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Sir Francis Bond Head

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SIR FRANCIS BOND HEAD

By WILLIAM SMITH

The subject of this paper presents one of the unsolved enigmas of Canadian history, and viewed in the light of the critical conditions prevailing at the time, and of the unusual character of the events which occurred during the period of his governorship, an enigma of enduring interest. The first battle in the campaign for responsible government was fought against him, and its partisans suffered a severe defeat at his hands. An insurrection set on foot by some of the partisan chiefs whom he had baffled, was put down by the provincials, without the aid of a British soldier.

The questions are provoked, who was this man? What led the Colonial Secretary to choose him for this important position? The first question is answered in the Dictionary of National Biography. The answer to the second, however, is rendered more difficult, if that be possible, by what is learned respecting his earlier career.

Francis Bond Head was the descendant of a Portuguese physician, who attended Catherine of Braganza, when she came to England as the wife of Charles II in 1662. He was born in Kent in 1793; joined the Royal Engineers and was present at Waterloo; retired in 1825, to enter upon an episode, which was the only occasion until that time in which he appeared in any sense before the public. A mining company formed in London to carry on explorations and development in Argentina and Chile, appointed Head as manager of the expedition. After extensive travel on both sides of the Andes he returned to London with nothing to show but an outlay of £60,000. His experiences were set down in a lively book entitled "Journeys in the Pampas and Andes". In 1834, he obtained the useful but undistinguished position of Assistant Poor Law Commissioner in the county of Kent, the duties of which he performed with great heart.

But what was there in this career to persuade Lord Glenelg, who had never seen Head, to believe that he had found the man, who could allay the discontents, which kept the Colonial Office in a state of constant uneasiness? It has been suggested that a mistake was made and that the man the Colonial Secretary intended to appoint was Edmund (afterwards Sir Edmund) Head, who was afterwards successively lieutenant governor of New Brunswick, and governor general of Canada. But this is extremely improbable. Edmund Head was only thirty years of age at the time of the appointment and has no distinction whatever except as a classical scholar. Moreover, he was travelling in Germany with Cornwall Lewis in 1835.

Francis Bond Head, if anybody, could have told us of the circumstances of his appointment in November, 1835, but they were as much a puzzle to him as to any body. All he knew he tells in his Narrative. After a busy day with the board of guardians at New Romney, he had gone home and retired early. About midnight an alarmed servant woke him up with the news that a King's officer had come for him. The messenger brought a letter containing the surprising announcement that the Colonial Secretary wished him to accept the government of Upper Canada, and requested him to call at the Colonial Office at half past eight next morning, as Lord Glenelg wanted to have the appointment confirmed that day. As he was

totally unconnected with any member of the Government and had never seen Lord Glenelg in his life, he was altogether at a loss to conceive why the appointment should have been offered to him. The position was totally uncongenial to his habits, disposition and opinions, and when he waited on Glenelg, he respectfully declined the appointment. Under Glenelg's pressure, however, he finally yielded, and a few days later embarked at Liverpool for New York, on his way to Toronto.

That Joseph Hume, the Radical member for Middlesex and the author of the "baneful domination" letter to Mackenzie of the year before, had a hand in Head's appointment seems clear from the fact that on the same day that Glenelg issued this notification to Head of his appointment, Hume apprised Mackenzie of the fact. Hume does not seem to have been personally acquainted with Head, as the latter refused an interview with him, and denounced him vigorously in the course of correspondence with the Colonial Secretary. Hume informed Mackenzie that Head was an author, that he was employed as a poor-law commissioner and that his conduct and principles were much approved of.

Hume was soon to find that whoever else approved of Head's principles he did not. What Glenelg's ideas about Head were, we have no means of knowing, but there is little doubt that he was soon to experience a surprise. Head declares that he gave little thought to political questions and was not an adherent of any party. His introduction to Upper Canadian politics was not alluring. Before his departure, he had been given the several-hundred page report of the Assembly on the provincial grievances, and Lord Glenelg's letter of instructions. When he perused these documents, he had grasped firmly one or two ideas, which were his guiding stars throughout his administration. The first was that the governor of a colony such as Upper Canada must be master. The next was that the least effective way of gaining the goodwill and confidence of the people was to attempt to conciliate the discontented. His first few weeks in Toronto completed his stock of general ideas. The inhabitants of Upper Canada were, he decided, divided politically into two great classes—monarchists and republicans. A monarchist was a man, who held Head's (not Glenelg's) ideas regarding the methods by which the colony should be governed. All others were republicans. There was no intermediate class. In Upper Canada, owing to a steady leakage in of American ideas, republicanism was as pervasive as original sin. Any tampering with the ritual of monarchy was dangerous. He learned this, he says, from the smile of pity and contempt with which a man regarded his proposal to receive a deputation from the Assembly with uncovered head. *Facilis descensus Averno* was in Upper Canada a lamentable truth. But the danger was not confined to the province nor to Canada. Lord John Russell, Head notes, introduced two rank republican measures into the House of Commons—the union of the provinces and responsible government. This last phrase—responsible government—which was in his mind synonymous with democracy unsettled him whenever it crossed his path. He had a host of injurious epithets for it—tyrannous, pernicious, detestable, the perfidious enemy, to mention only a few.

