THE MAKERS OF CANADA

EDITED BY

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Papineau

THE MAKERS OF CANADA

PAPINEAU CARTIER

BY

ALFRED D. DECELLES

TORONTO
MORANG & CO., LIMITED
1904

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LOUIS-JOSEPH PAPINEAU

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CHAPTER I

THE EARLY YEARS OF PAPINEAU

THE reader will perhaps find it somewhat odd to see united under the same cover, the biographies of Papineau and Cartier, men whose careers were so different and whose temperaments had so few points in common; men, who for a moment, it is true, fought under the same flag, but were afterwards divided forever.

The name of Papineau recalls the tribune who, from 1820 to 1837, is the personification of a whole people; who defends their most sacred rights; the melodious speaker who fascinates and overpowers the multitudes with his sonorous sentences, his ample gestures and his commanding appearance—the true sovereign, indeed, of his province of Quebec. Whilst the influence of Lord Dalhousie and of Lord Aylmer does not extend beyond the walls of Quebec and Montreal, Papineau's voice reaches the most remote hamlet of the province. He is the star around which, for twenty years, all the notabilities of French Canadian blood gather, until he disappears in a political storm.

As a living contrast, Cartier represents the man of action, all absorbed in his work, though wanting in those bewitching gifts which captivate the crowd,

and attract men as with an irresistible magnetism. His words point directly to the object he has in view, and he never tries to win his audience with rhetorical devices. The first is a speculative personality wedded to theories of his own; the other believes only in what he can handle and put in tangible form. Wisdom and caution take hold more and more of the practical man, when called upon to assume the responsibilities of power, and cause him to weigh beforehand the consequences of his policy. Theories, on the contrary, do not bind firmly to any particular line of conduct, but they too often tend to overexcite the mind of their originators. The work accomplished by Cartier who hated everything that was not positive, is considerable; it is to be found in our statutes and it has left its imprint on our institutions, while Papineau is looked upon by many as a mere agitator, a verbose tribune, a violent critic of his opponents, having left after him nothing but the hollow renown of a great popular orator.

Nevertheless, his name still shines resplendent, a star of the very highest rank in the constellation of our Canadian celebrities; he is still a legendary god, shrouded in a somewhat mysterious halo of glory; the people admire him without having understood him, as if they were hypnotized by the renown of his eloquence which has encircled his memory for over fifty years. For the educated as well as for the masses of our people he is still the prototype of

eloquence and the recognized standard employed in the appreciation of the oratorical powers of the modern speaker. The term "He is a Papineau," constitutes the highest praise which can be conferred in our days on a master of the art of speaking.

If his name is not connected with any radical reform, circumstances rather than his own deficiencies must account for it. Is it not a rather summary proceeding to stamp him as an unpractical statesman of merely negative talent, when it is manifest that opportunity never was furnished him to display his usefulness? As a minister of the Crown, Papineau might have been a very different man from the tribune. Having missed that opportunity, he was left without a chance of displaying the positive qualities of his intelligence. If we admit that the troubles of 1837 hastened the dawn of liberty, then Papineau must be given a large share of credit for its appearance.

Papineau, like most Canadians who have achieved a glorious career, came from the ranks of the people, his ancestors being ordinary craftsmen. As the poet says:—

> "Arbre ou peuple, toujours la force vient d'en bas.
> "La sève monte et ne descend pas."

"As for the tree, so for the nation, strength ever comes from below. The sap ascends never to return."

Both our hero and his father were self-made men, with no high-sounding pedigree. But what does it matter? As Dumas, the younger, said: "When a

man is the son of his own industry, he can claim to be of a very good family."

His father, Joseph Papineau, broke the tradition of the family and became a notary by profession. He was one of the recognized celebrities of his day, and when England granted us the constitution of 1791, the electors of Montreal honoured him with the important charge of representing them in the legislative assembly, where we find him at the very first session of parliament, in 1792, fighting energetically for the maintenance of the French language, the use of which in the House of Assembly was seriously attacked by the English minority. Bédard and Joseph Papineau stand foremost in the ranks of the members at that time. Garneau, the historian, has left us a portrait of the latter:

"The two athletes about to catch the eye, as foremost in the parliamentary arena, will be Pierre Bédard and Joseph Papineau, whom tradition represents to us as patriots endowed with uncommon oratorical powers. Both were the firmest defenders of our country's rights, yet the most faithful and disinterested advocates of English supremacy; for the royal cause the latter showed himself most zealous during the period of the American revolution. Both sprang from the people; they had received a classical education in the college of Quebec. Mr. Papineau soon became the most notable orator of the two Houses. Majestic of stature, imposing in mien, having a strong and

sonorous voice, gifted with vehement eloquence and great argumentive powers, he could not but exercise a commanding influence in public meetings. To the latest day of his life, his patriotism was of the purest, and he enjoyed the confidence of his fellow-citizens, who were proud to show a special respect for the grand old man whose erect figure and venerable head, adorned with long silvery hair, still retained the impress of the energy of his youth."

It will not be out of place to mention here the fact that during the American invasion of 1775-6, Papineau, the elder, contributed his share to the defence of the country. He performed the remarkable feat, in company with Mr. Lamothe, of carrying despatches to Governor Carleton from Montreal to Quebec, when the country on both sides of the St. Lawrence was swarming with bands of Americans. The two young militiamen with their despatches concealed in hollow walking-sticks, travelled by night, secreting themselves during daylight in barns or farm-houses, their trip occupying ten days. Papineau, the younger, also rendered good service in 1812 to the British Crown; and the conduct of these two noted Canadians goes a long way to show that their opposition, later on, was directed, not against the Crown but only against colonial misrule.

In 1804 Joseph Papineau became the owner of the seigniory of La Petite Nation, on the north shore of the Ottawa river; there he laid the founda-

tion of a settlement and built a home for himself, on l'Ile à Roussin, opposite to what is now the village of Montebello. It was then an unknown spot lost in the forest, which could be reached only by using the mode of travelling employed by the North West *voyageurs*.

Louis-Joseph Papineau having inherited the seigniory, built on the mainland the splendid manor of Montebello, until his recent death occupied by his son, M. Amedée Papineau.

Louis-Joseph was born in 1786; he followed a course of studies in the Quebec seminary, became an advocate, and was elected in 1812, a member of the House of Assembly, where he made his début in the presence of his father, then at the height of his prestige and enjoying the esteem of his countrymen. The latter had prepared for his son a heritage heavy to carry, but with his brilliant gifts and his eloquence, the son was worthy of his sire and added still greater lustre to the already celebrated name. Papineau, the elder, lived until 1841; long enough to witness his son's short but dazzling public career during which he truly reigned over his native province—long enough also to mourn his defeat, in the midst of a crisis which seemed, at the time, the final downfall of the cause for which both had so sternly fought.

CHAPTER II

A RETROSPECT

IN order to enable the English reader to understand Papineau thoroughly, it is necessary to set before him a rapid outline of certain pages of the history of Lower Canada prior to the appearance on the stage of the famous tribune. The first years following upon the downfall of French rule, constituted for these new subjects of the English king a period of agitation, resembling the death throes of a nation. Exhausted by a long series of wars, ruined by the administration of Bigot, feudal *corvées*, exactions of every kind, and the loss of their crops, the Canadians were face to face with masters who bore them little good-will; from the capitulation of Montreal (1760) until 1774, when the Quebec Act shed upon them the first rays of long deferred justice, they were governed as a conquered people, in the face of treaties, articles of capitulation, and laws of nations.

The royal proclamation of 1764 deprived them of their laws, and the test-oath, sought to be imposed upon them, made our unhappy forefathers outlaws in their own country, on the soil they had wrenched at the price of their best blood from the grasp of barbarism. Murray, who ruled at first with a rod

of iron, after a time allowed his rigour to relax, and ended by recognizing none the less cordially when listening with bated breath to the rumbling of rebellion in the bosom of the neighbouring colonies, the noble qualities of the Canadians, and claiming for them royal protection and justice. He held that England could best consult her own interests, if she considered the retention of her new colony as an advantage, by treating the Canadians with justice, and he himself, combining practice with precept, allowed the application of French laws in the matter of landed property and the right of succession.

At the inception of English rule, it was laid down as a principle, that the Canadians had no right whatever to the use of their own laws or their own language. Such was the starting-point, and when we contrast their unhappy position at that time with what we ourselves enjoy to-day, we are tempted to conclude that there coursed through the veins of those who won our liberties for us, some strain of the blood of those Norman barons who on the field of Runnymede wrested from the hands of John the great charter of English liberty.

From time to time the question as to the origin of our rights is discussed amongst us. Some maintain that they spring from the capitulation of Montreal and Quebec, while others tell us that they are the free gift of the Crown of England. The question should be examined dispassionately and

with a mind free from all foregone conclusions, in the clear light of historical truth. This we propose to do in the following pages, in the hope that our readers will conclude with us that our rights are derived:—(1) From the Treaty of Paris ratifying the articles of capitulation of Quebec and Montreal; (2) From the law of nations, and (3) From our status as British subjects.

Our task will be comparatively easy, for we shall be guided by the opinions of the councillors of George III., and our judgment will rest on their reports, ultimately embodied in the Quebec Act of 1774, which establishes French civil law in Canada, and ratifies the article of the Treaty of Paris (1763) relating to the free exercise of the Catholic religion. This statute is truly the *magna charta* of the French Canadian people. We shall see with what a breadth of view, with what generosity, these enlightened minds of the eighteenth century viewed our position; and it is but seemly that we who are enjoying the fruits of their policy, should do homage to the noble sentiments which placed them above the narrow prejudices of race and sect.

The urgency of discharging our duty in this respect is the more manifest in that we have by no means found everywhere, even during the closing days of the century so proudly claiming to be the age of enlightenment, that impartiality and sense of equity which prevailed in Europe and especially in England, over one hundred years ago. In fact, if

we go back to past ages, and find among the Romans notions more just and more in harmony with the law of nations than those which form the political stock in trade of many of our contemporaries, it is truly disheartening to reflect how very slowly the human mind progresses!

According to our conception of our rights they flow from three sources: the law of nations has secured to us civil rights and our customs; the capitulations of Quebec and Montreal are our security for the free exercise of our religion; and lastly, we owe our political rights to our status as British subjects. Some there are who imagine that to conquer a country by force of arms gives absolute rights over the vanquished. The idea is quite obsolete and would have been scouted by the contemporaries of Sallust and Cicero. "Our fathers," said the latter, "deprived the enemy of nothing but of the power of injury." *Neque victis quidquam, praeter injuriae licentiam eripiebant.* Grotius lays down the principle that conquest confers on the victors nothing but the right of sovereignty over the conquered country. With the change of supreme power there results a change of allegiance for the people who still remain in possession of their laws, their property and their customs. The ministers of George III. were well versed in international law, for they frequently quote Grotius in the course of the debates on the claims of the Canadians. The king's councillors, who, after the conquest, were the first to deal

with the fate of the Canadians, in order to secure for them better terms and conditions, were Attorney-General Yorke, and Solicitor-General de Grey. Their report (1776) on the condition of the king's new subjects, was to the effect that the French civil law should be restored to the Canadians; and this report was quoted later on in support of their own contention in favour of the same policy, by Messrs. Thurlow and Wedderburne, the successors of those eminent statesmen, in the cabinet of Lord North. This view prevailed with the councillors of George III., and as a consequence, the bill which became the Quebec Act was presented to parliament. The bill was first dealt with by the House of Lords, and reached the Commons on May 26th, 1774. After a debate shared in by Lord North and Messrs. Thurlow, Townsend, Charles Fox, Dunning, Glynn and Wedderburne, the bill became law by a majority of one hundred and five votes to twenty-six.

The attorney-general spoke on behalf of the government. We give the salient points of his speech: "It is expressly stipulated in the capitulations that the Canadians, and especially the religious orders, are to have the full enjoyment of their property, and the free exercise of the Catholic religion." Then coming to the objection by which he had been met, that the royal proclamation of 1764, which, after the Treaty of Paris, established the civil government of Canada, and had introduced the common

law of England, he withstood the claims and ridiculed the proclamation, characterizing it as unfair, badly constructed, incoherent and full of absurdities, which must be put an end to.

"Now, sir," he continued, "a proclamation conceived in this general form, and applied to countries the most distant from each other, not in situation only, but in history, character, and constitution, will scarcely, I believe, be considered as a very well studied act of state, but as necessary immediately after the conquest. But, however proper that might be with respect to new parts of such acquisitions not peopled before, yet, if it is to be considered according to that perverse construction of the letter of it; if it is to be considered as creating an English constitution; if it is to be considered as importing English laws into a country already settled, and habitually governed by other laws, I take it to be an *act of the grossest and absurdest and cruelest tyranny that a conquering nation ever practised over a conquered country.* Look back, sir, to every page of history, and I defy you to produce a single instance, in which a conqueror went to take away from a conquered province, by one rough stroke, the whole of their constitution, the whole of their laws under which they lived, and to impose a new idea of right and wrong, of which they could not discern the means or the end, but would find themselves at a loss, and be at an expense greater than individuals could afford, in order to inform them-

selves whether they were right or wrong. This was a sort of cruelty, which, I believe, was never yet practised, and never ought to be. . . .

"My notion is, that it is a change of sovereignty. You acquired a new country; you acquired a new people; but you do not state the right of conquest, as giving you a right to goods and chattels. That would be slavery and extreme misery. In order to make the acquisition either available or secure, this seems to be the line that ought to be followed,—you ought to change those laws only which relate to the French sovereignty, and in their place substitute laws which should relate to the new sovereign; but with respect to all other laws, all other customs and institutions whatever, which are indifferent to the state of subjects and sovereign, humanity, justice, and wisdom equally conspire to advise you to leave them to the people just as they were. Their happiness depends upon it; their allegiance to their new sovereign depends upon it."

Thus the English ministers expressed the opinion that the Canadians were entitled to their own civil laws, because being guaranteed the possession of their properties under the Treaty of Paris, it followed as a natural consequence that they were entitled to the use of the laws governing property, and also because it is an essential principle of the law of nations, that a conquered people can only be compelled to change their allegiance. Nearly four-fifths of the members of parliament of that day took this

liberal view of the matter. Would it be impossible to find in the present day people who have not attained to that degree of liberality? In order to render the above demonstration more complete we quote the following extract, in reference to the same question, from the report of Solicitor-General Wedderburne, under date of December 6th, 1772:—

"Canada is a conquered country. The capitulations secured the temporary enjoyment of certain rights, and the treaty of peace contained no reservation in favour of the inhabitants, except a very vague one as to the exercise of religion. Can it therefore be said that, by right of conquest, the conqueror may impose such laws as he pleases? This proposition is maintained by some lawyers who have not distinguished between force and right. It is certainly in the power of a conqueror to dispose of those he has subdued, at discretion, and when the captivity of the vanquished was the consequence of victory the proposition might be true; but in more civilized times, when the object of war is dominion, when subjects and not slaves are the fruits of victory, no other right can be founded on conquest but that of regulating the political and civil government of the country, leaving to the individuals the enjoyment of their property, and of all privileges not inconsistent with the security of the conquest."[1]

Some persons express regret and surprise at the

[1] R. Christie, vol. I., page 28.

fact that there was no reference, either in the capitulations or in the Treaty of Paris, to the use of the French language. De Vaudreuil and de Lévis deemed it an unnecessary precaution. Language is part of the human personality, it is a part of the soul, unassailable within the inner consciousness. To assail the language of a people is a crime for which there is no name, an act of high treason against humanity.

Does it follow that our argument, if well founded, relieves the French Canadian of any debt of gratitude towards England? Such is not our view of the matter. England, it is quite true, only did her duty; but for this alone we are deeply indebted to her, when we see so many governments who neither understand their duty nor accomplish it. The mere fact that, having the power to oppress us, she refrained from doing it, entitles her statesmen to our grateful respect. In contrast with the English ministry and its supporters in parliament, there were then many individuals in Canada who would not have hesitated for a moment to make of our country another Ireland and of our people their "hewers of wood and drawers of water."

The opinion of the law advisers of George III. and of his ministers, bearing on the interpretation of the Treaty of Paris and the law of nations applicable to our circumstances, was embodied after many debates in parliament, in the Quebec Act of 1774. Are we not warranted in considering that act which

is the outcome of the claims of our forefathers and of the deliberations of those best authorized to speak for England, as the great charter of our liberties, as precious and as inviolable for us as the charter of King John is for the people of England? Does it not consecrate the rights essential to our national existence? The liberties since acquired have grown from it; they are, so to speak, a development induced by a national evolution, retarded at times by various obstacles but never quite arrested. When General Amherst said in reply to De Vaudreuil's representations in behalf of the Canadians, "They shall be English subjects," was he not uttering a threat? Some sought to interpret these words as auguring nothing good for the king's new subjects, but from the covert sense of these words the Canadians have realized unexpected results. It was in virtue of that very status as English subjects that they claimed and secured for themselves the privileges of self-government.

The Quebec Act received the royal sanction in 1774, and in less than one year thereafter, the Canadians, constituting nineteen-twentieths of the population, rallying to the flag under which they had been fairly treated, put an end to the American invasion beneath the walls of Quebec. The policy of the English government was not only just, but it was eminently politic and far-seeing. Her statesmen had made an excellent investment of which they soon reaped the result, and a splendid

result it was—the preservation of Canada for the British Crown.

The French Canadians have never ceased to make full return for the generosity of the mother-country in their regard: witness their conduct in 1812, when the Americans who had been barely checked in the West, saw their forces wholly defeated in the Province of Lower Canada. Some such facts of our history may be usefully recalled from time to time, for the benefit of certain persons whose prejudices and self-interest make them anxious to throw the veil of oblivion over things redounding to our credit.

CHAPTER III

THE PARLIAMENTARY RÉGIME

THE new constitution, which created only a legislative council appointed by the Crown, was welcomed with enthusiasm by England's new subjects, but it contained no provision enabling them to take part in public affairs. That it should, despite this shortcoming, have satisfied the aspirations of our ancestors need not surprise us in the least. Men do not always feel the privation of advantages which they have never enjoyed. Now, in 1774, the separation from France had existed but fourteen years, and the recollection of the absolute French régime, imparted to the English rule an appearance of comparative freedom. The principles of self-government did not form part of the mental outfit of the Canadian of that day, habituated as he was by monarchical tradition to look to the king for everything, and to await his commands as the child awaits his father's. Hence when the question was first mooted of creating a House of Assembly composed of representatives of the people, to act side by side with the legislative council and the governor, the project met with anything but a cordial reception on their part, for it was to them fraught with all the terrors of the unknown. We have

before us the text of the protest forwarded to London on the subject. Embodied in their petition is the following:—

"What we cling to most closely is our religion and the laws regulating our property and our personal freedom, and the Quebec Act of 1774 secured us all that. We dread the establishment of an assembly, in view of the possible consequences of the creation of such a body. Can we as Catholics hope to preserve in an assembly the same privileges as the Protestants? And must not the time come when the influence of the latter will preponderate over that of our descendants? If the proposed changes were carried out, should we ourselves, or should our descendants, enjoy the privileges afforded by the existing constitution? Moreover are we not justified in fearing that the taxes now levied on commerce and paid it is true, indirectly, by the inhabitants of the country, but only in proportion to individual consumption,—may be levied on our properties? Have we not reason to fear that this assembly of representatives may one day sow the germs of discord which would find a congenial soil in the intestinal animosities resulting from the conflicting interests of the old and new subjects of His Majesty?"

These objections to the creation of a respresentative chamber, manifest a degree of foresight and prescience on the part of those by whom they were formulated, which an English historian felt bound

to notice. The Canadians of 1778, in view of the current of immigration into our country, which the American revolution had created, foresaw that the new comers—the Loyalists—would come into conflict with them on the very first contact. This protest of the Canadians made a certain impression in London, and instead of establishing but one assembly for the whole colony, in accordance with the first proposal, it was decided to divide Canada into two provinces, each having its legislature.

This constitution of 1791, with the governor and the ministry, the legislative council appointed by the Crown and the chamber of representatives, was to be in reality, in its working, but a prolongation of the Quebec Act. On the whole it promised much more than it gave. As a governmental instrument it lacked elasticity. Under its rule the country remained as before, subject to the personal control of the governor. While the assembly held certain powers, they were purely negative, the governor, supported by the legislative council filled with his own supporters, being always able to hold the popular branch under restraint. Deprived of all means of rendering service to the people, the members of the Lower House one day discovered the fact that they had been involuntarily allowed to retain the power of making themselves disagreeable and thwarting the action of the government; they ventured to use and in fact abuse that power.

While the constitution of 1791 wore a threaten-

ing aspect for the Canadians living under the paternal, and absolute régime of the Quebec Act, their successors, with that keenness of vision which seems to be a special quality of the French Canadian in matters political, soon foresaw all the advantages it would be possible for them to derive from a popular chamber endowed with the ordinary attributes of such an institution. Great was their disappointment when the absolutism of the governors made them feel that they were still living under a régime recalling the French *régime du bon plaisir*.[1]

The Canadians entertained for a time the hope of securing the means of wielding effective influence. Up to 1818, the English government provided the funds for the civil list of Quebec. It struck them that if they were entrusted with the payment of the government officials, they would have only to refuse the vote of supplies to the Crown, in order to bring everything to a standstill and compel the governor to respect the will of the assembly. It was an illusion. Yielding to their wishes, the English government granted the assembly, in 1818, the privilege of voting supplies to the Crown, which implied the cognate privilege of a refusal. This expedient did not prove a success, for when it was attempted the governor parried the blow by drawing

[1] The absolute government of Louis XIV. and of his successors knew no law but the king's will; hence the axiom of the old monarchy: *Si veut le roi, si veut la loi*—so wills the king, so wills the law. All the king's ordinances ended with these words: "*Car tel est notre bon plaisir.*"

from the military chest the funds required for the public service. What was lacking in the government system of that day was a provision for points of contact between its several parts. Logically, the ministers should have sat in the chamber, in order to explain to the representatives of the people the policy of the governor, and when necessary, to defend it, and to open up more frequent intercourse between the supreme authority and the people; but there was no law compelling them to be elected; they were not responsible to the people and were accountable only to the colonial office that appointed them.

The difficulties of the situation would have been mitigated had the legislative council intervened as mediator between the assembly and the governor; but far from so doing, it undertook to fan the flame of discord, under the influence of the governor, who filled it with his own friends in order to use it as an ally against the assembly and as an instrument of obstruction.

All things considered, the Quebec Act would for a while have suited the country better. While it did not bestow upon the people self-government, it stated the fact without hesitation or circumlocution, whereas the régime of 1791 was but an arbitrary rule disguised under the features of popular government. The fatal defect of this system was that it yielded to the people a mere semblance of political rights, giving an impetus to the national representa-

tion and then tripping it up when it had entered upon its career. To this fatal defect was superadded the abuse of personal power in surrounding the governor with a multitude of courtiers overflowing with interested loyalty and the exclusive recipients of all honours and places of emolument. The same cause produced everywhere the same effects. In Upper Canada the family compact monopolized all the patronage. In our province there were no favours for any but the bureaucrats. But when the partisans of the system were asked to account for the deadlock which ensued, the answer in reference to the western province was "*It is the fault of the constitution*," but as to Montreal and Quebec, Papineau and his friends were held responsible for the like trouble. Nova Scotia, which was placed under a régime identical with that of the two Canadas, succeeded no better. We need only mention that, in 1840, Lord Sydenham was compelled to proceed from Montreal to Halifax where the governor and the assembly were at loggerheads. Lord Sydenham refers to the subject as follows:—"As in Upper Canada, the population in Nova Scotia has gradually outgrown the monopoly of power in the hands of a few large families."

The remedy of the strained and dangerous situation created by the constitution of 1791, was in the hands of the government. Why not obey the dictates of logic which manifestly urged them to carry out their principles to a conclusion? The

creation of a representative chamber implied the presence in that body of the advisers of the Crown, responsible to the people for their conduct. The responsibility of ministers is a wonderful instrument of government. It brings into power, in turn, the leading men of the two parties, instead of condemning one party to perpetual opposition, as occurred here before 1837. This alternation of administrations acts as a safety-valve for the overflow of political strife, and affords the relaxation needed amid the extreme tension caused by party struggles.

For want of this mechanism, the faction hostile to the government in Lower Canada rushed into political agitation of a quasi revolutionary character, and dark days saddened the country. Those who had, so to speak, provoked the storm, suffered least from its effects, while the thunderbolt fell on the victims of a state of things for which the sufferers were in no sense responsible. The scaffold and proscription did their work after the uprising of 1837-38, and the constitution of 1791 was forthwith suspended.

CHAPTER IV

HIS FIRST STEPS IN POLITICS

WHEN the mind of young Papineau first awoke to political ideas, Lower Canada was passing through that violent crisis which our historians, with no slight degree of exaggeration, have designated the *reign of terror*. Sir James Craig was then governor, and, soldier that he was, administered affairs *manu militari*. Under the previous administration of Sir Robert S. Milnes, the intercourse between the French and English population of Quebec and Montreal had been embittered,—a state of things resulting from a discussion which should not have caused, it now seems, such bad blood. The merchants of those cities had suggested altering the mode of taxation by reducing customs duties and levying a tax on property. The proposed change met with a strenuous opposition in the House of Assembly at the hands of Pierre Bédard, who was a prominent figure in the politics of the day, leading, in fact, the French Canadians. He pointed out that a tax on property would not strike the merchants of the cities, by far the wealthiest class, whilst customs duties reached all consumers. His views prevailed, and hence the irritation of the commercial community which their organ, the

Quebec *Mercury*, expressed in a bitter and provoking manner:—"This province is already too French for a British colony. Whether we are at war or in peace, it is essential that we should strive by all means to oppose the increase of the French and of their influence. It is only fair that after a possession of forty-seven years the province should be English." Of course, this expression of opinion was not shared by all those for whom the *Mercury* pretended to speak. It was, however, under such provocation that Bédard, Panet, Blanchet and others, deemed it advisable to establish a paper with the symbolic name *Le Canadien* (1806), and bearing the motto, *Fiat justitia, ruat cœlum.* It was ably edited, and while expressing moderate views, vigorously defended French Canadians against the aspersions of the *Mercury*.

It was in these troubled times that Sir James Craig set foot in Canada, and suspicious as he was, he very naturally conceived the worst opinion of the king's new subjects. Ryland, his secretary and confidential adviser, the bitter enemy of the Canadians, poisoned his mind in regard to Bédard and his friends, and the governor was only too prone to look upon them as dangerous revolutionists. When, therefore, *Le Canadien* dared to criticize his policy mildly, he at once ordered the names of Panet, Taschereau and Blanchet to be struck off the militia list, on account of their supposed relations with that paper. When the assembly, following in the footsteps of the House of Commons, decided to dis-

qualify the judges and public officers from sitting in parliament, he took a stand against the popular assembly; and when *Le Canadien* condemned his attitude in this connection, that paper was suppressed, and Bédard, Taschereau and Blanchet, its supposed contributors, were sent to jail. Not satisfied with these high-handed proceedings, he likened the conduct of Bédard and his friends to treason because they had asked that the province be allowed to defray the expenses of government. Still, when both these questions, the exclusion of judges from parliament, and defraying the expenses of civil government, were referred to the colonial office, they were decided in accordance with the views of the assembly. Taschereau and Blanchet were released, but Bédard would not leave the prison until the charge against him had been made public and tried before the court. A few months later he was set at liberty, with the understanding that no accusation stood against him.

This was government as it was understood by a governor, in 1810. It was found subsequently that he had not gone the full length of his intentions, for in one of his reports, he advises the English government to deprive the Bishop of Quebec of the appointing of parish priests and to confer that power on the governor; to suspend the constitution of 1791; to make but one province of Upper and Lower Canada, and to confiscate the estates of the Sulpicians.

It was also under the administration of this governor, who was naturally morose, and who was, moreover, suffering the ever increasing pangs of a loathsome disease, that the question of supplies is first heard of. Up to 1818, the British government, as we have just said, provided the funds for the expenses of the administration. In 1810, the assembly petitioned the king asking to be allowed to provide for that expenditure, representing that the prosperity of the province was such as to warrant their undertaking the charge. It is seldom that men, or bodies of men, of their own motion, invite the imposition of such a burden. And hence, Craig finds the petition of the Canadians anomalous and contrary to usage, and makes no secret of the vexation it has caused him, for he had a clear intuition of their intentions. It was impossible, however, to ignore or suppress the petition, and he had to forward it to the king, who intimated to the assembly that its request would be granted.

It was not until eight years later that the House was given the privilege of dealing with the budget, and even then, only in an imperfect and incomplete form. From this half measure grudgingly conceded by the government, sprang the long struggle which was not to end until 1837. The motive which impelled the assembly to claim the right to control the supplies—a right inherent in the English system, was in the first place the desire to possess that right, which naturally belonged to them, and then

the determination so to use it as to curb the pride of the officials and to punish them for their insolence towards its members. Being under the pay of the executive, these functionaries availed themselves of their independence to cast aside all courtesy towards the representatives of the people.

This glance at the events of Craig's administration lets us into the secret of the policy of the period and of the years that followed, and gives the key to the political situation in the years intervening between 1800 and 1837. At the head of the state was a governor, responsible for his acts to his English superiors only, supported by an executive council devoted to him, and a legislative council made up of his own friends. Next to these powers stood a House of Assembly elected by the people. In any and every country, the essential condition of the normal working of the governmental machine is the existence of a good understanding between all its several parts. Now this condition was nearly always lacking in Lower Canada. The arbitrary character of the governor and the churlishness of the legislative council, with its eagerness to thwart the action of the assembly, produced in the latter body a degree of irritation and exasperation which betrayed its members into lapses such as calm reflection would have made them avoid.

With a man like Papineau, intelligent, proud, and conscious of his own strength, placed under

such circumstances as these and forced to give battle unceasingly against overwhelming odds, there could be but one result. Despite all possible efforts to maintain his self-control, under incessant pressure of unremedied abuses, his sense of irritation must grow daily stronger until at length, losing all idea of moderation, he will reject as insufficient, the offer of concessions which at the outset he would have deemed acceptable. Such was the case of Papineau.

He made his appearance in the assembly in 1812, amid the éclat of his father's renown, and himself already surrounded with the prestige of his precocious success at college. De Gaspé, a fellow student, tells us in his interesting *Memoirs* that "never within the memory of teacher or student had a voice so eloquent filled the halls of the seminary of Quebec." De Gaspé adds that it was chiefly in the assembly that he had heard Papineau, and that, strange to say, the eloquence of the tribune of the people had never stirred his feelings in the same degree as that of the youthful student. Papineau did not climb to fame by slow degrees. His début in the assembly was a masterly effort, and at one stroke won him the highest place.

Upon the advent of Sir George Prevost (1811) quiet was for a time restored to the province, for on the eve of the call to arms for the war of 1812, Papineau and his friends felt that intestinal struggles must be set aside. Following in the footsteps of his

father, who in 1775 had rendered valuable service to the cause of England in America, Papineau entered the ranks of the militia and served throughout the campaign as captain. We are told that he was an accomplished soldier, as fearless under fire as he proved himself humane and generous after the fight. On one occasion, when escorting at the head of his company a number of American prisoners, he sternly reprimanded his men for taunting their victims by shouting in their ears the strains of "Yankee Doodle." Does not the mere fact that the two Papineaus served under the British flag prove clearly that their opposition was not directed primarily against the principle of loyalty, but against the arbitrary exercise of power and against the tyranny of the governor and his following, leagued together in hostility to the Canadians to prevent them from attaining power and to restrict them in the enjoyment of their rights?

In 1815, Papineau, notwithstanding his youth, was called to the speakership of the House of Assembly in succession to M. Panet. From that date up to 1820—the advent of Lord Dalhousie—we do not find him taking an active part in parliament. Confining himself to the discharge of his duties as speaker, he gave up his spare time to the study of history, mastered the spirit of constitutional law, and assimilated a vast store of knowledge from which he was enabled subsequently to draw at will without exhausting the supply when

he became the leader of his party and could no longer have recourse to his books. A perusal of what remains to us of his speeches, which abound with reminiscences, traits and allusions to things of the past, will convince the reader of his extended intellectual culture.

While leaving a free field to his friends in the assembly, he gave full vent to his energies outside. No sooner had his advocacy of the cause of the Canadians placed him in conflict with Lord Dalhousie than it became evident to all that his eloquence had already won for him the mastery of the people of his native province, from the highest in rank and birth to the humblest of her citizens. Men of note, such as de St. Ours, Debartzch, Cuthbert, Bishop Plessis and his clergy, eagerly followed in the wake of Papineau and accepted his leadership.

From 1815 to 1820, when in the full maturity of his powers, he still hoped for the removal of the abuses complained of. Nothing could be easier, he thought, if the government would but take the trouble to avail itself to the full of the advantages afforded by the constitution of 1791. For, strange to say, Papineau then looked upon that constitution as a nearly perfect instrument of government. The opinion he then formulated is worth recording. He pronounced it in Montreal, in 1820, in the course of an eloquent address, which we quote from the Quebec *Gazette:*—

BENEFITS OF BRITISH RULE

"GENTLEMEN:—Not many days have elapsed since we assembled on this spot for the same purpose as that which now calls us together, the choice of representatives. The necessity of that choice being caused by the great national calamity, the decease of that beloved sovereign who had reigned over the inhabitants of this country since the day that they became British subjects, it is impossible not to express the feelings of gratitude for the many benefits received from him, and of sorrow for his loss, so deeply felt in this as in every other portion of his extensive dominions. And how could it be otherwise, when each year of his long reign has been marked by new favours bestowed upon this country? To enumerate these, and detail the history of this colony for so many years, would occupy more time than can be spared by those whom I have the honour to address. Suffice it then at a glance to compare our present happy situation with that of our fathers on the eve of the day when George the Third became their legitimate monarch. Suffice it to point out the fact that under the French government (both internally and externally, arbitrary and oppressive) the interests of this colony had been more frequently neglected and mal-administered than those of any other part of its dependencies.

"In my opinion Canada seems not to have been considered as a country which, from fertility of soil, salubrity of climate, and extent of territory, might

have been the peaceful abode of a numerous and happy population; but as a military post, whose feeble garrison was condemned to live in a state of perpetual warfare and insecurity, frequently suffering from famine, without trade—or with a trade monopolized by privileged companies, public and private property often pillaged, and personal liberty daily violated, when year after year the handful of inhabitants settled in this province were dragged from their homes and families, to shed their blood and carry murder and havoc from the shores of the Great Lakes, the Mississippi and the Ohio, to those of Nova Scotia, Newfoundland, and Hudson Bay. Such was the situation of our fathers; behold the change.

"George the Third, a sovereign revered for his moral character, attention to his kingly duties, and love of his subjects, succeeds to Louis the Fifteenth, a prince then deservedly despised for his debauchery, his inattention to the wants of his people, and his lavish profusion of the public monies upon favourites and mistresses. From that day the reign of the law succeeds to that of violence; from that day the treasures, the navy, and the armies of Great Britain are mustered to afford us an invincible protection against external danger; from that day the better part of her laws becomes ours, while our religion, property, and the laws by which they were governed, remain unaltered; soon after are granted to us the principles of its free constitution

—an infallible pledge, when acted upon, of our internal prosperity. Now religious toleration; trial by jury (that wisest of safeguards ever devised for the protection of innocence); security against arbitrary imprisonment by the privileges attached to the writ of *habeas corpus*; legal and equal security afforded to all, in their person, honour, and property; the right to obey no other laws than those of our own making and choice, expressed through our representatives; all these advantages have become our birthright, and shall, I hope, be the lasting inheritance of our posterity.

"To secure them, let us only act as becomes British subjects and free men. Let us select as representatives men whose private interest is closely connected with that of the community; who, warm friends to the country, will attentively examine its wants and make themselves thoroughly acquainted with its constitution; for those who understand these privileges must value them, and valuing them must be steady friends to whatever may promote the general weal, and inflexible enemies to whatever may endanger it. They will contrive that good laws shall be framed and duly obeyed; they will see that none shall rise above the laws; that none shall ever consider themselves so great, or others so little, as to command an obedience not required by law, or to commit injustice with impunity. They will contrive that the administration of justice shall be pure, inexpensive, prompt, impartial, and honoured

by public confidence. They will grant a public revenue proportioned to the means of the country and the wants of the government, distributed with that wise economy which must refuse to solicitation what should be reserved for the recompense of meritorious service; but such as will, at all times, enable the government to avail itself of the abilities of persons qualified to fulfil its duties. They will hold sacred the freedom of the press, that most powerful engine, the best support of every wise political institution, and best exciter and preserver of public spirit. They will multiply schools, well knowing that men are moral, industrious and free in proportion as their minds are enlightened. They will leave agriculture and the mechanic arts as exempt from burthens and unrestricted by regulations and privileges as may be expedient; aware that freedom and competition will generally ensure cheap, abundant and improved productions. In fine, they will know, love, and promote the general good of society."

How can we account for this eulogy of the constitution on the part of Papineau, a eulogy utterly at variance with his subsequent bitter criticisms of that same constitution? There is this, in the first place, to be said: had the constitution of 1791 been administered by men determined to be guided by its spirit rather than the mere letter, it would have fulfilled the legitimate aspirations of the country. It did not, as we have already stated, provide for

ministerial responsibility, but even without that most valuable feature, it was still sufficiently elastic and resourceful to form an excellent instrument of government. The essence of the parliamentary system is the power, vested in the representatives of the people, of voting on the levying of the taxes and of controlling the public expenditure. This in the main was what Papineau and his friends justly demanded. Did he hope after the administration of Prevost, during which the war with the Americans put a stop to all intestinal quarrels, and after the comparatively quiet rule of Sherbrooke and Richmond, a time of truce, as it were, in which a peaceful solution was sought for—did he hope to see their successor, Lord Dalhousie, adopt a policy of conciliation? Considered in the light of this hypothesis, Papineau's pronouncement does not clash so harshly as might be thought with his subsequent declarations. It moreover reflects the highest credit on himself and on his friends, for it goes to show that he was during several years neither an irreconcilable, nor an obstinate adversary of the government. If his mind one day succumbed to exasperation, it was after eight years of hostility persistently carried on against our people by Lord Dalhousie, with the evident design of crushing us; it succumbed during the administration of Lord Aylmer, who was still more aggressive than his predecessor, more determined to curb the House of Assembly, and to indulge in ceaseless provocation

with all the aggravating circumstances suggested by his determination to be unfair and arbitrary.

The *Lex talionis* for which there is no justification in political matters, seemed a perfectly legitimate weapon to a body of men who felt themselves to be persecuted in their aspirations and in their passionate efforts to secure for themselves all the liberties they were entitled to claim as British subjects. Stung to fury by their wrongs, they assumed the name of *Patriotes*. Their judgment became clouded under the breath of intolerance; they lost the true sense of the situation, and convinced that there was nothing more to be hoped for from the government, which had been so long deaf to their complaints, they one day went to the length of refusing to accept at its hands an ample remedial measure.

CHAPTER V

THE UNION SCHEME OF 1822

WITH the advent of Lord Dalhousie we enter upon the acute stage of Canadian politics. A man of distinction and taste and high intellectual culture, Lord Dalhousie was the founder of the Literary and Historical Society of Quebec. He it was also who caused to be erected in memory of Wolfe and Montcalm the well-known monument seemingly symbolical on his part of that spirit of conciliation, which was by no means apparent in his conduct towards the majority of the people of the province.

He lacked force of character and fell under the influence of the coterie who reigned at Château St. Louis and who, under cover of the governor, had ruled and exploited our province for forty years. Ryland, secretary to Craig, was the prototype of those gloomy, cold-blooded fanatics, who, under the pretext of safeguarding the interests of England, strove in every way to destroy the rights of the French Canadians. History will refuse to admit even the plea of sincerity in their behalf. Their contempt for our people who were so often made the victims of their overweening self-conceit, was probably not as genuine as it seemed to be. What

the coterie craved above all things was to retain power in their own hands with a view to the profits, honours and emoluments to be derived therefrom, and of which they availed themselves to the utmost limits of abuse.

With the first session of parliament called by the new governor (1820) the conflict between the council and the assembly burst forth more furiously than ever. Papineau having insisted on the budget being voted item by item, in order to ensure complete control of the public monies by the representatives of the people, the council rejected the bill, affirming its assumed right to participate in voting the supplies, and its resolve to reject the civil list divided into chapters. This amounted to a reprimand administered to the House, at which the latter took umbrage and made answer that the council could not dictate to it as to the manner of voting the supplies, which was its own exclusive privilege. Unfortunately, Lord Dalhousie took sides with the council instead of suggesting a compromise in order to put an end to the dead-lock from which there seemed to be no escape.

Did Dalhousie witness the conflict with a certain degree of satisfaction? A despatch from Lord Bathurst would seem to indicate that such was the case. The instructions of that minister to the new governor assume, when carefully examined, the features of a hideous machination devised to provoke an upheaval in the two chambers, which

might be used as a proof that all government was impossible in the province. In order to overcome the deadlock thus brought about, the union of Upper and Lower Canada would then be insisted on as the supreme and last means of restoring order. . . . Machiavelli himself could not have shown keener craft.

The struggle between the council and the assembly was not the only cause of irritation. All the abuses which absolutism fosters swarmed in the most aggravating form. Favouritism of a bare-faced character prevailed. Here was to be found a friend of the government who was at one and the same time a legislative councillor and a judge; a parliamentary official sitting on a magisterial bench; a lieutenant-governor, while living out of the country, in receipt of a salary without discharging the duties of his office; elsewhere, a judge, who was paid by the state, compelling litigants to pay him fees. Some of these abuses, which were made known to the governor, were of a character so outrageous that Dalhousie, in spite of his partiality, promised to provide a remedy.

