dismissed an Executive Council which demanded the power to advise him; he prorogued the Assembly which refused supplies because he would consider no advice of theirs; and, eventually, he landed squarely in the 'lap' of the Family Compact like all his pre-

decessors. As a team, they continued during the remainder of his term, avowed enemies of the Upper Canada Reformers, the Lower Canada French, the United States Republicans and the democratically-minded groups in England, in short, a combination to squelch all reform and retain absolute control. 1. Bond Head admitted that he had, at first, offended the Tories when he made choices to which some of them objected, but he soon reconciled himself with the Family Compact and, together, they worked, hand in hand, constantly under the guise of creating loyalty. It is interesting to note that this same group of Tories who so loudly proclaimed their cry of loyalty to the British Crown, formed the backbone of the movement that, later in history, called for union with the United States. The Family Compact were nominally loyal as long as they had everything in their power but, the Reformers, excluding a few Radicals, have since formed the backbone of the Province. Never had an issue, in order to shield a small parasitic group, been more perverted, and never had the masses of loyal people been so cleverly wronged. The Governor and his accomplices, not only used the bogey of disloyalty to aid their cause, but they connived in and abetted the reign of terror created by mobs of Tory Orangemen who roamed the Province, intimidating juries, threatening opposition voters, and using various types

1. See Appendix I.

of violence to uphold Tory power. Perhaps their heaviest blows fell upon the Protestant Reform groups, but they certainly alienated the law-abiding and loyal Roman Catholic settlers of the Province, so much so, that protests were made by their Bishop, Alexander Macdonnell. When Glenelg asked Sir Francis Bond Head to investigate the many charges he had received against the Orange Order, the latter replied, somewhat nonchalantly, that he saw no reason for any investigation as things were quite normal. Even Robert Baldwin had complained directly of Orange mobs that had threatened his life. Durham distinctly pointed out this menace in his Report. How could Sir Francis have failed to see such a glaring abuse, for the activities of the organization were legion and were seen and known by everyone. Many of the chief newspapers of both provinces, including the Vindicator and the Constitution, constantly contained accounts of Orange mob activities. Neither Sir Francis nor the Tory 'gang' wanted to see these wrongs, because the truth of the matter was that often these mobs were led and instigated by men who stood high in Tory ranks. Baldwin relates, that in the mob that surrounded his home, he saw officials, some of whom were magistrates, while it has been proven beyond doubt, that the mob which wrecked MacKenzie's newspaper offices contained not only magistrates, but men who were actually Tory members of the Government.

Sir Francis Bond Head came to Upper Canada thoroughly determined in his mind to blot out all traces of Democracy, or Republicanism as he termed it. He looked with arrogant pride upon himself as the would-be saviour of the British Empire. He pointed out with seeming alarm to the continual drift in the English Parliament toward Republican principles and maintained that it was time the Mother Country put an end to its policy of gradually giving assent to democratic principles in the colonies. He considered it his duty to abrogate and deny any democratic rights that might belong to or would be advocated for Upper Canada. Sir Francis would have rolled back the pages of time and have placed Upper Canada on the status of a Crown Colony with the Governor ruling arbitrarily on a nominal responsibility to Downing Street. So arrogant did he become that every despatch to London was interpolated with admonitions and cautions to the Colonial Office that the Lieutenant-Governor must be supported in all that he did. For example, just after he was deadlocked with Parliament over the stoppage of supplies, instead of asking London's advice, he writes: (1) "I would therefore request your Lordship to send me no orders on the subject, but, to allow me to let the thing work by itself. I can assure your Lordship that I foresee no difficulty, whatever,

in crushing the Republican party, and in establishing loyalty, except a general fear which prevails throughout the country, that the Home Government will be afraid to support me." In reference to the Reform Assembly he said: "I, therefore, earnestly express my hope that your Lordship will deem it proper to reprobate the reception which I, as the bearer of your remedial measures, have met with by the House of Assembly, and that you will by your expressions, firmly support me in the course I have pursued." When Baldwin, MacKenzie, and others were sent directly to London by the Assembly to interview the Colonial Office, because they found it useless to petition through the Lieutenant-Governor, for, their documents either failed to get there, or were sadly deleted, Bond Head arrogantly told the Home Office how to deal with these men as follows: (1) "I, therefore, hope that, should they directly or indirectly, communicate with the Colonial Office, your Lordship will give them that style of answer, a copy of which, transmitted to me, and published in this country, would at once put an end to that sort of left-handed attack upon the constitution."

One could fill a small book with Bond Head's arrogant replies to the Colonial Office. Their frequency and keenness continued to mount until his recall, when he refused to even consider Downing Street which he termed a den of democracy

that ought to be expunged. There probably would never have been any need for such men as Baldwin to journey to London had Sir Francis even casually considered any grievances or petitions or had he forwarded them to London without that deletion which he did in Ridout's case. In writing to Lord Glenelg at the time of the crisis over supplies, Bond Head admitted that he never even opened the Grievance Report or had he attended to one of the remedies as suggested by his Superior. Just as he prorogued the Legislature this is what he wrote: (1) "I will, therefore, only shortly observe that the Grievance Report remains unopened -- that not one of the remedies your Lordship prescribed has been carried into effect; that, in fact, this Grievance Report was nothing but a revolutionary 'ignis fatuus', purposely created to deceive the British Government, and that, as I stated in my despatch, No. 24, 'far from desiring to remove these grievances, the Republican members deem them the fulcrum for subverting the government, and for destroying the constitutional liberties of the province'." This was certainly a haughty reply to Lord Glenelg who had carefully digested the Grievance Report and had handed it and his recommendations to Bond Head when he sailed. It was typical of what went on during the entire governorship; he was a virtual 'thorn in the flesh' to everyone except the Family Compact group, his co-workers.

(1) Head -- A Narrative -- Page 84

It is difficult to understand the mind of a man like Bond Head who refused to see or to hear anything of a democratic nature. In respect to the United States he saw with his own eyes, as he travelled through it, all its wonderful development and growth. He could not have helped but notice the comparison as he toured Upper Canada on horseback. Yet, he deliberately wrote the Colonial Office, time and again, painting the United States as a den of Republicans where confusion, dissatisfaction and strife prevailed. Here is one of his descriptions: "The people of Upper Canada hold an unalterable detestation of those Republican principles, which have created before their eyes on the Continent of America, a vulgar mob tyranny, under which neither life nor property are secure." Lord Durham's Report painted the picture of United States in opposite vein. Durham drew attention to a prosperous land where peace and prosperity reigned and where men were governed according to their own wishes. He told the British Parliament that the only way to keep British North America in the Empire would be by giving them a measure of what they could see and envy just over their own borders. Only their loyalty had kept them within the British pale, such as it was, in Upper Canada. His exact words were: (1) "The British colonies in North America are fast rising into considerable states and already are far too powerful to be governed upon any principle but

(1) Rolph's Letters -- Vol. 1 -- April 3, 1836.

that of deference for the wishes and opinions of the great body of the inhabitants. The authority of the Mother Country rests altogether upon the respect and voluntary obedience of her colonial subjects." Durham advocated friendship and co-operation with the southern neighbour; Bond Head's method was opposition to her in word and deed even to the point of grievous insult and uncalled-for provocation. In all fairness, it can be said that this is only one of those misrepresentations of Sir Francis Bond Head in despatches to London.

One of the first blunders committed by the Governor was the reading verbatim, rather than giving the substance of his despatches to the Assembly. This unusual procedure embarrassed both the Colonial Office and the members of the Royal Commission since much of the material contained therein was confidential and not meant to be heard by all.

Sir Francis Bond Head's first serious rift with the Legislature came when he arbitrarily dismissed his Executive Council which demanded that they, responsible to the Assembly, should advise and direct the Governor's policies. Before proceeding to deal with this incident thoroughly, one should consider what democratic background prevailed at that time. Democracy had already begun to make its first tendencies known to the English-speaking world. Any student of history knows the extent to which public opinion and the House of

Commons was beginning to mould the views of the British Cabinet in 1835. The great colony of United States had been lost when they were refused the right to a type of responsible government and in 1835 they too were functioning along democratic principles, although a bit different from Britain's. To some extent Bond Head should have known the progress and trend of democratic principles for he, himself, on numerous occasions, pointed these out and even referred to the Colonial Office as a rendez-vous of democrats. However, he refused to hear or see and he set himself abruptly as opposed to inaugurating any future democratic principles and determined to stamp out what had already been conceded. The Province of Upper Canada contained many brilliant men, who actually towered, head and shoulders, above Sir Francis in intellect. It had passed its infancy and it was now ready to enjoy more mature institutions. Naturally, these bright minds looked to and expected that type of government enjoyed by the more mature English-speaking world. Those who were British looked to England; those of American origin looked to the United States. The British Government had been showing more and more tendency to co-operate with them in establishing some degree of colonial self-government and naturally they looked for a continuation of such. Neither they, nor the British Government, expected these changes to come abruptly, for democratic principles must be exercised by

a successive evolution. The Reformers of Upper Canada were asking for something that was specifically stated in Lord Glenelg's first instructions to Sir Francis. That part dealing with the recommendations of the Royal Commission says, "that the weightiest accountability which can attach to any man, in matters of a public nature, for which he is not punishable by law, or by loss of office, is accountability to public opinion." The Reformers were acquainted with all these facts and no one could expect intelligent men to stand by and see a Governor deliberately flout his instructions from London and even declare his intentions of abolishing all existing democratic principles. The British Parliament itself, had not determined just how much responsibility the Colony should have, but they depended on their representative to proceed cautiously, and intelligently advise them in the gradual setting up of a more mature form of government. Bond Head chose his own independent path and co-operated with neither. In writing to Lord Glenelg on the Royal Commission's recommendation quoted above, Bond Head takes his stand thus:

(1) "To this doctrine I have never been able to subscribe; on the contrary, I have always considered that every man in office should make public opinion follow him, and never attempt

(1) Head -- A Narrative -- Pages 103-106.

to follow it. However, upon this foundation the Commissioners project plans, which, consistently with their theory, are avowedly framed 'to secure as much as possible of the confidence of the people'. In the contest which I have had with the House of Assembly here, my argument has been that the Governor and his Executive Council form the great constitutional counterpoise to the representatives of the people; and that in proportion as the Provincial Legislative Council is deficient in the rank, wealth and superior education, which give influence to our House of Lords, so it is necessary that the Governor and his Council should be enabled to withstand the democratic pressure which, in the British Constitution, it is as much as the King and the House of Lords can do to resist. I, therefore, consider that the Commissioners' recommendation of attempting to conciliate partly public opinion, by forming the Executive Council out of the two Houses of the Legislature - or in other words, out of the very elements it is intended to control, is a fatal error I also consider, that to absolve the Governor's Council from secrecy would render it absolutely impossible for him to consult them. If a councillor were permitted to declare what measure he had not advised, he would equally be at liberty to declare what measures he had advised; and, if these were popular measures, the Governor of this Colony, besides having to stand against democracy, would also

have to bear against the additional odium of having stood against the popularity-hunting advice of his Council. The Report of the Commissioners respecting the Executive Council forms but a single feature in the whole picture of their policy, which to my mind, has a democratic character to which I cannot conscientiously accord Every hour drives me to the necessity of taking decisive measures and the Commissioners and I are now acting in opposite directions." This was the man who aggravated the people of Upper Canada to the point of exasperation, who refused to obey even his first instructions from Lord Glenelg to work with members of the Royal Commission and endeavour to mould a satisfactory form of Government along the principles they had advocated, and which he, Lord Glenelg, had endorsed and had rewritten in his instructions to Sir Francis. The Colonial Secretary himself did not know exactly what was needed nor did the British Parliament, but they expected Bond Head and the Commissioners to work a plan out more in line with public opinion. It took the shock of the Rebellion to awaken them to the fact that the inferior men, who had been despatched as former Governors, must be succeeded by men of character, ability, and foresight in order to create a successful and workable colonial policy.

Sir Francis Bond Head's first two acts, appointing an Attorney-General and also three additional Councillors to His

Executive Council, met with general approval, except by the Tories, who were offended when he did not adhere to the custom of naming appointees from their party exclusively. The addition of the three new members was proposed by the Tories and acted upon as follows: (1) "An active member of my Executive Council brought before my consideration, in the most formal manner possible, certain reasons for my increasing that body, which, though obvious and unanswerable, I should have been most happy to have overlooked, until I had had time enough to become better acquainted with the Province. Under such an excuse however, I did not feel disposed to shield myself, and as this grievance at least was admitted, I determined I would not be seen openly to refuse to correct it, but the embarrassing question at once arose, from which party should the increase be made? I did not choose to join the Republicans; the Tories, who, fearing I was their enemy were still almost in a body standing aloof from me. I did not therefore feel it right to advance towards them; and being thus obliged to be independent, I determined that the addition to my Council should be made from the middle party, instead of from either of the two extremes. Accordingly, explaining my object, I collected all the most respectable opinions I

could, putting down every name that was recommended to me, and, finding that the name of a Mr. Robert Baldwin was repeated on my list infinitely oftener than any other, I sent for this individual and threw myself upon his advice for the addition of two other names." Baldwin, at first, declined to accept the position until the old three unpopular members, who were not acceptable to the Assembly, were first dismissed. He pointed out that the Executive Council personnel should always meet the approval of the Assembly as it did in England. Sir Francis refused this request but, finally, Baldwin, Rolph, and Dunn accepted. Never before had Upper Canada such an Executive Council. Baldwin was correct in his demand for he understood the British system, and he also knew that the Lieutenant-Governor's first order from Glenelg contained the Imperial Parliament's wish that the Royal Commission's recommendation, to constitute an Executive Council based on public opinion, should be instituted in Upper Canada. Formerly, all Executive Councils were chosen, chiefly from the Legislative Council, or other Tory sources. To some extent, Bond Head's first Executive Council met with Glenelg's instructions, but, certainly, the three old members were not, at all, popular.