A monomaniac if you will, but with an insight into his fellow men, which was not far from genius. A very few months residence in the province gave him a more accurate measure of the common people, than had the politicians, Tory or Reform, who had lived among them all their lives. He loved their company. Six days of the week from ten in the morning until three or four in the afternoon, he kept open house for all who chose to call upon him, and during the summer months, he travelled over the pro-

vince, accompanied from township to township, by a group of farmers who met him on horseback at their borders, and did not leave him until he was taken over by the men of the next township. He travelled by canoe over the Trent water system, and ran the Chaudiere lumber slides on a timber crib. Nothing escaped his eager eyes. Most valuable to him, he declares, was the amount of moral and political information he was able to collect from the numerous persons who rode along with him, and whom he found as ready to instruct him as he was to listen. It served, at least, to assure him of the accuracy of his original estimate of the people's quality.

He came to Canada in the spirit of a knight, whose high task it was to hold the bulwarks of the constitution inviolate. That there was a combat to be waged, he had no doubt. The sweet reasonableness of Glenelg's instructions was to him simply cloying. He held in contempt the injunctions to rely upon conciliation for success.

He had been in Toronto scarcely a month when he was engaged in repelling a major assault. His opponent was a man as single-minded as himself, and armed like himself with the keenest dialectal weapons. It became necessary to fill up the Executive Council, three seats in which were vacant. Head did not wish to place himself in the hands of the extremists of either party, and sought out men of moderate views. As Robert Baldwin's name commanded respect everywhere, Head sent for him and offered him a seat in the Council. Baldwin, who had a distaste for public life, was reluctant to consider the proposal. But several conversations with Head and consultations with his friends so far changed his attitude, that he was induced to state the terms on which he might become a member of the Council. He would form part of no Council, which did not enjoy the confidence of the Assembly, and to meet this condition, it would be necessary to dismiss the three existing councillors. Head rejected both the theory and its application. The only satisfactory system of government in his view was one in which its three branches, the governor, the legislative council and the house of assembly should be independent of one another (as has always been the case in the United States). Furthermore, he could not in decency dismiss advisers who had served his predecessors faithfully, and with whom he had no occasion to find fault.

Negotiations were interrupted, and Head made efforts to gain the adhesion of other moderate men. The several Reformers approached by Head—Dr. W. W. Baldwin, Robert's father, John Rolph, and M. S. Bidwell—all insisted on Robert Baldwin's conditions, but they saw the possibility of converting Head to belief in the theory of responsible government, and it was finally settled that Robert Baldwin, Rolph, and the Provincial Treasurer, John Henry Dunn, should offer to enter the Council without insisting on their conditions.

The offer was accepted by Head, and when the council was fully organized, it contained the three Reformers mentioned and three Tories—Peter Robinson, George H. Markland, and Joseph Wells. Baldwin had many misgivings as to the chances of the experiment, and his fears were fully justified by the event. The Reform theory was discussed several times in the Council, the Lieutenant-Governor being present. Head held his ground but Baldwin had the satisfaction of making converts of his three Tory colleagues, and three weeks after the Council had been constituted, the whole body presented a paper to Head, setting forth their views, and offering their resignations if he were not disposed to act in accordance with those views.

The radical defect in the existing system of government was, they declared, that the Executive Council had never been permitted to discharge

the duties laid upon them by the Constitutional Act (of 1791). Several of the sections of the act implied, as the Council endeavoured to show, that the purpose for which they were appointed was to advise the Governor on all matters arising in the administration of the affairs of the province.

The Assembly and the public, who shared this view and supposed that it was in constant practice, had on occasions cast opprobrium on the Council for measures which met with the public disapprobation; and the Council were unable to relieve themselves from the odium attaching to them, on account of their oath of secrecy.

The Governor, the councillors pointed out, stood towards the Executive Council precisely as he stood towards the two houses of the Legislature. Every session they presented to him for his assent bills which they had passed and it lay within his discretion as to whether he gave or withheld that assent. It would be exactly the same with the Executive Council. If all matters of an administrative or executive character were submitted to them for their advice, the Governor was free to accept or reject that advice as he saw fit.

