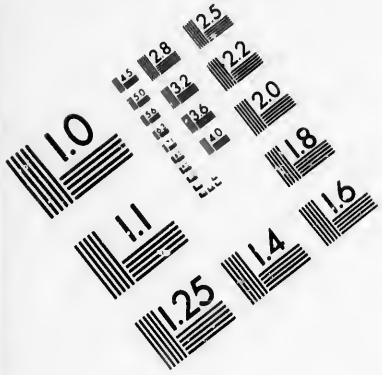

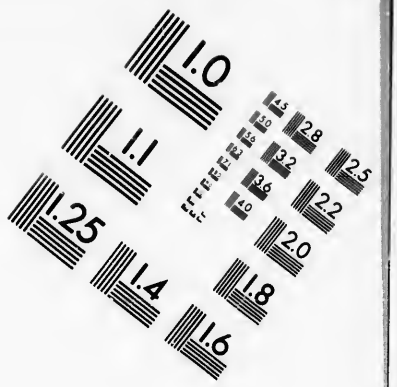

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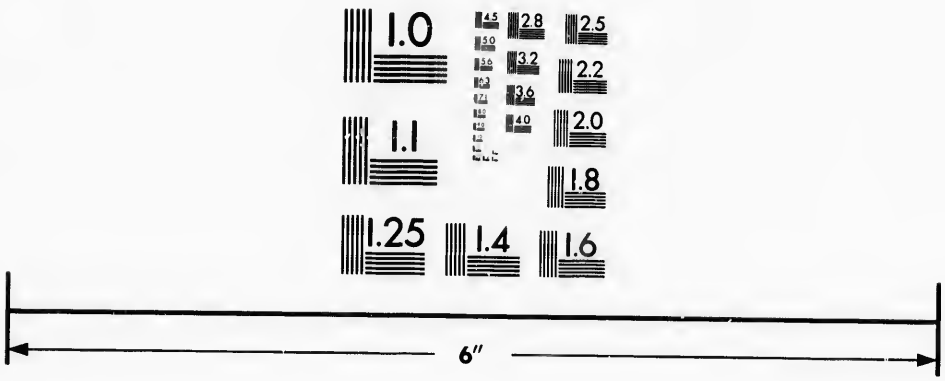

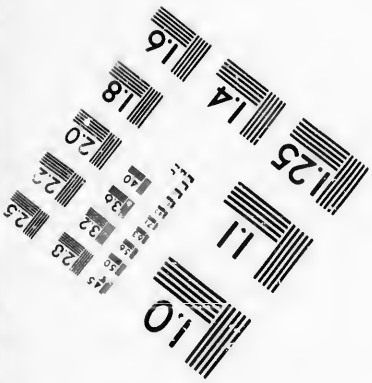

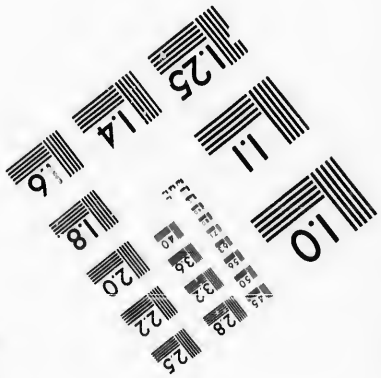

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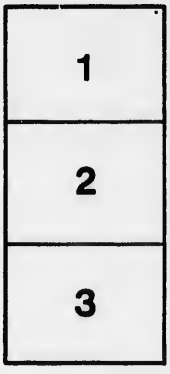

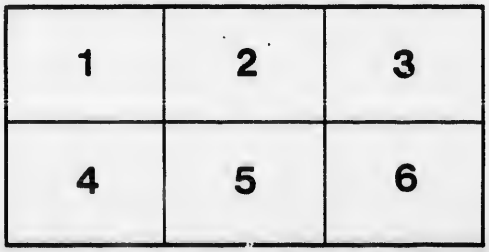

A VIEW

OF

SIR CHARLES METCALFE'S

GOVERNMENT OF CANADA.

By a Member of the Provincial Parliament.

LONDON:
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1844.

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A VIEW,

&c.

THE present existence in regard to Canada of the indifference with which Colonial affairs are usually regarded, has discouraged me from publishing these remarks on Sir Charles Metcalfe's Government. But, on the other hand, I believe that an extraordinary and very admirable man is greatly wronged by misconceptions of his conduct and policy which I can help to remove. I am persuaded also, that unless the misrepresentations on which these errors of opinion are founded, be corrected without delay, the peace of Canada, which involves the interests and honour of the empire, will ere long be seriously disturbed. If the peace of Canada should be disturbed, the state of the Colony would obtain plenty of notice by means of furnishing parties at home with weapons of attack upon each other: I am in hopes of being able to draw some attention to the subject while party spirit is asleep with regard to it, so that a removal of the false impressions which prevail may take place in time to be of service. Such are the considerations, outweighing a consciousness of the unpopularity of the topic, which induce me to send these pages to the press.

In speaking, however, of opinions from which I differ, as misconceptions or errors, I only mean to say that the impressions made on my own mind by personal observation on the spot, differ so materially from general opinion on the subject, that the latter necessarily appears to me erroneous. My object in this

publication is merely to state how my own opinion was formed, and the grounds on which it rests.

It appears to me then, that two very different classes of persons share in what I have ventured to term misconceptions of Sir Charles Metcalfe's conduct and policy. The first class consists of all whom the assertions of others have led to believe, that a theory of government is the true subject of difference between the Governor General of Canada and the late members of his Executive Council. Amongst these I must include the bulk of the Colonists, several writers in the newspaper press here, and those members of the House of Commons, not excepting Lord Stanley or Sir Robert Peel, who took part in the recent debate on this subject. The other class consists of the ex-Councillors themselves, who have, it appears to me, so entirely misapprehended the character of Sir Charles Metcalfe as to be incapable of justly appreciating his acts, and who therefore believe in some measure those misrepresentations of the difference between him and them, which they have diligently circulated, and which have been the means of wholly misleading the former class. I think it will appear presently, that Sir Charles Metcalfe is not quite free from the reproach of having unwittingly contributed to the formation of erroneous opinions about himself and his position.

The result of all the misrepresentation and misconception put together, is that we have a great disturbance, apparently about nothing. Neither in the debates of the Provincial Assembly, nor in those of the House of Commons, nor in the newspapers of this country or of the Colony, can one find a specific intelligible statement of the grounds of difference between Sir Charles Metcalfe and his Councillors. In looking for such a statement we meet with nothing but controversy upon theories of government, and get ourselves involved in a labyrinth of abstractions and self-contradictions. The Big and Little Eudians seem to have had a definite and practical view of their subject, when we compare them with some talkers and writers about Sir Charles Metcalfe's proceedings. On what point did he differ with his Councillors? Ask whom you will, and the answer is—it was about responsible government. But what is responsible government? Oh, it signifies government carried on through a Provin-

cial Administration, enjoying the confidence of the representative body. But that is precisely what Sir Charles Metcalfe and the ex-Councillors agree in saying that they mean by it. Upon responsible government they agree; about what is it they differ? They differ, it has been said, about the interpretation of the words "government carried on through a Provincial Administration enjoying the confidence of the representative body"—which is their joint interpretation of the words "responsible government." And yet, if we examine what both parties have written by way of interpretation of the interpretation, we shall find them agreeing again as completely as before. In like manner, the House of Assembly, when by one paragraph of a resolution it expressed its confidence in the ex-Councillors for having retired from office because the Governor General refused to enter into an engagement with them respecting the future exercise of a prerogative of the Crown, by another paragraph of the same resolution emphatically declared its approval of that very refusal of the Governor General which the ex-Councillors had assigned as the cause of their resignation. It is thus all through the chapter of controversy. Nobody can tell, so as to make himself intelligible to any body else, what the dispute was really about. The only inference to be drawn from the subsequent discussions is, that it was *not* about responsible government. It is, however, a step in the enquiry to have arrived at this negation.

In one of Sir Charles Metcalfe's answers to addresses from the Assembly, he speaks of a certain "antagonism" between himself and the members of his Council, which he intimates had existed throughout their intercourse with him. This is all he says on the subject. I am not myself acquainted with the whole subject; but what I do know shall now be related.

The first and a very large portion of the story must consist of some account of the singular character of Sir Charles Metcalfe.

It is a common saying in Canada that the Governor General works like a slave. His work, however, differs from that of the slave inasmuch as he seems to take great pleasure in it. I have never known any body in public or private life, who appeared so to love labor for its own sake. It is not that he indulges in but little relaxation; for he is unceasingly at work except when eat-

ing or asleep. The heaps of papers which most men in high office look at with ill-concealed dismay, and never intend to read through if they can help it, he grasps with evident satisfaction, and surely reads every word of their contents. Of the countless applications for interviews on business, most of which common Governors evade if they can, he never refuses, still less evades, a single one. Nor does tiresomeness fatigue him: it is said that he hears every story to the end, and never attempts to close an interview except by occasionally wearing out importunity by silence. How he finds the time is a problem: I know only that he is never in a hurry.