While Papineau and his friends were clamouring for a reform of these evils, they learned with dismay and indignation that steps were being taken in London to strike a fatal blow at the life and liberties of their race. A bill had been introduced in the House of Commons, making a single province of Upper and Lower Canada, abolishing the use of

the French language, and giving an enormous preponderance to the representation of the English-speaking element in our parliament. The bill would have gone through all its several stages at Westminster but for the intervention of Mackintosh, Labouchère and Hume, who indignantly protested against the measure, and put its authors to shame by demonstrating the utter injustice of so gross an attempt on the liberties of British subjects, of men, they might have added, who on two occasions had saved Canada for England. The majority sided with our defenders, and called upon the government to defer the recording of our death sentence until the following session.

Prompt action now became a matter of urgent necessity in order to avert the danger which was upon the province. Forthwith, at Quebec, Montreal and Three Rivers, at Papineau's suggestion, committees were organized to secure the signing of a petition in opposition to the proposed union; within a few weeks the number of signatures had reached sixty thousand. Meantime the question as to the proper person to lay the monster petition at the foot of the throne was no sooner asked than one and the same answer fell from every lip: "Papineau!" He resisted the general wish for some time, but his great devotion to the public interests made him feel that he could not shirk the duty so clearly incumbent on him, in view of his position as leader of the Liberal party in the province.

PRESENTING A PETITION

At this date (1822) Papineau had attained the culminating point of his power; his influence, everywhere acknowledged by all classes, held undisputed sway. Not only did the people look up to him as their leader, but the clergy, with Bishop Plessis at their head, proclaimed him the man of the hour. M. Charles de St. Ours, a man of great weight, the heir of a distinguished family, whose ancestors had won fame on many a battlefield, wrote to Papineau as follows:—"The Canadians must do their utmost to parry the blow with which the country is threatened, and it is to be hoped they may succeed in doing so, in spite of the intrigues of our enemies. I see with great satisfaction that all eyes are turned towards you, in the hope that you will present our petition in England. I know no one more worthy and more capable than yourself of undertaking that honourable mission." An eminent and influential ecclesiastic, a member of the faculty of the seminary of Quebec, Rev. Joseph Demers, also urged him strongly to proceed to England, saying:—"Let me beg and implore you not to abandon our poor country until we shall have conquered in the fearful struggle now upon us. I know it involves a great sacrifice on your part, but I know also that such sacrifices have long been nothing to you." Solicitations such as these poured in upon him from all parts of the country. There lived at that time, at St. Charles, on the Richelieu, a man of much wealth for that day, gifted with intellectual powers

of a high order, and wielding great influence throughout the whole region between Sorel, Montreal and St. Hyacinthe: this was M. Debartzch, brother-in-law of M. de St. Ours, and the father of young girls then renowned for their great beauty and mental gifts, and who subsequently became Mesdames Kierskowski, Rottermund, Drummond and Monk. He writes to Papineau as follows:—"I ought not to ask you again, but when I reflect on your great ability and your genuine patriotism, I feel constrained to do so, in spite of myself. Do accept this honourable mission, which you alone can worthily fulfil."

Papineau found allies also amongst the English-speaking citizens, several of them persons of high standing, who took sides with our people, as for instance: James Cuthbert of Berthier, a member of the council and proprietor of an important seigniory,—Leslie, and John Neilson, proprietor of the Quebec *Gazette*. The latter was also selected as a delegate to London. The flagrant injustice of the oligarchy that ruled the province had long excited the indignation of Neilson, and on every possible occasion, both in parliament and at public meetings, he took sides with the French Canadians. His sound judgment and moderation of character enabled him to give wise counsel to the *Patriotes* and to moderate the passions of the more violent amongst them. The proposed union measure of 1822 he looked upon as a peril to the country, and

he laboured as earnestly as Papineau to avert it. "The country," he writes, December 12th, 1822, "will not submit to the injustice planned against us by a handful of *intrigant* who want to sacrifice to their own ambition the happiness of the Canadian people. These men whom chance has made so great in this country, and who would have remained in obscurity anywhere else, might well have remained content with the numberless preferments they now enjoy, without undertaking to rob the people of our province of their rights. Blinded by the most unfounded and unreasonable prejudices against our most cherished institutions, and nourishing as they do, in their hearts, and even openly manifesting, utter contempt for the peculiar usages and manners of the Canadian people, they certainly are guilty of an abuse of power calculated to endanger the peace and tranquillity of the country." It is manifest from this that the excesses and insolence of the bureaucracy had excited the indignation of Neilson quite as much as that of Papineau and his friends. But who were the handful of *intrigant* to whom Neilson alludes? They were the merchants of Montreal and Quebec and the bureaucracy, who had suggested to Ellice, a resident of London, very influential with the colonial minister, and proprietor of the seigniory of Beauharnois, the idea of uniting the two Canadian provinces, with the avowed object of annihilating the influence of the French.

Papineau and Neilson took ship at New York for Liverpool in the month of January, 1822. On February 25th following, taking up their quarters at 28 Norfolk Street, Strand, they sent notice of their arrival to the secretary for the colonies, Lord Bathurst, craving an audience in order to submit to him the protest of the French Canadian people against the union, and also the petition of six thousand freeholders of Upper Canada in opposition to that measure.

Papineau produced a most favourable impression in London. His high intellectual culture, his ease and grace of manner and his imposing mien, insured him a cordial welcome in the political world. "Can this be," men seemed to ask themselves, "one of those who have been described to us as steeped in ignorance and more like savages than civilized beings in their mode of living?"

A more extended knowledge of Canada would have made it manifest to the leading minds in London that there were then in Quebec, Montreal, and every other centre of any importance in the province, men of high breeding and refined manners, who would not have been out of place in the best *salons* of Paris or London. Great refinement of manner and old-time courtesy were the characteristics of the Canadians of old, and these qualities were to be found not only among the seigniors and persons of education, such as the officials and merchants and the clergy, but among the simple

habitants who tilled the soil. This it was that made Andrew Stuart declare, "The Canadians are a race of gentlemen."

During their residence in London the conspiracy against the French Canadians became manifest to Papineau and Neilson in all its hideous malice. The peril had not been exaggerated; on the contrary, they found that, at Ellice's suggestion, the ministry had resolved to push forward the Union Bill not by forced marches, but quietly throughout all its stages. A singular incident had revealed the plot. There was then in London a man named Parker, a personal enemy of Ellice, who had quarrelled with him about a matter of business. Parker, who was cognizant of Ellice's design, determined, for vengeance sake, to thwart it, and promptly revealed the plot to Sir James Mackintosh and Sir F. Burdett. The latter had no difficulty in demonstrating the infamous character of this attempt to alter the constitution of Canada, in order to punish the French Canadians for crimes imputed to them on charges which they had not been given an opportunity to disprove.

It was an easy task for our delegates to confound the calumniators of our people, and the ministry undertook to drop the bill, which was destined, in the minds and hopes of its promoters, to consolidate and perpetuate their own ascendency. A letter of Papineau's gives us a portion of the petition of the partisans of the union in Montreal and Quebec.

The following extracts therefrom will not be found inappropriate. We venture to say that the fair-minded reader will be struck with the degree of audacity and blind passion which must have dominated in the minds of men who sought to enslave a whole people on such futile grounds and reasoning.

"The fertile source of all the evil complained of," said the petitioners, "is to be found in the Constitution of the Assembly. Hence the ever recurring difficulties between the several Branches of the legislature. Hence it is that the Powers of the Executive Government for the improvement of the Colony have been paralyzed; hence the extension of British settlement has been impeded; the increase of the British population . . . prevented . . . all commercial enterprise crippled . . . and the Country remains with all the foreign characteristics which it possessed at the time of the conquest. It is in all particulars, French. The adoption or rejection of the Union will determine whether, under the disguise of a British dependency for some time longer, it is to be forever French. . . . The unreasonable extent of political rights conceded to this population . . . with a sense of their growing strength, has already had the effect of realizing in the imagination of many of them their fancied existence as a separate nation, under the name of La Nation Canadienne. . . . A system of government which in its ulterior consequences must expose Great Britain to the mortification and disgrace of having

at immense expense, reared to the maturity of independence, a foreign, conquered colony, to become the ally of a foreign nation and the scourge of its native subjects, ought not to be persisted in.

"The inhabitants of Upper Canada would imperceptibly be induced to form connections with their American neighbours, and, being unnaturally disjoined from Lower Canada, would seek to diminish the inconveniences thence resulting by a more intimate intercourse with the adjoining States, leading inevitably to a union with that country. The injury produced by the French character which now belongs to the Country, and the predominance of French principles . . . without a union of the provinces, must be aggravated by the augmented influence of those causes arising even from a recent Act of liberality on the part of the mother country. According to the colonial system recently adopted, a direct intercourse between Lower Canada and France is now permitted. The immediate effects of this will be to give increased strength to those national feelings and prejudices which, during sixty years of interdicted communication with France, have remained unabated, and to render more inveterate the causes of disunion between His Majesty's Subjects in Lower Canada.

"Notwithstanding the unlimited generosity which had been displayed toward the conquered, by confirming to them their laws and their religion, by admitting them to a participation in the Govern-

ment and in all the rights of British Subjects . . . no advance had been made in effecting a change in the principles, language, habits, and manners which characterize them as a foreign people. . . . The French Canadian population, for a short period of time after the adoption of the present constitution, partly from incapacity to exercise the political powers with which they had become invested, partly from some remaining deference for their English fellow-subjects, used their ascendency with moderation, but this disposition soon yielded to the inveterate anti-British prejudices, and the English, with the exception of a small number who have been elected rather for the sake of appearances than from any regard for their qualifications, have been excluded from the House of Assembly. For many years hardly one-fourth of the representatives were English. At the present time, out of fifty members, only ten are English. . . . As illustrative of the spirit by which this body has been actuated . . . no person of British origin has ever been elected Speaker."

After quoting these extracts from the Unionist petition, Papineau exclaims:—"Are not these accents of rage and hatred? Are these the sentiments we might look for from brothers-in-arms with whom we have so recently striven (1812) to repulse a common enemy? Will the provincial government still refuse to sign the petition against the Union? Or will they, with their usual imbecility, when the whole country is crying out with indignation against

this infamous act of violence, isolate themselves and sever their interests from those of the country which it is their duty to govern and not to outrage?"

Ellice and Papineau met by accident, at the residence of Burdett. The former availed himself of the opportunity to question his political adversary as to whether the ministry had promised him to abandon this measure. Papineau replied in the affirmative, whereupon, Ellice became furiously angry and declared that they had broken their pledge to him, and that if they persisted in refusing to fulfil their undertaking, he would publicly denounce them.

In spite of Ellice's protests, the Union Bill was well and duly shelved in 1823, and filed away in the records of Downing street, whence it was to be brought forth eighteen years later. Ellice and the Montreal and Quebec merchants were to carry their point in the end, and conquer soon after their defeat.

CHAPTER VI

PAPINEAU RETURNS TO CANADA—AT WAR WITH LORD DALHOUSIE

ON his return to Canada in November, 1823, Papineau wrote forthwith to Neilson, who had been compelled by important business matters to return before him. Neilson had no sooner arrived than he became the object of a shabby persecution on the part of Lord Dalhousie, and was deprived by him of the government patronage. "I am much grieved," Papineau writes to his friend, "to find on my return home, that our wretched Administration, instead of appreciating the services which a man of your high integrity would be in a position to render to them, if their policy were just, have undertaken to persecute you. The first adventurer who is willing to-day to flatter an incapable such as the Governor, a vain creature such as the Chief Justice [Sewell], a contemner of all the rules of courtesy such as Richardson [a legislative councillor who had insulted the French Canadians], and some others of like character, will be received into the favour of these men—as they received Henry and other such knaves—in preference to men of high character, ability and influence, who would refuse to approve of their odious acts of usurpation."

Such was the spirit in which Papineau once more rushed forward to the assault against the crying abuses he had already so often attacked, and which owed their prolonged existence to the fact that so many individuals found profit in maintaining them.

It looked as though the government were playing into Papineau's hands. He had, time and again, pointed out the danger of not exercising control over the public expenditure, of not providing for responsibility on the part of public officials. These representations had hardly been uttered again on his return, when Lord Dalhousie was compelled to inform the House that the receiver-general, Caldwell, whose extravagance was a public scandal, had appropriated to his own use £96,000 of the public monies. Taking this enormous defalcation as the basis of his attack, Papineau, in the House, assailed the governor in a speech which, as we are told by the historian Bibaud, recalled to one's mind by its violence the Philippics of Demosthenes and the fierce invectives of Cicero against Catiline.

Violence of language is not argument, but does not the government at this time seem to have been acting in open defiance of decent public opinion, in allowing this unfaithful official, guilty of embezzlement and liable to imprisonment, to remain at liberty? It was an insult to the people, who had been audaciously robbed; an outrage to public morality, and a pilfering which recalled the crimes of Bigot, with the difference that the latter had

been called to account before the courts by Louis XV., notwithstanding that that king was not himself overburdened with scruples. Time and again had the assembly denounced the incredible negligence of the government, in failing to require from Caldwell the ordinary security for the honest discharge of his duty. And yet, strange and incredible as it may appear, his successor was also appointed without being compelled to find sureties for the faithful administration of his office!

Naturally enough the conclusion of Papineau's address was an appeal to the House to refuse to grant supplies. Vallières, who had come to terms with the governor, argued against Papineau's motion and succeeded in defeating him. A rivalry thus sprang up between the two men, and they will thenceforth be found acting at times in antagonism. The supply bill was nevertheless rejected by the legislative council on the ground that it reduced the vote for salaries to civil servants by twenty-five per cent. This was an additional fault to be scored against the Upper Chamber.

The eternal question of the finances held the first place during Dalhousie's term, in the councils of the French Canadians. Appeal after appeal was heard in London in relation thereto; but in every instance these were decided unfavourably to Papineau, whose temper must have been sharply tried by such a reply as this from the secretary of state for the colonies:—"The claims of the House of Assembly

are unreasonable; it is the proper term to apply to them, for they are contrary to the law, and that body has violated a principle of constitutional law by refusing to appropriate any portion whatever of the large revenue it controls, unless the permanent revenue of the Crown be given up." This was going too far, and Downing street exaggerated the shortcomings of the House of Assembly. A written constitution is a very elastic instrument of government and in the hands of a man of ability may be made to adapt itself to the exigencies of the situation. At the period herein dealt with, Nova Scotia regulated her expenditure as she thought proper, without the intervention of the executive. Papineau writing to Sir James Mackintosh informs him that in an interview with Lord Dalhousie he said to the governor:—"When you were governor of Nova Scotia, you allowed the assembly to vote the supplies item by item, while you refuse to tolerate this procedure here." His Lordship said in reply: "I was about to alter that system when I was called to Quebec." This explanation of the governor's was a pitiful subterfuge which shows clearly that he was not actuated by principle but simply and solely by the wish to keep the reins of power in the grasp of the coterie who had so long profited by its abuse.

What the assembly sought to attain by securing control of the supplies was the removal of the abuses which prevailed from top to bottom in every department of the government, the cumulation of

offices, the sinecures—such as the lieutenant-governorship of Gaspé the incumbent of which was out of the country, and the post of lieutenant-governor of Lower Canada.

In the executive council consisting of ten members, there sat seven members of the legislative council, the attorney-general and two clerks of the legislative council. The president of the executive council, Jonathan Sewell, also wore the ermine of the chief justice and president of the court of appeal. Beside this body strutted a swarm of sinecurists, including two lieutenant-governors whose faces had never been seen by those they were supposed to govern. Of the members of the executive council, but one was a native of the province of Lower Canada, the others hailed from the neighbouring provinces.

No responsibility attached to their acts in the colony, for their instructions came from the king. This permanent body was in point of fact the embodiment of authority, for it possessed the covert but absolute control of the finances. No sooner did a new governor arrive than he fell as a matter of course into the hands of the executive councillors, who so influenced and indoctrinated him as to make him an instrument in their hands. Full of prejudice against the French Canadians and puffed up with pride and self-conceit, they constantly treated with scorn and contempt men superior to themselves in intellect and often in birth.

The legislative councillors followed in the footsteps of the members of the executive in their deplorable work. Thus it is that we find that legislative body on one occasion in their anxiety to please the executive uttering with full solemnity the constitutional heresy embodied in the following resolution:

"Resolved that the Resolution of the Assembly in the words following:—'*Resolved, that this House 'will hold personally responsible His Majesty's Re-'ceiver-General and every other person or persons 'concerned, for all monies levied on His Majesty's 'subjects in this Province, which may legally come into 'his or their hands and be paid over by him or them 'under any authority whatsoever, unless such pay-'ments be or shall be authorized by an express pro-'vision of law,*' is an attempt to raise their separate vote above the law by dictating to an officer who is constitutionally bound to act according to his instructions from the *Executive Government* and not from either of the two Houses of the Legislature."

It was for a moment hoped that an understanding had been arrived at on this vexed question. In 1825, Lord Dalhousie being in England, Sir Francis Burton, lieutenant-governor, laid before the House a budget prepared in accordance with its wishes. This was promptly voted amidst the applause of the whole country. "At last," people exclaimed, "here is the question which has caused so much discord and excited so much angry feeling, banished from the political arena."

This satisfaction was of short duration; our people had forgotten the hostility of the colonial office, and Lord Dalhousie, in the session of 1826, intimated that Sir Francis Burton had exceeded the limits of his power and that the House must recur to the system it had so often refused to accept. To withdraw a concession once made, even though made in error, is an act of bad policy, dangerous, and fraught with provocation. As a matter of fact it would have been extremely difficult to point out a single abuse consequent on the budget of 1825. The governor's course was a challenge and a defiance, and the House expressed its indignation by a fresh refusal to comply with his wishes as to the mode of voting the monies required for the ends of the government.

At the session of 1827 the national party entered the House stronger than ever; the general elections held in the previous July had added to the number of Papineau's followers. He stood forward as the avowed adversary of Lord Dalhousie, and the struggle between the two men assumed the character of a personal war. Hence, when the House elected Papineau speaker, the governor refused to confirm the election. The members refused to cancel the election, and the governor dissolved parliament in a speech filled with bitter reproaches addressed to the House of Assembly.

"I come to close this session of the Provincial parliament, convinced by the state of your proceed-

ings, that nothing likely to promote the public interest can be now expected from your deliberations. Gentlemen of the legislative assembly, it is painful to me that I cannot speak my sentiments to you in terms of approbation and thanks. I have seen seven years pass away without any conclusive adjustment of the public accounts. I have seen the measures of the government directly applicable to the wants of the province thrown aside, the forms of parliament utterly disregarded; and in the session, a positive assumption of executive authority instead of that of legislative, which last is alone your share in the constitution of the state."

Papineau's spirit revolted against these reproaches which assumed, in his mind, the character of so many insults offered to his country in the person of her representatives. Stirred by his eloquent words the whole province was aroused, and an outburst of indignation answered his appeal. Resolutions condemning the governor were adopted and petitions addressed to the English government were signed. As in 1822, it was Papineau who directed the great national protest. The petitions set forth the grievances we have just described, but they dwelt more strongly on certain abuses. Thus, while complaining of the usurpation of authority by Lord Dalhousie in spending the public monies without the authorization of the House, the petitioners pointed out to His Majesty that more than one half of the revenue was absorbed in paying the

salaries of the officials, and that the expenditure under that head was increasing in face of a declining revenue. At that time, moreover, public instruction was cramped and paralysed, and money was needed in order to place the system on a proper footing. For thirty years the assembly had striven to secure the revenue derived from the estates of the Jesuits. "The properties confiscated from the Order had been granted to them by the kings of France for the purposes of education; let these estates be devoted to the purpose for which they were originally granted." Such were the reasonable demands of the petitioners. As a matter of course, the petitions are filled with violent attacks on the legislative council, "that body composed for the majority of men who are dependent for their own and their families' support on salaries attached to their positions, which they hold only at the governor's good pleasure."

John Neilson was again selected to bear the complaints of the French Canadians to London. They relied upon his experience and his moderation and upon the fact that he was a Scotsman, sharing the opinions of the French Canadians, and could not be suspected of race prejudice. M. Cuvillier and D. B. Viger accompanied him. Our delegates found their mission an arduous task and a cruel ordeal, struggling as they did against indifference, contempt, or ill-concealed hostility. By dint of persistent pleading, however, they succeeded in putting a committee of the House of

Commons in possession of the facts of our case; and that committee after considering the grievances complained of, declared: "That the French Canadians must not in any way be disturbed in the exercise and enjoyment of their religion, their laws, and their privileges; that although the right to appropriate the revenue collected under the Act of 1774 belonged to the Crown, the committee were of opinion that the true interests of the provinces would be best promoted by placing the collection and expenditure of all public revenues under the control of the House of Assembly; that the majority of those composing the legislative council should not consist of persons holding office at the good pleasure of the government; and that as regards the judges, excepting the chief justice only, it would have been better that they should not have taken part in the affairs of the House."

The ministry did not press the adoption of this report in the House of Commons. It did not help our delegates much, except as eliciting a mild expression of opinion. It settled nothing and left matters in *statu quo*. True the government put an end to Lord Dalhousie's administration, but the mere removal of the official head was of no avail, so long as the abuses continued to exist. It was not the governors that needed changing, but the spirit by which they were animated and which had its inspiration in London.

CHAPTER VII

PAPINEAU'S TROUBLES WITH HIS FRIENDS

AS Papineau became more deeply involved in the struggle undertaken against the governor, the executive council, and the legislative council, difficulties, sufficient, one would think, to exasperate him and drive him to despair, sprang up on every hand. His enemies grouped together in solid phalanx, presented an unbroken front to his attack, while his friends wavered in their allegiance, and the result of division and jealousy became manifest in their ranks.

Quebec and Montreal were almost at loggerheads. As early as 1822 this tendency to a scattering of forces had appeared. The selection of Papineau and Neilson as delegates to treat with the English government, had not found approval in Quebec. On this subject, M. Jérome Demers, an ecclesiastic, writes to him from Quebec: "I am by no means pleased to learn that you have been selected to take the address to England. All your Quebec friends are filled with anxiety about you. All are, of course, convinced that the interests of the Province could not be entrusted to better hands, nor would they have ever thought of others had you not been Speaker of the House. They

cannot conceive how you could desert your post without the Consent of the House. They think you will probably on reaching England find there letters from Canada blaming you for your so-called desertion."

So much for his friends, but the envious had also to be dealt with, and these were the chief cause of anxiety to M. Demers. But let us further quote his letter. He says: "Another Speaker must be chosen, and this election will be the apple of discord cast into the arena of the Assembly. There are ambitious men amongst us whom we do not know well enough. An unhappy selection might become fatal to us. But even though the choice be a judicious one and the election be quite irrespective of passion or personal feeling, would the Executive give its approval? We have bickering and cavilling enough already without creating additional cause of strife. What I dread most is division in our ranks—division would destroy everything. I wish you were here for a moment amongst your Quebec friends. I feel certain that you would remain if you heard their arguments."

It is evident from this confidential letter that as early as 1822 Papineau's policy did not commend itself to all the members of his party. Whether through weariness or fear of consequences, these symptoms had become still more marked in 1828; and there had been here and there outbursts of revolt against Papineau's absolute rule.

The successful conduct of a campaign such as he was leading demands abundant energy, and skill in the handling of men—a knowledge of when to restrain and when to stimulate their energies, and how to crush the vacillation and discontent which engender discouragement. Papineau was well fitted for this work, and his active intellect enabled him to accomplish the many calls upon his energy. We find him dispensing unstinted praise on his leading lieutenants, such as Neilson of Quebec, whom he seems to have held in highest esteem among them. He congratulates him on his successful efforts, and wishes he but had a host of such friends. To Neilson he unbosomed himself when in ill-humour, to that friend he opened his heart in the dark hours which come to all who are charged with the management of other men. On January 9th, 1827, he writes to him:—"The injustice done to my country revolts me, and so perturbs my mind that I am not always in a condition to take counsel of an enlightened patriotism, but rather inclined to give away to anger and hatred of our oppressors."

He is not gentle with those of his party with whom he feels bound to find fault, or with those who seem to him to be striving to counteract his plans. His policy leads him to bear with the latter as long as possible, and to crush them as soon as he loses all hope of bringing them once more into line. In the elections of 1834 we find him slaughtering certain former adherents whose zeal had grown cold

in view of his revolutionary tendencies. The difficulties of his position left no room for pity. Napoleon, with what has been called his contempt for the lives of other men, said that in a battle minutes are everything and soldiers nothing. Papineau seemed to think that, in a political struggle in parliament, individualities are nothing and votes everything. Thus it was, with seeming cruelty, that he sacrificed friends whose votes he could not calculate upon as absolutely safe for his cause. The vacillating conduct of the *Patriotes* in Quebec who had undertaken the preparation of the petition against Lord Dalhousie excited his wrath.[1] The protest made by the Montreal committee seemed to them too severe, and they decided to prepare one to suit their own views. Papineau awaited the result of their deliberation, and when several days had passed without news, gave vent to his anger in the following letter to Neilson, dated at Montreal, October 8th, 1827: "I share in the annoyance you must feel at the sluggishness and hesitations of your committee in reporting resolutions and the draft of an address to

[1] During Papineau's struggle his friends assumed the name of *Patriotes* and their opponents were called *Bureaucrats*. He referred to the men in power as *l'oligarchie*. As to those of the French Canadians who sided with the *Bureaucrats* and *l'oligarchie*, they were dubbed *Chouayens*. The origin of this word is thus explained: At the taking of Oswego, called Chouagen, by the French led by Montcalm, some militiamen deserted, and were afterwards called *Chouayens* with a slight deflection in the word. Étienne Parent was the first to apply this soubriquet to those pusillanimous or cowardly countrymen of his who refused to follow Papineau.

the King, or to Parliament, setting forth the numberless grievances chargeable to the present government. You will share in our disappointment here when you learn that all our efforts, so far, have been confined to the task of restraining the eagerness of the people, who are impatiently calling for a public meeting where their charges may be formulated against Lord Dalhousie. Your committee is responsible for the false position in which we now stand. Had the two cities acted in full concert, the county committees would have followed suit; and such a combined expression of the wishes of the country would have more weight than a number of varying addresses, and best of all, would secure more prompt action in the matter. We have found it difficult to induce the people of Montreal to wait with patience, and I now learn that your people have only got to the length of talking and speech-making without coming to any conclusion. A letter just received informs me that our friend M. Berthelot thinks it may be better simply to send over an agent without any petition, to ask that he be followed by another agent and that M. Vallières is pouring forth strings of high-sounding elegant phrases to show that much may be said both for and against the policy of petitioning the King. Heavens, what a deluge of words! And it is not for lack of brains, but simply lack of character. Does he feel his silk robe so stuck to his skin that he cannot lose it without losing strips of flesh and

enduring unbearable torture? Does he hope to retain it—can he honourably do so in view of the affront offered him by his Lordship, in dismissing him from his position in the militia on account of his vote in Parliament? To no other man but yourself would I say thus freely what I think of M. Vallières, but I cannot help giving vent to my grief and vexation when I see him prostituting the talents with which nature endowed him, at the feet of a man whom he cannot but hold in contempt."

Amidst all these bickerings and hesitations, Papineau and his friends must have felt a momentary satisfaction when the bearers of the petition accomplished the decapitation of Lord Dalhousie. It was a personal success for him—a sentimental victory it is true for his self-love—but still a victory. He did not, however, exult in it in the slightest degree, and, as we find afterwards, he is quite as wrathful as before and hopeless of getting justice from England, in view of the fact that her parliament did not adopt the report of the committee as above stated

After the departure of Lord Dalhousie, Sir James Kempt took the reins of power, and there is then a lull in public affairs, such as that which characterized the brief administration of Sir Francis Burton, who was acting-governor during the absence of Lord Dalhousie, in 1825. Kempt was a man of seemingly moderate and conciliatory character and Canadians augured well of his administration. But the publication of a report made by him

in 1829 on the state of the province, once more upset everything. The minister having asked for his views as to the expediency of so modifying the composition of the executive and legislative councils as to give satisfaction to those forming the majority of the people of the province, his recommendation in reply fell short of the demands of the assembly. Hence, he soon became unpopular and ere long retired from his position. Nevertheless, his reply to the home government embodied the open and undisguised avowal that reforms were needed in the direction suggested by the minister. A change was required, he said, in the composition of the legislative council, consisting as it did of twenty-three members, of whom twelve were office-holders and only seven of the twenty-three Catholics; and also in the executive council, which contained but one minister who was independent of the Crown and one single Catholic. After these admissions, Kempt erred in recommending but little change. He must, nevertheless, be credited with having suggested to the minister the policy of taking members of the legislative assembly into the executive council. This representation would have had the effect of giving the people a more direct force in the administration of the affairs of the country, and also of placing the government in closer contact with the assembly, where matters might have been discussed in a more practical manner between the rival parties. Some are inclined to think that the

presence of one or two ministers in the House of Assembly was ministerial responsibility in embryo, and that the full responsibility would have promptly resulted therefrom. Such was also the opinion of Cartier expressed in parliament in 1854, when he blamed Papineau and his friends for having expelled from the assembly Dominique Mondelet who had been called to the governor's council.

We know that Papineau was called to the executive council in 1822 and refused the honour. Did he see in the proposal a plot to destroy his ascendency in the House, while leaving him without influence, standing alone in the midst of his political opponents? It is evident that his presence in the council might have produced excellent results, had the elements with which he had to deal been amenable to his influence; but it was far otherwise. Nor must we forget that Papineau was the leader of a party and that his party would have been but a headless trunk, had he entered the council. There would have been a manifest incompatibility between the two positions. Finding himself in a like alternative, in 1841, LaFontaine refused to enter the Draper ministry at the request of Lord Sydenham, on the ground that the interests of the French Canadians would have been inadequately represented.

The same grounds could not be urged against the presence in the ministry of Dominique Mondelet. He was not a leader, and in the House and in the

council his services might have been of use, but party spirit ran so high at the time, that his appointment suggested a betrayal. It was one of the paradoxes of the period: our *Patriotes* never ceased complaining of the fact that all the remunerative posts were given to the English, and yet no sooner did a godsend of the kind fall to the lot of one of their own men, than they raised the cry of "Treason!"

CHAPTER VIII

LORD AYLMER IN THE PATH OF DALHOUSIE

WE have now reached the year 1830. Papineau had been in parliament for eighteen years, and from the hour of his distinguished début in the legislative assembly, he had not ceased to prosecute the claim of his countrymen to enjoy the liberties and privileges to which they were entitled as British subjects. At the close of the eighteen years of pleading and claiming, he had won nothing but promises never fulfilled, and that with endless bickerings and personal insults. Is it to be wondered at, that under the constant renewal of his hopeless struggle, his temper should have become embittered, and that he should have lost confidence in the spirit of justice of the colonial office where he had so often applied for redress; and when Lord Goderich, a minister of broad views and rational grasp of the situation, offered him concessions, is it to be wondered at that he refused to believe in the sincerity of his advances; or is it surprising that he should fail to believe in the apparent good-will manifested by Lord Aylmer on his arrival? During the session of 1830, after perusing the list of grievances complained of by the Canadians, the governor expressed his astonishment at their number and their im-

portance, and then, with a degree of frankness hardly to have been expected from a diplomatist, but quite natural from a soldier, begged of the House to say whether the list was quite complete, and urged them to make diligent search for any further wrongs that might exist. "For," he said, "we must put an end to them once for all, and leave no cause of complaint unremoved."

This conciliatory spirit manifested, at least in appearance, by the governor on his arrival, was not exhibited in the relations between the legislative council and the assembly. With an intensity greater than ever these two bodies, between whom it was so desirable that harmonious relations should prevail, looked upon and treated each other as enemies, and each watched for opportunities to counteract the plans of the other. Their mutual hostility was bringing affairs to a crisis. In this session of 1831, the assembly having sent to the Upper House a bill excluding judges from the executive and legislative council, the latter threw out the measure, as it had thrown out the supply bill the year before.

In the midst of these dissensions the important despatch from Lord Goderich, offering to Papineau and his friends a most acceptable compromise in relation to the financial question, was received in Quebec. The minister for the colonies declared that the English government was prepared to give to the assembly the absolute control of the expenditure, save as to the casual and the Domaine

revenue, in exchange for a provision of a civil list of £19,000, during the lifetime of the king. In the second session of 1831, Papineau, with the help of Bourdages, who was also an advocate of extreme action, succeeded in defeating the motion for the adoption of the measure proposed by Lord Goderich. This was an error much to be regretted on the part of Papineau. Garneau, the historian, who was himself a participant in the events of the period, and who will hardly be charged with partiality for the assembly, condemns the conduct of Papineau and his friends. "Never," he says, "did the House commit so serious a blunder. But it was already evident that some fatal influence was hurrying it beyond the bounds of prudence."[1]

The irritation which raged in parliament and in the executive council at length communicated itself to Lord Aylmer, who in 1832 was at open war with

[1] Strange to say, Lord Durham in his famous report on Canadian affairs, finds extenuating circumstances to Papineau's conduct in refusing to accept full control of the revenue in exchange for the civil list, because this arrangement would still have left the civil service independent of the assembly.

"The assembly, after it had obtained entire control over the public revenues," said Durham, "still found itself deprived of all voice in the choice or even designation of the persons in whose administration of affairs it could feel confidence. All the administrative power of government remained entirely free from its influence; and though Mr. Papineau appears from his own conduct to have deprived himself of that influence in the government which he might have acquired, I must attribute the refusal of a civil list to the determination of the assembly not to give up its only means of subjecting the functionaries of government to any responsibility."

the assembly and no longer made a secret of his antipathy. His *entourage* fanned the flame of his displeasure, and did not fail to remind him exultingly that on his first arriving they had told him how intractable the French Canadians were. Thenceforth we have but the record of a succession of unfortunate and unpardonable blunders. Aimless discussions take place from day to day, and instead of seeking to come to an understanding, each party spends its energies in an effort to inflict annoyance on the other.

In refusing to accept the concession of Lord Goderich, Papineau and his friends had departed from the rule of action of the English system, which is averse to the absolute, and proceeds only by compromise and mutual concessions. Every concession, however small it may be, must be accepted and in its turn made the basis of further demands. But the long and fruitless struggle seemed to have exhausted the patience of the most hopeful, when we find such men as LaFontaine, Morin and Bleury, who subsequently proved themselves, under all circumstances, moderate in their views and opposed to every form of violence, joining the ranks of the followers of Papineau. The fault committed by the English government was that it waited until 1834 to offer what the Canadians had been claiming since 1810. It is wise to make concessions to the people, but they should be granted in due season, and in such a manner that what is granted freely

and willingly may not appear to be given under compulsion. Had Louis XVI. and his advisers but met halfway the men of 1789, who demanded constitutional changes which had become necessary, perhaps they might have escaped the men of 1791 and 1793. Lord Goderich made his generous proposal at the moment when Papineau, in the height of the struggle between the assembly and the council, was making desperate efforts to secure another reform, to his mind the one, indispensable reform, and calculated to bring with it all the others: the reform of the legislative council. "An elective council" was the new battle-cry of 1834, and invectives were showered on the partisans of the *vieillards malfaisants* (malevolent old men) as the creatures of the government were denominated.

Addressing the electors of Montreal on November 1st, 1834, Papineau, in a three hours' speech, attacked the legislative council, and summed up his grievances against his irreconcilable enemy as follows: "I solemnly declare that no harmony whatever can exist in this country, or between the several branches of the legislature, until the elective principle shall have been applied to every part of the administration; it must above all be applied to the legislative council, where a pack of old men paralyse by their ceaseless opposition all the efforts of the representatives of the people. This opinion is not mine alone, it is shared by the leading statesmen of England. The people will therefore support those

who call for a reform of the council, and they are sure to succeed. O'Connell, the great friend of the human race, has promised us that we shall secure this reform if we only persist in our demands.

"Permit me now," he added, "to refute certain false charges made against us by the council, and to point out the lack of logic and independence which characterizes the conduct of that body. Thus they gave currency to the statement that the assembly was opposed to any immigration into this country. Nothing could be more contrary to the truth. We have done everything possible to encourage and promote it; in the first place by giving to foreigners every facility for securing naturalization, then by taking steps to protect the immigrants against ill-treatment on the part of masters of vessels, and by providing them with assistance on their arrival in the country when they happen to be in distress. But what happened? Will it be credited, the legislative council threw out the measure making provision for the accomplishment of those objects, and the subsequent conduct of that body shows clearly the spirit by which its members were actuated. On the morrow of the day on which the bill was rejected, there came a ministerial despatch from England recommending the levy of a tax in order to provide means of assisting immigrants. We then had the strange spectacle of seeing the same council reconsider the bill they had thrown out two days before, and give it their

sanction, as though to prove to the whole world their subserviency to the will of the English minister. We have seen them refuse to grant to persons charged with crime the British privilege of being defended by counsel; we saw them refusing to allow an action for felony to be entered against the receiver-general, who had appropriated to his own uses £100,000 of the monies of the province, and attempting to justify such refusal by the childish objection that he was a legislative councillor.

"Let us now speak of another abuse, which, however, does not seem to be one in the eyes of that body. We know that the sheriffs of Montreal and Quebec receive a fee of two and a half per cent. on the proceeds of the sales they make under the authority of the law. We may form some idea of the enormous profits they derive in this way when we consider that the seigniory of Terrebonne sold for £20,000 and that the fee of two and a half per cent. was paid on that sum. The assembly wanted to put a stop to this abuse, but the council opposed their views in this matter, because the sheriff of Montreal is a legislative councillor and because the son of the sheriff of Quebec is also a member of that body.

"A bill had been passed," added Papineau, "by the House of Assembly providing for the printing of the statutes, and it went to council for approval. The latter amended it and, inasmuch as it was a bill dealing with money, the assembly could not

consent to any alterations being made therein by the council, any such procedure being contrary to the principles of the constitution. Nevertheless, rather than see the bill lost, the assembly adopted another measure embodying the amendment proposed by the council, and sent it to the latter body. What are we to think of the council when we find that they thereupon threw out the bill embodying their own amendment! Such conduct as this has no parallel unless we take that of the tyrant Nero who had his laws inscribed in such small characters and hung up so high, that nobody could read them, and yet inflicted torture and death on the man who was found ignorant of the law or who disobeyed any of its enactments."

But, a truce to quotations; we might refer to many of the grievances chargeable to the council, which body one day incurred the censure of Lord Stanley; but the latter was not then minister of the colonies, a position in which he showed himself the cruel and pitiless enemy of the Canadians. Was not Papineau's proposal to make the council elective an error in tactics? Could the English government accede to his wishes? To make the council elective would have been to create alongside of the assembly another body in which the French element would predominate, thus giving to that race the ascendency and supremacy in the administrative system. There would thus have been once more a rupture in the equilibrium of the forces. In theory, Papineau

seems to us unassailable, for the Canadians, being subjects of His Majesty by the same right as the others, it was utterly unjust to consider their origin a blemish. That they would have used the power concentrated in their hands in such a manner as to satisfy the aspirations of all classes of the population, there is no reason whatever to doubt; subsequent experience has demonstrated this clearly. But then, was Papineau justified, before the experiment, in expecting for a moment that the British statesmen of the colonial office, men subject like most men to prejudices of race and religion, would consent to place those of their own nationality at the mercy of a French majority—looked upon as hostile to the English element?

Many of our writers, who have studied this period have considered its issues as though French interests alone had been at stake. Now, if it be admitted that the election of the members of the legislative council by the people would virtually annihilate the power of the English minority, it is unreasonable to suppose that this minority would readily permit itself to be thus stripped of political influence. Papineau should have felt that it was impossible to comply with the demands; and he probably did feel it. Why then did he persist with such violent obstinacy in urging them? His very natural exasperation had, in the end, rendered him intractable and he could no longer control himself when he saw his opponents ceaselessly plotting, as he writes

to Neilson, "in order that the minority may rule the majority without being annoyed by the complaints of their victims. It is odious," he adds, "to see every office and position closed against our people when the laws do not exclude them; to see them contributing nine-tenths of the revenue and receiving but one-tenth, and to feel that the possession of influence in this country is a passport to persecution." Simply because the Canadians then claimed their share of patronage, certain persons have ventured to conclude that, after all, the chief cause of the agitation was a struggle for place and position, in which the Canadians were disappointed. To deal with the question in this way is to look at it through the wrong end of the glass, to debase it to the level of vulgar interest, when the disinterestedness of Papineau should place him high above such contemptible insinuation. Had he been willing to accept the offers of Lord Dalhousie, it is clearly manifest that his fortune was made.

The insinuation is not worthy of consideration. No doubt the question of patronage was a factor, and rightly a factor, in the claims of the Canadians, since they contributed nine-tenths of the revenue. That the holding of places was of importance, the adversaries of Papineau could not deny, as they themselves made such efforts to monopolize them. What it was worth their while to grasp and cling to with might and main, the others might surely be allowed to seek and to share in.

CHAPTER IX

THE NINETY-TWO RESOLUTIONS

WHEN about to rush into the throes of revolution, men feel it needful to pause and reflect before venturing into the hazards of the fateful struggle. In 1774 the representatives of the English colonies assembled in Philadelphia declared their independence. This defiance hurled at England was couched in forcible language, setting forth the grievances which Virginia and her neighbours complained of, and formulating the principles which, from the standpoint of the malcontents, underlie the liberties inherent to humanity. These grievances numbered twenty-seven. The men of 1789 in France, in order to show their fealty to tradition, put forth their famous declaration of the rights of man, which has since furnished the theme of many an eloquent piece of declamation. Papineau and his friends formulated their grievances in the shape of ninety-two resolutions, the drafting of which is attributed to Morin, the ablest political writer of the day. The inspiration is, of course, from Papineau, and there are to be found throughout the lengthy indictment violent outbursts but little in harmony with the indolent character of the gentle Morin, which doubtless are retouchings

from the hand of Papineau. One recognizes here and there the lion's claws.

