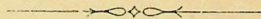


15
A CANADIAN

POLITICAL COIN.

A MONOGRAPH.

BY
WILLIAM KINGSFORD.



OTTAWA :
E. A. PERRY.
1874.

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WILLIAM KINGSTON



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Entered according to the Act of Parliament of Canada, on the Fourteenth of January, one thousand eight hundred and seventy-four, by WILLIAM KINGSFORD, in the office of the Minister of Agriculture.

BY

WILLIAM KINGSFORD.

OTTAWA:
E. A. BERRY
1874

The following pages appeared in the *Canadian and Antiquarian Journal* of Montreal. From the limited amount of space in that periodical, the paper was divided into two parts, and as that magazine appears but once in three months, the interval which took place during its publication—from July to November last—went far to destroy all interest in its perusal. The writer has, consequently, determined to republish it in a connected form, as a chapter of Canadian history. He considers, that although representing a past order of events, a narrative of those days will ever interest all who feel pride in the assured progress of the Dominion, and who appreciate the blessings of the constitutional rule under which we live.

Wilbrod Street, Ottawa,
January 7th, 1874.

Claudio—My reputation. Iago, my reputation!

Iago—Reputation is an idle and most false imposition: oft got without merit and lost without deserving. *OTHELLO*, Act II. 3.

Qui stultus honores
Saepe dat indignis, et faemae servit ineptus
Qui stupet in titulis et imaginibus.

HORACE, Sat. I. VI. 15, 18.

A CANADIAN POLITICAL COIN.

A MONOGRAPH.

Until the last few years, a coin of uncouth execution, was frequently seen in the old City of Quebec and its neighbourhood. Elsewhere it was seldom found; so seldom as to suggest that its appearance was fortuitous. Whereas in the former political Capital of Lower Canada, so many examples were current in the strange congeries of copper coin, which the market women accepted as genuine, that the inference may be drawn, that it owes its origin to that city, and that it is there that it was minted. It is of copper, and of the rudest execution, and there are three varieties known of it.* At the first glance, nothing in a limited way is more enigmatical than the legend. On the obverse we find a profile bust left, with the various readings, *Vexator Canadin sis*, *Vexator Canadiensis* and *Vexator Canadensis*. On the reverse, a female figure, possibly dancing, with the words, "*Renunter Viscape* or "*Renunillus Viscape*." Many collectors have endeavored to penetrate its origin, and to trace it home to its creators, hitherto without success. Dated 1811, it is feared that there is now little chance of doing so. Nevertheless the date and legend suggest its meaning and design. The obverse is easily read. "The torment—the pest of Canada." The reverse equally offers a solution. Turning the two V into O as indeed they appear to be, and subjecting the letters to true orthographic division we have *Non illos Vis Cape re*, a sort of questionable translation of "Don't you wish you may catch them?"

The second reverse, *Non ter vis Capere*, can be read as "Would you not like to catch them over again?" may be the

* It is catalogued by Mr. Sandham in his useful book, under the head, "Canada," Nos 5, 6 and 7, Page 24.

first design incorrectly carried out; or it may possess some local allusion or some political significance now lost.

The date takes us back to the days of Sir James Craig, who left Canada in June, 1811, and whose government was one of the most stormy which Canada has experienced. The period in question may be described as the infancy of all political knowledge, and viewed from the standing point of our clear and constitutional theories of the political rights and responsibilities of each branch of the Legislature, it may be regarded, as utterly destitute of every example and every precedent admitted and followed by the modern statesman. The men of that day, with honest theories of right, and really desirous of establishing liberal institutions, seem to have been utterly ignorant of all the checks and safeguards, which must arise in any system of government, from its very artificial character. There cannot be a doubt that the complications which then arose, seriously delayed the establishment of a representative, responsible Executive; and that instead of that political condition being naturally and easily evolved from the existing order of things, when it did come, it was to no little extent the result of force, and of bitter dissatisfaction which yet leave behind some of their old difficulty.

A military despotism succeeded the conquest, and the treaty of Paris in 1763. It was not a form of government displeasing to the new subjects, as the French Canadians were called. For they had strong military tastes, having lived in a chronic state of war. Moreover the British Government paid in silver dollars for every service rendered and for every article supplied, in contra-distinction to the paper money which the French Government had long issued. There was nevertheless a departure to France of many men, of high birth and in prominent positions; while those who remained behind seem determined to have made up their minds to make the best of it, and from that day to this, the loyalty to Great Britain of the French Canadian has been genuine and undoubted. There was however no little blundering on the part of the British authorities, especially in the appointment of the new officials.