The public often hears of Sir Charles Metcalfe's munificence. That might be, to a person of his fortune, an easy mode of self-gratification. But if his unknown charities may be measured by reference to the small proportion of such acts of mere benevolence which usually becomes known, he gives more away secretly than in public. Nor is his kindness of heart alone displayed in helping people who want money. It appears in the forms of a ready sympathy with every case of suffering, and still more agreeably in a never-failing and most delicate consideration for the feelings of others. That generosity which has been called politeness of the heart, is especially his.

And this reminds me to speak of another kind of charity which seems to be one of his habits. I mean the spirit of toleration; the predisposition to think well of every body; the unwillingness to condemn; the love of favourable construction of the opinions and acts of others; the total absence of the bad part of what the phrenologists call combativeness.

A strong love of justice generally accompanies the quality last described. In Sir Charles Metcalfe it appears to be always active. I believe it to be the governing motive of every one of his decisions on two-sided matters. On several occasions I have advised applicants to him for the redress of an injury, to be sure and explain the *injustice* they had suffered; and the result always answered my expectations. I fancy that I could with certainty foretell his determination in any case involving a question of justice.

The kindred qualities of sincerity and honesty have their

natural place in this large family of virtues. But they are more than commonly vigorous in Sir Charles Metcalfe. Not merely is he, as the reader would take for granted, incapable of saying the thing which is not, but he will say out the full plain truth, to his own great disadvantage, whenever his silence about it would be apt to leave a wrong impression on anybody's mind. And as for honesty, it is not enough to say that nothing would persuade him to take an unfair advantage: he can hardly bring himself to take a fair one. It may be questioned whether he would train his own horse for a race if he thought that the other horses would not be trained: he would hesitate about engaging counsel to manage his cause, if the other party were too poor or silly to employ counsel. Some may think I am describing a goose; but such is the man; and it will be seen in the sequel, that a description of this man's peculiar character is a necessary part of my explanation.

For the direct purpose of stating the fact, it were needless to say that Sir Charles Metcalfe dislikes in others every species of deceit and overreaching. I say it for the indirect purpose of exhibiting a very different trait in his character. Trickery excites in him a feeling very like anger. And yet it is not anger; for instead of having great command of temper, or an excellent temper, he is really without a temper. I never witnessed such patience under provocation. I am speaking now of what I saw myself, and could not have believed without seeing. It was not merely quiet endurance, but a constant, good-humoured, cheerfulness and lightness of heart, in the midst of trouble enough to provoke a saint or make a strong man ill. To those who, like me, have seen three Governors of Canada literally worried to death, this was a glorious spectacle.

In self reliance few are equal to Sir Charles Metcalfe, none superior. He never turns to his neighbour to ask what he thinks or what ought to be done. Like a spider its web out of its own body, he spins his opinions out of his own brain; and then, as their formation was not affected, so are they unchangeable by any external influence.

This is a dangerous quality unless accompanied by abundance of caution. His caution may be termed a wariness that never

sleeps. He is slow of decision. When examining questions, whether for judgment or action, he casts about so long in search of all the pros and cons, that you imagine he hesitates to decide. It is not hesitation, but a deliberate circumspection. He won't be hurried. The only fear I ever observed in him was the fear of making a mistake from ignorance or inadvertence. The time which he bestowed on enquiry or deliberation was not always in proportion to the seeming importance or complication of the case; but still it was plain that he went by some rule which procured for all cases a great deal of consideration, and for each as much as sufficed to make him master of the whole case; not the general features only, but even the minutest particulars. It is again a puzzle to know how he found the time.

Such circumspection or wariness is naturally uncommunicative. Sir Charles Metcalfe must have a great bump of secretiveness. Though chatty, (I would say jolly if it were not indecorous,) out of business, on business he never speaks unnecessarily. Even on occasions of the utmost interest to him, no word or look betrays his thoughts unless he chooses to disclose them; and then he speaks with absolute unreserve. I was often amused by hearing of the total failure of attempts by old hands at Governor-pumping to get at his intention, or opinion, or impression, when he had a mind to keep it to himself; and the cases were frequent in which a listener, accustomed to official mystification, doubted the truth of his communication because it was so complete and unmistakeable.

His courage is of the highest order, comprising both sorts of fearlessness; both the physical boldness which depends on nervous organization, and that much rarer, that far more admirable moral valour, which resides in a powerful conscience. It has been said that conscience in most men is an anticipation of the opinions of others Of this sort of conscience, Sir Charles Metcalfe is curiously destitute. For example, the ordinary Governor of a Colony, whose enjoyment of pay and authority is a great personal object to him, but whose Government is not of sufficient importance to attract party notice at home, ever keeps in view as the guide of his conduct the purpose of doing what he thinks will be agreeable to the Colonial Office and recommend

him to the favor of that Department; whilst a Governor of higher social position at home, such as the ex-Cabinet-Ministers and ex-Ambassador whom the rebellions in Canada have recently induced the Home Government to send thither as chief rulers, is commonly apt to think a great deal about the manner in which his acts as Governor of the Colony will affect his reputation and after-position at home—to consult much less "the still small voice" than the opinion of the side of St. James's Street which happens to be that of his party club. Whereas God made Sir Charles Metcalfe greater than the Colonial Office; and sure I am he never dreams, nor would care for it if he did, about what people may say of him at White's or Brookes's. His own sense of right is his conscience.

In official and even professional life most consciences are double, being composed of two senses, a public and a private one: wherefore officials and lawyers often defend without shame what they would blush to think of doing in private life. But Sir Charles Metcalfe's is a single conscience, and of the private kind: his whole public life accordingly is regulated by the obligations of honor or religion. Whether it is religion, or that honor which chivalry has handed down to us from a religious source, I cannot determine because I have had no sufficient means of observing. But why not both in one, as with the true knight of old? Taking this view, along with Sir Charles Metcalfe's intimate friends, we should call him a Christian gentleman. The point, however, which I wish to impress, is that the conscience of the man, let us describe it how we may, is the conscience of the Governor.

This moral instinct, combined with total disregard of personal consequences and the opinion of others, amounts to originality. Sir Charles Metcalfe accordingly does things that startle one. He squanders his own money, and saves that of the Colony: he exalts the reputation of his immediate predecessor: being told that any pardon of a French-Canadian rebel for which he should ask specifically, would be at once granted and sent out to New South Wales, he asked a pardon for every one of those poor exiles, and then contributed handsomely to a subscription for enabling them to return to their country.

Fine as this character is, it is not without defects, or rather deficiencies. These must not be left out of a portrait, the object of which is to show how the qualities of an individual have influenced public affairs.

It appeared to me that in Sir Charles Metcalfe, the greatness of the moral qualities have left too little room for intellectual activity on the same grand scale. A dulness of the faculty of perception was obvious, and a consequent slowness in estimating the character and discovering the motives of other men. In powers of expression and argumentation, and consequently in the power of persuading or convincing, there is a striking deficiency in comparison with the greatness of the virtues before enumerated. Neither his pen nor his voice, therefore, ever properly expresses the noble sentiments of his heart, or the wise conclusions of his judgment. It follows that other peopleare apt to misconceive his aims and motives, and form an erroneous estimate of his character. I have imagined, also, that his mind is not accustomed to laying down plans for the attainment of definite ends; that his only plan is from time to time, as events occur, to do whatever the sense of duty tells him is right at the time and for the occasion; that he always relies for success, not enough on the careful adaptation of means to the end in view, nor even on a very clear conception of any end, but too much on some belief in the sufficient efficacy of goodness and devotion to the public welfare. If, for example, the gaining of an election were of great importance to him, and he were urged to make or withhold some appointment with a view of inducing a majority of voters to support the Government candidate, he would stare, smile, thank you with much good-humour and politeness for the friendly suggestion, and let you go away exclaiming—This man has no notion of governing except by means of truth and justice. In this way partisans are discouraged. It may be grand, but is wholly at variance with the practice of representative government. The very magnificence of such a character has an overawing, even a depressing effect on others, wounds their self-love, and breeds hatred in little minds.

In order to describe the state of Government which Sir

Charles Metcalfe found on his arrival, it is necessary to take a brief retrospect of the affairs of the Province from the time of Lord Durham's mission.

The enquiries of Lord Durham, the result of which has been given to the public in his celebrated Report, established beyond all manner of doubt, that the disorders of the two Provinces, which he was betrayed while attempting to remedy, had been chiefly occasioned by giving representation to the people and withholding from their representatives all control over the executive Government. In both Provinces, the Governor and the members of his Executive Council were generally at open war with the Assembly. In Lower Canada, for many a year, the Government party in the Assembly numbered about an eighth of the whole; and this small minority was led by the principal officer of the Government through an uninterrupted course of defeat from the first to the last day of the session. It was as if Sir Robert Peel at this time governed England with the support of about a hundred members of the House of Commons, the remaining five hundred and fifty-eight being of course outrageously opposed to him. Here an attempt to govern under the representative system according to the pleasure of the minority would produce instant revolution; or rather the proposer of such a scheme would be sent to Bedlam. In Canada the system was long maintained by means of the Imperial power, but at last, as was sooner or later inevitable, it exploded in rebellion.

