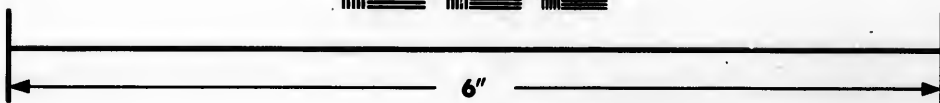
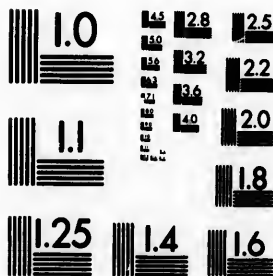


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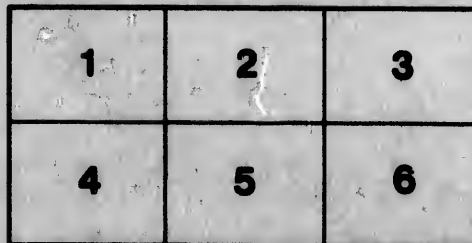
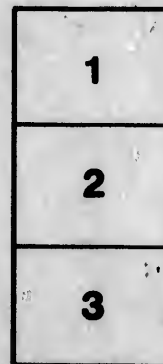
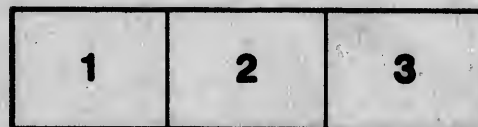
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**LETTER,**

ADDRESSED TO

**HIS EXCELLENCY, LORD AYLMER,**

**GOVERNOR GENERAL OF LOWER CANADA,**

**UPON THE POWER VESTED IN THE KING'S  
REPRESENTATIVE, TO ACCEPT OR REJECT  
THE SPEAKER PRESENTED TO HIM  
BY THE HOUSE OF ASSEMBLY.**

---

**"Condemn the fault and not the actor of it?  
Why, every fault 's condemn'd, ere it be done,  
Mine were the very cypher of a function,  
To find the faults, whose fine stands in record,  
And let go by the actor.**

**SHAKSPEARE.**

---

**BY FREDERICK J. M. COLLARD,  
BARRISTER AT LAW.**

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**1835.**

TO

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TO HIS EXCELLENCY, THE RIGHT HONORABLE,  
MATTHEW, LORD AYLMER, GOVERNOR IN CHIEF  
OF LOWER CANADA.

MY LORD,

In addressing this, the first of a series of Political Letters, on the present state of the Province, to your Lordship, I believe I am trespassing neither upon the respect due to your elevated rank, nor upon those forms and customs which bind society in its component parts together. I address your Lordship solely as the Governor General of the Province, and while I feel it my duty, in this letter, to avail myself of all those privileges which the law of the land secures to the subject, while I would boldly assert the right of the governed (constitutionally) to express their opinions upon the acts of their Governors, I trust I shall not for a moment forget that I address the Representative of my Sovereign, and that the high and important station which your Lordship holds among us, entitles you to respectful consideration, from all who profess Loyalty to



the King, whatever may be their political creed, or whatever their private or personal feelings.

Permit me to say, my Lord, that the responsibility of this and my succeeding letters, belongs solely to myself, gratefully indeed do I acknowledge the kindness of those friends who have believed me capable of executing a task at once so difficult and delicate in its nature, and I must honestly avow, that without their kind approval I never should have ventured upon the publication of these Letters—yet as the sentiments expressed in them are entirely my own, as I receive no assistance in their composition from any Individual, it is but just that accountability (if any exist,) should rest solely with myself.—For the positions which I shall assume, for the assertions which I shall deem it my duty to make, I am as an individual accountable to any party aggrieved, and from a self-imposed responsibility, I trust I shall not for a moment shrink. I have ever believed that it is one of the first duties of a writer, (if he boldly declares,) manfully to defend his principles, and while upon public men, and their political acts, I conceive, I have an undoubted right (always within the bounds of the law,) to express my opinions—my pen shall never attack private character, nor will I suffer that liberty, which I proudly advocate, to become a cloak for licentiousness,—while I claim the protection of the Law, for that which I believe to be a legal act, I conceive myself equally bound, as a member of society, by the laws of honor, and I claim no exemption from any responsibility which may attach itself individually to me, as the author of these letters.