Incidentally, it is interesting to note in the above quotation that, at first, Sir Francis referred to three distinct

groups in the Assembly, viz.: Tories, Republicans, and the Middle Party. Later he classed everyone as either Constitutionists or Republicans. This goes to show that both the Tories and the Republicans (Radicals) were but small groups; the great body of the people belonged to the Middle group or moderate Reform party. Durham said such in his Report and the author has quoted it elsewhere. Sir Francis Bond Head's later election issue forced everyone into two camps. Those that rallied around the Tory nucleus were branded as loyal and all others were rebels and traitors. However, only a very small percentage of those that failed to be coerced into the Tory camp proved to be disloyal and rebellious.

The Lieutenant-Governor's first Executive Council was, therefore, composed of three old Tory members plus the addition of three new moderate Reformers. Bond Head looked to these six men as mere ciphers and servants to himself, and as long as they kept silent, all went well. This period of calm was very short for, far from having subservient men in his Council, the Governor found out that the new additions and, especially Baldwin, demanded their right to advise the Governor according to the wishes of the assembly, in fashioning his policy. Bond Head absolutely refused to consider any such system; his conciliatory attitude stopped abruptly and, flinging aside the experiment, he turned, suddenly, to a course of daring, but foolish autocracy. Without thinking

it worthwhile to ask the Colonial Office's advice, the Governor dismissed his Executive Council and chose a new one composed of Tories. Before proceeding further, it is interesting to read the petition of the Council to the Governor prior to its resignation. It was signed by all six Councillors. (1) "The policy and measures which have led to the present condition seldom passed under the review of the Executive Council or were submitted for their advice. Nevertheless, its members have been undeservedly subjected to the heaviest reproach throughout the country from a prevalent belief that they have been called upon to fulfil the duty imposed upon them by the constitution as advisers upon public affairs. But amidst the obloquy thus thrown upon them, they have studiously avoided any attempt to exculpation by disavowing in their defense, any participation in the conduct of the affairs which they were erroneously supposed to have approved. The consequence of this silent endurance of political odium has been the perpetuation of the misbelief that the Executive Council are conversant with the affairs of the Province upon which they are appointed to advise and, although an opposite practice has prevailed between former Lieutenant-Governors and their Councils yet, it has ever been notoriously contrary to the state of things presumed by the community to exist. But while the

(1) State Book J -- (Dominion Archives) -- Page 402.

constitution has assigned to the Council this duty, it is only to a very subordinate and limited extent that they have, heretofore, had opportunity afforded them to perform it. It is submitted that the exigency of the statute can only be answered by allowing the affairs of the Province to pass under their review for such advice as their consciences may suggest, preparatory to the final and discretionary action of the King's representative upon those affairs."

The Governor's act in dismissing his first Executive Council was the first in a continued series of autocratic moves that eventually led to his downfall and recall. He became reconciled to the Tory party and, together, they proceeded to rule the Province by endeavouring to stamp out or stifle any move at reform. Sir Francis was no longer on neutral ground; he was a Tory opposed to the Middle group and the Republicans. Here are the Governor's words predicting his new stand: "Moral war was thus (as it long ago ought to have been by his Majesty's Government) openly proclaimed between the Constitutionists and the Republicans; or, in other words, between those who were for British institutions, against those who were for soiling the Empire by the introduction of democracy." It was behind that camouflage of loyalty that he perpetrated all his future acts. It was a clever ruse and, instead of shielding his own, as well as the

Family Compact's aims, it brought about their eventual ruin and degradation. The question or issue wasn't one of loyalty at all. The Reformers, preponderantly loyal, wanted only some degree of representative government like they saw back in either England or the United States, and conforming in some degree to the Governor's orders, as issued by Glenelg on the Royal Commission's advice. These intelligent men saw bill after bill of reform rejected by a Tory crowd; they saw money and lands distributed at the beck of a chosen few; they saw thousands leaving in disgust for the United States; they saw a mounting debt requiring an interest payment in excess of actual yearly revenue; they saw mistrials and intimidated juries; they saw expressions of sympathy in the United States and Britain but they were helpless against a Governor and Councils in the clutches of the Family Compact. The attempt to alleviate any of the above evils was called treason and rebellion.

Sir Francis Bond Head's idea of the Executive Council's duty was diametrically opposed to the interpretation placed upon it by Baldwin and his colleagues. He maintained that he should not be in any way controlled by public opinion, in spite of Lord Glenelg's despatch to the contrary. The Executive Council simply existed as a source of advice which he might use as he saw fit. It was to serve him but he was not

obliged to serve it. This is what he said, "For their acts I deliberately declare myself responsible; but they are not responsible for mine." The State Book J gives the Governor's stand thus: (1) "The Lieutenant-Governor maintains that the responsibility to the people which the Council assumes is unconstitutional and, that it is the duty of the Council to serve him, not them and, that, if upon so vital a principle, they persist in a contrary opinion, he foresees embarrassments." What advantage did Sir Francis imagine should come to Reformers by simply appointing three of their members to the Council? If he refused to take their advice there was entirely no difference in the way of conducting the government than before the change. If the British Parliament's recommendations simply meant such an addition they were certainly asinine. They, indeed, meant otherwise for how else could public opinion be exercised as the Imperial Government suggested. Bond Head refused to see the real meaning and intention for he was opposed to democracy in any form, and even felt the Home Government had gone too far in inculcating democratic principles in England. Here is how he criticizes the Imperial Government; "Aware of all the facts which had occurred, surely it was the bounden duty of the Government to have magnanimously led the two houses of the Imperial Parlia-

(1) State Book J -- (Dominion Archives) -- Page 411.

ment forward to reform, by frankly telling them to reform themselves, and, instead of mutilating, to appreciate the blessings of the time -- tried institutions which the inhabitants of Upper Canada have proved to possess the same intrinsic value on the continent of America as they possessed in the Old Country in its noblest days." Needless to say, the Family Compact group opposed any change in the direction of public opinion for, it would mean the death knell to their baneful domination. They probably found the inferior intellect of Bond Head quite plastic in their hands and there is not much doubt but that he was made the mouthpiece for many of their views.

A great many writers such as Dent, Wallace, Hincks, Kingsford, and Ryerson, all are unanimous in their stand that Attorney-General Robinson was the power behind the throne and that he wrote out the defense that Sir Francis Bond Head read in Parliament regarding the responsibility of the Executive Council. Colborne, his predecessor, had been very definitely cautioned by the Colonial Office to observe complete abstinence from participation in election contests and to keep free from party alignment, but Bond Head entirely ignored this rule and threw in his lot with the Family Compact group. No one can deny that the defense of his idea of the functioning of his Executive Council was according to the very letter of the law.

But it was the extreme interpretation and was not that understanding of responsibility that had begun to be assumed in party representative government. Responsible Government as understood by Baldwin and perhaps a few other Reformers was far in advance of what Britain had at that time and is more akin to what we have in vogue to-day. However, the Colonial Office had begun a series of concessions to the colonies and Sir Francis Bond Head was supposed to observe what had been conceded and to institute further concessions as he was ordered. He adamantly refused to do either in practically all instances. Although he surrendered to the Assembly further controls over revenue, yet he failed to keep free from participation in elections or from party alignment and he absolutely refused to form an Executive Council that met the approval of public opinion. This was the chief concession advised for the colonies in the Commissioners' Report, in the New Brunswick Despatches, and in Lord John Russell's Resolutions. These Resolutions by Russell certainly did not approve of entire Cabinet or Executive responsibility but they did advise that Executive Councillors should be chosen from various parties and should meet the approval of public opinion. (1) "The English had Responsible Government to that extent and the British constitution compelled the choice of a new Executive

(1) Dunham -- Political Unrest In Upper Canada -- Page 166.

after each election. That in itself certainly would have broken down the Family Compact."

The dismissal of an Executive Council was an act very seldom resorted to by a Lieutenant-Governor, and in a later despatch Lord Glenelg severely reprimanded Bond Head for dismissing Baldwin and his associates. The Lieutenant-Governor sensed that his act might be received with criticism in England, but he arrogantly demanded approval of his actions saying he understood thoroughly how to deal with the situation. He remarked that this was only the beginning of strife that would end in a purge of Republican principles provided, that the Home Government supported him. The Reform Assembly were furious at the Governor's high-handed methods and they adamantly refused to grant supplies. Bond Head wrote Glenelg that, on the Assembly stopping the supplies, he withheld his assent from all their money bills, and even from their own contingencies, on the principle that, as nothing but a storm of agitation could then settle the weather, it would be useless to attempt to suppress it. It was the first time in the history of the Province that the supplies had been stopped - and the whole country had thus been thrown into confusion. Sir Francis maintained that this was done because the complaints of the Republicans were ordered to be corrected, and being thus driven off their grievance ground, they were forced to unveil

their real object, which had been neither more or less than to seize upon the power and patronage of the Crown. He gave as one of his reasons for not granting the contingencies, the knowledge that a large sum would be granted out of them, by the Assembly, to send an agent to England.

Arrogantly, he wrote Lord Glenelg that he fully expected that before a month had elapsed the country would petition him to dissolve the present House of Assembly, but until the feeling was quite ripe, he would not attend to it; he requested the Colonial Office to send him no orders on the subject, but to allow him to let the thing work by itself; for it would require no argument, as the stoppage of the supplies, of the road money, and all other money bills, would soon speak for themselves in a provincial dialect which everybody would understand. As soon as the British Government received word of this they 'went over the Governor's head' and gave assent to most of the money bills. Governor Head's typical criticism was, "His Majesty's Government, after the receipt of this despatch, instead of supporting me in the course I had pursued, obtained the royal assent to the road bills I had reserved, thus, restoring to the Radical road commissioners the disposition of road money which had notoriously been misapplied to the basest political purposes!" Incidentally, the elections were over before it was known that the royal assent had been given

in opposition to the recommendation of the Governor. The stoppage of supplies was the only check that still remained to the Assembly, who, conversant with British History, could easily recall many incidents of similar stoppage, especially during the time of the Stuarts. MacKenzie commented as follows in his letters: (1) "In England, if the King misuses his prerogative, supplies can be refused, his armies disbanded and his ministers impeached. They have a check in England; in Canada we had none. In the Upper Province we refused supplies to the Governor, the most unworthy of any ever given us, as almost all parties now admit. He and his Councils seized upon our public chest, tampered with the constituencies and utterly destroyed our Legislature." Sir Francis, deaf to all advice to the contrary, proceeded to destroy the Reform Assembly and, by direct interference and perversion of the issue at stake, had a Tory Assembly elected.

Some idea of what the stoppage of supplies meant to the Province may be gained by reading a paragraph from Dunham's book: (2) "At the prorogation Sir Francis Head resorted to the boldest measure of his bold administration by refusing to grant contingencies and by reserving all the money bills which had been passed during the session. It was an unpre-

(1) MacKenzie's Letters -- August 5, 1836.

(2) Dunham -- Political Unrest In Upper Canada -- Page 183.

cedented retaliatory measure. The supplies withheld by the Assembly amounted to less than 7,000 pounds. Those withheld by Sir Francis amounted to 162,000 pounds, including all money for schools, roads and bridges, and all public improvements. The refusal of supplies would have affected only the members of the government offices; Sir Francis Head's action affected the whole community. And he took pains to cast the blame for the dislocation of business entirely upon the Assembly. In his speech at the prorogation he warned the House that the effect of its deliberate decision would be severely felt by all the people in the public offices, by the cessation of improvement in roads, by the withdrawal of compensation to the sufferers in the late war, and by the check to immigration."