When Lord Durham proposed the Union of the Canadas as a means of putting an end to the war of races which had grown up in the Lower Province, he also urgently recommended that the explosive plan of giving power to the minority should be for ever abandoned; and when the first Parliament of the United Province met, his successor, Lord Sydenham, carried the recommendation into effect.

The circumstances and the manner, however, in which Lord Sydenham adopted what Lord Durham had termed "responsible government," requires a particular explanation.

When the British Act for uniting the Provinces gave back representation to the Lower Canadians, the great majority of them, who were of French origin, and who had suffered every

species of injustice while the Constitution was suspended, were totally estranged from the Government. Not one executive office of political consequence was filled by a person of their race. The Union was hateful to them; because described by the other race as intended to deprive them, by force, of their peculiar language and institutions, and because the mode of governing them while the Constitution was suspended gave a colour of truth to the threat. At the general election, therefore, for the first Parliament under the Union, the whole population of French origin sought to return members who were opposed to the Union and Lord Sydenham. Their purpose was frustrated in some measure, partly by the exercise of a power given to the Governor by the Union Act, of disfranchising many of the French-Canadian electors of Quebec and Montreal, and partly by Government interference with the elections for several counties, whereby the minority was enabled to prevail over the majority. The first Assembly therefore, under the Union was not a fair representation of the constituencies. It was only in harmony with the majority of the Assembly *so composed*, that Lord Sydenham undertook to govern under the new constitution. But, allowing for this irregularity in the composition of the representativ ebody, he fully adopted the principle of responsible government: as regards the local affairs of the Province, whatever he did was to be approved by a majority of the Assembly, and he was to do whatever they recommended.

Such government requires a machinery of Executive Officers having seats in the Assembly, and carrying on the business of the Executive as Ministers do in the House of Commons. Lord Sydenham, therefore, formed a Provincial Administration or Ministry. It consisted of the members of his Executive Council, who, with the exception of the President, were Law Officers, or Heads of Departments. The President had a seat in the Legislative Council or Upper House of Parliament; and all the others were members of the Assembly.

But this Ministry differed from that of "the Old Country" in a very material point. Here the Administration consists of the leading men of the party which happens to be most numerous in the House of Commons; of men who, on that

account alone, are appointed to office by the Sovereign. Lord Sydenham's Ministers would have been perfectly helpless in the Assembly without his constant aid. In fact, he was his own Minister; the Prime-Minister of his Cabinet and more; for his Executive Councillors were mere instruments in his hand for the purpose of carrying on the Executive government, and managing the Assembly under his incessant teaching and drilling. His system more resembled that of the present King of the French than of the British Sovereign at all times.

So long, however, as a majority of the Assembly was content, the conditions of responsible government were observed, and there was harmony between the representative body and the Executive. Lord Sydenham kept on good terms with the Assembly, partly by means of what he has called "my wand," and partly by yielding to them whenever they insisted on any point in opposition to his views. His skill in using the wand was much admired, but less remarkable, it struck many, than the adroitness with which he averted the appearance of defeat by yielding with the air of having his own way. Of his proficiency in the latter art a good example is furnished by what occurred with respect to the Resolutions of the House of Assembly of September 1841, declaratory of responsible government, of which so much use has been made in the present controversy. These resolutions were proposed by Mr. Baldwin, an Opposition leader. Lord Sydenham's strong dislike to them is unquestionable. When he found that the Assembly was disposed to adopt them, he sent one of his Councillors down to the House with orders to move as an amendment Resolutions somewhat different in form and words, but precisely the same in substance. Responsible government was affirmed by acclamation, the Representative of the Crown shouting aye with the loudest of them.

The passing of these Resolutions by the Assembly was an act out of the course of ordinary government. It was a revolutionary act, like the establishment of Magna Charta or the Bill of Rights. The passing of such Resolutions, moreover, was an act at variance with the British Constitution, which nowhere

declares the responsibility of Ministers, but secures it by a tacit understanding between the Crown and the House of Commons. If, therefore, those Resolutions had been opposed by Lord Sydenham, and passed by the Assembly notwithstanding, Canada would have been in a revolutionary state, and the Union would have been deemed a failure. Lord Sydenham's whole policy at the time may be described as consisting of a determination to make the Union succeed, or appear successful. Hence his ready and apparently self-satisfied assent to what he would have resolutely opposed, if successful opposition had been possible.

It was impossible. The favour of a majority towards these Resolutions was owing to a monstrous injustice then existing in the composition of the Executive Government. The whole of the French-Canadian members, (that is, members, whether of French or English origin, representing constituencies of French origin) were excluded from office—were the representatives of a people still proscribed by the Executive, though now re-admitted to the enjoyment of representation; and they accordingly formed a compact and unmanageable Opposition. Their own strength in the Assembly was insufficient to carry the Resolutions against Lord Sydenham's wish; but there was plenty of support in store for them. On this question every member would have voted with them, who dared to express his sense of the injustice of a continued proscription of their race. The passing of the Resolutions was a sort of notice to Lord Sydenham, that this proscription would not be much longer tolerated; and by accepting the notice, he acknowledged the impossibility of continuing for ever to exclude the French-Canadians from all share in the Executive government of their country.

By means of such concessions as this, added to the other means before named, Lord Sydenham got through the session in triumph. His brother and Secretary have made known his exultation at the difficult success. But it was fortunate for his Councillors or Ministers that the session ended with his life. If they had continued to meet the Assembly unsupported by his wits and will, their majority would soon have disappeared; and responsible government, as set forth by the Resolutions of Sep-

tcmber 1841, would have been brought to a practical test. As it was, the Ministry which Lord Sydenham bequeathed to his successor, had only the easy task of conducting the business of the Departments during a long recess of Parliament.

Sir Charles Bagot, on his arrival in Canada, adopted Lord Sydenham's Ministry as he found it. But shortly before the second meeting of the first United Parliament, it became plain to careful observers, that a majority of the Assembly would oppose the Government as then constituted. Sir Charles Bagot therefore had to choose between making some important change in the composition of his Council, and falling into collision with the Assembly according to custom before the Union. He wisely preferred the former. I am bound to add, that this kind, true, and honourable Governor was shocked at the injustice of the exclusion of the French-Canadians from all part in the Government, and is believed to have rejoiced at the opportunity of taking some of their leaders into his Council of advisers. It was much easier, however, to wish this than to do it. Some of the difficulties and the means by which they were overcome, are set forth in a letter, appended to these remarks, which expressed my sentiments at the time. After the failure of various negociations in consequence of Mr. Lafontaine's natural suspicion that the Governor General's offer of so large a share of power to his hitherto proscribed countrymen was not sincere, and also in consequence of Mr. Baldwin's wish to oust Lord Sydenham's Ministry *en bloc* with a view of being "sent for" himself and desired to form a new Ministry, an arrangement was made by which about half of Lord Sydenham's Councillors retired, and were replaced by as many members of the Opposition. The Assembly which would have voted against an echo-address in answer to the Governor's speech by about 2 to 1, now warmly expressed its confidence in the Government by a majority of 10 to 1 of the Members present. The working of responsible government had preserved harmony between the Crown and the Representative body. The modification or change of Ministry in 1842 crowned the resolutions of September 1841, by giving them full effect in practice.

The letter in the Appendix shows that the Lafontaine-Baldwin Ministry was really formed with no other view than that of

doing justice to the French Canadians; and that Mr. Baldwin was brought into power merely as the nominee of the French-Canadian leaders, who thus paid him a debt of gratitude which they had contracted when he resigned office under Lord Sydenham on account of their exclusion from power. When the French Canadians made Mr. Baldwin a Minister under Sir Charles Bagot, he was the leader of a section of the Opposition in the Assembly composed of *four* Upper Canada Members, himself included. This is a point to be carefully borne in mind.

The Resolutions of September 1841 determined those relations between a Ministry and the Representative body, for which usage is the sole guarantee in this country; but they leave wholly untouched that other part of the machinery of Parliamentary government which consists of the relations between a Ministry and the Crown. In this country, these latter relations are settled like the former, by usage, and depend on the good sense of the parties. They were in no way settled in Canada under Sir Charles Bagot. His Excellency fell into severe illness almost immediately after the formation of the Lafontaine-Baldwin Council, and became incapable of exercising the functions of Governor. The New Council or Ministry, therefore, had in truth no relations with the Governor, but ruled the Province executively without the participation or knowledge of any representative of the Crown. This state of things lasted until the arrival of Sir Charles Metcalfe.

When it was seen that the good sense of the French-Canadian leaders of the Assembly would force Mr. Lafontaine to accept Sir Charles Bagot's offer, after he had refused it once, and notwithstanding Mr. Baldwin's wish that he should continue to refuse it, the latter expressed his anger in as bitter a speech as was ever heard in a public assembly. That anger was attributed to a fear on his part, that if he were only introduced into a Ministry, not allowed to form one, his influence with his colleagues would be insufficient to satisfy his extravagant self-esteem. The fear, if it existed, was without foundation. The apparent modification of the Council, under Sir Charles Bagot, was really a change of Ministry. The Council acknowledged Mr. Lafontaine and Mr. Baldwin as its masters from the moment

of their introduction; and they divided between them the exercise of all power, according to the old divisions of the Province; Mr. Lafontaine doing what he pleased in Lower, and Mr. Baldwin in Upper Canada.