The Chief Justice was one Gregory, who was taken out of prison in order to be sent here. The Law officers were without qualification, and as a rule ignorant of French.

Canada was divided into Departments. Indeed the military element was so strong, that in a country to be subjected to British institutions, the system could not long be tolerated without the Barrack gate of the Garrison, where discipline exacted it. The Quebec act of 1774 was accordingly passed. It was very unpopular in England, and was specially petitioned against by the Corporation of London. While the present United States, ripe for separation, then, as now, utterly incapable of understanding the political and national sentiment of this country, declared, "that the Dominion* of Canada is to be so extended, modelled and governed, as that by being disunited from us, (the United States) detached from our interests by civil as well as religious prejudices, that by their numbers swelling with Catholic emigrants from Europe, and by their devotion to an administration so friendly to the religion, they might become formidable to us, and on occasion be fit instruments in the hands of power, to reduce the ancient, free Protestant colonies to the same state of slavery with themselves." The Quebec act, established a Council of not more than twenty-three or less than seventeen, to enact ordinances for good government; but without power to make assessment for taxes other than the inhabitants themselves would impose for municipal purposes. The ordinances were to be passed between the 1st of January and the 1st of May. The criminal law of England was established, otherwise the ancient laws of Canada were maintained. The exercise of the Roman Catholic religion was declared free, and with the exception of the Jesuits, who had been suppressed at the period of the conquest, no community was interfered with. This state of things continued to the close of 1791.

There seems little doubt but that the Constitutional Act, as the Act of 1791, is called, in contra-distinction to that of 1774, which is always spoken of as the Quebec Act was dictated by

* It is a curious fact that the title of a Century back has been re-created as the permanent designation of British America.

the desire of conciliating the U. E. Loyalists. This Act divided the Province into Upper and Lower Canada. In the interval, the American Revolution had passed through its full phase of establishing the independence of the Republic, and crowds of men devoted to England, had abandoned all they held in the now United States, in order to live under British rule. So far as such as these were concerned, the feeling seems to have prevailed that the existing Government of Canada, did not extend English Law, and the civil law of France was distasteful to them. Indeed there was a deep rooted distrust of any other system than that of the mother country. We believe that on the whole this Act was just and politic. In the then condition of the roads, it would have been almost impossible to have brought members to a common House of Assembly, except in seasons of the year, when their presence was indispensable at home. In 1791 it is estimated that in the period which had elapsed since the Conquest, the population of Quebec had more than doubled. So far as the mercantile resources of the country went, they were in the hands of the English speaking population. The French Government had been perfectly unacquainted with the extent of trade which sprang naturally from the European population, and all its care and effort had been the development of the traffic with the Indians. For then, as now, the struggle lay between the Hudson and the Saint Lawrence, and the question really was which route the then produce of the west, furs, would follow. It was years after the change of government that the French Canadian turned his thoughts in that direction, and as one notes the many wealthy French Canadian firms of the present day at Montreal and Quebec, one wonders that such should have been the case. The act establishing Upper and Lower Canada, had this advantage, that it limited the field of action to two communities, which although kindred, were dissimilar, and as Mr. Pitt expressed himself, he trusted the division would be made in such a manner as to give each a majority in their own particular part, although it could not be expected to draw a complete line of separation.

Our business lies with the next twenty years of Lower Canadian history, and it is to that province we must on this occasion turn. It has been the custom with uninformed writers, and flippant speakers, to throw discredit on the sentiments which actuated the leading political men of Great Britain towards this country. With the exception of one shortcoming, which took very many years to remedy, the student rises from the perusal of the early history of the Dominion with the profound impression that no care could be more fostering; no assistance more ready and generous; no legislation more in accordance with circumstance; no protection more chivalrous, and no affection more untainted by insincerity than that which is found in the connection between the mother country and these Provinces. The one omission was the neglect of social recognition of the leading men of the country when in London. With few exceptions, and those by no means not the most happily chosen, the Canadian politician on a mission from his Province was allowed in the Imperial Capital, when his official visit terminated, to languish in unnoticed obscurity at his hotel. It was Lord Lytton who changed this unwise *hauteur*, and who substituted the kindly hospitality which now distinguishes Imperial statesmen in their intercourse with official men of the Outer Empire. With all the teachings derived from the revolted Provinces, whatever political lessons were conveyed, the truth that the day had come when the Imperialist should cease to lord it over the Provincial had never been generally accepted. Its non-recognition in no small degree, led to the American War, for the real grievances were all capable of adjustment, while the public good sense could easily have been made to understand that George the Third, was in reality much more of a farmer than a tyrant, and that the project of the States, to issue to an unlimited extent paper money, would have brought ruin on their country.