This declaration, my Lord, has been forced from me by circumstances, too long to enter into a detail of, too

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unimportant to claim your Lordships attention. I shall therefore proceed at once to the immediate object of this letter, which is not so much to bring under consideration the actual political state of the Province; as to point out the influence which the acts of your Lordship must at this moment have upon the conduct of the People, and to prove the necessity that, now, more than ever, exists for decision on the part of those in whose hands power is vested.

It is, I believe, my Lord, admitted by every loyalist throughout the Province, that nothing but the united firmness of the British portion of the population and the constituted authorities, can preserve to Canada the blessings of that Constitution granted her by Great Britain. The Constitutional Associations recently formed in the Cities of Quebec and Montreal, and now in course of formation throughout the Province, declare this, and these declarations proceed from intelligent and educated men, Men uninfluenced by passion, unswayed by prejudice, unactuated by party motives, and who, from the large stake which they have at issue in the Province, would never advocate tyranny on the one hand, or lawless insubordination on the other.—We have declared ourselves united only for the purpose of preserving the Constitution.—And if we then are determined by a manly and resolute stand, in defence of our rights and liberties, and of the privileges granted to us by the British Government, to prove our fidelity to that Government, if we resolve to resist all innovation unsanctioned by the parent state, if we preserve unimpaired our loyalty to our Sovereign, and our attachment to our institutions, if we determine not only in our own persons to yield to the laws our most entire obedience, but also to assist, if necessary, in enforcing the submission

of others ; we have a right to look for firmness and unflinching resolution in our Rulers, I say that from your Lordship as a branch of the Legislature, representing, as you do, our most gracious Sovereign ; we demand that the spirit evinced by the British portion of the population shall be met by a corresponding feeling on the part of your Lordship. With the experience of the past before us, are we presumptuous in asking this ? with the knowledge that every concession to what are called Popular principles, has been followed by reiterated demands from the representative branch of the Legislature.—I ask is it unreasonable on our parts to demand that a decided stand be now made in defence of the Constitution, and that the further progress of revolutionary principles be checked in a manner that shall leave us no longer in doubt as to the intentions of those who rule over us.

We know that every act of your Lordship is at this moment pregnant with important consequences to the Colony. We feel that one false step may be irretrievable, and that a single act of weakness and indecision may be followed by years of anarchy and bloodshed ; feeling and knowing this, we ask of you my Lord, nothing but firmness and decision—an open, and as far as depends on your Lordship, consistent course of policy—a policy protective of British rights, maintaining British interests, supporting the principles of that Constitution under which we exist, and enforcing from all persons, indiscriminately, obedience to those Laws by which we are governed.

The approaching meeting of the Provincial Parliament by your Lordship is looked forward to by all classes with much anxiety, as your very first act of will be considered by many as indicative of the course of policy which will

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be pursued, and also as a test of the strength or weakness of the Government. We know that there is a power vested in your Lordship, less as the head of the Executive than as the Representative of the Sovereign, and to the manner in which that power will be exercised we look with some anxiety, as for an earnest of those acts which are to follow it. You will at once perceive, my Lord, that I allude to the acceptance or rejection of the Speaker, to be presented to you by the House of Assembly. Permit me to observe, that the person chosen to that high and important station is to be considered as the elect of the elected, and the individual filling that office should be if not of irreproachable character, at least of undisputed loyalty. Far be it from me, my Lord, to establish an inquisition upon the private opinions of men; but from those who aspire to public station, loyalty to their Sovereign, fidelity to the Government under which they live, ought at least to be demanded; and under monarchical institutions, I humbly apprehend that no individual can be eligible for office who does not possess both the one and the other.

Recent events, my Lord, render the choice of the Assembly any thing but problematic. Few, I believe none, entertain a doubt as to the individual upon whom their choice will fall. I do not assume the language of prophecy—I am but declaring the prevailing opinion, when I say that they will present to your Lordship (fit representative of the party electing him) **LOUIS JOSEPH PAPINEAU**, as their Speaker, and He will ask of that Governor whose authority he has already declared “null in the hearts of all honest men,” the allowance of those rights and privileges which appertain to the office. Some have questioned if, (after the declarations which have been made by him) he

