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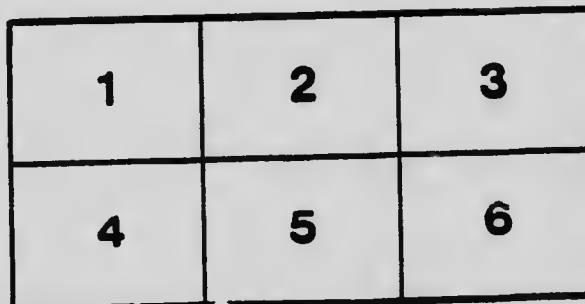
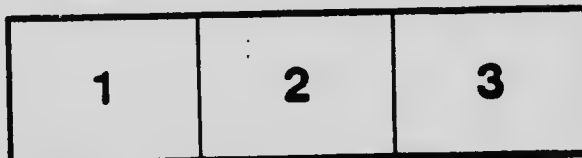
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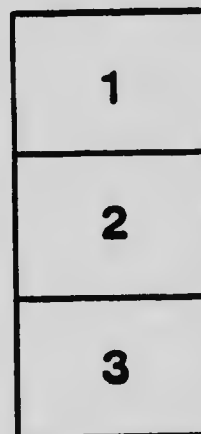
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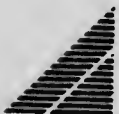
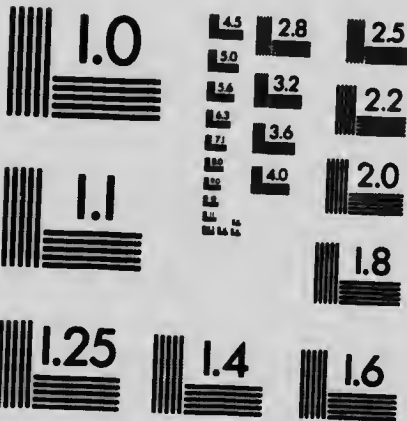
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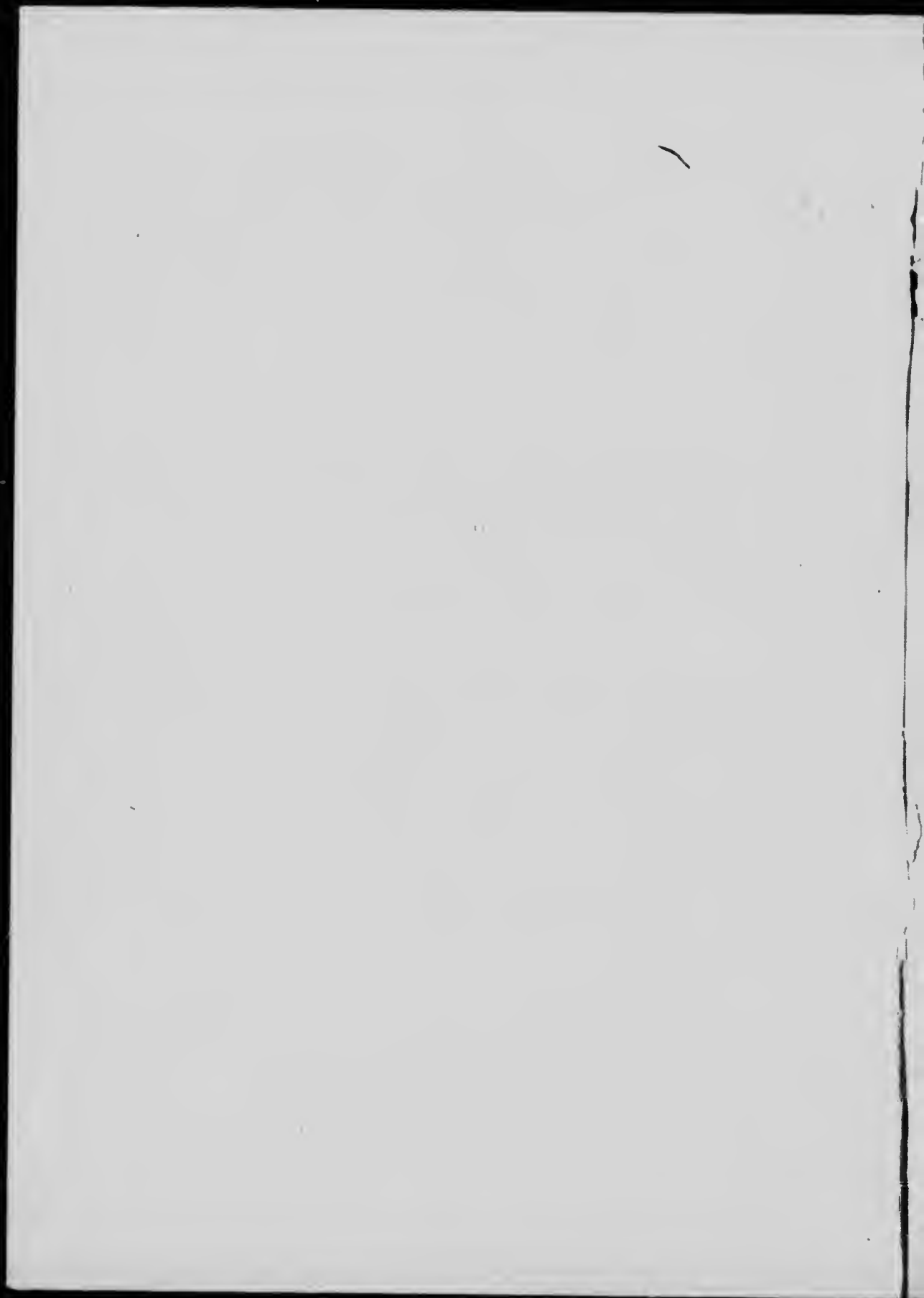


Political History of Canada.



BY THE
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Political History of Canada.

CHAPTER I.

FIRST OF THE ENGLISH IN CANADA—(1763-75.)

After the formal cession by France of Canada to England in 1763, quite a number of the French sailed for France, principally those connected with the regular army, and members of the French bureaucracy.

Gen. Murray was named by the English as commandant at Quebec. Gen. Gage, at Montreal, and Col. Burton at Three Rivers. Gen. Amherst was made Governor-General.

Murray established martial law. He formed a council of seven army officers to decide on the most important civil and criminal causes. Other affairs were abandoned to the jurisdiction of lesser commanding officers in the country districts. The military rule was needed to pacify thoroughly the country. Otherwise the French had the rights of British citizens, and their legal institutions were respected, according to agreement by treaty. They refused to appeal, however, in the courts established by Murray, preferring to settle their disputes before the courts of their own seigneurs, or by arbitrament of the clergy. By this means the influence of the clergy was extended. From this time forward the English found that the political influence of the clergy was a formidable antagonist.

When Murray was named as Governor-General in place of Sir Jeffrey Amherst in 1763, it was provided (Sept. 17, 1764) that, in the Superior Court "Her Majesty's Chief Justice presides with power and authority to determine all criminal and civil cases agreeable to the laws of England, and the ordinances of this province." Murray formed a new council, from English material, to exercise all le-

gislative, judiciary and executive functions.

These powers of government were now bent to combat the privileges of the Seigneurs and the influence of the Catholic clergy, simply because these two bodies held together the French people, so that they were beyond the control of the British.

The chief points of attack of the English party, were the feudal systems and the Catholic religion. The English politicians disgusted the English Governor-General Murray himself, who, in the despatches to the British ministers describes them in this manner: "The established government (British rule in Quebec) has chosen its magistrate and juries from among 450 shop-keepers, artisans and petty farmers, who are contemptible from their station and ignorance. There is no reason to suppose that they will be able to resist the effect of their own importance in power. They hate the Canadian nobility because of their birth and demand for respect: they detest the other inhabitants because they see them beyond the oppression they would like to impose."

This political party of the English, by possession of all the offices, formed a bureaucracy. They saw that the only chance of preserving the offices which they held, was to keep the French out. Artizing from "shop-keepers, artisans and petty farmers"; from a class without sentiment or tradition, and being without independent estates, they were prepared to lick the hand that buttered their bread, and this hand belonged to any political plan they might hatch into life, for the conversion of the power and wealth of the country into their own hands. An antagonism to the French and self-support went together. The scheme according to them formed

This third power, the English Bureaucracy, therefore, hastened to put itself in communication with the British ministers—the source of colonial appointment—in order to make a permanency of its pretensions. But Murray was neither so stupid nor so vulgarly arrogant as the general English official. He had a sympathy for the Canadian. He published an edict deciding that, in regard to family succession and the tenure of lands, the laws and usages of the French should operate, according to the treaty. This was a great blow to the bureaucracy.

Murray hastily but truly described the material from which the early British government in Canada was forced to choose the officers. "From a cloud of adventurers, intriguers, valets and domestiques who followed in the train of the English troops." The chief judge knew not the French language, had formerly been an inmate of the Dartmouth prison in England, and Murray was obliged to dismiss him for incapacity and send him back. These people, elevated at the expense of the French, put on the airs of a court nobility and were as despicable as their pretensions were great. In spite of having all the offices, they were not satisfied. They demanded a representative government, in which they, themselves alone, were to be eligible to office, and the only electors. According to the law in England, which did not allow Catholics to vote, they believed the people of Canada to be likewise dispossessed of all voice in governmental affairs.

Gov. Murray refused to be a party to this intrigue in the matter. It was their first move against one of the strongholds of the church, because the bulk of the French population was Catholic. On Murray's refusal to countenance them, the bureaucracy turned against him. They thought by having a representative government to be independent both of the Crown and of the French. They sent petitions to the ministers for Murray's recall. They excited some of the London merchants to present a request to the Bureau of Commerce against the administration and in favor of instituting an elective chamber in the colony.

Murray passed over to England in 1766. When he laid before the ministers the facts of the case. He showed that it would be impossible to exclude Catholics from government, since there were but 500 Protestants to 69,275 Catholics. The Royal Privy Council declared that the

complaints against Murray were malicious.

The bureaucracy, successful in procuring Murray's removal, pressed their attack on the church further. The most ardent wished to apply English laws against the papists. An English university, not knowing the purpose of the bureaucracy to be selfish, but supposing that it was for the conversion of the French from the papal religion, suggested the following method of procedure: "Never speak against papists in public, but in private undermine their doctrine. Engage the young to marry Protestants. Do not dispute with the clergy and watch the Jesuits and Sulpicians. Do not actually extort the act of allegiance. Reduce the bishop to indigence. Foment division between him and the clergy. Exclude Europeans from the episcopate as well as inhabitants of the country who have merit. . . . Render the religion ceremonies ridiculous, that are intended to enhance the mind."

It was proposed by the chaplain of the garrison, who acted as Protestant minister at Quebec, to take possession of the Catholic bishopric with all the dependent property. The Lords of the Treasury wrote Receiver-General Mills that, the lands of the Jesuits had passed to the Crown, but that the Jesuits might be allowed a small annual pension therefrom. A representative government was demanded to exclude Catholics. This latter measure, if carried, would have made the bureaucracy indeed an independent and absolute oligarchy.

At this time, in 1766, on account of the passage of an act by the British Parliament to affix an internal revenue tax on the American colonies, a relief was offered the French in Canada, so that they might be withheld from joining the opposition which the southern colonies began to raise against the exaction of the British Parliament. An ordinance was passed in England, notwithstanding the protests of the bureaucracy, to allow Canadians to act on juries and as attorneys and advocates.

In 1766 Messrs. Grey and Yorke, Commissioners for the Crown, presented their report to parliament. They attributed disorder in Canada (1) to administration under the bureaucracy without concurrence of the inhabitants, (2) to alarm caused by the proclamation of 1763, which made the inhabitants believe that the ancient laws and classes of the country were to be withdrawn. They ap-

proved the judiciary system prepared by the Lords, which allowed for the division of the province into three districts, the establishment of a court of chancery consisting of the Governor and Council, acting also as a court of appeal, and the setting up of a superior court formed by a judge in chief, assisted by three inferior judges, each having a knowledge of the French language and of the laws of the country. This proposition of the commissioners and lords, however, did not become law.

Jen. Carleton was appointed governor in 1768. In 1770 he returned to London with the Seigneur de Lotbiniere to be heard on Canadian affairs. Merriott, Thurlow and Wedderburn were at this time in England at the head of the judiciary. Merriott, after considering the report brought before him, thought that a representative form of government for the French in Canada was premature. He believed in a council chosen by the Crown from among Protestants. If it was necessary to permit the Catholic religion, the connection with Rome ought to be abolished, and a Catholic bishop was not needed. He proposed the expulsion of the Jesuits, and that all religious communities be abolished after the death of their present members. He suggested that the youth of Canada be instructed without regard to religious creeds. It must be understood that Merriott did not attack the papist belief because he was a bigoted Protestant, but because, as a lawyer, he believed that it teaches unethical doctrine: First, that "No faith shall be kept with heretics"; secondly, because it denationalizes a people by causing them to give allegiance, not to their native rulers, but to the Pope; thirdly, because it destroys that fraternity which sought to exist among every people of the same blood and degree of intelligence, outweighing the folly of priestcraft and creeds; fourthly, and especially in this case, for it comes as a corollary of the last, it hindered the cultivated French from a participation in British affairs, through the yoke imposed on them by the jealousy and hatred of the priesthood for Protestants.

A religious bigot, Protestant or Catholic, is not ethical. He is without generosity and veracity. A people that is subservient to any kind of clergy is liable to become bigotted. The clergy of any belief form a profession whose livelihood is in the pockets of their congregation. It is for their own interest to swell their

congregation by every artifice that can be invented. It is also for this interest to obtain as complete sway over the minds of the believers. To do the one, they resort to promises and the claim of ability in miracle working; to do the other, they involve the terrors of death and after torment until they arouse themselves and their hearers into a frenzy of fanaticism over certain points that partakes of the wildness of delirium. As Merriott thought, the Catholic church had the greatest control of this sort over the people; it was the Catholic church that he would strike at first.

Lord Thurlow followed Merriott in suggesting that the French people in Canada be permitted all the civil and religious customs which they had had under their former government.

Wedderburn went further and suggested that the Catholic church in Canada be permitted to retain every control not incompatible with the King's sovereignty and the colony's political arrangement.

Encouraged by the best members of the Home Government, the Seigniorial Order held an assembly in 1773, and petitioned the King for the re-establishment of their ancient rights and privileges. The language of the Seigneurs in their petition was replete with respect for the royalty of Britain. At the same time the bureaucracy protested against having these rights and privileges restored, because it would deprive (themselves) the English of their hold on the colony.

Now, to understand who were the Seigneurs, as forming the right wing of the French party, it is necessary to revert to their origin. There were twenty-nine lordships, or seigneuries, granted by Richelieu from 1626 to 1683. The first noble fief was bestowed on Louis Hebert, Sieur de Espinay, in 1626, by the Duc de Ventadour. Cape Tourmente had been erected into a barony and conferred on Guillaume de Caen and his heirs, but was not registered until after the Seigneurs were enrolled in an order and took investiture at the Castle of St. Louis at Quebec. They were incorporated by the King Louis XIV in Canada and in Louisiana. In 1669, seigneuries were granted to all the officers of the Carignan Regiment settled in Canada. They were mostly from the military nobility of France. The common soldiers received from their officers land on which to settle with their families. This regiment, with that of the Royal Rousillon in Canada, contained the veterans of Tu-

renne. The land that each seigneur received was erected into a hereditary lordship under some name. It became a little kingdom where the family of the seigneur lived, honored and respected, consulted and obeyed by the tenants in war and in peace. The seigneurs were independent because of their position, and were able to be just without fear. They obtained the sympathy of the higher officers of the British army and of the aristocracy of England. They felt, after they had sounded the troubled sea of Canadian politics, that with their friends among the Barons of England, they might secure a cable with which to ride out the storm. As before stated, the seigneurie was hereditary in the family of the grantee, who held it from the King. He was the civil magistrate and the military leader within the limits of his fief. His heir succeeded to the seigneurie without paying a due to the King, provided he was in direct succession. If he was a collateral, he paid to the King, on his accession, the amount of one year's rent. The seigneur might sell his seigneurie on consent of the King and the natural heir, but in this event one-fifth of the value of the seigneurie went to the King. The name of the Seigneurie could be attached to the name of the possessor only by consent of the King, and such consent was in itself an anoblissement. After having been once attached to the name of the possessor by royal permission it remained a part of the family name, even after the seigneurie, so far as the property was concerned, but the matter of consent for the higher attributes of seignorial distinction was vested in the King, so that none should enter that order by this means who were not qualified by birth distinction and personal character. After 1711 no new seigneuries were created with seignorial courts. After that date, magistracy was transferred to civil service officers, distinct from the order of seigneurs, and who occupied in French Canadian affairs the same relative station as that filled by the subsequent English bureaucracy.

This Seignorial Order was to be attacked by the English bureaucracy and made a companion target with the Catholic church. But the bureaucracy could not compete in England with the just representations of the seigneurs. At this time they were saying that, as Protestant English they were necessarily loyal, when (1775) to the South, the English

American colonies, also Protestant, were arming against England. The fact that they were English by the light of the same day, did not prove that they could be depended on,—for the Americans were also English, and were now in a state of rebellion.

The British Government in 1774, by the Act of Quebec, restored to the Seigneurs their privileges and to the Catholic French their rights as British citizens in spite of the protests of the bureaucracy. That body in May, 1775, by the hand of the agent in London, presented a bill to the House of Lords to have the Act of Quebec of the previous year annulled. At the same time the rebellious American colonists, in congress assembled, concurred with this bureaucracy in the promulgation of this grief against England, by placing this same Act of Quebec among them. They declared that the British Government had overthrown the English laws of Canada and recognized the Catholic religion. "We are not able," said they, "to conceal our astonishment, when a British Parliament has consented to give legal existence to a religion that has inundated England with blood, and has extended hypocrisy, persecution, murder and revolt throughout the world." This American congress prepared three addresses: One to the King, another to their fellow colonists, and a third to the Canadians. In their address to the King they sought to convince him of their loyalty and to urge him against the Catholics of Canada. In that to their own people, they endeavored to withdraw them as far as possible from a favorable consideration of loyalty to the Crown and influence them to support congress. In that to the Canadians they expressed the most friendly sentiments towards the Catholics. They showed them the advantages of a free constitution. They invited them to join the other colonies to defend their "common rights, and send delegates to the new congress." "Dare to be free!" they wrote. "We recognize the generous sentiments which distinguish your nation, and do not believe that difference of religion will turn you from our friendship and alliance. You are not ignorant that it is the nature of Liberty to lift above every weakness those whom it unites in a common cause. The Swiss cantons furnish a memorable proof of this truth. They are composed of Catholics and Protestants and they enjoy a perfect peace. Thanks to the concord which constitutes and

maintains their liberty, they are able to defy and even to destroy every tyrant who would wrench it from them."

In 1774, Gen. Sir Guy Carleton returned to Canada to inaugurate the Act of Quebec. He chose a legislative council of 23 members, 8 of whom were Catholics and seigneurs. Several other Catholics were appointed to public offices. The former English bureaucracy dissolved into their anterior petty condition, or retired on the revenue which they had gained, seeing themselves ousted by the triumph of the seigneurs, turned towards their brethren of the American congress.

Acting under this secret encouragement the insurgent Americans advanced in 1775, and surprised the British post at Ticonderoga. They hastened across the border towards Montreal and captured Fort St. John, which had but a feeble garrison. The Baron de Longueuil assembled 25 French loyalists and retook it from the Americans and drove them out.

The American congress assembled and addressed another letter to the Canadians explaining that the taking of Ticonderoga and Cape Point were parts of a defensive system and did not mean any menace to them. The French were invited to join the colonists in arms, on account of the grievances they had suffered. But the Seigneurial Order were loyal to a man. They stood firmly by the Crown and royalist principles, although the English in Canada itself, composed mostly of adventurers and the commercial classes were either openly or secretly encouraging the rebellious Americans who recruited a regiment of English Canadian refugees with here and there a French malcontent. The lower classes among the French Canadians were also, if anything, inclined to aid the Americans, and on several occasions when the seigneurs summoned their tenants to arm for the crown, they were met by curses and in some cases, with threats and violence. At this time it was the Seigneurial Order that held Canada for the Crown, without which brave and loyal efforts the country would have entered into the league against the Empire, or else have been the passive battle ground between the American invaders and the European troops of England.

CHAPTER II.

THE CANADIAN BORDER DURING THE AMERICAN REVOLUTION. (1776-83.)

During the epoch 1776-83 politics had to be dropped out of sight behind more tragic happenings. Yet while the grander events of life and death fixed every attention, but that of a few, to the fields of strife, the few began a political muster in Canada, as well as in the United States. That class of people who gain of livelihood by supplying had beef, wormy biscuit and shoddy blankets to an army in the place of good, commenced to amass wealth on both sides of the line and ally themselves, for mutual profit to those government officials who had the giving of contracts. The rogues of every civilization attempt to do this at all times, but in war time most of all when examination is not critical. They come to the front easier in those countries that are controlled by elected and irresponsible politicians, who find themselves a monied interest in the same investment.

Although there are complaints in the published French and English correspondence of that date, in regard to this, they are of small account to the utterance of Gen. Washington in his letter to Gen. Lee on the other side of the line. For on that side there was no royal power—even though far distant—to hold in check the irresponsible demagogues of the American Congress, who more than once brought despair to the mind of Washington and his followers.

During the war of 1776-83 the major part of the French in Canada were indifferent to either party in the struggle. The English in Canada were friendly to the Americans and furnished them with the cadres of two regiments. The seigneurs, however, recognized that Canada must remain a royal province, or there would be a ruin of those institutions founded by the royalty of France and which it was their pride and interest to maintain. They of all parties in Canada were loyal to the Crown. But then, they were the nobility and loyalty is one of its attributes.

In the beginning of the war English fleets blockaded American ports and English armies, assisted by loyalist levees held many places on the coast.

After the battle of Bunker's Hill, June 17, 1775, a plan was projected by the

Americans for the invasion of Canada. It was thought that invasion would relieve the pressure of British troops on the American coast towns by causing the troops to be sent to Quebec and Montreal. It was believed that the French in Canada could be won over to abandon the English and join with the Americans.

Gen. Philip Schuyler, of New York was named by Congress commander of the Army of the North. He was to menace Montreal by advancing by Lake Champlain. This action, it was believed, would draw the British, under General Carleton, from Quebec to defend the frontier, and, while Carleton was absent from Quebec another American force, under Gen. Richard Montgomery, was to advance on that city and to be reinforced by two other bodies of troops, one under Col. Arnold, marching through the woods of Maine, northward, and another under Col. St. Clair coming from Pennsylvania.

On his appearance before Fort St. John, in Canada, Schuyler addressed a proclamation to the French, stating that he was acting only against the supporters of George III and that the property, liberty and religion of non-combatants would be respected.

The French inhabitants of Lower Canada, except the seigneurs who were decided royalists, took no notice of Schuyler and remained neutral. The English people of Upper Canada had a leaning towards the revolutionists, and many of them had opened a secret and treasonable correspondence with the Committee of Public Safety of New York.

The American advance had really nothing to oppose it. No armed force appearing, Montgomery entered Montreal and passed onward. The citizens of Trois-Rivieres sent a deputation to him to know his intentions. He replied that he would not cause disquietude to the inhabitants, or injury to their property; that he came not as a destroyer, but to preserve the liberties of the Canadians. The city opened its gates to him and allowed him to enter. He descended the St. Lawrence and joined Arnold, who had appeared at Point Aux Trembles.

Washington had given instruction for this invasion, that the tranquillity of the French-Canadians should not be disturbed or their prejudices wounded; that whatever was taken, as provisions, should be paid for liberally, and that soldiers who committed wrong on the inhabitants

should be punished.

Gen. Carleton was piloted down the St. Lawrence, secretly, by Capt. Bouchette, in an open boat, past the watchfires of the Americans which were flaming on either bank. November 22nd, 1775, he ordered the French and English militia to assemble in Quebec, and commanded those who would not bear arms to leave the city. A number of English shop-keepers and artisans, with Adam Limburner at their head, retired into the Isle of Orleans and other places, to await the issue and then to cry "Long live the King," or "Long live Congress," whichever way it went.

Had the French in a body, instead of remaining neutral, joined the seigneurs who were active for the Crown, the Americans would have had a Chateaugay in the beginning to deal with instead of waiting for the war of 1812-15. As it was, Montgomery and Arnold were besieging Quebec with 1,400 men. The population of Quebec was 5,000. The garrison, militia and regulars amounted to 1,800. But the population could not be depended on, so antagonistic were they to the English, and the militia mostly shared the feelings of the population. The place, however, was well provided with cannon and mortar. These together, with the magnificent fortifications rendered the task of Montgomery almost hopeless. He had no great artillery and had to depend either on siege or assault. His men, poorly clad for the climate of Canada, were beginning to fall away before the inroads of disease. Besides, the factious and unprincipled Arnold commenced to quarrel with the other officers and created dissensions and anarchy, where there should have been order and subordination.

Montgomery, in the meantime, by his moderation, liberality and frankness with the Canadians of Montreal and Trois-Rivieres, showed that he possessed the qualities of a statesman, as well as those of a soldier, for he won many over to his cause. But he was aware that his position was an anomalous one so long as Quebec remained uncaptured. On the 31st Dec., 1775, therefore, Montgomery, with scarcely 1,300 men, at 2 o'clock in the morning, advanced to the assault of the city. Col. Livingston, with a band of Canadians who had joined the Americans, made an assault on the St. John's gate, which the vigilance of the Seigneur Le Compte du Pre saved from capture. Maj. Brown, with another party, moved

against the citadel.

While Carleton's garrison were engaged with these, Col. Arnold was sent with 450 men to storm the batteries of Sault-au-Matelot. Montgomery, at the head of the fourth and principal column, gave word for a general advance so soon as all the divisions had arrived at their stations, which was at 4 o'clock in the morning. Montgomery's men carried the first barrier of Pres de Ville at the point of the bayonet, but were arrested at the second by a terrible discharge from a masked battery of seven guns. Here Montgomery fell, mortally wounded. Col. Campbell, who succeeded him, ordered a retreat, which ended in a panic and flight.

Arnold, on his side of attack, was wounded. He was succeeded by Morgan, a Canadian, who commanded a charge, and the batteries on that side were captured with the loss of but one man. But Morgan's men, unsupported, were quickly surrounded, and those who were not taken, owed their liberty to the celerity of their withdrawal from the city.

By the death of Montgomery, Arnold became the chief officer of the Americans. He sent a message to Congress demanding re-inforcements. About this time Congress sent a commission to the Canadians, composed of Dr. Franklin and Rev. John Carroll.

This commission arrived in Montreal April 29, 1776. The Canadians recalled the fact that Franklin, now beseeching them for an alliance, was the same Franklin who had been sent to England, a few years before, to petition England against them then. Carroll, although a Catholic, had no better success with them than Franklin, even though they both pledged the "sacred honor (?) of the United States, that the treaty of Paris of 1763 should be the constitution of Canada in the United States alliance."

The French Canadians replied that on account of the contradictions in the previous addresses of the American Congress, they could put no faith in "American honor," and, moreover, that the British monarchy, which was a "responsible government," had guaranteed the treaty, by the Quebec Act of 1774.

A little later than this, reinforcements of British troops arrived at Quebec. The Americans were driven west to Montreal and finally were pushed out of Canada, their retreat being covered by a division from Washington's army, com-

manded by Gen. Sullivan, who had advanced as far north as Fort St. John.

Because the Seigneur Le Comte du Pre had so ably frustrated the Americans at St. John's gate before Quebec, they, from revenge, burned the chateau and ravaged his estates, which were outside the city walls. To illustrate the noble character and devotedness of this seigneur, it may be said that at the close of hostilities, Gen. Carleton urged Le Comte du Pre to send in his bill to the government for indemnity for his losses. "General," replied the gallant seigneur, "I have no bill to present. What I have suffered in loss of property, I give it as a proof of my loyalty to the Crown."

In the meantime the British government had made arrangements with Brunswick, Hesse and other German states to send troops to Canada. The Iroquois Indians were subsidized "to join the tomahawk and scalping knife to the sword and rifle of King George III." Ten battalions of English troops were united with these and all were placed under command of Gen. Burgoyne.

The English advanced and gained possession of the entire Lake Champlain district, and the Americans were driven southward.

