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OR REFORMER OF PUBLIC ABUSES,  
AND RAILWAY AND MINING INTELLIGENCER.

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## LITERATURE.

### EIGHT YEARS IN CANADA, &c.

EMBRACING A REVIEW OF THE SEVERAL ADMINISTRATIONS OF LORDS DURHAM AND SYDENHAM, SIR CHARLES BAGOT, AND LORD METCALFE;

And Dedicated to the Memories of THE FIRST AND LAST OF THESE DISTINGUISHED DEAD.

BY THE AUTHOR OF "ECARTE," &c.

DE OMNIBUS REBUS ET QUIBUSDAM ALIIS.

[A difficulty of arrangement having occurred with the only two London publishers to whom the following pages have been submitted, the Author has decided on reverting to the usual practice, and publishing in Canada first; thus affording that means of direct communication with other metropolitan publishers, which his absence from London renders a matter of much inconvenience. It will be borne in mind, therefore, by the Canadian reader, that what is now offered to his perusal, was intended for an English public.]

[It Deposited at the Office of the Registrar of the Province.]

#### (CHAPTER III. CONTINUED.)

It was not likely that the French Canadians would regard, without mistrust, the after policy of a Governor who, although professedly a messenger of peace, and a reconciler of national differences, should have commenced his career by adopting a course of severity towards their favorite leaders, which preceding administrators of the Government had lacked energy to pursue, during a period of open anarchy and actual warfare.

Lord Durham saw this, but he, at the same time, perceived the necessity, not only for appeasing the wounded spirit of the British portion of the Canadian family, by the infliction of punishment of some kind on the authors of the violence which had occurred, but for placing the offending parties in a position which should disable them from future attempts to disturb the colony. Hence the Act of Amnesty which, however, party may rail at, or personal enmity malign it, posterity will admit to have been one of the most efficient measures for restoring peace to the distracted Canadas that could, at that particular moment, have been devised.

Had the rebel chiefs who were exempted from a participation in this amnesty, been misled in regard to the alternative that was submitted to them, there might have appeared reason for complaint that the British Government had compromised its dignity and acted unworthily, but what was done was without disguise. They pleaded guilty to the charge of treason—vehemently even as they subsequently denied this—and threw themselves wholly on the mercy of the High Commissioner. Nor was that mercy withheld from them. Although exiled from a country where their presence would have presented an insurmountable obstacle to the restoration of order, they were simply removed to a sister province,\* the near proximity of which to their own afforded every facility for communication with their friends, whom a few years of good conduct on their own parts would have enabled them to join, under circumstances of advantage equal to any they had previously enjoyed. No objection was offered, no remonstrance made by themselves at the time, and the only complaint of the British population was, that Lord Durham had manifested too much lenity and forbearance. Little was it then imagined that this act of amnesty, which was undeniably the measure most likely to soothe the rankling spirit of party in the Canadian provinces, was to be made matter of serious accusation against his Lordship at home. And wherefore? Because, as it was asserted, the proceeding he had adopted was not in accordance with the strict letter of the constitution. And where was that constitution? In abeyance. It existed not in practice. Circumstances had occurred which had deprived (and justly deprived) the people of it. Lord Durham had accepted his office with the express object in view of creating a new constitution, suitable to the emergencies of the country, therefore the passing of an act founded at once upon the

\* If any legitimate ground of complaint existed, it could only have been with the people of Bermuda, for having been in some degree placed on an equivocal footing. But the people of Canada themselves, and the expatriated in particular, had none whatever.

broad basis of justice and mercy, by the very man whom the task not only of alleviating the present ills of the province, but of collecting materials on which to frame a new system of government, had been confidently could not be properly said to be an infringement of that which was virtually dead from the moment martial law had been proclaimed. The violation of the constitution, by Lord Durham, was, with his enemies, both public and private, a mere pretence. They well knew that circumstances had fully warranted the measure of expediency he had adopted, and that in fact there had been no such violation of the constitution as they affected to believe had taken place. But what though they did not so understand it? It afforded them an irresistible opportunity to indulge in vituperative censure, and, in the eyes of the world, then directing its attention to the disturbed state of Canada with an interest proportioned to the magnitude of the objects at stake, to stamp the political conduct of the man they at once envied and hated, with the seal of a disapprobation as injudicious as it was undeserved. The jealousy of Lord Brougham was especially remarkable in the course of the debates which took place on the subject in the House of Lords.

Meanwhile, after the passing of what he conceived to be, and what certainly was his equitable act of amnesty, and little anticipating the storm which had commenced in England in the shape of private and purely personal attacks on his character, and which was so soon to rage into a tornado upon his public life, Lord Durham proceeded with the great objects he had in view. The outrage committed by the celebrated Bill Johnson on the Sir Robert Peel steamer, afforded His Lordship an opportunity for carrying into execution his second leading design—namely, the attainment of a full and satisfactory understanding with the American Government. His brother-in-law, Colonel Grey, was despatched on an especial mission to Washington, and in reply to the warm remonstrances of which he was the bearer, received every assurance from Mr. Van Buren not only that the strictest neutrality should be preserved, but that competent and experienced officers should be despatched to the frontier with a view to its enforcement.

These two essential objects gained—namely the disposal of the State prisoners, and a satisfactory pledge of exertion and activity from the Government of the United States, Lord Durham next turned his attention to the abuses and deficiencies of the existing laws of the country. A number of most useful bills were in the course of creation, among the principal of which were the Education Bill, the Registry Bill, a Bankrupt Bill, and, what was of paramount importance in the Lower Province, a Feudal Tenure Bill. The preparation of the latter required some tact and judgment, for it was necessary so to mould the act as to reconcile prejudice and strong addiction to ancient usages on the one hand, and a desire of undue innovation on the other. This Bill had been submitted to the Seminary at Montreal, and had been by them favorably received. At the period of Lord Durham's subsequent most unexpected departure, when his public acts had been declared nugatory and invalid by the timid Ministry whose duty it was boldly and generously to have supported him, it was rapidly advancing to completion. The Registry Bill, moreover, was actually in type, and drafts of the same were even then on their way to England.

In addition to these projected benefits, his Lordship had carried into effect one which was of the highest value to the country. The necessity of the introduction for a system of police, modelled after that of Sir Robert Peel, in a country where every facility was, in the absence of all immediate controlling power, afforded to the commission of crime, had impressed itself at an early period upon his sagacious mind. The brothels and other infamous places of resort in the city of Quebec were the theatres of unblushing guilt, to which people of all classes, and especially the numerous seamen frequenting the port, were in the habit of repairing. Great injury was, moreover, sustained in a commercial point of view in consequence of the latter deserting their ships and engagements. Appeals to the magistracy were vain, for either the magistracy would not redress the wrong, or, if they felt the inclination, knowing not the secret haunts of the offenders, they could not successfully interfere. A vigilant police could alone destroy the evil at its source, and purge the city of the gross stain upon its character. This was forthwith instituted; and within two months from its formation, the moral condition of all classes of the people had undergone a striking change