The statesman requires as a quality of temperament a degree of patience and good humour, which Papineau lacked at this period of his career. "We must take all things seriously and nothing tragically," said Thiers to Jules Favre, when the latter spoke despondently during the negotiations with Bismarck for the treaty of 1871. Papineau's state of exasperation in and about 1834 caused him to take everything *au tragique:* the sayings and doings of the governor, the uncompromising attitude of the legislative council, etc. When Lord Aylmer says a word of remonstrance to the assembly for persistently refusing the supplies, the censure forthwith becomes a national insult. Papineau's young friends, LaFontaine and Morin, and his lieutenant, O'Callaghan (of *The Vindicator*), elected in the wholly French county of Richelieu by will of the chief, were not shocked by the violence of his language, while moderate men, such as Neilson, Cuvillier, Quesnel and Debartzch, withdrew from his camp. Meantime, the press devoted to the cause of the *Patriotes* poured hot shot into the ranks of the common enemy. The attacks are no longer confined to the provincial authorities, but include also the British government. The intemperance and license of language verges on sedition. Such is the exasperation of the *Patriotes*, and so distorted is their mental vision by

passion that they fancy they see conspirators everywhere, and when gathered in conclave in their committee-room they hear footsteps in the wall and dread of treason haunts them on every hand.

There occurred in 1831 certain untoward events which brought to a climax the bitterness of the strife between the parties to the struggle. It is easy to fancy, in view of the exasperation of mind which prevailed, the acrimony with which the electoral contests must have been fought out in the towns where the English and the Canadians looked upon each other as deadly enemies. They were carried on amid scenes of wrangling and fighting; sticks and stones and blows took the place of argument and discussion. During the election which took place in Montreal in May, 1831, violence so ruled that it became necessary to call out the soldiers of the garrison to put an end to a serious riot. They were ordered to fire on the rioters, and three citizens were shot. Colonel Mackintosh, the commander of the troops, was branded as a murderer by the press, and Papineau called upon Lord Aylmer to come from Quebec to Montreal and deal with this deplorable affair. Lord Aylmer disregarded the summons, and his adversaries strove to make him responsible for the loss of life.

As though this unfortunate affair had not already sufficiently exasperated national animosity in the province, the Asiatic cholera, imported into the country by immigrants, scattered death, mourning

and consternation in Montreal and Quebec, and the enemies of the governor and his *entourage* did not hesitate to denounce them before the public as the first cause of the ravages of the dread scourge. It was, they declared, their culpable negligence or their guilty subserviency to the merchants of Montreal who opposed the preventive measure of a quarantine, that left the country unprotected against the entrance of the disease.

In 1834, on the second appearance of the cholera, and following the precedent of 1832, the national party again sought to hold Lord Aylmer responsible for the ravages of the scourge. "It was he," they declared, "who refused to shut it out by closing the gate of the St. Lawrence; he it was who enticed the sick immigrants into the country, in order to decimate the ranks of the French Canadians." The more moderate simply charged him with having, as before, refused, in deference to the merchants, whose interests would have been affected by the quarantine regulations, to stop the infected vessels below Quebec.

At a meeting of the constitutional committee held at Montreal on November 3rd, 1834, at which were present Papineau, LaFontaine, D. B. Viger, Joseph Cardinal and A. N. Morin, it was resolved to appoint a committee "to enquire into the ravages caused last summer by that cruel disease the Asiatic cholera; into the causes of its introduction, and the participation therein, whether by act or omission,

culpable and voluntary, of the present Governor-General and the Provincial Executive." As a matter of course, this forms one of the grievances set forth in the ninety-two resolutions. It is difficult to believe that sensible men could commit themselves to so glaring an exaggeration. But we must remember that in times of excitement the mind often becomes disturbed and loses its sense of proportion. A thing, which in ordinary times passes unnoticed, then assumes gigantic importance. This was the abnormal atmosphere in which the ninety-two resolutions were conceived, calculated as they were to produce an effect contrary to what must have been the expectations of their framers.

Couched in the pompous, grandiloquent language of the period, they embody, together with the enumeration of the grievances so often complained of, a number of things entirely out of place, if the *Patriotes* were anxious to secure the reform of the abuses complained of. Nothing was gained by saying to the king, to whom the resolutions are addressed: "We are in no wise disposed to admit the excellence of the present constitution of Canada, although the present colonial secretary unseasonably and erroneously asserts that the said constitution has conferred on the two Canadas the institutions of Great Britain." Were such criticisms calculated to win over the minds of those from whom the reforms were to come? Hardly less of a blunder was the declaration of democratic principles

forming the basis of the thirty-seventh resolution. Any one who reads that declaration of radical principles will see what a deplorable effect it must have produced in London: "Your Majesty cannot fail to observe that the political world in Europe is at this moment agitated by two great parties, who in different countries appear under the several names of Serviles, Royalists, Tories, and Conservatives, on the one side, and of Liberals, Constitutionalists, Republicans, Whigs, Reformers, Radicals, and similar appellations on the other; that the former party is, on the American Continent, without any weight or influence except what it derives from its European supporters, and from a trifling number of persons who become their dependents for the sake of personal gain, and of others who from age or habit cling to opinions which are not partaken by any numerous class, while the second party overspreads all America. We are, then, certain that we shall not be misunderstood with regard to the independence which it is our wish to see given to the Legislative Council, when we say that Your Majesty's Secretary of State is mistaken if he believes that the exclusion of a few salaried Officers would suffice to make that body harmonize with the wants, wishes and opinions of the People, as long as the Colonial Governors retain the power of preserving in it a majority of Members rendered servile by their antipathy to every liberal idea."

Now what possible accession of strength could

this democratic profession of faith afford to the just claims of the French Canadians? To our mind it is a strangely discordant episode, and more injurious than helpful to the cause. But let us not forget that great popular movements are always a fruitful field for declamation. Full of the subject, thinking of nothing but their own cause, Papineau and his adherents sought the means of attaining liberty; their aspirations towards an ideal of justice, seldom realized, took complete control of their minds, and impelled them to give full vent to their sentiments at every possible opportunity. Nor must we overlook the fact that the great current of the romantic school, with all its exuberance of language and its grandiloquence, which pervaded France in 1830, was then overrunning the world with its high-sounding periods. But how flat this vehement contrast of American democracy with European monarchism must have fallen upon English ears!

The next resolution is couched in a strain still more objectionable, with its preface that no threat is intended, and then proceeding in a comminatory tone throughout: "With regard to the following expressions in one of the Despatches before mentioned from the Colonial Secretary: 'Should events 'unhappily force upon Parliament the exercise of 'its supreme authority to compose the internal dis-'sensions of the Colonies, it would be my object 'and my duty as a Servant of the Crown, to submit

'to Parliament such modifications of the Charter of 'the Canadas as should tend, not to the introduction 'of Institutions inconsistent with Monarchical Gov- 'ernment, but to maintaining and strengthening 'the connection with the Mother Country, by a 'close adherence to the spirit of the British Consti- 'tution, and by preserving in their proper place, 'and within due limits, the mutual rights and ' privileges of all classes of His Majesty's Subjects ' —if they are to be understood as containing a threat to introduce into the constitution any other modifications than such as are asked for by the majority of the people of the Province, whose sentiments cannot be legitimately expressed by any other authority than its representatives—this House would esteem itself wanting in candour to Your Majesty, if it hesitated to call Your Majesty's attention to the fact, that in less than twenty years the population of the United States of America will be greater than that of Great Britain, and that of British America will be greater than that of the former English Colonies, when the latter deemed that the time was come to decide that the inappreciable advantage of being self-governed, ought to engage them to repudiate a system of Colonial government which was, generally speaking, much better than that of British America now is. Your Majesty will doubtless do Your Majesty's faithful Subjects sufficient justice not to construe into a threat this prediction founded on the past, of a fact

which from its nature cannot be prevented. We are, on the contrary, convinced that the just appreciation of this fact by Your Majesty will prevent those misfortunes which none could deplore more deeply than we should do, and which would be equally fatal to Your Majesty's Government, and to the People of these Provinces. And it is perhaps here that we ought to represent with the same frankness, that the fidelity of the People and the protection of the Government are correlative obligations, of which the one cannot long subsist without the other; and that, nevertheless, by reason of the defects which exist in the Laws and Constitution of this Province, and of the manner in which those Laws and that Constitution have been administered, Your Majesty's faithful Canadian subjects are not sufficiently protected in their lives, their property and their honour."

One would think from the offensive tone of this untimely and disagreeable reference to the American revolution, which is made with such apparent relish, that the House wanted to defy the English government. There is nothing more about imploring a redress of grievances, but a warning that unless justice be quickly done, comfort will be sought in Washington. Such was the singular blindness with which the serious part of the ninety-two resolutions was prefaced with threats, with the evocation of past events full of unpleasant memories for the British government, and with a reference to

the progress of the Americans, which could not mean anything else in this instance but that the House would in the end seek their assistance. This was a poor way of conciliating those to whose sense of justice an appeal was made for a fair consideration of the claims of the Canadians, and was a foolish playing into the hands of the unionists, who unceasingly charged Papineau and his friends with disloyalty. These unfortunate episodes were the more to be regretted from the fact that the real grievances are afterwards set forth in the manifesto with a degree of force and clearness which demonstrates their seriousness.

Some of the resolutions are truly to the point, when, for example, attention is called to the fact that the executive government has, for a great number of years, contrary to the rights of the House and the constitution, set up claims to the control over and power of appropriating a great part of the revenue raised in this province; that it has sold the waste lands of the Crown to create for itself a revenue; that the result of the secret and unlawful distribution of a large portion of the revenue has been that the provincial government has considered itself bound to account for the public money to the commissioner of the treasury in England, and not to the House; that the abuses aforesaid have taken from the House even the shadow of control over the expenditure of the province, and rendered it impossible to ascertain at any time the amount of revenue

collected, the disposable amount of the same, and the sums required for the public service.

The arraignment of the legislative council in the ninety-two resolutions is still more severe than that of the executive. We must remember here that if under Lord Dalhousie the battle cry was, "Give us control of the supplies," during Lord Aylmer's régime, the *Patriotes* wrote on their banner, "Reform of the Legislative Council." This body was the arch-enemy whose members were held up to public contempt as *vieillards malfaisants*. The past history of the legislative council is recalled in violent terms, and in its present situation it is depicted as a body composed of sinecurists, largely paid by emoluments from the Crown, whose devotees they were. It was thought by Papineau that an elective council would strike existing abuses at their root, that is, give the assembly control of the finances. Lord Aylmer is also bitterly attacked in the resolutions. Parliament is asked to impeach him "for having recomposed the legislative council so as to increase the dissensions which rend the colony; for having disposed of public money without the consent of the House," and on other grounds, ten in number. One would have expected to find the Canadians, instead of demanding a reform of the legislative council by making its members elective, pointing to a still surer means of obtaining justice. Why did not Papineau claim ministerial responsibility? There is no reference to it in the petition embodying the

ninety-two resolutions. And yet, as far back as 1808, Pierre Bédard, as Papineau well knew, had moved in the House of Assembly a resolution to the effect that the House would gladly see its benches occupied by ministers holding office in virtue of the suffrages of the representatives of the people. Ministerial responsibility did not exist at Washington, and Papineau looked only in that direction for his ideal of government.

Following Papineau's manifesto—the ninety-two resolutions—the press of the day never wearied of publishing comparisons between the English system of government and the American. Whether from policy or from sincerity there was an attempt to convince Downing street that the *Patriotes* borrowed their political ideas from the United States. And, in fact, ever since that day, it has been the fashion, whenever things go wrong in Canada, to hold up annexation as the panacea for all the evils complained of. In 1848, our leading politicians advocated annexation as a means of bringing prosperity to Canada, and since confederation sporadic demonstrations of annexationist sentiment have broken out in several of our provinces, occasioned by depression of trade or vague dissatisfaction with the new system.

A study of Papineau's manifesto, and a general examination of the ideas current at that time have convinced us that the non-fulfilment in the past of the oft-repeated promises of reform made by the British authorities had long since destroyed

in his mind all hope of ever obtaining justice at their hands. Distrust took possession of him once and for all. Moreover, a fresh influence had imperceptibly begun to exert its power over the tribune of the people with the effect of urging him to advance more resolutely on the new lines. The breach between Papineau and Neilson, so long his trusted mentor, had thrown the former into the hands of a group of young and ardent men, including O'Callaghan, who saw no salvation for Canada but in a union with the great republic. The endless delays of the colonial office, the tyranny of the governor, the contemptuous attitude assumed by the *entourage* of that official towards the Canadians, and the hostility of the legislative council had made Papineau an annexationist.

CHAPTER X

"LA CONVENTION"

THE vehement protest known as the "Ninety-Two Resolutions," which voiced the complaints and indignation of half a million of people, was apparently to fall flat and bring no result. Did Lord Stanley, the colonial minister, intend to treat the Canadian people with silent contempt? Papineau soon gave him to understand that he was not the man to accept scornful silence in place of a serious answer. No sooner was the House called together than the storm raging within his breast burst forth with fury. The sittings of February 23rd and 24th, 1835, when Papineau and his lieutenants gave vent to their pent-up wrath, were days to be remembered in the annals of parliament. They resembled the revolutionary scenes of the *Convention* of 1792; the importance of the interests at stake, the violence of language, and the theatrical attitude, recall, on a reduced scale of course, the memorable debates wherein the lives of the speakers were at stake. This tragic side is lacking in the case of the assembly, but in the perspective of the future, we have a glimpse of the executions of 1838.

In the foreground of this struggle, playing the

two-fold and contradictory part of speaker of the House and party leader, is Papineau. His duty as speaker is to soothe the angry passions which, as generalissimo of the *Patriotes*, he himself has aroused, and this duty he carefully refrains from doing. With his fierce voice, his real or simulated bursts of anger, the prestige of his eloquence, his manly head well set upon his stalwart frame, is not he another Danton, but a Danton without his cruelty? Words can give no idea of the violence of his outbursts of passion, and of the agitation produced in the House, when, addressing Lord Aylmer personally, he held him responsible for the death of the three Canadians shot down by the soldiers during the Montreal election in 1831. "Craig," he exclaimed, "merely cast the people into prison, but Aylmer slaughters them." One remarkable feature amongst many others of the session of 1835 is the attacks upon the governor. In our day the governor reigns but does not govern, and in all his acts he is shielded by his ministers. It is understood by all that his person is to remain outside, and that he is to be excluded from all discussion. In striking contrast with this modern usage was the practice in Papineau's day. The governor was then the chief object of attack, and we find the tribune furiously assailing "Mathew Lord Aylmer," and calling upon the English government to impeach him.

Morin opened fire. This worthy citizen, who, from and after 1840, seems to have been a model

of moderation, serenity, and reserve, has always seemed to us to have been out of place in the character of an agitator. The future cabinet minister (of the MacNab-Morin government) and judge of the court of appeal was not, however, averse to the use of strong language if he be the author of certain articles in *La Minerve* of that day, articles which were absolutely seditious. We must not judge Papineau's lieutenants by their subsequent demeanour and conduct; for it is manifest that prior to 1838 they thought and acted wholly under the spell of their leader who had imparted to them something of his own fierce spirit. While not up to the standard of Papineau's discourses for vivacity or sentiment, the address in which Morin presented his motion to take into consideration the state of the province contains passages of such animation and vigour as to surprise us coming from him,—for example his opening words: "I rise to move that the House do now go into committee of the whole to consider the state of the province, a step which I hold to be necessary in order that we may ascertain whether we are to be governed in accordance with the laws and the rights of British subjects, and whether we are to enjoy in very truth the advantages of constitutional liberty, or to grow beneath the yoke of the tyranny which now oppresses us, and which is spreading its infection amongst us under the most odious form."

Conrad Augustus Gugy, a noted personage of

the period, undertook to defend the government. A shrewd advocate and a well seasoned debater, he was now the only man fit to break a lance with Papineau, for Neilson, the Stuarts, Cuvillier, and Quesnel had lost their seats in parliament as the penalty for opposing the ninety-two resolutions. He was not master of the higher order of eloquence, but how skilfully he wields the blade of irony and sarcasm! His mode of fighting was precisely that best calculated to exasperate Papineau, and cause him to lose all self-control.

In order to take things in their proper order, let us point out that Morin's motion was moved on the first day of the session, before the consideration of the governor's speech which, according to constitutional usage, is the first matter to be dealt with by parliament. This departure from established usage elicited the following remarks from Gugy: "It seems to me we are going very fast. We have only just heard His Excellency's speech, and we are already calling for a committee on the state of the province! The governor tells us that he has received despatches, and we do not know whether he has not received orders to remedy the grievances of which the majority complained last year, and yet we are already calling for a committee. This is going faster still than I expected. I have not opposed the appointment of this committee because I had not the faintest hope of succeeding. But, according to my view, it would have been natural

to hope for a removal of the grievances and to wait for it."

Gugy then enters into the pith of the subject, and deals with the grievances of the Canadians. In a bantering tone and in the presence of the popular tribune, who was so deeply sensible of the greatness of his own mission, and who had complained that the abuses set forth in the ninety-two resolutions were still in a most active existence, Gugy undertakes to belittle the cause of the *Patriotes:* "After all is said and done," he declared, "the whole thing is a mere hunt for offices, which positions are claimed without any attempt to inquire whether there are to be found a sufficient number of educated Canadians to fill them." Papineau and his friends, with their threats against England and against the governors, are in Gugy's eyes simply revolutionists and followers of Robespierre and Danton. He compares the House to the French *Convention* and charges it with driving the country into civil war, a prediction too soon to be realized, but which at the time raised a laugh at the expense of the speaker.

Papineau in his reply began by pleasantly chaffing the "military" member. Gugy was a major in the militia, and we shall find him in 1837 serving with the English soldiers, and notably with Colborne at St. Eustache, where he was one of the first to enter the church after the defeat of Chénier's party. "Mr. Gugy," says Papineau, "has talked to us

again about an outbreak and civil war—a ridiculous bugbear which is regularly revived every time the House protests against these abuses, as it was under Craig, under Dalhousie, and still more persistently under the present governor; the honourable gentleman, no doubt, having studied military tactics as a lieutenant in the militia—I do not say as a major, for he has been a major only for the purposes of the parade ground and the ballroom—is quite competent, perhaps, to judge of the results of a civil war and of the forces of the country, but he need not fancy that he can frighten us by hinting to us that he will fight in the ranks of the enemy. All his threats are futile, and his fears but the creatures of imagination. Our constitution has been meted out to us by a champion of aristocratic privileges, an enemy of liberal institutions, by Mr. Pitt, whose political system has revolutionized Europe, and who has delayed reform in England, and who has shown himself not a whit more favourable to liberty for Canada than for England itself; and when we ask for an amendment of this imperfect and faulty Constitutional Act, from the very authority which enacted it, the English parliament, we do not expect that our claim shall be considered revolutionary, or calculated to create a rebellion in the land. But the men who make these charges call themselves Reformers! This it was that made Mr. Hume say recently in his address to his constituents: *The name of Reformer has become a term of*

reproach since the Tories, the most tenacious upholders of abuses, have usurped it. Now in this country our so-called Reformers talk of *Revolution* when we ask for reforms."

After he had thus disposed of Gugy's charges, Papineau dealt with the subject of the motion in relation to the consideration of the state of the province: "The objections raised by the honourable gentleman [Mr. Gugy], to this motion," he said, "are based on no other arguments but these: *you are going too fast; the thing is new and unusual.* He is quite satisfied with things as they are, and is perfectly calm and undisturbed amidst the complaints and sufferings of a whole people. In these unhappy times, under the rule of an administration daily guilty of fresh errors and fresh blunders, it is absurd to set up the pretext of mere forms and usages in order to prevent us from considering the state of the province. But is it necessary that M. Morin's petition should be dealt with by the House and adopted by vote? This must be the wish of all who desire that wheresoever the power of England rules, there also English liberty may prevail. Under the rule of a soldier [Aylmer] who is governing us with ignorance, passion, and partiality for the military to the extent of shielding them when they have slaughtered our fellow-citizens, it is necessary that we should once more address the English parliament. This petition sets forth the grievances which have cropped up since last year under this

military governor. The honourable member for Sherbrooke [Mr. Gugy] says that the governor has received despatches, and that probably these despatches shall fill our hearts with joy and happiness. But happiness cannot come to us through those who have inflicted on us so many evils. The greatest happiness of all would be the removal from amongst us of the men who have been the scourge of this colony. The institutions we have complained of, the injuries, the injustice, the flagrant abuses are still the same, nay, they have increased and multiplied in an appalling manner! Shall we hesitate to declare that we are ruled by a corrupt faction?"

Throughout the session of 1835, a very short one, the debates were all characterized by this excited strain. The year before, on the adoption of the ninety-two resolutions, Lord Aylmer had taken upon himself, in dismissing the House, to assert that these obnoxious resolutions were so far removed from the normal moderation and urbanity of the French Canadians, that persons unaware of the true state of things would find it difficult to believe that they were not the result of an extraordinary public fermentation, notwithstanding that the utmost tranquillity prevailed without. This characterization of the ninety-two resolutions, Papineau caused at the present session to be erased from the journals of the assembly, and declared discourteous and unconstitutional, in spite of the protestations of some of the *Patriotes*, who were astounded by

Papineau's way of acting. The fact was that he loved to act with authority where he felt himself to be the stronger, even at the expense of offending some of his weak-kneed followers.

Let us now see how Papineau answered Lord Aylmer's reprimand. His reply is quite the most virulent speech he uttered during the session: "Mr. Morin has told us that he would not submit to the committee any other matters but this petition. Many other questions might be dealt with, but I venture to refer specially to one matter of great importance, which also requires the attention of this committee, namely, the uncalled for and insulting speech delivered by Mathew Lord Aylmer, at the close of the last session. Nothing could be more debasing and indiscreet than this discourse. A man with a certain dignity to maintain should not debase and degrade himself to the extent of taking pleasure in offering insult. His speech to the members of this House was addressed to the people. The insult is offered to them as well as to us, their representatives. It is futile to object that the speech was directed against the former House, for we are bound to avenge an insult cast at the whole nation.

"As to the grievances set out in this petition [a new statement of grievances addressed to the king], I shall confine myself to the declaration that the country is suffering under the worst possible evils, and that grief and affliction prevail through-

out the land. Complaints and discontent are widespread. Men ask what is the meaning of a representative government, when its officials think they have the right to do and dare everything. Convinced of the existence of this state of things, and well aware of the sentiments of our people, I will strive my utmost against a government whom it would be a crime not to denounce, sustained as it is by one branch of the legislature, which has the bare-faced effrontery to call itself the protector of the minority. The English minority are untrue to their citizenship when they segregate themselves from their fellow-subjects in order to secure privileges for themselves only; and thenceforth they are no longer entitled to the protection of the laws, unless the people of this country are so far demoralized as to lie down submissively at the feet of the few, which I do not believe. But our opponents say to us: 'Let us be brothers!' I am perfectly willing for my part, but you want all the power, all the places, and all the pay, and still you complain more than we do. This is something we cannot put up with. We demand political institutions in keeping with the state of society in which we live, and which have rendered the former colonies of England far happier than we are. These reforms would completely change and alter for the better the very men who, as members of the council, feel that they have a mission to do evil. They crept in by the portal of flattery, and they maintain their position

by the exercise of oppression. Hence, not a day should be lost in the effort to secure the good results we have in view. I recommend also that the speech at the close of the session be considered as embodying a censure of this House, of which an instance occurs in the speech of General Craig in 1810. Craig, I may remind the House, confined himself to inflicting only imprisonment on our people, whereas the present man shoots them down. Speeches such as this have always been discussed, and that of the last session must not be passed over in silence."

It is needless to add that the obnoxious speech was struck off the journals of the House. Everything went through with a rush, in these memorable sittings of the year 1835. And whenever some weak-kneed member begged for time to look into the question submitted for consideration, he was rudely and promptly snubbed by the high-handed leader himself, or by Morin or LaFontaine. The latter often took part in the debates, speaking with a degree of vehemence, probably factitious, which he never manifested after the great crisis of the period. He was, as a rule, cold and extremely abrupt when he spoke. We never find him indulging in the simplest flight of the imagination, and he gave his hearers nothing but logic stripped of every ornament. There was nothing in his style or manner to suggest a recurrence to the type of the French *Convention*, and while some of his speeches in 1835

are of a violent character, it is because he was under the spell of Papineau's eloquence, and simply the echo of his domineering leader.

It was during this session of 1835 that the great agitator broke away forever from the English government and parliament, for he had as little confidence now in the Whigs as in the Tories. "When reform ministries," he said, in addressing the House on February 24th, 1835, "who called themselves our friends, have been deaf to our complaints, can we hope that a Tory ministry [Peel's], the enemy of Reform, will give us a better hearing? We have nothing to expect from the Tories unless we can inspire them with fear or worry them by ceaseless importunity." The irreconcilable spirit manifested by Papineau in the foregoing declaration inevitably forced him into conflict with the new governor, Lord Gosford, who being entrusted with a mission of conciliation by the English government, and full of pacific intentions on his own behalf, came forward with the olive branch of peace in his hand.

CHAPTER XI

LORD GOSFORD: NEARING THE DÉNOUEMENT

CONSIDERING the fact that the quarrel between Lord Aylmer and Papineau was steadily assuming a more aggravated character, the colonial office put an end to his administration in the fall of 1835, and sent out in his place Lord Gosford, in the two-fold capacity of governor and royal commissioner, appointed with two colleagues, Sir Charles Grey and Sir George Gipps, to inquire into the condition of the province, with a view to finding a solution of the serious problem which had then absorbed public attention for thirty years.

By character and temperament, Lord Gosford was a man of moderation. Hence, no sooner had he reached Quebec than he sought to win the confidence of the Canadians. He presided unceasingly at all their entertainments, attended the distribution of premiums at the Quebec Seminary, and gave a ball on the feast of Saint Catharine. He went so far in his efforts to please the people in every possible way, that the official class and the legislative council party showed signs of taking umbrage. Doctor Henry, surgeon to a regiment then in garrison at Quebec, expressed the views of his associates on Lord Gosford's way of acting, in a

letter addressed to the governor through the press, and couched in the following words: "My Lord, I have observed the kindness of your nature shown in many ways, I have witnessed your urbanity and affability to all, and you will, I hope, pardon me for adding that I have also been cognisant of your extensive private charities. You have undertaken the task of reconciling conflicting interests, passions and prejudices, and you have thrown into the endeavour all the cordiality of a generous Irishman. Would to God that your praiseworthy attempts to calm the waters of political strife may not all be thrown away! Yet I am deeply pained, fearing, as I do fear, that you are in fact and truth deceiving yourself in the honesty and generosity of your heart. My Lord, I fear that you are expending political courtesies and private convivialities with a lavish hand, and 'coining your cheek to smiles,' in vain. There is one fatal and insuperable obstacle in your way. There is one man, Papineau, whom you cannot convert, because he is absolutely unconvertible. . . . . By a wrong-headed and melancholy alchemy, he will transmute every public concession into a demand for more, in a ratio equal to its extent; whilst his disordered moral palate, beneath the blandest smile and the softest language, will turn your Burgundy into vinegar."

Papineau, it is true, occasionally accepted Lord Gosford's invitations, and the latter subsequently (1847) asserted that if he had known the popular

tribune better, he might have come to terms with him. But an unfortunate incident put an end to the seeming harmony which now began to dawn; we say *seeming*, for it may be that Papineau went to government house simply to ascertain, in his intercourse with Lord Gosford, what were the real views of the colonial office. The idea of seeking in annexation the freedom which Downing street persistently refused to grant us, had then a strong hold on his mind. Nevertheless, is it not to be presumed that, in view of the vast responsibility he was assuming, he may have felt some hesitation about going to extremes, and may thus have been led to lend an ear to the governor's proposals? On the other hand, it might be argued that his position was strengthened by this apparent attempt at conciliation, for he was thenceforth in a position to declare that he had not crossed the Rubicon until every road by which he might return was closed behind him.

Lord Gosford summoned parliament in October, 1835, and in a speech characterized by great moderation, made a touching appeal to the spirit of conciliation of both parties, representing "the Canadians and the English as sprung from the two leading nations of the world." Many of the members were inclined to listen with favour to the kindly representations of the governor, when suddenly the publication in Toronto of the secret instructions given to Gosford renewed the ill-feeling. These instructions seemed

to the more ardent spirits of the national party to be a complete repudiation of the advances made by the governor, which had given grounds to hope for a removal of the grievances. Now the secret instructions from Downing street to Lord Gosford were to the effect that no concessions whatever were to be made to the Canadians, except on one point, a possible repeal of the Land Act, an iniquitous measure passed by the English parliament, which had enabled certain speculators to grasp a million acres of our best lands.

After this incident, the last ray of hope for a reconciliation, which the moderate conduct of Gosford had led a few to expect, vanished, and it looked as though some evil genius had cast into the already superheated atmosphere, fresh elements of conflict and agitation. What answer had the mother country made to the ninety-two resolutions? Nothing had come from London but vague and evasive promises, which led O'Connell to exclaim in parliament: "If this is what you mean by justice, Canada will soon have no reason to be jealous of Ireland. The admission made by the honourable minister for the colonies is a proof of the abuses committed by those who are governing Canada. For, with a population three-fourths French Canadian, only one-fourth of the public offices is awarded to that element. The composition of the legislative council is also defective, since some of its members are either ministers of the Crown, or

judges, or public officials of some kind, which gives a two-fold advantage to the government."

In the midst of passionate excitement on the part of some and anxiety and fear on that of others, the governor called parliament together for the autumn session of 1836. The speech from the throne manifested his uneasiness and alarm. The governor strove to remove the deplorable impression created by the extracts from the secret instructions which, he declared, "when the full text is examined, do not bear out the interpretation put upon them." He then stated that his sole object in calling parliament together was to ask them to vote the supplies. Once more, therefore, the eternal question of the supplies, which for twenty years had been the apple of discord for parliament, had come to the front. At the previous session, Papineau had consented to vote the monies required for the public service, but for six months only. But now, as the grievances still existed, with aggravated circumstances, he intimated to the government that this time the House would decline to take any initiative whatsoever, and would remain absolutely inactive, so long as their representations remained unheeded. In modern parlance, the House was "on strike." In replying to the speech from the throne, the assembly said: "We have not deemed it necessary to enter into detail upon the consideration of the various subjects adverted to by Your Excellency until such time as, according to promise, you

shall have more fully communicated to the House the reasons which have caused the convocation of parliament." This occurred on September 24th, and inasmuch as, up to October 4th following, Papineau and his friends persisted in their determination, the governor dismissed them. "There being no longer," he said, "any prospect of a good result from the message I communicated a few days ago, I hasten to put an end to this session."

Thenceforward nothing could avert the cataclysm which approached with giant strides, and the agitation became more intense from day to day. The clergy, who as early as 1834 had broken off from Papineau, in view of his revolutionary tendencies and the exaggerated ideas set forth in the ninety-two resolutions, now vainly strove to restrain the popular madness. Some of Papineau's lieutenants, going beyond his instructions, openly preached rebellion, resistance to England, and annexation to the United States, "which will deliver," they insinuated, "the people of the country from the seigniorial tenure and the obligation to pay tithes to the clergy." These appeals to popular passion, coupled with the highly provocative attitude of Papineau, created alarm in the minds of a host of French citizens, who forthwith took sides with the governor. Some signs of revolt even in the ranks of the popular party in the House, who the previous year were unanimous in supporting Papineau, now became apparent. This defection had taken hold of nearly

all the representatives from the district of Quebec. Elzéar Bédard was one of the first to flinch from unyielding opposition to the government, and yet it was he who had moved the ninety-two resolutions the year before. It was hinted at the time that Papineau had selected him to perform that honourable task in order to retain him within the camp, and that even in 1834 there was doubt as to the soundness of his principles. Was he about to follow Neilson, Cuvillier, Debartzch, and Quesnel, everyone then asked? And when Gosford appointed him in succession to Judge Kerr, Papineau's scathing invectives pursued him beneath the ermine on the bench.

Étienne Parent, who was one of the most popular journalists of the period, a man of well-balanced mind, of whom the Canadian people may well be proud, also withdrew from the ranks of the men of violence, and advocated moderation, while still calling for redress of the grievances. This second defection, a justifiable one to our mind, left Papineau completely under the influence of certain extremists who were inclined to resort to the most violent measures.

The year 1837 opened under the most gloomy auspices, and amid the effervescence of political passions created and fostered by the agitator, came the astounding intelligence that Lord John Russell, far from granting the demands of the Canadians, had just submitted to the House of Commons

resolutions empowering the governor to expend the monies of the province without the authorization of the House. This blow struck at the constitution, and this unexpected answer to the ninety-two resolutions and the many petitions asking for a wider application of the parliamentary régime, created widespread dissatisfaction throughout the country; far from being extended, the privileges of the House were now to be further restricted. In justification of this measure, Lord Russell pointed out that ever since 1832, the House had persistently refused to vote the necessary supplies. It was expedient, no doubt, to put an end to this anomalous state of things, but was it reasonable to make the legislative assembly alone responsible for this calamity, which was brought about by Papineau and his friends on the one hand, and on the other by the legislative council and the colonial office? Considering the condition of the public mind at the time, was not this stroke of authority a great blunder; did it not go to justify Papineau's contention that there was no justice to be expected from the English parliament?

Papineau did not fail to avail himself of the errors committed by his adversaries, and to use their blunders for the advancement of his cause, which was a desperate one indeed; for the support of the other provinces, all of them with cognate grievances against the colonial office, had failed him shortly before this, all along the line. For several

years, with great energy and ability, Papineau had laboured to combine the malcontents of Upper Canada, New Brunswick and Nova Scotia under his own guidance, in order that they might make common cause with Lower Canada. At one time the opposition in those provinces had become quite strong, but in the end the government had in all of them recovered its ascendency, so that Papineau and his party were left to struggle alone in Lower Canada.

The more desperate the situation, however, the more daring did Papineau and his lieutenants become in their wild exaltation, and now we find them opening a campaign for the purpose of denouncing the Russell resolutions. Papineau always repudiated the charge of having entertained the idea of taking up arms. But the language then used by him at the various meetings he attended, breathed nothing but sedition and was fraught with appeals to violence sufficient to justify his arrest for high treason. Thus he advocates smuggling, urges his friends to apply to the American congress for redress of the grievances they complain of, and eulogizes the men who effected the American revolution of 1774. At St. Ours, on May 7th, 1837, he had carried a resolution declaring: "That we cannot but consider a government which has recourse to injustice, to force, and to a violation of the social contract, anything else than an oppressive government, a government by force, for which the measure

of our submission should henceforth be simply the measure of our numerical strength, in combination with the sympathy we may find elsewhere." Did Papineau not raise the flag of revolt at St. Laurent on May 14th, 1837, when he said: "The Russell resolutions are a foul stain; the people should not and will not submit to them; the people must transmit their just rights to their posterity, even though it cost them their property and their lives to do so"?

Then he continues in the same key: "We are fighting the old enemies of the country, the governor, the two councils, the judges and the bulk of the officials, whom your representatives have long denounced as forming a corrupt faction hostile to the rights of the people, and bound by self-interest alone to maintain a vicious system of government. . . . . This faction is still quite as eager to do harm, but it no longer has the same power to do it; it is still the savage beast ready to bite and to tear its prey, but it can now only roar and howl, for you have drawn its fangs; times have changed for these people. In 1810, a bad governor cast your representatives into prison; since then your representatives have driven away the bad governors. Some years ago, in order to be able to govern, and in order to shield from the effect of the charges laid by the assembly, the low courtiers, his accomplices, the tyrant Craig was compelled to show himself far more wicked than he was in reality. He did not, however, succeed

in frightening any one; the people laughed at him and at the royal proclamations, and even at the inopportune *mandements* and sermons, extorted by surprise and in order to strike terror into the people. To-day, in order to govern and in order to shelter the low courtiers, his accomplices, from the punishment justly inflicted on them by the assembly, the governor is compelled to show himself shedding tears in order to excite pity and to try to appear far better than he is in reality. He has become humble and caressing in order to deceive. . . . But the evil work has not been accomplished, and his artifices are worn out. . . . He can no longer purchase traitors, patriots are no longer to be deceived. And inasmuch as, in an honest population, the number of cowards up for sale and ready to be auctioned to the highest bidder, cannot be large, they are not to be feared."

Recollections of the history of the United States were constantly in the minds of Papineau and the *Patriotes*. They found in the example of the men of the revolution of 1774 motives to induce them to follow up their own struggle, and reasons to hope for its happy issue. Indeed their whole course of action is moulded on that of the companions of Washington. Do not the resolutions of the meetings at St. Charles recall to the reader's mind the Declaration of Independence? The Americans had resolved that they would purchase no more English merchandise, and following the lead of their proto-

types, the *Patriotes* of '37 swear to replace the cotton goods and cloths of Manchester with the products of home industry. The short session of 1837 (August 18th to 26th) afforded the peculiar spectacle of nearly all the members of the House clad in Canadian frieze.[1] Our *Patriotes*, in fact, went a step beyond the policy of American examples, for they urged their supporters to take to smuggling as a highly meritorious calling. The rebels of 1774 had their "Sons of Liberty," and in Montreal, in November, 1837, our "*Fils de la Liberté*" exchanged blows and even shots with members of the rival Doric Club, the sworn enemies of Papineau. *La Minerve* and *The Vindicator*, the only journals advocating the cause of the *Patriotes*, became more violent with every issue,

[1] Referring to this, the Quebec *Mercury* laughed at their expense in the following:—"A number of Her Majesty's lieges of this city—ourselves among the number—are still suffering from 'pains in the sides,' occasioned by their cachinatory powers having been cruelly overrated and worked upon yesterday about noon, by a number of individuals who arrived from Montreal in the steamer *Canada*. These were no others than members of the House of Assembly attired in the *étoffe du pays*, conformably to general orders lately issued from smuggling headquarters.

"Mr. Rodier's dress excited the greatest attention, being unique with the exception of a pair of Berlin gloves, viz.: frock coat of granite colored *étoffe du pays;* inexpressibles and vest of the same material, striped blue and white; straw hat, and beef shoes, with a pair of home-made socks, completed the *outré* attire. Mr. Rodier, it was remarked, had no shirt on, having doubtless been unable to smuggle or manufacture one.

"Dr. O'Callaghan's 'rig out' was second only to that of Mr. Rodier, being complete with the exception of hat, boots, gloves, and shirt (he had a shirt!), and spectacles.

the former going so far as to say on one occasion: "Our only hope is to elect our governor ourselves, or, in other words, to cease to belong to the British empire." Meetings also were held in Lower Canada, and notably at Quebec and Yamaska, at which Papineau and his lieutenants were denounced. *La Minerve* meantime thunders with incredible rage and fury against *Les Chouayens* and the bureaucrats opposed to Papineau; against M. Étienne Parent, whom it denounced as a traitor because he counselled moderation, and against the ecclesiastical authorities for preaching prudence and forbearance, and warning the people against the spirit of revolution.

The government and the authorities might well feel alarmed when they were confronted with this other part of Papineau's speech at St. Laurent: "A member of the British parliament, a man of vast

"Mr. Perrault.—Smalls and waistcoat of the prevailing material; remainder of attire composed of real British duty-paying articles.

"Mr. Viger (*Beau Viger*).—Vest only, as far as we could ascertain, of *étoffe*.

"Mr. Meilleur, Mr. De Witt, Mr. Cherrier, and Mr. Duvernay.—Same as Mr. Perrault.

"Mr. Jobin.—Complete with the exception of boots, shirt and spectacles.

"Dr. Côte.—A full suit of linsey-woolsey, viz.: grey frock coat trimmed with black; unmentionables and vest of the same material, striped blue and white; 'a shocking bad hat,' so worn that it was impossible to distinguish any traces by which the country in which it was manufactured could be ascertained. Dr. Côte stumbled upon the block avoided by Mr. Rodier, and sported hose, shirt, spectacles, shoes, etc., of vile British manufacture and materials.

"Mr. LaFontaine.—Same as *Beau Viger*."

wealth, eminent for his great ability and high principles, and, best of all, a man devoted to the cause of the people, to the love of justice and to the liberty of Canada, has said in the presence of the ministers themselves: 'If you mean to complete 'your work of iniquity, the Canadians are morally 'bound to resist you; yes, if the same blood ran in 'their veins as that which produced the Washing-'tons, the Franklins, and the Jeffersons, they would 'drive you out of their country as you were justly 'driven out of your former colonies.' There have been meetings held in London in which the people have re-echoed these energetic denunciations of a guilty ministry, this kindly expression of sympathy for our sufferings, and friendly warning that it is both our duty and our interest to meet violence with violence. I must say, however—and it is neither fear nor scruple that makes me do so—that the day has not yet come for us to respond to that appeal. It is not fear, for if it became a matter of necessity, the strength of the country in its remoteness from England and its proximity to the United States, would enable us to accomplish the object in view. It is not scruple . . . for it would, so to speak, associate us with the renown of the greatest and purest of men were we to advance successfully in the path traced out for us by the patriots of '74. The situation of the two countries is different, and our friends in England do not understand it when they think us deserving of blame, or consider us an

inferior race, if we do not resist forthwith. . . . Must we strike down or is it not better to bear a bad government?"

Mgr. Lartigue, then Bishop of Montreal, could not remain indifferent in view of the dangerous movement which daily assumed more formidable proportions in his diocese. A first warning addressed to his clergy in the month of July, urging them to keep the people within the path of duty, was followed in October by a pastoral letter exhorting them to mistrust the men who were hurrying them into rebellion. It was the meeting at St. Charles, the last of the series and the most important of them all, that brought about the intervention of the church authorities. In view of the declaration formulated at that meeting, and the men who took part in it, it stands as the most serious of all the demonstrations made in the summer and autumn of 1837; it was, so to speak, the forerunner of the explosion which followed a month later. Papineau was once more the central figure, surrounded by Nelson, Viger, Lacoste, Côte, Brown and Girod, Canadians and outsiders being represented in the number.