At the beginning of 1777, the exchequer of warfare was thus represented: The English had been driven from Boston in the north and Charleston in the south. Between these points Lord Howe's English army was entered as a wedge, and had carried victory on its course, not only beyond the Delaware into Philadelphia, but seizing New York, it extended a line of fortified camps up the Hudson. To the north of this was Burgoyne's well-equipped corps, already in possession of the Lake Champlain district. The valley of the Hudson, with Clinton and Howe in command of its southern position and the plains of Champlain in possession of Burgoyne, formed one continuous water-communication, broken only by a few miles of shallow and turbid streams and hilly land. It was a natural suggestion to the military mind, that, the easiest way to conquer the colonies would be by detaching sections of them, one by one, from the support of the others, and crush them in detail. If Burgoyne marched south along the Hudson and Clinton north by the same river, their junction would cut New England off from the aid of the other colonies in arms. Gen. Howe, at

Philadelphia, turned towards the south, would keep off Washington's army, which had been compelled to retreat into the interior.

In the meantime, the friends of America in Britain compelled the government to offer an accommodation to the insurgents. But there were too many resentments in the colonies to be overcome. The best of the colonists were hopeful for some settlement, provided that it might be accomplished with dignity to themselves. But the democracy, whose members predominated in Congress, drunk with power, which their excited conception was unable to appreciate, except for their own advancement, urged on their efforts the more to excite popular opposition to the British connection, now that Britain was making overtures.

This political syndicate of America ordered the publication of Tom Paine's miserable invective in book-form, termed "Common Sense." It was certainly the commonest and meanest kind of sense that could be expected from a drunken politician, abounding in tirades against royalty and aristocracy, and appealing to the same base passions that fully illustrated themselves in the French "Reign of Terror." After this treatise had operated on the common mind Congress issued the Declaration of Independence.

This declaration is the most confusing admixture of dignity and impudence, of wisdom and folly, of grandeur and meanness that could be expected only from the diversity of parties, that became equal in its conception, and that in this equality, united to bring it forth. It contained within itself elements which could never be fused into a homogeneity, and it only required a term of peace for the parties that had engendered it to contemplate their work, when they were ready to tear each other to pieces in civil strife.

The cry of their declaration was for liberty. At the same time, demagogues inserted the stumbling word: equality. Now, any arrangement which makes men outwardly equal, destroys the liberty of some and grants to others privileges they only abuse.

The assertion that "All men are created equal" was either a perversion or a misunderstanding of the Roman phrase, "Omnes Homines aequales sunt," as written by the Roman jurisconsults. In the Roman Republic, which was never a democracy, but was first a monarchy, then a commonwealth with an hereditary

aristocracy holding the chief political power, and finally an empire, the Roman citizens had certain privileges which foreign subjects of Rome did not enjoy. There was created a court and a code of laws called "Leger gentium," for causes between Roman citizens and other subjects, where in each man appeared free and equal. That is, in that court, expressly created, the Roman enjoyed no more privileges than the provincial. This was how and why "All men were created equal," — by law and for legal purposes only.

French and American writers on democracy, and ignorant demagogues of all countries, would extend the meaning of this equality to social affairs and political privileges as well, when liberty demands otherwise for the sake of the development of talent and the preservation of merit. Justice demands equality only in the legal sense. This equality has been the stumbling block of modern civilization. Many a "ship of state" may yet be destined to be wrecked on this perverted meaning thrown in the channel of its progress.

So soon as these affairs of contention between England and her colonies were known in France, it became the desire of the Duc de Choiseul, Prime Minister there, to assist the American colonists in order to enfeeble the power of England by depriving her of her dependencies and to set up the heir of the Stuarts in America. Count de Vergennes, another French noble, wished to profit by this occasion to reconquer Canada and Cape Breton. The Duc de Levis offered his services. It was thought that 10,000 French troops, landed in Canada, provided with 20,000 stand of arms, to arm the French Canadians, would be sufficient output to wrest Canada from Britain. The Count d'Estang, French admiral, sounded the depths of the French in Canada by addressing a letter to them in 1778. But they refused to come out of their neutrality; first because they were suspicious of the designs of the Americans, and, secondly, because their leaders felt that the British crown could insure their rights better than a nation that had abandoned them so easily before.

While this was happening Burgoyne was forcing his way southward along the Hudson. He captured Ticonderoga July 6, 1777, after a resistance of the garrison that resulted in some loss.

Gen. Schuyler, who commanded the main body of the Americans, fell back on

Stillwater on the Hudson in New York and there his army erected intrenchments.

Burgoyne sent Baum to Bennington and backed him by Col. Breymann with a strong reserve. But he was met by Gen. Stark, a former British officer untrue to his allegiance, commanding New Hampshire troops. Stark repulsed Baum, and coming up with Breymann, turned his forces into flight also, and captured all his artillery and two battle-flags.

Col. St. Leger advancing by Burgoyne to communicate with Clinton, whose camp was on the Hudson above the city of New York, was repulsed at Fort Schuyler, near Oriskane. The news of these disasters showed Burgoyne that he was hemmed in on every side, and after a three days' fight at Saratoga, in an ineffectual attempt to force the American lines, he was compelled to surrender his entire army of 5000 men to Gen. Gates, the American general who commanded 25,000.

This battle closed the scene of hostilities of the war of 1776-83 which threatened the Canadian border.

CHAPTER III.

PART I.

PRELIMINARIES TO THE FIRST ENGLISH CONSTITUTION (1791)

The war of 1776 had prevented the assembling of the Legislative Council at Quebec, but it was convened by Governor Carleton the next year. The English members were entirely from the trading classes, which at that time were the only ones of that nation in Canada, while the French members were mostly of the Seigniorial Order.

In 1778 Carleton was replaced in the governorship by Gen. Haldimand, a Swiss mercenary in the service of England. It was the intention of the Crown to have a military government in the colonies, and the English Canadian politicians had one more enemy in Haldimand. But Haldimand was also at logger-heads with the French, so that he stood alone in the colony. The arrests which he caused to be made founded only on a suspicion of sympathy with the hellgranted Americans, aroused a cry of indignation which pene-

trated to London. The jealous democracy of England feared that, if military rule was set up in one part of the Empire it could be established in every other.

Endouraged by the English attitude, Allsopp, one of the bureaucracy in Canada, demanded the introduction of English law, with a court of appeal. This demand, if conceded, would have dispossessed at the same time the military authority and the French party. It would have left the country at the disposal of the few English settlers who had come to Canada solely for pecuniary advancement.

Gen. Haldimand, while governor, exercised the greatest vigor in endeavoring to distress those who did not believe with him. His aim was directed especially against those who had property to be taken as fines for the enrichment of the revenue of English offices.

At this time also, Sept. 3, 1783, there was signed at Paris that treaty in which Great Britain recognized each colony of the American Confederacy as a sovereign and independent state. By this treaty, on account of the stupidity of the English Commissioner, the United States government was allowed possession of land it had never before claimed, on which none of its citizens had established themselves, and to which no charter, or discovery had given them the right of claiming. This land, near the Mississippi River, a rich and extensive territory, full of useful and precious metals, broad prairies and roaming herds, was untenanted save by Indian tribes. In addition to this all the other territory up to the Great Lakes, including the city of Detroit, was conceded.

At the conclusion of this war, which established democratic rule in the United States, more than 35,000 of the best born and most intelligent, the flower of the American people, who had remained true to their allegiance to the Crown, and in affection with a royal form of government, issued from the United States by sea and land and settled in Canada. Several thousand besides these went to the Bahama Islands and some in St. John, New Brunswick, then known returned to their ancestral homes in England.

Before that time, the sites of the principal cities of the Maritime Provinces had been covered by the cots of fishermen and other rude inhabitants. Such cities owed their succeeding importance to the settlement of the loyalists of 1783. as Parr's Town, they found that the

fishermen had set nets over the best land claimed in "Squatter Sovereignty," as it is called in the South of the United States in derision of the "Poor white trash" who have no better means of acquiring an estate. These "Squatter" claims were set aside by Gen. Haldimand as untenable and the land was divided among the loyalists as part indemnity for what they had lost in the United States. The western part of Nova Scotia was made into the province of New Brunswick at their request in 1784.

In 1785 Gen. Haldimand was recalled, principally from the representations of Du Calvet, of Quebec, who had gone to London for that purpose. The year before Du Calvet had published a book which drew attention to affairs in Canada. In this book, in regard to the government of Canada, were the following suggestions:

1. Preservation of the French laws.
2. Law of Habeas Corpus.
3. Trial by jury.
4. Immorability of the governor of legislative councillors, judges and other appointed officers, unless for reprehensible conduct.
5. Governor amenable to laws of the province.
6. Establishment of an elective chamber.
7. Nomination of six deputies to represent Canada in the British Parliament: three for Montreal and three for Quebec.
8. Liberty of conscience. No one to be deprived of political rights on account of religion.
9. Military establishment, creation of a Canadian regiment of two battallions.
10. Liberty of the press.
11. Reform of the judiciary by the establishment of a superior court.
12. College for the education of youth; employment of the property of the Jesuits for this purpose according to the original intent; public schools in the parishes.
13. Naturalization of Canadians throughout the Empire.

Hamilton succeeded Haldimand as governor in 1785; and Hope gave place to Carleton. Lord Dorchester, the same year. During these years the British parliament was drawn to give attention to Canada by numerous petitions sent by French and English political associations. Some of both parties petitioned for a representative government in Canada. Those of the French who favored it thought that the few English of the colony would not have a chance to rule alone, when such a multitude of the French would be among the electors. Those of the French who opposed this proposition considered that the introduction of the English representative sys-

tem in Canada would lead to the abolition of the French system in other particulars. Most of the English favored the representative scheme on account of the latter consideration, i.e., that English law being introduced in the formation of government the result would be the abolition of seigneurial privileges and papal authority. The fears of the French who were opposed to the representative system, although from their number it might seem to favor them, were increased by the action of the London merchants in relation to Canadian affairs. These merchants presented in 1785 as a support to their English brethren in Canada, a memorial to parliament which claimed that the French in Canada desired it only to be secure in their religion and laws of succession, otherwise that they were willing to be governed by English methods. The London merchant memorial claimed that it would be impossible to have a French assembly in Canada because only English inhabitants could be represented legally.

The governor, Lord Dorchester, was ordered to enquire into Canadian affairs. His Legislative Council, composed almost wholly of English, were divided, with this intent, into several committees, charged with examining into the administration of justice, laws of commerce, land tenure and public instruction.

The enquiry into the administration of justice proved that the judges of the French party had given decisions according to French law; those of the English party, according to English law. It was recommended as a result of enquiry into property tenure, that property held by French law should be governed thereby, and property held by English law, should follow English law, as well as all property that was created, like manufactured goods. The committee on commerce extended their commentary to law-making, police and forms of government. They demanded English law for everything but French property-tenure and succession, and petitioned for an elective chamber. Here it may be said that French law was administered without trial by jury and according to legal principles derived from the modified civil law of Romans. English law, on the other hand, follows customary usage, the facts of each case being determined by a jury of 12 impartial men not objectionable to the litigants, while the law governing the case is decided by a judge, who bases his decision on the previous recorded decisions of other judges in similar cases. As the

legal precepts of the French were sometimes at variance with the legal customs of the English, their own law was a vital element to be maintained by both parties.

The committee on property tenure pronounced against feudal holdings. In this, their attack was against the Seigniorial Order. It was decided to be better for the land to be held in fee simple, and saleable at the will of the proprietor, than as a fief from the Crown, to be transmitted in the eldest line of descent from the grantee. The committee, in vain sophistry, represented that it would be advantageous to the seigneurs to become absolute proprietors in fee simple, than to act as trustees for their own heirs. In reality, as it was shown to the legislature by the Seigneurs de Bonne, Bedard and de St. Ours, this action would be injurious to the colonists, as well as to the families of the seigneurs, for it would leave immense tracts of land, held in trust by the seigneurs, at their future absolute disposal. It would make of them, instead of an hereditary magistrature, a transitory oligarchy, capable of selling the land, bit by bit, on the hardest term possible, and for their own personal interest. The measure rendered thus transparent, was broken and abandoned.

The committee on education drew up a plan to form public schools in each parish, and an university for the arts and sciences, the whole system to be regulated by a council to be composed of the judges and the Catholic and Protestant bishops. The property of the Jesuits was to be transferred to the support of this plan. But the Jesuit property in Canada had been given by George III to Lord Amherst, and there is trouble to settle the dispute of ownership with the Amherst heirs.

The reports of all these committees were sent by Lord Dorchester to London, together with information in regard to the two political parties now in existence in Canada. These parties, corresponding to the present Liberal and Conservative organizations, differed then as they differ now from parties of the same name in England. At this epoch of 1785-90, the Liberal Canadian party (English and French) demanded an independent government, one free from British overlordship. They wished the introduction of trial by jury and the English laws of trade. The French portion of this party, in addition, desired a constitution, the maintenance of French laws

and an elective chamber. The English portion abandoned the attempt to deprive Catholics of political rights in consideration of their political alliance.

The Conservative party (French and English) were at this time, as the name would mean to signify, men of greater importance in wealth and influence. They were opposed to an elective chamber. The French Conservatives thought that a military government would be the best. If England would continue to send a major-general, selected on account of his knowledge of political science and history, the province would have a governor independent of parties, both in England and Canada—for a good military officer despises a politician as a good Catholic hates the devil. A soldier, also, is more likely to be a man of honor—a brave and reliable ruler, too proud to truckle to party interest. To recognize the loyalty of the seigneurs an order-in-council of 1789 decreed that precedence be given the descendants of those who rallied to the royal standard in 1776-83. The Seigneurs thought that if such a governor was maintained, and if his council was chosen equally from the French and English, that the country would have the best form of government. Such a ruler would be likely to choose as advisers those citizens whose eminence is a recommendation rather than politicians who run to the rabble for a yell of approval and a vote of thanks. The English Conservatives, on account of the union of the French interests with theirs, agreed to drop all requests for restriction of the political rights of Catholics.

This was the condition in Canada in 1788, when the various petitions in regard to the government thereof were laid before the British parliament. From this date there began to creep into Canadian politics those so-called Liberal ideas, but truly maternalistic plans that make brutes of men and beastialize human society. They abound in questions of number, majorities and property-wealth, rather than in principles, worth and historic values. The wise and honest of a community are outnumbered by the foolish and those who prefer selfish ends to the general welfare. A principle that goes to the poll with a few votes is lost in the multitude of the opposition. Those who support it are taught to believe that it is wrong, because outnumbered. In this is the downfall of ethics, social and national. The man of merit has no better show, when in opposition to the popular demagogue—who is all things to all men

and flatters the worse because they form the majority. In this is merit ashamed and withdraws and dies in obscurity. Again is this process repeated when a class that preserves historic values is contested in politics with those who have gained wealth and popularity at any sacrifice. By this means, the class that has made history that has been the glory and support of past ages is denied by the present, simply because the present is controlled by that power of numbers and preponderance of matter which are the negations of intellect and of the sentiments that arouse its activity and continue it. The result has been the gradual elimination of the ideal from any process of realization which those who possess its delicate and spiritual inspiration might accomplish. It has borne fruit in the substitution for these in the control of servile masses, where daily life forbids any idealism. Hence perish the higher life.

It has been said by Garneau, the Canadian historian, that "although England is a monarchy, the democratic influence of its mixed government makes itself felt more in the colonies than at home. It is seen when they wished to drown the French in Canada by an English majority that the men there, most opposed to democracy, raised their voices in favor of the French, and the democrats demanded the union of Canada in order to consummate more quickly this great injustice."

Lord Grenville, Colonial Secretary, presented in 1788 these instructions to Gov. Carleton: "Your Lordship will see that the end of this project is to assimilate the constitution of Canada to that of Great Britain, so far as the difference of manners and situation will permit."

As the United States had made "Liberty of conscience" the basis of its religious platform, so the proposed constitution of Canada was formed to attract the French Catholics. At the same time Wilberforce proposed the abolition of slavery in the British West Indies as a doctrinal menace to the United States where slavery was maintained.

CHAPTER III.

PART II.

THE CONSTITUTION OF 1791.

A bill for Canada was prepared by Mr. Pitt pursuant to a message from the

King. The bill passed the House of Lords 4th March 1791. It planned a government for Canada known as the Canadian Constitution, Act 31, George III, Chapter 31.

First. It divided the country into Upper and Lower Canada, with the Ottawa River as boundary between them. This division was made so as to give the British-American loyalists, settled in Upper Canada, a separate administration founded on the models which they represented from the old English colonies of the South. These models might be comprehended in a general manner on the term *memorial system*, as established by the Kings of Spain in Florida, which territory had passed to Britain and was retained by her up to the close of the war of 1776-83, as founded by Lord Baltimore in Maryland under authority of King James I in 1634; as set up in the Carolinas by King Charles II, when he instituted the order of Landgraves and Cazigns there, whose ranks corresponded to those of earl and viscount, and as caused to be enrolled in New Netherlands—now New York—by the Royal Dutch government under the name of Lords Patrons, which the British recognized when that province was transferred to them, and to continue which the British Kings added memorial grantings of their own. Besides, these models which the British-American loyalists represented—which models had been destroyed by the Yankee revolutionists in 1776 in the old colonies from which these loyalists had been driven who, as sole legitimate representatives of these families would not submit to the rabble of the revolution, were recommended to be observed in substance to the British government. It was for this reason that, in Upper Canada, military estates were engrafted into the territorial system and bestowed on those loyalist families whose sacrifices had been correspondingly great. It must be remembered that the ancient colonial aristocracy—annihilated in the old colonies, now the United States, by the rampant democracy, was represented in its integrity, substance, traditions, institutions and royalism by these United Empire Loyalists and guaranteed to them by the faith which they placed in the Crown, whose cause they defended.

Second. Upper and Lower Canada were to have each a legislative council of life members and a house of assembly elected periodically.

Third. There was reserved for the King the power of annexing to certain "hon-

ors" the right of "sitting hereditarily," in the council, which was the court of appeal also, but this power was never exercised. Although it was the right by treaty obligations of the Crown towards the seigneurial order, and the right by legitimate succession of the loyal lords of manours, Landgraves, Cazignes and Lord Patrons, to such consideration from the Crown in Canada; although the justice of this recognition had been approved by both houses of the British parliament in the passage of this bill, the right was allowed to lapse, to the violation of the just expectancy of seigneurs and loyalists and to the detriment of the interests of the country and Crown. The entire war of 1776-83 had been carried on by these royalists too maintain the institutions of the old regime in the American colonies—the institutions of Crown and aristocracy—against the levelling tyranny and dishonest theories of the revolutionary democracy. And Canada itself had been secured to the Crown during that war, the only one of Britain's colonies that was secured, by the Quebec act of 1774, which guaranteed the treaty obligations of 1763, founded on the capitulation of Montreal of 1760, chief among which was the recognition of the Seigneurial Order. Britain had retained Canada solely by the effect which this recognition had on the seigneurs and clergy. She was strengthened in the country by the advent of 40,000 loyalists who had fought to maintain a similar condition in the old colonies, accepting the government of the country at this price, the wonder is that the price was not paid by the Crown according to honorable agreement. Had the crown been on the head of a Stuart, it might have been otherwise!

Fourth. A provision was made for the Protestant clergy in both divisions by allotment of lands to give revenue to their support.

Fifth. To prevent recurrence of disputes, such as had separated the United States from England, it was provided that the British Parliament should impose only such taxes as were needed to regulate trade and commerce, and even such taxes were to be levied by the legislature of each division and disposed of by them.

Sixth. Each division was to have a royal governor to preside over the deliberations of its legislature.

No sooner was the constitution known in all its details among the resident English inhabitants who had supplied mate-

rial for the former bureaucracy, where composition has been described by Murray in no flattering terms, than the greatest fury was enkindled among them. These people who had sympathized with the Yankee rebels and revolutionists, who had weakened the efforts of the seigneurs and loyalists by their recent treason, saw in the birth of a new province with an aristocracy in chief an extra menace to themselves. They sent petition after petition to parliament against the adoption of this constitution. They held mass meetings at Montreal, whose gates they had opened to the enemy in 1776. They urged the anti-Catholics of London to act with them to petition the Crown to annul this hateful constitution.

In the meantime, parties began to form all over Canada and adopted measures for administering certain articles of the constitution to the exclusion of others, and for adding amendments, which in themselves, to every constitution, are contrary interpretations which the majority that enacts them declare to be true, to the minority that is forced to submit in silence.

In such matters the unethical majority is never willing that a right shall be recognized that is not its own, while its own right consists in trampling on that of others when the Crown is administered by men of dishonest trustees—the Crown's duty being to command that right be done even against the will of a majority—if not, what then is the value of Crown government over that by majority rule?

CHAPTER IV.

FRENCH AND ENGLISH INTERESTS IN CANADA AFTER THE CON- STITUTION OF 1791.

Those who feted the advent of the Constitution of 1791 in Canada reserved to themselves the right of interpreting its articles. At a dinner of the Constitutional Club of Quebec there were drank toasts for the abolition of feudal tenures, toasts for civil and religious liberty, for the liberty of the press, for the revolution of France and Poland, for the revocation of the militia ordinance, which placed companies of Canadians under their seigneurs as officers, and for the revocation of all other ordinances incompatible with human liberty.

To interpret the meaning of these toasts, which stimulated party activity, it must be said, that the "Liberty of the Press" was demanded to attack the Constitution, and "Liberty of the Individual" as an excuse to refuse to be bound by its provisions. "The abolition of feudal tenure" was the first measure to be adopted against hereditary institutions. Civil liberty was advocated for those of different religions—for which the Constitution already provided. It was thought that, if the feudal interest could be separated from the Catholic interest that a division might result in the French party, which would not only weaken the power of the clergy, but advance that of real civil liberty. By the French Radicals, the French revolution was celebrated at the same time. Along with this was lauded the Polish revolution which gave the idea of one principality becoming independent of external domination. Now it was the Polish nobility that was at the head of the Polish revolution and furnished the ranks of its patriots. And it was not intended to praise the Polish nobility or any other, but to advance the idea of a separation from the control of England, in order that the democrats might have the country to plunder without hindrance from the Crown.

When the Government of Lower Canada was formed by the meeting of Parliament at Quebec, Dec. 17, 1792, under presidency of J. A. Planet, it was discovered that the English and Loyalists of both races predominated in the Executive Council, the Legislative Council and the Civil Service. The French Radicals had a vast majority in the assembly because that body alone was elective.

The English Radicals hated the seigneurs because of their superior culture and refinement, and despised their French radical brethren on account of their ignorance and bigotry. Many of these English Radicals had now, by being appointed to the higher branches of government attempted to exclude the French, and at the same time by assuming the prerogatives of a nobility, ridiculous in this case, had set the French in the Assembly on a greater pace of democracy—and ready to sacrifice their own seigneurs who had been Loyalists in 1776-83, and as cavaliers of the Crown had rallied to its defence in that war. These English Radicals in office constituted the bureaucracy.

The Assembly, confronted by this bu-

reaucracy in power, might have gone to greater democratic lengths did it not contain several influential seigneurs. It must be understood that no patriotic consideration entered into the minds of this bureaucracy; Canada to them was the patrimony of the French, over which they themselves were placed by the fortunes of chance and the circumstance of appointment. Canada was to them merely a mess of pottage for which they had abandoned their own birth right in the mother country. They were determined to make as much out of it as possible at the expense of the inhabitants.

The French presented a solid front, formed of interests, separate in many things, but united on the common basis of nationality, language, religion and law. The French were separated among themselves by classes, such as the seigneurs, the professions, the clergy and the "habitants." As the clergy were part and parcel of the common religion, their interests could not be severed from those of the great hulk of the French-Canadians. The Seigneurial Order, on the other hand, might perish, without that perishing doing injury to any other interest. Seigneurial rights and privileges, then, were designed by the English Radicals as the first position to be beaten down.

It was shown to the French Radicals in the elective chamber that seigneurial rights, dues, tenure and magistracy interfered with the freedom of election in such a manner that if a seigneur was opposed as candidate to any other Frenchman, he had the means and offices at his hereditary disposal to cause himself to be chosen to the exclusion of others. Nothing was said of the integrity, ability, responsibility and education of the seigneurs which fitted them to be the rulers of the people. Nothing was said of the history of their order without which the glory of French Canada is lacking and the history of Louisiana would have been but a leaf from a merchant's note-book. This political campaign against the seigneurs endured up to 1854, when feudal rights and obligations were abolished by parliament—contrary to the stipulations of the treaty of 1763. The common people, dissolved from the leadership of the seigneurs, now follow the priests.

They present a solid front. Perhaps they are less tractable under the priests than under the courteous, high-minded

and loyal seigneurs. The control of the priests over the people is maintained by means of parochial schools, the confessional, and the pretention that the French language is the exclusive property of Catholics. And so the English and Protestant party made the grave error of attacking next, the use of the French language, instead of incorporating it as a study in their own schools, and destroying at once the greatest barrier between the races. It was thought, however, than an onslaught on the French language would excite less alarm and bigotry than a direct attack on Catholic institutions. They believed that, English being once substituted for French in the schools, the great barrier would fall and the citadel be exposed to final assault.

None of these disputes on religion, language and privilege occurred in Upper Canada which was established by the Act of 1791 as a separate province for English settlers. This province was divided into four districts: 1, Lunenburg, from the Ottawa to Gananoque; 2, Mecklenburg, from Gananoque to the Trent; 3, Nassau, from the Trent to Long Point on Lake Erie; and 4, Hesse, from Long Point to Lake St. Clair. Each of these four districts was provided with a judge, a sheriff and a court of common pleas.

Those who gave names to these districts were partizans of the House of Hanover, as the names suggest, with the exception of Nassau, which was named in compliment to William, Prince of Orange.

The population of this province in 1792 was 12,000. The seat of government was established at Newark (Niagara) where the first parliament met, Sept. 17, 1792, called together by the first governor, Gen. John G. Simcoe. One of the first bills of this parliament changed the names of the four districts into Eastern, Middle, Niagara and Western, and divided them into twelve counties. A jail and a court house were provided each county.

Government was moved to Toronto in 1795, although parliament continued to meet at Niagara until 1797. It was at this time that Russell was governor and made himself famous by giving himself and followers large grants of public land and subsidizing schemes.

When Gen. Hunter, who succeeded Russell as Governor met Parliament at Toronto in 1800, the population of the province had increased to 50,000. Some of

this increase had come over the border from the United States, but a large accession was from the Irish after the bloody times of 1798 in Ireland. Canada had been reinforced before by the Royalist Cavaliers of 1778-83 from the thirteen southern colonies and by the Highland Scots Jacobites of 1745 (Cavaliers of the White Rose). An old song of the period shows the hatred of these White Rose laddies for the House of Hanover and the Duke of Cumberland.

I.

"Cumberland has gone to Hell,
Bonnie lassie, Highland lassie;
To see his friends if they be well
Bonnie lassie O."

II.

"When he reached the Stygian shore
Bonnie lassie, Highland lassie,
The Devil ne'er had such fun before
Bonnie lassie O."

III.

"He took him into Satan's Ha'
Bonnie lassie, Highland lassie,
And sat him by his grandpapa,
Bonnie lassie O."

IV.

"Then they put him on a spit,
Bonnie lassie, Highland lassie,
And roasted him from head to foot,
Bonnie lassie O."

V.

"They ate him up both root and stalk,
Bonnie lassie, Highland lassie,
And so did end the infernal duke,
Bonnie lassie O."

The modern Irish, unlike the Scots, have acquired a democratic inclination that is entirely incompatible with the royal and poetic history of the past. There was no republican in Tara and Brian the Great was neither democrat nor demagogue, but a king and soldier. Those of this race, however, in America, are for the most part servants and laborers.

The English settlers in Canada came either as officers who had received grants of land, or as shop-keepers or adventurers to see what could be made out of the country. The American settlers came also for the same purpose as shop-keepers and adventurers.

Upper Canada continued with prosper-

ity to increase in population. Restrictive measures were passed by parliament in 1803 to prohibit the sale of whiskey to the Indians. In the same year, financial aid was granted to encourage the growth of hemp for the navy, in order to render England independent of Russia in the production of this article.

Trade with the United States was expanding with the advancement of population on both sides of the line. Custom houses were established at Cornwall, Brockville, Kingston, Toronto, Niagara, Fort Erie, Turkey Point, Amherstberg and Sandwich. Duties were affixed by this parliament to the same degree on goods of English and American manufacture. Thus early the proclivities of this truly English speaking province, for the sake of gain, prompted the extension of the same privileges and the same hindrances to the mother country and to hostile America.

In 1807 salaries were provided for masters of grammar schools. This fact proves, that, at this time there were eight centres of common school education in Upper Canada.

In the Parliament of Lower Canada at this time, attack by the English party was being pressed against the French language.