The Council said nothing directly on the question of the responsibility of the Executive Council to the Assembly. The Lieutenant-Governor, on the contrary, addressed himself solely to that question. He had no difficulty in showing, that whatever the grounds might be on which the Council rested their argument, the Constitutional Act did not furnish an adequate support for it. There was nothing in the act bearing immediately on the point. But in three of the sections the phrase occurred "together with such Executive Council as shall be appointed for the affairs of such province," and the Council contended that this implied that they were appointed for *all* the affairs of the province.

Head, however, disposed of this inferential contention by quoting from the Royal Instructions which accompanied the Constitutional Act. The eighth of these Instructions directed the Governor "to communicate to them (the Executive Council) such and so many of these Our Instructions, wherein their advice is mentioned to be requisite; and *likewise all such others from time to time as you shall find convenient for Our Service to be imparted to them.* The implication that the Council were to be consulted only as the Governor saw fit seemed plain to Head.

The theory of the responsibility of the Executive Council for acts of administration was vigorously attacked. The constitution of a colony, he affirmed, resembles, but is not identical with, the constitution of the Mother Country. There the maxim that the King could do no wrong made it indispensable that there should be some person or body, who should be accountable for acts of administration. Hence the necessity for a cabinet or Executive Council. The Governor occupied no such position of irresponsibility as that of the King. He was subject to impeachment or removal for neglect of the interests entrusted to his care. The Governor is therefore the responsible minister in a colony.

Coming as a stranger without local interests to serve, a governor had what Head regarded as the supreme merit—impartiality. His lack of knowledge, however, of the conditions in a colony suggested the necessity of an Executive Council, composed of persons who were intimate with those conditions, and upon whom he could call for the information he required. In order that there may be perfect confidence within the Council, the members are sworn to secrecy, and Head declared that he could not impart even to the King the name of the councillor, who had given him the information upon which he acted.

The foregoing considerations, the Lieutenant-Governor continued, indicated the relations which should subsist between a governor and his council. All acts of administration were his responsibility. If a mistake or wrongful act were committed for which some person was liable to be called to account by the sovereign whom he represented, the governor alone was answerable. He could not throw off his responsibility by pointing to this or that councillor, as the person who had misled him. As the responsibility for all administrative measures rested on him, and was indivisible, it was only proper that in all these matters, he should act in accordance with the dictates of his best judgment.

The paper was composed with so much ability and fullness of knowledge as to suggest to many readers the work of another hand than Head's, and speculation pointed to Chief Justice Robinson. It may have been so, though there is nothing beyond the proverbially unreliable internal evidence to support this conclusion. Head was a very able controversialist, and was at his best in a task of this kind.

The paper closed with an expression of unabated respect for the talents and integrity, as well as of his personal regard for the retiring councillors.

Head followed up his action by the appointment of a new council, composed of Robert Baldwin Sullivan, a cousin of Robert Baldwin, John Elmsley, Augustus Baldwin, and William Allan.

Robert Baldwin asked the permission of Head to make a statement for the Assembly of the facts relating to the appointment and resignation of the late council. This was at once granted, with an expression of confidence that the facts would be set forth fairly.

Baldwin's statement to the Assembly amply met the Governor's expectations, and, with it before them, the Assembly on March 24, addressed the Lieutenant-Governor, expressing their wants of confidence in his new councillors, and requesting that immediate steps be taken for their removal.

Head, in his reply, lamented, as much as the Assembly could, the resignation of the late council, but declined any responsibility for the excited state of public feeling. His own conviction was that the Lieutenant-Governor formed one branch of the legislature, and he claimed for himself freedom of thought as firmly as he wished that the other two branches should retain the same privilege. He was however open to conviction and would be happy to abandon his opinion, if the duty he owed to the King and the people could permit it.

The way seemed open for a reasoned presentation of the case for responsible government. In spite of Head's profession of a willingness to be convinced, it is more than doubtful, however, whether he would have been moved from his position.

But the Assembly did not use the methods of persuasion. Their report was a declaration of war upon Head; and all the immemorial devices of war were employed in making their case against him. They attacked his positions squarely when that could be done with success, and where he was strong, they sapped his strength by misrepresentations of his plain meaning. Head, himself, was viciously attacked. His appointment of the late councillors was "a deceitful manoeuvre," his statement of their propositions was " (to use the mildest terms) a very erroneous account"; his requiring them to resign was an indulgence to "his arbitrary spirit." After their resignation he had "literally traduced" the councillors. A statement he

made to the House "must of course destroy all confidence in future in His Excellency's assertions."