Mr. Baldwin cared little about Lower Canada. His influence with respect to measures affecting Upper Canada only, was as great as if the Council had been formed by him; and then, with respect to general measures—that is, measures affecting the whole Province without distinction—there can be no doubt that his superior will and stronger party-spirit enabled him to gain an ascendancy over Mr. Lafontaine, which made him the leader of the Council, though it bore their joint names and Mr. Lafontaine's was pronounced first.

It is here necessary for me to state, that having taken a very active part in promoting that change under Sir Charles Bagot which admitted French-Canadians to a share of power, I was elected a Member of the Assembly by an important county of Lower Canada, in which the two races are mixed in nearly equal proportions, for the purpose of showing to the Colonial Office, as well as a single election could show it, that Sir Charles Bagot's policy of "justice to the French-Canadians" was approved by the constituencies as well as by the Assembly.

Upon Sir Charles Metcalfe's arrival, he followed the example of Sir Charles Bagot, by adopting the Council as he found it.

I was not in Canada at the time, and cannot speak with confidence of anything that happened there until the meeting of the Provincial Parliament at the end of September last, when I reached Kingston for the purpose of taking my seat in the Assembly, and voting in support of the Provincial Ministry which, as the Letter in the Appendix partly shows, I had been much concerned in forming. It is requisite to add, that all its members were aware that I had come out to Canada with a very high opinion of Sir Charles Metcalfe's character, though not so distinct a one as that which has been here expressed.

The session had lasted just a fortnight, when I sent the letter, of which a copy follows, to an attached friend of Sir Charles Metcalfe's, who had served under him in India and took a warm interest in his personal success as Governor General of Canada.

Kingston, 11th October, 1843.

"My dear Mangles, — A fortnight's stay here enables me to keep my promise as to letting you know something of the true state of affairs in Canada; but I shall only have time to speak in general terms. Learn also, that I know nothing except as anybody else might pick it up, having had no communication with Sir Charles on the subject of politics. I dined with him the other day, when he asked very kindly after you.

"In what may be called my time, Canada has never been so tranquil as now. Sir Charles Bagot's policy has proved completely successful. The Government which he formed enjoys the confidence of a large majority of the people and the Assembly. In the House of Assembly, the Opposition consists of twenty votes, at the most, out of eighty-four; and the leaders are reduced to mere fault-finding; having no plan, no policy, either for the country or their party. Hitherto they have done little more than harp on the worn-out strings of disaffection and loyalty. The Government, on the other hand, has been diligently occupied during the recess in preparing measures to be submitted to the Assembly;—measures urgently required, likely to be very popular, and framed, so far as I can judge at present, with a view to sufficiency and lasting utility. This is the first Government I have known in Canada, which might be called *constructive*. Lord Sydenham was a great destroyer, but a miserable builder. The attitude of the present Government towards the country is also most respectable. I can observe no lies, no tricks, no shuffling, but many indications of honesty of purpose, to which they add a decorum and even dignity of manner, unexampled in the class of men who have hitherto ruled in both divisions of the Province. I am now speaking in particular of Messrs. Lafontaine and Baldwin, the leaders of the Government party in the House of Assembly. The only question, as far as I can see, at all likely to embarrass the Government, is that of the *Seat of Government*. Lord Stanley, instead of making the Queen decide that prerogative question, as the local Government and nearly the whole Province desired, has submitted it to the decision of the local Legislature, and in such

a form as to enable the Opposition to exert themselves with effect in converting it into a question between the two Provinces, Upper and Lower Canada. The Government goes for Montreal, and stakes its existence on carrying the point. If you were aware of the extreme general inconveniences and gross injustice towards the French-Canadians, of keeping the Government in a sort of banishment at this village, you would see that they have only done their duty in committing themselves as they have done on the subject. I have no doubt that they will carry their point, if other things go well.

"But now as to other things, there are, I fancy, some black clouds a-head. The chief Executive Councillors are very silent, and I can learn little or nothing from them; but my experience in these matters enables me to observe indications of a tendency (I speak only of a tendency) in Sir Charles Metcalfe's views, which may prove most injurious to this country and fatal to his own great reputation. I gather that he is as truly conscientious and noble-hearted, as capable and industrious in administration, as single-minded and courageous, as worthy of love and admiration, as you ever told me he was; but that the long habit of exercising a paternal despotism makes it difficult for him to comprehend the nature and consequences of the representative system. If this notion of mine should be correct, of course he is in great danger. I imagine it is this habit, combined with a strong sense of duty, which leads him to work like a slave at all sorts of matters of detail; as if it were necessary that his knowledge of what is going on should be as full and minute as that of all the heads of departments and all the clerks put together. After all, he might as well try to drink Ontario dry. But fancy the terrible delay of business which ensues from this attempt of one person to review and redecide every question which has been already examined and decided by those whom the representatives of the people hold alone responsible. It must necessarily happen too, under this system, that differences of opinion will arise between the Governor and his Council; when, if his opinion prevails, they must either resign or abandon some point as to which their judgment has been formed with a view to the feelings of the country and the Assembly. I cannot learn

whether any differences of such importance have yet arisen between the Governor and his Council. But I feel certain, if they should occur, the present 'Ministers,' so to speak, will choose to rely rather on the country than on the temporary Governor; and that, if he should force them to retire on a question of this sort, he will be unable to replace them without getting into violent collision with the representative body, whether it be the present Assembly or one returned by a general election. I suspect that the Beauharnois police question is a case in point, fancying (though I am by no means sure) that it is the Governor who has removed the troops against the opinion of the Council. If it be so, they will have to be dragged through the dirt of bearing heavy blame which they do not deserve. Such a state of relations between the Governor and his Council (if it really exist) cannot last long. I hope that my apprehensions may be ill-founded, but cannot help entertaining them.

At the same time, it is hard to believe that a man of Sir Charles Metcalfe's wisdom will not find out the true nature of his mission, as Governor of a *Parliamented* country. He may do so slowly (for I suspect that in his mind, the faculty of quick, rough-and-ready penetration—the clever attorney's faculty—has been absorbed in the nobler qualities) but sooner or later he must discover the truth. It is, therefore, only the pressure of time which makes me seriously afraid. I long to go and plead to him on the subject, but dare not. I had set my mind on his being the man to *establish* constitutional government in this country, and shall be bitterly disappointed if he break down in attempting to rule with his own hand. I have a profound conviction that such an attempt must utterly fail.

"Ever your's most truly,

"E. G. WAKEFIELD.

"R. D. Mangles, Esq., M.P."

These impressions with respect to Sir Charles Metcalfe were derived from the town-talk of Kingston, and from a marked unwillingness of the leading members of the Council to speak of him to me. The town-talk, which only repeated the conver-

sations of some Members of the Council with various persons then at the seat of Government, alleged that Messrs. Lafontaine and Baldwin were somehow or other on bad terms with the Governor General; that they represented him as being either stupid or cunning, and at any rate disposed to take the whole administration of government into his own hands, leaving them no share at all; that they called him "Square-toes," to intimate that they deemed him an old-fashioned person of very inferior capacity. And the marked reserve of the leaders towards me with respect to their opinion of Sir Charles Metcalfe, satisfied me that the town-talk concerning that opinion was not unfounded. It was clear that some antagonism had grown up between him and them; and as it seemed impossible that their complaints against him should be wholly unfounded, whilst not a word had reached me of any complaint from him against them, I could discover no feasible explanation of the mischief, save that which appears in the above letter.

However, a fortnight later, on the 27th October, I wrote as follows.

"Kingston, 27th October, 1843.

"Another fortnight's observation induces me to correct a material part of my first letter, or rather to add materially to that report.

"I am now inclined to think that Messrs. Lafontaine and Baldwin, the real leaders in the Executive Council, have very much overlooked that principle of responsible government, which in my former letter I said that perhaps the Governor General was not sufficiently inclined to admit. I can speak with no certainty, but gather from one indication or another, that, as respects the Governor General and his Council, *the manner* of the principal Councillors has been not a little offensive. I do not mean personal manners, but the mode in which these gentlemen have conducted their intercourse with the Head of the Government. To describe this in a few words, I guess that they have denied to the Governor General that degree of participation in public affairs which belongs to every Councillor; that they have not only, not treated the Governor General

as the head of the Council, but have also denied him the equal position of a Councillor. For example, I imagine that they never really consult him, but always make up their own minds on a point before speaking to him, and then speak to him only for the purpose of urging their own preconcerted notion. This will never do; this is not responsible government, but sheer folly exhibiting itself in the form of vulgar assumption. I take the state of the case to be about this—He, from long habit, desires to exercise his own mind upon every thing; they, from stupidity, desire to prevent him from having any voice in any thing: and thus he is provoked into wishing for more control than would satisfy him if they left him a reasonable share. The fault is clearly all on their side. In a word, they must have been a couple of geese *thus* to get on bad terms with so excellent a man. I think that they will have to give way; that is, provided they should have sense enough. If not, he will probably quarrel with them, and we shall have what is called a "Ministerial crisis." I should have no objection even to that, could I but be sure that the Governor General would pick well his ground of quarrel, and would only quarrel with the men, not with the great majority whom they represent for the time. What I fear is, that they may manage to put the quarrel on some ground in which the public may sympathize with them. Should this last happen, he is a lost Governor. In the other case, that is, supposing that he differs only with the men without offending the public, it will be well and good for every body that these foolish fellows should be replaced by men of more sense and conduct. I believe this view of the case to be correct, but even now I am not quite sure. Another fortnight will probably show. Should it be so, I shall certainly take part with the Governor General, and do all I can to sustain him."