Mr. Richardson, in the Quebec Parliament of 1792 advanced the proposition that, "The Canadians ought by every motive of interest and gratitude to adopt the language of the seat of government." To which Mr. Papineau replied: "Because the Canadians have become British subjects and know not the language of the people on the banks of the Thames, they are to be deprived of their rights!" J. A. Planet recalled the fact that "In the Isles of Jersey and Guernsey they speak French; that these isles have been attached to England since the time of William the Conqueror, and that no population has shown greater fidelity to England." Again in the same parliament, when the proceedings were to be printed, Mr. Grant suggested that they be issued in English alone, with the privilege of being translated into French for those members who desired it. Now, as the greater number of the members were French his suggestion was too transparent to be carried.

This attack on the French language created speedily two factions for the embarrassment of rulership; one French, the other English. The English, seeing

themselves opposed so solidly, showed their annoyance on every occasion. One of them, Fleming, wrote: "The law of 1774 has been imprudently liberal towards the clergy and the high classes, that of 1791, towards all the Canadians together. The last has confirmed the civil laws of the French, guaranteed the free exercise of the Catholic religion and the payment of tithes; it has modified the oath of allegiance so that Catholics are able to take it, assured Catholic Canadians their rights of property, customs and usages, preserved their mother tongue and the tenure of their lands and taken number as the basis of granting the electoral right, without doing anything in favor of the English, or of their language. This law has been a great mistake, since it favors a people that differs from the English nation by custom, religion and language."

This attack against the French language was continued in another form when in the session of 1792 a discussion took place on education.

It will be remembered that King George III granted to Gen. Amherst the property of the Jesuits which was to be devoted to educational purposes. This property was being claimed by the Amherst heirs. Count de Rocheblave proposed to verify by committee of inquiry in regard to by what titles the Jesuits held. Mr. Grant objected to this tacit recognition of a right which had no foundation. "I demand," said he, "that while recognizing the power of the King to dispose of these properties, we pray him to turn them over to public instruction." The adoption of such a motion would have placed the properties of religious bodies at the disposal of the Crown—for the King of England succeeded the King of France—and would have settled all controversy. The result here, however, was the triumph of Catholicism, because the English were foolish enough to attack it through the French language, when that language is no more Catholic than is the Chinese.

The next project before Parliament was how to dispose of the finance. It was now the turn of the French party. It was declared that the vote on the subsidies belonged exclusively to the Chamber (where the French predominated) and that no bill of finance could be amended by the Legislative Council, where members were mostly English.

In May, 1793, parliament was prorogued by the Governor.

In the meantime, the progress of the French Revolution in France caused the British government to warn the English faction in Canada not to press the French there too much, for they were showing unexampled loyalty and conservatism. And there is no reason for there ever doing otherwise. Their country is Canada—not France. And Canada is a dominion in the British Empire, whose privileges they inherit as citizens and whose integrity it is their dearest interest to defend: more especially against Republican France, if duty, indeed, needs a stimulant, because Republican France has destroyed the Royal Government of Henry the Great and Louis XIV, from connection with which Canadians derive the glorious traditions of their forefathers.

Lord Dorchester was confirmed as governor again, by England and returned to Quebec in Sept. 1793, where the ancient population received him with favor. He brought with him a distinct declaration of the rights of the Crown: That the nomination to public charges subsisted only at the pleasure of the King; that uncultivated crown lands should be conceded only to those capable of forming establishments, and that the seminaries of Quebec and Montreal, as well as the religious communities of females might perpetuate themselves according to the laws of their incorporation. The governor was commanded to name a new Executive Council of 9 members, four of whom were to be Canadians.

Unfortunately, in this instruction, nothing was said of the seigneurial privileges. Their territorial rights, however, were believed to be to be protected by the treaty of 1763. Yet, because they had no court privileges continued to them—which the treaty rights demanded—they became a defenceless prey of the Radical Democrats and demagogues of both races.

CHAPTER V.

POLITICAL AND RELIGIOUS INTRIGUES.

(1794—1812)

The Catholic clergy in Canada, witnessing how alarmed were the English about the French revolution and its ideas for fear that they might find adherents

in Canada, in 1794 formed at Quebec an association against the revolution. This affected well this country, because, by the influence of the clergy over the people, their association was extended everywhere and tranquility reigned in all minds.

Perhaps the clergy were more speedily induced to this action to win back the favor they had lost before the King, for, in 1793, Canada had been erected by the Crown into a Protestant bishopric, and nothing was declared in the act concerning the Catholic privileges. Governor Lord Dorchester, therefore, petitioned the Crown in favor of the Catholic bishop, that the same favor be conferred on him.

While these strokes and counter-strokes of policy were being exchanged by the Catholic clergy and their Protestant opponents, the bureaucracy, at present in charge of the regulations of public lands, were engaged in giving themselves vast domains. It was decided unanimously that no Canadian could receive lands of this new distribution unless he abandoned his language, his religion and his law of tenure.

It has been an understanding that the Crown domains might be disposed of only in two ways, either by sale to actual settlers or by grant. Now these grants were of two kinds: there were small grants to individual families on condition that they cultivated the land and built houses thereon; and there were baronial grants. These latter were for those who had given the State a service for which they had had no specific return. The service had to be one of such eminence as to warrant it to be entitled noble in every meaning of the word. The granting of baronies on these conditions has been rarely accorded for political service except of late years. It had been conceived that it is the sword that wins and keeps the domain. The pen is only mightier than the sword when the sword recognized it; without that it is less than a hollow reed.

The conference of station and rank and the means to maintain them, when made on such a basis of nobility and honor, creates a sentiment in the whole class of this baronage, an esprit du corps, that each one feels it incumbent on himself to sustain. As a distinct class in the State they have an inalienable right to object to the admittance to their order of any one nominated by the Crown, by the oligarchy, by the ministry, or by the democracy, whom they believe un-

worthy to be associated with them. They are the best guardians of their own virtue, of their own social magnificence. If any other external power has a privilege of adding members thereto, against the willingness of the order itself, then has the order lost its virtue, its independence, its *raison d'être*. It is no more than a nest where brood the offspring of plunderers and sycophants without merit or integrity, and is worthy of being cut off from its vantage and have its possessions divided among the poor of the State. It is great harm in any country to allow a class, founded on wealth alone, to enjoy exclusive privileges and to maintain that excessive wealth. It is a crime against merit without wealth and honor without a price. But when merit and honor are reinforced in such a position, their position becomes the bulwark of the nation, the pride of history, the hope of posterity, the goal of conscientious ambition, only so long, however, as those who maintain it are the guardians of its entrance.

The government of Canada, after passing through the hands of Gen. Prescott and Sir Robert S. Milnes, came at last, in 1807, to be directed by Sir James Craig. There had accrued to the bureaucracy and its friends the important parliamentary victory of obtaining the property of the Jesuits; of putting obstacles in the way of the concessions of lands to the Canadians from the Crown possessions; of having the composition of the Legislative Council, which gave the English party a majority, although representing a minority, of forming new parishes of excluding Canadians from public employment. The bureaucracy desired to impose taxations in such a manner that it would fall more on the French agricultural population than on the English mercantile employments.

Some of the Governors complained, like Sir Robert Milnes of the absolute independence of the inhabitants of their seigneurs and of the Catholic clergy of the government. It must be seen, by this complaint, that the seigneurs at this early period, had lost much of their influence. Their influence as an order was waning.

Sir James Craig took a decided stand against the advance of the French in politics.

In 1805, the British Government had informed the Roman Catholic Bishop of its intention to claim before the Papal

Court the right (which had been exercised by the Kings of France when Canada was a French province) of naming candidates for the cures. On the acceptance of this condition the government promised to put the bishop on a secure foundation. But Bishop Denard judged this project to be too dangerous to be adopted under ordinary circumstances.

During all these years England was at war with France, and the other States of Europe were more or less embroiled on one side or the other. The United States pretended to a neutrality and the ships of that country were engaged in a contraband trade of munition and naval stores, mostly to French ports. England, that controlled the seas with her ships, insisted on maintaining in blockade that portion of France most frequented by American ships, and captured several of them while they were attempting to break this blockade. England decided that she might arrest any of her sailors or subjects who were in the service of other powers. An English captain seized four of the sailors on the United States frigate Chesapeake after a short combat. The United States irritated by attacks like these, established in 1807 an embargo about their own coasts to exclude the French and English. The French were included in this because the Yankees, never very famous for observing regulations, even when made by themselves, unless enforced by the strong arm of power, had attempted to break a French blockade established by Napoleon, and French cruisers had seized some Yankee ships therefor.

In the meantime the United States were coming to a conclusion that war with England already in conflict with European powers, would be likely to rebound to their own advantage by giving them Canada. At the head of affairs in France, Napoleon urged the government of the United States to unite with him in a grand assault on the British Empire. But the Yankees were cautious and slow. They mistrusted imperialism as much as they did royalty. Democracies fear dictators as the ignorant fears genius. But their cupidity was aroused, and they began, from this time until 1812, to prepare for a strife with England. But when they did enter the field they had delayed so long that the power of Napoleon, broken in the ill-fated Russian campaign, could be of little service to them.

In spite of the condition of affairs, while the Yankees growing more hostile to England, were making secret overtures to the French in Canada, Sir James Craig, the Governor, instead of using a rightful policy of conciliating the Canadians, at once took sides with their enemies of the bureaucracy. His action caused the Assembly, where the Canadians formed the majority, to stand arrayed against him.

The proprietors of the French paper, the Canadien, the Seigneurs Bedard, Taschereau, Blanchet and Borgid, by his orders were removed from the official positions they occupied in the militia. This was done because that paper criticized severely acts of his government.

At the nomination the Legislative Council which he wished to use against the Assembly was strengthened to its full quota. The question of responsibility was advanced. It was declared, on the part of the government, that the acts of the ministry in England might be censured, because that ministry was formed in England and was responsible there, but the acts of the governor could not be censured in Canada, because he was not responsible to Canada, but to the ministry in England.

The opposition declared that the governor, in his executive capacity, might hold such a position as just described, but in his legislative character he must expect, sometimes, to receive criticism from the Assembly, that had its own independence and character to maintain in the name of the people and of the charter by which it was constituted. The opposition suggested that, as the Governor maintained his non-responsibility, it would be better for him to be provided with a responsible ministry—a ministry responsible to the people of the country.

This democratic fling began to alienate some of the seigneurs who took sides with the Governor. Judge de Bonne declared that "to admit such a doctrine is to share royal authority." He called attention to the fact that divisions made on such issues were enfeebling in the presence of the United States enemies who menaced the land.

The leader of the Catholic clergy, M. Plessis, Bishop of Quebec, began to exhort the French to remain loyal to the British and not to listen to the propaganda of the Yankees. He knew that if they were successful in the war, which seemed imminent, the Catholics had no

guarantee to be relied on from them, while if they assisted the English, such action would but raise their credit with the British ministry, and afford a basis for demand of concessions from the British Government.

But, while these events were passing, the bureaucracy, holding the bulk of the civil service appointments and seated firmly in the Legislative Council with the Governor, grew more and more hostile to the Assembly, which was controlled by the French.

Therefore, from this the Assembly began to think that the most efficacious means of causing the officers of departments to respect one of the sources of their power, was to control and limit their salaries, as the parliament does for the public officers in England.

The bureaucracy began to fear that they would fall into the power of the Assembly. They formed a party and communicated their views to the Governor. The Governor replied to the Assembly, therefore, that the resolution was without foundation and imperfect in form and should be submitted to the Legislative Council.

As the Canadians were unknown in England, the people who had the greater influence with the English governors, were those of the bureaucracy and their friends. In order to obtain credit before the British ministry, for the purpose of continuing itself in power, the Assembly decided to establish an agency in London. But before this could be accomplished Craig abruptly dissolved the Assembly.

Now towards the close of his term Governor Craig, in company with Judge Sewell, proposed a plan to Lord Liverpool, the British minister, to crush the Catholic party in Canada. Sewell considered that colonists might be invited from the United States as well as from England and that Upper and Lower Canada could be reunited with such a representation in government as would allow the English Protestants to predominate. The Governor wrote Lord Liverpool that "a numerous and violent democracy was expanding its principles throughout Canada, exciting the hatred of the people against the English. Its conduct had become so intolerable that he was forced to take energetic measures." Here he referred to arrests of parties connected with the publication of the Canadien. He declared that the French and English did not intermingle

and that with the lower classes, the name of English was like a red flag to a bull. Here it is well to observe that the influence of prejudice is always greater with the low and ignorant than with the elite. This accounts for the aspect of hatred with which the lower classes regarded the English. Since the seigneurs had lost most of their power, the common people could not be held by them to so loyal condition. The seigneurs, who, feeling themselves to be more and more isolated, with the English Protestants on one side and the lower French on the other, offered a platform in themselves, and the few noble English families in the country, for the formation of a middle power in Canada. This power, numerically weak, but mentally and individually strong, looked to the Crown for support. Had the Crown the power and wisdom of the Stuarts, this party in Canada had not looked in vain!

Sir George Prevost, appointed Governor in 1811, knowing that war was imminent between the United States and Great Britain, and that the bulk of the people were Catholic, thought to propitiate them somewhat in order to gain their undivided support. He desired the Catholic Bishop, Plessis, to inform him in what position, in the future, he should put the head of the Catholic church in Canada.

Bishop Plessis presented him with a memoire on this subject, in which he said that before the session of Canada to the English, the bishops governed their dioceses as similar dioceses were governed in France, that is: according to the canons of the church and the ordinances of the kingdom. Each one had a chapter composed of five dignitaries and twelve deacons, who were under the jurisdiction of the bishop, as were the entire clergy and the religious houses. The bishops held their synods, erected parishes, proposed and revoked appointments, visited churches, monasteries and religious places, rendered ordinances touching discipline and the correction of manners which ecclesiastics or laics were bound to obey. All things relating to religious matters were under the bishop's charge and his surveillance extended even to the schools.

Since the cession the British Government had refused to allow Canada to receive a bishop from France. The chapter charged with administering the diocese, during the vacancy of the episcopal

siege, considered that affairs were in the same state as before, when the concordats caused the appointment of bishops to rest with the French court and the bishop was elected by the clergy of his church and confirmed by the Metropolitan, or the Pope, with the approval of the Sovereign. By a capitulatory act of 1764, Briand, a Vicar-General, had been elected over Quebec, in spite of the assistance of Gov. Murray, the British Government would not approve his selection, but informed him that he would not be molested. The Chapter of the Cathedral, finally reduced to a small number, became extinct. Its last assembly was held Sept. 10, 1773. The last Canon died in 1796.

With the consent of the Court of Rome and Sir Guy Carleton, a coadjutor to the bishop had been named in 1772, who had one to replace him on death, or resignation.

The bishops pretended to exercise only spiritual authority and had been loyal to the government over them. In April, 1806, an officer of the Crown had filed, in court, a bill tending to abridge even this spiritual authority, by putting in force certain statutes to annihilate the title and authority of the bishop, to declare null the only ordinance which recognized this authority. It stated, falsely, that before the cession no bishop had authority to create parishes in his diocese.

Bishop Plessis concluded by demanding that he, and his successors, might be recognized as Catholic Bishops of Quebec having under jurisdiction the Catholic population of British North America; that, with the agreement of the Courts of Rome and Westminster, other bishoprics might be erected with similar rights; that no Catholic parish should be created without consent of the bishop; that the bishop should be maintained in possession of the cures and missions; that the episcopal palace should be confirmed to him with the right of acquiring other property; finally, that it would be an advantage to the government, itself, if the Catholic clergy might be represented in the executive and legislative councils by their chief.

Gov. Prevost, anxious to conciliate the powerful Catholic interest, before the storm of Yankee warfare now brooding on the horizon could strike the country, approved of all these demands.

But events were hurrying on so rapidly and were of such a character of hos-

tility that the more peaceful modes of discussion were laid aside.

United States forces were hurrying towards the Canadian frontier. The disputes of the United States government with England had borne fruit in strife. The amelioration of Napoleon's Berlin decree in favor of the United States had at first won their attention to remove their embargo in his favor and at last to join arms with the French.

The first era of civil troubles in Canada closed here to open on the united military endeavor of French and English in Canada, of seigneurs and Loyalists, of Catholics and Protestants to repel the horde of the United States democracy that threatened to overwhelm Canada.

CHAPTER VI.

FROM THE WAR OF 1812 TO 1818.

The United States in the war of 1812-18 against Canada, for the purpose of conquest, did not have, in sporting phrase, a "walk-over." Several separate attempts were made to invade Canada, each one of which ended in failure, when their numerous armed bands were repulsed broken and dispersed. They themselves suffered the loss of a major-general and his whole army by the surrender of Gen. Hull at Detroit. The Canadians captured Detroit and the northern part of Michigan, which had belonged to French-Canada, and which English imbecility had ceded to the United States. The eastern part of Maine from the Penobscot shared the same fate as northern Michigan. This part had been "The Province des Etchemins," of ancient Canada. This section the Yankees had gained over stupid and credulous British boundary commissioners by displaying a forged map, whose falsity was not discovered until too late to be rectified. At Chateaugay Col. de Salaberry, with 300 French Canadian militia, defeated Gen. Hampton at the head of 5,000 Yankee troops. Exploits like these are not indicated with pride by Yankee writers in the relation of the designs of their government on Canada.

Since the conclusion of the war of 1812-15, there had been directed to Canada a number of families of military officers. Tracts of land were granted them, and with their pensions from the home government they began to form a class in

the country very different from that from which the English bureaucracy was recruited. Belonging, as most of the military men of that epoch belonged, to historic classes, they regarded connection with the Mother Country of paramount importance: first, because the Mother Country was the home of their ancestral glory, and then, her institutions and laws were more in consonance with real merit and excellence than those of Canada, where merit and excellence were beginning to be tabooed as impediments to political preferment. Besides, being by education accustomed to the strict letter of command and with the highest feeling of obligation to the performance of duty, they could not look with complaisance on the affairs of the province as they were administered by the warring French on the one hand and the troublesome oligarchy on the other. They had a sincere desire to see the country arise from its hed of thorns to a more comfortable situation of honest reform. They wished to see those obstacles removed from the path of the French which prevented them being good citizens. There was no reason, to their minds, why the French in Canada could not be as integral parts of the British Empire, as the Normans who followed William the Conqueror to England had become, and with the same heartiness and good will. They joined themselves to all the movements to break down the obstacles.

On the other hand, they witnessed the evil tendency of the politicians to separate the power of the country from the administration of the Crown officers, who were appointed from England, and to take it into their own hands to be used to make themselves rich at the expense of the country and its people. They beheld how, for this purpose, the bureaucracy turned against the seigneurs. For this reason the English military families in Canada, on more than one occasion, sided with the seigneurs who, for the sake of their own safety against all parties, clung to the power of the Crown.

The Crown government, from this time, began to be the chief opponent, in a political way, of the bureaucracy. To the court of the Sovereign's representative were attached the regard of the seigneurs and the loyalist and English military families. The parties outside of this were the bureaucratic party, that was developing a plan of separation from the Crown, where they should become strong enough to stand alone against the

French and the Catholic party that dreamed also of independence, but on a Catholic basis.

The Crown party, by this, will be believed to have been the only honest and trustworthy people of the Canadians, English and French. In 1812 the Legislative Council, composed of the bureaucracy, instigated the governor to demand the renewal of the law which had been in force for the security of the country. The Assembly made the following amendments to the law. 1. The governor alone was to have power to imprison those suspected of treason. This right had belonged to the Executive Council of the oligarchy, but the Canadians so despised and misinterpreted it that the governor was deputed to exercise this prerogative alone. 2. No member of the two chambers should be arrested. The legislative council, indignant at this censure of its previous conduct, rejected the measure altogether.

The dissensions between the Assembly and the Legislative Council slumbered until 1814, when the fire of warfare on the frontier had gone down to a spark. A bill excluding judges from seats in the Legislative Council was adopted by the Assembly and rejected by the Council. It did not seem right that the judiciary power should become part of the legislative—a view somewhat illogical, horrified from the Yankees. Two other measures were brought up by the Assembly—one to impose a tax on the salaries of public functionaries during the war—another blow at the oligarchy—and to authorize the nomination of an agent to the Imperial Government at London. This also was conceived as a measure of defense against the Crown itself.

Stuart, an opposition member, accused Judge Sewell of attempting to establish in Canada an arbitrary government. He had caused the arrest of leading French members for exercising the mutual license of speech. He had deprived the President of the Legislature (Planer) of his military commission. He had closed the office of the Canadian and leagued himself with Henry to instigate the people of New England (Hartford Convention) to separate from the United States, join the Anglo-American party in Canada and rule the country.

The accusation was sustained and Stuart was appointed to carry it to England and lay it before the home government.

Sewell presented himself before the Court at London. Stuart was forced to pay for his journey from his own funds,

the Assembly not having authority to vote the money for expenses and the Legislative Council refusing to do so, and he was obliged to withdraw and another agent was sent.

Sewell knew Prince Edward while that personage was in Canada, and he not only obtained influence to retain his position, but was recommended by Lord Bathurst as one having the confidence of the British government. He was ever the firm enemy of the Catholics in Canada. He did what he could against all parties of them without distinction. While in England he recommended the union of all the provinces under a single government as the surest means of bringing to naught the Catholic power. He urged Prince Edward to obtain the willingness of the ministry to this end.

Gen. Drummond, who had been governor in 1816, was succeeded by Sir John Coape Sherbrooke, also in 1816—Drummond being only governor in the interim between Provost and Sherbrooke.

It must be understood that what is known as the Crown party, or royalists proper, have had no representation in the Canadian government since the transfer of the country to England in 1763. When the Constitution of 1791 was offered by Pitt there was a provision left in it for the consolidation and representation of such a party. The constitution of every other province was framed to allow the same to occur. The difference of forming the two houses of government shows that they were to be selected from different material of the population. The upper house, whose members were appointed by the Crown, was to represent the aristocracy; the lower house, whose members were elected by the people, was to represent the people in their trades and industries. But the measure was only half carried out and rapidly degenerated in practise until the upper house represents only the irresponsible sycophants and servants of the majority, and the lower house all the parties in opposition thereto, with some who favor the government.

So long as the governor, acting for the Crown, has the privilege of appointing to the upper house whomever he pleased, it must be seen that the ministry formed from anti-royalist sources, sending out a governor, can fill the upper house with a democratic majority. He can make it of the same character as the lower house and of himself by this means constitute an irresponsible and unconstitutional

al tyranny. The upper house was created to be a barrier to the extravagances of the democracy represented in the lower. It can be so only so long as it was an inherent independence in its organization. According to his plan in permitting the Crown to add hereditary honors to life members with seats in the upper house, Pitt looked to the formation of an independent and responsible body. Without this hereditary right, there remained the other plan of appointing from the seigneurial and loyalist orders in Canada and commanding that the government must appoint the members of the upper house from them. Then the purpose of the constitution would be fulfilled. Otherwise the upper house has nothing to distinguish it from the lower and might as well be merged with it—save for the reason that it affords a means to the premier of strengthening his personal influence. But that, however, is not the legitimate idea, which is one for the representation of the aristocracy in the upper house. When he created his nobility in France from the great military leaders who followed his eagles to conquest, Napoleon gave to the representation in the council of the empire. The Senate of the United States was intended also for the same end of representing the better classes, but it has never fulfilled its mission, because there the better classes have never been recognized.

There is no distinction of representation in the Colonial Senate and the United States Senate from that in the Commons, the colonial legislatures and the United States House of Representatives. They are all, indiscriminately, derived from politicians by various forms of procedure, which makes of the upper houses in all of these cases a false chamber, a sham, a pretention without a reality; for they depend for reinforcement of members on the caprice of ministers of the democracy and have their right to object to objectionable material.

Parties were so rampant in Canada during the administration of Sherbrooke that that governor was authorized to offer to leaders of the opposition some of the principal posts in order to purchase their silence or paralyze their activity. The dangerous precedent was to be established that necessarily springs into being with representative government, of filling the chief seats with those who clamor loudest and have a price for the silence of their tongues. Such men are no better

than thieves and frequently have plundered the treasure confided to their charge.

In 1804 Scwell, while attorney-general, decided that the statutes of Henry VIII and Elizabeth prevailed in Canada, and that, according to their meaning, there was no such person as a Roman Catholic bishop. Later Uniacke, while filling the same office, decided that Scwell's decision was without foundation, since the treaty of 1763 had acknowledged the rights of the Catholic clergy. Scwell, by his decision, wished to deprive the bishop of the power to create and govern Catholic parishes as the first measure to their anglicanization.

The government of the bureaucracy, to whom Sherbrooke lent his aid, finding that, by Uniacke's decision they could not break the hold of the bishop from portions of the diocese, resolved to win the bishop by carresses. The governor therefore named him as a member of the Executive Council, provided that he would make some concessions, which he said he had not the right to make. Lord Bathurst made him be aware that while the treaty of 1763 allowed privileges to the Catholics, they were allowed in conformance with English law, and not with French, and that the law of England had to be very leniently interpreted in favor of the Catholics because the strict meaning of the law was against them.

The Archbishop of Quebec was favored by bull of the Pope in 1819. Lord Bathurst, British minister, was much incensed thereat, and Bishop Plessis hastened to London to confer with him. The bishop responded to ministerial objections with the following apology: "Predicants of every species introduce themselves into Canada—Methodists and Baptists, renegades of every nation, revolutionists, deserters, regicides are able to enter without wounding the laws. Why then shut the door to Catholic ecclesiastics? . . . strangers to politics and prepared by their education to defend authority against the usurpation of democracy." Had Bishop Plessis lived up to the present time he would have had the pleasure of reading of the toast to democracy offered by an Italian cardinal of the 19th century and approved by His Holiness the Pope. For cases like this in international polity His Holiness carries an extra deck of cards up his sleeve.

CHAPTER VII.

The quarrel over the finance now mounted up to the chief place in the minds of all parties. Governor Sherbrooke transmitted to Lord Bathurst, showing that the expense in 1815 had exceeded the ordinary revenue by £19,000. In 1816 the government owed to the province £60,000, to which it was necessary to add the deficiency of the previous year. This, together with other expenses, brought the debt up to £120,000. The Governor showed also how the constitution had been violated. The vote of subsidies by the legislature passes as an essential and an imprescriptible right in the constitution of free countries. Without this right the executive power is unable to rule without calling on the legislature. Now, each session there is placed under the eye of the legislature a statement of expenditure made without its concurrence. There has been a distinct account formed principally of the salaries of clergy and pensions kept beyond its reach. The governor demanded powers necessary to withdraw the financial condition from the confusion into which it had fallen under control of the oligarchy.

Lord Bathurst replied that it would be much better to regulate the accounts between the government and the province yearly. But should it not be considered that the silence of the chambers on the employment of the moneys was an acquiescence. He thought that it would be expedient to submit the yearly expense to the vote of the legislature. If the Assembly voted in favor of the appropriations for the Catholic clergy and against that for the Anglicans, the governor was to see that the Legislative Council should reject the bill, and that care must be taken that the Assembly does not arrogate to itself the exclusive use of the funds; the Legislative Council must have concurrent jurisdiction. It must be understood here that the government was forced to keep the Legislative Council exclusively English, which meant Protestant in order to curb the tendency of the Catholics to encroach from their majority in the Assembly. The Crown Government, therefore, in spite of its desire to deal fairly with the French was obliged to unite its strength and give its support to the bureaucracy to keep the Catholic pretensions from foreignizing the whole of Canada. Little by little, through parochial schools, by means of the offices of the church by

the strict discipline which the Catholic clergy enforced on the people, the Catholic church was beginning to gain a greater political strength than the Crown.

The encroachment of the church in political affairs was so great in 1824 that the Earl of Dalhousie, then Governor, in transmitting a memoir on the condition of Lower Canada, made the following declaration. He said that the Crown had suffered since the transfer a loss of patronage over the clergy which was exercised by the Catholic Archbishop in the name of Rome. Before the transfer this right of patronage had been exercised by the King of France in virtue of being head of the Gallican Church. Without interfering with spiritual rights, the British King had succeeded to the political prerogative of the French King over the church in Canada, and those rights should not be allowed to be seized on by the Pope.

The Earl of Dalhousie took advantage of the contention, then existing between the Sulpicians and the Archbishop to support the former in order to break the power of the latter.

One way in which the Catholic power hoped to coerce the government, was through controlling the members of the Assembly, the majority of whom were communicants of that church. The question of finance and expenditure arose again during the administration of Sherbrooke.

This Governor, who had been very much liked by all parties and whom all parties disgusted by their cupidity, some for money and others for power, demanded his own recall and was replaced in 1818 by another. This other was Charles Lennox, Duke of Richmond and Aubigny, whose relative, Sir Peregrine Maitland, was at the same time made Governor of Upper Canada.

The first struggle, in 1819, between the governor and parliament, was directly owing to the desire of the governor to raise the pension list to a yet higher figure, when all parties acquainted with the financial condition of Canada, knew that it ought to be lowered. A committee of parliament recommended the abolition of certain sinecures whose duties were merely nominal.