The charge that the Lieutenant-Governor had uttered a falsehood in a message to the Assembly requires a word of explanation. The Assembly had a short time before asked the Lieutenant-Governor to furnish them with copies of any bond or agreement between him and any member of the Executive Council, or between any of the members, by which it was stipulated in what manner or by whom the Government should be administered, in the event of His Excellency's death or removal. Head replied that there was no such document in existence.

The facts are these: in the event of the death or removal of the Lieutenant-Governor, the office of administrator devolved upon the senior Executive Councillor. R. B. Sullivan, the senior councillor, did not desire the office, and determined, should a vacancy in the Lieutenant-Governorship occur, to resign from his position as a member of the Council. He would thus be quit of the senior or any other place in the Council, and the contingent position of administrator would fall to the succeeding senior councillor. In order to leave no doubt as to his intention he resolved, to have it put in writing, and, for some reason which he does not explain, he asked that the note be drawn up by some other member. Head himself offered to do it, and did it. Sullivan declared before a committee of the House that the document was drawn up for his own satisfaction that it might not be said that he had it in view to fill the situation of administrator.

It all seems as simple and as unimportant as it did to Head, who said to Sullivan that it made no difference to him what they did after he was dead. In order that no significance might be given to it through keeping it secret, he ordered the note to be read in the Legislative Council. But the Assembly saw it in quite another light. "An arrangement" they declared "so inconsistent with the rights and honour of the Crown, and with the safety and protection of the people, was probably never before thought of in a British Colony. In some of the old colonies the people chose their own governors; but never was a successor to a governor, then living, chosen by the Council." Head's denial that such an arrangement existed, they declared, destroyed all confidence in his assertions.

Head's refusal to dismiss his council left the House, they averred, no alternative but to abandon their privileges and honour, and to betray their duties and the rights of the people, or to withhold the supplies. They resolved upon the latter course.

The abuse of Head and the refusal of the supplies were tactical mistakes. With the gloves off, Head was in his element, and was more than a match for the members of the Assembly. The issue would be decided shortly by the electors, and as to the outcome he had no doubt. He was convinced that he had the province with him. When he concluded his speech proroguing the legislature on April 20, 1836, the House rang with cheers, and a crowd were ready to draw his carriage to government house. This was in Toronto, the headquarters of the Reform party at the time. He reported to Lord Glenelg a few days after the closing of the legislature that "the game is won; the battle is gained so far as it relates to this country; and I cannot give Your Lordship a more practical proof of it than by saying, I want no assistance, except the negative advantage of not being undermined at home." Head had an abiding fear of being "let down" by the Home Government. He mistrusted their policies, and felt himself in constant danger of being repudiated by his superiors.

To the Under Secretary of State, Stephen, he imparted his faith, in a more familiar and characteristic utterance. "Do you happen to know why a little weasel always kills a rat? I do not think you do, and therefore I will explain it. The rat is the strongest 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 had done so he never changes his plan or lets go until the rat is dead. Now I have been following the weasel's plan, for when I came out here, Bidwell and the republican party were much too strong for me, and were haughty and arrogant in their success. They did many things to offend me, but I took no notice till their party got on the rotten argument about the Executive Council and then I pounced upon them and have never for a moment deserted the point."

He opened his campaign by showing the Assembly that they had started a game at which two could play, and in which the consequences of both games would fall on them. They had refused the supplies by which the Civil Government and Administration of Justice were maintained. He retorted by holding up the bills for roads and general improvements in the province, on the ground that the maintenance of the government was a necessary first charge on the provincial revenues. His refusal to sanction these bills cut in two directions. The improvements which were badly needed would be postponed, and a potent instrument for influencing the elections was taken out of the hands of the Radicals. In most of these bills, commissioners were named by the Assembly who would spend the money voted, and no person need be told how usefully such sums could be laid out in an election by appointees of the Assembly. All the newspapers in the province except the extreme Radical denounced the Assembly for its wanton course. One of them asserted that during the month following the refusal of the supplies, nearly 1,000 mechanics left Toronto for Rochester, Buffalo, New York and other places in the United States. The banks had practically ceased discounting mercantile paper. Another published at Cobourg reported that about forty labourers and mechanics, mostly old countrymen, had left that district for the United States.

There thus existed all the material for a "panic" campaign, and Head was well fitted to turn it to utmost account. His reply to a largely-signed address from the citizens of Toronto is a good sample of his quality. The address after commending the course he had pursued towards the Assembly, and urging him to continue it with unabated firmness, went on to point out that the business of the city was already suffering, that mechanics who had before found ample employment were leaving by hundreds, and every man in the town was feeling the stagnation, which the want of the supplies had caused.