Needless to say, the deadlock and confusion caused by the stoppage of supplies and the withholding of money bills, gave the Governor the opportunity to prorogue Parliament and rid himself of a detestable Assembly although but half the natural life of the Parliament had passed. In order that his Excellency might seem to be following public opinion in this matter, instead of guiding it, the official party caused petitions to be sent in from various quarters praying that a dissolution and a general election might take place. The conduct of a hasty election campaign, carried on under the most perverted slogans and in an entirely unorthodox way

assured the Tories of success. Sir Francis Bond Head made it appear to the people that the Reformers were disrupting parliament rather than he, himself. During the period of voting, numerous Tory Orange Order mobs roamed the Province intimidating Reform sympathizers and actually preventing Reformers from approaching the voting booths. Sir Francis had appointed returning officers who were notoriously partisan. He, himself, contrary to custom, took an active part in the election campaign, making numerous speeches, calling upon the people to uphold the Tory cause which he said, signified loyalty to England. By thus perverting the actual issue of the election from that of Responsible Government to one of loyalty or disloyalty to England, the Governor and his Tory accomplices, forced thousands of would-be Reformers to support their cause rather than be termed disloyal. Many of the leading Reformers like MacKenzie, Bidwell, Rolph, and others, lost their seats at the elections. This is a portion of one speech made by Sir Francis, (1) "It is my opinion that, if you choose to dispute with me, and live on bad terms with the Mother Country, you will, to use a homely phrase, only quarrel with your own bread and butter. If you like to try the experiment by electing members who will again stop supplies, do so, for I can

(1) Lindsey -- William Lyon Mackenzie -- Page 115.

have no objection whatever; on the other hand, if you choose fearlessly to embark your interests in my character, depend upon it, I will take paternal care of them both." That speech alone indicts Sir Francis, for, he distinctly tells them to vote Tory because that party was advocating loyalty to England, as its slogan. Thus, the people were left ignorant of the fact that the Mother Country was, in a measure, fully in accord with some of the Reform demands and had already given some orders for amelioration of certain grievances. As the author shall discuss later, the rebuke of the Home Office to Sir Francis was contained in a despatch sent first, to New Brunswick and forwarded to all other Provinces. It again distinctly pointed out that the Imperial Parliament wished all provincial Executive Councils to be appointed in accord with public opinion and it went further and surrendered to the province the control of casual and territorial revenues. Time and again, Sir Francis had told the Home Government that the latter should never be surrendered. The Tories used many other means of assuring their success at the elections. Lindsey gives a partial account of unorthodox activities as follows:

(1) "The Tory Press divided the country into two parties, one of whom was represented to be in favour of maintaining the supremacy of the British Crown in the Provinces, and the other

as being composed of traitors and Republicans. This misrepresentation was transferred from partisan newspapers to official despatches, and replies to admiring addresses. Timid persons were awed into inactivity, not thinking it prudent to appear at the polls, where their presence would have caused them to be branded as revolutionists. The Tories subscribed largely for election purposes; votes were manufactured and violence resorted to."

Lord Durham also criticized the election thus: (1) "I say this without meaning to cast any imputation on the members of the House of Assembly, because, in fact, the circumstances under which they were elected, were such as to render them, peculiarly, objects of suspicion and reproach to a large number of their countrymen.

"They were accused of having violated their pledges at the election. It is said that many of them came forward and were elected, as being Reformers, though opposed to any such claims to Colonial independence as might involve a separation from the Mother Country. There seems to be no doubt, that in several places, where the Tories succeeded, the electors were merely desirous of returning members who would not hazard any contest with England, by the assertion of claims, which, from the proclamation of the Lieutenant-Governor, they believed to be practically needless; and who should support Sir Francis

(1) Lucas -- Lord Durham's Report (Vol. 2) -- Page 161.

Bond Head in those economical reforms which the country desired far more than political changes -- reforms for the sake of which alone, political changes had been sought. In a number of other instances, too, the elections were carried by the unscrupulous exercises of the influence of the Government, and by a display of violence on the part of the Tories who were emboldened by the countenance afforded to them by the authorities. It was stated, but I believe without sufficient foundation, that the Government made grants of land to persons who had no title to them in order to secure votes.

"This report originated in the fact, that patents for persons who were entitled to grants, but had not taken them out, were sent down to the polling places to be given to the individuals entitled to them, if they were disposed to vote for the government candidate.

"The taking such measures, in order to secure their fair right of voting to the electors in a particular interest, must be considered rather as an act of official favouritism, than as an electoral fraud.

"But we cannot wonder that the defeated party put the very worst construction on acts which gave some ground for it; and they conceived in consequence, a strong resentment against the means by which they believed that the representative of the Crown had carried the elections, his interference in which,

in any way, was stigmatized by them as a gross violation of constitutional privilege and propriety.

"It cannot be matter of surprise that such facts and such impressions produced in the country an exasperation, and a despair of good government, which extended far beyond those who had actually been defeated at the poll." This quotation speaks for itself and condemns the Governor in no uncertain language.

Immediately following the elections, the exultations of Sir Francis knew no bounds. He boasted in his despatches of having completely squelched the democratic element in Upper Canada and of having created an example for all the other British North American provinces to follow. Contrary to the actual fact, he informed London, that the success of the election showed the people were wholly in favour of all his acts and they wished no such proposed changes as an Executive Council responsible to the Assembly. This was a clear misrepresentation of the actual state of affairs and it can be truly said that the art of misrepresentation was one of Bond Head's chief weapons throughout his Canadian sojourn. Any reader wishing to corroborate that fact should read his book, A Narrative. Paradoxical as it may seem, instead of serving its intended purpose of clearing the charges against Sir Francis, his book indicts his administration in no uncertain manner.

Another interesting factor in the elections was the part played by Egerton Ryerson. As Sir Francis Hincks remarked in his book Reminiscences, the Wesleyan Methodists fell entirely into the snare set by Sir Francis Bond Head. Egerton Ryerson, who actually controlled the Methodist vote of the Province and who swung that vote over to the Tory side later regretted his stand and from that time on was one of the most bitter critics of Sir Francis Bond Head. He realized later that the Governor had cleverly tricked the people and in his book The Story of My Life he maintained that Bond Head was more guilty than the ones executed for participation in the Rebellion. So keen were Ryerson's criticisms of the Governor following the election that the latter threatened he would now put down the Methodists as he had put down the Radicals. This is Ryerson's own account of the election: (1) "Sir Francis Bond Head adroitly turned this issue, not on the question of the Clergy Reserves, or of other practical questions, but on the question of connection with the Mother Country, and of Republicanism versus Monarchy, as had been recommended by Messrs. Hume and Roebuck, and advocated by Messrs. MacKenzie and Papineau. This was successful, inasmuch as those Reformers who would not disavow their connection with Messrs. MacKenzie, Hume and Roebuck, lost their election; for though not more than half a dozen had any

(1) Ryerson -- The Story of My Life -- Page 171.

sympathy with the sentiments of Messrs. Hume, Roebuck, Papineau and MacKenzie, they did not wish to break the unity of the Reform party by repudiating them and suffered defeat in consequence at the elections. The successful candidates, generally, while they repudiated Republican separation from the Mother Country, promised fidelity to the oft-expressed and well-known wishes of the people in the settlement of the Clergy Reserve question which, however, they failed to fulfil."

Dent mentions another incident that Sir Francis used in his pre-election campaign. Apparently the Governor had obtained a copy of Papineau's letter to Bidwell in which there was suggested probable United States sympathies, and the concluding sentence of his reply to an address from certain electors of the Home District is eminently characteristic of the man. Since certain portions of the already-mentioned letter seemed to point to a possible invasion of the Province by the inhabitants of the United States, the idea was eagerly seized upon by Sir Francis as indicative of concerted action between the hypothetical invaders and the Upper Canadian Radicals. (1) "In the name of every regiment of militia in Upper Canada", said he, 'Let them come if they dare!' Nothing but the actual perusal of his despatches will afford any accurate idea of his blatant self-confidence at this time. It is quite evident that he

(1) Dent -- Story of the Upper Canadian Rebellion (Vol. 2)
-- Page 324

regarded the above-quoted reply as a master-stroke of vigorous diplomacy. He drew special attention to it in a communication to Lord Glenelg, in the course of which he made use of language which must have almost stunned the conventional and decorous Colonial Secretary. 'I am aware', he wrote, 'that the answer may be cavilled at in Downing Street for I know it is not exactly according to Hoyle. Mais, Mon Seigneur, croyez-vous donc qu'on fasse des révolutions avec de l'eau de rose?'

Thus owing to the representations of government emissaries, backed by the Tory press and reinforced by the inflammatory speeches and addresses of the Lieutenant-Governor it was widely believed that should the Reformers succeed there would be a speedy uprooting of cherished institutions followed by separation from the Mother Country and ultimate annexation to the United States. Patriotic fervour was thus roused to a pitch never before reached since 1812.

Dent also indicts Sir Francis for his use of patents at the election and he criticizes more severely in that regard than does Durham. (1) "As a general rule, it is a difficult matter to convict a government of actual, direct interference with the freedom of election. But in the case of the general election of 1836, there is unfortunately no room for doubt. That patents were issued in great numbers by the Commissioner

(1) Dent -- Story of The Upper Canadian Rebellion (Vol. 1)
-- Page 330

of Crown Lands, and despatched by the hands of trusted agents of the Government to the polling-places, to be used by the voters, is as well established as is the fact of the election itself. Nay, the fact is admitted by Sir Francis Bond Head in the supplemental chapter to his Narrative, as well as by the Committee appointed by the Assembly to investigate the matter, and the attempts to explain it away are of the weakest kind. The number of patents issued was so great as to require a special staff of extra clerks to get them ready by the time they were wanted. In some cases the patents covered only a quarter of an acre of wild uncultivated land upon which no buildings had been erected. Many of them were issued between the date of the dissolution of Parliament and the close of the election a month later, and in some instances they were issued after the actual opening of the poll. They were distributed openly at the places where the elections were held, to persons who had not applied for them, and who, at least in some instances, received them without paying the usual fees, merely that they might thereby be enabled to vote."

Following the elections which, once more, established the Family Compact in complete control of the Province, the Legislature proceeded to function and enact many bills that failed to pass the old Reform Assembly. This was the last session prior to the Rebellion and Lindsey sums up its work thus:

(1) "In the session of 1836 - 1837 which closed on March 4th., Sir Francis' 'bread and butter' Assembly was very far from realizing his election promises of reform. But it is not probable that any section of the public was disappointed, for they were not promises that anyone expected to see fulfilled. The fear of a legal and inevitable dissolution, which seemed to be impending, weighed heavily upon Parliament. King William IV would probably not live four years; and, on the demise of the Sovereign, the Assembly would legally cease to exist. Sir Francis was not likely to fare so well in a second election as he had in the first. A bill was, therefore, passed, which enacted that a dissolution of the House should not necessarily follow a demise of the Crown. The money bills, passed this session, showed an extraordinary degree of recklessness, on the part of the House, in incurring debt. The entire amount voted must have been five millions of dollars, at that time, a very large sum compared to the amount of revenue. The establishment of fifty-seven rectories by Sir John Colborne, before he left the government, which had given great offence to a large majority of the population, received the approval of the Assembly." This quotation shows that the Tories were simply carrying on as before, interrupted only by that hiatus, when a Reform Assembly was in power. One of the most obnoxious

pieces of legislation, as has been mentioned before, was the ratification of Sir John Colborne's act in creating the new Anglican rectories. All other religious groups, comprising the vast majority in the Province, were diametrically opposed to it.

The Reformers protested in vain against the farcical election; Dr. Duncombe, one of the defeated Reform leaders, presented a petition to the British House of Commons alleging unfairness and inconsistencies in the past elections. Lord Glenelg demanded an answer from Bond Head regarding such accusations. An answer was sent by Sir Francis in which he defended himself and the Tories to the satisfaction of Lord Glenelg. The outcome was still another disheartening blow to the Reform sympathizers of the Province. But Bond Head's success in covering up his election schemes was only temporary, for Lord Durham reiterated charges almost identical to those presented by Duncombe and Baldwin. When Robert Baldwin left for England, immediately after the elections, Bond Head described him to Glenelg as an agent of the revolutionary party and expressed a wish that he should be decidedly snubbed by the Colonial Office. In fairness to that Office, in spite of its tardy and clumsy methods of administration, it might be said that it could hardly be conversant with Bond Head's duplicity at this early stage in his colonial career.

Despatches often deleted or perverted went back and forth slowly and, those few which the Home Office had received, bristled with 'Bond Headian' misrepresentations. The Governor painted a false picture, representing himself as the great saviour of British rights against the Republicans who masked their ambitions to rob and seize the control of the government under the guise of reform. One could scarcely expect the Home Government to indict the Governor if that were the true state, and especially since he had just arrived. Compromising and slow-witted Lord Glenelg eventually sensed the true situation as was evidenced by the Colonial Office's future tendency to ignore Bond Head's advice and invoke new reforms, much to his disgust. Just prior to the Rebellion this is what Sir Francis sent in a despatch to Lord Glenelg:

(1) "Nothing can be brighter than the moral and political state of the Canadas. All is sunshine here and 'colour de rose'. I have no difficulties that are not surmounted, no sickness that is not cured, no sorrow that is not removed, but over Downing Street and the Commissioners' Place at Montreal I see two black clouds from which I expect both thunder and lightning."