Now when it is known that the support of government rested in the independence of this civil list it must be apparent that the attempt of the Assembly to control this list, although motivated by such a fair excuse as the additional extrava-

gance of the Duke of Richmond, had to be fought, if for no other purpose but to prevent the country at large from falling into the control of a factious majority, ready and anxious to persecute every opposing minority.

Having voted the supplies, the Assembly demanded to know the specific employment of them. It was not enough to know that a certain sum was to go to support the civil list, but the number on the civil list must be known, and how much of the general sum each one received and for what service. It would be a very difficult affair to explain to the Assembly that certain sums of the civil list went to persons unpopular with the majority, but whose retention was necessary for the crown.

The Assembly fixed the treatment of each functionary on the civil list, and omitted the salary of several whose employment did not seem quite clear. The Council immediately rejected this measure of the Assembly and declared that such a method of procedure was unconstitutional and an attack on the most important prerogatives of the Crown. If the bill passed in this shape, it would give to the provincial assembly, not only the privilege of voting subsidies, but of deciding for the crown the number and kind of its officers, and would arrogate to itself the judgment of their services. If the officers of the Crown were made to depend on the legislature the legislature could command their services even to the ruin of the crown itself.

The Duke of Richmond prorogued this parliament April 24th, 1819, with the following speech, which explains the condition of affairs and why he was brought to prorogue its sittings. "I came to take in hand the government of the possession of His Majesty in North America, with the sincere desire of fulfilling the generous intentions of the Prince Regent, and of increasing the prosperity of the country. I flattered myself that I would be seconded by every instructed person capable of appreciating the motives that brought me to accept this charge. Full of confidence in your zeal * * * in your knowledge of public and private interests, I have patiently followed your deliberations. Gentlemen of the Legislative Council, you have not deceived my hopes, and I pray you accept my thanks. Gentlemen of the Assembly, I regret not to be able to express the same satisfaction and approval of the result of the work on which you have employed your precious time, and the prin-

ciples which have served as your guides. You have voted a part of the sums which I have demanded for the expense of 1819, but you have based your allocations on principles unconstitutional and irrational, so that the government to-day finds itself without resources to sustain the civil administration in spite of the voluntary promise which the Assembly made to His Majesty on the 13th Feb., 1810."

The Duke of Richmond died in Sept. 1819, before the effects of his administration could come to a development. He was succeeded by Mr. Monk and Sir Perigrine Maitland until the arrival of the next Governor, the Earl of Dalhousie, who had been governor of Nova Scotia.

When the Earl of Dalhousie met the chambers of Parliament for the first time, in 1820, he declared that he could make no concession in regard to the financial arrangement that touched on the prerogative of the Crown.

The parliamentary opposition to the Crown in England took up the cudgel for the cause of the Assembly in Canada. Mr. Hume, in the English parliament of 1820, said: "The expense of the colonies includes the question of good or bad government. Why are 6,000 soldiers present in Canada if not to keep the people under a control that is oppressive and hateful? What would an English House of Commons say if treated as the Assembly of Quebec? What if the King refused its president a majority of 55 to 53?"

In this speech, the studied attempt at illogical reasoning, or else the inability to appreciate historical differences, betrays that the speaker, like most of the democratic orators, was either a trifler or a fool. Mr. Hume knew very well that the 6,000 soldiers in Canada were there to hold the country against the Yankees; he knew that there was no similarity of composition between the English Parliament and that of Canada; he knew, or ought to have known, that the majority in the Canadian Parliament, if government was in their control, would soon have driven the English from the country.

Mr. Huskinson proposed a commission to enquire into the condition of Canada. The question he proposed to find out was whether the two provinces had been administered in a manner to favor their prosperity and attachment to England.

The Ministry, desirous to maintain the English supremacy over the French majority, replied: "That France ceded Ca-

nada to England without conditions and without stipulation regarding administration. France had then introduced the feudal system in full vigor. This system, with the Code of Paris, arrested all progress. We have done everything to introduce English laws and cause them to be put in force up to 1774. Then, in order to conciliate and hold the French, in Canada, against the revolt of the other American colonies, we revoked the promise of introducing English law, except the criminal law. We confirmed the ancient laws, recognizing the Catholic Church, and substituted the English system of taxation in place of the French."

"The Act of 1774 abandoned to the colonies the right of self-taxation and Upper Canada was separated from Lower Canada for the sake of the English colonists. We made the fault of dividing the electoral college, not according to extent of territory, but according to population. This had the effect of throwing preponderance in favor of the seigneuries."

"There remains another difficulty, still more formidable,—the control of the colonial legislature over the public revenue. The taxes, which replaced the French taxes, were appropriated by the Act of 1774 to the civil list and the administration of justice. They amounted to £40,000, or from all sources, to £100,000. The colonial legislature claims all this revenue, and what branches of the public service shall be maintained out of it. The Crown (ministers) denies this pretension, which is founded neither on law nor usage, and the legislature refuses all subsidies so as to force the government to abandon to it control over the totality of revenue. Such is the question of debate before the two chambers."

The Ministry, by this exposure, showed that its opposition to the Seigneurs, and the French territorial law had been ill-advised, even for the benefit of the Crown, but that its opposition to the Assembly and the Catholic influence was proper and reasonable.

Mr. Labouchere replied to the Ministry thus: "I consider the Act of 1771, the great charter of Canadian liberty. I believe that, if the intention of Pitt and the legislators of his time had been followed, Lower Canada would have had a better chance of arriving to prosperity than that which is now accorded her. She would have enjoyed that concord and tranquility which her alliance with the metropolis ought to guarantee her. It seems to me that the intention of Pitt

had been to give to Lower Canada a political assembly and a Legislative Council, but not to compose this council from the smaller number—from his English faction alone. The Secretary of the Colonies does not render justice to the French Canadians, or to their legislature by saying that the experience of Pitt has not succeeded, since that experience has never been practiced or proven."

Sir James Macintosh declared that: "Although the Code of Paris in Canada has undergone no change since 1760, the manner of property transfer and government are superior to the English law system." He ridiculed, by comparison, many usages of English real estate law which have become so complicated for the support of the lawyer element that: "It requires as much to secure the settlement of a large estate as it does to make a treaty between two nations." He continued: "Truly the minority has not put before the House information enough to make this cause perfect. But, such as it is, with the knowledge which we have of the facts, I am of the opinion that the colonial legislature is justified in acting as it has. Undoubtedly it has the right of appropriating the money it has accorded: that is in the nature of its vote. It is the right of every representative assembly, and it is to this right that the British House of Commons owes all its importance. If the colonial assembly does not possess this right, its pretension to control public expenditure is pure illusion."

"The Council, on the other hand, is but the instrument of the governor and is accountable to him. Of the twenty-seven members composing it, seventeen hold places of pay, under the government, giving them £17,000."

"The Minister of the Colonies addressed himself to the sentiment of this House to excite the sympathy in favor of the English in Canada. I demand that he show me a single law passed by the Assembly of Lower Canada against English colonists. And the remedy prepared is a change of representation! The purpose of this change is for the benefit of 80,000 English settlers. But what influence would they exert over 400,000 French-Canadians who hold all the land and property of that country? The English, with but few exceptions, are shut up in cities, and are composed for the most part, of shop-keepers and the agents of merchants. They are respectable, no doubt, but would it not be a great injustice to give them the influence the

French-Canadians ought to possess by reason of their property holding?"

The House of Commons, after some further debate, placed the affairs of Canada in charge of a special committee (1824.)

Before this discussion was commenced in the British Parliament, and while it was continuing, the war of factions was increasing in Canada. The Assembly declared (1820) that: "The Council should not dictate the manner of its voting of subsidies * * That the right of proposing subsidies belonged exclusively to it, and the resolutions of the Council were contrary to the Constitution. The Council, without deigning to reply, rejected the finance bill of the Assembly.

The question was whether the supplies should be voted in one sum and for the life of the King, to be paid annually, or, whether they should be specified for this or that service, and appropriated yearly to the Assembly. The Assembly held firmly for the latter method, as offering a means of curbing and controlling the action of the government. The Assembly went so far, even, as to refuse to recognize the agent appointed by the executive Council at London as the colonial agent.

The Assembly was becoming so prolific in claims on power as to overstep the constitution as popular assemblies even are wont to do. An assembly, by its nature, is but a representative body. It has no right to executive, or judiciary functions, or to any action that tends to control the freedom of the government, to which its members are accredited as representatives of the people. They came together, merely to represent the claims people have to be observed, and to suggest ways and means of carrying those claims into execution. But it is the executive that decides whether this shall be carried out, and it is the judiciary that declares whether they are lawful. With the legality or justice of a measure, a popular assembly never bothers. It is against this carelessness of the rights of minorities and individuals that the judiciary and Executive Councils are particularly charged to be on guard. They cannot maintain justice without independence of the Assembly.

It was in the summer of 1821 that the Earl of Devonshire visited Upper Canada to look at the fortified places and to discover what was the feeling of the people in regard to a union with Lower Canada. He thought that, if the Canadas were reunited, that the weight of the English in Upper Canada would assist

the Crown in its struggle with the Assembly.

He returned strengthened for the combat. He summoned Parliament Dec. 11, 1821, and declared to it that the civilist must be voted for the life of His Majesty, according to the desire of the King; that harmony among the three branches of the government could be restored only at that price.

The Assembly decided then to open up all the vices of the administration; it demanded of the Governor a state of the expenses fixed by royal instructions of 1792, 1797, 1810 and 1818. The Governor declined to communicate the secret instructions of the King. The Assembly, then, voted Mr. Marvat, of the British Commons, its agent in England, but he refused to act without the consent of the other branches of the Canadian government.

The Crown party beholding how the majority were deliberating in Lower Canada—not for the good of the Commonwealth, but from a spirit of opposition and hatred, and to control the government itself determined to unite with other parties, drawn into union by financial causes, for the reunion of the two Canadas.

CHAPTER VIII.

PARTY TROUBLES PRECEDING REVOLUTION OF 1837.

(1822—34.)

In 1822 the population of Upper Canada was 140,000, that of Lower Canada 428,000. The commerce of Upper Canada with England was carried through the ports of Lower Canada. By the convention of 1817, Upper Canada was to receive one-fifth of the duties collected at Quebec. Since its population had increased, it claimed a yet larger share. In disputing over this, Upper Canada sent an agent to England to explain.

The plan of all parties of the English now was for the restriction of the two parts of Canada to their original unity. To the Crown party, there was a sincere desire for an intermarriage of the French and English peoples, to produce one nation—as the Norman French and Saxon English had in England. Without this intermarriage, there would be two distinct nationalities, one of which would

have to be first in all matters, and this would be a constant menace of discontent. The creation of the two provinces had fortified these national differences by leaving the French masters of Lower Canada, and the English in control of Upper Canada. It had created the spirit of a separate legislation.

2. To the bureaucracy there was an interested desire for union, because it would give them a greater chance at the offices of Lower Canada, if re-enforced by the English power of Upper Canada.

3. To the financial party there was a selfish regard for a union, for the bonds of Upper Canada had been sold to London bankers at the time of the war of 1812-17, and the people of Upper Canada found the burden of being taxed to pay the interest on these bonds very heavy. Moreover, Lower Canada had very little indebtedness and was rich and prosperous. If the two Canadas might only be reunited, the burden of paying this debt would be shared by Lower Canada and the bond-holders thereby would be doubly assured.

The bill for the union of the two Canadas was brought before the ministry in 1822 by Ellice, but on account of the personal hostility of a rival, an opposition was formed that caused it to be laid aside for a time. It was decided, however, that it was necessary to stay the acts of friction in Canada, which were constantly recurring between the executive and legislative branches.

Meetings for a union and against it were held all over the two Canadas. Contrary to expectation, the majority of the inhabitants of Upper Canada pronounced against the project. They declared themselves to be content with their constitution, which they desired to transmit in its integrity to their offspring. A petition bearing 60,000 signatures was sent to London, by the French of all classes, who were opposed to a union.

The Governor called Parliament in January, 1823. In the absence of President Papineau, Vallieres was elected to his place over the Assembly. Mr. Ogden (English) in this parliament, proposed an amendment in favor of an union in these terms: "Canadians should not entertain sentiments of hostility towards other subjects of their sovereign, or have a repugnance to adopt the language, the usages and the character of that great family to form in common interest, one province of the two Canadas * * It is sometimes the duty of law givers to

search the happiness of a people in spite of the will of the people."

The Catholic Bishop, Pléssis urged on the clergy to make an effort against the union. He himself wrote to all the leading statesmen and to the Catholic Bishop of London. He attributed the desire for a union on the part of the royalists to the refusal of the Assembly to vote the civil list. He intimated to Papineau that it would be better to concede the civil list than to have the union.

As an offset, to weaken the Catholic faction, the Protestant settlements to the east, surrounding the village of Sherbrooke, petitioned for a new electoral division of their territory, so that they might be better represented. Lord Dalhousie invited them to send their petition to the London Parliament. The petition was accepted. The settlements were detached from the districts of Montreal and Three Rivers, and erected into a separate district by the name of St. Francis, in which was established a judiciary.

It crippled the government just at this epoch to discover that an official high up in the bureaucracy, named Caldwell, was guilty of stealing £100,000. Caldwell showed too soon the nature of irresponsible officials, such as democracies and bureaucracies encourage. The Governor was forced to prorogue parliament March 9, 1824, without having advanced one step towards concession of the civil list, or any other measure to benefit the country. Lord Dalhousie then passed over to England to confer with the ministry on the project of an union, as the only remedy for the difficulties of Canadian administration. During his absence Sir Francis Burton acted as Governor, and created the impression by his obliging characteristics that the government had yielded its prerogatives to the Assembly.

After Dalhousie returned to Canada he received a letter of instruction from the ministry in relation to the government of the country which he did not communicate to the Assembly in his address of 1827.

The report spread that this letter related to the subsidies, and the Assembly demanded a copy. The Governor refused to give a copy. He could not recognize the unconstitutional claim of the legislature to participate with the executive power in correspondence with the seat of Empire. Had he complied, such a precedent once established would have annihilated the power of the Governor, and

made him a creature of the schemers of the Assembly.

The Assembly replied to this refusal with the declaration that they were prepared to vote the subsidies in the form which they had adopted in 1825, and in no other.

The next day, March 7, 1827, the Governor dismissed the legislature with a speech of withering contempt at their short-sighted policy and desire to put obstruction in the way of an earnest effort at good rulership.

The journals took up the cry of partizanship for one side or the other. Deputies of the Assembly sent addresses to their constituents casting the blame on the Governor. The Governor, on the expiration of the militia laws, which the Assembly had refused to renew, gained a master-stroke by putting the ancient ordinances in vigor. This policy at once placed the military establishment at his disposal. Officers of the militia, suspected of partizan designs, were dismissed, and their places supplied by reliable material. Some of the more republican French went across the border into the United States, and established a journal at Plattsburgh, called *L'Ami du Peuple*, that continued, for a long time, to rave against the royal government with the insane fury of the Yankee demons and the Paris mob.

A new parliament was elected and assembled Nov. 21, 1827. Papineau was elected President of the Assembly, but the Governor objected to him, and commanded the Assembly to elect another who was less a partizan. He was again elected, and a deputation was sent to Dalhousie to enquire when he would receive the Assembly. The Governor replied that he could not receive their message until he had approved of their election of a President: he prorogued parliament the same day (Nov. 23.)

The friends of good government thanked Dalhousie for his firmness, and declared that his decided action had prevented a revolution. The enemies of the government prepared addresses to the English parliament and held meetings from beginning to end of the province. The editor of the *Spectator*, Waller, was arrested by order of the Governor for the bitterness and mandacity of his attacks. Partizan magistrates, editors and militia officers now felt the rigor of the Governor's determination to crush the stubborn opposition to his rulership. At the same time, in Upper Canada, Yankees who had settled there formed the bulk

of the Liberal and Democratic party, and agitated against the Crown government and the bureaucracy without distinction.

These affairs and their condition were brought to the notice of the English parliament in 1828 by agents sent over by both parties, and were the means of a long discussion. Lord Dalhousie himself was recalled. He laid before the ministry a memoir to justify his conduct, in which he declared that if the English parliament supported the Assembly, the government would soon be beyond its sounding in a sea of difficulties. He stated that it was necessary to overthrow the politics of the French and amalgamate their nationality with the English.

The Committee of the British Parliament in Canadian affairs reported measures for the following reforms:

1. Independence of the judges from political influence.
2. Responsibility and accountability of functionaries.
3. Legislative Council more independent of salary and more bound to the interests of the country.
4. Property of the Jesuits to be applied to educational purposes.
5. Obstacles to the re-establishment of real property removed.
6. Abuses to be redressed only after investigation (by the Assembly.)

The first of these measures might be interpreted for the Crown, or against it, that is as to whether the "political influence" was conceived to emanate from the Assembly or the Governor. The second measure was against the Crown, because while the functionaries were appointed by the Governor they were made responsible to the Assembly. The third measure formed a landed aristocracy, and this was indirectly in accordance with a royal government. The fourth measure was against the Catholics. The fifth was adverse to the French property law, and the sixth gave the power of aggression to the Assembly.

Sept. 2, 1828, Sir James Kempt replaced Dalhousie as Governor at Quebec, coming from the Governorship of Nova Scotia. He opened parliament towards the close of 1828, and in doing so, recognized Papineau as President of the Assembly.

A week afterwards the British ministry instructed the Governor to make known to parliament the following: That the discussion concerning the employment of the public revenue had attracted the King's attention. As the Lords of the

Treasury had the disposal of the revenue by the imperial Act of 1779, it could not come under control of the Provincial Assembly. A certain sum of this revenue, coming from fines, land dues and other like sources, that in 1828 amounted to £38,000, the King wished to be set apart for the payment of judges and other functionaries, but he was not disposed to employ the rest of the money until he had listened to the views of the Assembly on the best manner for its application.

Sir James Kempt approved of the accord which was brought about between the two Canadas on the question of revenue participation and he accredited an agent chosen by act of legislature to represent Canadian affairs in London.

In spite of all he could do to satisfy the democracy, as it is proper now to call the Assembly and its partisans, he beheld in 1830, that they knew no bounds to extravagant demands, and he resigned to escape, in his turn, the unpopularity that the integrity and fairness of Dalhousie had brought on that chieftain when he was governor.

Lord Aylmer, the next Governor, arrived at Quebec Oct. 13, 1830. Lord Aylmer opened parliament in January 1831 by informing the members of the death of George IV, and the accession of William IV, which had retarded the ministers in their settlement of the troubles in Canada.

A little later, he communicated a response of the ministers to the Canadian Parliament. The ministry, acting under the evil advice of concession to the Assembly, abandoned control over all revenue except £19,000 to be devoted to the civil list and to be voted during the King's life. But the Assembly intoxicated with democratic ardor at this success, refused to accede to even this. Its members began to rely on the menace which the democracy, across the line, was able to offer. From this time dates the intrigue of Canadian democrats and factions with the Yankee democracy, whenever England is to be intimidated into granting concession that do not belong to law, ethics, or reason.

The Assembly, continuing its advance movement, demanded of Lord Aylmer copies of his despatches concerning the civil list. These he refused to show, in the same manner and for the same reason as Lord Dalhousie, his predecessor, had refused. The Assembly then extended the field of operations, by a nominal appeal to examine into the condition of the pro-

vince and demanded of the Executive Council details of the civil list, on the Jesuit property, on the revenue of woods and lands, and explanations on what was to be done with this revenue, also whether the Judge in Admiralty causes in Quebec received appointments or honoraries.

Before the bravery of these attacks the Governor showed signs of weakness. He informed the Assembly that the ministry were proposing to submit to the English Parliament a bill to take the revenue of the colony from the hands of the treasury and put it under control of the colonial legislature.

Further enhardened, the Assembly, March 8, 1831, by the proposal of members, Bourdayes and Lafontaine, conceived the plan of refusing subsidies until it could have control over the revenue; the judges excluded from the legislative and executive councils; these two councils reformed; the Crown lands conceded in freehold and put in French law tenure, according to the usage of the province—in fact, to have the Assembly in Canada act as Pope, Judge, General and Legislator combined—all controlled by democrats and Catholic priests. For the better carrying out of these schemes, Mr. Lee, one of the members, proposed to make the councils elective, like the Assembly. As a prelude to this action, the Assembly forwarded a petition for reform to the English Parliament, founded on a tale of grievances and complaints against the Royal Governor and Council.

In this parliamentary session of 1831 Jews were admitted to civil and political privileges in Canada.

When parliament opened again towards the close of 1831, the Assembly received from the ministry, through Lord Goderich, the reply to its petitions of the previous sitting. He informed the Assembly that the King confided to the provincial legislature disposition of the revenue of the Jesuits. The chambers were invited to pass a law to render the Superior Court judges independent of the Crown and immovable unless under forfeiture, but the law was to provide for their permanent salary. It was stated that no judge would be named for the councils except the Chief Justice, who was forbidden to take part in political debates.

With all these concessions placed before the Assembly by Lord Aylmer, it was asked to vote the civil list of £19,000. But so wild were its expectations and

so serious its hope of absolute authority, that the list was rejected. The members of the Assembly considered that they ought to control the government, and that the government would finally be compelled to acknowledge them, because "The United States was at hand to receive them if they were wounded in so holy a struggle for popular liberty."

The ministry went a step further than before, and conceded to the Assembly the privilege over the clergy reserves, but to no purpose. When the democracy runs insane there is no remedy like bleeding to bring it to its senses.

Aylmer dismissed the chambers with expressions of regret over the downfall of all hopes of reconciliation. He informed them that he would submit the law, in regard to the subsidies, to the King.

When the governing power hesitates the world believes in its weakness and acts accordingly. In 1832, during a period of election of candidates in Montreal, the people became so riotous that troops had to be summoned. They fired on the rioters and three of them were killed.

Lord Goderich, a British minister, inflated with the silly idea that a concessional rulership brings peace, when, in truth, it only provokes discussion on the acts of government and gives precedence for the sanction of further demands, added to the Canadian Council in order to popularize the government. Christie describes this chamber, in his History of Lower Canada, as being lowered in public opinion. "It was fallen into profound disrepute." There were no honorable virtues to it. "In general, by character and position of the persons who composed it, there was nothing in them to enlighten confidence and esteem."

When the Governor met the Assembly, in 1832, (Nov. 15), he informed them that the King would continue to provide for all needs of the civil list by applying thereunto the money that the law put at his disposal. As for the independence of the judges he could not sanction it, because the Assembly had not established a permanent and fixed salary. Besides, as the French outnumbered the English, and controlled one chamber, which chamber sought to control the government entirely, no further step could be taken in this direction without exciting the jealousy and fear of the weaker party.

It will be seen by this that the ministry was beginning to learn that the art of government is not in handing over the

reins thereof to the other parties, irresponsible and vicious.

The result of this was a series of new petitions from all parties to the British Government. It is necessary only to recite that of the Crown party, because it contains, by implication, the substance of the contrary petitions of the democrats. It declared that the situation of the country was alarming; that from prosperity and repose Canada was marching towards anarchy and ruin. Every effort was being made to divide the inhabitants into factions. The interests of commerce and agriculture were sacrificed to the spirit of control. The Governor was falsely accused of partiality and injustice. Civil and military officers were causelessly represented as corrupt and desirous of oppressing the people. Hostility to the executive council was pushed so far as to demand that it be made elective, which would form of it only another Assembly, and not the stronghold of royal power, as now. The effects of such a change would be to arrest immigration, raise indignation and fear among the royalists, and provoke a civil war with Upper Canada (Protestant); that would never consent to witness the erection of a Catholic democracy between here and the ocean.

The Chambers were dismissed April 3, 1833, after a session of useless recrimination of five months. It seems that the great delight of popular assemblies is to levy blackmail on their opponents. This same year the judges refused to confirm the charter of Quebec because it was made out in French instead of English. This only added to the weapons of the French party.

But Lord Goderich was replaced in the ministry by Mr. Stanley, who had a harder head and who proved a great reinforcement to the Crown party in Canada. He approved the conduct of the Governor in relation to the subsidies in the dispatch of June 6, 1833. He said: "If one listened to the absurd pretensions of the Assembly, they wish to prescribe annually the condition under which functionaries hold their charges, very few would desire to have them." The union of the two provinces he considered a necessity to put an end to these disputes.

When parliament assembled, Jan. 7, 1834, Lord Aylmer urged without delay, some settlement of the question of finance to the end that England might know how to act.

The Assembly wished to ignore the

Governor altogether and proceed to an examination of the condition of the province. But in the midst of this crusade against the Governor and Council, the reply of the British ministry to the address sent by the Assembly, to London, arrived, and was read. It consisted of the following message:

"The object of this address is to pray His Majesty to consent to the holding of a convention in Lower Canada, that, independent of the legislative bodies, shall reduce to zero the constitution, and expunge the article which created the upper chamber, or to render that chamber elective. His Majesty sees in this purpose only a frivolity. He can never give his consent to that which is incompatible with monarchical institution, but will ever be ready to do what he can to make independent the Legislative Council and elevate its character."

In the meantime the day fixed for examining the condition of the province arrived. Papineau made an address in which he fairly exceeded reason at this time, his misapplied republicanism. "There exist certain signs," vociferated he, "that before long prove that all America will be republican. It is a great error on the part of Mr. Stanley to speak to us of the monarchical government of England in 1834. At the time of the Stuarts, those who sustained the monarchy lost their heads on the scaffold." This flourish of democracy was indeed unfortunate to his subsequent glory.

Bedard followed Papineau with a set of resolutions containing the very desire which His Majesty had forbidden to be expressed. Neilson replied to Bedard thus:

"The resolutions of Mr. Bedard bear against the existence of the Legislative Council, a body constituted like the Assembly, by the Act of 1791. They put in accusation the governor, who forms another part of the legislature. They bear a refusal to submit to the expenses of the province. They are injurious towards the British ministers."

The opposition seeing that its inclination towards republicanism and the United States was bringing about a feeling of wrath in the minds of the royalists, sought to confuse the declaration by appealing to history. It was declared that "It was not the freest regime among the English colonies that produced the revolution in America, since the province of New York, where institutions were the most monarchical, ac-

cording to the meaning of Mr. Stanley, had been the first to refuse to obey the act of the British Parliament. Connecticut and Rhode Island, with purely democratic institutions, had been the last to enter into the confederation on the United States."

Here this orator showed his ignorance of history. Massachusetts, the most democratic of all the colonies, was the first to organize an armed insurrection against the Crown, while New York furnished a greater number to the royalist forces, in proportion to population, than any other colony, and New York city was the stronghold of the British in America up to the close of the American war in 1783. Virginia was more monarchical than New York. And Georgia was the most loyal of all, having a royal organization until 1782.

The Assembly, in this session, left the civil list unappropriated. All parties petitioned to England. The Governor, in closing the session, March 18, 1834, told the members that, since they had appealed to the British Parliament, they must now submit to its supreme authority.

The members of the Councils and the Assembly separated to await the effect of their representations and complaints on the home government. The muddle of affairs was so intricate that it seemed as though nothing but the strong arm of arbitrary power could separate them into orderly succession.

CHAPTER IX.

INSURRECTION OF 1837-40.

Thoughts of the general prosperity of the country and integrity of the Crown were denied in utterance before the clamors of religion, bigotry and prejudice of race.

Lord Goderich, although superceded by Mr. Stanley, wrote a letter to the Governor of Newfoundland, in which he expressed those "liberal" ideas, which seem too preposterous and irrational from the utterance of an English lord: "One is unable to deny that the existence of these councils is accompanied by serious difficulties. They deprive the Government of serious difficulties. They are too often in dispute with the legislature."

They deprive the Government of his own responsibility and the Assembly of its best material without compensation. In the colony, they have not that high position which the House of Lords has in England, because they have not riches or independence, or antiquity. I would see with pleasure the two chambers united into one."

By this letter, this singular peer, would see a political evil take one step forward and civilization one step backward. Truly his shield, and the shields of those like him, ought to be in the language of heraldry, reversed and erased. It always seems strange, when there is a quarrel between the elective chamber and the hereditary branches of government, and the question of the abolition of one of them is raised, why it does not point to the elective one, that is always aggressive and unconstitutional. Sometimes the question of abolition does come to the political swaggers of the democracy, but it is brought by a dictator, a Cromwell, or a Napoleon, and the world at that time cries, "Blessed is the day that gave him birth."

While waiting for the judgment of England on these matters, organizations were promoted on both sides of the question and the election of another parliament took place. Lord Aberdeen was in charge of that department of the ministry concerned with the colonies.