Unusual preparations had been made to render the proceedings impressive. The ceremony of planting the tree of liberty was carried out amid the acclamations of a host of *Patriotes* from the six neighbouring counties, whose eyes were greeted everywhere by the highly significant mottoes:

"Papineau and the Elective System!" "Independence!" "Our Upper Canadian friends," etc. The men of action, such as Nelson and Brown, on this occasion took the lead more markedly than ever before, over those who wanted to use only constitutional means in striving for redress of their grievances. This was so evident that Papineau became alarmed. His speech reflected something of the perturbation of his mind, and was considered too moderate. While he deprecated any recourse to arms, and advised his hearers simply to refrain from purchasing English goods, in order to starve out the government, Nelson exclaimed, it is said: "Let us have no petty expedients, the time has come to melt our spoons into bullets!" A month later we find Nelson and Brown at St. Charles and St. Denis amid the crash of musketry and the whistling of bullets, to which these *generals* had then appealed, to their own destruction and that of so many deluded *Patriotes*.

CHAPTER XII

TO ARMS!

BLUNDER after blunder on the one hand, and outbursts of violent language, provoked if not justified thereby, on the other—such is the record of the sayings and doings which followed the publication of the Russell resolutions, and which involved in a sanguinary conflict the rival forces, now reckless under the stress of violent and over-excited passion. In the month of November, 1837, preparations for a general stampede were hastily made in Montreal, the central point of the agitation; combats broke out in the streets on the seventh of the month between the Constitutionals of the Doric Club and the *Fils de la Liberté*, followed by the sacking of the offices of *The Vindicator*, and an attack on the residence of Papineau. In deference to the wishes of a priest, his personal friend, who urged him to leave the city, "because his presence in Montreal was a cause of disorder," Papineau set out for St. Hyacinthe; and the authorities who had so long been dozing and indifferent, suddenly, at last awoke with staring eyes which magnified and distorted out of all proportion every object offered to their vision, and made up their minds that the popular leader had set out to organize an armed revolt. Thereupon,

without further reflection, they charged Papineau and O'Callaghan with high treason, and took out warrants for their arrest. This was going too fast and too far. Had Gosford, at the time of the first meeting in the month of May, taken steps to maintain order, there would have been no disturbance in the autumn. At the period we have now reached, the middle of November, matters were rapidly coming to a head. Men no longer controlled events; events rather swept away those who sought to control them, and guns were soon to go off spontaneously, so to speak, as though some mysterious hand discharged them. Meantime orders were given for the arrest at St. Johns of Demaray and Davignon, who, according to rumour, were fomenting disorder. A company of the Montreal Volunteer Cavalry, by whom they were escorted, was attacked on the march from Chambly to Longueil, and forced to surrender their prisoners into the hands of Bonaventure Viger, who had prepared this *coup de main* with a small party of *Patriotes*. The fight between the *Fils de la Liberté* and the Doric Club, and the rescuing of Demaray and Davignon were the opening skirmishes for the more serious affairs on the Richelieu River.

The improvised generals, Wolfred Nelson and Storrow Brown, had gathered together at St. Denis and at St. Charles some hundreds of *Patriotes*, determined to resist the arrest of Papineau and O'Callaghan. Colonel Gore, a Waterloo veteran, was

entrusted with the task of dispersing these "rebels," and arresting their leaders. Gore was to proceed to Sorel and thence to ascend the Richelieu as far as St. Denis, while Colonel Wetherall advanced in the opposite direction in order to attack St. Charles. Colonel Lysons, then a lieutenant, an officer who accompanied Gore, has left us a description of the former expedition. We quote a few passages from his narrative:

"Lieutenant-Colonel Wetherall, with six companies of infantry and two light six-pounder field guns, was to cross the Richelieu at Chambly, and move by night down the right bank of the river on St. Charles, a distance of about nineteen miles; Lieutenant-Colonel Hughes, of the 24th Regiment, with five companies and a twelve-pounder howitzer, was to move from Sorel up the right bank of the river on St. Denis, which was not supposed to be strongly held, a distance of about twenty-one miles, also by night, the two forces to appear simultaneously before their respective destinations. Colonel Hughes was then to push on to St. Charles. Colonel the Honourable Charles Gore was named to take command of the whole expedition, but he was to accompany Lieutenant-Colonel Hughes's force. I went with him.

"At ten o'clock on the night of November 21st, the troops of Colonel Hughes's column turned out in the barrack square at Sorel; the rain was pouring down in torrents, and the night was as dark as

pitch. We were to move by the road called the Pot-au-beurre road, in order to avoid passing through St. Ours, which was held by the rebels. I got a lantern, fastened it to the top of a pole, and had it carried in front of the column; but what with horses and men sinking in the mud, harness breaking, wading through water and winding through woods, the little force soon got separated, those in the rear lost sight of the light, and great delays and difficulties were experienced. Towards morning the rain changed into snow, it became very cold, and daybreak found the unfortunate column still floundering in the half-frozen mud four miles from St. Denis.

"It soon became evident that the rebels were on the alert; the church bells were heard in the distance ringing the alarm, and parties of skirmishers appeared on our left flank. As the column approached nearer to St. Denis, we found all the bridges broken up. Without much delay I managed to reconstruct them strong enough to bear the howitzer, and the column continued to advance, Captain Markham leading. On reaching the outskirts of the village the rebels opened a brisk fire on us. Markham pushed on, taking house after house, until his progress was arrested by a stockade across the road, and a large fortified brick house well flanked on all sides.

"Captain Crompton, with a company of the 66th, and Captain Maitland, with a company of the 24th,

were then brought up, and the howitzer came into action. The engagement was kept up until a late hour in the afternoon; the enemy had a very strong position, and appeared to increase in numbers. Captain Markham succeeded in taking one of the flanking-houses, but in doing so he was severely wounded, receiving two balls in the neck and a wound across the knee. Several of his men also were hit. At length, as the men had had nothing to eat since the previous day, and the ammunition had fallen short, Colonel Gore deemed it necessary to withdraw his force. We had no ambulance or transport of any kind, so we were obliged to leave our wounded behind; there were seventeen of them, their wounds had been dressed, and they were put in beds in one house. Six men had been killed. Markham's men were first withdrawn from the flanking-house. They brought away their favourite captain with them under a heavy fire from the fortified house. On his way back he was again shot through the calf of the leg, and one of the men (a corporal) carrying him was wounded in the foot. The other bearer was a sergeant. They had to come across a rough ploughed field frozen hard. As soon as they got near the road we ran out and lifted them over the fence; we then placed poor Markham on the only cart which remained with the column, and sent him to the rear.

"We retreated for a short distance along the road we had advanced by, and then crossed over a

bridge to the left in order to march by the front road. Lieutenant-Colonel Hughes, conducting the rear guard with great coolness and determination, soon stopped the rebels who were following us. Night came on, and it continued to freeze very hard. After we had crossed the bridge the gun-horses completely broke down. Lieutenant Newcoman, R.A., assisted by Colonel Hughes's rear guard, did everything in their power to save the howitzer. I got Crompton's horse and put it in with my own as leader, doing driver myself. We then succeeded in moving the gun a short distance, but it stuck fast again and got frozen firm into the ground. At last the ammunition that remained was thrown into the river, and the howitzer was spiked and abandoned."

Here we have to deal with a painful incident. On the eve of the fight Papineau left St. Denis at the request of Dr. Nelson, who seems to have said to him: "Do not expose yourself uselessly, you will be of more service to us after the fight than here." Papineau submitted, but at a subsequent period, in 1849, when political events had divided the two men, Nelson denied having advised Papineau to depart. The latter is fairly entitled to the benefit of the doubt, if any there be, on this point, and we must conclude that Nelson did in truth tell him to go. But we venture to think that had he declined the advice, posterity would have thought none the worse of him for doing so.

Wetherall, who had been prevented by the bad weather from marching on St. Charles on the 22nd, the day of his departure from Chambly, as it had been settled, went forward on the 25th, and reached St. Charles the same day. With troops well equipped and provided with some pieces of artillery, he was expected to make short work of the undisciplined bands of men under Brown, with their wooden cannon and their old-fashioned muskets. In his report on the affair at St. Charles, Brown declares that the number of guns he had at the disposal of his men was one hundred and nine. About two o'clock Wetherall approached within a short distance of the village and opened fire on its best fortified point, a part of the place which was enclosed by a palisade, and as the besieged, whom he hoped to dislodge with his artillery, showed no signs of stirring, he gave the signal for an assault. A fearful carnage ensued. An eye-witness asserts that he counted one hundred and fifty dead, and all the houses, except that of M. Debartzch, were committed to the flames.

It was said at the time, that Brown took to flight before the action. He answered this charge in a letter to Nelson in 1851, in which he says that, having gone forward to reconnoitre, he had been forced to retreat with his men, whom he strove in vain to control, but "finding after a long trial, my strength and authority insufficient, I considered my command gone, turned my horse and rode

to meet you at St. Denis, where I arrived at midnight."

After the affair at St. Charles, quiet and a sense of terror prevailed on the Richelieu, but Colborne deemed it expedient to make a fresh demonstration. On November 30th, under his orders, Gore set out anew for St. Denis by way of Sorel; the same day he halted at St. Ours, and reached St. Denis on December 1st. Near that village his men discovered the body of Lieutenant Weir, a young man of much distinction and greatly esteemed, who had fallen into the hands of the *Patriotes* before the fight. He was mercilessly cut down, on his attempting to escape, by the rebels to whose care he had been committed by Nelson. Gore's men were excited to fury by the sight of poor Weir's mangled body, and in spite of their commander, sacked the village of St. Denis and committed every dwelling to the flames. There was no real justification for the slaughtering of this officer, and the deed was mercilessly avenged at St. Denis and elsewhere, as we shall see later on. If men, before acting, would only reflect on the probable consequences of their proposed actions, what calamities would be avoided! But with popular commotions, wisdom and reflection have little to do.

The disastrous occurrence on the Richelieu River should have opened the eyes of the infatuated *Patriotes* in the other sections of the country, but unfortunately, reason had no hold on certain fire-

brands of St. Eustache where Amury Girod, a self-appointed general, headed a band of excited and misguided peasants. This Girod was a Swiss—and it may be here remarked, as in the case of the two Nelsons and Storrow Brown, a stranger to the people under his command. Colborne, with artillery, horse and foot, an imposing army when compared to the rabble to be put down, marched on St. Eustache and met Dr. Chenier, who had replaced Girod; the latter, on hearing of the approach of the English troops, had fled, and fearing vengeance at the hands of the people, had committed suicide. Colborne reached St. Eustache on December 14th. What then occurred will be better told by one who took part in the action, Lieutenant Lysons, from whose narrative we have already quoted:

"When approaching the village, one brigade with the Field-Battery continued to advance on the road running parallel to the river; the other brigade turned off to the right and went across to the end of the street leading down the centre of the village, at right angles to the river. Lines of skirmishers from the village met the riverside brigade and opened fire on them, but soon retired. The field-battery then opened fire on the church and stone buildings around it; but there was no reply; so Sir John Colborne, seeing that the houses were empty and that everything was quiet, thought the rebels had retired and abandoned the place. He therefore sent Brigade-Major Dickson and his aide-de-camp

down the main street, facing the great stone church, with orders to bring round the other brigade into the village. As soon as they got down near the church a rattling fire was opened on them, and they narrowly escaped with their lives. It was now evident that there was yet to be a fight.

"One of the howitzers was brought round into the main street, and an attempt was made to batter in the big doors of the church, but this failed. Ned Wetherall of the Royals then managed to creep round behind the houses and get into a large stone house that was at right angles to the front of the church and to windward of it; he there upset the burning stove on the floor, and pulled every inflammable thing he could find over it. In a few minutes the whole house was on fire, and volumes of smoke mantled the front of the church. Colonel Wetherall took advantage of this and advanced his regiment under cover of the smoke at the double down the street. I jumped off my horse and went on with them. We got round to the back of the church and found a small door leading into the sacristy, which we battered in, and Ormsby and I rushed in, followed by some of our men. We then turned to our left and went into the main body of the church, which appeared quite dark, the windows being barricaded; here the rebels began firing down on our heads. We could not get up to them for the staircases were broken down, so Ormsby lighted a fire behind the altar and got his men out.

"The firing from the church windows then ceased, and the rebels began running out from some low windows, apparently of a crypt or cellar. Our men formed up on one side of the church, and the 32nd and 83rd on the other. Some of the rebels ran out and fired at the troops, then threw down their arms and begged for quarter. Our officers tried to save the Canadians, but the men shouted 'Remember Jack Weir,' and numbers of these poor deluded fellows were shot down."

After crushing the *Patriotes* at St. Eustache, to the cry of "Remember Jack Weir," Colborne's soldiers shot down without mercy the unfortunate companions of Chenier, and the country once more became quiet; but it was the gloomy quiet of despair, for the situation was even more disheartening than that which ensued after the capitulation of Quebec and Montreal. With the constitution suspended and their leaders in prison or in exile, what was to become of the Canadian people left to the mercy of a triumphant government, wielding the strong arm of undisputed power? No man ventured to answer this portentous question, which was present in the minds of all.

On December 5th, Lord Gosford proclaimed martial law in the district of Montreal, and set a price on the heads of Papineau, Nelson and the more noted of their followers. Nelson fell into the hands of the enemy, but Papineau had made good his escape. After the fight at St. Charles

he betook himself to St. Hyacinthe, and thence to the United States. His journey into exile was performed under circumstances of extreme misery and hardship, in the most severe weather of the year. Often suffering for lack of food, half frozen, and compelled to struggle forward in the dark nights of a Canadian winter, he was more than once reduced to the utmost extremity by cold, hunger and exhaustion. But, coupled with his bodily pains, was the mental anguish which he must have then felt and continued to endure for many a long day. How could he banish for a moment from his mind the memory of the arena wherein, for over twenty years, he had with so much éclat and amid scenes of such thrilling excitement, steadily held the first place, and the recollection of his native province, for which he had dreamt so glorious a destiny, and which he now saw sinking into a slough of despond amid the ruins of its shattered hopes?

In February, 1838, Gosford returned to England, to be succeeded first by Colborne and then by Lord Durham, High Commissioner, clad with extensive powers. The latter found the prisons crowded with *Patriotes*, who had been taken with arms in their hands. In place of sending them to trial and the scaffold, he simply exiled some of them to Bermuda, amongst them being Wolfred Nelson and R. S. M. Bouchette. His clemency did not meet the approval of the English parliament, and the ordinance dealing with the political prisoners was vetoed by the

Melbourne government. Durham's pride would not allow him to submit to this rebuke, and he resigned his position. Undefined and extensive as they were, his powers could not justify the sending into exile, without any trial, of the eight Bermuda prisoners. It was an act in direct contravention of British procedure in criminal matters, and one which parliament could not condone. Durham smarted under the censure passed on his conduct, and issued, before leaving Quebec, a proclamation which was a defence of his action, and which drew down upon him from the *Times* the epithet of "Lord High Seditioner." When accused of having violated the constitution, he retorted: "Where was the law in a country where the executive took it upon themselves to spend public money without the consent of the people?"

History has not given credit to Durham for the humanitarian sentiments which inspired his conduct in dealing with the insurgents. The penalty appointed by law for the crime of high treason is death, and from motives of humanity the high commissioner wanted to save from the scaffold Nelson, Bouchette and many others who had been arrested in open rebellion.

Colborne returned to power, and the task once more devolved upon him of crushing an outbreak, that of 1838,—the second with which he had to deal. Anything more crazy than this wretched expedition headed by Robert Nelson and Dr. Côte, of Napier-

ville, it would be difficult indeed to imagine. There was no prospect whatever of a successful issue to the attempt, and it was manifest to the simplest understanding that it must involve in certain destruction the deluded victims of men who were themselves carried away by some unaccountable hallucination. Defeated at Lacolle and Odelltown, Nelson returned to Vermont after the collapse of his unfortunate invasion, covered with the ridicule he had richly earned by his proclamation of a Canadian Republic and his own election as president, and loaded with the awful responsibility of having caused the loss of many lives, besides helping to hurry to the scaffold or into exile men who had been duped by his fallacious representations.

Sentiments of humanity and a horror of bloodshed had no place in the breast of a soldier such as Colborne, the old "Firebrand," as he was called, who set fire to so many villages that in some districts the sky became, as it were, a sea of fire from the reflection of the fateful flames. All the insurgents confined in the prison at Montreal were tried by courtmartial, and ninety-nine of the most deeply involved were sentenced to death; twelve were executed and the remainder transported to Australia, that far land of exile where most of them had nothing to expect but a death more lingering but no less certain than that of the scaffold. The punishment exceeded the magnitude of the offence, and it would have been quite sufficient for the ends of

justice and sound policy had the chastisement been limited to the chief offenders only. Complaints as to the severity of repression come, it is true, with a bad grace from men who undertake a revolt; but humanity never loses its rights. Colborne, who was severe and implacable unto cruelty towards the Canadians, was a prodigy of clemency in the eyes of the bureaucrats. Note the fact that only twelve executions out of ninety-nine death sentences gratified the thirst for blood of those who, with the *Herald*, in the fall of 1838, called for a general slaughter of the prisoners on the score of economy: "Why winter them over, why fatten them for the gibbet?" Such was the pitch to which racial animosity had excited the minds of certain men in those terrible days. In times of revolution and civil war, the spirit of savagery latent in the hearts of men is easily roused to action. Leibnitz was right in saying: *Homo homini lupus.*

CHAPTER XIII

THE REBELLION AND ITS CAUSES

ON the morrow of some great revolution, disaster or defeat, men naturally discuss the causes of the event, and strive to place the responsibility where it is due. For long years, historians debated the question whether it was Grouchy's disobedience to the emperor's orders, or a blunder of Napoleon himself, that gave the victory to Wellington on the field at Waterloo. In Canada the question is still asked whether it was precipitation on the part of Montcalm or the inaction of Vaudreuil that made it such an easy task for Wolfe to win the day beneath the walls of Quebec. In like manner the apportionment of the responsibility for bringing about the sad events of 1837 rests with the tribunal of posterity. Did Papineau advise a recourse to violence, or was it O'Callaghan and Nelson who organized the fatal rising of the Canadians? Before as well as after the crisis, Papineau invariably repudiated the charge of having sought to wrest by violence the reforms which the English government refused to grant in compliance with his constitutional remonstrances. "O'Connell," he declared, "is my model, and like him I will employ for the attainment of my ends those peaceful means

which the English constitution places at my disposal." If such were his intentions, it must be admitted that his own words often belied them, for there is no mistaking the bellicose nature of his furious orations. It is not in the public arena that we must seek for proof of his real designs. His letters show no trace of warlike intentions, but merely indications of a wavering spirit, which leave on the mind the impression that had he seen his way he would have followed the example of the English colonies in 1774; nor do the minutes of the "Comité Constitutionnel" of Montreal, whose proceedings were conducted in secrecy, throw any light on Papineau's views. In November, 1834, after the Montreal election which had involved the death of three Canadians shot down by the troops, Papineau dictated the following for his friends in Quebec: "The *Patriotes* of this city would have avenged this massacre, but they were so poor and so badly organized that they were not fit to meet regular troops." He then goes on to ask them whether they considered it advisable to prepare for an armed resistance. Writing in 1844 to Christie, Papineau said: "The overt-acts of 1837 were sudden and unpremeditated, and they imperilled the position of England more seriously than is commonly thought. The smallest success at Toronto or Montreal would have induced the American government, in spite of the president, to support the movement." This declaration is calculated to give the impression that Papineau was,

at the time, negotiating with friends in the United States. The passage quoted can hardly be explained otherwise.

Nelson, who was in command at St. Denis, repudiated the primary responsibility for the unfortunate conflict. "The whole initiative," he says, "came from Papineau. I was his assistant, his subaltern, and not his superior. I acted entirely in obedience to his orders and to his suggestions." It is but fair to state that when Nelson made this declaration (in 1849) he had quarrelled with his former friend.

Dr. O'Callaghan, who left Montreal at the same time with Papineau in order to accompany him to St. Hyacinthe and St. Marc, states, in writing to Garneau in 1852, that there was nothing premeditated in the rising of 1837; that it was a spontaneous explosion provoked by the order for the arrest of Papineau and Nelson. O'Callaghan, an Irishman who had joined Papineau through hatred of the British government, and who was elected for Yamaska by the influence of the great tribune, was a born conspirator himself, and, of course, saw conspiracies in everything done by his enemies. To his mind the events of 1837 were simply the application to Canada of the methods adopted in Ireland, where the English government provoked uprisings which they were prepared in advance to crush; and this for the purpose of justifying afterwards the extreme measures of repression inflicted

on that unhappy country. Gosford, according to O'Callaghan, had forced a crisis upon the Canadians in order to render unavoidable a suspension of the constitution of 1791. His letter is, nevertheless, well worth quoting:

"I do not agree with your logic as regards the movement of '37. You say '*je le blâme puisqu'il n'a pas réussi, et qu'il a eu de si tristes conséquences pour nous.*' This is a *post hoc, ergo propter hoc*, which is not authorized by the school. My dear Sir, if you will look carefully through Lord Gosford's despatches of 1836, as well as those of the colonial secretary of that and preceding and subsequent years, you will find that Gosford recommended the suspension of your constitution more than a year before there was any shadow of an outbreak.

"The truth is, the government both in Quebec and Downing street determined on abolishing the Lower Canada assembly, and only sought a pretext to justify its violence. Debartzch, who was Gosford's 'confidence man,' came to coax or browbeat me in '36 into voting for the supplies, and when he found me *inébranlable*, he very plainly told me that the result would be, that Papineau and I would be hanged! About that time Gosford recommended that the Lower Canada assembly should be abolished. Debartzch no doubt was in the secret, saw the consequences and founded his prophecy or threat or warning on the knowledge he had of the programme.

"It was Castlereagh and the Irish Union over again. Goad the people into violence and when they fall victims to the snares, abolish their constitutional rights. Read the history of Ireland and its legislative union with England, and you will see, as in a mirror, the plot of 1836-7 against Canadian liberty.

"The movement of '37, as far as I had any knowledge, was the movement of the government against peaceable citizens in order to hurry the latter in an indignant resistance of personal violence. When they dragged and isolated poor peasants, in the early part of 1837, from the Lake of Two Mountains into Montreal jail for assault, which they call treason, where was the movement? When they pulled down *The Vindicator* office, where was the movement? When they dragged Davignon and his friend, tied with ropes, from St. Johns through Chambly to Longueuil, to irritate the *habitants*—then peaceable and quiet—where was the movement?

"The truth is, the whole was a settled plan of Gosford, Ogden and Debartzch to goad and drive individuals into a resistance to personal violence so as to make out a case with which the minister might be able to go down to parliament and ask for the destruction of the act of 1791. And lest that should not suffice, Colborne backed it up by saying in one of his despatches, months before any opposition had been offered, that Papineau was drilling troops

somewhere near Three Rivers. This is as far as my memory serves me, for I have not the despatch by me. It was written somewhere in 1837, and you can probably turn to it. I recollect well calling Mr. Papineau's attention to it, at the time, and suggesting to him the propriety of contradicting it, for I was personally cognizant of the falsehood of the statement—but as is his wont and habit too often, he treated the thing with contempt—for it was the most atrocious lie I ever saw in print.

"I saw as clearly as I now see that the country was not prepared. But you might as well whistle to a tornado, as endeavour to contend against the deep and damnable conspiracy that was prepared and had burst forth against the rights and liberties of the people.

"The immediate *fons et origo* of the whole matter was the refusing of the supplies in 1836. The government thereupon set about bringing a collision *à la Castlereagh en Irlande*. They called out and armed volunteers, issued warrants *à tort et à travers*, and when they had the people maddened by insult they called it a rebellion. If you are to blame the movement, blame, then, those who plotted and contrived it, and who are to be held in history responsible for it. We, my friend, were the victims, not the conspirators, and were I on my death-bed, I could declare before heaven that I had no more idea of a movement or resistance when I left Montreal and went to the Richelieu River

with Papineau than I have now of being bishop of Quebec. And I also know that Mr. Papineau and I secreted ourselves for some time in a farmer's house in the Parish of St. Marc, lest our presence might alarm that country and be made a pretext for rashness. The issuing of warrants and the arrest of Davignon, followed by the affair at Longueil, came on shortly after, and matters were beyond the control of any individuals. The movement, therefore was begun in the Castle St. Lewis, and we were like straws, hurried away by the torrent and the *débâcle*."

Let us take again the evidence of another of the actors in the drama of 1837—Robert S. M. Bouchette, who subsequently was for many years commissioner of customs at Ottawa. His word will have the more weight from the fact that, owing to his social standing and his tastes, he was far more closely connected with the governor's party than with that of the French Canadians. When Lord Russell's resolutions became known in Quebec, he considered them to be a violation of the privileges of the House, took sides with Papineau and placed himself at the disposal of Nelson. Having been taken prisoner at Moore's Corners, he was sent to Montreal. During his imprisonment, Colonel Dundas, a personal friend, wrote to him expressing regret at seeing him in so unfortunate a position, and deploring especially having learned that he had been arrested as a rebel. Bouchette

replied in forcible and eloquent terms, as may be seen by the following quotation from his very able letter:

"At this period (1834) and under the circumstances adverted to, commenced my political career. The side I took in the questions at issue was in accordance with my convictions, though it was at variance with my tastes, for it tended to alienate from me many of my friends, most of whom stood in the ranks of my political opponents. Nevertheless, I resigned myself to the sacrifice, and did so the more readily owing to the prevalence in my mind of that lethargy of social feeling that makes one alike indifferent to the frowns as to the blandishment of society. My professional pursuits and the rights of the people, henceforward divided and altogether engrossed my whole attention. When I say the rights of the people, I do not mean those abstract or extravagant rights for which some contend, but which are not generally compatible with an organized state of society, but I mean those cardinal rights which are inherent to British subjects, and which, as such, ought not to be denied to the inhabitants of any section of the empire, however remote.

"A thorough knowledge that these rights were denied to the Canadian people, in practice, that we had the shadow and not the substance of the British constitution, that the wheels of government were clogged by corruption, that the most unworthy partiality poisoned the fountains of trust, of office

and power, that irresponsibility pervaded every department of the local government, in fact that the colony was the devoted nursery of mere home patronage; a thorough knowledge, I say, of these grievances nerved my advocacy of the cause and lent new vigour to my exertions as an individual, to obtain a reform of these odious abuses and the more general introduction of elective institutions which I conceived to be the only effective remedy against existing evils.

"Since 1834 the political horizon had gradually darkened; the legislative assembly boldly resorted to its constitutional privilege of withholding the supplies—the breach hence became wider. In 1837, Lord John Russell proposed and parliament passed his famous Canadian Resolutions—resolutions more impolitic if possible than they were despotic. Well might Sir Robert Peel in the debates on the Canada question, charge the ministry with want of foresight in not sending out an army to Canada with the resolutions, for they must have anticipated that no set of freemen boasting of the title of British subjects could tamely submit to the political degradation they comported. Lord John Russell's measure provoked universal indignation. Meetings were held in all the most popular counties of the province, and the people boldly declared those resolutions to be a flagrant violation of their constitutional rights. Their language was strong—excitement ran high—and that excitement was greatly

enhanced by the virulence of the opposite party, who called themselves the *Constitutionals*, or conservative party, *i.e.*, the conservators of existing abuses.

"The meetings alluded to were held through the summer. In October last the famous meeting of the five (strictly, six) counties was held at St. Charles. The proceedings of this meeting, though by no means more demonstrative of the state of public feeling than the resolutions adopted at previous public meetings, were nevertheless made, sometime subsequently, the groundwork of a series of arrests comprising all the leading public men of the colony, to the number of forty or fifty. It was this violent and ill-advised measure of the executive government that forced the people into resistance; and this brings me to the consideration of an expression of yours which I am sure you will think unmerited when the circumstances are made known—I mean the words 'gratuitous revolt.'

"Indeed, I trust I have already said enough to convince you that if there was a revolt at all, it was anything but gratuitous. I don't think that you, the people of the British Isles, would calmly stand by and see your warmest and ablest friends and supporters arrested, and the liberties of the people thus jeopardized! Bolingbroke would have blushed for the country which in such a conjuncture had not boldly stood forward in defence of Liberty. This was absolutely the position of Lower Canada

after the adoption of the debasing resolutions of Lord John Russell.

"The Canadians rallied around their assembly and asserted its constitutional rights, and for thus doing they were deemed traitorous and seditious. As well might one deem the popular meetings of London or Birmingham subversive of the king and constitution. But in truth, in the strict acceptation of the term, there was no definitely planned revolt, but the people spontaneously, and without concert, determined upon protecting their leaders. This put numbers in arms and gave to the country an appearance of pre-concerted rebellion, but there was no such thing, and if proof were requisite it could be found in the unprepared state of the people in point of armament, there being generally two or three pitch-forks and as many scythes and flails to one fowling piece, and this not always of the best.

"Had a decided revolt been meditated it must have been easy to procure from the adjacent States such munitions of war as would have efficiently armed the whole Canadian population. But the immediate aim of the country was not the overthrow of British dominion, it was a movement of self-protection against an arbitrary exercise of ministerial and judicial power, and the resistance was in some instances the more desperate from the apprehension entertained that the government had designated several victims."

The events of 1837 were the inevitable outcome

of various causes imputable primarily to the successive ministers of the colonies, who were quite indifferent about Canadian affairs and ill-informed as to the real intentions of our people and as to the plans of their opponents. In 1791, the province was given a constitution, liberal in its letter but too susceptible of being diverted from its object. From the first day it went into operation, the Canadians saw that the government was striving to restrict its advantages. And when they made complaint the answer was, to bear in mind that they were the descendants of Frenchmen who had been deprived of all participation in public affairs, and should, therefore, not be so anxious to obtain from the British government what they did not enjoy under the French régime. With a constitution which allowed the executive to govern as it pleased, were we not still under the arbitrary régime so justly condemned? "See the splendid constitution the king has given you," our adversaries seemed to say, "it is a noble instrument; but you are not to use it." Under the law, our ancestors were British subjects, but that noble quality of citizenship, good though it might be in theory, practically meant nothing for them; they could claim nothing on that score, except of course in times of danger to the state, when they might shed their blood in defence of the country like ordinary British subjects.

Such was the initial error of the colonial office. Had the Canadians been given forthwith the full

privileges of citizenship, how much trouble would have been avoided! It is useless to object that to have admitted them to the executive and to the legislative council would have been to subordinate the English element to the French, and that the latter would have abused their ascendency. That evil forecast has not stood the impartial test of history as it evolves itself from day to day in the province. At any rate, it would have been only fair to make the experiment, particularly in view of the fact that the home government and the governor were in a position to see that no injustice should be inflicted on the English speaking element.

The chief fault of the Act of 1791, which, in the hands of right-minded men, would have met all the needs of the country, was that it left too much scope for the exercise of arbitrary power. So great is man's infirmity that he is ever prone to commit abuses, and any and all power placed in his hands should be coupled with a counterpoise. This the wisdom of the fathers of the American constitution enabled them thoroughly to understand and apply in their great work, in which the liberty of the individual stands surrounded with safeguards. There is nothing of the kind in the constitution of 1791, which places no restraint whatever on the action of the executive, save its responsibility to the colonial office. Finding that this system of government put no check whatever on the encroachments of the governor and his friends, the legislative

assembly, led by Papineau, undertook to erect barricades around the government. For six years the Crown was without supplies, an abnormal state of things, which the government met by drawing from the military chest; it was a condition of permanent anarchy and illegality.

What was to be done to put an end to this deadlock? Papineau felt that he could not surrender without the sacrifice of hopes which he held sacred, and submission to conditions which permanency would render intolerable. But the wiser course would surely have been to refrain from adopting the extreme course of perpetually refusing the supplies, and to persist in claiming redress of grievances from the home government. This mode of proceeding would have taken more time, but in the end it would have brought about the triumph of right.

As the lessons of history are generally lost on the people, and men in power acquire wisdom only under the pressure of calamity, the government forgot the lesson of the American revolution, then so recent and so striking. Not only in Quebec, but in each and all of the colonies, the men of Downing street held on to the reins until the people threatened to take them from their hands. Let us see, for instance, what occurred in Australia. It was not until 1824 that the colony was granted a semblance of a government, which was somewhat improved in 1842. This colony was not definitely endowed with

the privilege of dealing with its own affairs until 1856, after thirty years of persistent claiming of its rights. Up to that date all the officials in the country were appointed in London. It is not difficult to imagine the result of such a system, especially in a province such as ours, where a racial question presented itself, over and above the abuses common to all the colonies, and rendered the problem more complicated. "When we examine into the system of government in these colonies," remarks Lord Durham in his report, "it would almost seem as if the object of those by whom it was established had been the combining of apparently popular institutions with an utter absence of all efficient control of the people over their rulers."

As above stated, the government refused to recognize the Canadians as British subjects on the same footing with the other inhabitants of Canada. The governor and his *entourage* looked upon them as a conquered people of inferior race, who were to be kept under, as it were, by the fear of the sword of Brennus. That feeling had taken possession of what constituted "society," in those days, in Montreal and Quebec. In this pseudo aristocratic circle reigned a spirit of hostility towards the French Canadians, who were carefully excluded from its ranks. No opportunity was lost of slighting and insulting them. This select circle included the official class, the bureaucracy, the whole of the

governor's party—the Château clique—so called, and the officers of the regiments then in Canada. All these people really believed that they were made of different clay from the descendants of the old colonists, and looked down upon them from the height of their own insolent snobbishness. They considered that the country belonged to them by right of conquest and that they were entitled to use it and exploit it for their own exclusive advantage, and they had no scruple in doing so. There were amongst them what might be called official dynasties, which had come to consider their positions as hereditary for their special benefit. Writing to Dominick Daly, provincial secretary, in 1847, Lord Gosford, than whom no one had had better opportunities to know them, called the clique "a domineering faction, which could be satisfied with nothing short of absolute power, and this ought to have been resisted and suppressed by a steady, uniform, and undeviating regard for the interest of the majority of the people."

"They hold the chief offices of the state," said a contemporary writer, "possess what were then considered large incomes, make constantly a great display and set the fashion. When the military first come amongst us they find certain persons high in office to whom they deem it wise to pay their court. . . . . The whole Canadian population constitutes the object of the hatred of this ruling class, and that portion living in the country, which chance

brings into town, are subjected to their special contempt and ill-treatment."[1]

These contemptible insults cannot justify a rebellion, but it is, nevertheless, manifest that this unceasing assumption of disdain was not of a nature to permit a mingling of the two elements whose true interest it was to come to a mutual understanding. In social life, under any circumstances, a wound to self-love creates eternal ill-will; but national self-love is still more susceptible, and any slight to that sentiment involves a degree of humiliation which can hardly be overlooked. Behind these wretched annoyances, which may seem insignificant to one who is not himself subjected to them, loomed up the conviction, only too strikingly confirmed by the conduct of successive incumbents of the colonial office, that the object of the English government was to crush the French Canadians.

As far back as 1808, had not Craig entertained the idea of uniting Lower Canada with the neighbouring province, for the purpose of denationalizing our people? Was not the entrusting of the public instruction in the province to the Royal Institution (an English Protestant institution) an attempt to lay hands on our Canadian youth? The union scheme of 1822 was, it is true, put aside, but with the secret determination to revive it sooner or later. Being fully cognizant of the views current in

[1] "A Political and Historical Account of Lower Canada," by a Canadian, London, 1830.

England in our regard, what possible reliance could Papineau place on promises of reform which were constantly broken? Distrust in the long run became his habitual mood, until it culminated in utter exasperation, often the source of reckless deeds.

In "The Life of Cartier" I pointed out that the whole movement prior to 1837, was not of a popular character. Papineau had not embodied in his statement of grievances any of those burning questions which go to the hearts of a people, such as religious persecution, or direct attempts to destroy their language. The privileges of the House of Assembly, the voting of the supplies by the representatives of the people, the encroachment on the rights of the other chamber, were all, so far as the good *habitants* of Lower Canada knew, so many abstract questions, about which they understood nothing whatever. Owing to atavistic influence the governor's arbitrary rule was not for them an unbearable yoke. Happy in the peaceful possession of their farms, in the free practice of their religion, and the use of the French language, they led a quasi patriarchal existence. What more was needed to satisfy their simple, frugal tastes? Finding in the farm the wherewithal to feed and clothe themselves, and having, therefore, but a trifle to pay in the shape of indirect taxes—and the customs duties were in fact very low—they were self-supporting and in an enviable state of independence. The Canadian settler was therefore inclined to remain indifferent as

regards political agitation, and nothing short of the trumpet tones of Papineau could have roused him from his lethargy and brought him into line. He felt that he had grievances to complain of, because Papineau told him so; he believed, though he could not see.

But does not the admission that such was the state of mind of so large a section of the Canadian people force us to admit that Papineau's complaints were groundless? Not at all! Quite a large proportion of the Canadian population had a full sense of their position, and were well aware that the abuses they then complained of and combated, were fraught with evil results for the future. Besides, is it not manifest that the commission of an act of injustice towards a single individual constitutes a menace to the whole? That is a truth of experience demonstrated by the political history of England.

CHAPTER XIV

EXILE AND RETURN TO CANADA

BANISHMENT from one's country is one of those great afflictions for which nothing can afford consolation, and the more it is prolonged the more its bitterness increases. It was peculiarly painful for Papineau, who saw his country plunged in mourning and misfortune, instead of enjoying all the advantages he had striven to secure for it. Proscription wounded him to the heart, for throughout all his past struggles he had found no rest or happiness but in the bosom of his family and in the midst of his friends, for whom he was ever full of affection and tenderness. After his flight from St. Hyacinthe he proceeded to Albany, where he was joined by his wife and children. But the latter were soon compelled to return to Canada, with the exception of his eldest son, who accompanied him to France in order to study for the medical profession. This separation was most painful for Papineau, and it was rendered more poignant still by the anguish he endured from the spectacle, ever present in his mind, of his country groaning under the weight of calamities for which he himself was in some quarters held to be responsible.

"You well know, my dear Benjamin," he writes

to his brother (Paris, November 23rd, 1843) "that my separation from my wife and my children, my brothers and my sisters, and their families, and from so many other relatives, friends and fellow-countrymen who are dear to me, and to whom the best and longest part of my life has been devoted, is a daily and hourly source of grief and sorrow to me. I would cheerfully bear all this, however, to the very last hour of my existence, rather than humble myself in the least before our persecutors." He could have returned to Canada as early as 1842, under the amnesty which LaFontaine had obtained specially for Papineau from Sir Charles Bagot. But reasons of a political and personal character prevented his return, and he prolonged his stay in France up to 1845. In the isolation of exile, he needed an occupation sufficiently absorbing to divert him from his gloomy ponderings; he found it in his love of study, and he was naturally led to take up historical research, to which, while in Paris, he devoted the best part of his time. In that atmosphere which the great libraries have impregnated, so to speak, with science and learning, his mind soon imbibed comfort and nourishment from the restful influence of books, and his letters of that period show that he was to some extent consoled by the delight he found in his new occupation. It seemed for a time to imbue him with a loathing for politics. "In your letters," he says in writing to his brother, "you speak of nothing

but politics. Why do you not tell about something else?" Then returning to his literary work, he continues: "I have been given free access to the archives. I find them far richer in historical and legal matter than I expected, in relation to the history of Canada. Access to these archives had previously been denied to Lord Durham. . . . If I could afford it I would secure help to copy documents which will sooner or later be popular in our country, that is to say, when the taste for mental culture becomes stronger and more widely diffused than up to the present time."

But it was not so easy for him as he fancied to give up politics—the old fascination seized him once more and swayed him beyond all reason. It was political animus that wrenched from him in 1839 the first part of his history of the insurrection, in which virulent recrimination takes up more space than the narration of events, and which he did well not to complete. There are, nevertheless, scattered throughout the fiery pages of this pamphlet important statements to be noted, such as that in which he asserts that he never intended to extort by violent means the reforms he wanted: "I defy the government to contradict me when I assert that none of us had ever organized, desired, or even anticipated armed resistance . . . . not that an insurrection would not have been legitimate, but we had resolved not to resort to it as yet."

In 1845, Papineau returned to Canada. His

fellow-countrymen welcomed him heartily, feeling that his services had more than expiated his faults, and forgot everything but the memory of his splendid past. The exile of 1837 came back stronger than ever before, and crowned with a halo of glory, the whole population manifesting their sympathy for the returned exile. Public curiosity was manifested as to his intentions for the future, but, assuming the mantle of reticence and discretion, he kept silent on the subject, and retired to his estate of La Petite Nation, where he shut himself up in the dignity of retirement until 1847. Would that, for the glory of his own name, he had never left his quiet retreat to tread once more the political arena, wherein having in former times taken the lead for thirty years, he could not play a subordinate part without lowering himself and bringing trouble on his friends!

Eager to wield once more the influence he exercised in former days, or it may be, hoping for an opportunity to take revenge on England, he again entered parliament; and we must certainly acknowledge that this second stage in his career, which terminated in 1854, added nothing to his fame as a statesman. Eight years of absence from the country had put him out of touch with the political ideas of his countrymen. A new mode of looking at events and dealing with things political had supplanted the views held by Papineau, who was still firmly grappled to the opinions of

the stormy days of the period from 1820 to 1837. Coming in contact during his life in Paris with the advanced spirits of the period, such as Lamennais, Louis Blanc and Béranger, his liberalism had become deeply tinged with radicalism, and this produced a fresh element of severance between him and his former friends. The bitterness of defeat drove him to fits of anger which he vainly strove to control, and which often paralyzed his momentary good resolutions. Thus when accepting the representation of the county of St. Maurice, in 1847, he promised to support LaFontaine. "It is only," he declared in his address, "to give the Liberal government an opportunity of showing that they are able, as they are undoubtedly willing, to render good service." Reason then had the upper hand with him, but it was soon to lose all semblance of control over his mind.