Head seized upon this statement and implied it. "The clerks and messengers in the government offices," he said, "who during a long session have laboured unremittingly for the public service are now surrounded by their families, perhaps penniless. Money, which would not only have improved your roads, but would have given profit and employment to thousands of deserving people is now stagnant; the sufferers in the late wars have lost the remuneration which was absolutely almost in their hands; emigration has been arrested; and instead of the English yeoman arriving with his capital in this free British country, its mechanics in groups are seen escaping from it in every direction, as if it were a land of pestilence and famine." Replying to another address, he devoted himself to a communication from the Assembly of Lower Canada to the Assembly

of Upper Canada. This letter which was read in the latter chamber, was a harsh arraignment of the whole system of British colonial government, and indicated the government of the United States as furnishing the model which the Canadas should strive to imitate. Head felt it necessary to repudiate that assertion by declaring what state of opinion in Upper Canada really was.

"The people of Upper Canada" he declared "hate Democracy; they revere the Constitutional Charter, and are consequently staunch in allegiance to their king.

"They are perfectly aware that there exist in the Lower Province one or two individuals who inculcate the idea that this province is about to be disturbed by the interference of foreigners, whose power and whose numbers will prove invincible.

"In the name of every regiment of militia in Upper Canada, I publicly promulgate—Let them come if they dare!"

It occurred even to Head that some of the expressions employed were rather unusual—as he observed to Glenelg "not exactly according to Hoyle; mais, Monseigneur, croyez-vous donc qu'on fasse des révolutions avec l'eau de rose?"

It was in this spirit that he answered addresses from every part of the province.

The legislature was dissolved on May 28, and the new assembly was called to meet on July 16. Head ceased his activities among the electors during the campaign. But his work had been done well, and the result fully justified his confidence. A majority of Reformers in the old house of seven was converted into a minority of twenty-five. The three leaders, Mackenzie, Bidwell and Perry, were all defeated.

Thereafter Head had a complaisant legislature. It was charged that his victory had been won by corruption and the exercise of undue influence. The voluminous evidence adduced by a committee of the Assembly does not sustain the charge. It is true that the committee was under the control of members of the Government party, but the Reformers had full liberty as witnesses. The most serious of the charges, that of creating a large number of voters by a profuse issue of land patents was disproved by the official records of the land granting department.

The truth is that Head did not require to resort to corruption of any sort to assure himself of victory. His appeals met a sympathetic hearing. The province was receiving a large immigration from Great Britain—the population more than doubled between 1825 and 1835—and the greatest part of the new settlers would eagerly respond to the cry that the Imperial connection was in danger. The leaders of the Anglican, Roman Catholic and Methodist churches were men of great influence, and all zealous for the maintenance of the government.

If Head had had the common sense and prudence to use wisely the power he had acquired, he might have earned the title of one of Upper Canada's most successful governors. But the men who can do both are rare. The elections were scarcely over when Head took a step that brought him into conflict with the Colonial Secretary.

It is necessary to give some account of Head's relations with the Colonial Secretary. Lord Glenelg, mindful perhaps of his difficulties in getting information from Sir John Colborne, made a point of inviting from Head the fullest and frankest communication on all matters connected with his government. Head responded with a freedom, which frequently passed into licence. He was persuaded that he, and he alone, possessed the secret

of successful government in the colonies. The Colonial Office knew it not, and Lower Canada was hurrying towards rebellion for want of its application in that province. It had been an entire success in Upper Canada, and he was prepared to undertake the placation of Lower Canada. The secret was a simple one. "No conciliation!" A firm just governor, with an ear open to complaints, and a hand ready to remedy them would cure all disorders. To consider public opinion was weakness. Given a doctrine of that sort and an excitable head, the result may be imagined. His was a voice in a wilderness filled with woeful error, and it was correspondingly shrill. Lord Glenelg's patience was enduring.

The despatches during this period might not unfittingly be labelled "Guide Book for Colonial Government" by Sir Francis Bond Head. He did not confine his attention to his own government. The disorders in Lower Canada furnished the theme for many instructive observations. Shortly before his appointment, a commission had been sent out to enquire into the reasons for the discontents in Lower Canada, and their report was sent to Head. The latter communicated to the Colonial Secretary his entire dissent from the terms of the instructions to the commissioners, and from their recommendations for the removal of the grievances. They laid it down as axiomatic that the weightiest accountability that could attach to an Executive Council was their accountability to public opinion. Head scoffed at the statement. He held, on the contrary, that it was the duty of every man in office to make public opinion follow him, and never to attempt to follow it. He adduced his recent success with his council, as a text for a dissertation on the respective relations of governor and council towards one another. The dissimilarity between his views and those of the Colonial Office appeared to him so serious that he offered his resignation, and advised that Lord Glenelg should accept it.