The fifth and last parliament of Lower Canada assembled at Quebec Feb. 21, 1835. Lord Aberdeen wrote Lord Aylmer that he approved of his conduct. Not one of the 92 articles of complaint had been sustained by the friends of the Assembly against the ministry. Sir Robert Peel, the Prime Minister, charged Lord Aylmer to announce to Lower Canada that a new governor, invested with extraordinary powers to settle matters, would be sent over.

Sir Robert Peel's ministry gave place to that of Lord Melbourne in April 1835. Lord Glenely was placed in charge of the colonies.

The decision of the two ministers in regard to the colonies was as follows: The Legislative Council was not to be changed, and the constitutional convention was not allowed to be controlled by the people. The Crown was not to abandon its claim on the revenue. The administration of Crown lands was to remain under charge of the Executive Council. The trial of judges was to be had before the Legislative Council, or the King and Privy Council.

Three commissioners were sent to Canada to observe the action of the Assembly, to study into the social arrangements of the country and the political doctrines disseminated by the press. This commission arrived at Quebec in August 1835. Lord Gosford, one of the commissioners, replaced Lord Aylmer as Governor, and presided over the opening of parliament, Oct. 27, 1835.

During this session, Papineau was chief of the irreconcilables of both races, and based his opposition on the terms of the 92 articles which had been rejected by the British ministry.

In the meantime the commission sent by the ministry to Canada had made its report. Upper Canada and the Maritime Provinces were concessionary, and the commission advised the ministry to treat the unconciliatory spirit manifested by the Assembly of Lower Canada without circumlocution. This report made to the British parliament, March 2, 1837, advised the use of coercive measures, if necessary, against the Assembly of Quebec. They suggested the changing of the electoral law so as to give greater preponderance to the Crown party, and to maintain the demands for the subsidy of £19,000 for the life of the King, or, at least, for some years. Lord John Russell, Minister of the Interior, approved, before the Commons, of all these advices. He took occasion to say: "Not one of the other colonies has advanced such demands as Lower Canada."

Lord Glenely wrote to Lord Gosford, on the determination of the British government and, in case that the Canadians should resist, he would send two regiments supplied with artillery, as a support. The bleeding time was about to commence. Lord Gosford was commanded to draw troops, also, from New Brunswick.

The radical press of Canada, when this news was known, declared that the oppression that England wished to impose would not be endured; that the government of the United States would be invited to interfere; that it was necessary to cease all intercourse with England. The exasperated democrats, with Papineau at their head, went about the country making addresses of violent import. Armed hands in the country region burned the effigy of the Governor. All acts seemed to denote an instantaneous insurrection. There were two things, however, that cooled the wiser blood among the disaffected. This was the knowledge that the other provinces were with Eng-

land. Secondly, Yankee treachery was suspected, and it was rumored that, if rebellion did occur, the United States were ready to step in and secure the price of Canadian victory on their own terms.

The Governor, on his side, was willing to make one more attempt at conciliation. When the chambers were reopened, Aug. 18, 1837, he prayed the Assembly to settle the revenue or the metropolis would do it. The Assembly replied by a protest against the report of the commissioners and the resolutions of the London parliament. The Governor, then, brusquely prorogued the Assembly.

The partizans of democracy, anarchy and the Assembly finding themselves no nearer rulership, but likely to be borne backward, organized armed resistance and sent petitions to London. The relics of the seigneurial order rallied about the governor. Colonel de Hétel promised for the fidelity of his battalion in Deux Montagnes. But, in the vicinity of St. Charles, a great assemblage of the inhabitants of the six adjoining counties, Oct. 23, swore to a union to which they gave the name of "Confederation of the Six Counties." They bore a number of banners on which were Catholic emblems and words like the following: "Vive Papineau and the elective system," "Independence," and "The country awaits the aid of the Canadians of 1813." The assemblage was addressed by Nelson, Papineau, Viger, Lacoste, Côté, Brown and Girard.

The Catholic Bishop, Signai, fearful lest the rebellion would damage the interests of the clergy, hastened to put himself in alliance with the government. He issued a proclamation commanding all Catholics to respect the established authority.

Gen. Colbotne, who held command in Upper Canada, left that province in charge of Sir Francis B. Head, and took charge of the English forces of both Canadas, sending even for some regulars that were stationed in New Brunswick.

Mandates of arrest were issued against Papineau, Callaghan, Nelson and Morin for high treason and troops were detached under Col. Gore to proceed to St. Denis and St. Charles.

On Nov. 23 Nelson was entrenched at St. Denis. In the combat that followed the government troops, after six hours of struggle, were unable to force the enemy therefrom, and retired, leaving behind the cannon, wounded and part of the baggage and munitions of war.

Another column of the government

troops had departed from Chambly, commanded by Col. Wetherall with orders to join Gore. Not finding Gore, Wetherall advanced against a body of insurgents on Nov. 25th, posted at St. Charles. Some of the insurgents were commanded by Brown, who fled and left his followers to make the best of it. The insurgents at St. Charles, although having artillery, were overthrown after a fight of two hours, and their enclosures carried at the point of the bayonet.

At the close of this affair, the Montreal district was placed under martial law. The Canadian part of the insurrection had been conquered, save that at St. Eustache. Some Yankees who had come across the frontier, on the Lake Champlain side, were dispersed with hereditary confusion. Sir John Colborne, with 2,000 men, arrived before St. Eustache Dec. 14. This post was commanded by Chenier, who had 250 men, fortified in the church, the convent and neighboring houses. After a brief resistance this place was taken and all within were slaughtered without mercy, as a lesson to further rebellion.

The rebellion was crushed. Papineau, the leader, had fled to that arsenal of sedition, the United States. The publications which had contained insurrectionary counsels were seized. The Assembly of Lower Canada was prostrate at the feet of royal power.

But while Lower Canada was freed from the demagogues and their followers who had enkindled the torch of anarchy, Upper Canada was prey to the same malady. Mackenzie, a champion of democracy, of a much ruder mold than Papineau, had spread his flag to the breeze at Navy Island, two miles above the Falls of Niagara, where he was joined by a herd of Irish-Americans, ever ready to promote a schism in the government of the British. The district of London, settled mostly by Yankees, was in the ferment of revolt. But the revolt-ers were defeated at Amherstburg and Mackenzie was driven by cannon shot out of Navy Island. For some time after guerilla bands commanded by Mackenzie and Nelson, and composed of the refuse of the democracy, hovered along the frontier. Their leaders went so far as to publish a proclamation of independence in March 1838.

The British minister at Washington complained to the United States government of the violation of neutrality laws which was going on within the border. The Governors of New York and Vermont

at this instance called on the people of these States to cause the peace to be respected. But there was thought to be a secret connivance between the United States authorities and the Canadian republicans, and this supposition was supported by the fact that the State governors did not call on the militia to enforce neutrality, but merely published a proclamation which was as much observed as the blowing of a horn.

In England the attention of parliament was drawn to Canadian disturbances by a speech from the throne, Nov. 20, 1837.

English at Quebec and Montreal had recommenced to demand the union of Upper Canada with Lower, as a measure of common safety.

In February, 1838, Lord Gosford resigned from Lower Canada, and Sir F. B. Head, from Upper Canada, and both departed for England. It was in the way of the Crown government to establish a just and equitable rulership in Canada without the aid of the democracy, which lay crushed and bleeding at the feet of conquest. The Assembly had forfeited its right to existence, as well as the popular branch of the Upper province, through the late armed resistance and unconstitutional proceedings. A wise government would have set up, in both Canadas, the rule of a military chieftain assisted by a council chosen from among the seigneurs and landed proprietors. But such was not to be. The parliamentary democracy of England feared to permit the ministry on such courses in the colonies, because such courses would run as menaces to its own establishment in London. Yet the menaces to the Empire of these democratic parliaments are greater than that of external foes. Had the revolt promoted by their demagogues proved longer-lived in Canada, France was prepared to send an auxiliary legion, and the United States government was ready to recognize Canadian independence as a preparatory measure of engulfing the country in its own pythean embrace.

The democrats in England clearly foresee that the building up of Crown colonies tends to strengthen the Crown at the expense of parliament. It became a policy from this time, of the liberal, or democratic party in England, to advocate the independence of the colonies so soon as they come to be of self-supporting consideration.

Mr. Hume, M.P., presided over an assembly, in London, in 1838, and suggested that the possession of Canada was not advantageous to England; that it

was a source of weakness to the Empire and of expense to the English exchequer.

Lord Brougham, with all the facility of democratic ignorance, on the correct alignment of historic events, proclaimed, in these words, his opinion: "All the dispute comes from our having taken £20,000 without the consent of their representatives; £20,000 without their consent! Well, it was for 20 shillings that Hampden resisted and acquired by the resistance, an immortal renown." He was blind to the fact that the refusal to vote for the subsidy in Canada was the pretext for resistance and not the cause, as the events of history have proven.

Lord Durham was appointed Governor and Royal Commissioner with authority to appoint ten councillors from Lower Canada and an equal number from the Upper Province, to assist him in his task of pacifying the country. He arrived at Quebec May 27, 1838. He had private instructions to suspend the constitution of 1791, and all things pointed to a forcible union of the two provinces.

There was a strong opposition to this, as might be expected, among the liberal parliamentarians of England in the interest of the body to which they belonged. The suppression of the constitution of 1791 gave an additional weapon to their argument. Mr. Grote declared in the London parliament. "If a violation of a part of the constitution has determined the Canadians to arm in defence of their rights, what will be the consequences of a measure which suspends the constitution and confiscates public liberty?"

Mr. Warburton added: "England has aided to prepare liberty in Greece, Poland and South America, why wish to deprive the Canadian people of that benefit?"

Both of these orators had their minds so clouded either by perversity, or ignorance, as to be unable to draw just historic parallels.

Lord Durham, after he landed at Quebec in 1838, made the following proclamation: "Those who sincerely wish the reforming and perfecting of deficient institutions, will receive from me, without distinction of party, race or politics, the support and encouragement that their patriotism merits. But the disturbers of public repose, law violators, enemies of the Crown and the British Empire, will find in me an inexorable enemy." He proceeded at once to dismiss the Council, which had been nominated before his arrival by Colborne, and named in its stead a council of responsible and honor-

able gentlemen consisting of the following: Mr. Buller, secretary; Admiral Sir Charles Paget, Gen. Clotherow, Gen. Sir James MacDonell, Col. Charles Grey, Mr. Turton and some members of his suite. He added to them five judges of the country, Daly, the Provincial Secretary, and South, Commissary-General of the Province.

By one stroke of the pen he freed himself from the embarrassments of political troubles in the trial of political prisoners, whom he pardoned on the day fixed for the coronation of Queen Victoria, (June 28, 1838)). There were a few others, however, who were sent into temporary exile to the Bermudas.

In July Lord Durham passed through Montreal to visit Upper Canada, for the purpose of organizing the material for a union of the two provinces.

While this was going on, in Canada, in the British parliament the arbitrary action of Lord Durham was censured. Although the ministry rallied to his support, his action was the subject of a disavowal on the part of the government, which so humiliated him, that he resolved to resign his position. The friends of good government in Canada, however, expressed to him publicly their approval of his course and their indignation and scorn of the British parliament that had condemned him. They even sent a deputation to London to approve of Lord Durham there, and to demand an union of the Canadas.

The British parliamentary demagogues had they had sense enough to have appreciated the effect of their action against Lord Durham, might have witnessed the mob at Quebec and Montreal, burning the effigies of Durham and the ministry, while they were cheering the names of the leaders of that faction in the British parliament who had been in the opposition.

The 9th Oct., 1838, Lord Denham published a manifesto in which he declared that, it was the desire to give a royal character to Lower Canada with a free government; to destroy the miserable jealousies of a little society of demagogues and the odious animosity of races; to elevate the sentiment of a noble and magnanimous nationality. He showed that it was dangerous to have the executive affairs of the colony subjected to subordination at the hands of factions in the British parliament. He departed for England in November, leaving Sir John Colborne at the head of

affairs.

The U. S. politicians no sooner knew of the paralysis that the British parliament had caused to Canadian loyalty by its factious behavior towards the royal Governor, Lord Durham, than they encouraged the Canadian refugees in their territory. These, with their republican sympathizers, they held meetings at Washington, Philadelphia, New York and Albany, and put themselves in correspondence with secret societies of armed men in Canada, whom the interposition of the British parliament against the royal Governor, had encouraged. In Montreal, one of these societies held 3,000 ready to take arms. Nelson came on from the United States so soon as Lord Durham had embarked for England, published a second proclamation of independence, crossed the border and took armed possession of Napierville. Sir John Colborne proclaimed martial law, and, in a few days, reduced the country to submission, after having driven Nelson over the border and devastated the neighborhood that had supported his presence, as a lesson to future offenders.

In Upper Canada another corps of republicans and Canadian rebels fortified themselves in a stone mill, near Prescott, but were obliged to surrender to a besieging force. Other bodies made ineffectual attempts on Windsor and Sandwich.

The Crown party were furious. They said that they would "swear the democracy from the face of the earth." Every house of the rebels was burned in the vicinity of Montreal. Sir John Colborne organized without delay a council of war, and commenced the trial of prisoners made in this campaign. Ninety-nine were condemned to death.

Colborne was made Governor-General of Canada in 1839. The first part of his administration was occupied in waiting for news of the effect in England of the events which had happened in Canada.

Lord Durham, in England, in his report said "There were two ways of treating a conquered people; either to respect its laws, institutions and nationality, and, without favoring the immigrants of the conquering race, without attempting to change the elements of society, to consolidate the established order of things under the central authority; or, to treat the country as an open field, to encourage immigration, to reward the conquered as subordinate in all things to the conquerors, and to attempt

to assimilate their character and institutions. In an ancient country the first is the method to be pursued; in a new country, it is the second which should be chosen."

Lord Durham justified himself in following the latter course on account of the refusal of the Assembly to vote the civil list. "The Assembly of Lower Canada is able to reject or receive the law, to vote or refuse subsidies, but it can exercise no influence on the choice of the Crown officials. The Executive Council, the heads of departments and the judicial officials are named without the least attention to the wish of the people, or its representatives." From this arose the struggle between the two branches of government.

Lord Durham advised the legislative union of all the provinces. But he urged the union of the two provinces of Canada with a representation based on population; to revise the constitution of the upper chamber; to allow the lower chamber to control the revenue except that which was derived from public lands and for a sufficient civil list; to render functionaries accountable to the legislature, except the Governor and Secretary; to make the judges independent, and finally to put at the heads of departments ministers in accord with the views of the majority in the legislature.

The British ministry adopted Lord Durham's plan with the exception of according to each of the Canadas an equal number of representatives.

May 3, 1839, Lord Melhourne, Prime Minister, presented to the British parliament a memoire from the Queen recommending the union of the two Canadas.

In the meantime, Poulett Thomson, afterwards Lord Sydenham, was sent to Quebec as governor and instructed to smooth away the apprehensions of the French. At Montreal he convoked a special council Nov. 11, 1839, that approved the project of the union. To gain the Catholic clergy, he confirmed the seminary of St. Sulpice with all its pretensions. Dec. 3 he opened the parliament at Toronto.

This parliament demanded "that the seat of government should be fixed in Upper Canada; that the three lower counties of Lower Canada should be added to New Brunswick; that Lower Canada should have fewer deputies in parliament than Upper Canada, and that after 1845 the seigneuries should not be represented, that an interdict should be

passed on the use of the French language, and that the debt of Upper Canada, which was over £1,000,000, should be paid by both provinces, although Lower Canada was free from debt.

The English parliament passed the bill for the union of the Canadas in July 23, 1840, as it was drawn by the minority. The debt of Upper Canada was to be more than half paid by Lower Canada, which was free from debt and in a prosperous condition. The great London bankers, at the head of whom were Baring Bros., owned the bonds on Upper Canada and used their influence to bring this about. Some in the House in London made a greater opposition, because to their minds it was not just to the French, although it was a curb to the Catholics. The bill became a law that same year, annulling the constitution of 1791, and making English the parliamentary language of the union. The English Lords had voted for the bill simply because all classes had demanded it and the bankers had declared that Upper Canada could not pay its indebtedness to them, unless secured by the revenue of Lower Canada. This was the chief influence and it was partly an influence of commercial spoliation brought on by democratic excesses.

CHAPTER X.

CONDITIONS OF CANADA AT THE UNION—(1840-2).

The Crown had triumphed in the trouble of factions in 1840. The union of two provinces was proclaimed Feb. 5, 1841. The purpose of the union was to break the democratic influence and to unite the French and English races in one nationality. The French population of Lower Canada was 697,000, of whom 572,500 were Catholics. There were 64 colleges and 1500 inferior schools in which 57,000 children were instructed. There were 76,000 proprietors and 113,000 dwellings, proving that nearly every family of five persons each had a home.

The Crown had missed its opportunity of establishing a natural government. The course which events were taking under direction of democratic factions and

oligarchic cabals on both sides of the Atlantic left Canada like a fruit orchard without a fence.

There were no distinct party lines in natural position. Party lines were drawn according to expediency and the questions of the moment. The country had not progressed far enough, as a unit, to have a settled policy of trade relations. There were no precedents established from which to draw principles for diplomatic instruction. There was no public history to adhere to, except what was furnished by the French and loyalists. The country, therefore, had no national character at this time, outside of being a part of the British Empire. The French inhabitants to whom there were historic recollections, were treading on a new political arena, and that arena to the English inhabitants received its enlightenment from across the sea.

Patriotism, under these conditions, could be expected of no party. Public sentiment was undeveloped. What elegance of manner there was, was among ancient classes. Principles of hospitality were also esteemed by them. In the Province of New Brunswick, the private letters of Gov. Head, of Upper Canada, who had travelled there, describe the people of St. John as ignorant, superstitious and drunken. The most enterprising of the inhabitants of Upper Canada were of the strict business character that, in later times, has characterized every stirring place in the western world.—a character without sentiment or idealism. Literary activity, however, progressed in some places. The arts and sciences received the genius of a people that before was employed in warfare and statecraft. These places became the fostering seats of idealism and suggestion—two lights that guide the world onward through the darkness of the ages. In such society is retained the memory of a worthier past and that elevation of thought and expression which only such memories can cause to exist.

In the Maritime Provinces, except among the loyalist families, everything was different. As early as 1760 notices of the sale of public lands drew settlers from New England. The descendants of most of these settlers preserve the original Yankee traits, somewhat softened by polite intercourse from nobler colonists and in some places veneered by higher education. But for the greater number, the appreciation of the ancient names and glory of those who lived there before them is nil.

As for these original Yankee characteristics, as they existed in New England when Chevalier Commissioner of France to the United States wrote in 1823 his celebrated letters on that country, he describes them thus: "The Yankees are cold, cautious, suspicious of strangers, boastful of the tricks employed in trading to cheat the unwary, and always looking out for the 'main chance.'"

Ever since the conclusion of the Treaty of Peace between Great Britain and the United States of America in 1783, there has been manifested a desire on the part of the northern element of the American populace to encroach on the British provinces to the north of them. The chart of agreement, fixing the boundary between Maine and New Brunswick had never been fully drawn, but it exhibits the extravagant pretension of the political mind of America when, in this matter, it is declared that after the affair had been left out to arbitration in 1831 to the King of the Netherlands, the U. S. politicians were not satisfied..

They proved their inability to perceive the obligations under which they were to respect their own agreement.

This trouble about the boundary was exasperated by the Yankee claim, in spite of what had passed to a "Right of way across New Brunswick to the St. Lawrence, and all the land of New Brunswick west of the St. John River."

Great Britain very properly refused to entertain such a proposal. At last the mask fell from this ridiculous bluster and the United States were obliged to settle the dispute by an agreement with England fixing the boundary on the St. Croix River, but taking in the Aroostook valley above it. This treaty was signed in 1842 by Lord Ashburton on the part of England and by Daniel Webster on the part of the United States. Many have blamed England for making any concession whatever and giving up the fertile valley of the Aroostook to the rapacity and trickery of the United States.

Upper Canada had increased in population and wealth to a marvellous extent. Before 1770 no city existed within its confines. In 1791 the population did not exceed 50,000. But in 1840, at that time of the union, it surpassed 400,000. A great part of the immigration had been drawn from Europe and was attracted by the fertility of the land and the comparative mildness of the climate.

Like as in Lower Canada, the upper branches of the Legislature became con-

trolled by an organized body of politicians who neglected all other employment but that of scheming to get office and afterwards to keep it. The policy which these politicians framed among themselves for mutual profit is known in history as the "Family Compact." The members of the oligarchy were opposed by another set of professional politicians who based their advancement on the approval of the people, while the former sought that of the Governor and Crown.

The "Liberals," as this opposition was called, in order to find favor with the people to get the people's votes, suggested certain measures of so-called "Reform," which only meant that it would lead to the dismissal of one oligarchy and the substitution of themselves as another.

When Papineau and his fellows rebelled in Lower Canada the chief of the Liberals in Upper Canada, Mackenzie, in despair at accomplishing his purpose by peaceable means, took to arms in 1837-40 and acted in conjunction with the insurgents of Lower Canada.

When the union was established, both provinces were represented in a Legislative Council by ten members, each appointed for life and in a House of Assembly by forty-two deputies elected by the people for four years. The qualification to be a deputy was possession of property valued at £500. A permanent civil list of £45,000 was established to pay the salaries of the governor and judges, and another of £30,000 for the hire of public functionaries during the life of the King. The position of the capital was left to the choice of the first Governor.

It is necessary to add that the British government, from this time forward, determined to treat the democrats in a manner that would bring them to terms. The same representation was given to five towns in Upper Canada whose combined population was 15,000, that was accorded five counties in French Canada, whose population was 153,000.

Upper Canada had, at this time, a Catholic diocese at Kingston and an Anglican diocese at Toronto.

There was neither telegraph nor railway in this vast domain, but fifty newspapers assisted to disseminate the news.

On the 13th February, 1841, Lord Sydenham, the Governor, organized his ministry of five members consisting of an attorney-general, president of the Execu-

tive Council, a receiver-general, a provincial secretary and a solicitor-general, chosen from Upper Canada, and an attorney-general, provincial secretary and solicitor-general taken from Lower Canada.

Most of these ministers were not of the party that favored the French. After the 19th of February, therefore, when the election briefs were issued, the French, of Lower Canada, assembled under the direction of Nelson and Morin, to draft a programme of procedure. They decided to elect as representatives only those who disapproved the union, and to oppose the levy of taxes and the employment of public money by the government without the consent of the people.

Now, there was a Liberal party of the English in Lower Canada whose politicians sought an alliance with those of the same nation in the upper division and sometimes approached the French in the sights to have the elective branch control, and sometimes united with the Conservatives against the Catholics.

LaFontaine, at Terrebonne, addressed the Liberals in 1841 in these times, which show their purpose: "In America, the greatest benefit that the inhabitants enjoy is social equality. Besides social equality we wish political liberty. There can exist in Canada no privileged caste outside the mass of its inhabitants. One may create titles one day and the next the children will drag them off the mud. . . . The means of obtaining this political liberty is the sanction of the popular will to the making of the law; it is its consent to vote the impost and apply the expense; it is its participation in the action of the government; it is its effective and "constitutional" control over the administration—it is, in fact, the making of government responsible."

A speech like this was license run mad. In the history of democracy it is the same the world over, the entrails and excrement of the state demand to rule the head. On the gift of political equality to the inhabitants of a country, there are speedily found to exist various grades of social inequality founded on different stages of evolutionary advancement in the population. There are three of these grades. First is the ethical class, to which belong those who cultivate themselves and their generations. With them are faith, character, fortitude, glory of tradition. They are natural leaders, the cement of the state, without which the state would fall to pieces and drop into

ruin. Secondly, are those who cultivate their material possessions. They constitute the wealthy class of the country. They esteem money first. A man without wealth in their sight is of no value. They sacrifice everything of less esteem for the sake of gold. Honor and faith are strangers to their scheme of life and are foreign elements in their society. Yet their society contains many who have certain mental accomplishments, and it is noted for the elegance of its display and the costly dwellings which its members possess. Thirdly come the people, commonly so called, who cultivate neither themselves nor their material possessions, but who live carelessly from day to day on the toil of their hands, as clerks, artisans and laborers, and who spend their surplus wages in attempting to imitate the fashion of the wealthy, while enjoying their wealth.

It happens, then, when political equality is declared in a country, that, as the great majority belongs to this third class, that malice leads them to combine against the others. But, as they are the employees of the second class, which does not differ from them in personal traits, and which shares their hatred for the historical society of the commonwealth the first endeavor made is against that class by these two combined.

Under these circumstances this third class finds that it has a political superiority by number and combination, over a class that has a social superiority by character. Malice fills its members with a desire to go to work immediately to insult, reduce and bring to ruin those whom it could not reach before.

The rich are pleased at this, for then they will be first, while, so long as they have the means of employing the people, at large, and buying up the itinerant vote of the country, they are willing that the demagogues of the people shall act as governors, since they do so at the bidding of the millionaires and in their interest, to whose service they are pledged directly.

In Canada, politicians of this description were early assisted by the jealousy of the House of Hanover at creating hereditary sittings in the upper chamber, as were provided by the constitution of 1791, and by the refusal of the same government to fulfil its duty towards the French nobility in Canada as it had promised by the treaty of 1763.

The efforts at recognizing the aspira-

tions of the colonists after those things that "do not perish with the using" — after the insignia that preserves the memory of ancestral fame—which the Stuarts made in the Carolinas, Virginia and the King of France in Canada, Acadia and Louisiana, were stifled by that ignominious faction which has been fostered and encouraged in Britain, and which is part and parcel of the heart, faith and stomach of the democracy.

The result was that the Crown has neglected to supply itself with a prop against the turbulent democracy at home and to protect merit in the administration of affairs abroad.

For the representation of merit a separate house was devised in every constitution, but in no practice has the constitutional obligation been fulfilled. In the House of Lords, in England, that was set apart for the admittance of those whose merit in art, science, history and warfare had endowed them with titles of renown, there sit men who owe their position to the fact that they have brewed great quantities of beer, or erected many cotton mills, or built a line of railroads or a fleet of ships. There is nothing to distinguish them from the untitled millionaire. Their lives are not free from the taints of avarice that belong peculiarly to the unmannerly rich. It is for this reason that the House of Lords has proved its unconstitutional elements and forfeited its charter of existence. The jealousy of the House of Brunswick against the advancement of real merit is one cause for the decline of the peerage. Unwittingly it has, through contrary practice, been undermining its own situation. It is for these reasons that everywhere ethics are fading from human calculations as one by one the members of the ethical class, finding that the standard of life is against them, are falling out of existence.

In Canada, in 1841, it was under such circumstances which were beginning in this description that the first election after the union took place. It was the policy of Lord Sydenham in this election to gain the Liberals who were constantly increasing in number, by promises of position and favors. In Upper Canada, which was wholly English, he sought to weaken the established oligarchy, and in Lower Canada to break up the French alliance with the English Liberals.

By introducing promises of office and position into politics, Sydenham caused to be forgotten what faint outlines of

principle which were in the hearts of the leaders, and made the sole aim of their service to the gaining of the price of their aid.

The 9th June, 1841, a Legislative council of twenty-four members was chosen, of which eight only were of French origin.

The first parliament was opened by Lord Sydenham at Kingston, June 14, 1841.

Kingston had been chosen as the capital to show that the English power in Canada meant to rely on the loyalty of the English part of the province. It indicated to the French that faith in their loyalty had been shaken by the recent insurrection.

The very first opening of this parliament was characterized by Mr. Nelson's impeachment of the Act of Union in the name of the people of Lower Canada. He declared that it was accomplished without their consent and against their interests, and that it was maintained by the disfranchisement of the French people. He concluded by declaring that he could not vote the address of the ministers.

Mr. Baldwin, one of the ministers who had been appointed by the Governor before the election, now that election had proven that the ministry belonged to the opposition in minority, weakened for fear of future popularity and resigned. The Solicitor-General Daly exposed his conduct in a light that was not very favorable.

The wisdom of the new constitution was now beheld, because it enabled the Crown to make headway against the factions. The union was voted by 75 against 25.

The first reminder the government had of the opposition was the discussion of responsibility to the Legislature. Before 1840 the Governor, sent to Canada by the British ministry, was responsible solely to that ministry that had commissioned him. His council was composed of members appointed by him and accountable only to him. It was the freedom of this council from legislative influence and control which had excited the Legislature to revolt. After 1840, the Governor was obliged to appoint, at the head of departments in the colony, ministers in accord with the majority of the Legislature and responsible to it.

This concession to the menaces of parliament was conceded to be one step in advance of progress, but it is a pro-

gress to the bottom of ruin. It enables the majority—composed as Carleton rightly says, of mediocres—to crowd out of sight any pressure of control of the wise minority.

Mr. Buchanan, of the parliament, addressed himself to the ministers of the colony, demanding after what manner they understood responsible government.