It was evidently impossible for Papineau to coöperate with LaFontaine, who had, it was well known, become convinced that the union could be made to work so as to render full justice to the French Canadians. The former refused to put the smallest faith in responsible government, and demanded: "The repeal of the Act of 1840, and the independence of Canada; for the Canadians need never expect justice from England. To submit to her would be an eternal disgrace and a signing of their own death warrant; independence, on the contrary, would be a principle of resurrection

and national life." On his return to Canada, his hatred for England was coupled in his mind with a real horror of monarchical institutions. Aristocracy in all its forms was, he considered, the real enemy of good government and the foundation of despotism; as if the representative assembly of a democracy could not become despotic! As if a collective body, even when the offspring of universal suffrage, did not sometimes become oppressive!

Was it possible for a man entertaining such ideas to remain a supporter of the Liberal administration under LaFontaine and Baldwin, which had just taken the place of the Draper government? The violence of his sentiments was certain to separate him completely from the ranks of those with whom he had associated in the past, and from whom he, at first, did not dare to part. His attitude in the House very soon assumed the character of a mild opposition, and culminated ere long in avowed hostility. There is no standing still on a slope, in politics as in other matters, and under the stimulating influence of the human passions of hatred and disappointed ambition, Papineau soon became an unflinching enemy. He quickly confessed that the Tories were not so black as he had thought them to be, nor the Liberals so white as he had deemed them. He depreciated the claims of the latter, and lauded the former, in order to justify his own hostility towards LaFontaine. The fact is that the great agitator was now utterly blinded by his

hatred of British institutions, and denounced in unmeasured terms all those who upheld them. Moreover, he was never over-generous to those of his associates who ceased to share his views. One after another, Vallières, Neilson and Debartzch, when they had differed with him, became the objects of his scathing sarcasms. In 1849, LaFontaine is "a mere simpleton, kicked and cuffed and deceived by his confederates; a bloated corruptionist." Blake and Drummond are two "shameless Irishmen who insult the memory of O'Connell and the sufferings of Ireland." He was carried beyond all bounds of reason by political passion.

Papineau's temperament was evidently wholly cast for opposition, and a ceaseless and unflinching criticism of the acts of his adversaries. Habit had imparted to his mind, during the long years of his struggle with Dalhousie, a decided bent impossible to remove. To find fault seemed a part of his nature, and in 1849, when he could see no enemies to attack, he vented his wrath on his friends, the Liberals. Indeed he probably depicted in a pleasant way the natural bent of his own mind when, in answer to his brother who, on his arrival from France, blamed him for having delayed one day in his coming from Montreal to Quebec, he said, "I waited to take an Opposition boat."

The sentiments ruling his mind were such as to involve him inevitably in a hand-to-hand encounter with LaFontaine. Hence, in the session of 1849, we

find him engaged in a merciless attack on his former lieutenant. This was a struggle between two adversaries richly endowed with mental powers of a high order, but of diametrically opposite character; the one with the prestige of a brilliant past career and the halo surrounding his reputation as the most eloquent speaker in the country, a splendid voice which age had in no way affected, and a bad cause; the other, a cool-blooded advocate, with perfect self-control in argument, a master of trenchant logic, appealing to reason alone in defence of his impregnable position, and a good cause.

Papineau rushed to the assault with his old-time fervour and energy, and for ten hours held forth against his former friend, who had now become his enemy, because he had not broken with England, and had finally accepted the union of 1840, against which he had at first protested. Such was the scope of his lengthy indictment which, sad to say, was not free from malicious insinuations calculated to impugn the honour of the prime minister.

At the period of the union the whole Canadian people had protested against Lord Durham's scheme, which had been prepared as a means of disposing once for all of the French question in Canada. Papineau, recurring to this popular pronouncement, taunted LaFontaine with having accepted the new régime, which had at first seemed to him an abomination. As to himself, he said, he had not changed, and the union of the two

Canadas was in his eyes a vassalage, a servitude, which must be forthwith put an end to. "LaFontaine's attitude is simply cowardice, for the union has produced for us nothing but deplorable results, and can only lead to our enslavement." "For my part," he continued, "I see nothing in it but treachery and iniquity, a law of proscription and of tyranny against our people. That Liberals such as LaFontaine should accept this régime is something I cannot understand. Hence it is that I am opposed to a government which is putting the finishing touch on Lord Sydenham's work. This ministry has no capacity for good, but much for evil, much for the enslaving of those over whom it holds sway." In the stormy rush of his feelings he had come to hate the Liberals more than the Tories, his former foes. He does not express this sentiment in plain words, but it is quite clear that such was the fact. "I must say, nevertheless, that this Draper Tory government, of which I had so poor an opinion, and the present ministry, from which I expected such great things, have both alike disappointed my hopes and my fears. The moment I began to know our Liberal ministry, I began to see that nothing good was to be expected from it." Then reviewing LaFontaine's programme, he found it "teeming throughout with subject matter deserving of condemnation and reproach." In matters of finance and political economy, everything must, he declared, be recast. A great deal of attention was even then devoted to the ques-

tion of means of communication and transportation, and he pronounced the plans of the government in relation thereto to be hazardous and extravagant. The scheme of enabling sea-going vessels to reach the great lakes by means of canals he considered ridiculous. But Papineau lived long enough to see how mistaken he had been in underestimating the resources of the country, and how little foundation there was for the following forecasts: "It was a mistake to build these canals of such dimensions as to serve for ostentation rather than for utility. It is folly to think that European vessels will ever, through our canals, penetrate so far into the country. The currents and the winds will prove an obstacle, and render the voyage too long and too costly, and the idea of undertaking the construction of canals of such vast dimensions in order to enable European vessels to reach the lakes is nothing but a dream. No, that will never take place; I assert it without hesitation, for everything shows me that it is impossible. The extension of our navigation to Kingston can never thus be profitably realized, and all the expenditure incurred to that end has been incurred to no purpose. But England has been no wiser than our government; she applauded our folly, and urged us on to it by promising us a protection which she is now withdrawing."

LaFontaine had no difficulty in proving the injustice of his opponent's attack, and in demolishing his whole argument. In his opening remarks,

after reminding Papineau that he had obtained an amnesty in his behalf, he said: "If I committed a fault in entering the government, he is the one who has reaped the benefit, for were it not for that error of mine, he himself would not be in this House to-day, pouring phials of wrath and contumely on the heads of his old-time political comrades and friends. He would still be pining in exile."

Casting a retrospective glance at the working of the new constitution from 1841 to 1849, LaFontaine undertook to show that it had been possible for him, without logical inconsistency, to accept it, and join in the task of bringing it into operation, much to the advantage of his French Canadian fellow-citizens. It was not he who had changed, but the Union Act itself. The clause proscribing the French language had been struck out, and the Act had been the means of giving them responsible government, which embodies all the privileges claimed by the Canadian people prior to 1837. "I felt constrained," he continued, "to yield to the solicitations of my colleagues, with a deep sense of the responsibility then resting upon me. And when I consider the immense advantages my fellow-countrymen have derived from this measure, I see no reason to regret the course I took. My country has approved of it, and the honourable member himself, on the eve of the general election, in the county of St. Maurice, said that he approved of it! With what degree of sincerity and for what purpose he made that declar-

ation in his too celebrated manifesto, I leave it to this House and to his electors to say. In flat contradiction with that statement, which his electors at the time must have taken to be sincere, the honourable member tells us, to-day, that it was a fault and a crime for a French Canadian to take office in 1842. He has told us what, according to his view, was the line of conduct, the system of opposition, we should have adopted at that period and followed steadily ever since. He draws a contrast between that system and ours. From that point of view I accept the challenge with pleasure, and have no anxiety as to the result. The question being so put, let us see what have been the consequences of our system for the French Canadian people, and what would have resulted from that of the honourable member.

"It will not, I think, be unjust to the honourable member to qualify his system as a system of opposition *to the bitter end;* he himself so qualified it on several occasions. I leave to the honourable member the full benefit of a declaration which I have often made and which I now repeat: The idea of the governor who suggested, the idea of the man who had drafted the Act, was that the union of the two provinces would crush the French Canadians. Has that object been attained? Has Lord Sydenham's idea been realized? All my fellow-countrymen, except the honourable member, will answer with one unanimous voice: No! But they will also admit, as every

honest man will admit, that had the system of opposition to the bitter end, upheld by the honourable member, been adopted, it would have brought about, ere now, the aim of Lord Sydenham: the French Canadians would have been crushed! That is what the honourable member's system would have brought us to, and what it would bring us to to-morrow, if the representatives of the people were so ill-advised as to adopt it.

"The protest of 1841 has a scope and bearing which it behooves us to bear well in mind to-day; but, to my mind, the refusal of the government and the majority of the legislature of Upper Canada to accede to that protest had a far greater significance. That refusal demonstrates absolutely that the Act of Union had not made of the two Canadas one single province, but that it simply united under the action of one single legislature two provinces theretofore distinct and separate, and which were to continue to be so, for all other purposes whatsoever; in short, there had been effected, as in the case of our neighbours, a confederation of two provinces, of two states. It was in accordance with this view of the facts, based on the operation of the Act of Union, as it was interpreted by Upper Canada itself, when the province was invited to do so by the Lower Canada Liberals, in their protest of 1841, that I regulated my political course in 1842. And relying upon the principle that the Act of Union is only a confederation of the two provinces, as Upper Canada

itself declared it to be in 1841, I now solemnly declare that I will never consent that one of the sections of the province shall have in this House a larger number of members than the other, whatever may be the figure of its population."[1]

In this great debate Papineau's eloquence carried all before it as a piece of art, but cool reason gave the victory to LaFontaine. The tribune had fought with great courage, and he needed a good stock of energy to carry on the fight alone, and with the memory in his mind of the days in the old assembly when he spoke as a master, when all things yielded to the charm and authority of his voice. His position now was a false one, and he fell into the grave error of not perceiving it. All was changed since 1837; the political world had marched forward in the light of new ideas, effecting its evolutions in virtue of principles contrary to those of the past. Papineau stood alone, entrenched in his old position, and hurled defiance at his new enemies as though he had still to cross swords with Dalhousie, Aylmer or Gosford.

Prior to 1837, the French Canadians carried on the struggle for power against the English, anent racial questions, ever a most exciting and enervating subject of debate. An essential characteristic of such struggles is that they become aggravated with the lapse of time, and develop passions which so

[1] Papineau had, in the debate referred to, expressed himself as favourable to representation based on population.

obliterate all sense of justice and injustice as to close the door to the possibility of mutual concession and compromise. After the union, the alliance of the LaFontaine Liberals with the Baldwin Reformers operated as a salutary diversion, by affording fresh channels for forces which up to that time were constantly rushing into conflicts fraught with danger. It then became possible to deal with the material interests of the country which had so long suffered from neglect. The solution presented by LaFontaine of the political problem commended itself to the people generally; for, bearing in mind the sad experience of 1837, they dreaded the idea of straying after perilous illusions by following in the wake of Papineau. To renew the former agitation would be, they considered, to open afresh the wounds by which their country had so long been exhausted. Many reforms were of course still required, but it was hoped that the ministry when once in full possession of the means of action provided by the constitution, would promptly find suitable remedies. Inflexible in his principles, Papineau held in abhorrence the idea of mutual concessions, or compromise of any kind which is of the essence of a constitutional system. Disdainful in his isolation, and boldly facing his enemies, his bearing and attitude seemed to express undying hostility, and his lips might well have phrased the unbending words: *Etiam si vos omnes, ego non!* His attitude was a proud one, but was it more reason-

able than that of his opponents? However that may be, one feels inclined even while giving a verdict against him, to bow before the strength and power of conviction with which he urged his views. If Papineau felt himself isolated on the floor of the House, he found without, a certain number of friends and adherents, irreconcilables like himself, who refused to believe that England, victorious on the battle-field of the insurrection, had given up, after her defeat in the political arena, the idea of putting an end to French influence in Canada. From this group of refractory patriots, whose ranks had been augmented by the accession of a number of young men (who had been attracted by their admiration for Papineau, and afterwards became his disciples) issued, in 1849, *Le parti démocratique* —a party deeply influenced by the revolution of 1848 in France.

The leading men of the new organization were the two Dorions, Rodolphe Laflamme, Dessaules, (a nephew of Papineau), Labrèche-Viger, and J. Doyle, with *l'Avenir*, and *Le Canadien*, for a short time, as their representative newspapers. They all took their cue from Papineau, sought their inspiration in his speeches and joined in a programme reflecting his ideas. The articles forming the creed of the democratic party included the repeal of the Act of Union, the annexation of Canada to the United States, and, pending the absolute severance of the colonial link, the intro-

duction of the elective principle into every branch of the administration, and the selection, through that mode, of public officials, magistrates and members of the legislative council.

The French Canadian Liberal party—up to that time solidly united—split up into two factions; and this break up of the national forces affected LaFontaine so deeply, that he resolved to retire from public life after the session of 1851. Speaking at a banquet tendered to him by his friends on the occasion of his retirement, LaFontaine, who was then but forty-three, having referred with some feeling to the rapidity with which the struggles of political life wear out its votaries, continued as follows: "And I beg to assure you that, in retiring from public life, I cannot but regret to witness the efforts being made to create division in the ranks of the French population of this country. But I have had sufficient experience to enable me to tell you with perfect confidence that these efforts cannot succeed. Our people are gifted with sufficient strong common sense to see clearly that, if they divide their forces, they will be powerless, and their fate will be that predicted by a member of the Tory party some years ago in these words: 'The Canadians are fated to be led always by men of another race.' For my part, I despise the efforts now being made to divide the Canadians, and they will not succeed."

LaFontaine's predictions were ill-founded, as was

shown by the result of the elections in 1854, when quite a number of Papineau's adherents were elected to parliament. Moreover, the disunion had already taken effect in 1849, on the foundation of *Le club démocratique*. LaFontaine feigned — we do not know for what purpose—to be unaware of the existence of this division, which was, as his friends tell us, the chief cause of his retirement, and to which he makes allusion when in his speech he speaks of the disgust inspired by politics.

Papineau retired into private life three years after his rival, wearied and disappointed, but full of hope in the future of democracy and its final triumph in Canada. Living in retirement at La Petite Nation, he never wholly ceased to take an interest in public affairs. In spite of himself his ardent and active spirit continually haunted the arena which he had so long filled with his presence.

A keen observer of men and things, he studied our institutions in contrast with those of the United States, which on every occasion he used as a subject of comparison and as a criterion in support of his opinions. An examination of the Constitutional Act of 1840, in contrast with Washington's great work, led to his inditing in a letter to Christie[1] some singular comments on that charter. Strange to say,

[1] This letter bears the date of November, 1854. At that time Papineau had become reconciled with Christie, his old opponent, whom he had caused to be expelled four times from the House, on the charge of having advised Dalhousie to dissolve parliament.

he finds it too liberal, and one asks himself whether it was really Papineau who wrote this: "The country has entered upon a new phase. The democratic element has suddenly become dominant in a dangerous degree, and there is no counterpoise. In the United States the peculiar position given to the Senate, is in itself a counterpoise to the tendency to over-acceleration in the action of the representative body; but the most effectual of all is the Supreme Court, whose decisions suspend the execution of laws contrary to the rules of justice established by the constitution of each State. Here the legislative assembly alone makes the law, because it can, through the selections it has made of the ministers, judges and councillors, convert into a statute any ephemeral whim of the hour. The powerful aristocracy of England is so essentially conservative that there is no danger in admitting, as a constitutional principle, that parliament is omnipotent as to legislation. New men will succeed one another so quickly at each general election in Canada, that the result will certainly be legislation of a precipitate and violent character. Reforms suddenly carried to extremity, after an obstinate resistance extending through many long years—in place of a moderate and gradual concession of wise measures—will do as much harm as England did in the past by wrongfully maintaining the excessive preponderance conferred on the executive. England has now no clearer apprehension of the social needs of the country

than she had in the past, because she cannot conceive of the existence of a state of society other than her own. We are, I fear, falling into a state of legislative anarchy, because each parliament, in turn, will destroy the reputation of the ministers by whom it is led. Beginning with a majority, they will end with a minority, and each new parliament will have to destroy the work of its predecessor."

While this criticism is a surprise to us as coming from Papineau, it is, nevertheless, a tolerably accurate view, in part, of the constitution. Undoubtedly, if the Constitutional Act of 1840 had a blemish, Papineau had shrewdly hit upon it. We have little to say against his opinion, but what astounds us is to hear, from the lips of an old Liberal, language which Tories like MacNab and Draper would hardly have uttered. Was Papineau at this time acting in obedience to the all but general law which makes us with advancing age see things in a different light or from another standpoint, and leads us to modify our former opinions? Mature age shows us the fallacy of many doctrines, for experience has by that time enabled us to witness the failure in practice of many a brilliant theory. As we advance in years the difficulty of subduing human nature, with all its defects, to the exigencies of some great system, admirable on paper, becomes more and more manifest. In most cases, institutions are better than men, and our own shortcomings render them imprac-

ticable. In this matter Papineau, it may be, was simply a critic *à outrance*, as of old.

If Papineau still pined for political life after entering upon his retirement, the feeling did not so overpower him as to make him seek publicity. He unbosomed himself on this cherished object of his thoughts only to his close friends, in those penchats which he had always loved and to which he imparted so great a charm. Once only, and for the last time, he appeared in public. At the Canadian Institute in Montreal he gave a lengthy lecture on December 17th, 1867. On that occasion, in the very closing hours of his career, and under the depressing burden of advanced age, he showed all the ardour of youthful energy in the expression of his sentiments and especially of his old antipathies; it was the last roar of the lion in the face of his foe. His lecture was a lucid summary of the history of English rule in Canada, a subject which offered full opportunity for the last confession of the hardened and unrepentant patriot, proud to stand on the brink of the grave without regret for the past, and still hopeful for the future of democracy. Although Papineau had ceased to be in communion with the political and religious ideas of the majority of his fellow-countrymen, he remained, nevertheless, in their eyes the most attractive political figure in the land.

CHAPTER XV

CONCLUSION

THE portrait at the head of these pages tallies well with our mental conception of Papineau. What energy in the lines of the expressive face! What manly beauty in the contour of the head! And do not the eyes seem to bid defiance to all comers? Everything in his attitude reveals the obstinate fighter he showed himself to be throughout the whole of his long career.[1]

To the psychologist, Papineau's character presents but little complexity; his mental attitude inclined to a singleness of purpose which well suited the unity of his life, devoted, as it was, wholly to one great cause, towards which the efforts of his intellectual faculties unceasingly tended.

A man such as Papineau is not to be judged merely by the events with which he was connected, notwithstanding that they may have very greatly influenced his career. His ideas were the outcome of certain antecedents and early associations and influences. The son of an important political personage who had seen the early days of English rule, he of necessity inherited his father's hardened

[1] This portrait was lithographed by Chardin, whilst Papineau was in Paris, and has been considered excellent by artists and connoisseurs.

feelings and prejudices resulting from the arbitrary spirit which characterized the new régime in its early days. No man was more conversant with its gloomy annals than Papineau. His antipathy for the authors of the real or fancied wrongs of his country was augmented by the reversion of the accumulated antipathy cherished by his father and his close friends. His childhood was spent in an atmosphere impregnated with the most violent passions, and thus it was that he became such a lover of strife. His life-long struggle with the government was anything but calculated to subdue his leaning towards harsh criticism; and when brighter days dawned for the country, the sunlight did not fall soothingly for him as it did for LaFontaine and his friends. Were we not aware that his course of action on his return to Canada was inspired by motives deserving of respect, though manifestly erroneous, we should feel constrained to say that the habit of opposition had so warped his mind that nothing could remove the bias.

His career is divisible into two parts very differently filled, and the errors of the one should not be allowed to efface the merits of the other. What a man was the Papineau of 1822! He embodied in himself and voiced, at that moment, all the aspirations and demands of the Canadian people, at a time when their national existence was in imminent peril. It was in truth the voice of his country that burst forth in his fierce denunciations of con-

spiracies hatched against the liberties of his people. From 1820 to 1837, he stood forth the grandest figure in our history. His was a life of glory during that period, a glory purchased by endless sacrifices, —a life immolated to a great cause which he upheld unflinchingly with small hope of final victory.

His public career should have closed with the catastrophe of 1837. What a pity that he did not grasp the position of the province and his own, in 1845! It was a great mistake on his part not to have given himself up to a life of study and reflection, and a greater still to have encouraged division in the ranks of the little Canadian army. He has been held responsible for the establishment of the Radical party and of *Le club démocratique;* but we nowhere find evidence of his connection with the latter organization, though many of his ideas are included in the celebrated programme of the club, drafted, if we are not mistaken, by one Blanchet (surnamed *Le citoyen Blanchet*), and some other advanced spirits of the period. But was the connection between Papineau and the Democratic Club such as would justify the statement that he was its founder? Let us bear in mind that anti-religious ideas were for a time the fashion, especially among the educated class, prior to 1837 and under the union. Disciples of Voltaire, encyclopædists, deists like Papineau, and partisans of free morals, were to be found here and there.

It is well to point out that his opposition to

LaFontaine was but an incident in his struggle with the English government, which he carried on over the heads of his adversaries in Canada. His laudations of democracy, his sarcasms and his assaults on aristocracy, as found in the ninety-two resolutions, show the drift of his mind in 1834. His stay in Paris, where he consorted with Lamennais, Béranger, and Louis Blanc, left its imprint on his mind and thrust him into the very focus of radicalism, which was concentrated to a white flame by the revolution of 1848. His fixed idea on return to Canada was this: "We must get rid of aristocracy in every shape and form, for it keeps us under a shameful vassalage." This was his view of the colonial condition and status. His antipathy makes him see the dark side of everything. "But let us be patient," he writes to Aubin, the editor of *Le Canadien*, in 1848, "emancipation [for which he constantly prayed] will come, and meantime we shall be rendering good service by making our people revert to the policy followed from 1791 to 1835. We must love democracy now, during our period of servitude, so as to put it in practice after our emancipation."

Was Papineau merely an irrepressible agitator, a democrat dreaming of nothing but the triumph of his own ideas, and without any plan or system denoting grasp of mind? Of course circumstances often determine the scope of man's conceptions, and it is evident that Papineau, acting on the limited field of

provincial politics, had no opportunity to evolve schemes such as Richelieu conceived. Still there was nothing of the particularist in the plan he conceived, prior to 1837, of forming alliances with our neighbours of the east and of the west. He maintained a lengthy correspondence with William Lyon Mackenzie of Toronto and with certain Liberals in the maritime provinces, with the manifest intention of uniting with them with a view to bringing about a combined effort against England. He was at one time confident of the success of his scheme. In the broad outlines of his plan, which never went beyond the incipient stage, one can perceive the leading idea: a confederation of colonies independent of England, the reverse of that which was subsequently carried out. Pushing even beyond the frontiers his efforts to secure allies, he managed to find ardent helpers in the United States. These were the American sympathizers who came to the assistance of Mackenzie in 1837, and of Robert Nelson in the days of the second uprising in 1838.

The influence of the authorities successfully checked Papineau's manœuvres. But the results would appear to show that this early blending of the Liberals of Lower Canada with those of the western province, initiated by Papineau, was the first step towards the subsequent momentous alliance between Baldwin and LaFontaine.

After having said farewell to politics in 1854,

Papineau retired to his manor house of La Rivière de la Petite Nation, and there remained until death closed his career in 1871. Here it is that, during the period of his life subsequent to his return to Canada, we find his character most attractive. In the midst of his books, in communion with his favourite authors, he shows himself with the captivating countenance which was natural to him, but which the struggles incident to his active political life in the earlier years of his home-coming, had many a time shrouded in gloom. In friendly intercourse, he was, in his day, one of the most amiable of men. An accomplished man of the world, he exhibited in social life all the grace and ease of manner of a *grand seigneur*. His condescension towards his inferiors, his respectful affability and courtesy in conversing with women, and his many other social qualities made him a most fascinating companion. He cultivated successfully that exquisite grace of perfect courtesy, so rare in our day, and which can hardly be expected to flourish at its best in our democratic atmosphere. He was like a survival of a former age. From his father, who had associated with the Canadians of the old régime, and was reared amidst the traditions of Versailles, he had imbibed the grace of manner and refinement which lent such a charm to social intercourse in the days of old. All Papineau's letters, except, of course those treating on politics, breathe this fragrance of good society and are, moreover, imbued with a cor-

dial spirit of warm friendship. Our readers will not be sorry to behold side by side with the tribune armed for the fray, a Papineau clad in the peaceful garb of home-life in the midst of his family and friends, revelling in the thousand details of domestic and social intercourse. On returning from a trip to Quebec where he had been the guest of Christie—a former adversary, who had since become his friend—he wrote as follows from Montebello, on July 13th, 1856:

"My Dear Christie:—Ever since our return from Quebec we have talked of nothing but the many friendly attentions paid to us, all the festal gatherings held expressly for us, and the many other demonstrations of kindness showered upon us, at your hospitable home, in the first place, and, as a consequence of your kindly initiative, at the hands also of many other obliging and courteous friends. For my wife, my children and myself, those delightful holidays will ever be remembered, as days of perfect happiness, which we shall recall in our gayest hours in order to enhance their brightness, and in times of depression and sorrow in order to sustain our drooping spirits. . . . Our young girls had their first taste of the delights of your charming social life and enjoyed to the full those many enchanting gatherings, which Quebec has the wonderful knack of organizing at a few hours' notice. In Montreal the mixture of various races has introduced a little too much etiquette and restraint. Social gatherings

are rarer and more formal, and consequently less enjoyable and pleasant. I ought to have told you all this as soon as we got home, but the fact is my absence had retarded much of the work on my improvements which had been begun, and for the last few days, I have spent a great part of my time with the workmen, and devoted the remainder to the company of our fellow-travellers, whom I cannot sufficiently thank for having accompanied us home. If, on our return, we had found ourselves alone in our rustic solitude, the transition would have been too sudden; but with Miss Doucet to chat with anent the days of our youth, and Miss Trudeau to speak of her early days and those of her charming friends of her own age, time glides pleasantly along. Kindly say to Monsieur and Madame Trudeau that I thank them every hour of the day for entrusting to me such gentle and charming companions for my daughters as well as for their old parents. There is not very much variety in our store of amusements, but the young ladies are good enough to say that they are happy with us. Nevertheless, they will be still better pleased when you yourself and Madame Christie come to us; for the joy of having you with us will brighten our lives and make us more pleasant companions than when we miss you and are longing for your presence amongst us. Ezilda is never tired telling of the wonderful party Madame Christie improvised at such short notice, for so large a gathering. She

quite admits that she met more than her match; 'but,' she said, when offering this as a model to me, 'I shall improve now, for I have made a beginning.'

"It would be useless to attempt to parcel out compliments and praise when we owe them to so large a circle of friends. Nevertheless, I feel that for a good part of the most friendly disposition manifested by them all, we are indebted to the fervour of our old mutual friendship, which induced you to speak of us in terms of praise far beyond our deserts. I beg to offer my heartfelt thanks to each and all, but more especially to those who organized our delightful trip to the Saguenay; to M. Buteau, who took so much trouble in the matter, and to all the ladies and gentlemen who took part in it with us. Three young ladies absolutely perfect and accomplished in all respects, and three men well above the average of our sex, then two little girls and myself made up a party of nine, always a lucky number and which proved to be so at least during our three days' trip. Shall that happy trip ever be repeated? Who knows? Should it not be so in very truth and reality, it will at least be many a time renewed in the vivid pictures of living memory. To behold the grandest scenery in the world, in the best possible company, is something to be long remembered; something never to be forgotten."

We have just seen Papineau enjoying peace and happiness in the bosom of friendship—the joy of

living; but such is not the normal condition of human life, which is only too often clouded by sorrow and misfortune. The early death of his grandson plunged him into deepest grief, and in a letter to Christie, dated March 15th, 1855, he opened in the following terms the floodgates of his heartfelt sorrow :

" When your letter reached me, I was in deep affliction, owing to the death of my dear and only grandson, a splendid child of about eleven months, carried off by his first sickness. Knowing the extreme sensibility of my son and daughter-in-law, and their delicate health, which nothing but the greatest and unceasing care and medical skill had hitherto preserved, I have so wept and been so torn by anxiety and trouble on this account, and from our great loss, that the burden has overtaxed my strength. Amedée [his son, the recently deceased Seigneur of Montebello] had written saying that he himself would come and bring the remains of the dear child with him. I attempted through the medium of a friend, to divert him from undertaking a task which would be dangerous for him, and suggested to a good friend and relative to come in his place. But the dear mother fancied that it would be an act of culpable indifference to entrust the sacred and precious remains to any other hands but those of the father himself. My dear son discharged his sad task with real courage, and together we laid the relics of the sweet little angel in the family chapel,

erected in a grove a couple of acres distant from the house. On the death of my Gustave, whom I caused to be buried in the parish church, my son Amedée was the first to suggest the building of this family chapel, a matter which I myself had under consideration, though I had not mentioned it, with a view to depositing therein the remains of my father and Gustave, to be followed some day by my own, should I be spared to finish it. And now it was in order to receive the mortal remains of Amedée's own child that the first grave was to be opened therein! Such is life with its disappointments and its forecasts. One must, nevertheless, do his duty while he is able to stand, and then lie down without regret."

This, it must be said, is an admirably written and most touching letter. The group formed by the old man depositing the remains of the little grandson in the grave opened for himself, stands out before us in bold relief, and it is impossible to behold it unmoved. We share the anguish of this venerable parent struggling in the grasp of a two-fold sorrow; grief for the loss of the child and for the affliction which has befallen his son.

It would be an injustice to his memory to conclude from Papineau's attitude as depicted in accordance with the facts herein stated, that he was a man imbued with race prejudice. His hostility had never been directed against the English people, but solely against the ministers who refused to

grant us in their full integrity the rights as British subjects which we were entitled to claim. It would be impossible to point out in any of his speeches a single aggressive expression applied to the English people. The natural drift of his mind was rather towards a cosmopolitanism in conformity with the aspirations of the democracy. In that respect he was in advance of many of his contemporaries whose national and religious prejudices too often, even in our own day, remind one of the unlightened and backward races of former ages. On one occasion when Colonel Gugy, a Swiss by origin, and a tool of the English party, declared in the House at Quebec, that he preferred to see in office a ministry composed of citizens born in the country, Papineau answered him thus: " For my part, what I desire is a government consisting of friends of the law of liberty and of justice, men who will protect all citizens without distinction, and give to each and all the same privileges. I hold such men as these in high esteem, whatsoever their origin may be; but I detest those haughty descendants of conquerors who come to our country to deny us our political rights. . . . You say to us: 'Let us be brothers!' I answer, yes, let us be brothers; but you want to grasp everything—power, place and money! This is the injustice we cannot endure."

Note further that, on several occasions, Papineau was supported in the House by a majority of the English speaking members, and that he numbered

amongst his followers such important men as Neilson, Leslie, Chapman and Andrew Stuart. But we shall be asked: What say you of his angry outbursts of 1837? Our answer is that they in no way contradict our assertion. All that occurred at that period was an outbreak provoked by the resolutions of Lord John Russell depriving us of the control of the finances, which was equivalent to a suspension of the constitution of the country, an act of high treason against the nation. Is it surprising to find that excess in the exercise of arbitrary power on the one hand, should cause an out-pouring of extravagant language from indignant hearts on the other? So great was this provocation on the part of Lord John Russell, that Roebuck declared that "in order to make the province accept the resolutions, it would be well to send out at the same time a few regiments of soldiers."

Papineau, like many of his contemporaries, wrote much and at great length. His letters, written in a large and most legible hand, generally covered from four to eight pages. His style is not always very clear, and his phrases, like the periods of his speeches, are often laboured. Correspondence took up a great part of his leisure time at La Petite Nation, where boundless hospitality ever awaited his friends. One felt at home at once under the roof of the charming Manor House of Montebello, with its vast apartments, affording through noble bay-windows, widely extended views of the beautiful waters of the

Ottawa. There was nothing surely here to suggest the ruder elements of democracy! Papineau was evidently a Pierre Leroux in theory only, his tastes and manners were rather those of an aristocrat.

His splendid constitution and robust health enabled him to live an active life up to 1870, when he seemed to collapse all of a sudden beneath the weight of his years, while still retaining the full strength of his intellect, and died on September 23rd, when just about to enter on his eighty-fifth year. His fellow-countrymen, nearly all of them men of faith and deeply imbued with the principles and practices of religion, regretted to notice the absence from his bedside, at the supreme moment, of the minister of divine mercy. But in these delicate and sacred matters of conscience man is accountable only to his God, whose supreme judgment may greatly differ from ours. Papineau was, it is true, a *philosophe*, a spiritualist, and a deist, but while opposed to the intervention of the priest in politics, he was never an anti-clerical. On several occasions, in fact throughout his career, he was to be found claiming religious liberty for the church in Canada with the same zeal and ardour with which he fought for political freedom for all. When, in 1837, the ecclesiastical authorities rightly deemed it necessary to warn the Canadian people against Papineau's revolutionary course, he conceived a bitterness towards the clergy which the lapse of time only served to exasperate.

LAST ADDRESS

He was rarely seen to leave Montebello after his retirement from public life. On one occasion, however, as we have already stated, he consented to gratify the wishes of his admirers in Montreal, who desired to meet him. He attended for that purpose a meeting of the *Institut Canadien*, and delivered an address. He showed himself throughout this lecture an impenitent radical, with all the ideas of his long life crystallized in his intellect. And this consistency and unity of his career was the result of so many sacrifices on his part that some allowance must surely be made for it. Had Papineau fallen into line under the new order of things, why might he not also have aspired to high position in the land? But to return to the lecture—after a rapid glance at the history of Canada from the Treaty of Paris (1763), he depicted in broad outline the phases of our colonial system up to 1867—"Confederation, the most culpable of all, now for three months in operation." In this lecture his old antipathies reappear in full vigour, in spite of his advanced age, which usually softens them. His arch enemy, the English aristocracy, could hardly escape without a blow, and in truth he hits it unmercifully. Nor does he spare the authors of confederation, "those ill-famed, self-interested men." His wrath had not aged. But let us not scrutinize this indictment; it was not the death song of the gentle swan, but the last defiance of the Indian warrior, shouted out with his death rattle. Let us cull from this lecture,

ere we close, but this pathetic profession of love for his country: "You will believe me, I trust, when I say to you, I love my country. I have loved her wisely, I have loved her madly! . . . . Opinions outside may differ. But looking into my heart and my mind in all sincerity, I feel I can say that I have loved her as she should be loved. The sentiment of love of my country I imbibed from the breasts of my nurse—my saintly mother. The brief expression in which it is best enunciated: 'My country first!' I learned to lisp at my father's knee."

With these burning words of love for his country, words which atone for many an excess of language, we deem it well to close these pages devoted to the memory of one who gave the best part of his life to defending his people against the assaults of their enemies, and raised the French Canadian race in its own estimation, in the face of the powerful men who sought to humiliate and annihilate it. Obstacles of many kinds prevented his work from reaching the perfection he had pictured to himself, but it is manifest to all that the struggles during which his high-spirited eloquence was heard above the fray for a quarter of a century, scattered broadcast those life-giving principles which have borne fruit and flower in our free political institutions. On this ground, as well as for his great fame as an orator, of which we are all justly proud, he is entitled to the homage of posterity, in common with all who unselfishly devote their lives to the triumph of a great cause.

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CHAPTER I

YOUTH AND REVOLT

WHEN Georges-Étienne Cartier, the subject of this biography, entered the political arena, his native province of Lower Canada was on the verge of sedition. Carried away, like all the young men of his day, by the eloquence of that powerful tribune, Papineau, he one day found himself in open rebellion against the British crown, of which he was, in a few years, to be one of the most stalwart supporters. The contradiction, however, between Cartier's two antagonistic attitudes is more apparent than real. His opposition, which drifted into revolt, was not directed against the British sovereign, but against the party, an insignificant minority, who, having laid their hands on the government, used it for their special ends and profit, and denied to French Canadians all the privileges and rights of the British subject. But as soon as self-government was granted to Lower Canada, no more loyal upholder of the British constitution than Cartier was to be met in North America.

It is not our purpose to attempt a justification of the furious agitation which culminated in open battle at St. Denis and St. Charles. But is it not fair to ask whether the administrators of the day

had not abused the patience of the people beyond the limits of endurance, when year after year they resisted the legitimate requests of the Canadians for constitutional government in fact as well as in name? Since 1800 the discontented Canadians had been asked: "But have you not a most liberal constitution: why do you complain?" The fact of the matter is that the governor and the legislative council had concentrated all authority in their hands and constantly frustrated the will of the lower house. The representatives of the people were in the positions of persons craving water: they were offered an excellent glass, but it was empty. They had been since 1820 asking for the complete control of the provincial finances, and in 1837 Lord John Russell's resolutions placed it practically in the hands of the executive.

In no other section of the country did the feeling against the hated bureaucrats—the family compact of Lower Canada—run so high as along the Richelieu. The pretty villages, extending on both sides of the river from Sorel to Chambly, with fine churches raising their tall spires, and neat looking farm-houses, give one the impression of a rich and happy land, too happy to be a scene of bloody encounters. In those days, St. Ours, St. Charles, St. Marc, St. Antoine and Chambly were the seats of aristocratic French families, from whom the people took their direction in politics. With the advent of democracy and the progress of education among

the people, this has all been changed, and many of those influential families have also disappeared. But when Papineau, at the full height of his furious attacks against the government, determined to strike a great blow to show his power, it was at St. Charles that he convened the delegates of the six counties.

At St. Antoine, one of those hotbeds of rebellion, Cartier was born of parents who traced their genealogy to the family of Jacques Cartier, the discoverer of Canada. His ancestors had come to this country in 1759 and settled at Quebec, which they left in 1760 to build up a new home at St. Antoine. His grandfather and father were merchants. Cartier once stated that he should have followed their calling instead of studying law. To atavism he owed his taste and aptitude for business and his strong grasp of matters pertaining to trade and commerce.

When old enough to attend school he was sent to the Montreal College, then as now under the management of the Sulpicians, or *les Messieurs de St. Sulpice* as they were called in the old style. The process of his intellectual formation was not different from that of any French lad in the hands of the priests. This process is peculiar enough in itself and in its surprising results to be worth describing to persons not familiar with the customs prevailing in Quebec.

It must indeed seem strange and abnormal to our

English-speaking citizens to see British subjects of the twentieth century brought up and educated under rules laid down when Louis XIV reigned, and modified only in minor details later on to suit the times. The substantial education dispensed to the youth of Quebec is still almost wholly permeated with French notions of the seventeenth century. The craving for hero worship is gratified in the history of France, whose traditions of glory and honour form part of our national inheritance. In literature, Bossuet, Racine, Fénelon, and all the writers of the *grand siècle* are the models offered to the imitation and admiration of young French Canadians, who seldom come in contact with Shakespeare and Milton except in translated excerpts. Moreover, English is indifferently taught in the Quebec schools. For years it was viewed by many as the language of heresy and of the conqueror. Fortunately, as a counterpoise to this apparently anti-English education, there exists the all-powerful teaching of the Church, who claims for herself and for all powers submission and obedience. The first duty of the subject in civil and political order is subordination to the government which holds its rule from God: *Omnis potestas a Deo.* Under the beneficent ecclesiastical influence, social and religious asperities are worn out and smoothed down; and it is with a strong sense of sacred obligation that Catholics offer in their Church prayers for their separate brethren.

No more moral and severe tuition could be given, nor under closer watchfulness. The pupils of the Quebec colleges are daily reminded of their duties to God, their neighbours, and the state. Thanks to the clerical teaching with its strong conservative tendencies, the mind of the young French Canadian is shaped on the mould of monarchical ideas; with the effect of binding it to English institutions in preference to democratic systems of government. The natural consequence of this education did not escape Lord Elgin's penetrating observation. He attributed to it the loyalty of the French Canadian to Britain, and he has this in his mind when writing to Lord Grey in 1848: "Let them feel that their religion, their habits, are more considered here than in other portions of this vast continent; who will venture to say that the last hand which waves the British flag on American ground may not be that of a French Canadian?"

A century and a half of loyal devotion to the British crown, strongly exemplified during the American wars of 1775 and 1812, stands to prove the striking truth of Guizot's opinion, himself a Protestant, that the Catholic Church is a school of respect. Out of respect for the government springs submission to its command and control.

The influence of Papineau must have been overpowering, and the petty persecutions of the oligarchy of the Château St. Louis very exasperating, to have overcome temporarily in Cartier's soul the loyal

sentiments which he had imbibed at St. Sulpice. The fact of the matter is that the rulers at Quebec seemed to have concentrated their efforts to hurt the feelings and pride of the French subjects. At every turn of their civil and political life they were made to feel that the governors and their friends considered them an inferior race, unfit to take a share in the government of the country. The work of the lower house at Quebec was rendered barren, the legislative council constantly nullifying its efforts. Even the military authorities in those days took sides with the oligarchy, and never failed to look down with scorn on the *habitants*. But, we may ask, was not the Canada Act of 1791 a great advance on previous imperial legislation? It undeniably was, but is it not also a fact that the best constitution may become an instrument of persecution and injustice in the hands of obtuse or wily men deprived of the sense of justice? Even Upper Canada had grievances under the Act of 1791, but the problem to be solved there was not so complex; it was free from questions of race and almost free from those of religion.