The "indications" mentioned were, first, a tone of arrogance and bitterness towards Sir Charles Metcalfe, in the language of some of the Executive Councillors, who spoke freely about him in their own society, and whose every word on the subject was, of course, repeated to every body in a small town like Kingston; secondly, assertions made by them that he was wholly unfit for

his post, and would not be able to keep it long; and, thirdly, proofs that the Governor's personal officers were ignorant of very important determinations of the Executive Council, which had not been kept secret from several members of the Assembly, whence it was naturally inferred, that the Head of the Government himself was kept in ignorance of such determinations. This inference afterwards turned out to have been perfectly correct.

On the 11th of November, I wrote as follows:—

"Kingston, 11th November, 1843.

"It has turned out as I opined in my last, of the 27th ultimo. I now *know* that Messrs. Lafontaine and Baldwin have got thoroughly into the Governor General's bad graces. So they have into mine, by reason of various follies, and above all, by a course of treachery towards a colleague who greatly helped to bring them into power. Until this came out, I spared no pains to induce them to act prudently with respect to Sir Charles and other matters; but since then we have had no intercourse. An accident constituted me the defender of the colleague (Daly) in the Assembly, and they can never forgive it.

I cannot doubt any longer that Sir Charles will come to an open rupture with them ere long; and my only fear is, that they, who must be expecting this, may manage either to put the rupture on some ground in which the majority of the Assembly will sympathise with them, or to put it off till I shall be gone. If the Governor chooses his ground well, and acts promptly, I shall be able to serve him. Your friend behaves with entire propriety towards them, having even abstained from giving any answer to an offer which I made him the other day, to render him any service in my power. I expected that he would so receive it, but thought myself not the less bound to make the offer. It was limited to the brief space of my stay here.

"It is a great satisfaction to me to be able to take part with rather than against him."

The *knowledge* here mentioned, was obtained through the following circumstances:—

I was in the House of Assembly when a regular supporter of the Government, but not holding any office, made a speech suggesting the impeachment of an Executive Councillor, Mr. Daly, the Secretary of the Province, for having advised Lord Sydenham to make, in favour of the said Mr. Daly, an unlawful appropriation of the Colonial Revenue. So little had such an attack been expected, that the person accused was not present, and the Members generally were in total ignorance of the subject. When the accuser sat down, it was, of course, supposed that the Ministers present would defend their absent colleague. Instead of this, two members of the Executive Council, Mr. Hincks, Inspector General of Accounts, and Mr. Aylwin, Solicitor General for Lower Canada, one of them being a dependent of Mr. Baldwin's, and the other of Mr. Lafontaine's, made speeches admitting the guilt of their colleague, but deprecating inquiry into a matter which was already so plain. Mr. Lafontaine and Mr. Baldwin were present, but said nothing. Shocked at their treachery to Mr. Daly, I upbraided them with it, and insisted on a full inquiry into the subject. The whole House, with the exception of the "Treasury Bench," where disappointment and confusion were manifest, took my view; a select committee was appointed by acclamation, the greatest number of votes being given for me in choosing its members; and this Committee in a few hours reported (the accuser being chairman and drawing the report) that not a shadow of ground had ever existed for any charge against Mr. Daly. During the inquiry by the Committee, Mr. Daly necessarily made me acquainted with all the circumstances of the case; and I then learned that a very serious difference with respect to it had for some time existed between the Governor General and all his Councillors except Mr. Daly.

About this time Mr. Hincks, the Inspector General, announced in the House of Assembly that his colleague, Mr. Killaly, Chairman of the Board of Works, an Executive Councillor, and a Member of the Assembly, was about, with the full concurrence of his colleagues, to retire from the Council and the Assembly for the purpose of devoting himself to the business of his department. It was as if Mr. Goulburn were now to announce in the House of Commons that Lord Stanley was about to retire from

the Cabinet and Parliament, with a view of giving more attention to the Colonies, and that henceforth the office of Colonial Minister would not be political. In doing so, the Chancellor of the Exchequer would not fail to say, that such was Her Majesty's pleasure. But the Canadian Mr. Goulburn did not mention the Head of the Government in his announcement; and, what is of rather more consequence, the first intimation that the Governor General received of the intended change, was from one of his Aides-de-camp who chanced to be present whilst Mr. Hincks was speaking.

Another case in which the Councillors treated the Head of the Government as a mere cipher, came under my own observation. Although at that time I had not exchanged two words with His Excellency on any political matter whatever, I thought myself justified in waiting upon him for the purpose of learning his opinion on a measure of great importance to both races in the Colony, but especially to the French race, and to the success of which the aid of the Imperial Government was indispensable. I began by alluding to a negotiation on the subject which had taken place between the Government and certain members of the Assembly, and had ended in the assent of the Government, subject to conditions, to the appointment of a Committee of the Assembly to examine the question. I had mentioned the negotiation and was speaking of the conditions, when the Governor General said that he had not before heard of either. I could not help replying—"this is not responsible government according to my notions." Nothing more passed; but I may as well add here, that on no other occasion, until after the Governor General had accepted the resignation of his Councillors, did he intimate to me that he had any reason to complain of them.

Amongst the "follies" alluded to in the preceding letter, was the mismanagement in the Legislative Council of the "Seat of Government" question, to such an extent that nearly all the Upper Canada members of that body retired to their homes, and legislation for the whole province was carried on in the Upper House almost solely by Lower Canada members, most of them being of French origin; whilst the number of members who remained

scarcely exceeded a quorum, so that the absence of two or three members, from any cause, would have put a stop to the session.

On the 25th and 26th November I wrote thus:—

Kingston, 25th November, 1843.

"I only write to you on that portion of Canada politics which is interesting to you.

"The Governor General's position has not improved since my last. He has had, I think, the opportunity of breaking with his Ministers on tenable ground, but seems to have let it slip. Perhaps not; I speak only of appearances. This, however, is certain; that if the Ministers pursue their heedless course with respect to *Upper* Canada, the country will soon be in a mess as well as the Governor General. I am so apprehensive of danger from this kind of impolicy, that I should have spoken out against the Government ere now, on the subject of Upper Canada, were it not that I am unwilling to do *him* the bad turn of shooting the bird which I suppose him to be aiming at from behind the hedge of reserve which conceals him from vulgar eyes. But if he don't fire soon, I must. Nor is this the only subject on which I feel at variance with the Ministers. The rigid and exacting spirit in which they administer power (I speak of them as a whole, for there are among them men of both races whom I greatly respect and regard) has become intolerable, and will be their ruin; and of the responsibility for this, I am determined not to bear that share which belongs to a supporting Member of the Assembly. It will annoy me to declare publicly that I can no longer support Sir Charles Metcalfe's Administration; because I am sure that he differs quite as much as I do with his Ministers with respect to their presumptuous and intolerant spirit (nay, is probably himself its victim); but come what may, I must so far speak out as to escape the responsibility of appearing to support what I cordially disapprove. A few days will tell us all where we are. You will see, of course, that if Sir Charles should break with his Ministers before I do, he will have a zealous supporter in me. The balance of my opinion is, that he *will*; but I have no specific facts to judge by—only general indications, and the looseness of tongue of a Minister or two who

can retain nothing. I have, however, thought it a duty to let him know what I intend to do; and this is all the communication that has passed between us.

The Session will probably last into next year; but I shall stay no longer than may be requisite for setting myself right in one or other of the two ways which I have pointed out."

"P.S.—Sunday, 26th.

"I was just going to seal this, when information reached me to the effect that all the Ministers, with the exception of Daly, after a Council held this morning, have resigned their offices; the ground of resignation being that Sir Charles refused to comply with a demand of theirs that no appointment should be made by him without first submitting to them his intention to make it, or, in fact, getting their assent. The ground is *not* good for him, speaking generally; nor for them in the particular case, because there can be no doubt that it is not true ground, but a pretext made for the occasion when they found that he was resolved to get rid of them at all events. There will be "explanations" in the Assembly to-morrow. I am very glad to be here."

The above allusion to the heedless course of the Ministers with respect to Upper Canada requires explanation.