The Lower Canadian House of Assembly was to consist of fifty members. It met for the first time, on the 17th of December, 1792. The Legislative Council consisted of fifteen members. The Governor General was Lord Dorchester; but

in his absence Parliament was opened by Major-General Alured Clarke. Perfect unanimity prevailed.

The expenses of the civil government were £20,000 and the receipts somewhat under £4,000, the deficiency being made up from the military chest. This monetary deficiency continued until 1808, when the revenue had increased to nearly £41,000 currency, the expenditure amounting to something over £41,000 sterling. In the following year the revenue was little short of £18,000 currency in excess of expenditure. During the whole of this period the money, necessary to meet the Provincial disbursements, was found by Great Britain.

Lord Dorchester was succeeded by General Prescott. Concord prevailed everywhere. Every one extolled the excellent and happy government under which they lived. There was no particularly uncharitable zeal about the dogmas of religion. Inter-marriages of Protestants and Catholics were not then fenced by conditions which no gentleman should accept. There was no French party, and the offensive epithets, which appear so frequently in the pages of the *Canadien*, were not then current. The Governors had not in each case nourished round them those nests of office-holders, who exercised for so many years, so deplorable an influence on political life. To use the words of a modern historian "the last sun of the eighteenth century that set upon Canada left its people the happiest upon the earth, of all the sons of men it had that day shone upon."

The first political difficulty which arose to change this enviable condition can be traced to the Jesuits' Estates. Shortly after the conquest the order had been suppressed by a Papal Bull in 1773, when Clement XIV. decreed the total suppression of the order. Previously to this date, however, in 1764, they had been banished from France and their property confiscated: and it was not to be supposed that under such circumstances their presence would be tolerated in Canada. The British Government, however, behaved with great liberality. All that was exacted was that no new accession should be made to the order. The then members were allowed to die out, and it was not until 1800, when the last of the body died, that the Govern-

ment took possession of their Estates. General Prescott was then in England, and the Legislature was opened by Sir R. S. Milnes.

It must be recollected that at this time the civil expenses were far from being met by revenue. Moreover in the preceding year the Imperial Government had made a loan to the Province for the purpose of building the Law Courts in Montreal and Quebec, and hence writing as we do dispassionately, seventy years after the event, the proceedings taken on this occasion seem remarkably unwise, and utterly unwarranted on any ground of right or expediency. A motion was made in Assembly that the House do resolve itself into a committee to consider the most proper measures of obtaining information concerning the rights and pretensions which the Province may have upon the Jesuits' buildings. Mr. Young, of the Executive Council, immediately rose and said that he was authorised to inform the members that with the advice of the Executive Council, His Majesty had assumed possession of the Estates. The House, nevertheless, went into committee and an address was voted asking for copies of all documents and official reports, particularly a report of a Commission made June, 1789. On the address being presented the Governor answered that the property had been taken by the Crown, and that if the Assembly deemed it advisable to persist in their investigation he would allow access to all papers, but he left it to themselves to consider, whether it was consistent with the respect which they had uniformly manifested to the Sovereign to reiterate any application on the subject. The matter was postponed by general consent. But in the following year an act was introduced for the Corporation of the Royal Institution for the advancement of learning and for the establishment of Free Schools, enacting that a suitable proportion of the lands of the Crown should be set apart for the purpose. It became law, but no appropriation was made. The Roman Catholic Clergy opposed it, and the very proposition with some of the young French Canadian politicians entering public life was urged as a reproach against the Executive.