The despatch is a fair sample of the didactic style that marked all Head's communications with the Colonial Office. They were sometimes suffused by a high degree of emotion. He fairly exploded when he received a copy of an instruction to the Lieutenant-Governor of New Brunswick. A disagreement between the Lieutenant-Governor and the Assembly of that province had led to a delegation being sent by the latter to lay their views before the Colonial Secretary. The result was a direction to the Lieutenant-Governor to enlarge his council, taking care that the new members should be persons "possessing the confidence of the people". This was too much for Head. "The British constitution" he said "has nothing to fear from its low-bred antagonist Democracy, if His Majesty's government will not avert from us its support.

.....Nought shall make us rue,
If England to herself do rest but true".

But what chance had lieutenant-governors if they were condemned to content with

- (1) Public opinion, or, in other words, the opinion of "the people".
- (2) The House of Assembly, or the representatives of "the people".
- (3) An Executive Council required to possess the confidence of "the people".
- (4) Agents in England, enjoying the ear and confidence of His Majesty's Government, as being the representatives of the representatives of "the people".

An illustration of the necessity that lieutenant-governors should not be hampered by considerations of popularity lay right at his hand. The

prime need of the province was a large influx of immigrants, and it was essential that conditions should be made as favourable for them as possible. A grave obstacle encountered by those desiring to facilitate the settlement of newcomers, was the rapacity of the already-settled residents. When the immigrant made his application for a lot of land, he was apt to find that it had passed out of the hands of the Government, and that he had to deal as he could with a speculator, who made him pay a price that he could ill afford. Public opinion was all on the side of the residents, and unless the Lieutenant-Governor possessed the power to check this abuse, the interests of the Empire would suffer.

It was when he was thrown on his defence that the characteristic Head appeared at his best and at his worst. Immediately after the election of 1836, he dismissed two or three officers of government, the most notable for the purpose of the narrative being George Ridout, who was removed from the positions of Judge of the Niagara District Court, Colonel of the East York Militia, and Justice of the Peace. The reason assigned to Ridout was that he had taken part in a meeting of the Constitutional Reform Society, from which a circular letter was issued containing insulting references to Head. In informing the Colonial Secretary of Ridout's dismissal, he mentioned the reason given, but added other charges, the most serious of which was that Ridout had been heard to say that Head deserved to be tarred and feathered and that he (Ridout) would help in the job.

Ridout furnished evidence that would satisfy any reasonable man that he was guiltless of any connection with the circular, which was given as the ground of his offending, and on Head's refusal to accept it, he laid the case before Lord Glenelg. He gained the sympathy of the Colonial Secretary, who wrote to Head stating that the evidence submitted by Ridout was satisfactory to him and instructing either to give Ridout the chance of refuting the other charges, or to restore him to the positions from which he had been removed.

Head replied by a lengthy plea against the decision communicated to him. But when Glenelg refused to be moved from the position he had taken, and insisted on his instructions being obeyed, Head became defiant. During the course of the correspondence, Head received another instruction, which was repugnant to him, and which he determined to disobey. A vacancy was about to occur in the Court of King's Bench of Upper Canada, and Glenelg who had been impressed by Head's references to Marshall Spring Bidwell saw in the latter the qualifications for a capable judge, and intimated to Head a desire that when the vacancy arose, Bidwell might be given the appointment. Glenelg was aware that Bidwell was a leading Reformer, but saw in that fact no reason why he should be held disqualified for a position, outside the range of party politics. But Head had conceived a bitter enmity towards Bidwell, and misrepresented him shamefully to Glenelg.

His defence of the resolutions he had taken took the form of an attack on the Colonial Office and its policies. There was in that office, he declared, an invisible overruling influence favouring the introduction of republican principles, under which governor after governor had succumbed. Governors were always applauded at Home whenever they conceded anything to the Assemblies, but whenever they felt it to be their duty to stand firm in resisting the demands made upon them "they immediately find themselves unaccountably afflicted with a sweating sickness which is the sure precursor of their removal." He had followed faithfully what he believed to be the real policy of the Colonial Secretary—the maintenance of the Queen's authority

in the Canadas, but his methods were diametrically opposite to those prescribed by Lord Glenelg. Lord Gosford as Governor General was enjoined as the key note of his instructions that "conciliation and the reconciliation of all past grievances are presented as the great object of your mission." His own conviction as Lord Glenelg had been informed shortly after Head entered upon his duties was that "cool, stern, decisive, unconciliatory measures form the most popular system of government that can be exercised" in the Canadas. The results spoke for themselves.