can or will so present himself. But your Lordship is not to learn to-day that self-interest is the governing principle of our Canadian Patriots—a salary of a thousand pounds is at stake—and there is little doubt as to the course which, under such circumstances, such a Patriot will pursue. The subordinate agents of sedition must be paid—few men risk their necks for nothing—and money is absolutely needed, not only for the payment of his hireling Scribes, but to keep the great machine of agitation in motion, for “the honor of the Representatives of the People” is not yet considered as good payment as the current coin of the realm. Deprived of the emoluments of office, my Lord, he is the wasp without its sting, possessing indeed all the inclination, without the power to injure. I say then at once, (and without fear of contradiction,) that he would ask, aye were it needed, ten times more than the office imposes on him; but—Will your Lordship accept him? As a British subject I demand, will you give your Sovereign’s approbation to this man? Can you, my Lord, with recent events before your eyes, say that “in His Majesty’s name you approve of the choice his faithful Commons have made?” Can it be placed upon record that Matthew, Lord Aylmer, accepted as Speaker Louis Joseph Papineau? Impossible, that aught like concord or confidence should exist between parties so situated. I do not for a moment allude to the unnatural union between the Soldier and the Coward! the British officer and the branded Poltroon! No—I speak of the Representative of the Sovereign inducting into office the treason-preaching Demagogue!!! My Lord, language cannot too strongly deprecate this—.No man professing loyalty to his Sovereign, can for a moment contemplate this possible degradation of his Representative with

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other feelings than those of mingled pity and contempt. There is not a man in whose veins British blood flows, who can suppose your Lordship thus degraded, and not shed the bitter, burning tear of humiliation over the prostration to his Governor at the feet of the Demagogue leader.

If, my Lord, there is an individual who boldly and unblushingly records, that "the head of that Government under which he lives is corrupt, that his Sovereign's representative is the "soul of a faction." If a Member of the Legislature can be found who has declared that the "Governor's authority is null in the hearts of all honest men." If a subject of the realm asserts, "that the Constitution has ceased to exist." Is this, my Lord, I would ask the man in whom authority is to be vested? is this the individual who is to receive from the King's representative the King's approval—What!—Treason, and the Sovereign's approbation of the Traitor, strange anomaly!—incomprehensible state of things. When honor, truth, justice, the constituted authorities, and the majesty of the law, are all alike outraged and insulted, and instead of disgrace, honors await the individual who has thus dared only to be wicked in order that he may be great.

My Lord, one of two propositions is undeniable.—These things have been written—and by this Man, either what is written is true or false, if true, then alas your Lordship has no alternative but submission.

"Corruption ever hides its guilty head,

And shrinks appalled before the gaze of honesty."

If I say it be true that the head of the Government is corrupt.—If your Lordship is the soul of a faction, then my Lord—I will not even yet go as far as the arch traitor, who pronounces you so, and say that "your

authority is null in the hearts of all honest men." No, whatever may be the truth or falsehood of the charges made against your Lordship, you are still my Sovereign's representative.—I am the subject of England, and loyalty is part of my very nature. I must respect the office which you hold, though you hold it unworthily, and until you cease to represent my King, I will pay you the homage which under such circumstances would be due less to your public virtue than to your high station.

But my Lord, if these charges be false, and from the Hell from which they emanate, few will doubt their falsehood—then will I say that you are wanting to a sense of your own dignity, of the duty which you owe your King, if you do not by an unqualified rejection of this man from all office, depending in any degree upon the Sovereign stamp the seal of falsehood upon his assertions; must I go still further? must I say that he has accused the King's representative as "*an accomplice in murder,*" and as having "*by an unconstitutional exercise of his power, influenced unduly, the administration of justice in a criminal case.*" Take his own words as applied to your Lordship. "The accomplice of magisterial butchers, who coolly and deliberately prepared traps in which three citizens were shot." "By having enjoined the Solicitor General to change the direction of the Courts of Justice, by a partial intervention in the Coroner's proceedings—thus rendering the *criminal injunctions* of an ignorant and despotic soldier, a rule of conduct for ignorant, slavish, and partizan officers of justice." As a Briton, my Lord, jealous of the character of that army, whose laurels have been gathered in every quarter of the world, knowing the valour, the truth, and

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above all, the honor of those brave men, who have so often led our gallant troops to conquest, I proudly assert, that the character of a British Officer is above such aspersions. As a devoted loyalist, reverencing the constituted authorities, venerating the person of my King, never will I believe such charges made by such a man against his representative; indignantly do I hurl back the foul calumny in the teeth of the calumniator, boldly do I brand him as a liar! reckless of his word! false to his honor! a Traitor to his country! and a Rebel to his King!!!