Sir Francis Bond Head's first rebuke came when the Imperial Government passed the money bills that he had with-

held from the Reform Assembly. However, the sternest of all rebuffs came when the Colonial Office sent out despatches to New Brunswick ordering certain definite reforms. Similar copies were despatched to the other provinces suggesting a like procedure. The author prefers to quote directly from Chapter VII of Bond Head's book in order to give the reader some idea of that verbosity and prevarication which runs through that entire Narrative that Sir Francis haughtily compared to Durham's Report. Needless to say, one must wade through a veritable fog of typical 'Bond Headian' whitewash before the point in question is reached. Sir Francis deals with the above-mentioned despatches thus: (1) "His Majesty's Government, just as if they had been mortified at the triumph (election) which had been gained, and, just as if they had determined that its salutary consequences ought immediately to be arrested, planned a measure which I humbly think to future ages will appear not only incomprehensible, but incredible! The Legislature and inhabitants of Upper Canada stood combined together heart and hand to resist the Republican principle of making the Executive Council 'responsible to the people' and it was with regret I received from the Colonial Office a despatch dated 25th July, 1836, in which, after some highly complimentary sentences, it was

(1) Head -- A Narrative -- Page 155.

ominously observed, 'His Majesty's Government look to no transient results or temporary triumphs'. Still it was evident to me from the sentence quoted above -- from the non-publication in England of my despatches announcing the moral victory that had been gained -- and from the remarkable ministerial silence that had prevailed on the subject in both Houses of Parliament, that the Colonial Office was but little disposed to change its policy. I own, however, I was not prepared for the astonishing course which I will endeavour as shortly as possible to relate As if determined to fulfil its own prophecy, by proving that in Upper Canada, the 'triumph' gained would be 'temporary', and the results 'transient', the Colonial Office on the 30th September, 1836, addressed to me a despatch, which enclosed copies of instructions to his Excellency Lieutenant-General Sir Archibald Campbell, Lieutenant-Governor of New Brunswick, to which he was ordered to give general publicity, and which I was desired to consider, as far as they could be applied to Upper Canada, 'as addressed to myself' As the whole of the despatches have been published throughout every province in North America, I need hardly say, that the proposed arrangements which were thus ordered to be effected, contained not only directions for the surrender of the casual and territorial revenues, against which I had so humbly but so

strongly remonstrated, but the following order to Sir Archibald Campbell:-- 'In making your selection (for seats in his Majesty's Executive Council) you will not confine yourself to a single class or description of persons, but will endeavour to ensure the presence in the Council of gentlemen representing the various interests which exist in the province, and possessing at the same time the confidence of the people at large!' By this most extraordinary and complicated arrangement, the triumph which the loyal inhabitants of our North American Colonies had gained over the demands of the Republicans was not only proved to be 'temporary' but was completely destroyed I submit to the intelligence of the civilized world, that this decision of the Colonial Office, respecting the Executive Council, was a direct surrender of the question in dispute. I ask, first, whether it was constitutional to order that the Governor's Executive Council should be made 'to represent the various interests', which were already represented in the House of Assembly; and, secondly, whether there is any difference between the Colonial Office ordering the Executive Council, 'to possess the confidence of the people at large', and the Republican demand which the people of Upper Canada had resisted, namely, 'that the Executive Council must be responsible to the people?'..... The severe mortification which this infatuated course of policy of the

Colonial Office produced in Upper Canada is indescribable. The Loyalists were again disheartened, the Republicans exultingly boasted that the Home Government was with them I now recollect the prophecies which, ever since the commencement of the political war I have waged here, have invariably foreboded, that I should not be supported by the British Government."

The above quotation is typical of the replies that Bond Head sent to London. Although he announced to the Legislature that, in obedience to the Colonial Office, he was surrendering control of the casual and territorial revenues of the Crown as well as partial control of the Crown lands, he adamantly refused to consider an Executive Council conforming to public opinion for, he said to Lord Glenelg, "I think your Lordship, on reflection, will perceive, that instead of crushing democracy on this continent, we shall actually be creating it in our colonies." This absolute, haughtily-made refusal to conform with orders from Downing Street added but another insult to the reform cause. Even at this juncture, Sir Francis, by obeying in some measure, his instructions, could have prevented that futile outbreak that occurred in December, 1837. His failure to take action, as regards his Executive Council, practically left matters as they were, if not worse. He seemed also heedless of what had happened in

New Brunswick where Lieutenant-Governor Campbell, after the Assembly had despatched representatives to London to complain, was recalled for refusing to comply with his instructions.

The Assembly in New Brunswick sent delegates directly to London to explain abuses, a recourse in Upper Canada, which

Sir Francis complained about most bitterly. Although Bond Head surrendered control of the revenue and Crown Lands, yet his failure to reshuffle his Executive Council to conform with public opinion was such as to warrant his recall in a manner similar to Campbell's. No doubt, had he obeyed orders or had he even been recalled sooner, Upper Canada's history from then on would have been a different one.

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Chapter III

THE THREE ULTIMATE CAUSES OF SIR FRANCIS BOND HEAD'S RESIGNATION

One of the most important chapters of Bond Head's Narrative deals with the three ultimate causes of his resignation. They were his refusal to reinstate Judge Ridout, his refusal to elevate Bidwell to the Bench and London's refusal to confirm the appointments of Attorney and Solicitor-Generals. One who carefully reads this chapter can see that the Governor had determined to pursue a policy of absolute dictatorship without even brooking the interference of London. He demanded that his appointments or dismissals should receive the Colonial Department's approval simply on the Governor's recommendation and that no remonstrance or advice from any other source should be considered. The unmasked policy of Bond Head in Upper Canada, now that he had succeeded in ousting the Republicans from both the Executive Council and the Assembly, was to continue to persecute and remove all of them from any offices they held in the Province. Simply to criticize him was sufficient excuse to dismiss many honourable and scholarly gentlemen. As he admitted in his later despatches, he did not even pretend to carry on a government with more than one party. The idea of Whigs and Tories as in England and the similar idea of Tories and Reformers in Upper

Canada were obnoxious to him. He planned to persecute all Republicans and harry them out of the land, if possible. Bond Head not only dismissed many Republican office holders but, in order to seek revenge, he plotted the rebellion trap and engulfed many of the Radicals who had caused him so much embarrassment. One writer remarked that when he had done his best to drive men into rebellion, he claimed credit for his foresight in having pointed out their traitorous intentions. The Lieutenant-Governor's recall came before the Rebellion but, since the new appointee could not arrive for a considerable time, Sir Francis was present during the fiasco of December 7, 1837.

Judge Ridout's case received very special attention both by Sir Francis and Lord Glenelg. The Lieutenant-Governor dismissed George Ridout from the offices of Colonel of the Militia, Judge of the District Court of Niagara and Justice of the Peace, on the pretence that he was an active member of the Alliance Society (Reformers) which had issued an address, on the subject of the resignation of the late Executive Council, containing words personally offensive to the Governor; and when this charge was disproved to the satisfaction of Lord Glenelg, Bond Head refused to obey the order of the Colonial Minister to restore Ridout to office. At this same time Baldwin and Small were also dismissed for the same reason, but Ridout's

case received special attention because he endeavoured to prove he was not a member of the Society.

The following words in the address irked Sir Francis Bond Head: "It is our duty solemnly to assure you, that the conduct of Sir Francis Bond Head has been alike a disregard of Constitutional Government, and of candour and truth in his statements." To one it would seem almost puerile and asinine that any Governor would select such a mere phrase to trump up a reason for wholesale dismissals. Had he been wise, he would have entirely ignored such, but Bond Head determined to make every 'pin prick' the pretext for some deed of retaliation against the Reform group. Judge Ridout's character was without blemish; he had fulfilled all his duties in a capable manner and he boasted of British ancestry that fought in the War of 1812. No Colonial Secretary, not even the vacillating and inefficient Glenelg, could tolerate for long such unfair and dictatorial tactics in a British colony. As soon as the Governor had dismissed the Judge, he wrote letters to him and to Lord Glenelg stating the reasons for his actions, but the two letters of accusation were not identical. Judge Ridout's letter contained but the single reason that he had appeared to be an active member of the 'Alliance' or 'Constitutional Reform Society'. Sir Francis Bond Head's letter to Lord Glenelg contained that reason, as well as several other petty reasons. Among the latter were

gossip reports saying that Ridout had remarked in conversation, that if he were dismissed, he would help 'tar and feather' the Lieutenant-Governor, and, also, that there would be 'war to the knife'. Sir Francis supplied no proof of those statements and Glenelg intimated they should have been regarded only in the light of gossip or heated conversation. The Governor did substantiate his first original accusation by supplying the legal advice of Attorney-General Hagerman that Ridout did appear to be an active member of the society referred to. However, Lord Glenelg, having interviewed the King, gave his decision to reinstate Ridout. He maintained that the Governor should have given identical letters of accusation, both to himself, and to Judge Ridout. The latter, to Lord Glenelg's satisfaction, had cleared himself of the initial charge of active membership in the Reform Society by sending to London several affidavits of witnesses to that effect. Chief among these, was that of Mr. Stewart, a carpenter, who had been a member and had been present at the meetings referred to. These are Lord Glenelg's words: (1) "The question involves no legal principle, but relates to a simple matter of fact. Mr. Stewart, though describing himself as a carpenter is, I think, far more entitled to speak with authority on this occasion than the Attorney-General of the Province, because the former

(1) Head -- A Narrative -- Page 239.

possesses, and the latter does not possess, a personal acquaintance with what actually occurred, and because Mr. Stewart was present, and Mr. Hagerman was absent when the Society was formed, and when Mr. Ridout is said to have protested against its formation." Up to this point it is difficult to understand Lord Glenelg's somewhat aimless tactics but, having now grasped an insight into Bond Head's duplicity, he began to act with firm resolve. The Colonial Secretary demanded that if Bond Head wished further consideration of the case on the merits of accusations other than the initial one, he must first present the additional accusations to Judge Ridout and give him an opportunity to defend himself against them, maintaining that was only fair to any British citizen, be he lord or commoner. Ignoring this request, Sir Francis brought about his recall by refusing to furnish Judge Ridout with the additional accusations. During the course of this interchange of despatches, Judge Ridout had been denied a public trial or a court-martial as he had requested. Lord Glenelg, in his final instructions to the Governor, stated that the main reason for removing him was his outright refusal to inform Ridout of the additional charges. No one can deny that the Colonial Secretary was absolutely fair in this case, for in demanding Ridout's reinstatement, he also said such might be suspended temporarily if Sir Francis wished to substantiate the other charges against Ridout as suggested.

Sir Francis answered Lord Glenelg by saying that he had no further accusations to make against Mr. Ridout; he had nothing further to urge against what he had said in his defence, but having, as Lieutenant-Governor, by the advice of his Council, deliberately selected him for punishment, as the most intemperate of his opponents, he felt it necessary, respectfully, but explicitly, to declare that, so long as he was deemed competent to be Lieutenant-Governor of this Province, he declined to have any further communication with Mr. Ridout, and must decline to restore him to the stations from which he had removed him. In this case Sir Francis is very careful to say his Council approved his act, but one must remember that, that same Council was a Tory machine equally anxious to exterminate Republicanism.

Lord Glenelg's rebuke to the Governor's idea of dictatorial dismissal was as follows: (1) "You further express your expectation that the 'mere expression of your opinion of the absolute necessity for the dismissal of any person from office whom, from your local knowledge, you deemed hostile to the British Constitution, would have carried with it infinitely more weight than the individual's denial of his own guilt'. From this and other passages in your despatch, I infer that you regard the Secretary of State, as virtually bound to adopt

your opinions in individual cases as conclusive, even upon an appeal against your decision. But such is not my estimate of the duties of my office: I act under a strict and effective responsibility to the King and to Parliament. Of every measure which I take, or which, when taken by others, I approve, I must be prepared to produce the vindication. But I should ill acquit myself of that duty if I attempted to rest my justification on an implicit confidence in the judgment of the officer against whose acts an appeal had been brought before me. Cherishing as I do, the strongest presumption in favour of every decision of yours, I must yet, as often as your sentence is impeached, examine into the merits of the question with strict impartiality, and with a jealousy of those prepossessions in favour of your opinions from which I can never be exempt. In our relative positions in his Majesty's service, I could not act on any other principle."

In dismissing Sir Francis Bond Head, Glenelg included these words in his despatch: (1) "In the exercise of the authority with which I was invested, I directed you to place a Judge, whom you had dismissed from office, in possession of the grounds of that very grave proceeding, before I could confirm his removal. I called upon you to render to him that measure of justice which the humblest member of society is entitled to demand, by making known to him what were the

(1) Head -- A Narrative -- Pages 347-8-9.

reasons on which the representative of his Sovereign had sentenced him to degradation and punishment. This is the instruction which you meet with a direct and positive refusal. Under these circumstances, her Majesty's Ministers have thought it their duty to tender to the Queen their advice that your resignation should be accepted."