This correspondence which began not long after the election of 1836 was not concluded until the last week in November, 1837, with the acceptance by the Colonial Secretary of Head's resignation, which was offered in the foregoing dispatch.

In the early summer of 1837, Upper Canada was in the toils of conditions, which caused much suffering and embarrassment, and in the handling of which Head lost all his popularity. The trouble began in the United States. As the result of excessive land speculation coupled with Presidential intervention, a large portion of the gold and silver coin in the country had been transferred to small banks in the western and southwestern states, where it remained locked up. The reserves in the eastern banks were depleted below the danger point. Their struggle to retain, and, if possible, to increase their reserves compelled them to suspend payments in specie, and, not only to refuse accommodation to their customers, but to require the repayment of outstanding debts. The demands of the banks were passed on from the wholesale dealers to their retail customers, and by them to the community as a whole. The entire country was in distress. Opulent merchants unable to turn their wares into cash, were obliged to close their doors. Large numbers of bankruptcies were reported daily and panic and depression prevailed for some months.

Canada's intimate commercial relations with the United States soon brought this country within the troubled area.

The banks of Lower Canada took shelter, as those of the United States had done, by suspending specie payments. The merchants throughout Upper Canada desired that the banks in the province should do the same thing. They pointed out that the demand for gold from Lower Canada and the United States had raised its price to a high premium, and that every person having bank bills was interested in converting them into gold, and that the coffers of the banks would soon be empty, unless they were replenished by means which was bringing disaster to all classes in the United States.

But the key to the situation lay with Head and not with the bank directors. One of the terms of their charters stipulated that the suspension of specie payments would automatically void the charter. Head would not listen to the appeals of the merchants or have regard to the evidences about him of the distress of the community. He had but one answer. Honour demanded that the banks should pay gold on any demand that might legally be made, so long as there was a shilling remaining in their coffers. The general discontent reached a high pitch. The newspapers which had given him their full support during the election of the preceding year, now denounced his stupid obstinacy. He made a feint of yielding by summoning the legislature, and inviting their assistance in dealing with the situation. When they showed a disposition to leave the banks free to suspend specie payments under adequate safeguards, he exerted his influence among them and induced them to pass an act leaving the matter in his hands. The newspapers, those supporting the Government as well as the

others, raged. The members, who had abandoned their convictions at the behest of the Lieutenant-Governor were denounced as traitors to the interests of the province.

But Head held his way. He drew up, with the assistance of the Executive Council, a set of regulations under which banks might continue business, after having suspended specie payment. Provision was made for the closest inspection of such banks as applied for the privilege, to assure the Lieutenant-Governor of their solvency. There were other regulations, which were rigid, though endurable. The last, however, was designed to reduce the privilege to a nullity. It stipulated that the bills of a bank, while refusing to redeem their bills in gold, would not be received in payment of Government revenues.

The publication of these conditions was the signal for a fresh outburst of wrath. But Head remained unmoved by the clamour. At the end of September, when the signs indicated that the crisis was easing off, Head had the satisfaction of receiving warm commendation for his firmness from leading bankers in New York, one of whom gave it as his opinion that the measures adopted by Head had raised the credit of Upper Canada to the highest pitch.

The province had not recovered from the depression of the preceding months when it was startled by the event with which Head's government has ever since been chiefly identified. On December 4, a band of rebels under the leadership of William Lyon Mackenzie threatened a raid on Toronto. Head's conduct throughout the exciting period was characteristic, that is to say, unpredictable. Insurrection was in full swing in Lower Canada, and Sir John Colborne, Commander of the Forces, desired to withdraw all the regular troops from Upper Canada. Head willingly consented, holding the sound doctrine that, if a province like Upper Canada could not purge itself of internal disorder, it was not worth keeping. Head's ideas were usually sound, but he gave them rein with a ruthless logic that made them dangerous. He said that he knew the malcontents were preparing for trouble and that he encouraged them by a show of inactivity. This is certainly no overstatement. He absolutely forbade any measures looking towards the protection of the city or province. Six thousand stand of small arms with ammunition were in Toronto—sufficient for the protection or capture of the city, according as they were in the hands of the Government or the rebels. Head ordered them to be kept in the market buildings under the care of two constables; and refused the offer of guard of 15 or 20 volunteer riflemen. He postponed appointments to fill up the vacancies in the staff of militia officers. As late as December 2, two days before the attempt on the city, Colonel Fitzgibbon, the Assistant Adjutant General, laid before an assemblage consisting of the Lieutenant-Governor and his council, and some of the judges, alarming information as to an impending attack, and pleaded to be allowed to enlist all the half pay officers and discharged men he could find for garrison duty. Head answered scoffingly "What would the people of England think were we thus to arm?" As late as ten o'clock of the night of the attack, he was warned of its imminence. For answer he went back to his bed, to be awakened an hour later, with the news that the rebels were actually on the march towards the city.

