

Mr. Pease, the member, I think, for South Durham, said :

"Well, they had had a real rebellion some years ago in Ireland, headed by a gentleman who sat for many years in that House, and was highly respected by all who knew him—he alluded to Mr. Smith O'Brien. He was taken while in arms, holding a cottage for some hours against the Queen's soldiers; and, in that extreme case, when the offender was actually convicted of treason, and formally sentenced to be hanged, drawn and quartered, the dread sentence was afterwards commuted to 14 years' banishment, and was afterwards again commuted, and Mr. Smith O'Brien was brought home to his country. Had any of the men whose fate was now before the House of Commons been guilty of such a great crime as Mr. Smith O'Brien? He had signed the roll of Parliament, had taken the oath of allegiance, was in the Queen's commission of the peace, and yet it was felt consistent with public safety to commute his punishment twice after he had been sentenced to death, and had been transported to mark the turpitude of his crime."

Mr. Gladstone said :

"The question which we have to determine is, what constitutes a political offence. It is quite clear that an act does not become a political offence because there is a political motive in the mind of the offender. The man who shot Mr. Percival, and the man who intended to shoot Sir Robert Peel did not become political offenders merely on this ground. By a political offence, I, at least, understand an offence committed under circumstances approaching to the character of civil war. Whenever there is a great popular movement, the offences committed in giving effect to the intentions of the people partake of the character of civil war. Reference has been made to the action of the President of the French Republic in pardoning offences committed by communists; but it must not be forgotten that the offences—though darker than the crimes for which the Irish prisoners are under punishment—were committed in the progress of a civil war. But the riot committed at Manchester by a crowd locally gathered together was a proceeding totally of a different character, and must be considered as in the main belonging to the category of ordinary crime, though it is not on the ground that the offence is a political offence, that I think the prisoners in question can be recommended for consideration. But if these offences be not political offences in a strict sense, yet they were undertaken for a political motive, and in so far partake of that character as to affect, in a material degree, the moral guilt of the persons concerned."

That was the observation made by the most eminent of Englishmen as to the ingredients of a political offence, even in a case so obviously gross and, as many of us would regard it so totally alien from the ordinary category of political offences as the case of the Manchester murder. Well, Sir, let us come to our own country. History repeats itself in a wonderful way. I remember when we brought this case first on the *tapis* last Session, amongst other things, we enquired of the Government what they had done with certain persons who were very active, apparently, in stirring up discontent, in the latter half of the year 1884—Schmidt, Dumas and others; and after a while we found out that the Government had been giving them little offices, contracts, and one thing or another, and that they had been thus either marking their sense of their worthiness, or attempting to isolate them from the popular movement. And that is an old plan. I was looking awhile ago into the earlier history of Lower Canada, and I found an account of what used to go on in the long agitation which culminated in the rebellion of 1837. As long before that time as, I think, a quarter of a century, Governor Craig sent home Mr. Ryland as his secretary, to communicate with the Home Government with reference to the affairs of the colony, which he was endeavoring to carry on with large assertions of prerogative and limited local rights; and Mr. Ryland gives an amusing account of an interview with Lord Liverpool, then Prime Minister, on the subject of agitators :

"Lord Liverpool then adverted to the particular character of the persons who edited the"—

Blank, I will say, for the moment—

"and asked whether they might not be brought over. I observed that, unfortunately, this system had hitherto been acted on in Canada, and that I considered the late proceedings of these individuals as the natural consequence of it, men of desperate fortunes with some talents, but destitute of principle, having been thereby encouraged to oppose Government for the purpose of forcing themselves into place."

Sir, the paper of which that was written was the *Quebec Canadian*. The *Canadian* still lives. Now the signatories of the response in 1837 by the committee of the county of

Mr. BLAKE.

Montreal to the Workingmen's Association of London made this representation :

"Our grievances are not of new characters or of recent date. They have been publicly and distinctly stated, and the mode and measures of redress have been plainly defined. Our citizens have at public meetings reiterated them for years past. They have founded upon them humble petitions to your Parliament, which turning a deaf ear, now adds aggression to contempt."