But, my Lord, what we as subjects may feel, you as a Governor must execute, confident in rectitude of intention, proudly jealous of your honor, one course only is open to you,—boldly and at once, refuse to confer your Sovereign's approbation upon one so totally unworthy of it. I feel and acknowledge all the responsibility which you thus incur, I know that you are accountable to many parties for your acts, and that the accountability is a strict one. I know that your Lordship has an account to render, not only to the people over whom you exercise a delegated authority, but also to the government whom you represent. I will not even deny your responsibility to the Individual most prejudiced by your act, but I would entreat you, my Lord, to remember, that there is a tribunal to whose decision we must all finally appeal, that there is a voice which will be heard through the loudest roar of popular clamour, and will intrude itself amidst the softest whispers of adulation, the "small still voice of conscience."

I have first asserted the responsibility of your Lordship to the people over whom you govern, but I would draw a strong and marked distinction between those capable of understanding, and consequently appreciating this act of



your Lordship, and a portion of the population, who, from well known circumstances, cannot be considered as expressing any opinion of their own. I am no advocate of the doctrine of "the greatest happiness of the greatest number." I believe that in a liberal and enlightened government, there are other feelings to be considered, other interests to be consulted, than those only which are expressed in what is called the popular voice, the more particularly when in moments of excitation, it causes itself to be heard through a false or exaggerated medium. In the actual position of this colony, I consider the wishes of the numerical majority, more than counterbalanced by the claims of the intellectual minority. We (I speak of that minority) are a reading and thinking community, accustomed from our infancies to see great events passing round us, the culture of our minds, (in most cases) assiduously attended to—the blessings of education, being generally diffused among us,—we have become gradually familiarized with important political questions, and capable of forming opinions upon them, and I believe I do not claim too much for men of British and Irish origin in this colony, when I say that we are a people of whom *each man thinks for himself*. I surely need not point out to your Lordship the essential difference that exists in this respect, between us and the majority of our fellow subjects of Canadian origin. Cheerfully and willingly do I pay them the respect due to their many virtues. Their simplicity—their honesty—their integrity of character—their faithful discharge of the moral, social, and religious duties of life, command the good will and kind feeling of all who know them ; but alas, from lack of Education, this pliability of character, this confiding simplicity, render them but the too ready dupes of that designing, heartless, and intriguing

party, of which this man, Papineau, is the acknowledged head. I again assert, that if a voice be raised in condemnation of this act of your Lordship, it will be less the voice of the Canadian People than that of the Faction who mis-represent them, who will see in this exercise of the Prerogative, the overthrow of those hopes which are founded, not upon their own strength, but upon our supposed weakness ; too long have they presumed, not only upon the apathy of the British Population, but upon the apparent want of sympathy between us and our Governors, and upon the feebleness and vacillation which have lately characterized the proceedings of the Home Government. A salutary check, my Lord, will effect much, it will prove that the Government is not to be intimidated, that those powers which are vested in it for the general good, will be exercised with firmness and decision, whenever the public weal requires it, and that no individual, (to whatever station fortuitous circumstances may have raised him,) will be allowed to brave the Laws, insult the constituted authorities, or advocate sedition with impunity.

It becomes, then, a question—how would the British portion of the population receive this act of your Lordship. They would, to a man, approve of it, they would recognize in this proceeding, that strength of purpose, that firmness in act, which is the basis of all good government ; too long have they seen their interests neglected, too often have their representations been slighted, and now, deprived of all share in the Representation of the Colony, they feel that their sole dependence is on themselves,—but proudly confident in the justice of the cause which they advocate, and knowing their own strength, they have offered their cordial co-operation to the Executive, in the maintenance of the existing Constitu-