Is it to be wondered that the intelligent youth of the day rallied around Papineau, who then stood as the living symbol of the demand for justice of a down-trodden population? The oppression of the rulers must have been galling, for it arrayed against them level-headed and moderate men like La Fontaine, and even sweet-tempered, easy-going

men like Morin. Cartier was drawn towards the patriots by his fiery temper and the strong conviction that he and his friends were under a ban in their own country. Moreover, was he not breathing the spirit of insubordination in the law firm of Maître Edouard Rodier, the great tribune of the Montreal suburbs, and second only to Papineau as a convincing, blood-stirring orator? Under these strong influences he was only too well prepared to join *Les Fils de la Liberté* when that society was organized in imitation of the American Sons of Liberty. He became their poet in spite of the muses, for he lacked the sacred fire. Still his lines, patriotism helping, were soul-inspiring, and the *Fils de la Liberté* sang them to the top of their voices when parading the streets of Montreal in search of their enemies of the Doric club.

Our poet and law student was carried away with his friends; his fervour soon capped the climax, and when Colonel Gore marched on St. Denis to crush the incipient rebellion, Cartier shouldered a musket with the other raw recruits armed with shot-guns and scythes. It was a miracle that they repulsed the Waterloo veterans. A few days later his ardour and enthusiasm urged him on to the neighbouring parish of St. Charles, where Nelson met a terrible defeat at the hands of Colonel Wetherall. When more tranquil days brought Cartier to power, he was often taken to task for the part he had taken in the rebellion. His

opponents were wont to represent him fighting in *habitant* garb with the blue bonnet—*la tuque bleue*—then worn by his countrymen. Cowardice was also hinted at, but it has been established beyond controversy that he behaved bravely under fire. At St. Charles he was entrusted by Nelson with a mission which required both pluck and nerve: namely, to cross the Richelieu under the enemy's fusillade to get supplies from St. Marc on the opposite shore.

Under the scathing fire of Wetherall, the peasantry scattered in every direction, and Cartier attempted to seek a refuge in the United States. It was late in the autumn; the cold, rainy weather of November and the bad roads rendered the young patriot's flight painful. He wandered through the forests, suffering from want of food and the inclemency of the season, and finally lost his way. Then the safest course seemed to him to retrace his steps and find some hiding place near home. He succeeded in reaching Varennes, where a farmer harboured him during the winter. It was reported at the time that he had perished in the woods, and *Le Canadien*, of Quebec, lamented the death of this young man full of genial qualities, to whom the future promised a brilliant career.

When spring returned it was considered safer for Cartier to abandon his retreat, and place the American frontier between himself and the police, who were scouring the country about Montreal in search

of rebels. He reached Burlington, where he remained until Gosford's amnesty proclamation allowed him to return to Montreal, which he entered wholly free of the illusions under which he had lately lived, but not regretting the sacrifice he had made to the cause of freedom. He knew that liberty is often dearly bought, and that frequently it rises out of streams of blood.

If it were my purpose to attempt a justification of the insurrection of 1837, might not that outburst find extenuating circumstances in the fact that it was not committed through malice aforethought, but was the spontaneous movement of a people labouring under great provocation? The opening of the hostilities occurred as follows: on a certain day the *habitants* of St. Charles and St. Denis were told that warrants had been issued against their leaders, men whose life-long devotion to the popular cause had won the trust and gratitude of every Lower Canadian. These men were known to them as ardent patriots, animated by a boundless love for their country. It is not surprising then that, swayed by a natural indignation, they should have promptly resolved to protect Papineau and Nelson who were in their midst.

There was in this insurrection one of those chivalrous impulses impossible to suppress, which one is compelled to admire, although it is condemned and reproved by calm judgment. Therefore the French Canadians will ever piously treasure up the memory

of those peasants, brave men though deluded, who, with a few muskets, scythes, and sticks, dared to engage in a fight with soldiers ranking with the best the world had seen. To the gratitude of posterity towards the men of 1837 has been added a large measure of admiration, and now it is widely admitted that this spontaneous rebellion hastened the advent of constitutional liberty, and secured for the whole race the coveted rights of British subjects so long witheld from them. A heavy cloud shrouded the horizon in those troublous times, but it was blown away with the smoke of battle, and there appeared the dawn of the better days which all Canada now enjoys.

CHAPTER II

CANADA AFTER THE REBELLION

WHEN Cartier returned to Canada, after his unfortunate experience in the ill-advised rebellion, the country was living its darkest days, and for several years it seemed as though the French Canadian race was doomed to political servitude. If a storm bursts on the ocean the billows keep up their motions a long time after its fury has abated. Likewise in the political order, when a country has been convulsed by a rebellion, the consequences of the outbreak are felt after its suppression. In Lower Canada it was not until 1846 that the province finally regained its equilibrium, after ministerial responsibility had duly been accepted by all concerned.

The first outcome of the political trouble of 1837 was the suspension by the British parliament of the constitution of 1791, under which Lower Canada had been ruled for forty-six years. It was replaced by the Special Council, a body composed of crown nominees entrusted with the *pro tempore* government of the country. In 1838, Lord Durham made an inquiry into the state of the province, and reported to the home government the causes, from his standpoint, of the past troubles, and proposed as a prevention of their recurrence the union of

Lower with Upper Canada, so as to place in power an overwhelming English majority, which would annihilate French influence altogether, and bring about in time the complete anglification of the population. Mr. Poulett Thompson was sent out to Canada to carry out in part Lord Durham's suggestion, and set the new political machine in motion.

The new governor-general, a self-made man of very high attainments, had made his mark in the House of Commons, where he was looked upon as a most clever parliamentarian. His published correspondence bears evidence to the brilliancy of his mind, which was tinged by gleams of sceptical humour. He would have been well fitted for his high office, had he not allowed himself to be influenced on his arrival here against the population of Lower Canada, and it might be said, against Canadians in general, if we may judge from the off-hand manner in which he spoke privately of his ministers. The task of obtaining the Special Council's approval of the union scheme was an easy one. It was voted almost unanimously, although the French population of Lower Canada registered their protest against it. How could they assume another attitude? Their death-warrant was asked for in Lord Durham's report, wherein he pointed out that it was in the interest of the British Empire that they should be merged into the Anglo-Saxon race. Lord Durham had exposed the faults of the constitution

of 1791, which had fostered the grievances long complained of, and which were the cause of the recent outbreak. Was it reasonable that the faults of that instrument should be visited upon them?

After his success with the Special Council, Thompson directed his efforts towards Upper Canada, where the population was not averse to the union. At its session of 1839, the Upper Canada legislative assembly accepted the proposal on the following terms:

1. That the seat of government of the united provinces should be in Upper Canada.

2. That the members returned to the assembly from each province should be, from Lower Canada fifty, from Upper Canada sixty-two, with a faculty of increase with increase of population.

3. That after a time, not later than 1845, the elective franchise in counties should be restricted to those holding their lands in free and common socage.

4. That the English language alone should be spoken and used in the legislature and in courts of justice, and in all other public proceedings.

These resolutions, had they been put in force, would have stripped the French Canadians of all political power, disfranchised them, and finally made them strangers not only in parliament but also in their courts of justice. The corporation of Toronto was in perfect harmony with the House, for it had sent an address to Thompson embodying senti-

ments very hostile to Lower Canada. Thompson lectured the Upper Canadians mildly, and made them understand that their demands could not be entertained. He disliked, it is true, the eastern province, where, according to his notion, "the climate, the soil, and the population are below par," but he felt that such an act of proscription as was asked for would be worthy only of an eastern despot, although the ultimatum of the Upper Canadians seemed in harmony with Lord Durham's recommendations. His plan was, therefore, to place the union scheme on a more acceptable basis, and to substitute as a motive power self-interest for national prejudice. This was not brought about without a prodigious deal of management, in which, as he said, "My House of Commons tactics stood me in good stead." He drew the legislative council's and assembly's attention to the straits in which the province was then placed for want of money. The fact of the matter is that it was on the verge of bankruptcy. With an annual revenue of not more than £78,000, the charge for interest on its debt was £65,000, and the permanent expenses of government £55,000, leaving an annual deficiency of £42,000. On the other hand Lower Canada had no debt, but had a surplus of £300,000. Thompson's appeal succeeded, and the legislature, foregoing its first conditions, accepted rescue from bankruptcy by the compelled help of Lower Canada. Lord Metcalfe was justified when he said a few

years later: "The union was effected without the consent of Lower Canada, and with the hesitating but purchased assent of Upper Canada." The writer does not recall the above facts to indulge in retrospective recrimination, but to depict the situation in which Cartier stood in his early days, and also to indicate how greatly public opinion has been elevated since 1840; then the proscription of a whole race was asked for, and now Canadians from all parts do not look upon the presence of a French Canadian at the head of the state as an abnormal fact.

The machinery of union was put in motion by Thompson (now Lord Sydenham). With the utmost boldness he threw himself into the electoral battle in Lower Canada, using all the government influence against French candidates, and finally won the day. His majority in the new House was enormous, and from his own point of view he could well boast of having the French Canadians at his feet. There seemed but little hope for the latter to get even a small share in the government of the country. Through their representative men, the clergy and the best citizens of Quebec and Montreal, they had protested against the union without avail. What was next to be done? A certain number of them, giving up all hopes of getting justice, proposed to continue the battle of former days, and to become irreconcilable opponents of British rule; the larger number were disposed to wait and take advantage of

circumstances. It occurred to them that the English majority would not long remain compact under the pressure of divergent interests, and that an alliance might be formed with one faction or the other. Such was the view that La Fontaine and Cartier took of the situation. Cartier was not to sulk under his tent and remain in constant opposition. But his buoyant courage led him to expect a day of reckoning for his enemies. His foresight did not fail him on this occasion, and he hoped to turn the compulsory marriage into *un mariage de raison.*

Although the Union Act conceded responsible government to Canada, it was not the governor's intention to allow his ministers full scope in the matter of ruling the country. The elections had returned to parliament a body of men bound to execute the absolute will of the governor. This would not meet the views of Robert Baldwin, who seeing that the governor was determined to give his cabinet the appearance of power but to keep the reality in his hands, resigned his portfolio to form an alliance with Mr. La Fontaine, the head of the French Canadian party. It is through the exertions and courage of these two men, great and noble characters, that Canada finally secured ministerial responsibility. After Lord Sydenham's death, Sir Charles Bagot called the Liberal leaders to his council, giving them full power to put the Union Act into operation according to its spirit and to English precedents. Unfortunately, Bagot's term of

office was cut short by his demise, and Sir Charles Metcalfe, who had played the part of a pro-consul in India, and who thought that colonials were not mentally equipped for self-government, attempted to rule according to his own ideas, which were those of Sydenham. This brought on a crisis, resulting in the resignation of La Fontaine and Baldwin, who were superseded by the Draper ministry, composed of English Canadians, with the exception of D. B. Viger. The latter was an old-time Liberal, one of Papineau's lieutenants during the late trouble, and his acceptance of office, was a surprise to his countrymen, and considered almost as a betrayal of the national cause. He sought re-election in St. Hyacinthe, where he met a determined opposition. Cartier took the field against him, a circumstance to be noted, for it was then (1844) that he made the first political speech of which we have a record. The future minister took occasion to condemn his past career, and to criticize the methods used to bring about a desirable end. He laid the blame on the older men, whom he thought responsible for the outbreak of 1837, and was very outspoken in his denunciation of Viger. "The responsibility of the unfortunate events of 1837," said he, "rests on the leaders of the public opinion of that time. Mr. Viger was one of them. He should have used the influence which he then wielded to give better advice to his countrymen. He and his friends, as politicians, should have had

more foresight and more wisdom. Now Mr. Viger is striving to divide Lower Canadians by giving a helping hand to the schemes of Sir Charles Metcalfe; but Lower Canada will let them know in a few days by an almost unanimous voice, that it remains attached to ministerial responsibility, on which depends, in the present and in the future, the salvation of Lower Canada." Viger was defeated, chiefly through Cartier's vigorous effort in favour of constitutional government, and the victory was but the forerunner of the triumph of Baldwin and La Fontaine, who were returned to power in 1846. With them finally triumphed responsible government in its entirety.

As far as Cartier is concerned, this election is interesting because it gave him an opportunity to express his opinion on the troubles which had supplied him with experience dearly bought—a narrow escape from the gallows, proscription, and exile with its accompanying hardships. The past methods of dealing with political grievances then appeared to the sobered enthusiast as dangerous. In after life he never forgave Papineau for taking advantage of his want of experience to enroll him under the flag of rebellion, and has seldom a kind word to say for the famous tribune. Although Cartier, in the speech just quoted, was very severe on his past conduct, he cuts the figure of a half-repentant rebel, when, in addressing his former companions in arms, he extols their bravery: "Electors

of St. Denis, you showed your pluck and daring bravery, when, on November 22nd, 1837, with a few muskets, hay-forks, and sticks as weapons, you conquered Gore's troops. I was with you, and I have not been found, I think, wanting in courage. To-day I call upon you to give a greater and more sensible proof of patriotic intelligence; I entreat you to fight with your votes—a more formidable weapon—those men bent upon keeping up the oppression of the past, by robbing the country of the advantages of responsible government. Yes, voters of this noble parish, do your duty, set a salutary example, and all Lower Canada will be proud of you." As he appeared in this, his first important political campaign, outspoken, fearless of the political consequences of his speech, so we shall find him throughout his career. His great success in life was in part due to his sincerity and uprightness, which stamped him as one to be trusted under all circumstances. In his declining years, he prided himself upon never having broken his promise; his word in all things was a word of honour. When the Queen conferred a baronetcy upon him he chose as his motto *Franc et sans dol* (Honest and without deceit). This motto seems a natural outgrowth of his qualities, the true expression of his life, characterized as it was by his loyalty to Canada and devotion to his friends.

CHAPTER III

IN PUBLIC LIFE

CANADIANS who have made their mark in public life have, as a rule, entered parliament when comparatively young. It was in 1849, at the age of thirty-four, that Cartier took his seat in the House of Assembly to represent Verchères. Late as his *début* was, it did not prevent him from advancing with rapid strides towards the treasury benches. His success is easily accounted for when one considers his talents and long preparation for public life. It had never occurred to him, as it does to so many, that it is possible to engage in politics without preliminary studies. He had a high conception of public life, with the many and heavy responsibilities which it throws on the man who is actuated by a nobler aim than mere personal advancement.

He was a born ruler of men. Nature, it seems, endows certain individuals with the gift of command as she adorns others with the genius of poetry. Such men as Cartier are seldom met with in our midst. It is surprising to note how numerous are the ready and fluent speakers among the French population, and how few are fit to lead. To grasp a situation, to foresee the evolution of public opinion,

with its bearing on events, are parts of the art of government. Cartier had the mastery of that art to a high degree. It was his good fortune soon to acquire that great authority which eminence in knowledge and talent gives. He was a man of quick resolve, a faculty also seldom found in politicians. Thanks to his aptitudes, the actual leadership of his party fell into his hands before he was officially called to assume it. His influence was so great at the outset that in 1851 he was offered a portfolio in the Hincks-Morin administration. Two years later Lord Elgin and Mr. Hincks pressed him to become a member of the cabinet. It was only in 1855, when Morin was called to the bench, that he was finally persuaded to accept the responsibilities which he could no longer refuse. But before he entered the cabinet he had played the part of a minister in the House. In fact he led the government forces, supporting their measures, fighting their battles, and extending a sort of protection over them.

When Cartier consented to take a portfolio he was at the head of an important law firm in Montreal, and briefs came into his hands in great number from the best mercantile establishments; the Grand Trunk Railway Company, then in its infancy, also entrusted him with its business. From 1855 to the day of his death, in 1873, his name remained with the firm of Cartier, Pominville & Bétournay; but, as it will presently be shown, public

duties kept him away from the Montreal court-house and a profitable business. He was admitted to the bar in 1835, and his legal training of almost twenty years was an excellent preparation for parliament. His mind had become permeated with those sound principles of law which gave him such power in debate on the floor of the House. His legal knowledge was also of use in another and a more important field: it helped him to follow closely the tradition of the "*coutume de Paris*" in framing the legislation of his native province. To this day the large number of statutes which his activity put through parliament bear the imprint of his strong mind. For twenty-five years Cartier was in power, with but short intervals of opposition. It will not be out of place to show how he succeeded in maintaining himself in office for such a long term, at the head of a party full of conflicting ideas, and in a democratic community antagonistic, by natural instinct, to long-standing cabinets. This success was not due to his sterling merit alone, but to causes which it will be interesting to note, so that his career may be clearly understood.

Cartier's long tenure in office was not due to a lack of talented men, for at no time in the political history of Canada were there in the field more distinguished men than in his day. Not to mention Papineau, La Fontaine, and Morin, who belong to the previous generation, it is possible to rank very near him several able lawyers and clever writers. In the

first place stood Cauchon, a fine speaker and a vigorous journalist. He had very few equals as a polemist, and with his constitutional knowledge he would have made his mark even in England. He wielded in *Le Journal de Québec* a powerful pen against those whom he was pleased to call the enemies of his race and religion, George Brown and his followers. His ambition was to become the leader of the Conservatives, but Cartier barred the way, and the latter received from this rival but an indifferent support. Cauchon was the leader of the Conservatives in the district of Quebec, where, with the young men of the day, he kept the Liberals at bay—led though they were by such men as Fournier, Plamondon, and Huot. Cauchon wrote the best commentaries on the Quebec Conference resolution, which became the British North America Act. It was this able contribution to the discussion of the confederation scheme that was largely instrumental in gaining the approval of the clergy, who at first were loath to accept the proposed new order of things. With less talent Sicotte also played an important part in parliament among the followers of Cartier, until he left him to form the Liberal Macdonald-Sicotte administration. Chauveau was another prominent Conservative, but his literary attainments finally inclined him towards more congenial labours than those of a member of parliament, and he assumed the honourable and important duties of superintendent of public education. Near these politicians was

also to be found the bright and fascinating Loranger, a ready speaker, bristling with irony and sarcasm, who seemed called to advancement in public life, and deservedly so. The men just referred to were Conservatives of a more or less pronounced type.

Arrayed against Cartier, the Liberals had at their head men of whom they were justly proud: Aimé Dorion, Papineau's disciple, with his brother Eric, surnamed *"l'Enfant terrible;"* and next to them Laflamme, Dessaulles, Fournier, Doutre, Daoust, Laberge, Papin—all popular speakers, all with generous, but none the less with misconceived, aspirations. Most of them attained a high position after Cartier had disappeared from the arena. They would probably have conquered him long before he died had they not been handicapped by their radical ideas and compromised by their "clear Grit" allies of Upper Canada, who were then clamouring against the institutions of the Eastern Province. Great admirers of Papineau, holding the liberal ideas which the oppression of former days had fostered, they were ready to fill their sails with the wind of radicalism which during the Revolution of 1848 in France swept all over the world.

The downfall of Louis Philippe and the proclamation of the Republic had produced an immense impression in Canada. As a consequence a democratic party was organized, and the French Canadian Liberal party, led by La Fontaine, was split

into two sections. At that time there was no organization bearing the name Conservative in the Province of Quebec. The new faction followed Papineau and Aimé Dorion. Their platform smacked of the French revolutionary notions of 1848; it was akin to Louis Blanc's red-hot tirades against monarchy and its real or pretended abuses.

One cannot read to-day the democratic programme of 1849 without smiling. It was evidently the production of very inexperienced young men, brimful of an enthusiasm which made them accept the utopian dreams of their French prototypes on social questions. They, however, stopped short of socialism. The reforms which they advocated to bring about the millenium in Canada, comprised annual parliaments, an elective judiciary, even annexation to the United States!

A paper, *L'Avenir*, was started in the interest of the would-be reformers, whose trend of ideas may be gathered from the following extract of their appeal to the public, evolved at a meeting of the *Club démocratique* of Montreal, the head of the party faction: "Democrats by conviction," said the programme, "and of French Canadian origin, it grieves us to think that the electric fluid of democracy, which flashes over the civilized world, would run through Canada uselessly for want of a conducting wire on the soil of this New World. Without universal suffrage, where is the legitimate and rational consecration of authority? Will it be the drop of oil from

La Sainte Ampoule (the vial used at the coronation of French kings) dripping on his forehead that will transform a man into a monarch and legislator for a whole nation? It is our misfortune not to look upon sovereignty in that light. We then shall take the liberty of discarding the oily performance of Rheims, and give our preference to the strong and pure consecration which in 1848 burst forth from the soul of a noble people. In former ages, Christianity, sciences, arts and printing were given to the nations to civilize them; now popular education, commerce and universal suffrage will make them free."

It would be unfair to saddle the whole Liberal party with the responsibility of the ultra-radicalism of 1849; many disapproved of it and dreaded its exaggerations. But they had thrown in their lot with these men of anti-British and anti-Catholic sentiment, and in consequence they found themselves out of harmony with the clergy and the great bulk of their countrymen. Referring to these misguided politicians of fifty years ago, Sir Wilfrid Laurier once said,[1] "The only excuse of these Liberals was their youth, the oldest of them was not twenty-two. . . . However, they had hardly advanced a few steps in life when they perceived their great error. As early as 1852 they published another newspaper, leaving *L'Avenir* to

[1] Discours sur le libéralisme politique par W. Laurier, Québec, 26 juin, 1877.

the hot-headed, and they tried to find, but not always with success, it is true, the new path which the friends of liberty should follow under the new constitution. . . . The clergy, alarmed at their conduct, which recalled too much the attitude of European revolutionists, declared an unmerciful war on the new party. The English population, friendly to liberty, but also loving order, turned against the new party, which for twenty-five years has remained in opposition."

These were not the only compromising connections of the Liberals. They were unmistakably associated with George Brown, the avowed enemy of Lower Canada, who was at that time fighting for Protestant and English supremacy. Brown's policy of representation by population was a principle just in itself, perhaps, but contrary to the Union Act of 1840, which gave equal representation to both provinces. Dorion accepted population as the basis of representation, and it was this concession to his Grit ally, which drew from Cartier this bitter remark to Dorion: "Your friend Laberge has stated that when you accepted representation by population, you cast the cannon ball that killed the Liberal party."

It has been charged against Cartier that he courted clerical influence, and against the Lower Canadian priests that they threw into the struggle the weight of their spiritual power in favour of the Conservatives. All this was greatly exaggerated for

political purposes, but even if the clergy had stepped into the arena, who would blame them to-day? Was it not simply for them a question of self-defence? Could they remain absolutely neutral when both their national and religious existence were at stake? Could they close their ears when powerful men, riding the "Protestant horse," clamoured vociferously: "No popery and down with French domination?"

It was their dangerous allies and their radical programme that kept Dorion and his friends in opposition so long, and gave Cartier such powerful hold over his countrymen. Had political issues been confined to economic questions, to tariff, trade and commerce, he could not have withstood for so long the assaults of such able men as Dorion, Fournier, Laflamme, Laberge, and a host of others equally brilliant and full of generous aspirations for the welfare of the people, but with ill-conceived notions for reaching the desired goal. It was their misfortune to maintain their opponents in power. In 1863, Cartier boasted at Toronto that out of forty-two constituencies the Liberals had only carried thirteen.

Time and experience taught a severe lesson to Dorion and his friends, who finally eschewed radicalism. Yet suspicion clung to them for many years, even after confederation, although the contest between the Conservatives and Liberals was then waged on immediate political issues. In 1872, at the suggestion of Messrs. Jetté, F. Langelier,

Laurier, Pelletier, Mercier, David, and several younger men of the party, an effort was made to place Liberalism under other colours. A meeting was held at Quebec on March 8th, and resolutions embodying the views of the leaders on strictly political issues, were adopted. A letter was read from Mercier in which he eulogized the clergy and requested them, in the meantime, to consider him and his co-religionists as friends. It was an attempt to dispel all past misunderstandings. The new organization then appeared in the field as *Le Parti National*, with an organ called *Le National*, published in Montreal.

Thus the Liberals broke away from all notions repugnant to the great mass of French Canadians. The doubts which still overhung their fortune melted away by degrees, and the day dawned when they appeared just as orthodox as their opponents. By a curious coincidence, the first important victim of the reorganized party was Cartier himself, who was defeated at the general election of 1872.

CHAPTER IV

IN POWER

IT was in the month of January, 1855, that Cartier was for the first time sworn in as a member of the executive council. He had been for a long time the power behind the throne; it was only fair to the public and to his opponents that he should assume the responsibility of a policy which was distinctly his own.

For the first time also his name then came before the country connected with that of John A. Macdonald, an alliance which lasted until the death of one of the partners. Their respective beginnings in life did not indicate that they would, one day, work together hand in hand; for their political creed had placed them face to face as opponents in the House. A man is hardly responsible for peculiar views in the early part of his life; he inherits the ideas which permeate the ambient air in which his first years are spent; when he prides himself upon his strong convictions, he is only an unconscious slave of persons who have taught him to think as they themselves thought.

Macdonald first appeared in parliament as an uncompromising Tory of the old MacNab type. He was not far from the Upper Canada Assembly's

narrow minded notions in reference to Lower Canada. It was his wont to be then found in the ranks of those most opposed to La Fontaine. He voted against the proposed settlement of the seigniorial tenure when Cartier earnestly voiced the wishes of his people in that matter, and during the debate on the Indemnity Bill, which provided that the government should indemnify the loyal Lower Canadians who had suffered losses through the rebellion, he qualified that simple measure of justice as a reward to treason. When Lord Elgin gave the royal assent to the Indemnity Bill, he was not with the mob that pelted the governor with stones and rotten eggs, sacked La Fontaine's residence, and burned the house of parliament, but he was politically associated with these firebrands, with such men as Moir Ferris, whom afterwards he appointed to important offices. His prejudices were bound to disappear with time as he escaped from early influences, and came in contact with Lower Canadian representative men. His experience was similar to that of so many other of his friends whose intercourse with French Canadians showed them that they were not as black as they had been painted.

Cartier could not afford to renounce any of his ideals. He was on the defensive and directing his effort to gain political equality for his countrymen of Lower Canada. At the time to which we refer, the principles which were to be his guiding star through life had taken a strong hold on his mind,

and he had no intention of forsaking any of them. How could he? Was he not simply claiming equal justice and equal rights for all in the face of men who were advocating privileges for a class of British subjects, superior in their mind to their neighbours? When, therefore, it was mooted in the House and in political circles that the Upper Canada Tories desired to form an alliance with the Lower Canada Liberals, he boldly told MacNab and Macdonald that if they courted his fellowship they must first alter their views. "If the Upper Canada Conservatives desire to form a coalition with us Liberals, they must give up many of their principles." It was in this firm language that Cartier laid down (June 26th, 1854), in the House, the fundamental condition of an understanding between his friends and the Tories of Upper Canada, and when this alliance materialised with the MacNab-Morin administration (the latter soon to be replaced by Taché) Cartier was in a position to state (Feb. 14th, 1855) at Verchères, in answer to the charge that he was a Tory, because he had formed an alliance with MacNab: "There are no more Tories in the sense formerly attached to this qualification. The old Tories have weakened their principles *(mis de l'eau dans leur vin)* and have given up antiquated ideas which were their own. In the alliance which we have made, it is Sir Allan who has come to the Lower Canada minority. We have not abandoned any of our positions; can a statesman refuse

support offered to his cause?" It was in those words that he explained the nature of the compromise which formed the conditions of the Liberal-Conservative alliance, when he came forward in Verchères seeking re-election as a cabinet minister.

Cartier was in such a position that he could not remove one plank from his platform, built as it was upon equal rights for all classes, both in the political and religious spheres; minor matters only were open to compromise and concessions. His general policy was, nevertheless, bitterly attacked in Verchères although it was unimpeachable from the national point of view. It seems as though his opponents foresaw in the young minister the man who for nearly twenty years would stand between them and power. In the eyes of *Le Moniteur*, a Liberal paper of the day, *he was the Grand Trunk Railway solicitor*. This was a crime, for the famous company was then subjected to all sorts of slanderous imputations. The same paper denounced him also as the *supporter of monopolies, of the seigneurs, the upholder of well-paid government situations, a breeder of corruption, the enemy of justice, the champion of illegal measures, the apostle of servitude, the partisan of passive obedience, a human conscience vendor, a Tory minister, a jobber*. Such were the epithets too often used in those days against political opponents. If a man's merit is to be measured by the attacks he is subjected to, Cartier indeed was a great man, for he has been assailed as very

few politicians have been in Canada. But all this vituperation appears to be the unavoidable stock in trade of politics. A French statistician and bibliophilist has jotted down the titles of eight thousand pamphlets written against Cardinal Mazarin, when he was first minister of France, and this with the total absence of newspapers and with slow press work. But the cardinal outlived that storm of ink and paper, like many another eminent statesman.

From the day he entered the cabinet to the day of his death, Cartier's career was a useful and fruitful one for his country. His activity spread itself over every part of national life, imparting to each new blood and strength. The field of his labour might be divided into two parts, one being his native province and the other Canada at large. Public education, the seigniorial tenure, the judiciary, the codification of the laws of Lower Canada were among the subjects which occupied his attention in Quebec. It cannot be claimed that he alone settled the land tenure of the country. It had been before the public and parliament for many years. But the questions of acquired rights, the rival claims of the seigniors and their *censitaires* raised a mountain of obstacles which no one dared touch until Cartier and his friends resolved to grapple with its huge bulk.

It will not be out of place here to outline the main features of the ancient land tenure, which, to many outsiders, is still looked upon as part and parcel of the feudal system planted in

New France by Louis XIV. During this king's reign, tracts of land were granted to seigneurs under certain conditions. The principal conditions were that the seigneur should, in his turn, make grants of land to settlers, who became proprietors of the concession and could dispose of the same. The price of sale was an annual rent of a *sou* or a *sou* and a half per *arpent*. This was called the *cens et rente*. This system exists to this day in many places, but the owner of any farm can rid himself of it by paying the capital of such rent. The great difference between our land system and the tenure of most European countries lay in this: that the Canadian settler was the proprietor of his farm, and could dispose of it by lease or sale. The feature of the tenure to which people objected was the *droit de lods et ventes*, a tax which the owner of a farm had to pay to the landlord if he sold it, that duty amounting to 9 per cent. of the sale price. The *lods et ventes* interfered with land transfers and led to many abuses; the vendor would sometimes ostensibly undersell his property, which the seigneur could then buy himself if he considered the sale price below the real value of the property. There was also the *banalité*, under which the seigneur was obliged to keep up a grist mill to which the *censitaire* was compelled to bring his grain. Under an act of parliament passed in 1854, a commission was entrusted with the task of amending this old tenure. As a matter of course the seigneurs were indem-

nified for their losses. All that remains now of the tenure is the rent of a *sou* per *arpent*; the *censitaire* can liberate himself by paying the capital of this rent, computed at 6 per cent.

A man of broad mind like Cartier could not overlook the important interests of education. He gave the subject his attention for several years and had the education act amended so as to insure the success of popular as well as of superior education. It was he that placed at the head of the system Mr. Chauveau, a man whose bright intelligence and whose literary attainments fitted him to carry out Cartier's views with success. In this reorganization of public instruction, he gave the Protestants of Lower Canada full control of their schools. At the time of confederation, the English population of Lower Canada had conceived a certain anxiety lest changes should be made in the law affecting their educational establishment when they should come under the parliament at Quebec, where a majority of Catholics would be entrusted with the making of the laws. Of course the British North America act provided that they should have the same rights as the Catholics of Ontario had under the school system which obtained in that province; but a law had to be made in Quebec to carry out the special clauses of the constitution referring to schools. Cartier pledged himself that this would be done, and relying on his word the Protestants were reassured. After confederation the

Quebec government, through some misunderstanding with the corporation of Montreal, did not at once carry out the engagement made by Cartier, and loud complaints were heard among Protestants on all sides, both in the press and in parliament. Cartier then pressed the Quebec government to enact the desired law, with a prompt and gratifying result. When he returned from England in 1871, he was presented with addresses by the Protestants of Lower Canada, the object of which was to thank him for having carried out his promises with so much zeal. It is to be remarked here that but few French Canadian ministers have ever enjoyed to the same extent as Cartier the confidence of the English-speaking population of Canada.

In the administration of justice he made a reform which has lost, with time, some of its merit. Up to 1857 legal business was concentrated in the cities, to the great inconvenience of people living in the country, who had to travel great distances to attend the courts. Cartier established fifteen new judicial districts, so as to place law courts within easy reach of the people. It was his intention also to have the judges reside in their districts, so that they might form in different parts of Canada enlightened centres, which would improve the social condition of the inhabitants. Unfortunately most of the judges have not shared his views in the matter, and have made their residence in the cities. To complete this reorganization, he decided that all

the French laws, scattered in many antiquated books, should be codified after the style of the *Code Napoléon*. In this action he had another object in view beyond mere convenience. He desired to facilitate the study of French laws for the population of the Eastern Townships and those parts of the country to which the French laws had been extended. This reform he carried, as he stated in Sherbrooke, against the opposition of very many lawyers and even judges. It was, indeed, a beneficial reform, and any one conversant with our civil courts cannot to-day understand why any opposition should have been made to Cartier's codification scheme.

Another measure which his skill and energy carried through parliament is the act giving civil status to parishes established by the bishops. According to this act, whenever the Church thinks fit to establish a new parish in any diocese, it receives civil life without having to go before parliament to obtain an act of incorporation. This piece of legislation was of great benefit to the Catholics. It substituted a simple petition to the courts for the former act of parliament. It is strange that no one has ever given Cartier credit for this law which completes the liberties of the Catholic Church in Lower Canada and its independence of the state. Cartier was very proud of the measure, and considered that in having placed it on the statute book he had rendered invaluable service to the

Church; but he took no trouble to claim credit for it at the time, as such a law might have awakened prejudices. His object was always to do good rather than gain popularity.

Huxley once said of Gladstone: "Here is a man with the greatest intellect in Europe, and yet he debases it by simply following majorities of the crowd." Without stopping to inquire whether this judgment is exaggerated or not, it can be said that such a charge could not be laid against Cartier. Of all Canadians he was the most independent of public opinion. When a plan or a scheme, however risky, politically speaking, it might be, had been fully matured in his mind, he carried it out inflexibly. The judiciary act and the consolidation of French laws were carried against very powerful opposition, as we have just stated. It was his wont not to consult his friends on measures of great importance before they were brought forward for public discussion. Even confederation was resolved upon without the advice of his followers. Being asked one day if he had sought their opinion before forming an alliance with Brown, the arch-enemy of Lower Canada, he made the following astounding confession: "With regard to this matter, I have not sought the advice of my countrymen nor of my political friends. I here confess that in all important acts of my life, of my political career, I have not consulted anyone."

Strange as this conduct may appear, is it not the correct method for responsible ministers to adopt?

Members of parliament, men of conflicting views, many living only with the idea of preparing for the next election, and on that account dreading questions involving great issues easily misunderstood by the people, can only be made to accept average opinions if consulted. It behooves leaders of men to bring them, all at once, face to face with a proposal of high import, and compel them to support it whether it corresponds with their ideas or not. It is not unlikely that Cartier felt the pulse of the country, made inquiries as to its requirements, and after full study made up his mind, well persuaded that he knew better than the rest of the world what reform was needed.

With his self-confidence he thought very little of the party rank and file. When told that he seemed to have a certain fondness for inferior men as his followers in the House: "What does it matter," he replied, "as long as the head is good?" This would indicate that his opinion of his supporters bordered almost on contempt. Cartier lived in an age of restricted suffrage; he derived his strength from the better class of the population that trusted him entirely, but his methods would not suit a democracy and its representatives. Be that as it may, it cannot be gainsaid that the work he performed was great and far-reaching. It bears evidence that he was a man of great powers, and that with constant and hard labour, his achievements were considerable.

CHAPTER V

TRADE AND TRANSPORTATION

POLITICAL troubles such as Canada went through about 1837 and after the union, when the battle for responsible government had to be fought, stand, as a rule, in the way of material progress. Our country was slow to recover from their consequences, and from 1840 to 1854, trade was depressed to a discouraging extent. We were at a standstill while our neighbours, whose condition always affects ours, were rushing forward at rapid strides in all the avenues leading to prosperity. In 1843, trade began to revive under the beneficial legislation of Stanley, whose Canada Corn Act (1843) admitted into England at a nominal duty, not only the wheat grown north of the line 45°, but also flour made out of American wheat. The premium thus offered to our industry caused a large amount of capital to be invested in flour mills, but scarcely had they been completed when Peel's great free trade measure (1846) swept away all the privilege the colony was preparing to enjoy under the previous act, and this brought upon Canada, especially the western section, a crushing blow to rising prosperity. Discontent naturally followed and obtained to such an extent

that it alarmed Lord Elgin. He wrote to Lord Grey: "I believe that the conviction that they would be better off if they were annexed is almost universal among the commercial classes at present."[1] Another most objectionable piece of legislation, were the English navigation laws which cramped the commerce of Canada by restricting it to British vessels, whilst high duties transferred trade to the United States.

It was this stagnation in every branch of activity on the one side, compared with progress on the other, that fostered the annexationist sentiment which prevailed for a while about 1849, and which such eminent men as J. J. C. Abbott and L. H.

[1] It will be interesting in this connection to read what Lord Elgin wrote to Lord Grey on the state of the country in 1849.

"Peel's bill of 1846 drives the whole of the produce down the New York channels of communication, destroying the revenue which Canada expected to derive from canal duties, and ruining at once mill owners, forwarders, and merchants. . . . . We are actually reduced to the disagreeable necessity of paying all public officers, from the governor-general downwards, in debentures, which are not exchangeable at par. What makes it more serious is that all the prosperity of which Canada is thus robbed is transplanted to the other side of the lines, as if to make Canadians feel more bitterly how much kinder England is to the children who desert her, than to those who remain faithful. . . . . If England will not make the sacrifices which are absolutely necessary to put the colonists here in as good a position commercially as the citizens of the States—in order to which free navigation and reciprocal trade with the States are indispensable—if not only the organs of the league but those of the government and of the Peel party are always writing as if it were an admitted fact that colonies, and more especially Canada, are a burden, to be endured only because they cannot be got rid of; the end may be nearer at hand than we wot of."

Holton countenanced. They had lost faith in the resources of Canada and its institutions. It seemed to them that the only way to lift the country out of this slough of despond was to join its fortunes with the United States. Not such were Cartier's sentiments; with his buoyancy of spirit and his great foresight, he and his friends perceived the cause of the depression and its remedy; the obstacle to the growth of public wealth and the lever to remove it from the way. Stagnation reigned supreme then for the reasons just mentioned and also for want of rapid means of communication between the back country and the cities and between these and the markets of the world. How could Canada have access to them when shut off altogether from Europe and partly from the United States for eight months of the year? It was only in 1849 that the St. Lawrence and Atlantic Railway (now a section of the Grand Trunk system) gave Montreal an access to the sea through Portland. As far back as 1846, Cartier was in the field advocating the construction of railways, and the deepening of the St. Lawrence channel in connection with a general improvement of our waterways. He worked in advance of his programme of later years which he condensed in these words: *Our policy is a policy of railways.* Henceforward, we shall find him taking a prominent, when not the first part, in all questions of transportation. He was not the man to take a despondent view of the situation. The possibilities

of Canada in the line of material progress, appeared to his practical mind as they actually were and are —boundless. It was only necessary to create great veins and arteries, to put in motion the rich blood that the country contained and to create prosperity under new conditions of progress. That was the part that railways and improved navigation were called upon to play.

On August 10th, 1846, the citizens of Montreal were assembled to take into consideration the advisability of subsidizing the Montreal and Portland Railroad. Among the speakers of the day was Cartier, whose terse reasoning, and whose mastery of the question won the day in spite of a strong opposition led on by such important men as Messrs. Nelson and Gibb. It is interesting to note to-day the line of arguments used on that occasion. They show how deeply versed he was in political economy, how familiar were the requirements of the country to him. His speech would not have looked antiquated during the great debates of recent years in the Commons on the transportation problem.

In this age of democracy the people have as many courtiers and flatterers as kings of old. It is an out-of-date notion to teach the masses their duties at the same time as their rights. Cartier, despising the art of the comedian, relying alone on the good sense of the public, would not stoop to modern methods to gain acquiescence in any of his plans. It was, therefore, not surprising to find him

at this Montreal meeting handling the good but slow population of the city without gloves, railing at their inertia, reproving them for their want of ambition, which, to make it more apparent, he contrasted with the "feverish activity, the energy and spirit of enterprise of our neighbours." Some of the arguments used on that occasion might appear childish to-day, but we must not be unmindful of the fact that at the time he spoke some of his hearers were prejudiced as to the great usefulness of railways. He must, therefore, be excused if he told the Montreal audience "that every city that has had the advantage to become a railway terminus has seen the value of property doubled in a very short time, such as Buffalo, Newport and Boston." His arguments are more in harmony with modern notions when he gives Montreal this warning, "that her progress is dependent on her position as the head of navigation for the western trade; that the changes made in the corn laws are placing this trade in jeopardy, and that Montreal will not be able to hold it if she does not secure for herself the best means of transportation from the waters of the west to the ocean through our canals and railways." And on another occasion he added: "Montreal would be blind to her interests and would be the most backward city if she failed to accept the only means to bring back to herself that prosperity which is running away from her. It is her destiny to become the great shipping port of

the west. Without railways and canals she will let pass this golden opportunity."

In this question of material progress, Canada then offered an immense field to his energy and to the business ability, remarkable in a lawyer, which came to him by atavism, as he once said in Quebec, his ancestors having spent their lives in trade pursuits. The first railway enterprise he became connected with was the Grand Trunk. As long as any part of that great line, with its many ramifications, remained incomplete, his efforts to achieve its success were untiring. His zeal for this national enterprise was so great that it led many to believe that it was not disinterested; hence the numberless charges hurled against him in that connection. But they could not in any way diminish his activity, and when the Grand Trunk extended only over a few hundred miles, he prided himself in the House of Assembly in 1854, with having prepared the charter of that great highway: "I have been entrusted with the bill which has given life to the Grand Trunk, and I take more pride in that fact than in any other act of my life. Even to-day this railroad is the main cause of our prosperity. The Grand Trunk Railway company is giving work to 1,600 men, and has spent since 1852, £2,500,000."