The inhabitants of the two Provinces, though now under one legislature, widely differ in laws, customs, and even habits of thought. Much legislation that would be good for the English or French race, would, at present assuredly, be fatal to the happiness of the other. It is of the greatest importance to both, therefore, that the United Parliament should adopt a federal principle of legislation; in which case it would make different laws for the two divisions of the province, as the Parliament of Great Britain has legislated for England and Scotland since the Union.* Admitting this principle, and keep-

* Perhaps a wiser application of the federal principle would be to disregard the old Provincial Divisions, and, as would be very easy by reference to an existing distinction of Parishes and Townships, divide Canada into French and English, applying to each race the mode of government most suitable and agreeable to it.

ing in mind the principle of responsible government, a capable Executive in Canada would frame its measures for each division of the province so as to please a majority of the members of Assembly representing that division. Instead of observing this rule, Mr. Baldwin and Mr. Hincks, both of them pertaining to Upper Canada, sought to carry in the Assembly measures relating exclusively to Upper Canada, and not agreeable to a majority of the Upper Canada Members, by means of the votes of French-Canadian Members. Mr. Baldwin who, as before stated, had been brought into power, not on account of his own influence in Upper Canada, but really as one of the French-Canadian party, and who was then Member for a French-Canadian county, having failed after his appointment to office in his attempts to get returned for an Upper Canada county, had the folly (I can call it by no other name) to rely on Mr. Lafontaine for carrying into effect his, Mr. Baldwin's, views of policy with respect to Upper Canada; and Mr. Lafontaine had not the wisdom to withhold the assistance which his colleague required for this purpose. The consequence was a loud outcry from the Upper Canada Members against "French domination." When it is recollected that the members of the Upper House then present were mostly from Lower Canada, and gentlemen of French origin, the jealousy and anger of the Upper Canada members of the Assembly will be fully understood. These feelings were expressed without reserve. The course of the Government in this respect appeared to me so pregnant with future danger to Lower, or rather French Canada, from its tendency to provoke English interference with French institutions, that I, representing a constituency largely composed of French-Canadians, should, on that ground alone, have ceased to support Mr. Lafontaine if he had not resigned. Nor was my opinion a solitary one among the Members from Lower Canada. So many of them saw the impolicy of their voting at all on questions relating solely to Upper Canada, that if Mr. Baldwin had not resigned, some of his favourite measures would probably have been defeated; and in that case, not only must he have resigned as having lost the support of the Assembly, but he would have been ruined and deeply mortified as a party leader.

The postscript to the foregoing Letter speaks of the ground on which the Councillors resigned as a "pretext made for the occasion;" and the correctness of the statement is rendered probable by some considerations which have yet to be stated.

Mr. Baldwin was the leading member of the Ministry. Mr. Baldwin, everybody in Upper Canada knows it, is as remarkable for a blind self-esteem in public, as for respectability of character in private life. It was impossible for him to appreciate Sir Charles Metcalfe's public character; perhaps impossible for him to avoid regarding such a Governor with jealousy and dislike. The habit too which he had acquired during Sir Charles Bagot's long and severe illness, of himself doing the part of Governor, must have had a tendency to make Sir Charles Metcalfe's assiduity in business very disagreeable to him. Mr. Lafontaine's closest friends admit that his temper is suspicious, haughty and overbearing, while even his foes give him credit for patriotism and honesty. To him, Sir Charles Metcalfe's wonderful patience must have looked like submissiveness; and perhaps the Governor's uncommunicativeness, together with his good humour under provocation, may have seemed duplicity. It may be doubted, moreover, whether Sir Charles Metcalfe's perfect candour when he does express himself, may not have passed for craft with men, whom a life in opposition to Government, and much experience of injustice and deceit from power, have rendered suspicious and fearful of being duped.

On the Governor General's side, the facts which I have stated suffice to show, that he could not have reposed much confidence in the leaders of his Council, though he appears to have behaved towards them with the strictest honour by keeping his ill opinion of them to himself so long as they were in office. The "antagonism" which he afterwards mentioned, was perhaps unavoidable.

On these grounds alone, I should have concluded that it was incompatibility of character, together with a strange forgetfulness on the part of the Councillors of what was due from them to the Queen's Representative, which produced the rupture, and not any difference of opinion on the theory of government. But many other facts support this view of the subject. The resig-

nation took place at a time when nothing but a most urgent necessity should have induced the Councillors to take a step, of which the unavoidable consequence was to put a sudden end to the session, and to deprive the country of very important and much-desired measures then nearly completed. There was no occasion at the time for any dispute between the parties; since the written statement by the ex-Councillors of the dispute which took place, alleges no one case of inconvenience to themselves as arising from the Governor's refusal to enter into the engagement required from him. Loose verbal statements about appointments made without their advice, subsequently put forth by some of the ex-Councillors, when the Governor was wholly without the means of contradicting them, deserve no attention. On their own showing at the time of the dispute, it was a quarrel about nothing of the least practical importance: it was a difference of mere opinion as to whether the Governor ought to enter into an engagement with his Councillors with respect to the future exercise of a prerogative of the Crown. Furthermore, the engagement which they required is at variance with responsible or constitutional government, which acknowledges no popular check on any exercise of the prerogative, save one only; namely, the resignation of Ministers whenever they please—the leaving of the Crown without advisers whenever it has done or contemplates doing some *act* for which no Ministers can be found willing to hold themselves responsible. If Sir Robert Peel came down to the House of Commons and said that he had resigned because Her Majesty differed with him in some matter of *opinion*, he would be deemed out of his mind. And finally, the means used in the Assembly to obtain a vote of confidence in Messrs. Baldwin and Lafontaine after their resignation—the tales about appointments to office told after the Ministerial "explanations" were concluded, and when contradiction of even such of them as are now known to be unfounded was impossible*—the pains taken to excite a belief in the Assem-

* These tales have been circulated here by means of letters from Mr. Hincks to the *Morning Chronicle*. Not a word about any of them is to be found in the written statements by Sir Charles Metcalfe and the ex-Councillors of the grounds of their dispute; not a word about them was

bly that Sir Charles Metcalfe's solemn written declaration of his purpose to govern in accordance with the Resolutions of September 1841, was unworthy of credit—the urgency with which it was suggested to the Assembly that the preservation of responsible government depended on their forcing the Governor General to take the ex-Councillors back into office — and, though last not least, the diligent assertion by the very persons who were supposed to be best acquainted with Sir Charles Metcalfe, that he was a weak timid man, incapable of resisting the Assembly if they but pressed him hard;—all these things convinced me at the time, and have left me with a firm belief, that the whole dispute was got up by the Councillors as a means of saving themselves from discomfiture as party leaders. They were on bad terms with the Governor General; on such terms with the Legislative Council that it was quite doubtful whether they would be able to hold a quorum in that branch of the Legislature for another week; and on terms with the Assembly which had been growing worse for some time, and which actually threatened the defeat of some of Mr. Baldwin's favourite measures for Upper Canada. Their resignation then, on the popular ground of their deep attachment to

uttered by Mr. Baldwin in the formal "explanation" which he gave to the Assembly of the cause of his own and his colleagues' resignation. They were all told in the course of other debates, when, as is remarked in the text, it was out of Sir Charles Metcalfe's power to deny or admit their truth. One such tale, however, was contradicted in the Assembly. Mr. Hincks there led his hearers to suppose, that the appointment of a gentleman, named Stanton, to the Collectorship of Customs at Toronto, had been made by the Governor General against or without the advice of his Council. I called on the ex-Inspector-General to state distinctly that it was so. He held his tongue. But after consulting with some of his late colleagues, he told the Assembly that he had been misapprehended; for that, in fact, Mr. Stanton had been appointed on the express recommendation of the Council. It was by mere chance that in this case the truth was drawn out after a false impression had been made; but I am now satisfied, from subsequent enquiries, that all the other tales (with the exception perhaps of one relating to the appointment of a clerk, with a salary of £150 a-year, which took place long before the resignation), are as little founded in fact as the impression which Mr. Hincks made on the Assembly with respect to Mr. Stanton's appointment.

responsible government, was a clever stroke of party policy. They had a right to expect its success: for it would have succeeded with a Governor of less firmness; and they had mistaken Sir Charles Metcalfe's really astonishing patience for feebleness of will.

His goodness led him into the trap. It is evident from his subsequent messages to the Assembly that he had a very strong repugnance to an interruption of the business of the Session. Had he cared less for the Colony and more for himself, he would have begged the Councillors to retire before they resigned. He might have done so with safety on the ground of their unwise conduct in seeking to legislate for English Canada by means of a majority composed chiefly of French-Canadians; on the ground of their behaviour to himself; or even on the ground of their treatment of Mr. Daly. He chose rather to bear and forbear, than run a risk of stopping the business of the session. And then, when the unconstitutional engagement was demanded from him, instead of merely refusing to discuss the point without giving any reasons for the refusal, his candour, I suppose it was, induced him to listen and reply to a statement of Mr. Baldwin's peculiar theory of responsible government. It was by consenting to discuss the false issue, that he contributed to the prevalence of misconception with respect to the causes of the rupture.

