

the winner, I neither witnessed anything of the kind described, nor indeed have I the most distant recollection of ever having heard any allusion to the subject until long after Lord Durham's departure from the country, when the charge of recommending Responsible Government was first brought against him.

CHAPTER V.

The strict inquiry made by Lord Durham during his tour, into the abuses of Government which had existed for so many years in Upper Canada, and the radical changes then entertained, and subsequently made known through his celebrated Report, are too much matters of history to require notice here, further than to remark on the extreme ingratitude with which the man who was devoting the whole of his time and ability to their service, was treated by those who, in return, should have been his staunchest supporters. That the Tories should have sought to distort, not only the motives of Lord Durham, but the actions springing from those motives, may be perfectly understood; but it is difficult to comprehend the animadversion of the Whigs, who, even although he had pursued a glaringly incorrect course, should, on the same principle of the party which condemned it, have upheld that course. The act of amnesty was, as I have already shown, perfectly justifiable under the circumstances; and no man, not thirsting for blood, would have adopted any other mode of proceeding. Nay, had Lord Durham sought the lives of the leading disaffected, it would have been one of the greatest triumphs to the Rebel party; for if any one should doubt that a jury of their countrymen would have acquitted them on trial, and thus have encouraged them to future and more successful exertions against the Crown, let him refer to the cases of Chartrand, and Lieutenant Weir of the 32nd, most foully and barbarously murdered, and in a fiendish spirit of revenge and hatred, the more atrocious from the fact of their being wholly unprovoked. The evidence adduced on the trial of the murderers was clear as the sun at noonday, and yet Justice and Humanity were insulted by a verdict of acquittal in both cases.

With these examples before his eyes, what could Lord Durham decide upon, unless it was, during the abeyance of the Constitution, either to exercise those extraordinary powers which had been vested in him for a specific purpose, or to retire from the government, confessing his inability to discharge, with any satisfaction to himself or to the Queen his mistress, those duties which had, in a spirit of deep confidence, been entrusted to him? Whatever the apparent infraction of the Constitution of the country, or the severe censure with which he had been visited by party at home, posterity will pronounce that Lord Durham was right.

Towards the close of the month of July, His Lordship returned to Quebec, and it was about this period that the first whisperings of the disapproval which his act of amnesty had met with from all parties in England, came like a thunder-clap upon him. For the opposition of the Tories he was prepared, but nothing could exceed his disgust when he found Lord Melbourne damning him, sometimes with lame apologies, sometimes with indirect censure, and affecting to condemn what, in his capacity of Prime Minister, he should have known was imperiously called for, if there existed any serious intention to retain Canada to England. From that moment Lord Durham resolved to abandon a country his government of which had been so strongly misrepresented and misunderstood. Perhaps, moreover, he saw in the bitter invectives of Lord Brougham, and the very lukewarm support given to him by Lord Melbourne, a certain manifestation of alarm lest his successful government of Canada would lead to his elevation to the Premiership at home. The latter nobleman felt no desire to vacate his office, and the former might have fancied his chance of its attainment much increased by the removal of so formidable a rival. There were not wanting those who imputed such motives to the noble Lords in question.

The indignation of Lord Durham in regard to the manner in which he had been treated at home, first found vent in a letter addressed to me a few days after his return to Lower Canada.*

Meanwhile, notwithstanding the annoyance experienced by Lord Durham on finding his measures thwarted, not only by his enemies, but his pretended friends, and his consequent determination to resign his trust in very hopelessness of a successful issue, no efforts were spared on the part of the able coadjutors who had accompanied him, to put the English public in possession of the true facts of the case. Knowing my influence with the "Times," Mr. Charles Buller, his Lordship's talented Civil Secretary, addressed to me in Montreal where I still continued, a very lengthened letter, on the subject of the policy pursued at home.†

A second communication, which relates more immediately to the Act of Amnesty, reached me soon after the intelligence had been received Canada, of the full discussion of that measure in the House of Lords‡

This was true enough. Never was there a stronger feeling of exasperation created in Canada from political causes, than was manifested by the inhabitants of Montreal, when they found that

Lord Durham's Act of Amnesty had been disallowed, and himself so wantonly censured;—and this by the very persons who had been most opposed to his plan of a Federal Union. But their indignation was excited, not so much against the Tories as against the Whigs. Lords Melbourne and Glenelg, as well as Lord Brougham, were burned in effigy in the Place d'Armes, amid the hooting and execrations of the united British population. The figures—most faithful representations—were borne in cars through the principal streets, with their names in transparent characters attached to each, chiefly by members of the Doric Club, who had disguised themselves with masks, in the *charivari* style, for the occasion; and by these were committed to the flames with every possible indignity that could be offered to them.