The building of that road from the Atlantic shores to Chicago was in the general interests of Canada, but Cartier did not overlook the interests of his province, and, using his large influence

with the company, he prevailed upon them to push their line along the St. Lawrence from Quebec to Rivière du Loup. His success in the matter reached the importance of a great feat, as the company were averse to the extension of their route in that direction, as no prospect of getting a compensation for the outlay could be held out to them. But Cartier had laid down this principle, that if the government's policy was to subsidize railways with a view of promoting the general interests of Canada, it was only fair that regions contributing their share of such subsidies should also receive rail communication. With the help of Sir E. P. Taché, he carried his point. His useful work in connection with railway enterprises in the St. Lawrence region did not end here. When the question of locating the Intercolonial Railway arose in the Privy Council, the majority of the ministers were inclined to run the line from Rivière du Loup directly to St. John, by the shortest route, whilst Cartier favoured the longer one, following the river shore through Rimouski, Bonaventure and Gaspé. He defended his plan with arguments derived from Major Robinson's report, the imperial engineer, who had made a survey of the country with the object of finding the most favourable route for the interprovincial highway. He had come to the conclusion that for military reasons, the line should run as far as possible from the American frontier. As minister of militia, Cartier took the same view, with the

double desire of favouring three large constituencies of his province and securing the line of communication most useful for the defence of Canada. It was on this occasion that after a prolonged discussion, ending in a decided opposition to his plan, he left the council with the intimation that he would not return until his ultimatum had been accepted. Achilles-like, he remained eight days under his tent. Major Robinson's route was finally selected. Cartier well knew that in a crisis such as he had provoked there are men disposed to say everything rather than cause the downfall of the administration. It is then to Cartier's firm stand that the population of Rimouski, Bonaventure and Gaspé owe the 300 miles of railway which place them in communication with the civilized world all the year round.

The desire to create a military route after the Robinson plan did not alone actuate Cartier. There was also another powerful incentive to his conduct. The interests of this forlorn country, cut off from all markets during eight months of the year, appealed to his feeling, and he was bound to bring the worthy population of the lower St. Lawrence in contact with Quebec and Montreal. Had not the railway then been built on the route laid down by Major Robinson, there is no telling when their isolation would have come to an end, as that country seemed to offer limited inducement to investments. Cartier's name is therefore entitled to

the grateful remembrance of this region, to which he has been a public benefactor.

During the session of 1872, it was Cartier's glorious duty to engineer through the Commons the first charter of the Canadian Pacific Railway. The construction of this route was one of the terms of the union of British Columbia with Canada under the act of the previous session, which had also been presented by Cartier. After a spirited debate of several days, the Canadian Pacific Railway bill went through its different stages, and when the speaker proclaimed that it was finally passed, Cartier sprang to his feet, shouting amidst the cheers of the House: "*All aboard for the west!*" His enthusiasm was quite natural. The Canadian Pacific Railway charter securing the building of the western route was the crowning work of confederation; without it the union of the British provinces from ocean to ocean would not be a real and accomplished fact. The great territories and British Columbia were too distant from the heart of the country to receive any impulse from it. The Canadian Pacific Railway was necessary to bring about both the moral and material union so desirable. It was not Cartier's lot to go west, for his days were then numbered. All that now lay in store for him in connection with this great enterprise was endless troubles, ending in a terrible political catastrophe, whose final act he was not to behold.

Under the terms of the charter of 1871, the terminus of the transcontinental line was fixed at the south end of Lake Nipissing. It might be asked now why such a strange selection had been made. Election tactics sometimes compel public men to curious performances. The terminus was fixed at that out-of-the-way point because both Montreal and Toronto claimed it. Cartier explained to his friends, who urged upon him, in 1871, during the debate on the Canadian Pacific Railway bill, in view of his coming electoral contest of 1872, to declare that Montreal would receive the western trade over the proposed line: "We have been obliged to place the terminus far from your city and also from Toronto for political reasons, on account of the ambition of Toronto and Montreal. Now let both rivals build roads to Nipissing to try and get their share of the traffic. Of course you are bound to win in the race; traffic must come to the port nearest the European markets. It is of no use to attempt to place obstacles in the way of the natural flow of trade. But if I were to make the promise you consider necessary to ensure my re-election, I would injure Sir John's prospects in Ontario." The refusal of this pledge was used to full advantage in Montreal, and did considerable harm to Cartier in 1872. To place such facts before the public to-day is not to command esteem for the degree of enlightenment possessed by the public opinion of those earlier days.

Two competing companies had made bids to construct the road, the Allan company of Montreal and the Macpherson syndicate of Toronto, and they caused considerable worry to the government of the day. Efforts were made to merge the two organizations, but without success. Finally the government pronounced in favour of the Allan company. Then followed the darkest page in the history of Cartier, and one which must have saddened his last days. Sir Hugh Allan had been called upon by the government to subscribe large sums of money for the election of 1872. This leaked out through the indiscreet communications of Sir Hugh Allan to certain Americans, who gave the information to a member of the opposition. At the session of 1873, Lucius Seth Huntington rose in his place in the House, and on the responsibility of his seat in parliament undertook to prove that the Canadian Pacific Railway charter had been sold to Sir Hugh Allan, the consideration being a large electoral subscription. The charge was first referred to a committee of the House, then to a royal commission, who reported the evidence taken before them at a special session of parliament in October, 1873. Sir John Macdonald, who had been sustained at the winter session of 1872 by a majority of thirty-five votes, felt that during recess he had lost his control of the majority by reason of the damaging nature of the evidence produced, and resigned in anticipation of an adverse verdict of the House.

To condone such an offence against political morality as the acceptance of an electoral subscription to be used to carry a majority of constituencies was out of the question, and the House of Commons had no other honourable course open but to withdraw its confidence from the government. It is generally accepted that in all countries where government by party obtains, it is hard to avoid political methods which appeal to the selfish interests of men. As Earl Grey says: "A tendency to corruption, in that sense of the word, is the common evil of all free government." It is an offence difficult to bring to light, but when discovered it must be dealt with severely. As a rule, public opinion in Canada has shown itself disposed to take an indulgent view of contributions to election funds. And as an instance, five years after the Allan subscription, the Canadian electorate returned to power the men answerable for what was called the Pacific scandal.

CHAPTER VI

CONFEDERATION OF THE BRITISH PROVINCES

CONSIDERABLE as they had been, the other labours with which Cartier had been connected could not be compared in importance with the part he played in the building up of confederation. We find him here in an altogether new field, where the whole future of his country is at stake. To dispose of or to change the political status of a country is no mean enterprise, involving as it does such grave responsibilities. In breaking up the old union of 1841, to form a new compact, was not the French Canadian leader placing in jeopardy the privileges and rights conquered by his people during the preceding fifty years? Was he not giving up well-known and well-defended positions for unknown and uncertain ones? Such were the questions asked on all sides, when Lower Canada was made aware that for the fourth time since 1760, its constitution was to undergo a change. If the greater number of Canadian delegates who had been entrusted with the task of framing a new charter under which all the British provinces of North America would hereafter live, went into the Quebec conference with a light heart, it would not be so with Cartier. To the former, confederation involved no new

risks; it was only similar institutions in a wider sphere, whilst with Cartier, the question arose how the peculiar institutions of his compatriots should be secured in the proposed union. What would become of their laws and their system of education? It was proposed, it is true, to hedge their liberties with all possible guarantees, but had not experience demonstrated that constitutions borrow a great part of their value from the men entrusted with their operation?

In spite of the great responsibilities which were looming on the track of the proposed union, it was Cartier who first of all made it a live issue. It is true that as far back as 1836 such a scheme had been mooted by a few public men, but it had never, until 1858, been brought before the people of the country as a question upon which action could be taken. In that year, when premier of Canada, Cartier had placed the following announcement in the speech from the throne:

"I propose in the course of the recess to communicate with Her Majesty's government and with the governments of the sister colonies on another matter of very great importance. I am desirous of inviting them to discuss with us the principles upon which a bond of a federal character, uniting the provinces of North America, may perhaps hereafter be practicable."

In the summer following this session, Cartier, Galt and Rose went to England with a view

of obtaining the concurrence of the British government in the union scheme and their authority to consult the maritime provinces. The scheme, however, fell through because the public men of Nova Scotia and New Brunswick thought that the people of those provinces had not had time to consider the question.

In 1862, things in Canada were going from bad to worse and a dead lock was a possibility of the near future. It was then that the scheme of confederation was revived. At the very outset of the negotiations, Cartier, bearing in mind his task with its full responsibilities, laid down this as the *sine qua non* of his acquiescence, that confederation should be established on the federal principle. His colleagues would have preferred a legislative union as a more simple and less expensive form of government.

"I have again and again stated in the House," said John A. Macdonald, on introducing the resolutions adopted at the Quebec conference, "that if practicable, I thought a legislative union would be preferable . . . . but on looking at the subject in the conference and discussing the matter as we did . . . . we found that such a system was impracticable. In the first place, it would not meet with the assent of the people of Lower Canada . . . there was as great a disinclination on the part of the Maritime Provinces to lose their individuality as separate political organizations." But there is no

doubt that in the case of New Brunswick and Nova Scotia, the objections were not insuperable, being matters of sentiment, while in Quebec conscience and national feeling were concerned. Speaking on this point, Cartier corroborated Macdonald's statement: "I know that many members in this House and a large number of persons in Upper Canada and in the Maritime Provinces, think that a legislative union would have suited the country better. My opinion is that one government only could not take charge in a useful manner of private and local interests of the different parts of the country." This view is certainly correct, although the federal form of government is the most difficult to work out, its success depending chiefly upon the moderation, common sense and intelligence of the people. When these requirements were put to the test in after years, they were sometimes found wanting. It can thus be said, in view of the above statements, that to Cartier we owe the form of our present government. In forcing his conviction in this matter on his colleagues he was impelled by a strong sense that the federal system alone could secure to Lower Canada its peculiar institutions, and also by the stern fact that his influence could not bring his countrymen to accept legislative union, which had proved a failure in the case of Lower and Upper Canada.

But was not the federal system a close imitation of the constitution of the United States which

Cartier had been wont to depict as so far inferior to the British charter? Cartier and Macdonald did their very best to wipe out that impression which was spreading during the progress of the discussion of the proposed British North America Bill, but they made artful explanations without giving satisfactory proof of their contention. Cartier held that the two instruments were different in this: that under the constitution of the United States the authority came from the people, after the formula *e pluribus unum*, and the different states gave power to the central government, but with us, life was derived from the crown which lent activity to the central government and also delegated it to the provincial administrations, the authority in this case being derived from one common spring of honour and force—*ab uno plures*. Here we are in the midst of fictions and the argument does not stand the test of a very close examination. It is a distinction with no real difference. Thrusting sophistries aside, we have in Canada and in the United States authority derived from the people. It is they who framed the constitution and who gave it life; in Canada it remained for the crown to set the machine in motion. But even this power has hardly a real existence, so democratic have our institutions become.

According to Macdonald, it was the aim of the fathers of the constitution, to form a strong central government. "In framing the constitution, care had

been taken to avoid the mistake and weakness of the United States system, the primary error of which was the reservation to the different states of all the powers not delegated to the general government. We must reverse the process by establishing a strong central government, to which shall belong all powers not specially conferred on the provinces." Time and events have made clear that the authors of the constitution have failed to carry out their intention. No one will gainsay the assertion that the American federal power emerged from the war of secession, having crushed state pretentions, much stronger than the Canadian federal government could ever expect to be, especially after having failed in a contest with the weakest province of the Dominion, over the Manitoba school difficulty.

It is curious to note here how the two foremost authors of confederation unconsciously followed the natural tendency of their minds, perhaps under the pressure of diverging or conflicting interests. Cartier, never unmindful of the great responsibilities which the peculiar situation of his countrymen made him assume, exalted the rights of the provincial administrations as being of paramount importance. The autonomy of local government involved within its precincts all that was held dear by his countrymen.

When the different states which had separated from England were called upon to give up a certain

share of their autonomy to invest a central government with great powers, a conflict of views arose amongst their public men on that point. Some favoured a large concentration of authority whilst others desired to retain as much independence as possible in the state organizations. The former were misnamed federalists and their opponents anti-federalists, or republicans. Macdonald's notions were not unlike those of Hamilton, Jay and Madison, the friends of centralization, whilst Cartier was of President Jefferson's cast of mind, who, on assuming office, announced as his policy "the support of the states' governments in all their rights as the most competent administrations for our domestic concerns."

Has not the operation of our institutions during the last thirty years shown that whenever a difficulty about federal and provincial rights occurred between the Dominion and the local governments, the latter has carried the day in spite of the central power, and almost in defiance of its order? Take for instance the Ontario Rivers and Streams Act, which the Dominion disallowed and which the Ontario legislature re-enacted. The small province of Manitoba took the same stand in the matter of her railway legislation. It is within the recollection of everyone that the Dominion cabinet, although persuaded that the Manitoba School Act of 1871 was *ultra vires*, did not dare to veto that measure for the obvious reason that Dominion

interference would not have been accepted, and that if the act had been disallowed it would have been placed again by the Manitoba legislature upon the statute book. Another cause of recalcitrant provincialism occurred when the Dominion government issued their remedial order to Manitoba, which was so ostentatiously disobeyed. All this goes to prove that the strong central government which Macdonald intended to establish at Ottawa very often stands powerless in the face of even the smallest province, and it also shows one of the weak points of all federation: the want of coercive power.

Confederation did not give all that was expected and that was promised for it. It is not the privilege of great men to foresee all the consequences of their best laid plans; even genius is often found deficient in foresight. But, taken altogether, it has been a great success, and, as far as the province of Quebec is concerned, a decided improvement on the régime which it superseded. This latter was a legislative union under which the religious and the racial interests were secured only by equality of representation between the two provinces, and that safeguard would have been removed if party lines had given way to national antagonism. As population increased more rapidly in the western province than in the eastern, equality of representation was doomed to disappear in time, for representation by population, just in itself, was bound to prevail, carrying with it the domina-

tion of Upper Canada over Lower Canada, which would have placed the French Canadians at the tender mercies of an hostile majority. The great benefit of the federal union resided in this, that it constituted the province of Quebec like an impregnable fortress in the midst of the other provinces. There were safely ensconced all that the French Canadians held dear. To the federal government were abandoned the material interests of the country which could not be disassociated and over which Quebec could still exert its share of control through representatives at Ottawa. It cannot be denied that under confederation the advance of Canada in all branches of trade and in public wealth has gone beyond all expectations. It can stand comparison with the most prosperous country of the world, the United States. It is sufficient to prove this that the volume of our trade had increased from seventy-three millions in 1868 to nearly three hundred millions in 1891. It would be fortunate indeed were there reason to believe that similar progress, or some approach to it, had taken place in the intellectual condition of our people.

The battle over the confederation scheme in Lower Canada was fierce and long. Cartier had to deal with clever and strong opponents, who, however, in condemning confederation, did not show how otherwise the country could have been rescued from its long-standing troubles and the dead-

lock which was near at hand between Lower and Upper Canada, with antagonism always on the increase. A sort of zollverein was suggested, but in such a vague and unprecise form that nobody could see what remedy it would have brought to cure existing evils. Some critics hinted that it was Cartier's duty to revert to the state of things which existed before the union of 1840, forgetting that the English of Lower Canada could never have accepted a French parliament and isolation from the other provinces. He was also blamed for taking a part at all in the federal scheme. This would have been a suicidal policy, for any changes evolved at the time without the concurrence of the French element would have been more or less against their interests. Lower Canada was placed between confederation and annexation to the United States. The French Canadians were, however, strongly opposed to the alternative, as any union with the Americans portended their absorption through the irresistible power of fusion dominant in the United States. It must be remembered that Cartier and his friends had not a free hand in this matter, that the opinions of English-speaking Canadians had to be taken into account, and that any schemes, to be accepted, must partake of the character of a compromise between the different sections of the country. After confederation, when the question had been finally decided by the people, the opponents of Cartier loyally laid down their arms and did their

best to make the new constitution a success. As it was their privilege and duty, they formed themselves into an opposition party in order to criticize the measures and policy of the government, with the lawful ambition to take their place at the helm. It is a happy country where public men confine their criticism to the administration of affairs, without assailing the constitution.

CHAPTER VII

CONFLICT AND VICTORIES

THE year 1867 saw Cartier at the climax of his glory and power. He was one of the delegation sent to London to watch the progress of the British North America Act through parliament. During his sojourn in the metropolis he was lionized, and had the honour of being the Queen's guest. People fond of contrasts could not help noticing the presence at Windsor Castle of the ex-rebel of 1837, now a stalwart supporter of British institutions. The contrast was not as glaring as some people would have it; the insurgent youth had been transformed into a loyal subject by the liberal policy of the government. When he returned to Canada in the summer to take his part in setting the new constitution in motion, he had practically no opposition in the electoral contest which followed the union proclamation. Both the local and federal elections returned large ministerial majorities. John A. Macdonald was called to form the first administration under the new régime as having the largest number of supporters. It was a reversal of the former state of things; from 1858 to 1862 Cartier was the premier of Canada. After the defeat of the Macdonald-Dorion administration in 1864, Cartier

was sent for, but he advised Lord Monck to entrust Sir E. P. Taché with the duty of forming a cabinet. He feared that his presence at the head of the government would injure the prospects of his friends in Upper Canada, as he had taken such an uncompromising stand against George Brown's aggressiveness. In spite of the change he was the real premier of the short-lived administration of 1864. In the Province of Quebec Mr. Chauveau was selected as premier; no better choice could have been made. Of sterling honour, and of very moderate views in politics, to which he had been a stranger since 1859, he was well fitted to open the new era which was to be at first one of peace and harmony.

Lower Canada acclaimed Cartier as a conqueror, and public demonstrations were organized in his honour in all leading cities and towns. In 1869 the government entrusted him and Hon. William McDougall with the mission of negotiating the purchase from the Hudson's Bay Company of their land in the North-West Territories. The negotiations were protracted on account of the exorbitant price placed on their rights by the possessors of those vast regions, who asked for them as much as $5,000,000. Finally, under great pressure at the hands of the colonial secretary, Lord Grey, they accepted £300,000. At a dinner given to our delegates, Mr. Gladstone, then prime minister, eulogized the Canadian statesmen. It was on this occasion that

Cartier used the expression for which he was so often taken to task by some of his opponents: "We French Canadians are British subjects like the others, but British subjects speaking French." These words, it seems, represent correctly the position of the French Canadians, and when other public men of the same nationality have pledged their loyalty to the British Crown, have they not proclaimed themselves British subjects? Cartier's sentence is apt and to the point.

In the midst of these successes a terrible storm burst upon Canada. While the government was preparing to establish authority in the North-West, and before the annexation of these regions became a *fait accompli*, a party of engineers under Colonel Dennis had been sent to Fort Garry, and without a word of warning, and also without any leave from the Hudson's Bay Company, began to make surveys on the lands occupied by the half-breeds. These naturally took offence at what seemed to them high-handed proceedings. At first discontent remained inactive, then it flamed into open rebellion when Hon. Wm. McDougall attempted to enter the newly acquired territory as lieutenant-governor of the North-West. It would be unnecessary to dilate on what followed: Riel's revolt, the establishment of a provisional government, the murder of Scott, General Wolseley's expedition, and Bishop Taché's mission of peace to his people, who, at his earnest request, laid down their arms.

All these facts are well known but it will not be out of place to recall here the timely warning which was given by Bishop Taché, of the trouble that was brewing, and which, if it had been heeded, would have spared the country a vast expenditure of money and the turmoil of a petty revolution. In 1869, the venerable prelate, a personal friend of Cartier, had come to Ottawa to warn the government that Colonel Dennis's action would cause mischief, and that the half-breeds were in a great state of agitation. The secretary of state refused to hear him. Cartier received the warning with indifference, and finally told him that he knew all that was going on, and that the agitation was not serious. The bishop insisted, and pointed to the signs of a coming storm, but to no avail. He then set out on his voyage to Rome, which he had hardly reached when a cablegram from the Canadian government begged him to return at once to Canada to appease the trouble. It was Cartier's boast that he was always better informed than everyone else, but in this instance he and his colleagues were singularly at fault.

Thanks to Bishop Taché's interference, the insurgent half-breeds laid down their arms and many of them went forward to welcome General Wolseley at the Lake of the Woods. Upon his return to England, the commander of the North-West expedition, striking the attitude of a conqueror, related his experience in Canada in *Blackwood's Magazine*,

abusing the minister of militia, whom he likened to Molière's *Bourgeois gentilhomme*, and belittling the Canadian volunteers and voyageurs, whose services he was, a few years after, anxious to secure for his Khartoum expedition.

During the session of 1871, the task of presenting the bill creating the Province of Manitoba devolved upon Cartier. He conducted the debates on this subject with his usual skill, and with mastery of all the details of the measure, prefacing his speech on the second reading of the bill with this remark: "The name of the new province will be Manitoba, a very euphonious word meaning: *The God that speaks.* Well, let Canada's latest addition always speak to the inhabitants of the North-West the language of reason, truth and justice." He did not live long enough to see how his good wishes were realized. Cartier, with his impulsive and generous nature and his extreme liberal ideas, presumed too greatly on the large-mindedness of others. Still in order to spare to Manitoba the troubles which were then agitating New Brunswick over a school difficulty, he went the length of surrounding the rights of the Catholics of Manitoba with all kinds of safeguards, to protect them against all possible encroachments. In New Brunswick, there was no law before confederation conferring upon Roman Catholics any rights to the separate schools which existed there only on sufferance. Therefore, the British North America Act,

which guaranteed the educational rights which minorities enjoyed before the passage of that act, could not be appealed to. In order to avoid any difficulty in Manitoba, Cartier inserted a clause which, to his mind would protect the cause of the minority against all possible attacks. He caused it to be enacted that all schools existing by law or practice previous to the union of Manitoba with Canada, would have the right to exist conjointly with other schools to be established hereafter, to share equally for their support in the distribution of public monies. We now know what a feeble rampart this was; it was blown down at the first word of a government opposed to separate schools, and the decision of these adverse legislators was supported by all the Manitoba courts whose judgment was, in turn, reversed by the unanimous decision of the Supreme Court. The findings of judges often look like the *obiter dicta* of laymen when laws are so diversely interpreted. The fate of this Manitoba law, so cleverly designed in Cartier's mind to defeat any attempt to deprive the Catholics of their schools, recalls O'Connell's opinion that he could drive a coach and four through any act of parliament. On the other hand, in view of this particular clause of the Manitoba Act, one is tempted to ponder this problem, whether it is better to have a defective constitution worked by liberal minded men or a perfect constitution applied by men wanting that spirit.

To sum up the whole matter it may be said that, in general, laws have but little force when they are met adversely by an overwhelming public opinion, and in this special instance, Cartier's measure, loyally conceived and carried out in the interest of contemporary Roman Catholics and their posterity to the furthest generation, was called upon to weather a storm of popular prejudice which it was powerless to withstand. It foundered, but the wreck remains to bear witness that Cartier and his colleagues were just in their day, and endeavoured to perpetuate justice.

The matter, however, that gave most concern to Cartier was the New Brunswick school embroglio. When, in 1871, the news spread that the Catholics of that province had been deprived of their system of separate schools which had existed up to that time, and previous to confederation, the press of Quebec at once took sides with the Catholics of New Brunswick. Without stopping to inquire what was the true legal position, the editors cried out that the minority was suffering persecution. Thus influenced, public opinion very soon followed in the same track and the government was at once importuned to interfere and protect the down-trodden minority. When parliament met in the winter of 1872, Messrs. Costigan, Anglin, and Renaud, brought up the grievance of their New Brunswick friends and protested against the proposed change which denied to the Catholics any share of the

educational fund so long as their schools remained sectional. They requested the disallowance of the obnoxious law; but the government resisted that request on the ground that educational legislation was vested solely in the provincial legislature; that although sympathy went out towards the aggrieved citizens of that province, it was out of the question to advise the governor-general to veto the act. It was set forth by Sir John A. Macdonald, to make the situation clear, that when the confederation scheme was under discussion, an attempt had been made to place education under federal control, which attempt, the delegates from Quebec had entirely objected to, going so far as to declare that they could not accept any scheme of union in which education would pass from provincial control. It was, however, decided that, in order to protect existing rights in Ontario and Quebec, an appeal should lie to the central government if these rights were interfered with by their respective local legislatures. The government was sustained in this position, and Cartier, feeling the great responsibility attached to his conduct in this matter, made a decided effort to convince his co-religionists how wrong they were in pressing the government to interfere. The members were of one mind with him, but outside of parliament, the debate was waged between sentimental reasons and legal arguments and, with the masses, the latter seldom gain a victory. Cartier, with his usual vim and high

spirit, when he was seeking Lower Canada's concurrence, led the public to expect from confederation more than it could give as a protection to minorities. Had he not stated in the House at Quebec that any attempt upon the rights of the minorities would be visited by the interference of the federal power? "Is it possible to imagine that the general government or that the local administration would be guilty of arbitrary acts? What would be the consequence, supposing the latter should do any unjust action? Measures of this sort would certainly be repudiated by the majority of the people. It is not probable, therefore, that a minority will ever be deprived of its rights. Under this system of federation which places in the hands of the central government all matters of general interest, and to whom question of races will be indifferent, religious or national rights will not be ignored."

When confronted with the stern fact of the New Brunswick grievance, he took another stand, the only one justifiable in law, but not expected by his fellow-religionists of Quebec. After having demonstrated in the clearest manner possible that disallowance was not in this case within the province of the central power, he appealed to the egotism and self-interest of the French Canadians, who, of all the peoples united in confederation, should be the last to ask for federal interference in local affairs. It was altogether contrary to the mainten-

ance of their autonomy to create a precedent which might be used against them later on. It was simply setting before the Protestant minority of Quebec an example which they might imitate if any measure passed by the Quebec legislature caused discontent among them. Certainly all this was sound advice, and went far to strengthen the provincial rights, but at the time it did not convince very many. Of course his sympathies, like those of Sir John Macdonald, went openly with the aggrieved, but he gave them to understand that they had in their own hands the means of obtaining redress. They were an important minority, and if, with united efforts, they persisted in claiming their rights, these would, before long, be conceded to them. The government was sustained in this course, and Cartier's suggestion that the opinion of the law officers of the crown in England be obtained on the contention of the Catholics was accepted. With this ended Cartier's parliamentary connection with the matter, but the agitation waxed terribly strong against him in Quebec. Scarcely anything else was discussed in the electoral campaign of 1872; great questions like the tariff, protection to native industries, the Canadian Pacific Railway—questions of vast import to the advancement of the country—were scarcely mentioned. Matters of sentiment always take the lead in the Province of Quebec, and become the all-absorbing topics of the day.

Let us give the sequel of that unfortunate

incident, in order to draw from it a valuable moral lesson. It was again brought up at the session of 1873, when Mr. Costigan, not being satisfied with the decision adverse to his views given by the law officers of the crown in England, again asked for the disallowance of the obnoxious legislation. He carried his point against the power of the government. All the Catholic members of Quebec save four, two of whom were ministers, voted for the Costigan motion; many did so reluctantly, simply obeying the dictates of public opinion and of the clergy, but thinking probably in their own minds that they were pursuing a dangerous course. When the Liberals came into power another effort was made to obtain redress of the long standing grievance; but the new administration was averse to anything which would look like high-handed proceedings. At the session of 1874, Mr. Costigan forced it again upon the attention of the Commons, with the help of the Quebec Conservatives, who, having suffered so much at the hands of their opponents from the agitation raised by this controversy, were bound now to use it against them to the fullest extent. The object of the new Costigan motion was to have the constitution amended so as to secure to his coreligionists the privilege they claimed, and a violent debate ensued. Judge of the astonishment of the Quebec members, when the rumour became current that the bishop of New Brunswick had made a compromise with the local government by

which the Catholic children could receive, under certain conditions, religious instruction in the public schools. What offended the supporters of the Costigan motion was that the bishop allowed them to continue this long standing fight after he had brought the difficulty to an end, without giving them even a word of warning, and without consulting them, after all the trouble they had taken to obtain redress for his flock. The fact of the matter is that for nearly five years, all the energies of Quebec had gravitated around this New Brunswick local affair, to the exclusion of all other interests. It was inferred from this want of consideration that this active and sympathetic support was little appreciated when the need for it had passed. The Quebec friends of the New Brunswick Catholics seemed then to have played a rather Quixotic part in this battle for redress of other people's grievances. They received an unmerited lesson, but one which was lost upon them. They were again found on several occasions to be more Catholic than the Pope and more aggrieved than the real sufferer of the wrong.

CHAPTER VIII

CARTIER AND THE CHURCH

WHILST Cartier was at the summit of his very successful career, during the period extending from 1867 to 1872, influences were at work undermining his popularity and preparing his downfall. It is a sad truth that most statesmen lose their hold on the people when they have the helm in hand; the act of governing diminishes popularity even when public affairs are properly conducted. For some reason or other, during these years, Cartier was not in touch with his friends as he used to be. His presence in the local House at Quebec during the first parliament of that province, and his many absorbing public duties at Ottawa left him very little time to devote to those attentions which a leader of men must bestow on his followers in order to keep his popularity. His party was very strong, and the very strength of a political association may become a danger; when there is no enemy to fight outside the camp the army of the faithful fight within the camp. In this case the danger sprang from among the most advanced Conservatives of his following, those whom Protestants called Ultramontanes, and loyal Conservatives nicknamed *Castors*.

The first cause of the split in the ranks of Cartier's followers dates back to ante-confederation days, and arose in this way. The then Bishop of Montreal, Mgr. Bourget, a prelate renowned for his great virtues, but absolute and obstinate, and not unlike Cartier in temperament, decided one day to divide into several parishes the only existing Montreal parish of Notre Dame, administered by *les Messieurs du Séminaire de St. Sulpice*. The Seminary refused to comply with the order, contending that from the early days of the colony under French régime, they had had charge of this parish, having built all the churches of the city, and that, according to the civil and religious law they could not be disturbed. The bishop pointed out the great inconvenience resulting from the concentration of all religious affairs in the one church of Notre Dame, such as christenings, marriages and services for the dead. Endless wranglings took place between the contending parties at Rome and before the civil courts, and it was an unfortunate incident that placed the Seminary's case in the hands of Cartier's law partners. He took no part in the discussion before the courts, but his name appeared with those of the other members of his firm, to whom public duties made him almost a stranger. It was supposed that his leanings were towards the Sulpicians with whom he had always been on terms of amity since his school days. From this cause a certain coldness arose between him and the head of the church in

Montreal, so that when confederation was proclaimed, all the bishops of the province, save Mgr. Bourget, wrote pastoral letters recommending to their flocks the acceptance of the new order of things.

After the Union, events occurred which supplied those Conservatives who did not approve of Cartier's attitude towards the head of the church in Montreal, with an opportunity of showing their dissatisfaction. A newspaper, *Le Nouveau Monde*, edited by Canon Lamarche, one of Mgr. Bourget's friends, was started for that purpose, and the government's actions in New Brunswick and Manitoba were severely animadverted upon.

The *Civil Code*, one of Cartier's titles to glory, was held up to severe criticism as containing legislation restraining the liberty of the church in matters of education, marriage and establishment of parishes. This Code reeking, according to *Le Nouveau Monde*, with what remained in Canada of gallicanism, was at last referred to Rome. The judgment came, after strict examination, that it was the most carefully prepared set of laws existing in any country, and that a few slight amendments would place it above reproach, and that the condemnation passed upon it in Quebec, in such unmeasured language, was unjustifiable.

Not satisfied with the damaging attacks directed against Cartier by the *Nouveau Monde*, the ultras organized a faction within the Conservative ranks

under the name of *Le Parti Catholique*, the avowed object of which was to place members of parliament under the dictates of the church in all matters political and religious. The leaders of *Le Parti Catholique* requested the Catholics to vote at the coming elections of 1872, for those candidates only who would subscribe "entire and full acceptance of the Catholic and Roman doctrines in religion, politics and social economy."

It is useless to point out the dangerous character of such an organization in a mixed community like ours, and also its lack of a *raison d'être*, for never had the Catholic members, both Liberal and Conservative, been more in harmony with the Church than in those days. On the New Brunswick school question, when the point arose whether the British North America Act should not be amended so as to remove the grievance complained of by the Catholics, all the Conservative members, save two, voted in the affirmative against their leader. The hostility of the *Nouveau Monde*, disguised at first and then open, did more to destroy Cartier's prestige and influence than the opposition of the Liberal party.

The *Programme Catholique*, the work of some journalists and of a few priests, launched without the consent of the upper clergy, drew upon itself the disapproval of the head of the church in Canada. The archbishop of Quebec, Mgr. Taschereau, ordered his priests to warn their flocks against

this ill-timed and ill-considered appeal to their sentiments. The *Parti Catholique*, which had given another illustration of the fact that some people can be more catholic than the Pope, could hardly use its programme after this condemnation, but the spirit that dictated it was more alive than ever and kept up the warfare against Cartier with its accustomed bitterness. On the other hand, the regular and natural opponents of the government had greatly altered their platform; it was no more the aggressive and radical organization of old. Respectful of all the tenets of the church, they had eschewed all principles that could give offence to the clergy. Nay, in the New Brunswick affair, their conduct in the House of Commons constituted a series of pledges to the church; it must be, however, remarked that this submission harmonized well with their general opposition tactics. In 1872, the *Parti National* was organized to show that the Liberal party had broken off entirely with radicalism. Their programme, as was shown above, told the country that they intended in future to fight the Conservatives on purely political grounds. With great skill they were turning to their advantage Cartier's false position towards the head of the church in Montreal.

The Duc de Broglie was once conversing with Louis Philippe on the topic of the relations between the civil power and the church. "Trust to my experience, sire," said the statesman, "never meddle

in religious affairs, never quarrel with the church. In troubles of this kind, the civil power is sure to get the applause of all the good-for-nothing fellows in the country and to array against itself all the good souls and all right-thinking men." "Yes," replied the king, "it is like placing one's finger between the tree and the bark; it is not only pinched, but it remains there." The lesson conveyed above cannot be wholly applied to Cartier, for the quarrel was not directly with him, but still he should have avoided even the appearance of taking sides with any of the contending parties. Finally the bishop of Montreal gained his point to the advantage of the public. It was a matter of surprise to see Cartier, the autocrat, the upholder of authority, standing with the opposition to the bishop's order and giving it a sort of moral support.

At last, the consequence of this want of his usual foresight, or as some would call it, his great moral courage, recoiled on him with a terrible shock. He was badly beaten in Montreal East to the general surprise. His defeat was a crushing one, his opponent, Mr. Jetté, heading the polls by a majority of over 1,200 in a constituency of 7,000 voters. This unexpected accident aroused general sympathy even among Liberal papers who expressed the desire that another seat should be found for him. Even Mgr. Bourget and the Superior of the Seminary, called on him to express their regret at the result of the election. Similar marks of esteem were shown by

the bishops of Ottawa, St. Hyacinthe and Quebec. The unfortunate leader faced his overthrow with courage and seemed undaunted—at least in the public utterances on his defeat. But at heart, he must have been galled by it. To intimate friends he expressed his disappointment and complained bitterly of the attitude of some members of the clergy, who, he said, had forgotten all he had done for the liberty of the church in his province and for his country.

Cartier was then a very sick man, suffering from Bright's disease in an advanced stage. The writer, who accompanied him on the platform on nomination day, in Montreal, saw him unable to stand on his feet during the proceedings. When he rose to speak, his voice had agonizing tones. His very poor health, which must have had a depressing effect even on a man of such high spirit, his defeat, and the visible decline of his influence in Quebec, must have cast a gloom on his mind. Nothing is so entrancing and so fascinating as public life to the young. To raise one's self to the first rank by the sole force of talent; to rule one's country and achieve great things! It is a dream worthy of the highest. Ambition then spreads a thick veil, hiding from sight the deceptions and disillusions with which it often crushes its votaries. The worst feature of politics appears, not when a statesman has to face his natural enemies, but when he is betrayed by his friends. It is a more difficult task

to overcome the disgust engendered by unfaithfulness than to brave danger, especially when the all-conquering spirit of youth has vanished and when age has appeared, age without buoyancy, with but a backward vision upon past achievements and no hopeful outlook for great deeds to be done in the future.

CHAPTER IX

CARTIER AND THE MILITIA

DURING the American civil war, the intercourse between Great Britain and the United States was far from friendly, and at the time of the imbroglio called the "Trent affair" the situation became so ominous that it threatened war. Canada was hardly in a position to coöperate effectually with Great Britain if hostilities had broken out. It was felt then that a reorganization of the Canadian militia was an urgent necessity, and the government, with the help of a British officer, Colonel Lysons, prepared a Militia Bill which was presented to parliament at the session of 1862 by John A. Macdonald. The measure was defeated on its second reading, and Cartier, then premier, tendered his resignation. On that vote he had been left in a minority for the first time in his province, whilst his colleague, also for the first time, saw a majority of the western members standing at his side.

After confederation it was again his duty, as minister of militia, to prepare another reorganization of the defence of the country. His long experience in that part of the service, together with his strong sense of loyalty, fitted him well for the

task, and when the measure came before the House in 1868, it met with hardly any opposition. It is still the law of the land. Cauchon, of the *Journal de Québec*, who was never well disposed towards Cartier, praised him on his success. "The minister of militia," said he, "has succeeded where many expected to see him fall. He has nobly retrieved his fortune, and had his revenge for his defeat of 1862." *La Minerve* added: "All those present at the sitting of the House during which Mr. Cartier expounded his militia scheme are unanimous in saying that no other speech of his had ever carried more weight and authority. Nothing less could have been expected from the minister who is considered as master of the situation, thanks to the influence derived from his popularity in Lower Canada, and to the confidence which his integrity and honesty as a statesman give him in the other provinces."

The labour and careful study bestowed on the Militia Bill was inspired by Cartier's sense of duty to the country and strong attachment to British connection. This sentiment was the mainspring of his action where it affected the relations of Great Britain and Canada. It was in consequence of this state of mind that in 1868 and 1869 his feelings received a severe shock when a certain number of public men in England expressed the opinion that she should part with her colonies. The drift of the home government policy seemed then to set in

that direction, when they decided upon withdrawing the imperial troops from Canada. Even Sir John Young, on his arrival in Canada, at a public function in Quebec expressed sentiments on the question which were interpreted as an invitation to Canada to cut loose from colonial leading strings and declare her independence. On that occasion, July 15th, 1869, Sir John Young said: "At the present moment Canada is in reality independent. It has its own destinies in its own hands, and its statesmen and people are recognized as competent to judge of their interests as to what course to pursue to conciliate those interests. England looks to them for her guidance, and whatever their decision may be, either to continue the present connection or in due time and in the maturity of their growth to exchange it for some other form of alliance."

This warning of the governor-general was not the only indication at the time of the state of public opinion in England towards the colonies. Taken in connection with the withdrawal of British troops from Canada, was it not very significant? Whilst in Canada a great uneasiness was felt with regard to our imperial connection, which the great majority of the people desired to preserve, the *London Times* launched a terrible arraignment of the colonial system. It came in this wise: some Australian gentlemen, being in London, had complained of the indifference and neglect shown by

the government towards its dominions beyond the seas. To this complaint "The Thunderer" thus answered: "There is no ground for surprise, still less for indignation, if it be asked whether it would not be better for both Englishmen and Australians if the independence the latter have in fact should receive a name. The Dominion of Canada is in all respects independent. It is fitted to become—it has the institutions of—a great power. It is surely a fair subject for inquiry whether it might not assume its appropriate position. Although we do not forget our own warning against the use of metaphors, we must still ask whether the emancipation of the adult is not as desirable to complete the manhood of the son as it is necessary from the inability of the father to understand the peculiar circumstances of his son's life." In their complaint, these Australians, referred to in such snappish manner, spoke of England as the "mother country." This expression, which should at least have gone to the heart of the great organ, only drew ironical criticisms almost insulting to colonists. "Now," said *The Times*, "what is meant by speaking of England as the mother country? What is to be understood by the description of Australia, Canada, and the rest of her colonies? If all that is intended is to remind us of the historical fact that the citizens of Canada, New South Wales, and Victoria are mainly of English origin and descent, we shall not quarrel with the accuracy of the statement, although we

may doubt the pertinence of the phrases. England is in this sense the mother country of Australia, and just in the same way some other land—without committing ourselves to the quarrels of ethnologists, we may say Schleswig-Holstein—is the mother country of England. Again, it may be observed that if Australia be the child of England, the United States are elder brethren of the same family. It is evident that considerations like these, though extremely interesting in their proper relations, have no necessary connection with the mutual obligations of communities, that is to say, of societies of individuals banded together for purposes of government in different parts of the world. Let us then, in the interest of truth and right conclusions, discard altogether the phrase 'mother country' in the discussions which are before us; let us even use with deliberation words apparently so innocent as 'England' and 'colony,' and remember that what we are called upon to weigh and determine is the proper relations of Englishmen, Australians, and Canadians." To make the meaning clearer still or to leave no doubt on the mind of the dull colonial, who only too well understood *The Times*' utterances, this paper added: "Incidents like these (the withdrawal of troops and the speeches of public men), coming, too, in quick succession, showed that the executive government of the United Kingdom, acting, as must be presumed, in harmony with the imperial parliament, had resolved upon aban-

doning the old policy of tutelage, with its pretensions and responsibilities, and urging the colonies by gentle suasion to take up the freedom of their manhood."