Misunderstandings now commenced to multiply. What is known as the "Gaols act" led to much ill feeling, in which the English population must ever have modern criticism against them. The leading members of the mercantile community protested against the policy of the Legislature, which had imposed a tariff on imported articles, a policy which undoubtedly would find favor to day. The proposition of placing a provincial tax on land, which then divided the community into parties, would scarcely now find a defender. Another incident, of apparently less importance, but in reality which laid down a very important principle, occurred at this period. The Assembly asked for an increase of the French Translator's salary. The Lieutenant Governor refused to accede to the request as it was made, and we are sure every one with the least constitutional knowledge will say very wisely. The writers who record the event do not seem to recognize the ground of refusal, indeed to be puzzled somewhat that so trifling a matter should cause unpleasantness. The Lieut. Governor answered the address by saying he must resist a precedent, which might lead to injurious consequences. Further, he alluded to the omission of observances, which tend to preserve a due harmony between the House of Assembly and the other branches of the Legislature. The fact really is, that if the House of Assembly alone, without the other House, could vote that any one salary be raised, it could vote likewise the reduction of any other salary, and thus an official disliked by the majority would be at their mercy. The matter itself was undoubtedly trifling but the mode taken to urge it, was so contrary to true parliamentary usage, that it could not be accepted. The Assembly, however, seems to have had very exalted ideas of its own privileges, and it thought that the best way to vindicate them was to enter into a crusade against the Press. The leading spirit on this occasion was Mr. P. Bedard, a man of ability, and possessing much in his character to exact respect, but disqualified for the part he assumed as the advocate of what he called Constitutional Government. He seems to have been entirely ignorant of those maxims which are now recognized by men of all parties. His doctrine may be set forth in

a phrase. The supremacy of the House of Assembly with the side issue of a jail for those who criticised it, based on the assertion of its entire independence of the Governor General and the Legislative Council. These opinions soon found occasion for practically showing their force, and the parties who furnished it were the publisher of the *Montreal Gazette*, of the 7th April, 1805, and the chairman of a public dinner, Mr. Isaac Todd. The former had inserted the toasts given by the latter, and the crime consisted in proposing the health of "those representatives in parliament who had advocated a constitutional mode of taxation for building gaols."

"On the motion of Pierre Bedard, Esq." the house voted this simple proceeding a false, scandalous and malicious libel, and the deputy-sergeant of arms proceeded to Montreal to take the two recusants in custody. The latter could not be found and so the matter dropped. The second attack was on Mr. Cary, the proprietor of the *Quebec Mercury*. Until 1805 the press rarely dealt with religious or political questions, and it was at this period the *Quebec Mercury* appeared as a weekly paper. It was the organ of the Government House, not of the Governor himself, but of the clique of irresponsible office holders, who managed to lay their grasp upon power, and who fatally directed the policy of this country, in the first years of this century. We quite agree with Garneau's view of these gentry.*

Any change to them, was for the worse. Judging things by their present value, they were paid three fold what a minister of the Crown or a Judge now receives, and the incomes of many were increased by fees. They formed a small society among themselves, interchanging social patronage, and they affected an exclusiveness with habitual arrogance, unredeemed by little claim to merit. Side by side with this affectation of position, ran that full blown feminine insolence, so frequently mistaken by the weak minds who indulge in it, for high and dignified manners. "*Intolerabilius nihil est quam femina dives*," Juvenal tells us. Translating *dives* by the words, with an

* "Les Fonctionnaires publics * * qui se croyaient au dessus d'elle, (la Chambre) comme le prouvait leur conduite, et leur langage. Ce mal * * qui a contribué aux événements politiques qui ont eu lieu plus tard." Garneau Vol. II., p. 61. [Ed. 1852]

official husband—we may add fortunately of those days—we can make the application of the saying to those times. Certainly in this epoch of Canadian history, no little of the political complication is attributable to the intolerable impertinence of the wives of the men who held office. This element of petty jealousies, of small heart burnings, and social affectations, threw its poisonous tinge over more important questions; and it continued until the establishment of responsible government. The first shock against it came from Lord Durham. His successors strangled the Hydra.