tion ; and, my Lord, will they not have good right to believe, if his Majesty's approval be given to a man who has dared to assert, "that the Constitution has ceased to exist," that there is either a pitiable weakness in the Government, or still worse, a criminal connivance between those in authority and this Man. The treasonable and seditious declarations of Louis Joseph Papineau have gone forth to the world—no ingenuity can misrepresent, no sophistry palliate them—they stand in naked and unblushing deformity before us, and furnish in themselves the best proof of the fitness of the man for the office which he will claim. These accusations of the Government and of its head have been widely circulated—a hireling press has given them an almost unparalleled publicity.—Let the practical refutation of these calumnies be equally public—let it be known, from one end of the Province to the other, that the King's Representative has rejected as Speaker the Man who has dared to charge him with "corruption"—who has accused him as "an accomplice in murder" and "a perverter of the Law." Let this be done, my Lord, and the British population will to a man rally round you—they will support your Lordship in this, the just exercise of the Prerogative—for by it you appeal to their courage, their fidelity, and their loyalty,—and never in men of British blood were those virtues appealed to in vain.

I have next asserted the responsibility of your Lordship to the authorities whom you represent.

Is there, I would ask, my Lord, a Government so degraded in character, so lost to its own honor, as to demand of its Representative not only submission to reiterated and unmerited insult, but that he should be obliged to confer honor on the individual thus insulting him ; and I would further ask—is the Ministry to whom our Lordship is at

present accountable for your Acts, of such a character? I think I may answer—No. The first statesman, as well as the first soldier in Europe is its leader. Honor, truth, justice—are its component principles. Reform of abuses, but preservation of rights is its motto. It will protect its servants in the fearless and conscientious discharge of their duty—will never be swayed by popular clamour, nor sacrifice to misrepresentation or falsehood an honest and meritorious public officer. Your Lordship has a noble example of firmness and decision in the illustrious individual who now sustains so prominent a part in the destinies of England. May the name of WELLINGTON—the great—the glorious—the immortal Wellington—the proud preserver of his country's honor in the field, but oh! more glorious title! her firmest, truest friend in council!—May this proud name act as a spell upon the destinies of Canada.—May the master mind, the noble, fearless character of the leader influence all in authority under him;—then shall truth and justice govern the land, and peace, happiness and prosperity prevail.

Few words, my Lord, are needed to acquit yourself of any responsibility which may exist on your part, towards the individual most prejudiced by your Lordship's act. No proof can be stronger than that which he has furnished against himself—no evidence more conclusive of his thorough unworthiness, than that contained in his Address to the Electors of the West Ward of Montreal. By his own assertions do you judge him—from his own declaration condemn him.—He has stamped upon his own brow the mark of infamy.—He has been the suicide of his own reputation, and convicted by his own act, he cannot blame that impartial justice which condemns him; not upon the assertions of others, but upon the evidence furnished by himself.

Finally, my Lord, to you I appeal, as to the Judge in

your own case, for every man is naturally the conservator of his own honor. Whatever may be his public station—whatever his rank—his name—or pride of birth, to the decision of one Tribunal, he must appeal his acts, that of Honor sole judge and umpire of itself." and if this principle be

— "A sacred tie—the Law of King's  
— "The noble mind's distinguishing perfection."  
there can be little doubt as to the decision to which it will lead your Lordship.

Before I conclude my Lord, permit me to observe, that if I have erred in publicly expressing the sentiments contained in this Letter, though my judgment may be impeached, my motives, I proudly say, cannot. If I have stepped from the ranks of private life, and given my opinions upon Public Men, and Political Matters, it was because, I believed an occasion existed for the expression of those opinions. I saw the Representative of my Sovereign insulted and vilified, (I believed unjustly,) and I thought it my duty, as a British subject, not only, to hold up his Slanderer to public scorn, but also, as far as in me lay, to prove him unworthy of public confidence,—in so doing, I have been actuated by no personal motives, influenced by no private prejudices, I have pursued what I believed to be the plain straight-forward course of duty, and if in the execution of my self-imposed task, I have been led into warmth of expression, it has been because I conceived the occasion required it. The public principles by which I am governed, are those of loyalty to my Sovereign—devoted attachment to my Country—both were insulted in their representatives, and under such circumstances, silence would have been cowardice.—Whatever value may be attached to the statements which I have made, they have, at least the merit of truth,—the application of them, rests solely with your Lordship: and since, my Lord, authority is vested in your hands, may it be exercised in a manner that shall procure for your Lordship, the approbation of your Sovereign, the thanks of the loyal community over whom you govern, and the approving testimony of your own conscience.

I have, the honor, to be,

My Lord,

Your Lordship's most

Obedient humble servant,

FREDRICK J. M. COLLARD.

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