M.S. Bidwell was another prominent Republican who was equally punished by Bond Head for his Reform activities. He had been the speaker of the Reform Assembly and had criticized the Governor in language almost similar to that quoted above in Ridout's case. While leading the Assembly he read an address referring to Bond Head as despotic, tyrannical, unjust, deceitful, and as displaying conduct derogatory to the honour of the King. With the Governor, this was sufficient excuse to brand Mr. Bidwell as a rebel and a traitor. Prior to this incident, Sir Francis had mentioned Mr. Bidwell in his despatches as a man of great ability and of sterling character, with the result that Lord Glenelg had asked that this gentleman should receive the first vacancy to the bench. That request had been emphatically denied by Sir Francis for no other reason than that this gentleman had read the above address and had been a prominent Reform leader. Considerable correspondence passed between London and Toronto on the case but each time Bond Head refused to obey his orders. At first,

Glenelg pointed out, that since Bidwell had retired from political life, he was certainly entitled to the position on account of his ability and character. However, in each succeeding despatch to London Lord Lead seemed to add some further excuse for excluding Bidwell, although he never failed to admit this man's ability and character were of the highest. It is very interesting to read the exact words of Lord Glenelg's despatch: (1) "My estimate of Mr. Bidwell's character and claims to advancement to the bench had been derived chiefly from your own despatches. It was on no lower authority that I adopted the opinion that he was properly eligible for that distinction. You now inform me that you had drawn his character with a light and feeling hand. You had, however, acknowledged Mr. Bidwell to be a gentleman of great abilities, of the first eminence in his profession, and of irreproachable character. I knew, indeed, that he had formerly taken a very prominent part in opposition to your own measures and those of your immediate predecessor. I had further been advised that Mr. Bidwell had entirely retired from political life, confining himself to the duties of his profession, and had ceased to act with the party of which he had formerly been a member. Such was my information when I instructed you, eventually, to offer to Mr. Bidwell a seat

(1) Head -- A Narrative -- Pages 342-3-4.

on the bench. I confess that it did not appear to me fit that, under such circumstances, he should be punished by a permanent and irreparable incapacity for a promotion to which, on the grounds of private character, no objections could be raised, and to which, on the grounds of professional eminence, he had the highest possible title. It appeared to me dangerous, or rather impracticable, to govern the Province on the principle of a proscription of the whole of one large body of the inhabitants. You now indeed make the additional statement that Mr. Bidwell was a member of a revolutionary society called the 'Provincial Convention'. Of this fact, I was totally ignorant, until the receipt of the very despatch now under consideration. By a despatch from you of a still later date, namely the 22nd of September, it appears that a letter, bearing the date of the 3rd of August, and the signature of Mr. Bidwell, was published at Toronto on the 20th of September, in which Mr. Bidwell expressly declined to be a member of that Society. In reporting this fact, you assume that the date which the letter bears was purposely falsified; that Mr. Bidwell had heard of the intentions in his favour, and had published his letter with a false date, in order to remove an objection which might have obstructed his advancement. On what authority this accusation is made, you have not explained; and without some such explanation, I could not impute what would be, in effect, a wilful violation

of truth to a gentleman whose moral character is unimpeached by his most decided political antagonists." This quotation speaks louder than words, and is another example of Bond Head's duplicity. In their writings after the Rebellion R. Baldwin, Egerton Ryerson and other prominent men have consistently upheld the character and honour of Mr. Bidwell. Why should Sir Francis have stooped to the lowest in accusing this man of falsifying a letter, after he had continuously praised his integrity in numerous other despatches? To Lord Glenelg's question in that regard he never replied or offered any explanation. Baldwin, Bidwell, Rolph, Ryerson, and a host of others, never spoke truer words, when they accused him of prevarication and the tendency to evade truth and candour. Lord Glenelg intimates that very accusation in this and his later despatches. He challenged Bond Head's tendency to be vindictive and accused him of governing by means of one large body of inhabitants only (Tories). This group was given all the appointments and to Glenelg's challenge Bond Head's answer was: (1) "My Lord, among the various difficult duties which I am called upon to perform, there is no one which required cooler judgment than the impartial selection of individuals for office: the duty is at all times invidious, but there is no part of it more painful to my feelings than the bad custom

which exists of giving a description of the various individuals to her Majesty's Government; and I have often almost determined to request that, so long as confidence be reposed in me, my appointments may be confirmed on the faith of my recommendation." Bond Head's appointments were certainly not impartial for, they were all Tories suggested by his Tory Executive.

In the above quotation the Lieutenant-Governor mentioned the custom of submitting recommendations to London before appointments. He certainly did not adhere to that policy in his appointment of Attorney-General Hagerman, Solicitor-General Draper and others. Sir Francis, in these cases, simply sent his appointments to London after first having announced them in Canada, and asked Lord Glenelg to endorse his choices. This gave the Colonial Secretary no choice in the appointees whatsoever and, needless to say, Bond Head's audacity shocked him, for he suspected, and rightly too, another 'batch' of Tory office-holders. Lord Glenelg assented to all but Hagerman and Draper whose appointments he questioned, in that other men more in line for the appointments had been passed over. Hagerman's appointment was also objected to by the Presbyterian Church which had accused him of sponsoring only Anglican rights. Time and again, Sir Francis remonstrated regarding the withholding of these appointments and pointed to his chagrin and

embarrassment because they had previously been announced in the Province but, the Colonial Secretary steadfastly refused to endorse them.

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Chapter IV

THE LIEUTENANT-GOVERNOR'S CONDUCT DURING THE INSURRECTION

Since the new appointee, Sir George Arthur, did not arrive until March, 1838, Sir Francis Bond Head was present in Upper Canada during the so-called Rebellion, the blame for which he must bear the major share. Any wise Governor could quite easily have prevented the puerile outbreak in Upper Canada but Bond Head deliberately allowed it to trap his Republican enemies. One would have thought that any Governor who was about to leave his past assignment would forgive and forget, but Sir Francis determined to the last to seek revenge on those who had helped bring about his own recall. Durham, Sydenham, Peel, and others, have all condemned Bond Head's dastardly crime in deliberately trapping his enemies.

The great mass of people who desired reform were absolutely loyal to Britain as events of the Rebellion indicated. A small number of Radicals under the leadership of MacKenzie were encouraged to rebel both by the outbreak of hostilities in Lower Canada and by the apparent laxity of officials in Upper Canada. The ease with which the rising was suppressed confirms the fact that it was very hastily planned and that

it had very few ardent adherents. Few of its men had any training at all, only a small portion were armed and, the majority of those that banded together deserted, rather than resort to bloodshed. They had been led to think that a bloodless coup d'état could be effected. Just a few shots were fired and all was over, but it was sufficient to bring condemnation, death and suffering to many ignorant participants, as well as persecution to loyal Reformers throughout the Province who took no active part, but were singled out for punishment by the Tories simply because they had entertained Reform principles. Thousands of loyal people left for the United States in disgust. A little foresight and planning on Bond Head's part could quite easily have 'nipped in the bud' this unfortunate incident.

Bond Head's first accounts of the Rebellion to the Home Office are clear-cut deceptions of the truth. He gave them the impression that the Insurrection in Upper Canada had been a complete surprise to him and that he was only able to quell it by calling out the militia after its outbreak. He says: "Having yielded to the Lower Province her Majesty's troops, I had nothing left to support me but a strict adherence to that moral rule which bids all nations, as well as all individuals, keep up a just distinction between their enemies and their friends." Certainly, Bond Head had nothing to support

him at the time for he purposely willed it so. When the regular troops had been despatched to Lower Canada why did not Sir Francis immediately call up some of the militia to protect Toronto and other places for he also had 4,000 stand of arms stored in the Toronto armoury. In later despatches, he boasted about the hundreds of militia that flocked into Toronto in answer to his appeal after the Rebellion had broken out and he issued orders restraining other reinforcements from coming since their help was not needed and he feared lest Toronto be swamped with so vast an array of help.

The Lieutenant-Governor knew all about the plans of the rebels and had been warned by several sources. When hostilities broke out in Lower Canada, he himself said, "In consequence of the Rebellion, which had already broken out in Lower Canada, a corresponding Insurrection was naturally to be expected in the Upper Province." The Governor received news of impending trouble from many reliable sources, but dismissing them lightly he refused to be prepared. (1) "On October 31st Sir Francis turned down the offer of a volunteer company to guard the Government House, preferring to wait, as he expressed it, till the lives or property of her Majesty's subjects should require defence." His own Attorney-General, Mr. Hagerman, also warned the Governor to no avail. But the reader will clearly

(1) Lindsey -- William Lyon MacKenzie -- Page 363.

understand the treachery of the Governor in his own language:

(1) "Mr. MacKenzie was pursuing a lawless course of conduct which I felt it would be impolitic for me to arrest.

While these meetings were in continuance, Mr. MacKenzie, by means of his newspaper, and by constant personal attendance, succeeded in inducing his adherents to believe that he was everywhere strongly supported, and that his means, as well as his forces, would prove invincible. I was not ignorant of these proceedings and in proportion as Mr. MacKenzie's paper became more and more seditious, and in proportion as these armed meetings excited more and more alarm, I was strongly and repeatedly called upon by the peaceable portion of the community forcibly to suppress both the one and the other. I considered it better, however, under all circumstances, to await the outbreak, which I was confident would be impotent, inversely as it was previously opposed; in short, I considered that, if an attack by the rebels was inevitable, the more I encouraged them to consider me defenceless the better." In another part of his Narrative Sir Francis penned these similar words: (2) "Mr. MacKenzie and his party, finding that at every point they were defeated in a moral attack which they had made upon the British constitution, next determined to excite their deluded adherents to have recourse to physical strength. Being, as

(1) Head -- A Narrative -- Pages 327-8-9.

(2) Ibid -- Pages 324-5.

ready to meet them on that ground as I had been ready to meet them in a moral struggle, I gave them every possible advantage. I, in no way, availed myself of the immense resources of the British Empire; on the contrary, I purposely dismissed from this Province the whole of our troops. I allowed Mr. MacKenzie to write whatever he chose, say what he chose, and do whatever he chose; and, without taking any notice of his traitorous proceedings, I waited, with folded arms, until he had collected his rebel forces and had actually commenced his attack. I, then, as a solitary individual, called upon the militia of Upper Canada to defend me, and the result has been as I have stated." On page 331 of his book, A Narrative, Sir Francis also expressed himself thus: "Instead of either trying to conciliate Mr. MacKenzie, or make his fortune by a Government prosecution, I had better let him come within reach of the law and then let it hang him. His legs saved him from the latter fate."

The behaviour of Bond Head just prior to and during the Rebellion was ludicrous and disgusting to say the least. One of the most detailed accounts of his blundering is to be found in the book A Veteran of 1812 by Fitzgibbon. In this book Colonel Fitzgibbon relates his many useless efforts to have preparations made for an expected insurrection and he, himself, as head of the militia, took many precautions, even contrary to

the commands of Sir Francis. These precautions, at least, weakened many of the efforts of the rebels and may even have been said to have frustrated the success of the Rebellion, itself. Whenever the Governor was caught napping he boasted that his unpreparedness was a deliberate trap to ensnare the rebels. When this decision was so severely criticised everywhere he again reversed his stand and denied his diabolical intention. Dent gives us this interpretation of Bond Head's prevarications: (1) "The excuse of Sir Francis, when he suddenly found himself attacked by armed rebels, was that he had all along foreseen and desired the Insurrection, and even pretended unconsciousness, in order to tempt an outbreak. In order to avoid this imputation of negligence Sir Francis' vanity seeks refuge in the guilt of one of the most detestable practices of the most unscrupulous tyranny. He would load himself with the crime of having trepanned a number of ignorant and heated political opponents into the guilt and peril of treason: of having given facilities to crime in order that he might find a pretext for punishment. But by taking the credit of all this unreal villainy, Sir Francis only accumulates on his own head an additional weight of imbecility. The only palliation of such schemes is to be found in the vigour and skill with which their success is ensured; and if

(1) Dent -- Story Of The Upper Canadian Rebellion (Vol. 2)
-- Page 28.

Sir Francis insists on having purposely brought the Insurrection to a head, it is still more incumbent on him to show that he had taken good care also to provide means of suppressing it. To provoke an insurrection, even for the purpose of crushing hostile designs, we regard as utterly unjustifiable under any circumstances; but to provoke one, leaving it to the chapter of accidents whether it shall turn out successfully or not, can hardly entitle a Government even to the approbation of the most unscrupulous Tories."

Although Dent's contention that Lord Head was caught entirely by surprise and that much of the Governor's defense of his actions was later concocted to cover up his inertness, yet this theory isn't entirely held by all writers. Since the Governor and his associates received warnings from so many quarters, they certainly must have known trouble was in the offing and, therefore, it is reasonable to believe that the so-called trap set for the rebels was to some degree intentional. The reader is entitled to his own opinion since the 'leap-frog' prevarications of Sir Francis are very confused.

The warnings received by Sir Francis were legion. (1) Egerton Ryerson relates that he had visited the Governor and Attorney-General Robinson four weeks prior to the Insurrection and had advised precautionary methods owing to Mac-

(1) Ryerson -- The Story Of My Life -- Page 183.

Kenzie's activities. Bond Head knew all about these activities and numerous accounts of other witnesses are given in Fitzgibbon's book. Pamphlets and declarations, seditious in language and published by the Radicals, were brought by Tory supporters to Toronto. The Government also knew about the Lower Canadian Rebellion which had broken out and it had possession of letters of sympathy which passed between the Upper Canadian Radicals and Papineau. Even when all the troops were despatched to Lower Canada, many old officers advised Sir Francis that it was unwise and suggested leaving a small force in Toronto.

Because Sir Francis Bond Head was not a military man of any standing or experience it is extremely doubtful whether he could have extricated himself from the pit which he so persistently determined to dig for himself. If officers like Fitzgibbon had not taken precautions contrary to the Governor's orders it is altogether likely that the rebels would have succeeded in taking the city before the Governor could have organized any resistance whatsoever. The city had been denuded of all troops; no militia had been called and if Sir Francis had had his way the 4,000 stand of arms would have had no adequate guard nor any of the city's approaches have been guarded. Everything would have been an easy prey to the rebels since a call for help to the militia would have

required several days for a suitable mustering of that force.

As far back as the year 1834 Sir John Colborne and Fitzgibbon had discussed the taking of precautionary measures in case of an uprising. Accordingly, Fitzgibbon had organized and trained a corps of seventy young men many of whom were of great service during the actual Insurrection.

As soon as tidings of the uprising in Lower Canada reached Toronto, Fitzgibbon and other officers redoubled their efforts to arouse the Governor to the dangers at hand but still Sir Francis pursued his narrow-minded and contradictory attitude.

Sir John Colborne in Lower Canada had been told by Bond Head that he could spare all his Upper Canadian troops for service in the Lower Province. As the last detachment of some thirty men and a subaltern were about to leave Upper Canada Colonel Fitzgibbon, Colonel Foster and others begged the Governor to keep them in the city as a nucleus for the militia to rally round but to no avail. This was the answer given by the Governor, "No, not a man. The doing so would destroy the whole morale of my policy; if the militia cannot defend the Province, the sooner it is lost the better." Then, on being asked permission to call up some of the militia his answer was a decided "No". The policy being pursued by Bond Head was exasperating to Colonel Fitzgibbon and other officers who were responsible for the defense of the Province.