But there is far more evil in the case than abundance of misconception on this point. Whatever may have given occasion to the dispute, the dispute itself is one which the ordinary course of responsible or constitutional government cannot settle. The demand which the Governor General has refused, is beyond the constitution—is a revolutionary demand; and if it were repeated a thousand times, Sir Charles Metcalf would refuse it as often. In this c se he must be sustained by the Imperial Government and Parliament, unless England make up her mind, not only to lose Canada, but to lose it disgracefully. To govern it, after sacrificing Sir Charles Metcalfe in the right, to Messrs. Baldwin and Lafontaine in the wrong, would be impossible. The present Governor General therefore, will be sustained by the Imperial power. It follows that if Messrs. Baldwin and Lafontaine should

be supported by the Province, Canada must take the consequences of a revolutionary struggle.

Those consequences would be so fatal to the people of Canada, and especially to the French-Canadians, whose position in *English* America subjects them to dangers as a peculiar people which nothing but *British* protection can avert, that it is to be hoped the Colonists in general, and those of French origin in particular, will look before they leap into such disasters. Unfortunately, however, they cannot see plainly across the Atlantic. They are very liable to be again cruelly deceived, as they were once before, with respect to opinion in this country about Canada. Unless some pains be taken here to show them how very minute is the quantity of sympathy with Messrs. Baldwin and Lafontaine existing in the United Kingdom, they may believe the tales to the contrary which a machinery of intrigue industriously circulates in Canada. It would be easy for the leaders of parties here to furnish proof to the Colonists, that Sir Charles Metcalfe will be thoroughly supported by Great Britain. And if that should be done without delay, prevention may obviate the necessity of cure ; time may be gained for enabling the people of Canada to find out the true character of their Governor ; and then, a country which stands as much in need of good laws and improved administration as any in the world, may reap in peace the natural effects of having such a man as Sir Charles Metcalfe at the head of its constitutional government.

18*th June*, 1844.

APPENDIX.

Letter from Mr. Wakefield to Mr. Girouard.

Confidential.

Beauharnois, 20th August, 1842.

My Dear Sir,

The subject of our last conversation, at St. Eustache, is so very important, and my view of it was so inadequately expressed in French—I am so afraid of being misunderstood, and so desirous of placing my opinions clearly before you—that I need scarcely make any further apology for writing to you in my own language what I said so imperfectly in yours.

There may be this further advantage in writing after speaking on the subject, that, if you should think my opinions worth attention, they may be the more easily communicated to those of your friends whose part in politics is more active and responsible than your own.

For meddling at all with matters in which I have apparently no personal interest or concern, I must offer what will be deemed a sufficient excuse. You are aware of my active, though obscure and humble, part in Lord Durham's mission and its results for Canada. Well, I come here and find that, in the manner of establishing the Union, Lord Durham's recommendations have been disregarded to the extent of adopting measures of injustice towards the Canadians, which he mentioned only to condemn; and I find, moreover, that in the working of the Union the Canadians are ill-treated in a way and to an extent that would have been as revolting to his sense of justice as they are contrary to his notions of policy. That is enough. Upon my sentiments with respect to the manner of establishing and working the Union unjustly towards the Canadians, I have acted for more than a twelve-month past, never missing an opportunity either here or in England of expressing those opinions, or of urging in the most influential quarters to which I could get access the necessity

of a change of policy towards your countrymen. In doing this, I only endeavour to pay a sort of debt towards the Canadians, which has been imposed upon me by the disregard, or the perversion, of some of Lord Durham's recommendations. Mr. Charles Buller, whose position and abilities give him far more influence than I can pretend to, thinks and acts in the same way. It is a satisfaction to know that our efforts have not been wholly fruitless.

But it yet remains for me to apologise for intruding upon you anything in the shape of suggestion or advice. I would do this by reminding you, that as a watchful observer in Upper Canada and in England, as well as in Lower Canada, of whatever may affect the condition of this country, I have had better opportunities than most men of forming a just opinion as to the probable course of events. That I am a disinterested observer also, you will perceive when I add, that I declined the offer of valuable appointments under Government, both from Lord Durham and Lord Sydendam; that circumstances exist which entirely preclude me from incurring any obligation to the Government, either in England or in this province; and that I shall certainly return home in November next, with but little prospect of ever seeing Canada again. It is on this complete personal independence, that I chiefly rest a claim to your attention.

It appears to me that in less than a month from the present time, the representatives of your countrymen in the Provincial Parliament will have a choice presented them not less important than that which the Canadian leaders made, when they refused Lord Gosford a Civil List in return for the concession of nearly all their demands, or when they virtually declined Lord Durham's proposal of a Federal Government for British North America.

The first session of the United Parliament was a non-political session. The bulk of Upper Canada Reformers would not let it be a political session. They thought that there had been for some years before enough of politics for one while, and they wanted to get as much practical good as possible out of the occasion. It was on this account, that, though they insisted at the very commencement of the session on a declaration from men in office in favour of their favourite object—responsible government—they were yet content with a bare and even reluctant concession of the mere principle: it was for this that they prevented any purely political vote by which the Government might have been broken up. They wanted municipal institutions, a law of elections, a provision for education, and the 1,500,000*l.* for debt and public improvements; and these things they got, though some of them not

in perfection most assuredly, by means of keeping *principles* in abeyance. Nor must we forget how Lord Sydenham, with his Parliamentary skill, helped to keep principles out of sight, and to make the session non-political, by yielding whenever he could no longer resist successfully, and in a manner which took away the appearance of defeat. But the case is now quite altered. The coming session cannot be one of measures, if we except the proposal of measures of amendment or repeal which would bring political principles into the most lively action. Of merely practical measures calculated to occupy the House, and hold political principles asleep, there are scarcely any to propose. With the exception of the seignioral tenure commutation, I know of none. But the House will not remain unoccupied. The Upper Canada Reformers are too restless for that. Having got all that was possible in the shape of practical measures out of the last session, they will be apt to make amends for their political lethargy then by great political activity now. Probably, too, the political grievances of the Canadians will come prominently before the house this year; partly because the Upper Canada Reformers will be more ready to listen to representations on that subject, and partly because there are now men in the House more capable of making such representations with effect. And, lastly, it appears to me inevitable, that, as things are now, the Government will not have a working majority this year, but will be subject to such a number of adverse votes from a variegated opposition as to bring the principle of responsibility into action, and necessitate some important change in the policy and composition of the Executive Council. The prospect of this last event should almost suffice for its own realization; for the supposed feebleness of a Government discourages supporters, and incites opposition from all who, however they may differ among themselves, are not satisfied with the present, and think that a break-up may give them a chance of being better pleased. I cannot help, therefore, fully expecting that there will be a good deal of confusion at the opening of this session, and then a new ranging or settlement of parties, which will determine the character of the Government for years to come. I say "years to come," because the permanent settlement of parties which ought to have taken place when the United Parliament first met, was staved off by the determination of the bulk of the Upper Canada Reformers to put political principles aside for the time. Considerations of minor weight lead to the same conclusion,—such as the change of Government in England, which may alarm the Upper Canada Reformers (though without the least cause, I believe),—the advances of the Government under Sir Charles Bagot towards the French Canadians, which, however slow and hesitating, have

alarmed the more violent of the Lower Canada British, and promise to place them in opposition; and the timidity of the Government, as shown in the absurd balancing of a Sherwood against a Hincks. May we not then safely conclude, that this session will bring about a new casting of parties, according to their respective influences in the Legislature of United Canada?

There are four parties in the Assembly—the Canadians, the Lower Canada British or Tories, the Upper Canada Reformers, and the Upper Canada Tories. Not one of these parties by itself approaches the majority. But there is one of them, which from its numbers and compactness, can give a majority in the Assembly to any other considerable party. I mean the French Canadians, who, notwithstanding the inequality of representation under the Union, have obviously got what may be termed the *casting vote in the representation of United Canada.* This would be more plain, if there were a general election now, uninfluenced by executive interference; when the number of French Canadians, and Upper Canada Tory members, would be considerably increased. Even as it is, there can, I think, be no doubt, that the French Canadian party have the power to upset a Government, when they act in conjunction with the Upper Canada Tories, and either to upset or maintain one in conjunction with the Upper Canada Reformers. This is an immense power. If judiciously exerted, this power cannot fail to obtain justice for the Canadians, notwithstanding that great act of State necessity and injustice, the forcible Union of the provinces. The immediate question is, what would be the most judicious use by the Canadians of their power of the casting vote?

The choice which they will soon have to make, is between a junction with the Upper Canada Tories, and a junction with the Upper Canada Reformers.