Premier Draper replied, in the name of the administration. He said that he would remain in the ministry only so long as he was able to give a conscientious support to the measures submitted by the Governor to parliament, that it was possible to have good government only when harmony existed between the executive and legislature. It was the duty of the Queen's representatives to preserve this harmony, if possible. At the end of his discourse, however, Mr. Draper gave parliament to understand that he considered himself responsible to the Governor, rather than to the people.

Mr. Boswell demanded of the ministers: "If the ministers are not able to obtain a majority so as to cause the adoption of their measures, and they see that they have not the confidence of the representatives, will they resign, or will they cause a dissolution of the House?"

The ministry wilted and declared that they would resign. The reply was applauded by the House, for it showed a victory for responsible government.

Really the expression "responsible" is misleading, when relating to control of the representatives over the cabinet. Are a set of demagogues elected to parliament to represent factions in the community, where members are mostly composed of people without tangible interests when universal suffrage is the rule, more responsible than the Crown with all the hereditary interests of the Empire at stake? Truly, words are accepted without a knowledge of their application in the vocabulary of those who live by words alone.

To celebrate the victory of the Legislature the following resolutions were drawn up as a basis for further operation.

1. "The most important of the political rights of the people of this province is to have a provincial parliament for the protection of their liberties, to exercise a constitutional influence over the executive departments of government, and to legislate on all matters of internal government."

CHAPTER XI.

BAGOT'S, METCALFE'S AND ELGIN'S
ADMINISTRATION.

2. "The head of the executive government of this province represents the Sovereign and is solely responsible to the Imperial authorities, but local affairs can be conducted by him only through officers subordinate to the Legislature."

3. "In order to maintain harmony between the different branches of government, the principal counsellors of the Sovereign's representative must be men who possess the confidence of the representatives of the people."

4. "The people of this province have the right to see that the governmental authority be employed according to their views and intents."

It was during this session of parliament that over £1,500,000 were voted for public improvements, mainly for navigation on the St. Lawrence, for the Welland, Cornwall, Lachine and Burlington canals and for public roads.

There were movements against the rights of seigneurial tenure, showing that nothing comes amiss that breaks down distinctions of classes.

There was established, besides, a commission to control elementary education of the public sort. The commissioners were to take schools under their control, name the instructors and frame a code for their governance. Every school district was to have a share of the school fund and to transmit a report annually to the superintendent. Of the £50,000 accorded, £30,000 were set apart for Lower Canada. Each district was obliged to assess itself for an amount equal to that granted to it by the government.

This organization of public schools gave alarm to the Catholic clergy who beheld the chief seat of their authority to be attacked.

Several modifications were made to favor the Catholic clergy, whose good will the government has always thought it necessary to retain, because of their influence over the people. Besides, if it were clearly proven to them that they could expect no more from the British rule in Canada than from the government of the republic of the United States they would become annexationists and lead the bulk of the Catholics with them.

But a review of the educational system, as it has existed under Catholic and Protestant dominion is needed before the matter can be understood.

Sir Charles Bagot was named to succeed Lord Sydenham as Governor, and arrived at Kingston Jan. 11, 1842. In his address to Parliament, he observed that the French in Canada had not had that sort of representation which corresponded to their deserts. He proceeded to fill some of the higher positions according to his views. Vallieres was named chief judge of Montreal, the highest position yet filled by one of French origin, under English administration.

Under the gentle hand of Bagot the Liberals came into power during the elections of 1842. Fontaine was made Attorney-General of Lower Canada; as a consequence of this, and Baldwin of Upper Canada.

The first act of the Liberals, so soon as they arrived to power, was to attempt to strengthen their situation. In discussion of the Governor's address, Draper remarked that, "Since the union had become an accomplished fact, I have always been profoundly convinced that the principles at its base cannot be observed, so long as a great part of the population are excluded from public affairs."

Fontaine followed, in which he said the French had been "horribly treated by the Act of Union." He continued by declaring that he believed the Governor would render justice to the French Canadians.

To show the return to favor of the French inhabitants, another act gave electoral franchise to the neighboring districts of Montreal and Quebec. The same year witnessed the return of the Jesuits to Canada.

Sir Charles Metcalfe succeeded Sir Charles Bagot as Governor of Canada March 29, 1843.

The Conservatives employed all their influence to obtain the dismissal of Baldwin from the Attorney-Generalship of Upper Canada. They could not endure a man whose political principles were so loose.

The Liberals of Lower Canada began to employ themselves, this year again, as of old, to obtain the abolition of the Seigneurial Order. They did not quite perceive the illogical effects of their con-named in the Treaty of 1763, to which they appealed so often for the preservation of their language (French) and their

religion (Catholic.) By declaiming against the rights of the seigneurs they were undermining their own constitutional claims. For it is the same treaty that protected all.

When Gov. Metcalfe opened parliament in 1843, he called the attention of the houses to the amelioration of the judiciary system, of the jury laws, and the laws of municipalities and education. He informed the Canadians that the British Parliament had done what it was able to introduce wheat and corn from Canada by reducing the duty.

Sir Allan Napier Macnabb, M.P., complained that the former rebels were fostered by the government, while the loyal people were passed by with indifference. But it is ever so with popular forms of government. So long as a vote can be gained the loyal are neglected, while all powers are put forth to coax the disloyal.

But affairs were destined to be carried into Lower Canada, for Montreal was chosen as the capital, and government was removed there the same year.

The Catholics, who had been constantly making gains in the government, prepared in 1843, a daring measure, which was adopted by a great majority in parliament, and this was a law to destroy all secret societies. This was aimed especially at the Orange lodges. The royal government refused to sanction it, however. Had it passed the Masonic Order, as well as the Orange associations, would have felt the outpouring of the long-pent up wrath of the Catholics.

A law was passed abolishing imprisonment for debt and another establishing the common school system in Upper Canada.

Gov. Metcalfe believed that the government must be endowed with some comprehension of power in the use of which, he should not entirely be subservient to his ministry. He made therefore several public nominations without consulting his council. The ministry protested. But he maintained that if he listened to his council he would be obliged to exercise the patronage of office, exclusively for their party purposes, while it was his own wish to advance men who were better qualified to render service to his country without regard to party. "He was astonished to see this question attributed to a supposed difference of opinion on the theory of responsible government." He claimed that he was not obliged to consult his ministers in regard to nominations for public charges, which would

degrade the character of his office and the royal prerogative.

The Fontaine-Baldwin ministry finding the governor firm in his position, were obliged to send in their resignation. It was said in support of the ministry that "as the Governors were strangers in this country, they could not be able to tell an able man without consulting their ministers." (!) The Governors had yet to learn that it is not service to the country that is demanded of officers, but service to the party in power—an inevitable result of party rulership.

December 13, 1843, a new combination was formed, Viger and Draper taking the places of Fontaine and Baldwin. Daly was added afterwards, making a triumvirate as a provisional council.

The British government sustained Metcalfe's position in regard to affairs and he received felicitations from the Houses of New Brunswick and Nova Scotia. After nine months' struggle with the politicians, Metcalfe organized a ministry, Sept. 3, 1844, consisting of J. D. Viger, President of the Executive Council; Jas. Smith, Attorney-General for Lower Canada, and W. R. Draper, Attorney-General for Upper Canada.

Sept. 23rd he dissolved Parliament and ordered a new election.

Two parties were formed: first, Conservatives and some of the best French who favored the Governor and Crown in the endeavor for good and unpartizan government; and the Liberals, who in the name of the people agitated for a factional representation in the ministry and civil service to be held by professional politicians in payment for election work. The result of this election was the triumph of the Crown in Upper Canada and of the politicians in Lower Canada.

The first session of the second parliament was opened at Montreal, Nov. 28, 1844, Sir Allan N. Macnabb was chosen President.

One of the chief acts of this session was the granting of municipal privileges to each parish or township which was to be ruled by seven selectmen voted for by the inhabitants of each parish or township. This was very pleasing to the French, because it enabled them to control their local affairs after their own ideas.

On March 29 the Legislature was prorogued. During this time, on account of the manner in which the Crown had caused the principles of true government to prevail, the fugitive press, especially in Lower Canada, began to discuss whe-

ther it would not be better to have a separate government for each province under a single administration. This would give the Liberals unqualified control in Lower Canada.

Lord Metcalfe left Canada in 1845 on account of failing health, consigning the government to the commander-in-chief, Gen. Lord Cathcart, who was named Governor-General March 16, 1846.

At this time England and the United States were troubled by disputes concerning the limits of the Oregon territory. English colonists were long settled there before the first American came was known in that country. The Hudson Bay Company had established fortified posts along the banks of the Colombia River, and its employes were engaged in the fur trade and fisheries with the Indians.

In 1818 a treaty had been signed between the United States and Great Britain to regulate the northern boundary and the joint occupation for 10 years. Another treaty in 1827 was made confirming the first for an indefinite period.

One of the first acts of the government of President Polk of the United States was to break this treaty by claiming ownership over the whole territory. Great Britain was notified that the treaty of 1827 had been abrogated by the United States. It was not a question of justice or honesty with the United States. Such questions with such governments are evidently too puerile for consideration, but it was for political expediency and popularity of the administration with the great bulk of the American people.

England was not disposed to abandon the country without a struggle. But as a preliminary, she proposed to divide the territory by the Colombia River, leaving the navigation of that river open to both parties. The United States government at first refused these terms, but the game of bluff not succeeding, the terms were accepted finally in the summer of 1846. James Buchanan, Secretary of the United States, and Richard Packenham, Royal Privy Counsellor, were named to regulate this treaty.

Parliament was convened again March 20, 1846. The first attack of the Liberals on the ministry was directed towards an inquiry into the correspondence which had taken place between Mr. Draper and Mr. Caron, in which the former had made to the latter to gain his consent to join the government party. Caron had refused, but the persistence in which the Liberals made their demand for the

correspondence, showed at once the suspicion they entertained of the good faith of the government and the pettiness of their views.

One of the first laws prepared was for establishing a permanent civil list. This list was to replace that ordered by the Imperial Government at the time of the union. For the first time, now, the local parliament had control of the revenue. It was passed in England by the 11th and 12th Victoria, Chapter 61. The clause proscribing the French language was abrogated at the same time.

The property of the Jesuits, a source of long standing contention was regulated by a law which provided that their annual revenue of £5,500 should be applied to education in Lower Canada. They were applied to Catholic and Protestant establishments impartially. But this raised a great cry among the Catholic clergy who declared that the property had been given by the kings of France to be employed for the education of French Catholics and for the propagation of the faith among the savages. This outcry, however, was of no avail.

Great sums of money were voted to give contracts to political hangers-on for canal openings, bridges and highways, which brought the debt of the province to near £100,000,000.

Two addresses were forwarded to the British government; one asking that the mails be made fortnightly instead of monthly, and the other, to admit Canadian products to British ports free of duty, and to demand of the United States that the same favor be observed towards Canadian imports as were allowed those of the United States in England and Canada.

Parliament then adjourned, the 9th June, 1846.

The next year, Jan. 30, 1847, the Earl of Elgin came over with the appointment of Governor-General, although his appointment dated from Sept. 16, 1846.

From Elgin's administration begins a new epoch in Canadian history. Before his time, the Governor had conceived himself to have been an arbitrator sent from England to act in behalf of the Crown in such a manner as to prevent the stronger party from oppressing the weaker. In order to do this, all the governors had claimed a liberty of action and a freedom from the control of the majority in parliament which were compatible with their functions. But from his first entrance into power Elgin began by flattering the majority and conceding

to the majority in parliament absolute control over the cabinet—in other words, over the advisers of himself. From this epoch the Governor seems to be the secretary to the majority in parliament. There is no curb to its excesses, now that the restraining influence is deprived an utterance. A minority in Canada, like a minority in France or the United States, has no rights which the majority is bound to respect.

Elgin was led into this course of conceding to parliamentary demands for the control of the ministry, by a fallacious analogy drawn by subtle politicians between the British Crown and Parliament, and the representative of the Crown and the Parliament in Canada.

Now, whatever power is coercing the Royal Government, absorbing the royal prerogatives and destroying the element of personal authority, parliament had obtained in England, did not apply to Canada at all. The Crown had interests in Canada that the British parliament could never hope to obtain. A time was approaching when the Crown, at least nominally, was to be recognized as the head of government in Canada long after every authority which the British Parliament had claimed, had faded away. But a nominal claim is nothing unless enforced, and it cannot be enforced by those who are only nominal sovereigns at the seat of empire.

The only virtue a monarchy can boast over a republic, is when the king is the arbitrator of national differences, and has power enough to form his own council and restrain the domineering tyranny of a majority in parliament. When the sovereign—who ought to be a man—is lacking in this central strength, the monarchy is lost in reality, the minority is oppressed, ethical considerations are kicked out of sight and corruption and loud-voiced faction strike hand in hand over the country. But all these things are nothing to the evil effects that are sown in the race; that generations yet unborn, reproduce until, in the disruption of classes based on ideal standards, the breaking up of casts that mark the stages of evolutionary advance, there is a reduction to chaos, and one more empire is added to those which have disintegrated in decay.

Lord Elgin opened his address to Parliament in 1846 by the following words: "The power of self-government, with which your constitution has so largely endowed you, has been accorded by wise motives, to give the people a salutary

influence over the administration. . . If, unfortunately, this power is employed to the ends of faction and personal ambition, the efforts of the Governor-General for the good of the province will be of no avail."

Thus, Lord Elgin seemed to foresee the inevitable effects of popular government. But he went on in the path he had chosen to follow, conscientiously and without hesitation. Step by step he abandoned disputed positions of prerogative to the onward rush of democracy.

As the Catholic democracy of Lower Canada formed the majority, he offered to Morin and Caron, two of their leaders, positions in the ministry. But they refused because the ministry was not wholly of their party. And in the session of 1847, Elgin changed the cabinet to be more in accord with the majority. The chief members were Sherwood and Daly.

From this time forward Lord Elgin continued to hold himself passive, and allow majorities to take the initiative and shape the channel of events. He awaited patiently the result of the struggle between factions, that were animated in their zeal by thoughts of office and salary and cheap renown. June 2, 1847, he opened the session by declaring that the British Parliament had abandoned to the province control over the postal department and that "a law had been passed conferring on colonial legislatures the right of repealing differential duties imposed in the colonies in favor of British fabrics."

The ministry not yet being in accord with the extremely democratic views of the Liberals, now was attacked, especially by Baldwin, who declared that the boast of its members was that they "had sacrificed their country, but they had saved the ministry." No doubt Mr. Baldwin meant by "country" the politicians of his own party, since in the name of patriotism they claimed, from this time forward, the whole country as their patrimony.

Caley Gowan, J. H. Cameron and J. A. Macdonald replied. They attacked the political character of the Liberal leaders and especially that of Baldwin, whose efforts to make himself elected from the district of Rimouski had an unsavory flavor.

Mr. Nelson concluded with a last assault on the ministry. He claimed that the French were not sufficiently represented. He proposed a series of resolutions denoting lack of confidence in the government. These resolutions enumer-

ated the stipulations made with the French for the preservation of their institutions and laws, and reprobated the Act of Union as the culmination of injustice. He failed to mention, however, that the Catholic democracy was the first to attack the stipulation of 1763, by the crusade against the clauses that secured the seigneurial rights. The resolutions were negatived by only one vote, and that by the presiding officer.

One of the measures of the ministry was combatted with great vigor by the Liberals. This measure was to exempt the proprietors of Crown lands from local taxation, they already paying an imperial tax. But the crusade against the royal power stopped at nothing.

England informed the colony that the policy of free trade was inaugurated in the British Isles, and that duties on Canadian products were removed. At the same time the Canadian legislature demanded that the navigation of the St. Lawrence be open to all nations, which was accorded in 1849.

CHAPTER XII.

BAGOT'S, METCALFE'S AND ELGIN'S ADMINISTRATIONS.

PART II.

Now another vista of a different direction was opened to Canada. The Canadian parliament could cause merchandise to be imported and products to be exported on whatever terms might suit the majority of the representatives.

Canada made a proposal in 1849 to the United States, as result of this newly-fledged prerogative, to found a system of free exchange of commodities. A commercial arrangement was made between the two countries, called the Law of Transit, under cover of which goods of one country might be transported through the other to be shipped for Europe or some place beyond seas, free from impediment.

In 1847 Earl Grey, Minister for the Colonies, had suggested a scheme for the union of all the British American Provinces with a common system for revenue, post and public works.

Corporations were beginning to spring up. Besides the several political corporations, or parties, formed to enable their

members to hold and transmit political authority, the legal profession became organized in 1849, and in 1850 the physicians were enrolled as a corporate body. Corporations for the working of mines and for the construction of telegraphs followed. A line from Quebec to Halifax was completed in 1851. Generally these companies of wealthy citizens seize on these public concerns under weak governments, and the only benefit the common people derive therefrom is as laborers, in the employ of the rich and under their direct command.

Lord Elgin began to perceive the error of his course in following this lead of democratic instructors. He saw public affairs in the influence of partizans without capacity or honor. He wished a more reliable ministry and he dissolved parliament before the date fixed by law. The election briefs were ordered for Jan. 24, 1848.

Democratic furore was agitating the provincial mind to absurd and violent endeavors. The Liberals triumphed. In Lower Canada the old politician, La Fontaine, had Holmes for companion in his success, while Upper Canada sustained the pretention of the scheming Baldwin.

Lord Elgin, entangled in the net of his own weaving, summoned the third parliament Feb. 25, 1848. The chief ministers were La Fontaine and Baldwin.

Papineau proposed the abolition of the union. Similar proposals were the fruits of the democratic programme of dissolution. Democracy needs a curb more than royalty, that has but one head. Democracy, by the Greeks, was called the Hydra-Headed Monster. It has many heads, and each head has a scheme and a voice, two hands and two feet, but they all have between them only one body, that does all the work for their nurture and support. This great body is the people at large, without brains or volition apart from the heads, and the heads which are parasites that, in the end, multiply until they destroy the body.

On account of the former high tariff which the manufacturing corporations, represented in Parliament, had imposed, a great number of the French employed in agriculture had left the country and settled in the United States. A committee of inquiry into the causes of this movement showed that more than 20,000 had exiled themselves. Prices of goods in Canada, under the protective tariff being so great as to impoverish the poor to further enrich the wealthy.

Now Papineau separated from the democracy and attempted to form a mixed party free from the control of religious sects and inclined to the American model of government.

The most remarkable session of parliament was that of 1849, commenced Jan. 18. Lord Elgin inaugurated the establishment of the French language in government.

Papineau immediately brought to the front the idea which had been illuminating in his brain for years. He declared that there were defects in the Canadian constitution; that a more liberal one alone could remedy. He believed that annexation would be inevitable when the Canadians had progressed far enough to appreciate the "inestimable blessing" of the United States constitution.

He complained of the property qualification required of the deputies before they were eligible as candidates, saying that such a qualification gave the parliament over to the control of the rich. He called attention to the United States where, he said, no such qualification had been brought into existence. At this time, in the State of Rhode Island a property qualification was required even for citizenship, and a still higher qualification in Virginia, South Carolina and some other Southern States. Besides, he failed to consider that government consists of a collection of powers to be exercised, not only over the lives of the citizens of a country, but over their property as well. If people are allowed to share in the government who do not possess a share in the property of the state, they are not personally liable for any disaster to property, their mismanagement of affairs may cause. It is because the best economic administration, as well as to conform to strict justice, that only those who have a share in the property of the state shall be called to administer over property and government, for it is by their income that government is supported.

Finally Papineau declared for democratic ideas and a constitution after the American plan. He proceeded, after his speech in parliament, to disseminate annexationist ideas outside, among those who were willing to be amused.

The ministry presented a measure and caused it to pass, which provided for the free entry of articles of trade from the United States, in consideration for a like arrangement for the same kinds of articles by the government of that country. The tariff was lowered in regard to all

other commodities so that it amounted to but little more than 10 per cent.

A project was passed by a great majority to abolish the theological department of the Toronto University. This raised a great outcry and a bowl of distress from the clergy of the Anglican church. They denounced an institution that opened its doors to every science, but closed them on theology. But the "true inwardness" of the matter was that the clergy had been the exclusive proprietors of the revenue of that institution, of which they saw themselves deprived.

The finishing of the Atlantic and St. Lawrence Railway (Grand Trunk) was celebrated during this session. During this session also was brought forward a bill to appropriate money to indemnify those people who had lost property in the insurrection of 1838-9, either as participants, or as those suspected of sympathizing with the insurrectionists.

This bill was opposed by Sir Allan Napier Macnabb and other Conservative chiefs, but it passed and received the sanction of Lord Elgin.

The loyal party were struck dumb with amazement at this condoning with rebellion and anarchy, on the part of the Queen's representatives for the sake of popularity with the Liberals. Then they were raised to action by the stimulus of fury.

On the 25th of April, when the Governor, surrounded by his staff, issued from the Parliament House, after having signed the bill to grant this indemnity, he was assailed by the howls of an indignant mob, emphasized by a shower of rotten eggs and stones.

A meeting of citizens in the Champ de Mars was held the evening of the same day under the presidency of Mr. Moffatt, wherein a petition was prepared, to be presented to the British Government, praying for the recall of Elgin. The crowd surged again to the Parliament House. They entered the hall in great tumult. One of their chiefs, seated in the chair of the president, proclaimed the dissolution of the Liberal parliament. Then the torch was applied, and the edifice, with the records and library, was hurled to a mass of ruins. The vengeance of the mob was extended even to the private property of those Liberal leaders who dwelt in Montreal. The Conservative papers encouraged their demonstration in order that the attention of England might be drawn to the con-

dition of the Liberal government of Canada.

Now there were several distinct parties among those united in this disturbance. There were some stern loyalists who despaired at breaking the power of democracy except by force; there were some partizans of the manufacturing oligarchy whose revenue had been diminished by the free trade policy of the administration, who were unwilling to witness its continuation; finally, there were the annexationists who wished to foster any broils which might breed discontent and anarchy as agents to their scheme.

The morning after, the parliament re-assembled in the hall of the Bonsecours market, where its sitting was continued several days, protected by soldiers. Sir A. N. Macnabb attacked the ministry in this sitting. He declared: "The ministry has proclaimed that loyalty is a farce and insurrection is licensed. It now gathers the fruit of its conduct."

When Lord Elgin approached the seat of government to receive the address of the Assembly, although escorted by a guard of cavalry, the mob recognized his presence by a flight of stones, which flight was continued until the mob were dispersed by the guard. In becoming a partizan Lord Elgin merited a partizan's treatment, and was rewarded by it. The friends of the government claim that his action was only constitutional to support the ministry, when that ministry was sustained by the majority in power. The question follows what becomes of the rights of the minority, and why should the governor be appointed by the Crown if he is to be a secretary of the majority? Is it not better to have the Governor elected by the majority, if he has lost the power of arbitration between parties?

The Colonial Secretary, Earl Grey in reply to the appeals of the royalists for Elgin's recall, accepted the responsibility of all his acts, proving that democracy was rampant in England, or else that the British ministry did not understand the Canadian situation.

In the British Parliament the motion of Mr. Harries praying the Queen to refuse her consent to the indemnity act, until she was assured that no person implicated in the revolt was to be indemnified, was rejected by a great majority. Mr. Harries was sustained by D'Israeli and Gladstone, but was opposed by Roebuck, Sir Robert Peel and Lord John Russell.

It was decided that Montreal should

cease to be the capital on account of this disturbance and a double capital was chosen. Thenceforward parliament was to meet at Toronto and Quebec, alternately each four years. The parliament in Montreal was closed May 30, 1850, by Gen. Rowan, Lord Elgin fearing to trust himself again before the Montreal mob.

During this year was founded a political association known as the "British League of North America." It proposed a union of all the provinces, a common system for the distribution of revenue and a protective tariff. It went so far as to suggest that the legislative council be elective and favored annexation to the United States. These latter considerations served to divide the members. The Imperialists withdrew, leaving the annexationists to continue their propaganda.

In the month of October these people published an address declaring that, even if England returned to her ancient system of protective tariff for Canadian manufactures, with a federal union of the provinces, looking to their independence, and with a reciprocity of trade with the United States, that affairs would not be better. The remedy for all ills was declared to be in a peaceable separation from England and an equitable union with the United States. Partizans of this scheme convoked an assembly in November and passed resolutions favoring this address.

Thus it may be seen that the proverbial ill is always taken by the democracy when the advising inch is granted. It should not be forgotten that the prejudices of the world are engraved in brass: it needs a strong arm and a steel hammer under guidance of a firm will to remove them.

But the Canadians of 1849, as observed by Tureotte, the historian, were too shrewd to join the Yankee nation. They saw they would lose much. The provincials had already arrived to the position of self-government, had extended their commercial relations and controlled their own revenue and posts. With annexation, the Canadians would lose the direction of their own departments, which would be transferred to the United States Congress, where their deputies would have majority of the United States representatives.

Besides, the Catholic French, controlled by the clergy, were opposed to the United States, because no Catholic could hope to occupy a high position in United States affairs.

Lord Grey instructed Elgin to resist every attempt made to lead to a separation of the colony from the Empire.

The partisans of annexation claimed, in their turn, to have the right of agitating the subject, as a right incontestably connected with the right of public discussion of public measures for public benefit. Little influence in opposition to the great When once free speech is given, the tongue must wag! Those who belonged to this party in Lower Canada were known as "Liberal Democrats." The precepts which they evolved were excessively radical. Universal suffrage they advocated as a necessary preliminary to electoral reform, and the disposal of all officers by the vote of electors flowed from it as a corollary in mathematics. As this party alienated the Catholic clergy by advising the abolition of tithes, it goes for nothing to say that they ruined their cause in the eyes of a population mostly Catholic.

The third session of the third parliament was held at Toronto, beginning on May 14, 1850. In his opening address Elgin announced the establishment of colonial credit in the English market. He suggested freedom of commerce between Canada and the Maritime Provinces, with regulations for a tariff and postal reform, for augmenting the representation and for adopting the jury law in Lower Canada. He declaimed against annexation.

One of the democrats presented an address to the House signed by several Canadians in the name of national independence, but the House refused to receive it. Another, Holmes, spoke in favor of annexation. A third, Boulton, proposed that the Legislative Council be made elective.

Macnabb, John A. Macdonald, Sherwood and Caley were the champions of the Conservatives, and combatted with vigor the anarchist design of the democrats. Boulton, the younger, nephew of the preceding, a chimerical radical, proposed a ridiculous constitution to take the place of the one in use. It received the few votes of the party to which he belonged, proving the adage that popular representatives are compounded of blrds of a feather.

The legislature (Liberal) attacked next the English church establishment, as being one of the ties that bound the country to England.

By the constitution of 1791, England had set apart one-seventh of the Crown lands to sustain the Protestant clergy.

The same act gave the gover power to establish rectories in the parishes and to allot them revenue from the Crown lands. Gov. Sir John Colborne was the first to use this power in 1836, when he set up fifty-six cures of the English Church.

At first, the Church of England enjoyed the whole of the benefit. The Scottish church, however, in 1840, obtained a decision of the judges that the revenue was to be applied to the Protestant church of all sects. From that time until 1850 the various religious sects quarrelled over the distribution of the revenue to such an extent as to afford the politicians an excuse to propose a plan for taking the money and using it for secular purposes.

Lord John Russell, while British minister, had agreed to the demand of the colonists to let them settle the matter in their legislature. But the Earl of Derby, who succeeded him in 1852, with better sense, refused to allow the province to interfere with the revenue of Crown property, or with its disposal. This put back the politicians until 1854, when they obtained the secularization of the church funds, which they used to subsidize contractors to hire men to work, and vote for them.

Once set out in the direction of agitating for popular applause, a party pushes the movement into extreme injustice and tyranny, grosser than that of the most unfeeling despot. La Fontaine brought forth his old measure of attack on the seigneurial order. He motioned for the abolition of feudal tenure. At the same time Baldwin, his co-partner in schemes against the refined and cultured classes, was maturing a plan to do away with hereditary holdings of estates in Upper Canada. There was no decision on La Fontaine's project this session, on account of other affairs which were pressed forward into attention. The administration of the mails received serious consideration and the rate for postage on letters was fixed at 6 cents per half ounce. A postmaster-general, Mr. Morris, was appointed (1851), with seat in the cabinet.

Owing to the introduction of a free trade policy, Canada was now in a flourishing condition. The wings and smoke of commerce were filling every breeze. Even the annexationists abandoned their idea for fear of losing the property which was coming with the color of gold. Railways were being laid to connect those parts of the country to the coast, whose

POLITICIANS AGAINST THE SEIGNEURS.

