

No. 3.

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Copy of a Letter from the Earl of Dalhousie to R. W. Hay, esq.

SIR,

London, 23d Oct. 1828.

IN reply to your letter of the 23d ultimo, I have the honour to state the following circumstances in explanation of the dismissal of Lieutenant-colonel Malhiot, and other officers of militia in Canada, whose complaints and affidavits you have enclosed.

I shall not enter into these papers, which, from complainers, naturally give a false colouring and incorrect interpretation of my acts, in almost every point. A narrative is all I shall state, to give you an idea of this matter.

Soon after the deputies left Canada with petitions of grievance to Parliament, general meetings in the counties were called by the factious leaders, for the purpose of forming what they called "Central Committees," nothing different from the revolutionary committees in France, which led to the convulsions in that country.

In the county of Surrey, in Canada, a meeting was called, and a large concourse of the inhabitants and landed proprietors gathered at the village of Verchères. This Colonel Malhiot took the lead in the chair, with a party of these named officers. The meeting, however, was attended also by Lieutenant-colonel de Martigny, and a number of officers of the militia, holding opinions directly contrary to those of Mr. Malhiot. It is to be observed, that Mr. de Martigny commands in activity the battalion of militia in Surrey, while Mr. Malhiot is a retired officer and unemployed.

The first measure of Malhiot in the chair was to insult Mr. de Martigny, to order him and his party to depart, and they were by force put out of the house.

Mr. de Martigny made a complaint to me upon the subject, stating the impossibility of his maintaining the discipline in his battalion, or the peace of that county, if such officers as Malhiot, Drolet, &c. might with impunity harangue his officers and militiamen, to shake their allegiance and destroy that authority which as lieutenant-colonel was placed in his hands.

It became the duty of the Executive Government, and especially of the Governor as commander in chief of the militia, to support the authority and maintain the discipline of that important national force.

Mr. Malhiot's opinions and political feelings were of no consequence; but as an officer of militia, the insulting the officer publicly in command was the point to which I felt it my duty to attend.

I communicated to Mr. Malhiot and these officers my sentiments by Lieutenant colonel Heriot, my aide-de-camp, and required them to settle the disagreeable affair amicably, by any apology to Mr. de Martigny; all refused; I saw them all afterwards, having taken the trouble to go to the house of Mr. de Martigny, expressly for the purpose of adjusting the matter, and of confirming to Mr. de Martigny the assurances of my good opinion and support in the discharge of his duties.

The commissions of militia are "during pleasure," and truly the state and nature of society yet in Canada require that they should be so guarded.

The Governor holds the power to grant these commissions, and also the power to cancel and annul them when he sees cause. In this case it became indispensably necessary to make an example; and I do not hesitate to say, that the peace and tranquillity of the province depended upon the exercise firmly of the powers vested in the Governor.

I maintained the public tranquillity, and delivered over to Sir James Kempt a steady, well appointed, and well disposed militia of 70,000 men, having certainly weeded it of many seditious and mischievous characters, whose chief hope to excite "troubles in Canada" rested upon the influence they attempted to obtain over the militia in the counties.

Such are the facts, and the narrative is the only justification I think it necessary to offer on that part of my conduct in the government of Canada.

I have the honour to be, Sir,

Your most obedient humble Servant,

(Signed) DALHOUSIE.