At this time there was a stand of 4,000 small arms and ammunition stored in the market buildings at Toronto. Since this would be a very likely prize for rebels to seize Sir Francis was advised to increase the guard over these from two constables to a rifle corps. This suggestion had been made by the leading officer, Fitzgibbon, but had been flatly refused. However, Sir Francis asked for the offer in writing. The next morning to the consternation of many, the offer was printed in the morning edition of the Toronto Patriot. The purpose of the Governor never was known but it could have been his intention to allow the rebels to think he did not anticipate any Rebellion and so seem unprotected. These suggestions and offers were entirely ignored in his despatches to the Colonial Office.

The first Regiment of the City of Toronto Militia had recently come under the command of Fitzgibbon. In this regiment he found many vacancies and accordingly he submitted to the Governor a list of candidates for the vacant commissions. Bond Head declined positively to do anything until the following summer much to the disgust of the petitioner. The latter who was a veteran of the War of 1812-14 had lived in York (Toronto) for over twenty years and knew the place, its inhabitants and its problems thoroughly, yet Bond Head, a comparative stranger and newcomer, refused the advice of such military men.

Realizing that little could be accomplished by appealing again to the "pig-headed" Governor Fitzgibbon took it upon himself to warn the heads of all loyal families to be ready for any emergency upon the ringing of the college bells. It was now definitely known that the rebels were drilling in places north of Toronto. However, the Rebellion broke out, the college bells rang, before half of the above-mentioned had been warned. In later years Chief Justice Robinson wrote a letter to Fitzgibbon acknowledging the fact that the latter's precautionary steps, taken against the Governor's wishes, had actually saved the city from the rebels.

About this same time quite reliable informers appeared before the Governor and his Council relating stories of men drilling north of Toronto. Hon. Wm. Allan implored Sir Francis and his colleagues to prepare a defence without delay. The suggestion that every half-pay officer and discharged soldier in the city should be placed in the garrison simply elicited the following asinine answer from Sir Francis: "What would the people of England say were we thus to arm? And, besides, were we to pass the militia by, they would feel themselves insulted." The above-mentioned discussions took place on Saturday and it was not until the following Monday that Fitzgibbon was called into the presence of the Governor. The former was appointed Adjutant-General and given orders to

inform the militia throughout the province to be on the alert in case of an outbreak. The order went to the Queen's printer the same day but it was of little use as the first outbreak occurred on the evening of that very day, December 4th.

That evening the Rebels captured some of Col. Fitzgibbon's scouts on the northern limits of the city. A Mr. Powell escaped by shooting one of the Rebel leaders and made his way into the city and rang the college bells. Sir Francis paid no attention to the bells and it was not till Fitzgibbon and Powell aroused him from sleep that he began to show some anxiety. Crowds of panic-stricken citizens rushed to the market-place and all night was spent in arming these and creating some sort of an orderly defensive force. The Rebels, alarmed at the loss of a leader apparently retreated to Montgomery's Tavern but had they followed their original plan of attacking the city that night there is very little doubt but what they could have taken it easily.

Egerton Ryerson, in writing to his brother, described the confusion and commotion that reigned everywhere as he went to the market-place in the middle of the night after the alarm had been given. He saw the Governor with a double-barrelled gun in his hand, another leaning against his breast, and a brace of pistols in his leathern belt. Sir Francis, even in a crisis, never missed an opportunity to play the part of a "showman".

By sunrise on Tuesday, December 5th., the men who had come in response to the alarm were lined up in platoons on the market square. Scouts were sent out and they reported that the Rebels had retreated to Montgomery's Tavern and were fortifying the place. Fitzgibbon and other officers advised Sir Francis to attack them at once before the fortifying could be completed and before further reinforcements reached them. By so doing the Rebels would be easily dispersed and unnecessary bloodshed be avoided. The Governor adamantly refused, saying, "No, sir, I will not fight them on their ground; they must fight me on mine." It's difficult to conjecture what Sir Francis meant here for if the Rebels had invaded the city, burning and pillaging as they went it would have been very difficult to cope with the situation.

To recite another incident in this "comedy of errors" the Governor, on being advised by his officers that the approaches to the city should have pickets stationed there that night, lest the enemy attempt the use of their most powerful weapon, incendiarism, commanded that no such precaution should be taken. However, contrary to orders, Fitzgibbon placed pickets at the most significant places. Early that evening one picket under Sheriff Jarvis drove off a group of Rebels bent on incendiarism.

By Wednesday groups of militia began to pour into the city from outside points. No provision whatsoever had been made for them and the populace feared a famine if the drain on food supplies continued. For that reason and others, again the Governor was advised to attack the Rebels but he still refused.

Confusion was added to confusion on Wednesday, December 6th., when Sir Francis appointed Colonel MacNab who had just arrived from Hamilton as commander-in-chief. MacNab was a very young man at that time with little military experience. Everyone in the city looked to the tried and experienced Fitzgibbon holding, the position of Adjutant-General, as the only one suitable for the position. This turn of events caused such consternation and confusion that a delegation of the city's leading men waited on Sir Francis in his bedroom early Thursday morning. They persuaded him to allow Fitzgibbon to continue as commander-in-chief. The Governor also agreed to attack the Rebels that day, December 7th.

After much confusion, Sir Francis rode at the head of a long procession, and waving to onlookers, he headed towards Montgomery's Tavern. The short-lived skirmish soon ended the Rebellion and Bond Head, coming up from the rear, gave orders to burn Montgomery's Tavern. He also, against the wishes of Fitzgibbon and others, commanded that the home of Gibson, a

rebel leader, be burned. This order he denied in his later writings after he had been adversely criticized. His despatch to Lord Glenelg on this incident merely stated that the troops had burned the residence in reprisal, not that he had specifically ordered it. The Governor pardoned many of the rebels on the spot but some were rearrested later. Hundreds of victims languished in jails for long periods. A wholesale persecution of Reform sympathizers began and thousands moved to the United States. Sir Francis Hincks, later a very distinguished Canadian made a trip to Iowa to arrange for lands for migrating Reformers.

Thus, from these few incidents recorded from a multitude of blunders, the reader can quite easily visualize what a ludicrous role Sir Francis played during the actual Insurrection. He seemed wholly void of discretion and confusion reigned wherever he was present. But for the good judgment of some of his leaders, events more dire in nature, might have transpired. The Governor's actions constitute a continuous record of folly enacted to the extreme degree.

Mention must be made of the expatriation of Bidwell. This was the gentleman whom Bond Head refused to elevate to the bench and this refusal was partly the cause of Bond Head's recall. At Montgomery's Tavern was found a banner bearing the words: "Bidwell and the Glorious Minority, 1837, and a Good

Beginning." It was simply an old election banner with the figure "two" replaced by a "seven". However, this seemed to implicate Bidwell in the Rebellion and the Governor seized Bidwell's letters and called upon that gentleman for an explanation. Bidwell protested his innocence but Sir Francis advised him to leave the country as he said it would be out of his power to protect him. Bidwell was handed his letters unopened after he had sat down and penned a letter promising to leave the Province forever. This seemed to Bond Head a real triumph for he was able to write Glenelg that the man he had refused to elevate to the bench had fled the country as a traitor. This momentary revenge by the Governor upon one of his worst opponents acted like a boomerang. Some of the most brilliant Canadians rose in defence of Bidwell. Among these were Ryerson, Baldwin, and Hincks. It was proven beyond all doubt that Bidwell's character was unimpaired and that he had had no part in the Rebellion. Bidwell rose to the highest place at the bar in New York. On several occasions prominent Canadians tried to persuade him to return and accept office in Canada. Even Baldwin and Sir John A. MacDonald failed in their attempts. Canada lost one of its most brilliant minds due to the machinations of Bond Head. Bidwell's banishment created tremendous excitement in the Province, especially after the letter of Egerton Ryerson appeared in his defense. The

entire account is too detailed to give here and the reader would do well to consult Dent (1).

This Rebellion that might have been entirely averted by a wise Governor did not stop at Montgomery's Tavern. Escaped rebels and certain United States sympathizers made attacks at various border points. The authorities on either side of the line were lax in suppressing these activities.

However, let us examine the details of the one that almost caused war between the United States and Canada -- the destruction of the American ship, the Caroline. MacKenzie, with other rebels and United States sympathizers, occupied Navy Island, on the Canadian side just above Niagara Falls. Bond Head immediately sent Colonel McNab with a strong force to the spot and also appeared on the scene himself. The Governor took complete charge and gave orders that no attack should be made on the Island unless the rebels attempted to land on the shore. His officers protested in vain against the delay in not assailing the Island at once. This vigil went on for many days and all the time the rebels were bringing in supplies from the American shore with a ship called the Caroline. Finally McNab under Bond Head's supervision gave orders to destroy her wherever she might be found. A picked group of militia boarded the Caroline as she was tied up on the American

(1) Dent -- Story Of The Upper Canadian Rebellion (Vol. 2)
-- Page 159.

shore, set her on fire and allowed her to drift towards the Falls. In the encounter, at least one American was killed. This incident so strained relations between Great Britain and the United States that war seemed inevitable for a time. At a later period Prime Minister Peel sent a letter of apology to the United States. This is what Dent says about the Caroline incident: (1) "As previously intimated in the text, Sir Francis Head signified his official approval of the cutting-out of the Caroline. He did so in the most unequivocal language, and with the least possible delay. He does not seem to have ever altered his opinion as to the wisdom of the enterprise. In The Emigrant, Chapter X, published long years afterwards, he refers to 'this act of calm justice and cool vengeance' -- i.e., the destruction of the Caroline -- as having 'produced febrifugal results highly beneficial'. He adds: 'It struck terror into those who, with bands and banners, were marching from all directions to invade us; and by thus inducing them to halt, the United States Government were not only obliged, but were enabled to exert themselves'. This is a characteristic specimen of Sir Francis' rhetoric, and was certainly not borne out by the facts. The truth, indeed, could not well have been more perversely misrepresented. Actually, it is very difficult to say whether Sir Francis

(1) Dent -- Story Of The Upper Canadian Rebellion (Vol. 2)
-- Page 221.

Head endangered the safety of the Province more by the backwardness he exhibited in grappling with dangers over which he ought to have triumphed immediately, or by the rashness with which he threw himself upon yet more formidable perils which he had no occasion to encounter at all. He represents Upper Canada, in fact, as having been in great danger till the affair of the Caroline, but as having been saved by that bold, just and necessary exploit. We maintain, on the contrary, that there was not the slightest danger till the destruction of the Caroline; that there was no necessity for that act, and that it could not have taken place had Sir Francis, at the outset, done his duty in crushing the invasion: that that act, in truth, created all the danger which ever did exist."

After the cutting-out of the Caroline MacKenzie and his adherents kept increasing until there were some four hundred and fifty. Still, Sir Francis and his men -- some two thousand, five hundred -- failed to attack the Island. Sir John Colborne, as Commander-in-Chief of Her Majesty's forces in North America, had become disgusted at the inactivity of Sir Francis Head, and at the continued occupation of Canadian territory by a band of vagabonds. Colborne despatched a group of men and heavy artillery to the spot and, in a short time, the insurgents fled to the United States shore where the leaders were arrested. This happened two weeks after the Caroline incident

and, counting the two weeks idleness prior to the incident, the forces of Sir Francis remained practically inactive on the shore opposite Navy Island for an entire month.

For his conduct during the Rebellion Sir Francis drew upon himself the severest criticism from the British Parliament, the Press, and a host of other notable sources. In the British House of Commons, Sir Robert Peel in censuring the Governor's act of denuding the Province of troops said, "It was the duty of the government to have prepared such a military force in the Colony as to have discouraged the excitors of the Insurrection from pursuing the course they did." That certainly indicted Sir Francis for his part, but let us also consider the words of Lord Durham, which are as follows:

(1) "Even if I were convinced that a large proportion of the population would, under any circumstances, have lent themselves to his (MacKenzie) projects, I should be inclined to attribute such a disposition merely to the irritation produced by those temporary causes of dissatisfaction with the government of the Province which I have specified, and not to any settled design on the part of any great number, either to subvert existing institutions, or to change their present connection with Great Britain for a junction with the United States. I am inclined to view the insurrectionary movements, which did take place,

(1) Lucas -- Lord Durham's Report (Vol. 2) -- Pages 164-5-6.

as indicative of no deep-rooted dissatisfaction, and to believe that almost the entire body of Reformers of this Province sought only by constitutional means to obtain those objects for which they had so long peaceably struggled before the unhappy troubles occasioned by the violence of a few unprincipled adventurers and heated enthusiasts.

"The causes of dissatisfaction continue to act on the minds of the Reformers; and their hope of redress, under the present order of things has been seriously diminished. The exasperation caused by the conflict itself, the suspicions and terrors of that trying period, and the use made by the triumphant party of the power thrown into their hands, have heightened the passions which existed before. It certainly appeared too much, as if the Rebellion had been purposely invited by the Government, and the unfortunate men who took part in it, deliberately drawn into a trap by those who subsequently inflicted so severe a punishment on them for their error. It seemed too, as if the dominant party made use of the occasion afforded it, by the real guilt of a few desperate and imprudent men, in order to persecute or disable the whole body of their political opponents. A great number of perfectly innocent individuals were thrown into prison, and suffered in person, property and character. The whole body of Reformers were subjected to suspicion, and to harassing proceedings instituted by magistrates,

whose political leanings were notoriously adverse to them. Severe laws were passed, under colour of which individuals very generally esteemed, were punished without any form of trial.