The *Quebec Gazette*, started with the view of sustaining this clique, directed its efforts to create what is called a British party. Judged by his professed creed, the French Canadian has always been purely British. His attempts have ever been directed to claim his privilege as such. It is he who reminded Sir James Craig, that these were not the days of the French Intendants. In all the difficulties with which he has had to struggle, he has never been tempted to threaten a southern connection as an extrication from them. Men, however, are always ready to catch at words, and in this case the trap was baited with all that prejudice could suggest. Mr. Cary, the editor of the paper, inaugurated much of the bitterness which subsequently arose. The Assembly, however, were not to be outdone, and on some journalistic criticism, Mr. Berthelot, in his place declared, that Mr. Cary had presumed to interfere with the proceedings of the House. Mr. Cary was taken into custody and very humbly apologised. So he was allowed to return to his vocations. In 1806 the *Canadien* appeared. The proprietors claimed "*la liberté d'un Anglais qui est à présent celle d'un Canadien.*" While "*rien de contraire à la religion, aux bonnes mœurs, ou à l'intérêt de l'état,*" could be admitted. The quarrel accordingly was now ripe and ready; the lists were prepared, and it was evident to any one who looked upon the situation, that a spark was only wanting to set this combustible matter in a blaze.

It was in this embarrassing position of affairs that Sir James Craig arrived in Canada. He landed 18th October, 1807. He was then 57 years of age, forty-two of which he had

passed in the army. He had seen service on this continent, having been present in the actions of Saratoga, under the miserably incompetent, but gallant Burgoyne. He had borne a leading part in the capture of the Cape of Good Hope; he had served five years in India, and subsequently commanded the British Corps d'Armée in the Mediterranean in 1805. No one could have brought a more brilliant military reputation to the country, and doubtless he was selected for this very cause, owing to the threatening aspect of our relations with the United States. His constitution, however, was thoroughly broken; but having before us his age, it is hard to understand the despondent tone in which he speaks of "the pressure of disease acquired in the service of my country." His death, seven months after his retirement from Canada, only too well tells the tale of shattered health, of a broken constitution, and the unmistakable prostration caused by hopeless malady. Craig's first parliament was marked by no unusual event. The House of Assembly passed a bill excluding judges from their body, which the Legislative Council at once threw out, and the Assembly declared the seat of Mr. Hart, a Hebrew, vacant, because he was a Jew. In so acting, however, they merely followed the recognized intolerant doctrines of the day. Craig's addresses from the throne were dictatorial and wordy. Judged by any standard, they must appear highly impolitic. There is a paternal tone running through them, which must have been exceedingly unpalatable to the young gentlemen of the *Canadien*, who had been reading Blackstone and De Lorme, and who were primed with the axioms of constitutional government gathered in the study. No little of this counsel was couched in the form, men like the least; that of telling those to whom it was addressed, virtually that it was necessary to say these things. And when we come to examine the meaning of the generalities, they do not offer a single practical suggestion. This misjudged tone was the greater error, as the utterances were made in the face of a general election when governments if wise, are reticent. The *Canadien* was now in full activity. Its articles are temperate to a degree so far as its political tone is considered. But undoubtedly the writers

did their best to widen the chasm of difference of race which it was the policy of the office holder to suggest. It is astonishing that the writing is so tame and common place, and utterly bewildering that it should ever have subjected its authors to persecution. Mr. Garneau says sententiously "*P'apparition de ce journal marque l'ère de la liberté de la presse.*" To our mind it marks no point at all in the history of the country, but the imbecility and injustice of the Quebec Government clique.* The columns of the paper contain essays on government, without the least power, shewing that their authors but imperfectly understood the questions they discussed. At the same time they were laudably free from personality. What was written was put to paper with the design of controlling the vote of the House of Assembly, and if the leaders of the movement had known how to wield the power they created, they would have been formidable. But it was in this point they failed. The leading men, although possessing ability, were singularly devoid of prudence. They seem never clearly to have understood the true position of a House of Assembly, in any parliamentary system, when even it possesses the most ample of rights and privileges. Bordages and Bedard were men in no way deficient in power, but they were always ready to push matters to extremes; as if ignorant that politics is essentially a science, the ruling principle of which is often that of compromise. Above all, they appear never to have thought that the true Statesman avoids every cause of needless irritation to an opponent. The great fault of the *Canadien* was to pander to the discord of the hour. Wit in its pages in no way exists; but it knew how to touch the chord of jealous national suscep-

* The first number of the *Canadien* appeared on the 22nd Nov. 1806. The last number is dated the 14th March, 1810. Allusion to this somewhat rare book, which is in the Parliamentary Library justifies my acknowledgment of the very many acts of kindness and courtesy I have experienced from the Librarian, Mr. Todd, and Mr. Lajoie, the Assistant Librarian.