For half a century politicians had been endeavoring to rouse a hostility to the feudal holdings in the hands of the seigneurs. Every Liberal ministry from the first Fontaine-Baldwin combine, had made the seigneurial tenure a red scarf for the popular bull. The material support was what these men first attached. They knew, that, if the peculiar tenure of the seigneurs was taken from them, which assisted to keep them independent, they might be broken as a phalanx, and exterminated individually. The session of 1850 was occupied with this important question. The proposal was advanced by Fontaine to suppress the tenure and transform it into freehold. This man, the author of so many faith-breaking and radical measures, admitted that the feudal measures, admitted that the feu-encourage the development, but had after that development has been achieved. In other words, people who have been raised to importance and prosperity by the care of a system are taught that the next step is to deprive that system of its

functions. Papineau, seigneur of Montreal, arose as the most gifted champion of the seigneurs. This heroic gentleman had experienced the vicissitudes of revolution and anarchy in the cause which he thought to be right. In the insurrection of 1838-40, as a leader of the French against the oppression of the English system, he saw how quickly the Archbishop had abandoned a lost cause. From that time he became anti-Catholic. From that time, also, he favored any measure, even to annexation to the American States, which would humble the English power in Canada, and break the influence of the Catholic clergy. Consistent throughout in his devotion to these ideas, he turned his wrath against the Liberal leaders who sought to deprive the best of the French people of rights which had been conferred for honorable and distinguished military service by the Crown of France, and which were secured by the treaty of 1763, and which it was as constitutional for the Canadian Parliament to attack as it would be for the same parliament to attack the position of the House of Lords in England. Apart from the fact that treaty rights are inviolable, Papineau maintained that the seigneurs were absolute proprietors of their domain.

"This tenure," continued he " * * is founded, besides, on wisdom and justice: it is absurd to suppose that they can be compelled to cede this land against their will." But it is more absurd to suppose that a majority in power, or a government founded thereon, will respect law, or contract when it wills to do something different. It is a fact of history that popular forms of government have no conscience but their own wish.

In 1851 a bill was introduced to convert the seigniorial tenure into freehold. The influence of the seignours caused the question to be postponed until the next session, but with great difficulty.

In the meantime Baldwin and Hineks, of Upper Canada, produced a measure to abolish the law of primogeniture in their part of the province, as it existed among certain noted English families. These men wished for no honorable memoles to live in their community in the hearts and homes of the people. The measure was not political, it was social. It was as far removed from the domain of politics proper as the orbit of Venus is removed from that of the Earth. But it was a blow aimed at a high-minded aristocracy, and no matter how many steps

had to be taken from the business of the session to strike it, the politicians were bound to accomplish it, though commerce, rail matters, manufacturing enterprises, election laws, school affairs and all proper and legitimate business of the session were to suffer.

It is in childhood alone that the noblest sentiments can be encouraged to surmount and take precedence of the worse qualities that are inherent in human nature. As deceit, treachery, avarice, lack of sympathy and generosity are aroused more commonly by the events of daily life, and more commonly abound, it requires the utmost effort to correct their ascendancy in childhood. If they are not corrected then, they rule the after-life. It is the influence of family history that has the greatest effect, even greater than that of religion: for religion often fosters hypocrisy. Everything in the arrangement of family affairs to preserve the integrity of the home for generations to make the capital of the family and its head independent of the vicissitudes of fortune, adds so much to the means of putting into force that influence which erects the bulwark of noble sentiment in the heart of childhood. Papineau was champion of this cause.

The excuse brought by Baldwin and his clique to make this measure of abolition plausible, was that the law of entail, or primogeniture, gave the bulk of the property to the eldest line male of the family, leaving very little, if anything, for the younger lines. In the first instance, the law was a private arrangement among families sanctioned by the state. It is presumed that the founder of any one of these families had a greater affection for his offspring than Mr. Baldwin could have, and that the founder had prepared entail property as the best means of preserving the family, and making its hearthstone independent of malicious torture. Besides, the system had nothing to do with the politics of the country, or with the people of Canada, apart from those of the particular families mentioned. Now, when one of these families had employed Mr. Baldwin to be the advocate for its dismemberment and to break up its sacred place of origin? Not one! It was a project of jealousy, of republican bigotry to rob the families of their own property rights.

It was the surest way of accomplishing the purpose of the politicians against social developments otherwise beyond their

reach and certainly beyond the just domain of the powers accorded them by law. In Ireland, as an example, the English rulers, as the most certain way of breaking the power of the Catholics, adopted measures that would ruin the chief of the Catholic families. As the majority of the chiefs of these families were Catholic, a law was passed as a matter of public policy, to guard against the encroachment of the Catholics on the power of the country, to prohibit the right of succeeding to entailed property in Catholic families. Another law was made declaring that, if one of the children was Protestant, he could succeed, but if they were all Catholic, the property was to be divided up among them, and so on among their children. It was calculated, then, in the course of two or more generations, there would be no Catholic Irish family of influence remaining in an independent position.

The historical class of a country are the only people who hold to principle. They take pride in maintaining it. The body of the people, on the other hand, are easily influenced and abound in equivocal sentiments, even when they are at their best. A set of politicians can never have absolute sway in a country so long as a class exists, that is founded on the memory of achievement, that is rendered independent of circumstances and permanent in locality by hereditary tenure of property. It is to arrive at absolute authority, socially as well as politically, that such men as Baldwin and Fontaine agitate in every country against the private and remote interests of society.

The struggle of the politicians was continued against organized society through the Fontaine-Baldwin ministry, with Lord Elgin, if not an abettor, at least a passive spectator. This ministry retired in 1851, and was succeeded by another Liberal ministry, that of Hincks-Morin, that took charge of affairs Oct. 28, 1851. The same principles continued to inspire the activity of this administration as of the last parliament dissolved Nov. 6.

The fourth parliament began its sittings at Quebec Oct. 19, 1852. The ministerial address put first, the abolition of the rights of the seigneurs and the secularization of the clergy reserves: then, the extension of the suffrage and the establishment of a line of ocean steamers. Agriculture and colonization were favored by promises. Thus the stronger parties and greater numbers were cajoled, while the

weaker parties and smaller numbers were subjected to schemes of robbery.

An assistance from England came now to the Liberals of Canada. The ministry of the Earl of Derby had passed away, in 1853, to give place to that of the Earl of Aberdeen. This latter gave over to the colonial legislatures the power to deal with the property of the clergy, which was immediately done by transferring it to other parties. Representation was increased so that each province sent 65 deputies. Another law caused the decimal system to be adopted as the basis of money exchange. This was sanctioned by the British government in 1854. Mr. Drummond brought up again the bill to rob the seigneurs of their lands, but the Legislative Council, with a better sense of justice adjourned the bill. This act of the Council raised a storm of anger in the Assembly. Clamorous for the abolition of this council, or to render it elective, and therefore in the power of demagogues of the majority, the Assembly voted an address to the British Government, praying for a project to put the Council within reach of the will of the people.

The British Parliament, in which were already germs of disaffection to established institutions in answer to this address, repealed the clauses (1854) of the Act of Union which constituted this chamber, and authorized the Canadian Legislature to effect what changes it pleased. But, at the same time, a clause was inserted, that representation in the Canadian Legislature could be augmented by the simple majority. Thus, the French democrats burnt their fingers in their desire to ruin the seigneurs, for, by this time, the population (English) of Upper Canada, was more numerous than that (French) of Lower Canada. Before this each province, regardless of majority, was entitled to an equal number of deputies, but after this, the majority in Upper Canada ensured preponderance to the English.

During this session a branch of the Liberals of Upper Canada, under leadership of Geo. Brown, became anti-Catholic. They were offset by the anti-Protestant party of Lower Canada, headed by Cauchon. Brown made a remarkable speech in regard to the freedom of education from religious control, in which he said: "I do not approve of the monastic regime: it is the scourge of all countries where it exists. I object that education be placed with the church. Education is

not the affair of the clergy, who are for teachers whose teaching narrows the mind and conducts to atheism." He compared Protestant countries with Catholic to the advantage of the Protestant. Cauchon followed him and called attention to the fact that the criminal reports of Upper Canada (Protestant) showed greater criminality than those of Lower Canada (Catholic.) This, he said, in spite of the highest education in Upper Canada! But Cauchon did not know that indiscriminate education is bad of itself; for education sharpens the faculties and affords material to the meaner elements of the population, when made public, that otherwise they would not possess. Their meanness becomes prominent and noticeable as fraud, forgery, chemical adulterations, scientific burglary, artistic murder and a thousand and one categories that else would have slumbered in oblivion, were it not for the development offered by indiscriminate and public education.

Lord Elgin was empowered by England, in 1853, to negotiate with the United States a treaty of commercial reciprocity, which was ratified by the United States Congress.

These measures finished, parliament was dismissed June 20, 1853, and an election on the new franchise law was called for July and August. Now, the franchise had fallen so low as to bring within the scope of its exercise the purchasable element of the population. Corruption appears very noticeably. The number of votes in certain localities surpassed the number of all the inhabitants in these localities.

On account of the breaking away from old harriers and the accumulation of democrats, a section of the Liberal party approached the Conservatives and formed the Liberal-Conservative party. At this epoch, Mr. Papineau had the honor of retiring to private life, rather than consent to a programme of popular suffrage.

Lord Elgin commenced the Fifth Parliament Sept. 5, 1854. His speech was a long tirade against the French nobility and the prerogatives in Canada they held from the Crown of France. A ministry was formed from this curious combine of Liberal-Conservatives, consisting of Macnab and A. N. Morin.

The first measure of this ministry was to ratify a treaty of commercial reciprocity between Canada, New Brunswick, Nova Scotia, Prince Edward Island and

the United States, signed June 5, 1854, by Lord Elgin on the part of England, and W. L. Marey for the United States. By this treaty grains, flour, animals, beef, fish, oil, hides, butter, minerals, coal and wood were put on the free list. The navigation of the St. Lawrence was opened to the United States, whose people were, also, permitted to fish on the shores and in the rivers of Canada and the provinces. By the previous treaty, concluded in 1818, Yankees had been compelled to keep the three-mile limit from the shores. By violating this, several vessels had been seized. But now the three-mile limit was removed and the new treaty extended in force up to 1866.

During this session royal sanction was obtained for the abolition of the feudal tenure and the confiscation of the clergy reserves. It is natural for the House of Hannover, after its own bread is buttered, to assist all the world to scrape the butter off of the bread of others.

John A. Macdonald presented a bill for the conversion of the clergy funds to municipal purposes. The more honest Conservatives, headed by Macnabb, combated the measure in vain. Some of the old Conservatives made an appeal to the Catholics of Lower Canada, saying that: "When the ecclesiastical property of Upper Canada have been sacrificed to the exigencies of demagogues and agitators, the same thing may happen to Lower Canada."

Drummond introduced a bill to regulate the indemnity to be paid the seigneurs for their land. This bill, however, provided that only the improved land should be paid for, but all should be confiscated; which measure became a law. Mr. Andrew Stuart made a last stand for the nobility, during which he said the tenure "was favorable to the happiness of communities, to good manners, to habits of industry, to the stability of government and to the military power of the land." History declares for the seigneurial order, that "since its origin the seigneurs have performed a fine part — that of protectors and counsellors in the colony. they had, in their hands, civil and military authority, which they rendered superior by their integrity, education and rank. They had shown themselves generous and tolerant towards their "censitaires," and these noble qualities had been transmitted." (Tureotte in "Canada sous l'Union.")

The confiscation of the feudal tenure,

according to the words of Fontaine himself, "created a revolution in our institutions; a revolution which, in other countries, would not have been accomplished without the shedding of blood and the shaking of the social edifice to its foundations." Such dislocation really happened in Canada, but noiselessly, therefore without much notice, yet the effect was no less disastrous and can be perceived in the lack of finish to modern society.

In December, 1854, Lord Elgin retired from affairs, and left the Government in charge of Sir Edmund Head, who had been named Governor-General Sept. 21, 1854. This year the commerce of Canada attained the value of \$50,000,000.

Parties in Canada were known now as Conservatives and Liberals. The project of the Conservatives was to preserve religious institutions, equality of representation in the two provinces, and the separate school system. The policy of the Liberals was in advocating the common school system, election of all public officers, universal suffrage and opposition to the militia system as giving the Crown too much authority in the appointment of the officers.

April 13, 1855, Sir George Grey signified to the Canadian Government that the threatened aspect of affairs in Europe, just before the Crimean war, obliged him to withdraw a part of the imperial troops from Canada, at the same time the Royal Government gave to the province a great tract of public land whose revenue was to go to maintain efficiency in the militia.

Sir Edmund Head opened the second session of the Fifth Parliament Feb. 15, 1856. In his speech he mentioned one measure to render the Legislative Council elective, and another to organize a provincial police.

The act to make the council elective was signed by the Queen in the summer of 1856.

CHAPTER XIV.

CONFEDERATE PRINCIPLES AS A MEANS OF HARMONY AND DEFENCE.

(1854-67.)

As though to reinforce the mind of the next generation for political controversies, a number of universities and colleges sprang into being at this epoch. The

Catholic University Laval was inaugurated at Quebec in 1854. At the same time the Protestant McGill University opened at Montreal. Lennoxville had supported a college of that name since 1848. In Upper Canada, there were the University of Toronto, Queen's College at Kingston, Victoria College at Cobourg, and Trinity College at Toronto.

As the ministry, during this time, drew its majority from Lower Canada, it could not find supporters enough to continue in good standing. A new ministry of the same Liberal-Conservative party was formed May 24, 1856, by E. P. Tache and John A. Macdonald.

The "Clear Grits," as the ultra-Liberals were called, held an assembly, this year, at Toronto, to organize a political campaign on the question of representation according to population, instead of according to provinces.

But the first quarrel between the parties was in regard to choice of permanent capital. As no section could be agreed on by all parties harmoniously, it was resolved to allow the Queen to make a selection for them. The choice of the seigneurs was for an unimportant but ambitious town named Ottawa, popularly known as Bytown, and at that time considerably removed from the centre of population. But so great was the rivalry between Toronto, Montreal and Quebec, that Ottawa was chosen as a compromise town to reconcile conflicting interests, and for the reason also of its more central position as respects British America. History has justified the wisdom of the choice. The Crown was at this time petitioned to add Hudson Bay Territory to the province.

A project of law which gave to the Sisters of Notre-Dame de Lorette at Toronto a civil existence raised a great tempest in the minds of the Protestant Liberals. Mr. Brown declared that it was a great impudence to establish convents and monasteries in the province, with the power of acquiring estates. Mr. Mackenzie wished to restrain the civil privileges of the Catholic church within the narrowest limits, as being dangerous to the liberties of the people. "History," said he, "proves that she is essentially intolerant."

In 1857, Col. Tache retired from the position of premier, and another ministry of the same party was created with John A. Macdonald and George E. Cartier as chiefs. Nov. 28, 1857, Sir Edmund Head dissolved parliament to wait for the elections of December and January.

In this election the Liberals pronounced definitely for representation according to numbers, and for non-sectarian schools.

Sir Edmund Head called together the Sixth Parliament, at Toronto, Nov. 25, 1858.

George Brown commenced the onset in this parliament for popular representation. Mr. Sicotte, Land Commissioner, prepared for the law a project to preserve and exploit the fisheries. The Canadian fisheries are considered the most important in the world. The population of Nova Scotia and New Brunswick find therein a great revenue. It was estimated that \$5,000,000 of capital were employed in them and the returns were \$17,000,000 annually.

The ministry lost popularity, however, by urging the capital, chosen by the Queen, on the unwilling members of parliament, who saw in the future their isolation from the commercial enterprises and social festivities of the east in an utter oblivion in the uncultivated wilds of the west. The Liberals, as the leaders of this movement against the choice of the Queen, now formed a ministry with George Brown and A. A. Dorion, but so great was the opposition to them that they were forced to resign their portfolios two days after they had received them.

August 6, 1858, G. E. Cartier and J. A. Macdonald became the leaders of the new Conservative element in power. They chose for basis for action the assessment of an ad valorem tariff, while they left the question of the capital to the action of the legislature. Parliament was prorogued Aug. 16.

Then the ministry proposed the consideration of all the British American provinces under one rulership. This plan had been suggested by Lord Durham, a former royal governor, as one means of causing a stoppage to be put to the rivalries of the English and French in the two Canadas.

In the session of 1858 Mr. A. T. Galt proposed resolutions favorable to a confederacy.

After the session of 1858, Messrs. Cartier, Galt and Ross went to England to treat with the Imperial Government for a union of the provinces. They exposed the causes of the quarrel between the English and French and demanded authority for the meeting of colonial delegates to consider the project of confederation as the only means of avoiding embarrassments in the future.

The English Secretary of the Colonies

communicated with the Maritime Provinces. They did not appreciate the value of the plan and asked for delay in order to consider it. "Of all the colonies," said Mr. Cartier in 1865, "Newfoundland was the only one ready to name delegates." New Brunswick was more like a stick in the mud, which had to be hauled out by main force.

The people of the Maritime Provinces, particularly of New Brunswick and Nova Scotia are not susceptible to the influence of great events. Their inhabitants are a trifle suspicious of far-reaching enterprises and of individual ambition, and they carried this same suspicion towards the project of confederation. They feared that if once united under one government, with the more numerous and more enterprising inhabitants of the two Canadas, they would occupy a very insignificant position. Hence the delay and desire to escape in the mind of those of the Maritime Provinces.

But the Canadian delegates in London met the commissioners of New Brunswick and Nova Scotia in the matter of the Intercolonial Railway. The three colonies agreed to furnish a sum of £60,000 for its construction and asked aid of the Imperial Government to complete the plan.

The second session of the Sixth Parliament was opened at Toronto Jan. 29, 1859. Then it was that Ottawa was decided to be the capital and public edifices were commenced there forthwith.

During this session of 1859 the legislature voted an address to the Queen praying the Royal family to visit Canada and be present at the opening of the Victoria bridge across the St. Lawrence. The Queen, in reply, consented that the Prince of Wales should assist at the ceremony in her name.

Mr. Brown introduced a very wise measure in this parliament, which was rejected, however. It was directed as an amendment to the law relating to incorporation of benevolent and educational societies, annulling all legacies made to such societies, on appeal of heirs, within six months after the death of the testator. This was, and is, most worthy of attention. The evolution of the family to the position of a political unit, has been the achievement of a primitive civilization. Before that, there were no social virtues. Parental affection and filial duty were unknown. It was the task of a late civilization, during the Middle Ages, to prevent the sacrifice of the family property, which held it together, by forbidding disreputable and insubordinate per-

sons who might have charge of its wealth, and honor, from alienating them to churches and monasteries. During this period, the priests of the church, seizing on the fear in man for the safety of their souls, urged them to seek salvation by granting the family possessions to the benefit of the church. The state, then, more careful and just, decreed against this practice—which was dissolving the social instincts, and obliterating the virtues of family obligation. In modern times, the selfishness of the universal individuality has brought again into play these same bad and degenerate efforts which former ages have reprobated. The court—against the whole spirit of the law at the basis of social existence—permits the individual to transfer, by testament, the property of the family to churches and other institutions, and even to persons of no tie of blood, while the natural heirs are bereft of what is theirs by right of evolution. This practice promotes an anarchic and disorderly tendency in the population and is destined to end, if not abruptly checked, in the destruction of organic ethics in the community.

After this parliament, Mr. Brown organized the Liberals of Upper Canada, to demand a change in the constitution. He maintained that the plan of 1840 had not accomplished that for which it was framed. It was thought that confederation might succeed better. A convention of this party met at Toronto and called for a division of Canada into two or more provinces, each with local governments and each having a stated representation in a general government.

Feb. 28, 1860, the legislature was summoned to meet at Quebec, which continued to be the seat of authority until 1866, when parliament was moved to Ottawa. In this parliament Sir Edmund Head announced the approaching visit of the Prince of Wales.

The French influence procured better trade regulations now with France and since 1862 exchange of wines and woods grew to considerable proportions.

Tonage duties were abolished on the Canadian canals in the hope of attracting United States commerce.

In August, 1860, the Prince of Wales landed at Quebec, where he was received with respect by the French population, as the representative of royal authority. He assisted at the ceremonies of the Victoria Bridge, at Montreal, visited Sherbrooke, St. Hyacinthe and Three Rivers. In Upper Canada the Fenians and

Orangemen made so much disturbance at this time, that he was forced to change the direction of his journey. He crossed the border into the States, and afterwards returned and sailed from Halifax for England.

In 1860, the Prince de Joinville, third son of Louis Philippe of France, came to Canada for a while, where he received marked attention from the French.

In 1861, Prince Jerome Bonaparte, nephew of the great Napoleon, also journeyed thither and enthusiasm was everywhere noticed in his reception by the people.

The Liberal leaders of Upper Canada continued their demand for a change in the constitution that would give them a greater popular representation. Mr. Foley, one of them, said that, unless such change was made, a civil war would result, like that which was then raging in the United States.

Mr. Loranger defended the cause of Lower Canada. He protested against the principle of popular representation. Rather than repeal the union he desired a separation of the province from England. From this time certain leaders of the French began to cherish the design of a national province, which might be developed into an independent principality.

John A. Macdonald came forward with a plan for confederating all the provinces as a means of healing the troubles between the English and French. He frightened the Liberals of Upper Canada, who wished for a dissolution of the union, by pointing out that the Ottawa Valley, with all its richness and population, was so intimately connected by ties of trade and community of interest with Lower Canada, that, in case the union ceased, that part of Upper Canada would join itself to Lower Canada and thus would cause Lower Canada to preponderate.

The Sixth Parliament was closed by proclamation, June 10, 1861.

Oct. 26, 1861, Sir Edmund Head was succeeded by the Viscount Monck as Governor.

In the autumn of 1861, the government of the Southern Confederacy, formed by those states of the United States that had seceded on account of violation of their charters and rights by the majority in the North, represented in the general government, sent two commissioners to Europe, Mason and Slidel. They took passage on the English steamer Trent, but were arrested by Capt. Wilkes of the United States warship Sam Jacinto, who, in spite of the protection claim-

ed under the British flag, hurried them off to prison.

The British Government demanded apology and the return of the prisoners, but in the meantime prepared for war and sent troops to Canada to be ready for what might occur.

The United States Congress that had at first passed a vote of thanks for Wilkes, when it was known that England meant to have her rights respected and had the power to avenge them, disavowed his conduct and restored the prisoners to British protection.

The Canadians had armed their militia, also, expecting war to result. The sentiment of Canadians from this began to incline in favor of the Southern Confederacy.

Lord Monck opened the Seventh Parliament March 20, 1862.

Conformably to the warlike aspect of affairs, the military commission in this parliament recommended the division of the province into military districts with the establishment of an arsenal in each district. But there was a great apathy among the Canadians. They did not care to be burdened with a military establishment, and, above all, they dreaded the expense. Goldwin Smith spoke of abandoning Canada to itself, since it was willing to invite hostilities from the United States by its defenceless condition. Mr. Cartier resigned from the ministry. Another ministry was chosen, this time among the Liberals, who seemed to be in great force. The chiefs of this ministry were J. S. McDonald and L. V. Sieotte, who took oath of office May 24, 1862.

The policy of this ministry was to gain the wealthy class of manufacturers that was coming into existence, by augmenting the tariff in their favor.

At first the tariff had been assessed to raise a revenue to pay off the debt and expenses of government. But by putting up the price on certain articles, the tariff enabled the manufacturers to earn greater wealth at the expense of the vast body of the people. They became now a powerful plutocracy and sought to preserve the monopoly of the market by encouraging a greater and greater tariff on all imported goods.

Delegates from the Maritime Provinces met at Quebec to discuss the opening of the Intercolonial Railway and communication with Canada and the Northwest.

This Liberal ministry, however, rapidly fell in public esteem. The manufacturing monopoly was not yet powerful enough

to keep them in authority. The 13th May Lord Monck dismissed parliament and a shift of the ministry left J. S. McDonald and A. A. Dorian as leaders. The ministry abandoned the project of the Intercolonial Railway, of the rule by double majority in both provinces, and the excessive tariff on the necessities of life.

The first session of the Eighth Parliament began Aug. 13, 1863.

The ministry, however, still continued to play with the manufacturing overtures. Mr. Holton exposed the state of the finances and proved the necessity of fixing a tariff to meet the deficit. The ministry was careful to state that the future policy would be one of free trade, after the present difficulties were provided for. A treaty of reciprocity was being urged with the United States, and at the same time it was shown to the ministry by Mr. Cartier that the imposition of tonnage duties on vessels sailing through the canals would not lead to the desired end, if the United States were to be won over to favor the treaty.

So much opposition did the radical measures of this ministry raise that it, too, was driven from power. On March 30, 1864, Sir E. P. Tache and J. A. Macdonald replaced them. One of their earliest efforts was to try and renew the treaty of reciprocity. They urged the Maritime Provinces to establish a commercial union with Canada.

Their government, therefore, presented at the first occasion a measure introducing the federal principle and inviting the other provinces to enter into a confederation.

Sept. 1, 1864, the political leaders of New Brunswick, Nova Scotia and Prince Edward Island met at Charlottetown to discuss a federal union of their provinces. A union of the two Canadas with them was favorably considered. Another conference was appointed at Quebec.

Oct. 10, 1864, delegates from the Maritime Provinces met those of Canada at Quebec, with the approval of the Crown, and at the invitation of the Governor-General. For thirteen days the articles of a constitution were debated. It was argued that the Crown should be at the head, but whether a personal sovereign or a represented sovereignty was for some time uncertain. It was even thought, at one time, that the new government might be called the "Kingdom of Canada," with a branch of the Royal family in direct succession on the throne, but it was finally decided that the words

"Dominion of Canada" would serve better, and that the Crown should be represented by a Governor-General sent over periodically from England.

Jan. 19, 1865, Lord Monck called together the legislature to consider the matter of confederation. The ministry undertook, on this occasion, to suggest a project to repress depredations, committed in violation of the peace, along the frontier of Canada.

During the summer a company of 23 officers and soldiers from the Southern Confederacy invaded the United States from the Canadian border to make reprisals for the severe acts committed by the Yankee generals, Sheridan and Sherman, on the people of Virginia, Georgia and the Carolinas. Acting on complaint of the United States, some of the Confederates, who had taken refuge in Canada, were arrested, but were set at liberty again by the mandate of Judge Coursol. These Southerners, although but a handful, met quietly in St. Johns, P. Q., under Bennett Young, and from thence proceeded in twos and threes through Missisquoi County to the Vermont frontier, and on a quiet Sunday morning dashed into St. Albans on horseback and held the surprised and unarmed citizens at bay for an hour or two. They compelled the local banks to deliver over what money they had and then they dashed back across the lines again. To appease the anger of the United States, after the release of the raiders, Canada refunded the amount taken from the banks.

The apparent sympathy of England and Canada for the cause of the South excited the animosity of the United States government. This feeling contributed much to the abolition of the commercial treaty between Canada and the States.

Since the treaty of reciprocity had been in operation, commerce had almost tripled along the line. In 1854 it was \$24,000,000, but in 1864 it amounted to \$69,150,000. In 1865, the United States Senate authorized the President to give twelve months notice for the abrogation of this treaty.

The Canadian ministry attempted to renew their treaty for the advantage of commerce. The Imperial Government sent Sir Maurice Bruce to act in concert with the Canadians to this end with the United States. They were obliged to abandon the undertaking because the United States put impossibilities in the way of negotiation.

The action of the United States Gov-

ernment caused Canadian policy to seek trade with Europe, South America and the West Indies.

A commission was despatched in 1865 to South American nations with good results. The Maritime Provinces that before had purchased flour in the States now sought that article in the markets of Upper Canada. The merchants of the United States began soon to feel the loss of trade from its effects on the monied institutions of their land. United States politicians, eager for revenge on account of their inability to reach Canada by abrogation of the treaty, excited Fenians to make raids along the border. The chiefs of that secret society of Irish revolutionists had an understanding with prominent men in public life in the United States. This society prepared in secret its armed hands for future service in the cause of Ireland against the tranquility of Canada.

The U. S. politicians had thought that the abrogation of this treaty, which took place March 17, 1866, would ruin the trade of Canada, and create a desire among Canadians for annexation to the States, for the purpose of enjoying the liberties of commerce with a great market.

There was another reason more potent than the mere addition to the national territory, working with the politicians of the North. They desired to gain Canada to the northern section of the States so as to enable them to overbalance by number of representatives, the influence of the Southern States in the general government. The Southern States to prevent the increase of the northern democracy, were as determined to oppose the entrance of Canada as a part of the American Union.

But Canada's imperial relations have added to her a greater prosperity and dignity than could be derived from any connection with the Yankees. And, indeed, connection with the Yankees would be the ruin of Canada.

CHAPTER XV.

PUBLIC SCHOOL TROUBLES IN THE WEST.

While victory had come, although with slow step, but firm, to spread the aegis

over the Imperialist party, not only in Canada, but throughout the United States and Australia, lower down, from distant Manitoba, from localities in Quebec and New Brunswick, where religious rights were rampant, issued rumors of political violence and disaffection.