"Two persons who suffered the extreme penalty of the law unfortunately engaged a great share of the public sympathy. The rest of the prisoners were detained in confinement a considerable time. A large number of the subordinate actors in the Insurrection was severely punished. It was not until the month of October last, that the whole of the prisoners were disposed of, and a partial amnesty proclaimed, which enabled the large numbers who had fled the country, and so long, and at such imminent hazard, hung on its frontiers, to return in security to their homes."

When Sir Francis Bond Head returned to England he found himself a creature scorned by Parliament and society alike. He received a deliberate rebuke for his haughty and officious manner from the Sovereign herself. As the actual facts of the Rebellion began to leak out in England, so, in like proportion, fell the reputation of that haughty nobleman. He endeavoured to retrieve this by later contradictory statements, so characteristic of him, when he got into a 'tight spot'. Lindsey sketches his attempt as follows: (1) "In his vice-

regal speech on the opening of the third session of the 13th Parliament of Upper Canada on December 28th, 1837, Sir Francis said, as he states in his Narrative, 'I considered that, if an attack by the rebels was inevitable, the more I encouraged them to consider me defenceless the better,' and in the same work he boastingly reports: 'I purposely dismissed from the Province the whole of our troops.' But when this extraordinary conduct on the part of the Lieutenant-Governor had been severely censured, both in Parliament and by the press, he denied that he had sent away the troops. 'Many people,' he says in The Emigrant, 'have blamed, and I believe still blame me for having, as they say, sent the troops out of the Province. I, however, did no such thing.' He then proceeds to throw on Sir John Colborne the blame of an act, for which, before he had discovered that it was improper, he had eagerly claimed all the credit." These quotations and many others, reveal the Governor's aversion for sticking to the truth at all times. Durham, Glenelg, Sydenham, Ryerson, the Reformers, and others all ascribed to that fact and any reader who conscientiously plies through the Narrative can find it full of misrepresentations, contradictions and misstatements. Yet this was the man, that was so hastily and thoughtlessly chosen by the British Colonial Office to be sent to Upper Canada at a time of acute crisis. His tenure of office aggravated an al-

ready serious state of affairs and precipitated a needless Rebellion involving loss of life and hardship to thousands.

Sir Francis Bond Head's attitude toward the Colonial Office was one of arrogant haughtiness, steadily increasing in tempo, until, at his dismissal, he descended upon that department with all the undisguised verbal gusto of which he was capable. During his tenure of office, he not only freely criticized his own orders from London, but, at last, refused to obey them. Transgressing all proper decorum he saw fit to write Downing Street on its conduct of affairs in New Brunswick and Lower Canada; he found fault with various Colonial appointments entirely outside Upper Canada; he advised the reorganization of the Colonial Office and suggested ousting certain of its personnel and he sedately challenged the Home Government to 'houseclean' itself by eradicating Republican principles that had gradually seeped within its pale. Returning to England he was looked upon as a 'political monstrosity' and his wild tirades made him the 'laughing stock' of the English political circles. Most of our general texts to-day contain little of Bond Head's activities for Englishment are ashamed of his work and well, indeed, they might be.

Before going on to some of his remarks about the Colonial Office and its personnel, let us glance at his tirade against Lord Durham. This quotation is another typical example of his

perversion, for therein, he seeks to justify the very Rebellion he wilfully perpetrated. (1) "After rebellion had actually burst out, and after British institutions had been desperately attacked, they have seen the Ministers of their Sovereign, deaf to recommendations in favour of colonists who had risked their lives, and had shed their blood in defence of the Empire; while, on the other hand, they have seen the Government, by ingenious sophistry, screen from vengeance of the law the pirates and traitors who had been brought to justice. They have seen the British flag most grossly insulted -- they have seen the British territory repeatedly invaded -- the Queen's subjects robbed, murdered, mutilated, without adequate reparation being obtained or even demanded from the American Government; and lastly, they have seen a Governor-General (Durham) of the British North American Colonies not only impugn to her Majesty the conduct of his predecessor, of the Legislative and Executive Councils, of the House of Assembly, of the public authorities, but before the whole world they have seen him appeal from the Castle of Quebec to the people of British North America, against her Majesty's delegated authority, against the conduct of the Queen's Ministers, against the measures of the Imperial Government; and, after all this, and after having without permission abandoned his post, they have

(1) Head -- A Narrative -- Page 523.

seen this servant of the public assume his seat in the House of Lords which he had reviled, and sit there night after night for two months without a single Minister of the Crown venturing to stand up to arraign his Lordship before the country or to offer one word in defence of the Queen's Ministers." The reader will obviously agree that no comment on the above is necessary for the facts of history have justified Durham's cause to the world.

The Lieutenant-Governor's chief 'bone of contention' with the Colonial Office was his antipathy for the latter's Republican leanings. He wrote Lord Glenelg as follows: (1) "I respectfully informed your Lordship, that, in my humble opinion, the whole blame of the dissensions which exist in the Canadas rests neither upon the surface of the country, nor upon the measures which, under successive administrations, have been unremittingly applied by the Colonial Office.

"My Lord, there exists in this country no personal feeling against your Lordship, but the loyal British population of the Canadas loudly complain there exists in the Colonial Department, an invisible overruling influence which either favours the introduction of Republican principles as productive, in theory 'of the greatest happiness to the greatest number', or acting under the mistaken persuasion that democracy must inevitably prevail

(1) Head -- A Narrative -- Page 200.

over this Continent, deems it politic to clear the way for its introduction, rather than attempt to oppose its progress; in short, it has for many years been generally believed, that, however loyal may be the head of the Colonial Department, its heart is in favour of Republican institutions." When Lord Glenelg replied to this charge by stating that he chose to leave the question to the Lieutenant-Governor's more calm and deliberate judgment, Sir Francis Bond Head then made a direct attack upon the Colonial Secretary's personal character in spite of the fact that he had written in the previous quotation the following: "My Lord, there exists in this country no personal feeling against your Lordship." The quotation to follow appeared in a Montreal Tory newspaper and in quoting it Sir Francis said, "To this opinion, which is infinitely more ably expressed than my own, I subscribe." (1) "We do not desire, as we have never wished, to screen Lord Glenelg, as the head of that branch of the Government, from censure or blame for the entire absence, or at least neglect, of those qualities which go to the formation of an efficient minister of the Crown in his especial sphere of duty; but we may express our regret that a person, so estimable in private life, should have been seduced from the quiet tenor of his way, to accept office in a department, in which the most laborious assiduity and the most resolute firmness of decision were essentially necessary -- qualities in which his Lordship could not but have felt his incompetency."

(1) Head -- A Narrative -- Page 373.

In his book (1) The Story of the Upper Canadian Rebellion, Dent gives us a very vivid description of the receptions given Sir Francis both by Glenelg and Lord Melbourne when he returned to England. The former was very cool and complaisant with the Lieutenant-Governor and did not recede an iota from his position assumed at the time of Bond Head's dismissal. Accordingly, Sir Francis haughtily approached the Prime Minister, Lord Melbourne, with his case. The latter listened to all the former Governor had to say, while at the same time attending to some other duties. At the end, Melbourne turned abruptly to Sir Francis and said, "But you're such a damned odd fellow." That ended the interview and Lord Melbourne refused Bond Head the permission to publish his despatches. Later when Lurham's Report had come out, in which the former Governor had been severely reprimanded Sir Francis retaliated with the publication of his Narrative. Whatever credit for discretion Sir Francis might previously have enjoyed was more than effaced by the indiscretion of this work. The book, itself, stands as an unconscious revelation of superficiality, short-sightedness, and indiscretion.

Thus Sir Francis Bond Head left the shores of North America venting his never-ending verbal wrath upon all his enemies, legion in number. Few were sorry to see him depart, but thousands remembered the untold woe and hardship that his régime engendered in such a short period.

(1) Dent -- The Story of the Upper Canadian Rebellion (Vol. 2)
-- Page 242.

Chapter V

CONDEMNED BY HIS PEERS

The indictment of Sir Francis Bond Head, in that he was responsible to a large degree, for the Upper Canadian Rebellion of 1837, has been corroborated time and again by the statements of prominent Canadian and British statesmen of that period. In the focus of history almost all writers up to the present time, have without exception also condemned the régime of Bond Head. Even his own writings, the Narrative and the Emigrant, reveal the man as a prevaricator and opportunist endeavouring, in vain, to evade much of the culpability for his misdeeds in writings full of misstatement, misrepresentation, and accounts contrary to fact.

The Lieutenant-Governor was a man most unsuited to be leader of the Province, especially during a period of crisis. He was entirely lacking in wisdom, tact and judgment and his haughty, affectations manner was both ludicrous and obnoxious to the average citizen of Upper Canada. Not only did Bond Head alienate the masses in Upper Canada, but he was afterwards regarded in English political circles as somewhat of an eccentric with whom one disastrous experiment was sufficient.

Head did not stay in Canada for the usual four-year term of office as his recall cut that short. Had not communications

and travel been so backward in those days it is doubtful if his stay in Upper Canada would have been as long as it was. As soon as the British Government realized his bungling tactics his recall was put into effect at once. Such disastrous episodes as the dismissal of the Executive Council, the stoppage of supplies, the hangings of Lount and Matthews, and the destruction of the Caroline might have been 'nipped in the bud' had news been able to reach England more quickly for the British Government subsequently condemned all these misdeeds. Not only did Bond Head leave behind a state of chaos in Upper Canada, but he brought her to the very brink of war with the United States, the averting of which must be credited to the diplomacy of Durham and Peel who both publicly apologized to that country.

There can be no doubt to the student of history that Sir Francis was almost entirely lacking in that training which would enable him to fulfil the duties of Governor. On his very first appearance before the Assembly he read his despatches verbatim, thus embarrassing both the British Government and the Commissioners in British North America. Such unorthodox bungling was characteristic of his entire term of office. He never admitted his mistakes nor did he seek advice from those who might have helped him. Bond Head pursued a course characterized by dictatorial indiscretion and even for years afterwards, he kept writing articles endeavouring to uphold his past behaviour, in spite of the fact that the 'errors of his way' had been condemned by the Empire's most brilliant statesmen.

His short stay in Upper Canada only 'lit the torch' to ignite a situation already precarious. Bond Head's activities goaded and deliberately led men into a Rebellion, the blame for which he must assume a major share.

On leaving the shores of England, Sir Francis was given a copy of the Report On Grievances with instructions to peruse it carefully and follow recommendations based upon its contents. Glenelg also advised him to co-operate closely with the Commissioners who were then in Canada. Neither of these instructions did he follow; the Report On Grievances was never opened and Bond Head wrote in his despatches that he and the Commissioners were diametrically opposed and going in opposite directions. The despatches from the Colonial Office sent first to New Brunswick and then to the other colonies were likewise ignored. Sir Francis, in replying to the latter, said he refused to institute its recommendations as long as he held the Lieutenant-Governorship of the Province.

Since Sir John Colborne, his predecessor, had been removed from office partly because he refused to conciliate the Reform group, the new Governor had been cautioned, on leaving England, that he was to remain free from party affiliations and to take no part in elections. Both of these recommendations he flouted, as the preceding chapters have related. No one will deny that the Governor's acts: dismissing his Executive Council and

crippling the Province by the stoppage of money bills and, without the advice of the British Parliament, -- were unprecedented and brought consternation and despair to all who desired reform. To even criticize the acts of the Governor or to suggest reform was to be relegated to the category of treason and rebellion and wholesale dismissal from office were the punishments meted out to many prominent Reformers like Baldwin, Ridout and Bidwell who criticized Bond Head in addresses. In his pre-election speeches Sir Francis openly declared that the Reformers' aim was nothing, more or less, than to seize the government and probably join the United States. This was a terrible accusation to thousands of loyal Canadians, to whom the thought of rebellion had never occurred. It was useless to petition about abuses to the Colonial Office through the medium of the Provincial government, because, as the preceding chapters have pointed out, Sir Francis Bond Head's despatches were a conglomeration of deletions and misrepresentations. The immediate cause of his dismissal was his failure to give an accurate account of the Ridout case in despatches to London. The inevitable sequence was despair, with the result that saner minds withdrew from active participation in affairs of government or left to live in the United States while a small minority of radical thinkers began to foster rebellious action.

Some of the most disgraceful acts of any Colonial Governor must be attributed to the régime of Sir Francis Bond Head. His deliberate plan to trap his enemies in a rebellious enterprise is almost without precedent in British colonial history. The desire for revenge upon his opponents seemed relentless. When he had disgraced and banished that illustrious Canadian citizen, Bidwell, he exultingly referred to Bidwell's downfall in despatches to London, saying, "And this was the man you would have had me create a judge." Not only did he harass his opponents but, with his connivance, the Reformers were maltreated on every side by his Tory followers.

That the actual Insurrection could quite easily have been prevented by the Governor' taking the necessary precautions to suppress it, needs little argument. Peel, Durham, and others have corroborated that fact, having said that if Bond Head had suppressed initial rebellious factions and had had sufficient troops called up, there would have been no Rebellion. No great array of force, either, would have been necessary to deter the very small group that congregated at Montgomery's Tavern. Even they planned a bloodless coup d'état as no opposition was in sight. In all probability, they would not even have mustered had any sizeable force been maintained. As it was, with their few members and their inexperience, they could quite easily have taken the city if the plans of Sir Francis had been

followed rather than the surreptitious plans of a few of his efficient officers who flouted his orders. Not much comment is necessary on the Governor's actions during the actual Rebellion for it was pitifully ludicrous and a 'comedy of errors', to say the least. His orders, his apparent nonchalance, his lack of preparatory methods and his affectations manner left everything about him in an utter state of confusion and his officers in the throes of exasperation. Immediately following the puerile victory at Montgomery's Tavern, his chief officer, Fitzgibbon, resigned in disgust.