The volume in question contains 784 pages, and it is difficult to find such an extent of type with so little to make its perusal pleasant. Some of the *jeux d'esprit* however, are not without elegance and point. Many forcibly suggest the pages of Grimm. The following epigram is a favorable specimen, perhaps the best in the volume:

A UNE DAME.

Qui tenoit un chien sur ses genoux.

Grace à toi volage beauté
Malgré leur peu de ressemblance
Nous voyons la fidélité
Sur les genoux de l'inconstance.

VIGÉE.

tibility. Thus we read—“*Dans le dictionnaire ministeriel : mauvais sujet anti-ministeriel—democrat, sans-culotte et damné (sic) Canadien veulent dire la meme chose.*”

Any wise and prudent ruler would have ended the crisis in a different mode to Sir James Craig. He would have shewn the French Canadian that England is no respecter of persons, that the old and new subjects were equal in her eyes. He would have snubbed the clique of insolent toadies who were deceiving him for their own ends; and as Lord Durham did later, he would have treated with contempt the insolent airs and underbred pretentiousness of the Government official women. In an evil hour for himself, this most honest and worthy of men acted otherwise. Listening to his irresponsible advisers, he dismissed five prominent French Canadian gentlemen from the militia, on the ground of being proprietors of a seditious and libellous publication. Only that the exception can be found in his own government, no more arbitrary stretch of power can be met in any country under British rule. These gentlemen were Messrs. Panet, Bedard, Taschereau, Borgia and Blanchet. When it is recollected that this step was taken within eight months after Craig's arrival in Canada, we can estimate the extent of the passion which misrepresentation had instilled into his mind.

The new parliament met in April, 1809. The Governor's speech was again unfortunate, more especially as the Legislature had been convoked on twenty-six days' notice only. Craig was decisive on the point of causeless jealousies and unfounded suspicions. The phrase was only too suggestive of implied reproof, and the discontented turned to old subjects of discontent, with more than the old feeling of rancour. Of the new parliament, 14 were of British origin, and 36 French Canadians, a proportion generally found at this day. We presume that it is equally representative of religion, making the reduction of one from the Protestants for the persecuted Israelite. The old bill for disqualifying Judges, and another for expelling the Jew had been introduced, and Parliament was in the middle of its deliberations, when, in the second week of May, Craig went down in state and summoned the legislature to his

presence and assented to five bills of little moment. In a speech, perhaps only to be equalled by that of Cromwell, he announced his intention of dissolving the Assembly. He told them that in the place of promoting harmony, they had wasted their time in frivolous debates, and that they had abused their functions; that they had neglected matters of necessity; that they had been intemperate and had acted detrimentally to the best interests of the country. He thanked the Legislative Council for their unanimity, zeal and unremitting attention; and likewise extended his thanks to a considerable portion of the House of Assembly, and he stated that it was his intention to call a new Provincial Parliament. So extraordinary a dismissal could not fail but to create strong feelings, and to cause important results. The Canadian party, hitherto somewhat divided, were, by this violent proceeding, driven into the unity which has kept them together in such compact form to this hour, and from which however surely, in the present position of parties, they are but slowly disintegrating. The emergencies of modern politics are so different to the sentiment that has hitherto led them to sink minor differences, that they are now somewhat resolving themselves into different spheres of opinion. That they have not hitherto done so, is greatly owing to the extreme conduct of Craig at this period, which led them to recognize the necessity of an unswerving party allegiance. A new Assembly was elected more hostile than ever to the Government. It met in January, 1810. Craig was somewhat more politic than before. He expressed his readiness in His Majesty's name to assent to a bill making judges ineligible for Parliament. But the Governor's unfortunate verbosity grated on the Assembly, and the first resolution carried, declared all interference with the functions of the House a breach of privilege. The House then proceeded to take up the Civil List, advancing the right to remodel and to vote the supply, at the same time offering to meet the whole cost of expenditure. Acknowledging the beneficence of the mother country, the House of Assembly expressed its readiness to relieve her of future cost, and as in the Imperial Parliament, to vote the estimates, and to impose the taxes necessary to defray them.

It was in these crises that the Assembly shewed its ignorance of constitutional form. Instead of arrogantly claiming to monopolize all power of action, its efforts should have been directed towards inducing the Legislative Council to participate in a joint address.