The ecclesiastical order of most churches believe that power over mankind increased with control over the young of each generation. The aged may be left to themselves, but the young never. The vexation of the church in this way over education of children has excited the alarm of those who are in freedom of thought, especially since the institution of the public school system. Parents living in fanatical communities on account of religious control over the public schools of those communities are forced either to send their children to such schools, or, they must form other schools at their own private expense. In secular communities, no religious tenets are taught in the public schools, but so soon as the community becomes extremely religious, behold! the catechism is the chief hook of instruction. According to the Catholic Dictionary the Catholic Church is the highest authority in education. With her sanction it should be commenced and under her superintendence continued, for were her intervention to be excluded at any stage, there would be danger that those under education come to mistake one of the subordinate ends of man for his main end." According to it, the claims of the state "become unjust and oppressive when, ignoring the still more sacred right of the church to secure in education the attainment of man's highest end, it compels or tempts Catholics to place their children in schools which ecclesiastical authority has not sanctioned." It is declared further that "the study of religion should hold the first place and dominate all others."

At the time when Canada was ceded by France to England in 1763, the papal influence over the court of France secured in the treaty the proviso that church functions should be maintained. The result has been that, in the Province of Quebec, the church has a complete authority over the schools as before the transfer. Control is vested in a committee of bishops and laymen. The non-Catholic schools of the province are in charge of a Protestant commission. In the Catholic schools most of the teachers are from the religious orders, who have been teaching without certificate,

and catechism is the chief study. The text-books treat largely of the Romish faith. Those who desire to remove this influence are opposed to the character of this education and wish for the introduction of the study of practical and useful things to prepare the pupils to be harmonious citizens of the Empire. The church people combat these suggestions. They say that the reformers will demand next that changes in the church herself be made, such as "the abolition of tithes and exemptions, and the secularization of estates."

This political trouble of education arose first into importance in Manitoba.

Before the erection of Manitoba into a province, the Catholics and Protestants at Fort Garry—now Winnipeg—maintained separate schools by voluntary contributions. Then the country was governed by the Hudson Bay Company and the self-appointed council of Assinibola. The act which created the province of Manitoba was passed by the Dominion Parliament and afterwards by the British Parliament as an amendment to the constitution of Canada.

The first legislature of Manitoba, in 1871, established a system of free schools for the separate religions. By this act, no Protestant could be assessed to support a Catholic school, and no Catholic contributed to Protestant educational purposes. The commission of education was appointed by the Governor from Roman Catholic and Protestant clergymen and lay people from various parts of the province. This commission was divided into a Catholic committee and a Protestant committee acting independently of each other for their respective schools, but conjointly for general administration. The Manitoba Act provided also for the use of the French and English languages in the schools, courts and legislature of the province.

Like all disputes over separate schools in Manitoba this owed its origin to the intrigues of politicians. The French party, mostly Catholic, was imperial because it had been favored under the leadership of Hon. John Norquay and the Hon. A. C. Larivière. The radical republicans of the province, on account of the presumption of the papists, threatened that if they ever came into control to be revenged on the Catholic party.

In the meantime, from 1871 to 1888, no complaint arose in regard to the management of the public schools. Protest-

ant and Catholic were mutually content.

In the autumn of 1888 the term of office of the Norquay government expired, and the radicals, for the next election, used all efforts to gain over some of the Catholic party by extravagant promises. Mr. Nelson, their leader, at Fort Ellice, pledged the faith of the radicals to maintain the separate school law as the "just and legal right of the Catholic population, secured to them by the constitution of the country, which no party much less the Liberals (!) would ever dare alter or destroy." The radicals, in spite of Mr. Nelson's flattery of the Catholics, were defeated in that election of November, 1888, although by not a very great majority. Two years after Norquay and Larivière retired, leaving Dr. Harrison as premier. This necessitated a new election in the riding of St. Francis Xavier. The parties were so near the same strength that the power of either would be decided by the results of this election. The Liberals, or Radical Republicans, again to gain the confidence of the Catholics and to win their votes, along with their republican propaganda and utopian philosophy, gave repeated assurance to respect the rights of the Catholics to separate schools and the use of the French language.

In this election of 1888, the radicals won and a new government for Manitoba was formed by Messrs. Greenway and Martin. To gain the confidence of the Catholics, Mr. Prendergast, one of their leaders, was invited into the cabinet. Before entering, however, he sought the advice of Archbishop Tache, who requested some further assurance that the separate school act would not be altered. Mr. Greenway sent two of his political allies to give this assurance, and Mr. Prendergast was made provincial secretary.

In the first meeting of the legislature, Mr. Greenway prepared a gerrymander act, which changed the boundaries of every constituency in such a manner as to make it difficult for a papal candidate to contest for representation with any hope of success. Then he dismissed the House.

In August, 1889, Mr. Dalton McCarthy, who had been "arming the just," in Ontario over the Jesuit estates act, came into Manitoba to advocate an "equal rights" campaign. Apart from this he was the hoon companion of Joseph Martin, second in the Greenway government, an extreme radical who had, at different times, declared his belief, and that of his

party, as follows: "The Dominion will go to smash in a few years. A dozen Canadian Pacific Railways cannot hold the rotten thing together." "Annexation to the United States is the only goal to which Canadians should look." For this reason he welcomed McCarthy and his thorn stick of "equal rights." It was at McCarthy's meeting at Portage La Prairie that he declared that his colleagues had decided to abolish separate schools and the French language in Manitoba! Martin's speech aroused the Catholics. A deputation of them visited Mr. Greenway and demanded of him whether the government intended to abolish separate schools and the French language. Mr. Greenway, in elegant phrase, replied: "No! My government have no such intention. That man Martin has made an ass of himself. I must get rid of him." Later on Mr. Martin characterized Mr. Greenway as the "most colossal liar of the century." (From Dr. Morrison's letter of 1893.) In the meantime the radical government was maintaining republican honor. It was accused of pocketing thousands of the provincial treasure in the Manitoba and Northern Pacific railway transaction. Some of these "honorable" gentlemen had been about to seek additional wealth in the braising financial atmosphere of the Yankee republic, when they came up with these railway schemes, and other incorporated necessities for the maintenance of public wealth in private hands, and they decided to stay and "manipulate" at home. Mr. Greenway himself announced that his government had decided to discontinue the French language and separate schools. It was by this plan that the radicals in Manitoba hoped to win the support of the growing Protestant population. Mr. Martin decided that the schools established would be in the strictest sense of the word secular: that no prayers, hymns or catechism of any sort should be tolerated in their curriculum. Mr. Martin carried through the legislature a bill to abolish the official use of the French language and to disestablish the separate schools. By a provision of the same Act all property, previously set apart for the maintenance of Catholic schools and under management of the Catholic commission was transferred to the secular school commission. This action raised a great tumult among the Catholics and their friends of the opposition.

But Section III., Art. 3, of the Cana-

dian Constitution, provided that: "Where in any province a system of separate, or dissentient, schools exist by law at the union, or is thereafter established by the legislature of the province, an appeal shall lie to the governor-general-in-council from any Act, or decision of any provincial authority affecting any right, or privilege, of the Protestant or Catholic minority of the Queen's subjects in regard to education." In 1893 the Catholic party of Manitoba appealed from the action of the Manitoba legislature (according to the privilege accorded them by this section) and it was decided that the appeal be allowed.

It has been observed that it is one of the "glories of England's constitution that the majority does not rule; that Might shall not trample on the throat of Right." India is maintained in peace and prosperity, because England will not permit the great religious sects to oppress the weaker. The Transvaal was annexed because the Boers refused to observe justice in dealing with the weaker Kaffir tribes. The House of Lords threw out the Home Rule Bill because

"I have given over this minority to the ruthless sway of an ignorant, impulsive and violent majority. When Canada was ceded by France to England in 1763 England pledged her honor that the rights of the Seigneurs and the Catholic French should be maintained, and when she handed over the country to the self-government of its inhabitants, it was with the same stipulation. In upholding faith, honor, justice, in rewarding personal merit, in building up good and able generations into a bulwark of imperial greatness, the power of the British empire shows in this case as in others, that it is the guardian of human liberty and the true father of the country.

CHAPTER XVI.

POLITICAL IDEAS AND IDEALS AT CONFEDERATION.

As a proper introduction to the history of the United British Provinces since Confederation it is necessary to affirm that the influence of political struggles in older Britain have their determining effect on the outskirts of the Empire.

Confederation in Canada was the effect of a temporary success of the royalist sentiment in political action in England, against the ever crowding encroachments of British democracy. These encroachments are manifested in radical parliamentary outbursts of hostility to the hereditary honors and privileges of the peerage and in a remoter degree to the Crown itself.

The two great parties, whose clamors have disturbed the peace of national life, at times even with bloodshed — the one standing for the Crown and responsible government, the other for parliamentary rule, or the government of the irresponsible populace, headed by factious self-ruling leaders—have stirred the spirit of contention into similar divisions even to the remotest colony.

At home, in Britain, it has been felt by the republican radicals, that the loyalty of colonists to the Crown is a menace to themselves, and a difficulty in the way of the realization of their purposes in domestic politics. The maintenance of a colonial empire, inasmuch as it gives the Crown an external military and civil strength, has been, at favorable moments, a point of attack. As the main purpose of the radical, parliamentary or republican party is the abolition, first of the hereditary guardianship of the peerage, and then the substitution of an elective form of government for the present hereditary monarchy, the doctrine is advocated to dismember domestic politics of imperial concerns; to encourage the colonies to become independent nations and to "shift for themselves." These doctrines are advocated on economic and hedonistic principles.

To quote from Lord Beaconsfield's speech at the Crystal Palace in 1872, is now opportune. That nobleman said: "If you look to the history of this country since the advent of Liberalism, 40 years ago, you will find that there has been no effort so continuous, so subtle, supported by so much energy and carried with so much ability and acumen, as the attempt of Liberalism to effect this dismemberment of the Empire of England." * * * "Statesmen of the highest character, writers of the most distinguished ability, the most organized and efficient means have been employed in this endeavor. It has been proven to all that we have lost money by our colonies." * * * "How often it has been suggested that we should emancipate ourselves from this incubus!"

"When these subtle views were adopted by the country under the plausible plea of granting self-government, I confess that I thought, myself, that the tie was broken. Not that I, for one, object to self-government. I cannot conceive how our distant colonies can have their affairs administered except by self-government. But self-government, when it was conceded, ought to have been a part of a great policy of imperial confederation. It ought to have been accompanied by an imperial tariff, by securities to the people of England for the enjoyment of the unappropriated lands which belonged to the Sovereign, as their trustee, and by a military code which should have precisely defined the means and the responsibility by which the colonies might be defended, and by which, if necessary, their Sovereign might call for aid from the colonies themselves. It ought, furthermore, to have been accompanied by some representative council in the metropolis, which would have brought the colonies into constant and continuous relation with the home government. All this, however, was omitted, because those who advised that policy looked on the colonies of England as a burden on this country, viewing everything from a financial standpoint, and totally passing by those moral and political considerations, which make nations great, and by the influence of which alone, men are distinguished from animals."

"Well, what has been the result of this attempt during the reign of Liberalism, for the disintegration of the Empire? It has entirely failed. * * * Through the sympathy of the colonies for the Mother Country, they have decided that the Empire shall not be destroyed, and, in my opinion, no minister in the country, who does his duty, will neglect any opportunity of reconstructing the colonial empire, and of responding to those distant sympathies which have become the source of incalculable strength and happiness to this land."

As a consequence of this policy in Britain, there has grown up in Canada, and the other colonies, alongside of the Royal, or Imperialist, party, a national, or democratic party, using the same arguments, economic and hedonistic as those used in the British Isles. In truth, it is necessary to remark that, even at the best, the civilization of democracies is but a luxuriated hedonism. Its most cultured members laugh at ideals of life and criticize their practicability. To them

there is only the practical of the necessary—eating, drinking, clothing, money-making. Their social leaders are bonvivants, wine-bibbers and dandies. Their political leaders are shrewd rascals of the lower orders seeking self-advancement and wealth by deluding the multitude with flattery and false doctrine, in which they advance the proposition that the donkey is equal to his master, and that equality comes before liberty—although all the world knows that "liberty and equality are mutually exclusive." With the polite in democracies it is, as in other forms, considered a fashion to employ the leisure moments in reading the poetry and philosophy, nay, even the history of all times—but not, as under the monarchial idealism, to profit by lessons contained therein. Ideals, in democracies, are so transparently silly that no one is inspired by them, and the society of democracy—even the most refined is by far too gross to appreciate what is beyond the ability of its members to practice.

Across the border, such institutions as democracy represents menace to the future of the American States, by breaking down barriers of race, destroying the integrity of the families as a unit, and debasing the merit of the highest man in equality with the lowest until in the jumble and admixture of every species a mongrel type with a mongrel code succeeds.

The presence of ideals proves intellectual clearness and the purity on which that intellect is founded. The presence of ideals prove that there is a distinct stratum in the nation whose soul yet lives above the dross of materialism. If these ideals are not realized, it is because their class has not enough of national power to encompass them with reality, but they reflex in new life to the mental magnetism, wherein they originated, and this life is transmitted into the actual physical life of the future.

It is on such a proposition as this that the social organism is based. It is on the false prophecies of devolution and decay that it is attached: first in imperial groups, then in family groups and last in the life of the individual himself.

This has been the course pursued in Canadian politics by the national, or democratic, party. Separation from the Empire has been a theme co-extensive with the destruction of the seigneurial order in Quebec and hereditary holdings

in Ontario, while every reward of personal merit by the Crown in Canada has been met by attacks from the same source.

In this Canadian National party, a small faction was formed, who looked to the United States as a model and, in a greater or less degree of vagueness responded by annexation arguments as the solution of all difficulties, political and financial, in Canadian affairs. This faction, however, has been silenced by the display of those social and financial disasters that have disfigured the history of the American republic in recent years, and the disregard for national and international ethics, that ever characterized the action of that republic. It has shown them the dangers that are in the future for Canada, should annexationism be allowed to flourish within the border. They have discovered that the Yankee has a critical spirit and an iconoclastic disposition that is fatal to the growth of sentiment and the development of ideals. They have discovered that he is not only unreliable in politics, but that he is a born malignant. A change of abode among other races and under other governments does not alter his propensity. He has exhibited himself everywhere as an intriguer against monarchy, a meddler and a money-worshipper, whose holy of holies is the open purse. The riotous course of the democracy has strengthened the royalty of Europe by retrospection and killed the annexation propensities of the small faction of disaffected radicals in Canada.

In the United States themselves, a reaction against the terrible tyranny and criminality of the republican democracy is not impossible, when the wise of the population see the result of the tendency of class distinction, the destruction of colonial excellence and the mongrelization of races. As the result of these things, the Medical Times has traced the rise of the tide of crime. "In 1850," it declared, "there was one criminal in 3500 of our population. In 1890 there was one in 786—a terrible increase in forty years. The republic is young. Reckoned by the age of nations, it has hardly yet cast aside its swaddling clothes, and yet in energy, in prosperity, in wealth, and strength, it stands as ancient as Rome stood, a giant among the powers of the world. There must be some way to stay this mad rush of crime: some remedy for its bacteria, which is poisoning the fountains of moral and physical health."

Many see that contagion is the result of contact and draw-back from Yankee affiliation. As for the National party itself, its fate has been determined by the military designs of the Empire. The London Times of 1893, animated by the spirit of these designs, said that Great Britain cannot entertain the proposition of Canadian independence any more than that for annexation; that Canada, as part of the Empire, is as necessary for the conservation of the whole as the keystone of an arch is for that of the arch. That Canada is the western intermediary of England, India and Australia, in the event of the destruction of the Suez Canal—a very probable contingency or a war in the east prosecuted by European powers. To retain Canada by the military arm, if necessary, the most powerful and admirably appointed fortifications have been erected from Vancouver to Halifax by the Imperial authorities. Imperial troops are constantly paraded across the Canadian breadth on their way to India, and from thence. The organizations of the regular Canadian militia and volunteer forces are drawn to maintain—not the Canadian government, but the supremacy of the British Crown and Empire, and their commander-in-chief is chosen from the Imperial army itself. At the present time, the strongest, bravest, best and most intelligent of the Canadian population are in sympathy and accord with imperialist designs and pledged to the unity of Empire. In 1894, an assembly was held at Ottawa of representatives of the different provinces, even from far distant Australia and Cape of Good Hope, to devise means for a closer connection between the colonies; to further intercolonial trade and to bind by the coarser, but still strong bonds of material interests the various colonies in a confederation for trade. At that meeting, the proposal was advanced to put to the test the loyalty of Canadians, and to submit to them, at no distant day, the proposition of raising Canada from a provincial position to royal dignity. The carrying out of such a proposition will necessitate imperial representation at London, and the same design is intended to be applied to the Australian and Cape provinces.

INTERNAL POWER OF THE CONFEDERACY AND EXTERNAL INFLUENCES.

When on July 1, 1867 the confederation

of the various provinces of British North America occurred to which all have acceded with the exception of Newfoundland, it was agreed on the adoption of the following system of government and constitution:

First, all the treaty obligations under which the British Crown received the country from France. By these the British Crown agrees to assume the obligations towards the Seigneurial Order, the clergy and the habitants, which the Crown of France had in exchange for the transfer of the allegiance of the Seigneurial Order, the clergy and the habitants.

Secondly are the Imperialists, by means of which powers of the imperial government, of the sovereign-in-council, have been conferred on the various provincial governments and the Dominion administration. The most important of these are the 34 and 35 Vic. (i) c. 28 conferring on the Dominion "power to establish new provinces and to provide for the government of any territory not within the limits of a province." On the other hand the 38 and 39 Vic. (i) c. 38 repealed the 18th section of the Act of 1867, "holding to the privileges of the Dominion parliament, with a clearer definition of the 'powers of the legislature to determine its own privileges.'" etc.

Thirdly are the Dominion Acts, which have taken the form of laws, or statutes passed by the Dominion government on the basis of those prerogatives granted it by the Imperial Acts and subservient to the Treaty Obligations.

Fourthly are the Provincial Acts, which relate to the administration of the law according to the above in each province, passed by the legislature of each province.

If any citizen of the empire residing in the Dominion sees fit to dispute the legality of a provincial act, which effects him injuriously, he has a right to appeal from the Supreme Court of Canada to the imperial authorities, as in the case where the Liberals in Manitoba infringed the rights of the clergy to establish separate schools with the Catholic part of the school fund, the imperial authorities by such obligation of the Crown reversed the Provincial Act of Manitoba in favor of the clergy.

Based on the division which these acts represent the government consist theoretically in the Crown, the Seigneurial Order, the clergy and the habitants, but in reality the Seigneurial Order, the clergy and the habitants have been

merged in one representation under the Crown in the following manner:—

The Crown is represented in Canada by an officer commissioned for such a purpose by the British ministers and termed the Governor-General. But here let it be observed, this manner of representing the Crown is contrary to the Treaty Obligations, because the King of England succeeded to the prerogatives of the King of France in Canada; and the King of France not only nominated his own ministry, but appointed the governor for his domain. While the King of England does not nominate his own ministry—who are the creatures of a British democracy—and these ministers nominate the governor-general, whose commission the King signs—nominally for the empire, but in reality for the ministry—the servants of the British democracy.

The Canadians have a democracy of their own where politicians are bad enough, and it is an additional affront to be called on to recognize a governor-general who is parcel of the British democracy and only nominally a Crown officer. It is one of those "fictions" of the law that a facetious man would call a "mascarade." Many Canadians have felt this and more than once efforts have been made to obtain as governor-general some member of the royal family, so that the "fiction" might end in reality. The powers of the governor-general are as follows: He appoints senators and the speaker of the Senate. He summons Parliament and dissolves it. He recommends money grants, gives assent to bills and may veto them. He is not bound to follow the advice of the ministry. As regards the Dominion executive, he appoints the ministry; although the army is controlled by the minister of militia, his functions are prescribed by the governor-general. He appoints the judges and exercises the right of pardon. He appoints the lieutenant-governor of provinces and may disallow provincial acts. He holds office during the pleasure of the British ministry, but "in accordance with the standing rule at the colonial office, his term of service is limited to five, or six years."

The Seigneurial Order and the clergy have no direct representation. It was intended that the Senate should stand in Canada as the House of Lords in England. Its members are appointed by the governor-general in the name of the Crown, but according to the wishes of the dominant faction of majority. In

this way, to gain a nomination, the Senate has become a kind of reaching stick for old politicians who happen to be influential with the leaders of the party in power when a vacancy occurs. There were 24 senators allotted Quebec, 24 Ontario and 12 each New Brunswick and Nova Scotia in 1867, since which time, by the increase of provinces in the Dominion, the number has been raised to 80. The Imperial Act of 49 and 50 Vic. c. 35 gives the Dominion Parliament "full power to make provision for the representation in the Senate of any new province or any new territory." To show that the politicians may use the Senate as a trick card to increase their own gain, in Dec., 1873, the Canadian Privy Council, "in the public interest, but in reality to increase the supporters of the ministry in the House, advised that an application be made to Her Majesty to add six members. The recommendation was forwarded by the governor-general to the colonial secretary, who, under the circumstances, declined to advise Her Majesty to comply with the request." (Monroe on the "Canadian Constitution," p. 143). Thus it may be seen that while the Senate, a copy of the House of Lords in Canada, was intended to represent the aristocrats, it has become a political nursery for those choice members who are past-masters in politics. Had not the colonial secretary been sharp enough to see through the game in 1873 a precedent would have been established which would have ruined speedily all respectability in the Canadian Government.

Under these pretences and "mascarades" the real power of government is beheld to reside in the House of Commons, which is elected by the people under various qualifications for suffrage as there are provincial parliaments who have the right of imposing them. It is the parliament that forms the ministry, it is the ministry of the day that determines the character of the Senate, it is these all together that influence the control of the governor-general, and the governor-general himself is the result of a similar democratic control of the British parliament and ministry. What, though all members of the Canadian Parliament swore allegiance to the Crown before they were invested with the powers of office? Does that allegiance make them royalists? Do they understand it as did the honest and honorable cavaliers of old? Or do they swear it in a Pickwickian

sense, or as the old clothes' man, who calls on God to strike him dead "on the spot" if his word is not true, and then hops off the spot? The answer may be left to those who read the speeches of these representatives of "the people" in Parliament; it may be left to those who witness the catering of these "members" again and again to Yankee huxters from beyond the border.

And having shown the means by which treaty obligations and the King's true representation are observed "in the breach," it is necessary to pass from these internal effects to the external influences which are being united to them to the extinction of Canadian glory and the decay of empire. By glory is not meant the commercial effect of a people's prosperity any more than by empire is meant commercial supremacy. Yet both commercial and financial effects are used against Canada by an enemy that has tried and failed in other ways of conquest. This enemy is the United States.

Twice have the Yankees attempted by arms to vanquish the Canadians (1776-83 and 1812-15) and twice have they been beaten off. Twice by diplomacy have they sought to control Canada (by tariff restriction and by annexation propaganda) and twice have they been defeated. And now they are making, in 1903, a new effort by another and more potent means, by financeering within Canada itself, to possess both land and people. With the government of Canada composed of such corrupt products as the representatives of the democracy alone, outside the direct influence of the Crown and aristocracy—with responsible and ethical barriers removed—what cannot the purchase power and monied influence of Yankee trusts and combines do with the Dominion Government?

In 1867 the Canadian Government received for the Canadian people the management of all the lands of the Crown, with their vast and valuable forests and their hidden mines of wealth. The Canadian Government was nominated by the Crown to act as trustees for the Canadian people for these things. How have they—these scions of democracy—performed their stewardship? Look abroad at the public lands—the Crown lands—25,000,000 acres granted to a railway corporation (C. P. R.), the major part of the forest lands of Quebec, Ontario, New Brunswick and Nova Scotia bonded to Yankee lumber trusts; the coal-fields of Cape Breton and Nova Scotia, the nick-

el and copper mines of Ontario and Quebec leased to Yankee exploiters. Canadians returning to their native land have no valuable foot of ground on which to settle, because it is subject to these same Yankee claims, and they are forced to go away again, or take poor and valueless sites. These Yankee non-residents, living in the United States, work the natural treasures out of Canadian soil, transport the raw material across the border, and share the wealth they have derived by the aid of these scions of the Canadian democracy with their own manufacturers, who make this raw material into goods, and then, with only a little tariff to pay, carry them again into Canada and sell for another profit. Out of all this wealth the only thing that remains to the Canadian people is the wage paid the laborer who cuts down the trees and digs out the coal and metal. It has been declared by Yankee financiers that for "economic, commercial and military reasons they must possess Canada," and by these financial means they are nearer controlling the destinies of Canada than ever before—for they have a foot-hold in the country; they are the greatest shareholders in what manufactories exist; they govern the votes of those whom they employ, and they can close the resources of the country by a meeting of the board of directors of their financial companies.

But the greatest source of Canada's prosperity at present is in agriculture and the fisheries. The farmers and fishermen receive great revenues yearly, which they put in the local banks. The greater the bank the greater its receipts. The surplus of monied wealth put in the banks of Montreal, Toronto, Nova Scotia and New Brunswick, what becomes of it? Is the bulk of it expended in Canadian improvements, where the interest and security is good? It has been exposed again and again by Canadian financier writers that the bulk of this money is sent by the banks into Yankee investments that the rotting fabric of Yankee finance may be bolstered by Canadian property. Besides, it is another means they have taken to possess the country—for they have purchased controlling interests in the greater of the Canadian banks. The most clever and unscrupulous financial schemers in the world, unimpeded by any nice sense of honor, their promises are nothing but baits to catch unwary gold-fish. The first barrier that threatens their advance in the confederation of the British colonies of the em-

pire and the formation of a plan of free trade within the empire, at the same time elevating a tariff against the goods of other nations. In the accomplishment of this is not only the safety of Canada the interests of the empire itself. Unless this is accomplished, each colony will be obliged to make its own arrangements with foreign states for the disposal of its surplus products, and to lean with fall tributary—financially—to the largest trade centres with which it may be obliged to form a connection. Herein the Yankees see their opportunity. They know that the major part of the Canadian people favor connection with Great Britain enough to pledge themselves a greater way towards its consummation than the people of Britain have been willing to go. There are many thick heads in Britain. They do not perceive that this plan places the products of the richest parts of the world, with the purchase power thereof, in a friendly way, at their exclusive disposal, which is better than taking the shadowy chance of the grudging concession of hostile lands. But perchance the British opposition, like some in Canada, think that the opportunity is too small, and would act like the Spanish Zore de Espronceda, who, when entering Lisbon to make his fortune, discovered that all his wealth was in one little gold coin, and decided that it was too small for one of his consideration to enter a town with and throw it away! But the Yankees do not throw away the chance the filing of a shilling may give them. And now they are filing the British shilling in London, by stipending a party to oppose the imperial tariff arrangement. They have used the court influence of their parvenue heiresses, seized of the titles of degenerate peers, to heighten the American estimate, until they obtained the concession from Lord Charles Beresford, at the banquet given in London by Yankee naval officers in 1903, that "they (the Yankees) would have been unworthy descendants of the Anglo-Saxons if they had not kicked the Mother Country into the sea when they

did" (1776). This was the report that went through the United States press with jubilation, and cast an affront at the present 2,000,000 descendants of the French and English loyalists of the same period, who saved Canada to the Crown in 1776 and in 1812 beat back these same "shouting Yankee Anglo-Saxons" who attempted to wrest Canada from Britain while her back was turned in the wars of Europe.

If Canada is to grow great and independent and prosperous in itself; if it is to preserve the glory and honor of the past as a heritage for the future, she must cast out this foreign influence. In the first instance, in regard to the ceding of these great forest and mineral rights to foreign companies, the Dominion and provincial governments have exceeded their prerogatives as trustees of the people for the Crown lands in Canada and these grants are, ipso facto, null and void. It is only a "fiction"—one of these famous "fictions" of the English law that can cover this case—for the reality shows that they have violated their trusteeship and it should be set aside. These demagogues of the democracy, who have been malfeasance of government personified in Canada, have proven that they cannot be trusted with the care of so vast an estate as the Crown has appointed them to, and there should be a move made to invite the Crown to take up again control of the Crown lands throughout the Dominion. This will remove the danger at once of having what ought to be for the benefit of Canadians transferred to the control of hostile foreigners. By Imperial Act this could be accomplished, an appeal from the malfeasance of trusteeship in the Dominion and provincial governments. But until the responsible and hereditary classes of Canada unite to take a public and open stand in the name of Crown and constitution against radical excesses and corruption of which these are samples, the course of affairs may be expected to flow in a constantly lowering channel.

THE END.

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