With respect to the former course, I have two confessions to make. In the first place, my own opinions and feelings are all engaged against a union of the Canadians with that party in Upper Canada which caused the rebellion there by its mode of governing against the wishes of the majority; and, secondly, I think that the gross and cruel injustice under which the Canadians labour would excuse them, if they could find relief in no other way, for allying themselves with their old enemies of the Family Compact, or with the Enemy of Mankind. And, further, it appears to me, that such an alliance holds out temptations to the Canadians, which it will require great manliness and sobriety of judgment to resist. It is a practicable alliance; for if the Governor-General were to adopt this project as cordially as it is entertained by some of the most able of the Upper Canada Tory leaders, a general election would give the combined parties a

working majority in the Assembly. It is for many reasons a tempting alliance for both parties; because, first, it would lead to a Government policy exactly the reverse of that of Lord Sydenham, whose very name both parties hate; secondly, because the new policy must be founded on a bargain between the two parties according to which each of them would have its own way in its own division of the province; and, lastly, because this bargain would virtually almost set aside the Union, which the Upper Canada Tories dislike, as having deprived them of power, and which the French Canadians dislike still more on account of the injustice which they suffer under it. As respects the Canadians alone, this alliance would admit them to more than an equal share in the government of the only part of the province which they deem their country, and would gratify in a high degree their natural feelings of resentment. If they love power and revenge as much as we Anglo-Saxons do, they must have a keen desire for the Upper Canada Tory alliance.

But now come other considerations, which, as respects the Canadians alone, are of a very deterring kind. This alliance could not be entered into by the Canadians without throwing over Mr. Robert Baldwin, whose sacrifices for them entitle him to a very different treatment at their hands. In abandoning him they would forfeit their political honour; and, while they have more of that to lose than any other party in this country, the loss of it would in the long run be more fatal to them, since it is to their political honour that they mainly owe their compactness as a party, and their casting vote in the representation of United Canada. But, above all, this alliance between the French Canadians and the Upper Canada Tories, would give instant occasion to an alliance between the Lower Canada British and the Reformers of Upper Canada. Can you imagine anything more formidable for the French-Canadians? Can you doubt that this latter alliance, going as it would, for "responsible government" above, and "anglification" below, would court and find the sympathy of the Americans? Can you suppose that the unnatural union between the French-Canadians and the Family Compact could long withstand the desperate efforts of the other combination? And then think of the sweep of everything French Canadian that would take place, when the combined Lower Canada British and Upper Canada Reformers got into power. When that happened, after such a struggle as must precede it, the Upper Canada Tories would be no worse off than at present, but the French-Canadians would be ruined for ever. In a game to be played by the French Canadians in partnership with the Upper Canadian Tories, against the Reformers above and the British below, your coun-

trymen's share of the risk would be large out of all proportion to that of their partners' share. Nor is this the only particular in which they would make a childish bargain: the relief which they should get by an alliance with the Upper Canada Tories would be only a temporary gratification, obtained at the price of greater suffering afterwards; and such is the policy of children.

A junction with the Upper Canada Reformers is not open to any of these objections, but is recommended by every consideration of honour and prudence. The two parties might agree upon all subjects, and would form a majority of at least five-eighths in the present Assembly; perhaps six-eighths, if we reckon those who would go with any majority, and some members of the Lower Canada British party, whose first wish is that Canada should be permanently tranquillized, and who believe that permanent tranquillity is out of the question while the Canadians are deprived of all share in the government of their country. Against the wishes of six or even five-eighths of the Assembly, depend upon it that no attempt will be made to carry on the Government.

I am quite convinced that the old method of defying the majority in the representative body has been abandoned for ever. The rebellions and the Union have, at least, had this good effect. I take for granted, therefore, that the combination in question would be represented in the Executive Council. I should expect to see leading Canadians in important offices. I should consider such a combination to be a mere delusion or cheat, unless it were based, among other principles, upon that of justice for the Canadians; and I mean not merely nominal justice, which under some circumstances is compatible with real injustice, but that real practical justice which in the present case could not exist without large allowances for the peculiar language, laws, and customs of half the population of the Colony. This is the condition of a union which I imagine the Canadians to propose to the Upper Canada Reformers. The latter, on the other hand, would have their condition to propose. In proportion as they are indebted to the Union for their escape from the harsh rule of the minority in Upper Canada, so are they deeply attached to that measure. Their condition would be the working of the Union, honestly and cordially, but not so as to preclude the combined party from endeavouring, on all fit occasions, and when there was a prospect of success, to get an alteration of those parts of the Union Act which are obviously unjust and foolish.

The two conditions together would form a policy for the combined party, and that policy would be expressed in these

words—*the working of the Union with justice to the Canadians.* This party, with this policy, must have a majority in the Assembly; and I feel equally confident that it would furnish the members of the Government. In that case, of what would the Opposition consist?—of the more violent of the Lower Canada British, who are very weakly represented in the Assembly, and who would learn to subdue their anti-Canadian passions when they saw the Imperial Government and a majority of the Assembly of United Canada bent on a policy of justice and humanity towards the Canadians; and of the Upper Canada Tories, who also are very weak in the Assembly, and whose numbers would rapidly diminish when it was seen that all chance was gone of establishing the ascendancy of the minority in Upper Canada. So that to this latter scheme I attach the further valuable quality of easy practicability. It is a scheme, the execution of which would place the Imperial Government and the Governor-General equally at their ease, by giving the Governor-General a comfortable majority in the assembly, and by attaching a vast majority of the Colonists to the British connection. What is the objection to this scheme? There may be objectors without a valid objection,—objectors from motives of personal interest, of jealousy, or of a love of opposition for its own sake; but if you were to put these few together, along with the organs of the Upper Canada Tories and the violent among the Lower Canada British, they would form but a poor minority in the Assembly. This minority would be of no weight, provided the plan of a combination for the purpose of working the Union with justice for the Canadians were fully explained and resolutely pursued by the leaders of the two parties who would be allies in that cause. This minority might be despised, if the leaders of the majority had energy and courage enough.

In talking over this matter with another who has had good experience of Provincial politics, it was suggested by him, that the French Canadians might avoid an alliance with any party for the purpose of sharing in the Government, and might just remain in the state of dogged opposition to every thing into which they were forced last session by the course of the Upper Canada Reformers; voting now with the Reformers and then with the Tories, or even occasionally with the British, but always against the Government, which would be like a shuttlecock tossed about among the parties. I answered, No; that is, No as to the shuttlecock, if it were Yes as to the folly of the Canadians. For in that case, inasmuch as under the Union every Governor must get a majority somehow, the present Governor-General would be driven to the necessity of interpreting "Responsible Government" into the purchase of more

than half the assembly, and would very likely find more than half the assembly ready to adopt that interpretation: for corruption begets corruption. But what a prospect for the Canadians and for the country! But has not the plan of buying for a majority been carried too far already? For my part, though I can see that in the case supposed, the Governor could hardly be blamed for getting his majority any how, and though I can conceive that the plan of buying for a majority might be worked successfully for some time longer, yet I do believe that public opinion in the Province is growing sick of that demoralizing and debasing method of government, and that its days are numbered. If it lasted only for another session, the evil would be great enough. Surely the Canadian leaders will not help to preserve it, by refusing, under all circumstances, to co-operate with any party with a view to office. I repeat that the Governor-General must try to get a majority by one means or other: who would like to bear the responsibility of compelling his reluctant resort to the worst of all means?

Recurring to the scheme of a union between the Canadians and the Upper Canada Reformers, with a view to office for the leaders of both parties, it becomes a question whether this should be attempted before or after the opening of the session. My own opinion inclines altogether to the earlier step. I am afraid, that if Parliament should meet without some understanding between these parties and with the Governor-General, questions may arise, and votes be given, that may prevent such an understanding thereafter. Considering in what mood the Assembly will meet without such an understanding, it would be difficult for most members to avoid committing themselves by taking some line; it is more than probable that an immediate fresh casting of parties would be unavoidable. Besides, the Governor-General cannot afford to wait for what might turn up from out of the chapter of accidents; he is bound to try hard for a majority before the time should come when he would perhaps be unable to get one; and he might, therefore, in the absence of the supposed understanding, be driven to the buying process. The circumstance which most recommends the plan of acting without delay, is the Governor-General's freedom from pledges or any sort of committal, which cannot well last beyond the day of opening the session. I understand, of course, that it would be necessary for the Canadian leaders to hold some communication with his Excellency, and with the leaders of the Upper Canada Reformers; but this surely would not be difficult, considering that not a few members of the Council possess the confidence of a majority of the Upper Canada Reformers, and would enjoy the confidence of the whole of them, if engaged in preparing for

a Government whose policy was to be justice for the Canadians, along with a working of the Union. If your friends can make up their minds to go for office on the condition named, the sooner they begin to act the better.

I will not conclude without one remark by way of precaution. Let it not be supposed, that I would recommend the Canadian leaders to trust any body blindly, or to remit any portion of their attention to the work of sustaiuing the strength of their party in the Assembly. On the contrary, I am sure that they ought, even while negociating with the Upper Canada Reformers and with the Government, to guard carefully against any possible misunderstanding afterwards; to insist on real justice for their people, and if possible to strengthen their own hands in the Assembly. In no case, nor for a moment, should they consent to weaken their power of the casting vote. A wise exercise of that power is the true policy of the Canadians. May they always bear in mind, that no small part of the essence of the power of the casting vote consists of wisdom in the application!

Believe me to remain,
My Dear Sir,
Yours faithfully and sincerely,
(Signed) E. G. WAKEFIELD.

P.S.—In marking this letter confidential, I have been desirous of guarding it from publication. It is intended for equally confidential communication to any of your friends.

J. J. Girouard, Esq.

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