That Lord Durham would feel extreme annoyance and disappointment at the course which was being pursued towards him in England, there could be no question. With the exception of his letter, complaining of the interference of Lord Ellenborough, I had had no communication with him on this subject, but being, on the arrival of the packet containing the intelligence of the extraordinary proceedings in the House of Lords, apprehensive that he might be induced to afford his enemies, and those who were jealous of his elevation, a signal triumph by resigning, I took the liberty, on the strength of the confidence and regard with which his Lordship had ever distinguished me, to address to him a communication, in which I pointed out in the strongest manner the unfavorable consequences to himself, which would result from any hasty step of the kind. I concluded with the expression of a hope that he would not suffer this most unjustifiable conduct of the Ministry to prove a means of driving him from the Government, (an object which it was evidently the design of his enemies to effect), but rather of confirming him in his determination to remain, in despite of all difficulties, and accomplish the great object of his mission.

To this letter the return post brought me the following most touching reply.*

It is impossible to read this communication, and fail to be struck, not only by the justifiable bitterness of spirit and of wounded feeling which are manifest throughout, but by the absence of that undue haughtiness which has so often and so incorrectly been ascribed to the noble Earl. Lord Durham was no longer in a position in which I could be of service to him. He had resigned the Government of the country, and after the base desertion of his friends at home, was then perfectly indifferent to whatever public comment might be passed on his conduct; and yet on this occasion, he hesitates not to communicate to me the secret workings of his mind, going so far even as to acknowledge the position of humiliation to which he had been politically reduced. No man of an unduly haughty or arrogant spirit would have made the admission even to himself, much less to one who had so recently been a total stranger to him.

While the storm was thus brewing at home, over the devoted head of the High Commissioner, I, his warm and zealous but impartial supporter, was made the subject of animadversion also—not indeed before the same tribunal, but before one whose decrees were issued, exercising an influence over the public mind scarcely inferior to anything that emanated either from Lords or Commons—the great head of the Fourth Estate—the editorial arena of the gigantic "Times." Before this tribunal I was tried by a stern political court—pronounced guilty, and sentenced.

Without taking up more time than is necessary to shew that I was conscious of no wrong towards that ubiquitous and influential journal, beyond a desire to be permitted to express my own honest convictions of the nature of the policy which was being pursued in my native land, and had violated nothing that I could look upon as an agreement between myself and the proprietors, I here insert a copy of a letter which, on the announcement to me of my faults, I addressed to the gentlemen by whom the Private Correspondence Department was managed, and which embraces the whole of the matter at issue:—

"MONTREAL, October 14, 1838.

"I am sorry for the first time to learn that it is not the desire or intention of the proprietors of the Times that I should be continued in the correspondence of the paper, after the term of my present engagement shall have expired.

It is quite evident that, in failing to censure the administration of Lord Durham, I have incurred the displeasure of the 'powers that be;' but had I failed to accord my approbation of the course his Lordship has pursued, I should have been wanting, not only in proper regard for my own country, which is Canada, but also in common honesty to myself, and duty to those to whom I should have conceived accuracy of information was an essential consideration. I was fully apprised that the line of policy pursued by the journal for which I furnished information was opposed to the Ministry at home, and I am not aware that there is a single letter of mine in which even the shadow of approbation of their measures has found admission. I did not, however, conceive it to be imperative on me to condemn Lord Durham purely in a spirit of party, when I entertained the fullest conviction that he was doing for the country what no other Governor had attempted in furtherance of its permanent interests.

* See Appendix No. 7.

[TO BE CONTINUED IN OUR NEXT.]

* See Appendix No. 4.

† See Appendix No. 5.

‡ See Appendix No. 6.