Protests against such indications of the British policy came in rapid succession from Canada. Many public men took a despondent view of the situation, but not Cartier, who could never be found in a pessimistic frame of mind. Speaking at a banquet given to Hon. John Rose in Montreal, he strongly took *The Times* to task, and raised the hopes of his hearers. With a keen conception of the future, he predicted that this anti-colonial feeling in England, based on erroneous views of the best interests of the Empire would be of short duration, to make room for larger imperial ideas. Similar expressions were used by Cartier at several other public gatherings. To him, the interests of England and of Canada were so closely intermingled and dependent on each other that it would have been suicidal folly to have separated them. It was this feeling that actuated Cartier when in his despatch to the home government he strongly protested against the withdrawal of the British troops from Canada. Besides his great concern for the imperial prestige, there was another important motive to justify the protest—an imminent Fenian invasion of Canada. It was, he felt, a very abnormal act to order the English regiments from this land, when for the very hatred of England, the Fenians, indifferent to our affairs, had invaded Canada.

CONTRASTED OPINIONS

The description of public opinion in England thirty years ago placed in contrast with what it is to-day, is a subject for reflection. It shows how quickly men's minds travelled from one extreme to the other, and how unfair it is to blame current opinion, which is disagreeable to-day, but which may be acceptable to-morrow. Sentiments freely expressed in Great Britain when *The Times* advised the colonies to look for their independence, would sound like treasonable utterances now. Was it not also a fact worthy of notice that a French Canadian, once in arms against colonial misrule, appeared more British than British-born statesmen, imbued with loftier ideas of what was needed to increase the power and influence of Great Britain?

CHAPTER X

CARTIER AND LA FONTAINE

TO the historian with a philosophical turn of mind, to the ethnologist, the political history of the Province of Quebec is a most interesting study. He cannot help noticing a strong resemblance, proceeding from an affinity of origin, between the Norman barons, who wrested Magna Charta from King John, the men who fought for the prerogatives of parliament against the privilege of the crown under George III., and the Norman-Canadian statesmen who conquered responsible government. Their minds seem to have come out of the same mould, so much alike are they in sagacity, moderation, and the instinct for liberty. Their sense of what a colonial government should be showed itself at a very early stage of our history and with surprising clearness in men born from parents brought up under the personal power of Louis XV.

Under the despotic rule of Governor Craig, who suppressed *Le Canadien*, the first French newspaper of Quebec, Panet, Bédard and Taschereau claim the liberty of the press like Junius, and the independence of parliament after the style of Wilkes, and for their bold stand are sent to jail. When

Craig orders his minions to set Bédard free, again with English-like sense of honour and respect for law, he refuses to take advantage of the governor's order until he is told under what authority he has been imprisoned, and until he has been regularly tried.

About the same time the members of the assembly, discerning that their control of the provincial finances would surely check the absolute power of the executive, claim from the imperial parliament the burden of supporting the expenses of government, by levying taxes. This is granted in 1818. Up to that year it rested with the colonial office to supply the money necessary to defray the civil list of Canada.

As far back as 1808, Bédard had asked for ministerial responsibility, which Lord Durham at a later time declared in his celebrated report, would put an end to the existing troubles. Then came Papineau whose advocacy of reform was admirable so long as he kept himself within the limits of constitutional agitation, before he became a desperate agitator under the exasperating sting of redress of grievances oft promised but always deferred. When the Union Act of 1840 was imposed on Lower Canada, La Fontaine entered his protest against it with all his fellow-citizens, but instead of sulking under his tent in permanent opposition, as some less far-seeing Canadians desired to do, he at once strove to bring forth good results from a well-

designed scheme to accomplish evil ends. This he achieved with the concurrence of that great reformer and good man, Robert Baldwin.

In the constitutional battle that ensued between Lord Sydenham and Lord Metcalfe on one side, and La Fontaine on the other, as to the meaning of ministerial responsibility, to an unprejudiced observer La Fontaine had the best of the argument. His opponent held views which would have been laughed out of discussion in England. Although the act of 1840 conceded ministerial responsibility to Canada, it was not the intention of these governors to grant it in its entirety. Even Lord John Russell was opposed to this reform, fearing that the advice which might be given to the representative of the crown in Canada would clash with the instructions from Downing street. Even as late as 1842, the *Montreal Gazette*, then a Tory organ of an antiquated type, denounced ministerial responsibility as a "pernicious and damnable heresy."

It was La Fontaine's and Baldwin's meritorious task to put an end to disputes on constitutional questions, and to that national antagonism which had arrayed one section of the population against the other. Party spirit has often been looked upon as the bane and curse of a country, but in Canada it has proved a blessing. When the Baldwin party joined the Liberal forces of Lower Canada under La Fontaine, to combat the Tory element, the dangerous strife of English against French began

to abate. Efforts have occasionally been made to revive old national feuds, but the sound sense of our leading statesmen, backed by the conservative instinct of the people at large, has prevented the return of that undisguised evil.

After the constitutional battle had been won, when Lord Elgin, the most enlightened and most popular governor of Canada before confederation, had gracefully helped to carry on responsible government, as they understand it in England, Cartier took the helm in hand. Intelligence and talent are the requisites for success in politics as well as in the other ventures of life, but they must be applied at the proper time, when their powers are specially needed. No one in Canada did more than Cartier to free the country from dangerous influences by keeping the government on party lines with French and English on both sides. In his collected speeches, delivered on public occasions either in Quebec, Ontario or the Maritime Provinces, reference is always made to the importance of maintaining harmonious intercourse between the different nationalities, of cultivating sentiments of mutual forbearance; in his mind it was the statesman's duty to avoid any cause of friction between these antagonistic elements.

It was his constant aim to spread among certain classes of the Upper Canadian population correct notions concerning the French Canadians. He was the first of his nationality to meet the western farmers

and make them feel that their unknown partners in the Union were not as black as they had been painted. The prejudices in Upper Canada, which he contributed largely to dispel, were so great about 1839, that the Toronto city council and the House of Assembly, as shown before, asked Governor Poulett Thompson to disenfranchise the French population of Lower Canada. Thanks to his liberal views Cartier ingratiated himself with the English and Protestant population of Lower Canada, whose confidence he never lost during his twenty-five years of public life. His conduct, which should be that of every Canadian statesman, was not always well understood among his countrymen and some of his opponents were pleased to represent him as an anglomaniac, with an excessive fondness for everything British. This reproach is, however, one of those stock-in-trade attacks made against almost every minister bent on giving equal justice to all, without regard to church or flag. For the good of the country these two Norman-Canadians, La Fontaine and Cartier, almost ruled it from 1841 to 1867, during that régime which had been designed for the very purpose of keeping them and their friends out of power. La Fontaine with all Lower Canada at his back, joined hands with the small Liberal following of Baldwin. When he retired to private life, at the advent of the Reformers in Upper Canada, under George Brown, Morin, Taché and Cartier at the head of the Lower Canada

Liberals, formed a new alliance with their old opponents, the Tories or Conservatives of the MacNab and Macdonald type. To sum up the part these two men played with their associates in our history, it may be said that La Fontaine with Baldwin fought and won the constitutional battle, whilst Cartier, with the help of Macdonald, contrived to establish the political union of the country, showing conclusively that in spite of the dissimilitudes of a mixed community, it can easily be governed and made prosperous.

Under the Cartier-Macdonald alliance, the country was again ruled by a party composed largely of Lower Canada members, thus giving the French leader a strong hold over the House. It was then that George Brown denounced what he was pleased to call the French domination, a war cry which would have been reasonable if Macdonald and Cartier could ever have been inspired by racial or religious prejudice, an hypothesis out of the question. The alliance of those two men was certainly beneficial to the country. After he had broken away—an early experience having shown him his initial error—from his first associations, John A. Macdonald aided his ally in removing existing prejudices in Upper Canada against the eastern province, and in establishing the principles which must govern public men in a community like ours composed of two separate and distinct races. Both, though differently gifted, were born

leaders of men, Cartier with his imperative ways and Macdonald with his power of persuasion and cunning. The latter had a deep view of the human heart, a greater contempt for its secret impulses, and knew what spring must be touched to influence it. Cartier claimed the leadership because from his own conception it belonged to him on account of his superior qualification. He was the necessary man and the only one. A long use of power and blind obedience from his followers had developed within his mind peculiar ideas as to his position. He exacted from his friends absolute submission and when confronted with the remarks from members of parliament that such and such votes were difficult to give, he would bluntly reply: "I want your support during stormy times; don't claim credit for supporting me when it is all plain sailing."

Macdonald led his men with a wink and a smile; he fascinated them with a tap on the shoulder and they were pleased to take the password from such a clever and skilled leader. Amiable as he was with the rank and file, he was absolute in council. One of his colleagues, a prominent politician, often told me that his rule was personal power to its full extent. This absoluteness of mind in Macdonald, and equally strong conviction in Cartier, often brought these two men into antagonism. They were pleased, when addressing the masses, to eulogize each other, to praise their friendship, to refer to the popular saying that they were Siamese twins,

but when looked at by the light of facts, this close amity has the character, to a great extent, of those numberless legends which makes Renan call history "that conjectural science." The truth is that numerous conflicts took place between them, and that the alliance was maintained only by mutual interests and a strong sense of public duty. The elements which made up their forces were so conflicting, so antagonistic, that they unavoidably fostered division between the leaders. Just imagine, Cartier whipping into line the most Catholic section of Lower Canada, and Macdonald supported by the Orange Order! It must have required no ordinary generalship on the part of these two men to marshal under one flag soldiers who rallied to symbols representing such antagonistic ideas.

It is generally believed that their most serious estrangement occurred in London, whilst the British North America Act was before parliament. John A. Macdonald desired, it is said, to have it modified so that a legislative union should be substituted for the proposed federation. To this, Cartier objected strongly and made no mystery of his intention to return to Canada, if his colleague persisted in his determination to alter the constitution as it was adopted in Quebec. It is also reported that he had warned the then Canadian premier, Sir N. F. Belleau, to be prepared to resign at a moment's notice, on receiving a cablegram to that effect. This statement has been given out without

contradiction, in the Quebec press, by a distinguished French journalist, Oscar Dunn, and also by a very intimate friend of Cartier, Louis Archambault, for several years a member of the Quebec government. A gentleman now on the staff of an important paper in Montreal and once his confidential adviser, confirmed this statement to the writer. In spite of these very respectable witnesses we would hesitate to credit it. How could Macdonald have broken his pledged word of honour, his solemn declaration in the House at Quebec, with the hope of being sustained on his return to Canada? Was he sure that even Ontario would have followed him, after having accepted confederation? Is it conceivable that after the labours and toils of three years, he would have thrown all results to the winds and begun anew to educate the people to another state of things? Still the evidence on the other side is very respectable and makes the solution difficult. *Et adhuc sub judice lis est.*

CHAPTER XI

CHARACTER AND POLICY

THE mental equipment of Cartier, combined with his moral qualities, served to fit him admirably for power. What men lack most in our age is that sterling endowment called character. Eloquent speakers and clever debaters are found in large numbers in the ranks of our talented politicians, but where is that firmness of mind, that unswerving integrity so necessary to those entrusted with great public functions? These requisite qualities had developed in Cartier to no ordinary degree, and enabled him to see his way clear and to hold the helm with no wavering hand. His earnestness of purpose, resting on the best information derived from conscientious examination of the matter to be acted upon, made him sure that the direction he gave to the ship was the best. Of this all his supporters were persuaded as well as himself.

He was also a man of quick resolves—procrastination did not suit his temper. It was a general belief at the time in Montreal that if it had been his task to lead the Conservative party during the Canadian Pacific Railway scandal, he would have forced a decision during the session in which the charge had been made when the government had a majority of

thirty-five votes. His friends put off the investigation for months, with the result that, under influences not counteracted by the presence of ministers, that majority dwindled to naught. Tactics and manœuvring were within his aptitudes, as was shown in 1862. Seeing that he had lost his hold on a large number of his supporters, he chose to be defeated on the Militia Bill, well knowing that his opponents would have to come before parliament with a plan for the reorganization of the militia, and a plan probably more open to criticism than the one they had condemned. His generalship and foresight in that crisis were both remarkable, for everything turned out as he had expected. As to his leadership in Lower Canada, his ideas were formulated to conserve the special interests of the French Canadians. It was his conviction that they would be endangered if his countrymen were about evenly divided between the two political parties. So it was his constant aim to concentrate their forces in a compact body. Fearing at one time that these would scatter, he tried the extreme, the desperate means of re-uniting under his command the Liberals and Conservatives. With this object in view, he offered Dorion a seat in the cabinet when he was called to form the administration of 1858. His proposal was declined, as Dorion would not forego his democratic principles. It is said that the Liberal leader was inclined to form a coalition, but that his lieutenants, Papin, Doutre, Dessaulles,

and Laflamme, raised such a storm of protest that Dorion did not dare to follow his own inclination. It was also hinted at the time that Cartier's offer lacked sincerity—that he made it simply because he knew that it could not be accepted, for the purpose of throwing on Dorion the responsibility and odium of the French Canadian disunion. This is, however, only an hypothesis and a surmise wholly out of harmony with Cartier's mode of dealing with political affairs. Seeing the impossibility of uniting his countrymen through an alliance with his opponents, he made up his mind to achieve his end by destroying the Liberal party. In this he succeeded to a great extent.

A leader's qualifications are not made up alone of high intellectual powers. He must at times descend to the level of the average mortal, and exhibit qualities of a meaner order though of the utmost importance in the management of a party. Within the home circle, Cartier was genial and amiable. Brillat-Savarin, the great philosopher of gastronomy, remarks that when a man entertains a guest, he must never forget that he has the responsibility of making him happy as long as he is under his roof. Cartier's action was shaped after this doctrine. In his usual vocations his temper would at times break out in a storm of violent words, but the storm soon passed away. He affected a certain brusqueness in receiving persons who he feared would trespass on his time; he adopted these tactics to ward off bores

and to avoid the worries of solicitors. His frankness would at first displease those unacquainted with his peculiarities. For instance, if a young man requested his influence for a civil service appointment, the invariable answer would be this: "I have no situation to give. Besides, you should not ask for a favour of this kind. Do as I have done—work hard and you will succeed. Turn your attention towards another field. If you enter the civil service, in a few years dissatisfaction will be your lot." Still, if the applicant was better fitted for a public office than a law office or any other employment, he would send for him when vacancies in his department came under his disposal. It was not his policy to hold out promises which he was not sure to keep. True to his motto, he was always and everywhere *franc et sans dol.*

He was no orator, in the academic sense of the word, but a very effective debater, always convincing, drawing and retaining the attention of his hearers by the splendid array of his arguments. Of middle size, but of a strong frame, with an intelligent face and eyes full of fire, he gave the impression of a man of untiring energy and courage. Always in motion, pivoting on himself, gazing at his friends to infuse them with his burning enthusiasm, and then in turn at his opponents to challenge them to contradiction, he never failed to make a mark in debate. What gave his speeches an extraordinary effect over his supporters was the

overflowing optimism which he seemed to possess. To soar above his audience was never one of his characteristics. Facts and nothing but facts, well bound together and cemented with overpowering logic, constituted the bones, sinews, and flesh of Cartier's oratory. Figures of speech, all rhetorical ornaments, he despised, but pointed repartees formed part of his defense. He had little of what the French called *esprit*, but he appeared at times brim full of humour. The over-confidence in himself which he often displayed—his optimism—would at times amaze his audience or draw a smile to the lips of the sceptics in the House. Whilst he was delivering his speech on the confederation scheme, C. Dunkin, a member of the opposition, interrupted him to express his doubts as to the possibility of successfully carrying on the future government. "The man," he said, "who under such a system will succeed in leading the Commons for six different provinces, and also to keep up as many legislative councils and Houses of Assembly, would deserve to be sent to England to teach the political alphabet to Palmerston and Derby." Upon this remark the following dialogue ensued:

Cartier.—"This could easily be done."

Dunkin.—"The honourable minister never sees any difficulty in all he undertakes to do."

Cartier.—"And I have seldom failed. I have generally got the success I had desired."

Dunkin.—"Yes, under favourable circumstances,

but the honourable gentleman has also met with reverses. I believe in the omniscience of no one. It will be no easy task to meet the exigencies of race and religion with three provincial ministers."

Cartier.—"Hear! hear!"

Dunkin.—"The attorney-general thinks he would be able to overcome that difficulty."

Cartier.—"Certainly." (Laughter.)

Dunkin.—"Well, if the honourable gentleman succeeds in meeting the requests of Lower Canada with only three ministers of that province in the cabinet, he will prove that he is the cleverest man in the country."

On another occasion, after a very bold argument from Cartier in a certain debate, Mr. Wright, of the county of Ottawa, exclaimed: "*Semper audax*," and Cartier answered: "*Audaces fortuna juvat*."

Speaking in 1872 in the House, on the Fenian invasion of Canada, he referred to certain criticisms that had been directed against the militia. Sir R. Cartwright, thinking the allusion referred to him, said that his remarks had only been pointed against some chiefs. Cartier replied: "Let the honourable gentleman attack me, and he will see how I can defend myself."

Cartwright. —"The honourable gentleman is plucky enough to undertake anything."

With this humour and these witty retorts was coupled an immense amount of general information on all matters pertaining to politics. His ambition

urged him to be always the best posted man in any discussion. Before confederation, when John A. Macdonald was not so thorough nor laborious in his methods as he became afterwards, it was Cartier's task to supply the deficiencies of his friend and of his other colleagues at all times. That knowledge he had acquired through incessant labour at the rate of fourteen hours a day during forty years of his life. His mind never had the brilliancy of Sir John's, but his industry and diligence, in the days referred to, were greater.

As to the peculiar tendency of his ideas, it can be said that they smacked of old style conservatism in principles, with great liberalism in action, when the material interests of the country were concerned. A man's ideas are more or less influenced or biased by his surroundings, by events occurring under his eyes. Cartier's conservatism was derived from his undisguised hatred of the French radicalism of 1848, which some of his opponents tried to transplant to Canada. His intense devotion to British connection, in which he saw the only means of maintaining the French nationality intact in North America, also contributed to turn his mind against all new fangled notions. At the noon-tide of his life he was also very much impressed by the great conflict going on in the sixties, south of Canada, which then threatened the unity of the great Republic.

It was the fault of the American constitution, according to his views, that the war of

secession had taken place; and that struggle supplied him with arguments demonstrating the superiority of the English institutions over those of our neighbours.

His speeches were replete with advice to his countrymen, which he repeated until it became tame and commonplace. They must, he told them, concentrate all their energies to rise to the requirements of the British constitution; they must be satisfied to live under the Union Jack and enjoy the great liberty it secures to their ambition to constitute a distinct nationality.

Another condition to their separate existence he was also fond of propounding: the importance of acquiring property. Speaking on the grave of Duvernay, the patriot agitator of 1837, he said: "Let us never forget that if we desire to maintain our national existence, we must cling to the soil. One and all of us must strive to hold our patrimonial territory. Number alone does not constitute a nation. Race, language, education and manners form what I would call the personal national element, which is doomed to perish if it is not supported by the territorial element. Experience shows that in order to ensure permanency and a lasting existence to any nation, the union of the individual with the land is absolutely required. . . . If in the future an attempt was made to destroy our nationality, what strength would not the French Canadians gather if they were firmly planted in the soil?

The giant Antæus of the fable used to draw a new supply of vitality whenever he touched the earth; the same result would happen with us." After referring to the peaceful rivalry which must exist between the different races in Canada, he added, "If the majestic maple tree is the king of our forest and is always to be found on the best soil, the French Canadians who place its emblematic leaf on their breasts must, like that tree, plant themselves in the best and most fertile land."

Property always inspired him with great respect. In his eyes it should be like a column in the state to prop up the constitution. It was his aim to place it as the first requisite for the right of suffrage, and as the basis of qualification for membership in the upper House. In 1853, the legislative council was made an elective body. It had been up to that year composed of crown nominees. Cartier made a strong plea in favour of property qualifications for the members of that House. "A man," he said, "who acquires property by his labour and energy will take better care of public moneys than one who has spent his time dabbling in politics. Besides all constitutions which draw the youth of a country away from acquiring property and from industry are dangerous. Rising generations must be taught to earn money at home before taking part in politics." These pleas in favour of the possession of land were uttered when France was still trembling under the violent diatribes of the famous and

powerful communist writer, Proudhon, who said that "Property was robbery."

In politics, as in love and in war, for some people, everything is fair against an opponent or a rival. According to this convenient but immoral principle of conduct, some of Cartier's foes were pleased to represent him as afflicted with anglomania, to the extent of aiming at the anglification of his countrymen. Nothing could have been further from the truth than this remark. He, for a certain time, overlooked it, thinking it was beneath contempt, but when one day it was hurled at him in the House, he resented it bitterly, and turning to the member who had dared to make this charge, he said: "The honourable gentleman has even stated that it was my object to anglicize my countrymen. Well, if he ever occupies my present seat I hope he will place upon the statute book measures as favourable to them as those of which I am proud of being the author. Does he not know what a long struggle I had to bear in order to obtain the construction through Lower Canada of the Grand Trunk Railway, which now affords to my countrymen new facilities to increase their wealth, adds value to their land and opens fresh fields to colonization? Have I not, in 1855, given normal schools to Lower Canada, and opened 3,000 new common schools? Have I not restored the Jesuits' property to its primitive destination—education? Have I not introduced the French laws in the Eastern Town-

ships? Did anyone think before me of consolidating the *Coutume de Paris* into a civil code, which places within easy reach both of the English and French population, the laws of our province? Is not the law dividing the province into a large number of judiciary districts extremely beneficial both to the lawyers and the people? Was not the Seigniorial Act which suppressed the *lods et ventes* dues a desirable measure?"

To face such charges as those brought against Cartier is the common lot of all public men in a community like ours. They are in turn, and at the same time, charged with being too French or too English, too friendly to the Catholics or to the Protestants. When a statesman has nothing but these conflicting charges to combat, one may be sure that he is governing according to the general interests of the country. Methods of criticizing and making opposition are numerous and varied, whilst there is but one way to govern.

Cartier's ideas on political economy as bearing on Canada were not fixed; he does not seem to have inclined markedly to either free trade or protection, but stood midway between the extremes of the two economic creeds. On this ground, and on this only, he was an opportunist. "The manufacturers often ask," he said, one day, "to be protected to the utmost. This is an absurd demand, as absurd as the claims of the free traders. If we were to comply with the demands of the latter we would

be compelled to pay to the government through direct taxation the same amount that protection would give in an indirect manner. With unlimited protection, you would strike a terrible blow at our foreign trade. We shall not go in for such a suicidal policy. The government has decided to impose duties which will bring into the exchequer the revenue required for public service and afford to our industries a reasonable protection."

Political economy, that uncertain science containing so many high sounding doctrines at variance with their results in cold experience; political economy which one hundred years after Adam Smith has not yet formulated any accepted law for the development of wealth, could not suit an absolute mind like Cartier's. It is not, therefore, to be wondered at that his ideas wavered between protection and free trade. In this only, did they show a tendency to oscillate. In other matters, he was absolute to an extreme; the principles of the British constitution, for example, as it has already been shown, were to him like dogmas. He never doubted for one moment that these institutions, in their *ensemble*, were the masterpiece of human ingenuity.

To quote Sir Wilfrid Laurier's opinion of Cartier: "What strikes one most in this complex nature, is that he takes hold of every question from the highest point of view. He has never been seen to shun any responsibility by appealing to popular

prejudices which always offer an easy retreat. In whatever situation he is placed he faces it boldly and nobly. It is curious to note here that however high and brave the conclusion he comes to, the grandeur of the subject never draws any inspiration from him. He always remains exclusively a man of action and a business man, without any bright thoughts or clever sentences. It is impossible to read his speeches, with their dullness of expression, without arriving at the conclusion that they come from a person whose political intelligence is of the highest order. Very few men have understood as well as he did the situation of the French race. Very few have had a clearer conception of the duties connected with that situation."

This firmness of conviction which characterized his views in politics followed him in the higher field of religion. Here he rose above the average men of his day and especially of his youth when rationalism had taken hold of not a few of his contemporaries. Voltaire, d'Alembert and Diderot were then much read and thought of in Lower Canada. Cartier never went out of his way to court the clergy, never made a show of his religious belief, but from boyhood, under family and afterwards school influence, he closely adhered to the tenets of that faith which seeks to elevate and offers cheering hopes beyond death.

Early influences often follow a man in after life, and explain, in many cases, his temperament and

general demeanour. It is noticeable in Cartier's career that the associations of his youth left their mark in his mind. The surroundings in which he was brought up were peculiar enough to impress him strongly. In those days, prior to the uprising of 1837, the country along the Richelieu river and in the more progressive parts of Lower Canada offered scenes of patriarchal life quite unknown anywhere else. It is still usual in the province to refer to that period as *le bon vieux temps* (the good old times). Then Lower Canada was a land of plenty, of cakes and honey, of constant merriment and enjoyment of the good things of life. If the *habitants* worked hard in summer from dawn until sunset, or, as one of them said to me in a poetical sentence, if he toiled *d'une étoile à l'autre*, that is, from the disappearance of the morning star to the rising of the evening star, his labours were amply rewarded at harvest time. He then saw his granaries full to overflowing of heavy sheaves and of all the products of the garden and farm. As soon as his rich crops lay secure in the barn, the bell would give the signal for feasts and amusement; and winter, the thoughts of whose hardships send a chill through foreigners, saw merry scenes. All Lower Canada was alive with a long succession of entertainments, dinners, parties and dances. The dinners—*fricots* as they were called—went the round of a parish, every guest at the first one given in the beginning of the winter being in duty

bound to return the compliment. And in the profusion of eatables they recalled the Rabelaisian feasts. The golden, roasted turkey kept company with the huge roast of pork, or *porc-frais à l'ail*, which the late chief justice of Quebec (Sir W. Johnston) looked upon as the masterpiece of the Canadian cuisine, and *ragoûts* of all descriptions loaded the table. It was the ambition of every housekeeper, who had a true sense of hospitality, to hide the table-cloth with all the delicacies which the country and her skill could supply. To that end every space between the plates and dishes was crowded with smaller plates, saucers filled with jellies, bon-bons, *crême brûlée*, and the like.

It was the writer's good luck to be present, in his younger days, at one of these repasts, and not since has he witnessed such joy, such open heartedness, and also such appetites. As the evening passed away in pleasure a demand for songs arose, and the local artists sang those which every one in the room knew to the last line. They were the rhymes called *chanson de ronde*, which the soldiers of the king of France sang through their campaigns from the east to the west of Canada, from the shores of Lake George to the banks of the Ohio, at Fort Duquesne and Ticonderoga. They are still familiar all over Quebec. The chorus of one of them lingers yet in my memory just as I heard it from the mouth of the singer, who after each stanza would turn to mine host and shout:

Bonhomme, bonhomme,
Tu n'es pas maitre dans ta maison
Quand nous y sommes.[1]

Such festivities were not confined to the limits of the parish. These Canadians of old would exchange amenities with all the villages along the Richelieu river, from St. Ours to Chambly. Many and many gay drives did this river see after having witnessed in earlier days the plodding of Montcalm's soldiers on their way to the glorious battlefield of Carillon. The Richelieu was in olden times the highway between New France and the English colonies; and the route was also followed by the invaders of 1775 and 1812. Fortunately the Lenten season came at last to put a stop to these agreeable but rather expensive pastimes. It is true that in order not to break off too suddenly from this pleasure-making there was still the gathering in the woods around the cauldron of boiling maple sap, which afforded another great source of amusement.

St. Antoine, Cartier's birth place, enjoyed great prosperity during the first half of the nineteenth century. Cartier stated in a speech at Quebec that his grandfather exported annually 500,000 bushels of wheat bought in that section of the country. He was a merchant, and the house in which he carried on his trade is still extant. It is well known about the country on account of its size, for it extends three

[1] "Old fellow, old fellow, you are not the lord of this house when we are here."

times the length of the other dwellings. It goes by the name of the *maison aux sept cheminées*, the house with seven chimneys. An explanation as to the necessity for such a large establishment affords details of some interest to persons not familiar with all the peculiarities of Lower Canada. One section of this long house was set apart for the family, another contained the storehouse and the remainder was intended to lodge *rentiers*. According to a long-standing custom, farmers or tradespeople who are growing old, enter into an agreement with a neighbour of some means in the parish, under which they give all their property to the latter in exchange for a life annuity (hence the title of *rentiers*). I have before me one of those *contrats de donation*, which enumerates all that the *rentier* is entitled to, from tobacco and snuff to an everlasting cow *(une vache qui ne meurt pas)*, and a merchantable hog *(un cochon marchand)*. These annuities cause trouble whenever the *rentier* succeeds in lingering beyond the day he is expected to die. The Cartiers seem to have made it a part of their business to enter upon these risks, to judge by the appointments of their house.

After reading the above sketchy description of the state of Lower Canada, the question naturally occurs: How can you account for the uprising of 1837, if the people were so happy in the "good old time?" The query is quite natural and must be answered. The troubles had an aristocratic, not

a popular origin. It was the best people of the country that rose in rebellion against the Château St. Louis: Papineau, Panet, Bédard, Bourdages and their friends, men of high culture, the real aristocracy, became exasperated in time at the contemptuous manner in which they were constantly treated. As to the *habitant*, he enjoyed religious liberty and exemption from taxation; he was satisfied with his lot and would not have moved if the red hot tirades of Papineau had not persuaded him that he had a grievance. Still this discontent was far from being general and deep-rooted, as the uprising confined to the region of Montreal has shown.

The surroundings in which Cartier's youth was spent, as already observed, had their influence on his mind, and contributed with the genial nature of his race to keep alive in his soul that high spirit which was so remarkable in his conduct all through life. Never was he found despondent; no situation, however dark, saw him without an outburst of wit or humour.

In social functions at home he was most entertaining. No guest ever left his house but happy and satisfied with his host. He was what the French call a *boute-en-train*, a person who will get out of every one the best that is in him. A lady musician —the wife of a Liberal senator—once told me that whenever she met Cartier at social functions, he would insist upon having her give a specimen of her talent, and if reluctant, he would end his

entreaties by saying: "Please play, not for my sake, but to show these English folks that if the French Canadians have not their talent for money-making, they are more artistically gifted. Do that for patriotism!" In Ottawa, his receptions at that very modest house at the corner of Maria and Metcalfe streets are still remembered by many. There, on Saturday evenings during the session, congregated members of parliament, journalists, civil servants, and not a few local artists, and, under the guidance of his cheerful spirit, the evening wore on merrily. One feature of these entertainments was unique, a sort of active representation of choruses as sung by the North-West *voyageurs*. Commandant Fortin, of the famous schooner *La Canadienne*, and Simpson, of Algoma, would set a row of a dozen chairs facing in the same direction. All those present, able to sing, would be seated on these chairs, and, taking the lead from Fortin, with his deep, full notes, would sing a voyageur's song. To give gusto to the performance, each improvised voyageur would swing his arms as though he were paddling a canoe, and this chorus would come again and again:

V'là le bon vent,
V'là le joli vent
Ma mie m'appelle,
V'là le bon vent,
V'là le joli vent
Ma mie m'attend!

How few now remain of the gay performers who welcomed the breeze that was bringing them to their

lady love *(ma mie)*! These entertainments offered a happy relaxation to Cartier, one of the most active of men; one who thought nothing of spending throughout the year fourteen hours a day in a field of labour much more exhausting than the one where eight hours is considered the limit of human strength. He valued time above all things, and anyone trespassing uselessly on it would become his enemy. In order to save it, he would assume with some visitors an air of *brusquerie* and bad humour quite discouraging to bores and place hunters. It was his habit to walk the streets of Montreal or Ottawa at a rapid gait, so that as few people as possible could waylay him to indulge in gossip or town talk.

I have made frequent references to his courage in the face of adverse circumstances, and in again referring to that great quality, it seems only right to refer to the characteristically bold stand which he felt compelled to take when a personal matter arose which, as is frequently the case, had a wider than individual interest.

After confederation, the imperial government distributed honours to reward those colonial statesmen who had taken a prominent part in the work of uniting the British North American provinces. The distinction of knighthood was conferred on John A. Macdonald, whilst Cartier, who had in 1858, while premier of Canada, initiated the union scheme, only received a C.B.

He at once notified Lord Monck that he could not accept the proffered honour, alleging as a motive for declining it, that, as the representative of the French in Canada, he could not consent to see them placed in a position inferior to that occupied by the other element of our population. The stand taken by Cartier, which was then generally approved, greatly embarrassed the colonial office, and a rather unpleasant correspondence ensued.

Edward Watkin, then president of the Grand Trunk Railway, a warm friend of Cartier and one who had taken a great interest in the confederation scheme, had also declined a C.B., because he thought an injustice had been done to the minister of militia. What complicated that delicate matter was the fact that such a refusal is disrespectful to the Crown, and therefore some way out of the trouble had to be looked for that would save appearances. The colonial secretary informed Lord Monck of the tangle and Cartier in turn explained it to Watkin in a letter dated, Ottawa, February 15th, 1868.

"With regard to my matter, would you imagine that the Duke of Buckingham has written a confidential note to Lord Monck, telling to this latter that there being no precedent for a resignation of the C.B., the only way to have my wishes carried out would be by the Queen directing by order in the Gazette my name to be struck out from the Order, which proceeding, the Duke adds, would be

construed by outsiders and the uninitiated as the outcome of misconduct. Lord Monck having communicated to me the substance of the Duke's communication, I have asked Lord Monck to obtain from the Duke leave to communicate to me the substance of his note in no confidential manner, in order that I may reply to it. I do not really think that the intention is to frighten me, in order to induce me to withdraw my letter asking leave to resign the C.B. That I will not do, and when the Duke's communication is under my eyes in no confidential manner, I will send such a reply that will make people understand the injury done to me, and the slight so absurdly offered to a million of good and loyal French Canadians. As a matter of course all that I say to you in this letter is strictly in confidence to you."

The matter was brought up in the Canadian House of Commons and during the debate general sympathy was expressed for Cartier, whose temper was still more aroused when he read in the *London Gazette* that the way out of the trouble which the Duke of Buckingham deprecated, had just been followed. So in great indignation he again wrote to Watkin:

"You very likely must have seen or heard of the notification published in the *London Gazette* at the end of the month of December last about the honours distributed in Canada in connection with the confederation. In that notification you must have seen that the names of myself and Galt

are omitted, and it was stated in that notification that it must be substituted for the one published on July 9th last, in which Galt's name and mine were inserted as C.B. Now you must recollect that some months ago I wrote you about a confidential communication of the Duke of Buckingham to Lord Monck, in order that it should be intimated to me and Galt, that there was no precedent of a resignation of the Order of the Bath, and that the only way left for the carrying out of Galt's wishes and mine would be by an order of Her Majesty ordering our names to be struck off the roll. The communication of the Duke having been made to me in a confidential manner, I had no opportunity to answer it. I had written to Lord Monck to ask the Duke's leave for communicating to me in no confidential manner the despatch of the Duke, in order to give me an opportunity to answer it. I never had any answer from Lord Monck to that request. To my great surprise, at the end of December last, I received from Lord Monck a note, accompanied by the copy of a despatch from the Duke, informing me that a mode had been found to meet my wishes and those of Galt, which consisted in the publication in the *London Gazette* of a notification omitting our names, and such notification to be substituted for the former one of July last.

"The reading of this last despatch more than astonished me, and my astonishment was greater when I saw by the *London Gazette* that it was

carried into effect by the notification above alluded to. I have had no more opportunity to answer the second despatch of the Duke than the first one, which was marked confidential. Allow me to add that the Duke expressed in his first communication that he did not like to suggest that my name should be struck off the roll, because an ungenerous construction now and hereafter might be made against me by those not acquainted with the fact. Now, by the course followed, as explained in his second despatch, I feel as badly treated as if the first course had been adopted. In one case my name would have been ordered to be struck off the roll, and by the second course followed, my name was ordered to be omitted in the second notification. There is not much difference between these two courses. I have written a letter to Lord Monck to complain of the second course followed, inasmuch as there being no reason assigned for the omission of my name in the second notification, a construction ungenerous to myself and my children after me could now and hereafter be made."

This matter might have been left where the *London Gazette* notice had placed it, but Sir Charles Tupper, who was then in London, interfered, and with great tact had it settled. It was owing to his timely intervention that justice was done and Cartier became a baronet of the United Kingdom. This squabble over a title would look very small were it not that it involved a question of

national feeling which raised it to more importance than it really deserved.[1]

[1] I insert here Sir Charles Tupper's letter, which has not before been published:

WESTMINSTER PALACE HOTEL, *March 31st, 1868.*

MY LORD DUKE:

Deeply impressed with the importance which attaches to everything calculated to strengthen the loyal devotion to the Crown which I am proud to know pervades every portion of the Dominion of Canada, and well knowing the warm interest which your Grace feels toward that portion of the empire, I venture to solicit an official interview for the purpose of communicating my views upon the desirability of submitting to Her Majesty the propriety of conferring upon the Hon. Mr. Cartier, the Minister of Militia, as high a mark of the royal favour as that bestowed upon Sir John A. Macdonald. Although I had the honour of proposing the latter gentleman as Chairman of the Conference of British North America delegates, held here in 1866, I think it but right to inform your Grace that but for the patriotic devotion of Mr. Cartier to the great project of confederation, and the courage with which, in the face of great difficulties and dangers he pursued that policy to the end, *the union could not have been accomplished.* I rejoice that it was the royal pleasure to confer deservedly a distinction so high upon Mr. Macdonald, but I regard it as a great misfortune that a million of Catholic Frenchmen, than whom Her Majesty has no subjects more loyally devoted to Her throne and person in any portion of Her empire, should feel that one of their own race and religion, whose standing was equally high in Canada, and whose claim to royal favour was as great, should not have been deemed worthy of the same gracious consideration. It is also right that I should say to your Grace that Mr. Cartier's acceptance of an inferior distinction would undoubtedly have destroyed the great influence which he wields among his countrymen, and impaired the power he is now able to exert so beneficially in the service of his Sovereign. I may also add that the liberty I have taken in bringing this matter under the notice of your Grace is inspired by no personal consideration, and is entirely without the knowledge of Mr. Cartier.

I have the honour to remain,

TO HIS GRACE THE DUKE OF BUCKINGHAM. Your Grace's most obedient servant, (Signed) CHARLES TUPPER.

In social intercourse Cartier always gave evidence of that sincerity and frankness which was one of the chief traits of his character. This he would show even at the risk of incurring personal displeasure. It was his frankness that once drew upon him the wrath of General Wolseley. Meeting Sir John A. Macdonald at dinner, I asked him if he could tell me why this officer had gone out of his way to signal out Cartier for adverse criticism from among all his colleagues. "For speaking his mind too openly," answered Sir John. "While I was at Washington, General Wolseley called upon Cartier to solicit the position of first lieutenant governor of Manitoba. My friend told him that this could not be done. By the way, the government had then decided to appoint Archibald to that important position. General Wolseley assumed from Cartier's answer that he disliked him, and hence his uncalled-for attack on the then minister of militia. But," added Sir John, "the general must have found out afterwards that, had Cartier and the government granted his request, they would have cut short his career. Returning to England after five years' absence he would have found himself a forgotten man, no more in touch with court influence, and would probably have been sent to some inferior command."

Cartier gave every one who saw him in parliament or in society the impression of being a quick and daring man, without any timidity. I was astonished when his nearest relative, now alive, and

another member of his family assured me last summer in Paris that he was the victim of a sort of uneasiness whenever he had to perform public duties. "He must have conquered that feeling afterwards," said I, "for he always looked to me as one full of assurance." "No," was the reply, "he fought against a native timidity all his life." If this be true the fact of the matter is that his very existence was but one long struggle, first against timidity, then against his natural defect, a rather disagreeable voice—a very bad English accent, and against the last but not the least, strong political opponents. No wonder that he broke down so early in life—no wonder that the blade wore out the scabbard so soon! He was not fifty-nine at his demise, and had spent twenty-five years in public life.

The session of 1872 marked Cartier's last appearance in parliament. It was a laborious session, and he had, as was his wont, taken a prominent part in its labours, conducting the debate on the Canadian Pacific Railway bill and the New Brunswick school question. Shortly after prorogation, his health, which had never given him anxiety, seemed suddenly to break down, and when he arrived in Montreal to seek re-election, he was a very sick, nay, more than that, a dying man. His great energy would keep him up on his feet a few hours a day. It is a fact that on July 21st he left his bed to be present at the nomination of candidates for Montreal East, and that all through the

campaign the fatal disease told on him more and more. Would to heaven that he had not faced the howling mob who at several meetings, forgetting that he had turned the tide of prosperity towards the commercial metropolis of Canada, hooted their old idol, and pelted him with stones and missiles! He would have been spared an ugly sight which added humiliation to his defeat.

It has often been the lot of successful politicians during the greater part of their career, to witness the tide of popular favour receding from them at its close. Cartier experienced the bitterness of such a situation with a pang which his illness, in its depressing effect, prevented him from concealing, although he did his best to put on a brave face. But when received at Ottawa with almost royal honours, he recalled the circumstances which induced Baldwin and La Fontaine to retire from politics, on account of the ingratitude of persons whom they had so long served, it was his own case he had in mind. He left Canada in September, 1872, never to return alive. Science did nothing for the man who had not known rest and was to know it only in death. He died in London on May 23rd, having had time to prepare for the great voyage and to ponder over the want of satisfaction which a life of agitation affords. Well might he have said like the great man of ancient times: "I have had everything that my country could give and it is worth nothing!"

HIS HONOURED MEMORY

After his death his fellow-countrymen duly appreciated his labours and recognized his sterling merit. Still not a square, not a street of Montreal bears his name. It might have been expected that before thirty years had elapsed, his friends would have gathered up the stones which were hurled at him one day, to form the pedestal of a monument recalling his public services and his devotion to his country. Perhaps, after all, they have thought that the best way in which to honour the memory of a man whose soul had the ring of pure metal, whose valuable actions appear in the lasting pages of history, is to follow in his footsteps and emulate his example.

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