When he had dressed and reached the street, he was as unhelpful and obstructive as a man beside himself could be. At day break on the following morning Colonel Fitzgibbon having satisfied himself by a personal reconnoitre that with the force he had in hand he could easily disperse the rebels, asked Head's permission to advance upon them. Head refused

peremptorily, exclaiming "No Sir! I will not fight them on their ground, they must fight me on mine!" and for fear that Fitzgibbon might do something that could be construed as aggression, Head forbade him to leave the City Hall. Fitzgibbon's disobedience of this command, and the preparations he made in conjunction with those before this incident, were, as the Bishop of Toronto and the Chief Justice testified, the means of preventing the city from falling into the hands of the rebels.

Head's report to the Colonial Secretary, made a fortnight later is exultant, a Miriam song. As a historical document it is not impeccable, but who expects a sordid exactitude in a lyric? He allowed Mackenzie to write what he chose, say what he chose and do what he chose and waited, with folded arms until he had collected his rebel forces and had actually commenced his attack. Then, with a sublime movement, he "as a solitary individual called upon the militia of Upper Canada to defend him". With what result? From ten to twelve thousand men simultaneously marched towards the capital "to support me in maintaining for the people of Upper Canada the British Constitution." The movement Toronto-ward had to be arrested. There was an *embarras de richesse*.

The cohorts of the enemy were of course, scattered and in flight—Mackenzie to the United States, Rolph in hiding, Bidwell gone from the province forever, Lount and Gibson making for the United States; Morrison and Van Egmont, prisoners. Duncombe still held the field but he would be quickly routed.

The moral stared one in the face. Head had been right from end to end. Had he not declared, not once but many times, that the inhabitants of Upper Canada detested democracy, and revered the monarchical institutions of the British Empire? His lordship must understand that the people of Upper Canada would no longer submit to the base conciliations which have long disgraced the Colonial Office. But how could things be better when a man, like Stephen, Under Secretary, wrote the despatches? Every British subject in the Canadas knew him for a rank republican, whose sentiments, conduct and political character are alike detested. "The triumph which this noble province has gained will never be complete until the Government shall remove from office a man, who, by discouraging the loyal and encouraging the disaffected, has at last succeeded in involving the Canadas in civil war."

While Head was engaged in delivering this broadside into the Colonial Office, the acceptance of his resignation was on its way to Toronto. Glenelg, as usual, devoted himself to a lengthy refutation of Head's statements and contentions, hoping thereby to conclude the disagreeable discussion. But Head was not the man to allow any person other than himself to have the last word. In his rejoinder, he gave his attention to certain extracts from Stephen's evidence before the House of Commons in 1828, which he stated to have been mainstays used by Mackenzie to bolster up his attacks on the Government, and exposed the falsity of Stephen's pernicious opinions.

Head had, in full measure, that sensitiveness to the opinions of others, which in the old fashioned language of phrenologists, was called *approbativeness*. He craved for applause, and had his share of it in Upper Canada. There was one man, however, from whom he could not look for it. Lord Glenelg had many reasons for regarding Head censoriously.

What would have been Head's surprise to learn that the Colonial Secretary was setting him up as a model for his successors imitation! In

his instructions to Sir George Arthur, who replaced Head, Glenelg after mentioning his differences with Head, pays this glowing tribute to him and his administration:

"I cannot, however, on this account, forget the value of the services which he has rendered, nor can I testify my sense of them more strongly than by pointing out to your imitation the uncompromising firmness with which he resisted every endeavour to subvert the political institutions of Upper Canada, the energy with which he opposed himself to the enemies of order and of peace, and the frank and open bearing with which he threw himself on the loyalty, the reason and the public spirit of the great body of the people."

Here is Head's official epitaph, written with unquestionable sincerity by the man best qualified to judge, from the standpoint of the Imperial Government, as to the success or failure of the administration of a colony. Head might be self-opiniated, wilful, and wearisome in the iteration of unpalatable views, but he had achieved the main purpose for which a governor was appointed. He had preserved peace and order, by the employment of forces willingly supplied by the people themselves.

Consciously or unconsciously, Glenelg was pronouncing a requiem over a system which was rapidly passing. The movement towards self-government had the inevitability of a force of nature, and the most any man could do was to retard it a little. Liberal as he was, Glenelg could conceive of no system of colonial government different in principle from that which he had been called upon to administer, and that system could be perpetuated only by a line of governors of qualities so exceptional as to be practically non-existent.