That was signed among others, by Papineau, O'Callaghan, Nelson, Duchesnois and Cartier; and then comes also something which shows us how power generally acts under circumstances like these. We remember the events—so widely differing in many particulars—of the Lower Canadian revolt. But see how power treated it in the proclamation of Sir John Colborne on the 29th of November, 1837 :

"Whereas, in divers counties of the district of Montreal, disaffection with the Government of Her Gracious Majesty Queen Victoria, has unequivocally declared itself and divers outrages upon the persons and properties of Her Majesty's loyal subjects have been recently perpetrated therein; and whereas, prisoners arrested on charge of high treason have been rescued from the hands of justice, and the troops of Her Majesty, in the lawful discharge of their duty, which aiding the civil authorities have been assailed and fired on by the hands of an armed peasantry :

"And whereas, it is notorious that the present blind and fatal excitement in that district is to be attributed to the machinations of a few evil minded and designing men, who have imposed upon the credulity of an unsuspecting peasantry, and by plausible misrepresentations and wilful calumny, by practising upon their fears and inflaming their passions, by appealing to national distinctions and exciting political prejudices, which it has been the unabated endeavor of the British Government to extinguish, have at length succeeded in implicating a part of a peaceable and loyal population in the first excess of a reckless and hopeless revolt."

You would almost think I was repeating a speech we heard the other day. Then, we find how power acted again in the proclamation of Lord Gosford :

"Whereas, L. J. Papineau is charged with the crime of high treason, and there is reason to believe he has fled from justice; and whereas, it is expedient and necessary for the due administration of justice, and for the security of Her Majesty's Government in this province, that so great an offence should not escape unpunished :

"I do hereby require and command all subjects to discover, take and apprehend the said L. J. Papineau and carry him before a justice; and for the encouragement of all persons to be diligent, a reward of £1,000."

A similar proclamation was issued against Wolfred Nelson, E. B. O'Callaghan, J. T. Drolet, M.P., W. H. Scott, M.P., A. Girod, T. S. Brown, C. H. O. Côté, M.P., J. J. Girouard, M.P., E. E. Rodier, M.P., and Jean O. Cherrier, offering £500 reward, and others at the lesser price of £400. Then the ordinance of Lord Durham, who assumed to banish Wolfred Nelson, R. S. M. Bouchette, B. Viger, S. Marchessault, H. A. Gauvin, T. Goddu, R. Desrivieres and L. H. Masson, to Bermuda, also provided :

"If any of them, or if L. J. Papineau, O. H. O. Côté, J. Gagnon, R. Nelson, E. B. O'Callaghan, E. E. Rodier, T. S. Brown, L. Duvernay, E. Cartier, G. E. Cartier, J. Ryan, sen., J. Ryan, jun., L. Perrault, P. P. Demaray, Jos. F. Davignon and Louis Gaudier, against whom warrants for high treason have been issued, shall hereafter without permission come into the Province they shall be deemed guilty of high treason and suffer death.

"Nothing in any proclamation shall extend to the cases of certain named persons, or if any other person charged with the murder of Lieut. Weir, or with the murder of the late J. Chartraud, and they shall derive no advantage from such proclamations."

The case of these persons was raised in the English House, and Lord John Russell says :

"The Government has not neglected to let Sir J. Colborne know its opinion of the inexpediency of inflicting capital punishment on occasions of this nature."

Sir Robert Peel argued that an exception should be made in the case of the murderers of Lieut. Wier. As soon after as 1841, the following resolution was passed in the House of Assembly by a vote of 39 to 9 :

"Resolved, That it is the opinion of this committee that an humble Address be presented to His Excellency the Governor General, as representing the Crown in this Province, praying for the exercise of the royal prerogative for granting a free pardon, indemnity and oblivion, of all crimes, offences and misdemeanors, connected with the late