Head's name has gone down in history as the weakest and most inefficient of any of the Governors ever sent to the British North American colonies now comprising this Dominion. His guilt, in respect to the fiasco of 1837, has been unalterably established. His political career ended with a rebuke by his own Prime Minister and his Sovereign, Queen Victoria. But for the wisdom of Purser, the prompt action of the Mother Country and the tolerance of the oppressed, Upper Canada, as well as other Provinces, might have been forever lost to the Empire.

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B I B L I O G R A P H Y

PRIMARY SOURCES

IN MANUSCRIPT

AT THE PUBLIC ARCHIVES OF CANADA, OTTAWA.

DURHAM'S PAPERS -- 42 bound volumes of manuscripts and 4 bundles of addresses. These were selected from the manuscripts at Lambton Castle on account of their importance for Canadian History and generously donated to the Canadian Archives by the third Earl of Durham, some in 1907 and the remainder in 1923. A full description of these manuscripts may be found in Mr. William Smith's excellent calendar of the same in the Canadian Archives Report for 1923.

G. SERIES -- The original despatches from the Colonial Office to the Governor-General (1787--1867), together with letter-books, entry-books, drafts, etc.; 221 numbered volumes with parts bound separately.

MACKENZIE'S PRIVATE LETTERS (1839--1859) -- These are now bound in three volumes and were largely written in exile. The author wrote on a great variety of topics. Several letters severely criticized the Family Compact and Papineau. Volume III contains the most material relative to the thesis in hand.

G. SERIES -- Correspondence of the Governors, Lieutenant-Governors and others with the Colonial Office to 1841. (Transcripts from the Public Record Office, London) There are 431 numbered volumes of these manuscripts, many of which volumes are in several parts, each of which is bound separately. An essential source for any thorough historical work in the period.

ROLPH'S MISCELLANEOUS LETTERS AND PAPERS -- A series of letters and manuscripts written by Dr. Rolph of Toronto are now bound in two volumes at the Public Archives of Canada, Ottawa. Many of them were written in exile following the Rebellion of 1837. They contain fine and scholarly criticisms of the faulty working of the British colonial government in Upper Canada. Dr. Rolph, in several of these records, defended Mackenzie against some of his bitterest critics.

STATE BOOKS OF UPPER CANADA -- 12 volumes. (Minutes of the Executive Council of Upper Canada)

UPPER CANADA SUNDRIES -- Miscellaneous correspondence received at the office of the Lieutenant-Governor. Several hundreds of bundles, dated but not numbered.

IN PRINT

NEWSPAPERS

English newspapers of the period, especially The Brockville Recorder, Cobourg Star, Colonial Advocate, Constitution, Montreal Herald, Toronto Correspondent and Advocate, Toronto Examiner, Toronto Mirror, Toronto Patriot and The Vindicator.

PAMPHLETS

This was a great period for pamphleteering. Two significant ones are listed below:

Fitzgibbon, Colonel (sic), AN APPEAL TO THE PEOPLE OF THE LATE PROVINCE OF UPPER CANADA, Montreal, Lowell and Wilson, 1847, p. 65.

Although this is an appeal by the author who is endeavouring to convince his readers that he deserves a government grant of land for his services in the army, yet it contains much valuable information about the activities of Sir Francis Bond Head.

Roebuck, John Arthur, THE CANADIAN PORTEFOLIO, London, Fox, 1838, p. 168.

This is a series of five pamphlets now bound into one volume at the Public Archives of Canada, Ottawa. Roebuck was a British radical who, along with Hume and others, pointed out many of the defects in the British colonial system. In spite of their very pronounced radical tendencies, Durham is said to have adopted many of Hume's ideas in his Report. The publicity given Mackenzie's correspondence with these British radicals caused a split in the Reform ranks.

B O O K S

Dent, John Charles, THE STORY OF THE UPPER CANADIAN REBELLION, 2 Volumes, Toronto, Blackett Robinson, 1886, Vol. 1, p. VIII - 384, Vol. 2, p. VI - 382.

Dent's work is important to anyone studying the history of this period. His style is vivid and enthusiastic and tends to be journalistic. However, this work must be classed as a primary source of material for the research worker.

Durham, First Earl of, REPORT ON THE AFFAIRS OF BRITISH NORTH AMERICA, 3 Volumes, ed. by Sir. C.P. Lucas, Oxford, Clarendon Press, 1912, Vol. 1, p. 335; Vol. 2, p. 339; Vol. 3, p. 380.

This is a standard work and scholarly. It is necessary in any research work of that time. Volume 1 contains an introduction, Volume 2 is the text, and Volume 3 is made up of appendixes.

Fitzgibbon, Mary Agnes, A VETERAN OF 1812, THE LIFE OF JAMES FITZGIBBON, 2nd ed., Toronto, Briggs, 1898, p. 336.

This is a primary source of material for this thesis. Because Fitzgibbon was commanding officer in Upper Canada under Bond Head, his letters and pamphlets, from which the above account was compiled, relate many incidents that are significant for this thesis. For the most part, the accounts are accurate and the book contains details not found in any other.

Head, Sir Francis Bond, A NARRATIVE, 3rd. ed., London, Murray, 1839, p. VIII - 488.

This was written by Head upon his recall to England. Therein he attempts to defend his actions as Lieutenant-Governor of Upper Canada. The book abounds in inaccuracies and misrepresentations. In this publication he included his despatches without permission of the British authorities.

Head, Sir Francis Bond, THE EMIGRANT, 2nd. ed., London, Murray, 1846, p. 441.

The Emigrant was written some years after the Narrative and in it Sir Francis gives a somewhat different version of Canadian affairs. The reason for such was supposed to have been the severe criticism of his conduct in Canada by many sources.

Kingsford, William, HISTORY OF CANADA, Vol. 10, Toronto, Rowse and Hutchison, 1898, p. XXIII - 676.

Kingsford's work is thorough and scholarly and the account of the Rebellion is detailed and quite accurate. Some parts need revision due to later research. The entire work occupies ten volumes but Volume 10 is most useful for this thesis. Canadian History has been covered up to 1841.

Lindsey, Charles, LIFE AND TIMES OF M^R. LYON MACKENZIE, Toronto, Randall, 1862, p. 400.

This is a valuable source of material although it is biased and inaccurate at times. It was written primarily as a defence of Mackenzie.

Wallace, W. Stewart, THE FAMILY COMPACT, A CHRONICLE OF THE REBELLION IN UPPER CANADA, CHRONICLES OF CANADA, Toronto, Glasgow Brook, 1916, p. XII - 172.

This contains an accurate and unbiased account of the Rebellion and is considered one of the best by many modern historians.

SECONDARY SOURCES

Dent, John Charles, THE LAST FORTY YEARS, 2 Volumes, Toronto, Virtue, 1881, Vol. 1, p. 392; Vol. 2, p. 593.

Dent's work gives a spirited and vivid account of Canadian History after 1841. It contains considerable material relating to this thesis.

Durham, First Earl of, REPORT ON THE AFFAIRS OF BRITISH NORTH AMERICA, ed. Methuen, London, 1905, p. XXVIII - 246.

This is a standard work.

Hathaway, E.J., JESSE KETCHUM AND HIS TIMES, Toronto, McClelland and Stewart, 1929, p. 359.

This is a very interesting account of the times from the viewpoint of a reformer. It is not a scholarly book, but it provides interesting and enlightening material.

Hincks, Francis, REMINISCENCES OF HIS PUBLIC LIFE, Montreal, Drysdale, 1884, p. 450.

The part of the book dealing with the Rebellion is brief. However, Hincks gives some very important details about the Reform Party. After the uprising, he made efforts to have Reformers migrate to the United States.

Kennedy, W.P.M., THE CONSTITUTION OF CANADA, 2nd. ed., (1634 - 1937), London, Oxford University Press, 1938, p. XXIII - 628.

This book deals particularly with the aspects of the constitution and, therefore, it does not contain all the details of the Rebellion. Kennedy is severely critical of Sir Francis Bond Head. The work is accurate and scholarly.

McArthur, Duncan, THE UPPER CANADA REBELLION IN CANADA AND ITS PROVINCES, Vol. 3, ed. by Adam Shortt and Arthur Doughty, Toronto, Publishers Association of Canada, 1913, p. 335.

This work is in twenty-three volumes and was written by about one hundred writers. It is largely scholarly and well written. Duncan McArthur's account of the Rebellion is accurate, but brief.

Morrison, J.L., BRITISH NORTH AMERICA UNDER REPRESENTATIVE GOVERNMENT - UPPER CANADA. IN THE CAMBRIDGE HISTORY OF THE BRITISH EMPIRE, Vol. 6, ed. by J. Holland Rose et al., London, Cambridge University Press, 1930, Vol. 1, p. XXI - 939.

Most authorities consider this as one of the best accounts of Canadian History. The work on the Upper Canadian Rebellion is brief, but accurate and scholarly.

New, Chester W., LORD DURHAM, Oxford, Clarendon Press, 1929, p. XI - 612.

This is a very thoroughly and scholarly written text by one of McMaster's professors. He presents many details in a new perspective. Professor New gives additional acclaim to Durham and alleviates the usual criticism heaped upon Bond Head by many historians.

Read, D.B., THE CANADIAN REBELLION OF 1837, Toronto, Blackett Robinson, 1896, p. XII - 372.

Read's book contains a good account of the rebellion although it often lacks detail.

Robertson, Thomas B., THE FIGHTING BISHOP, Ottawa, Graphic, 1926, p. 179.

This contains four essays, viz: Strachan, Mackenzie, Papineau and Bond Head. It is written in a light, jocular manner and lacks accuracy and chronology.

Robinson, C.W., LIFE OF SIR JOHN BEVERLEY ROBINSON, Toronto, Morang, 1904, p. XIV - 490.

Robinson's book has some interesting data not contained in others, but the work is very biased.

Ryerson, Egerton, THE STORY OF MY LIFE, ed. by J. George Hodgins, Toronto, Briggs, 1884, p. XVI - 613.

Since Ryerson was one of the leading men in Upper Canada this is a book that should be read in any thorough study of this period in history. There are frequent references to Sir Francis Bond Head.

Theller, E.A., CANADA IN 1837--38, 2 Volumes, Philadelphia, Annars, 1841, Vol 1, p. 264; Vol 2, p. 316.

This work is written by an American who gives his point of view. Theller hated what he termed British tyranny.

Thompson, Samuel, REMINISCENCES OF A CANADIAN PIONEER, Toronto, Hunter Rose, 1884, p. VII - 391.

The account of the Rebellion in this book is brief. However, there are interesting happenings not given elsewhere.

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APPENDIX

I. "But in none of the North American Provinces," he says, "Had this misgovernment exhibited itself for so long a period or to such an extent, as in Upper Canada which has long been entirely governed by a party commonly designated through the province as the 'Family Compact', a name not much more appropriate than party designations usually are, inasmuch as there is, in truth, very little of family connection among the persons thus united. For a long time this body of men, receiving at times accessions to its numbers, possessed almost all the highest public offices, by means of which and of its influence in the Executive Council it wielded all the powers of government; it maintained influence in the Legislature by means of its predominance in the Legislative Council; and it disposed of the large number of petty posts which are in the patronage of the government all over the Province. Successive governors, as they came in their turn, are said to have either submitted quietly to its influence, or, after a short and unavailing struggle, to have yielded to this well-organized party the real conduct of affairs. The bench, the magistracy, the high offices of the Episcopal Church, and a great part of the legal profession, are filled by the adherents to this party; by grant or purchase they have acquired nearly the whole of the waste lands of the Province; they are all powerful in the chartered banks, and, till lately, shared among themselves almost exclusively all offices of trust and profit. The bulk of this party consists, for the most part, of native-born inhabitants of the colony, or of immigrants who settled in it before the last war with the United States; the principal members of it belong to the Church of England, and the maintenance of the claims of that Church has always been one of its most distinguishing characteristics. A monopoly of power so extensive and so lasting, could not fail, in process of time, to excite envy, create dissatisfaction and ultimately provoke attack; and an opposition consequently grew up, in the Assembly, which assailed the ruling party by appealing to popular principles of Government, by denouncing the alleged jobbing and confusion of the official body, and by instituting inquiries into abuses for the purpose of promoting reform and especially economy."

II. "The country is split into factions animated with the most deadly hatred to each other. The people have got into the

- I. Methuen -- DURHAM'S REPORT -- Pages 65 and 66.
- II. Scrope --- LIFE OF SYDENHAM - Pages 149 and 160.

habit of talking so much of separation that they begin to believe in it. The Constitutional Party (Family Compact) is as bad or worse than the other in spite of all their professions of loyalty When I look to the state of government and to the departmental administration of the Province, instead of being surprised at the condition in which I find it, I am only astonished it has been endured so long. I know that much as I dislike Yankee institutions and rule I would not have fought against them, which thousands of these poor fellows, whom the 'Family Compact' call rebels, did, if it were only to keep up such a government as they got."

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