Opposition to this step on the part of the Council was to be foreseen, an opposition possibly extending over three or four years. But eventually the justice of the claim would have entailed its success. The Home Government never had but one thought towards Canada that of establishing a prosperous and happy community; and, if occasion had exacted it, it would specially have sent a Governor delegated to consummate this policy. The impractical character of the French Canadian politician of that day, interfered with any such line of conduct. When we judge these men, by the light of their countrymen in the present Dominion Parliament, it seems unaccountable, they so ill understand the reform they could constitutionally advocate. Lafontaine and Morin of the last generation, thoroughly knew the precise policy to follow; and men like the late Sir G. Cartier, or Mr. Dorion, Mr. Langevin and Mr. Cauchon of the present race of politicians, could never commit the blunders of sixty years since.

The address was voted and presented to the governor, requesting him to lay it before His Majesty's Ministers for transmission to King, Lords and Commons. But the Governor refused to receive it, on the constitutional ground that all grants of money should, in the first instance, come in the form of a recommendation from the Crown, and that although such grants originate in the Lower House, they were invalid without the vote of the other branches of the Legislature. He further pointed out that the course was unusual, indeed without precedent, for a single branch of the legislature to address in any form either of the Imperial Houses of Parliament; that His Majesty's Ministers were not the medium of communication with the House of Commons; and that without the Royal command, it was beyond his duty to place any such address in their hands for the purpose named. However, as a testimony of the good intentions of His Canadian subjects, he would

transmit the address to the King, and he would do so, to shew his sense of their voluntary pledge and promise to pay the civil expenditure of the Province without repugnance, but that the step must not be held as compliance with any unconstitutional proceeding.

But the Parliament was not to end in peace. A Bill was introduced making Judges incapable of sitting in the Lower House. Sent to the Upper House, a clause was added that it should take effect after the expiration of the present Parliament. The House of Assembly therefore declared Judge DeBonne's seat vacant. But Sir James Craig was on his side in no way to be outgeneralled, for he at once prorogued parliament, and he informed the members that he had determined again to appeal to the people. This step was taken on the 26th February, 1810. Within twenty days another proceeding followed, so uncalled for, so arbitrary, so marked by folly, that every one concerned must partake of the disgrace with which history has stamped the act. This was the seizure of the *Canadien*. On the warrant of Chief Justice Sewell, a party of soldiers, with a magistrate, entered the printing office of this paper on the 17th March, and seized the whole of the type, presses and paper. The printer was also apprehended, and in two days afterwards three members of the House of Assembly, Messrs. Bedard, Blanchet and Taschereau were arrested at Quebec. Messrs. Laforce, Pierre Papineau and Corbeil, underwent the same treatment at Montreal.

On the 21st March, the Governor issued one of his extraordinary proclamations, a proof that the whole scheme was pre-determined. No one can doubt Sir J. Craig's honesty and excellence of character; and the only explanation possible to this extraordinary proceeding is that the office-holders seeing that there was a chance of their position being assailed, had persuaded him that really some traitorous conspiracy did exist. It is not impossible that the desire existed of embroiling the Imperial Government in the quarrels which they themselves had created, the more firmly to assure themselves against Provincial influence, and the better to secure the positions they held. One fact is certain, nothing in the columns of the *Canadien*

warranted the outrage. There was no rebellion of any sort whatever. The gentlemen implicated were certainly troublesome members of the House of Assembly, but we presume even Sir James Craig would scarcely recognize such a cause as the reason for arrest.

Sir James Craig met his new Parliament on the 12th December. The prisoners had been released excepting Mr. Bédard, who declined to leave his prison and demanded a trial, and it was evident his detention would be the cause of difficulty. But the Governor, with all his faults, was personally respected. He was a bold, dashing soldier; kindly in his relations with men; a gentleman. Like the theoretic Bishop of old he was given to hospitality, which cannot be said of every Canadian Governor General, and of men too, much abler than Sir J. Craig, whose administration has yet to be written, and whose want of duty in this respect,—and there are those who recognize it as a duty,—is still unpardoned. The members, too, recollected his firmness and determination, and his unbending character. And much as they disliked to renew the temporary act for the better preservation of His Majesty's government, the provisions of which had been strained to arrest Bédard and the others, when sent down from the Upper House, they passed it. It is due to their patriotism to bear in mind the troublous times in which they acted, for it was then very evident that war with the United States must follow, and the Canadian of every race and creed had thrown his fortunes with Great Britain, to go through the glorious three years which followed.

This contingency had doubtless great influence on the policy of the Quebec Legislature. There was, however, the usual interchange of manifestoes. The Governor commenced with the general advice he always seemed to think it his duty to offer. The House of Assembly, followed with the tone, which they took, as if it were incumbent on them to resent it; while the Governor replied with the same generalities with which he had commenced, in every way, ill judged and offensive. The session, however, passed over quietly, if not with cordiality, and the House was prorogued on the 21st March.

But it was plain that the day of Sir James Craig was

passed. Previous to the prorogation of Parliament, he had been informed that his request to be released from the Government, owing to his declining health, had been acceded to. His last speech from the throne may be recognized as an official farewell. But he could not divest himself of his love of sermonizing. He inculcated submission to the laws; warned them against the attendant evils of that prosperity on which he congratulated the members, the evils of luxury and dissipation. He appealed to the efforts of religion, and the magistracy to counteract their effects. He cautioned his hearers against envy and jealousy, and advocated the mutual intercourse of kindness and benevolence. "I am earnest in this advice, gentlemen," he continued, "It is probably the last legacy of a very sincere well-wisher," and he proceeded to trace the condition of the united people he was leaving, more in accordance with his own honest illusions, than with the real condition of the Province. Sir James Craig left Canada in June, 1811. He died in England, January, 1812.

It is somewhat difficult to analyze a complex character like that of Sir James Craig, and while condemning no small part of his administration, in itself generally the true criterion of worth, to speak of the man with respect and reverence. Garneau introduces him as "*administrateur fantastique et borné*," and we cannot deny that there is some warrant for the epithet. Craig most certainly was ignorant of the true principles of Colonial Government as we understand them to-day. But in this respect, he was no worse than his *entourage*, or his opponents. He differed, however, from most of the men about him, in this, that his policy was a matter of faith, and that his truth was genuine and deep. Indeed it has never even been questioned. His nature was singularly straightforward and honest, and untainted with one ignoble motive. Even the most one-sided of French Canadian historians, tells us "*il n'avait pas au fond un mauvais cœur*," and the proof of the estimation in which he was held as a soldier and a leader, and as one to be followed and trusted, is found in the conduct of the French Canadians themselves, who in that time of trial nobly answered to the call of patriotism and duty, and filled the ranks of the

militia when the appeal for enrolment was made. The chance of war with the United States lay before the Province, but no one doubted the ability or experience of Craig to meet the crisis. Thus in spite of his unfortunate self-assertion, the high qualities of a generous nature, ever on the surface, gained for him an universal feeling of respect.

The British population had been taught to believe that he was the champion of their nationality, and their devotion was without limit. It is to those he failed to conciliate that we must look for the less enthusiastic judgment of his measures and policy, and the latter will find as little favor with all lovers of good government at this advanced period of the century, as when in the first decade they were censured by a vote of the Assembly. No one, however, has impugned the sincerity, the patriotism, the conviction by which they were dictated. It has never been even hinted that he acted otherwise than from a sense of right. But he labored under the misfortune of having advisers interested in the perpetuation of the abuses which were assailed, and of being opposed by politicians in the very infancy of the knowledge of statesmanship, who, however right they started in their desire for change, invariably permitted themselves to be placed in the wrong. Craig committed great faults, but he possessed great qualities. The prompting motive of his life was duty. And yet it is to such a character that an obscure unknown personage, on a rude, half legible coin, has applied the reproach of being "*Vexator Canadensis*," to be remembered so long as Numismatics remain a science. The perpetrator little foresaw the immortality he was conveying, and the extent to which the challenge would be answered. For we believe, that when the history of Canada comes to be written, as the duty has yet to be performed by men free from prejudice, and removed from the active influences which bewilder and pervert judgment, Craig, with all his errors, will stand forth as no unpleasing portrait. His will be held to be a character which many would do well to imitate,—in his generosity, his honesty, his courage and his gentleness,—we use the word advisedly. While they avoid the errors, and blemishes of his

administration, most of which sprang, not from want of principle, or from an ill balanced and weak mind, but from want of experience, want of political knowledge, and above all, from being thrown amid unprincipled, interested and irresponsible advisers.



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